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Congressional Record

PROCEEDINGS AND DEBATES OF THE 76th CONGRESS
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PROCEEDINGS AND DEBATES OF THE 76th CONGRESS, SECOND SESSION

SENATE

THURSDAY, SEPTEMBER 21, 1939

The second session of the Seventy-sixth Congress met this day at the Capitol, in the city of Washington, in pursuance of the proclamation of the President of the United States of the 13th day of September 1939.

JOHN NANCE GARNER, of the State of Texas, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., of the city of Washington, offered the following

PRAYER

Almighty God and Heavenly Father, Ruler of the destinies of nations, who hast called us to share with Thee in the order and government of the world, help us to realize the sacred obligations of this hour, for the fulfillment of which we invoke Thy Spirit's guidance as we face the problems of our saddened world with its ever-deepening shadows. Grant that, being undismayed by the futile reign of circumstance, keeping our minds free from the wanton tyranny that seems to rule man's outward life, we may rededicate ourselves to Thee, and, impassioned with a high and holy purpose, we may use our gifts only for Thy glory and the welfare of mankind.

O Master of Men, Thou Pattern of Gentleness, by the prophet's dream of old, hasten the time when war shall be no more; by the angels' song of peace, raise up leaders of good will and stay the hand of hate; by the Kingdom Thou hast promised, come and rule the hearts of men and set Thy people free. In Thy dear name and for Thy sake we ask it. Amen.

PROCLAMATION

The VICE PRESIDENT. The clerk will read the proclamation of the President convening the Congress of the United States in extraordinary session.

The Chief Clerk (John C. Crockett) read the proclamation of the President, as follows:

CONVENING THE CONGRESS IN EXTRA SESSION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas public interests require that the Congress of the United States should be convened in extraordinary session at 12 o'clock noon, on Thursday, the 21st day of September 1939, to receive such communication as may be made by the Executive;

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extraordinary session at the Capitol in the city of Washington on Thursday, the 21st day of September 1939, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the city of Washington this 13th day of September, in the year of our Lord 1939, and of the Independence of the United States of America the one hundred and sixty-fourth.

[SEAL] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
Secretary of State.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk (Emery L. Frazier) called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Reynolds
Andrews	Donahey	Lee	Schwartz
Ashurst	Downey	Lodge	Schwellenbach
Austin	Ellender	Logan	Sheppard
Bailey	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Thomas, Okla.
Borah	Gillette	McNary	Thomas, Utah
Bridges	Glass	Maloney	Tobey
Brown	Green	Miller	Townsend
Bulow	Guffey	Minton	Truman
Burke	Gurney	Murray	Tydings
Byrd	Hale	Neely	Vandenberg
Byrnes	Hatch	Norris	Van Nuys
Capper	Hayden	Nye	Wagner
Caraway	Herring	O'Mahoney	Walsh
Chavez	Hill	Overton	White
Clark, Idaho	Holman	Pepper	Wiley
Clark, Mo.	Holt	Pittman	
Connally	Hughes	Radcliffe	
Danaher	Johnson, Calif.	Reed	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Mississippi [Mr. HARRISON] are absent from the Senate because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Colorado [Mr. JOHNSON], the Senator from Utah [Mr. KING], the Senator from New York [Mr. MEAD], the Senator from Georgia [Mr. RUSSELL], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

Mr. MCKELLAR. I announce that my colleague the junior Senator from Tennessee [Mr. STEWART] is absent because of illness in his family.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

LIST OF SENATORS BY STATES

Alabama.—John H. Bankhead and Lister Hill.

Arizona.—Henry F. Ashurst and Carl Hayden.

Arkansas.—Mrs. Hattie W. Caraway and John E. Miller.
California.—Hiram W. Johnson and Sheridan Downey.
Colorado.—Alva B. Adams and Edwin C. Johnson.
Connecticut.—Francis T. Maloney and John A. Danaher.
Delaware.—John G. Townsend, Jr., and James H. Hughes.
Florida.—Charles O. Andrews and Claude Pepper.
Georgia.—Walter F. George and Richard B. Russell.
Idaho.—William E. Borah and D. Worth Clark.
Illinois.—Scott W. Lucas and James M. Slattery.
Indiana.—Frederick Van Nuys and Sherman Minton.
Iowa.—Guy M. Gillette and Clyde L. Herring.
Kansas.—Arthur Capper and Clyde M. Reed.
Kentucky.—Alben W. Barkley and M. M. Logan.
Louisiana.—John H. Overton and Allen J. Ellender.
Maine.—Frederick Hale and Wallace H. White, Jr.
Maryland.—Millard E. Tydings and George L. Radcliffe.
Massachusetts.—David I. Walsh and Henry Cabot Lodge, Jr.
Michigan.—Arthur H. Vandenberg and Prentiss M. Brown.
Minnesota.—Henrik Shipstead and Ernest Lundeen.
Mississippi.—Pat Harrison and Theodore G. Bilbo.
Missouri.—Bennett Champ Clark and Harry S. Truman.
Montana.—Burton K. Wheeler and James E. Murray.
Nebraska.—George W. Norris and Edward R. Burke.
Nevada.—Key Pittman and Patrick A. McCarran.
New Hampshire.—Styles Bridges and Charles W. Tobey.
New Jersey.—William H. Smathers and W. Warren Barbour.
New Mexico.—Carl A. Hatch and Dennis Chavez.
New York.—Robert F. Wagner and James M. Mead.
North Carolina.—Josiah William Bailey and Robert R. Reynolds.
North Dakota.—Lynn J. Frazier and Gerald P. Nye.
Ohio.—Vic Donahey and Robert A. Taft.
Oklahoma.—Elmer Thomas and Josh Lee.
Oregon.—Charles L. McNary and Rufus C. Holman.
Pennsylvania.—James J. Davis and Joseph F. Guffey.
Rhode Island.—Peter G. Gerry and Theodore Francis Green.
South Carolina.—Ellison D. Smith and James F. Byrnes.
South Dakota.—W. J. Bulow and Chan Gurney.
Tennessee.—Kenneth McKellar and Tom Stewart.
Texas.—Morris Sheppard and Tom Connally.
Utah.—William H. King and Elbert D. Thomas.
Vermont.—Warren R. Austin and Ernest W. Gibson.
Virginia.—Carter Glass and Harry Flood Byrd.
Washington.—Homer T. Bone and Lewis B. Schwellenbach.
West Virginia.—Matthew M. Neely and Rush D. Holt.
Wisconsin.—Robert M. La Follette, Jr., and Alexander Wiley.
Wyoming.—Joseph C. O'Mahoney and Harry H. Schwartz.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY submitted the following resolution (S. Res. 182), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. The Chair appoints as the committee to wait upon the President the Senator from Kentucky [Mr. BARKLEY] and the Senator from Oregon [Mr. MCNARY].

NOTIFICATION TO THE HOUSE

Mr. MCNARY submitted the following resolution (S. Res. 183), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. MINTON submitted the following resolution (S. Res. 184), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

DEATH OF FORMER SENATOR LAWRENCE Y. SHERMAN

Mr. BORAH. Mr. President, I announce the death at his home in Florida of Hon. Lawrence Y. Sherman, who was a Senator from the State of Illinois from March 26, 1913, to March 3, 1921. The body of Mr. Sherman has been taken to Effingham, Ill., where he will be buried today.

ADDRESS BY COL. CHARLES A. LINDBERGH

Mr. TOBEY. Mr. President, I ask unanimous consent to insert in the RECORD a radio address recently delivered by Col. Charles A. Lindbergh.

The VICE PRESIDENT. Is there objection?

Mr. PITTMAN. I object.

The VICE PRESIDENT. Objection is made.

RECESS

Mr. BARKLEY. Mr. President, because of the necessary routine involved in organizing the House of Representatives for the session and the time required to call the roll and adopt the usual resolutions incident to the first meeting of the session, there is nothing for the Senate to do at the moment except to recess until the House shall have gone through that routine and sent to the Senate a resolution which is in contemplation. Therefore I move that the Senate take a recess subject to the call of the Chair.

The motion was agreed to; and (at 12 o'clock and 10 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

At 1 o'clock and 40 minutes p. m. the Senate, called to order by the Vice President, reassembled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, informed the Senate that a quorum of the House of Representatives had assembled and that the House was ready to proceed with business.

The message also informed the Senate that a committee of three Members had been appointed by the Speaker, on the part of the House of Representatives, to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make, and that the Speaker had appointed Mr. RAYBURN, Mr. DOUGHTON, and Mr. MARTIN of Massachusetts the members of the committee on the part of the House of Representatives.

The message announced that the House had agreed to a concurrent resolution (H. Con. Res. 36) providing for the holding of a joint meeting of the two Houses of Congress in the Hall of the House of Representatives on Thursday, the 21st day of September 1939, at 2 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY and Mr. MCNARY advanced to the center aisle, and

Mr. BARKLEY said: Mr. President, the committee appointed by the Vice President to notify the President of the United States that the Senate is in session has discharged that duty. The President advised the committee that he would communicate with the two branches of the Congress at a joint session to be held later today.

JOINT MEETING OF THE TWO HOUSES

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con. Res. 36) of the House of Representatives, which was read, considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, the 21st day of September 1939, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

PETITION

The VICE PRESIDENT laid before the Senate the petition of the Baptist Ministers' Conference of Washington, D. C.,

praying that the two Houses of Congress hold a joint session on Sunday afternoon, September 24, 1939, to be led by the Chaplains of the two Houses, for the purpose of seeking Divine guidance in the national crisis, which was ordered to lie on the table.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Reynolds
Andrews	Donahey	Lee	Schwartz
Ashurst	Downey	Lodge	Schwellenbach
Austin	Ellender	Logan	Sheppard
Bailey	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Thomas, Okla.
Borah	Gillette	McNary	Thomas, Utah
Bridges	Glass	Maloney	Tobey
Brown	Green	Miller	Townsend
Bulow	Guffey	Minton	Truman
Burke	Gurney	Murray	Tydings
Byrd	Hale	Neely	Vandenberg
Byrnes	Hatch	Norris	Van Nuys
Capper	Hayden	Nye	Wagner
Caraway	Herring	O'Mahoney	Walsh
Chavez	Hill	Overton	White
Clark, Idaho	Holman	Pepper	Wiley
Clark, Mo.	Holt	Pittman	
Connally	Hughes	Radcliffe	
Danaher	Johnson, Calif.	Reed	

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

ORDER OF BUSINESS

Mr. BARKLEY. Mr. President, I am advised by the Senator from Nevada [Mr. PITTMAN], the chairman of the Foreign Relations Committee, that he has called a meeting of that committee for 10:30 o'clock a. m. on Saturday next to consider various bills on the subject of neutrality or embargo pending before it. There are some five or six such bills pending before the committee, and the chairman thought it advisable to give that much time in order that members of the committee might study the various proposals. That is why the meeting of the committee was called for Saturday instead of tomorrow.

Under those circumstances it is obvious that the Senate cannot embark upon the consideration of the subject this week. Therefore I ask unanimous consent that at the conclusion of the joint session of the two Houses soon to be held the Senate shall stand adjourned until 12 o'clock noon on Monday next.

The VICE PRESIDENT. Is there objection?

Mr. CONNALLY. Reserving the right to object, I ask whether the unanimous-consent request contemplates that the Senate shall adjourn while it is in the other House?

Mr. BARKLEY. It contemplates an order of adjournment now to take effect at the conclusion of the joint session.

Mr. CONNALLY. I object. I think the Senate should come back to its Chamber and adjourn. In my judgment, it is not in keeping with the dignity of the Senate to adjourn as suggested. It seems to me to be very poor practice for the Senate to go over to the other House, and then when the joint session is concluded to dissolve. The Senate should come back to its Chamber and adjourn.

Mr. BARKLEY. I have no objection to that course.

The VICE PRESIDENT. The Chair will say that if the Senator from Kentucky should make a motion to that effect it would not be debatable and would have to be decided by a majority vote.

Mr. BARKLEY. I have no objection to returning to the Senate Chamber in a body and then adjourning. I thought it might serve the convenience of Senators to make the order now, but I do not care to insist upon it. I therefore ask unanimous consent that the Senate proceed to the Hall of the House of Representatives in accordance with the concurrent resolution just adopted, and that immediately upon the conclusion of the proceedings of the joint session the Senate return to its Chamber.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, I do not rise for the purpose of objecting to the request, which is quite a natural one. I wonder if the statement of the Senator with respect to returning to the Chamber on Monday implies that there will be some work for the Senate at that time.

Mr. BARKLEY. I will say to the Senator that I do not know. It will depend upon the action taken by the Committee on Foreign Relations. If the Committee on Foreign Relations shall not have reported a bill upon this subject by that time, the only object of meeting on Monday will be to comply with the constitutional requirement and then act accordingly on that day. No other business will be considered on Monday, if that is what the Senator has in mind.

Mr. McNARY. That is precisely what I have in mind. Does the Senator expect that the committee will be ready to report to the Senate on Monday?

Mr. BARKLEY. I have no information upon which I can base an opinion. I do not know.

Mr. McNARY. Then, Mr. President, I think I may well assume that if the committee shall not have reported a neutrality bill or some measure of that kind, the Senate will adjourn on Monday until another day.

Mr. BARKLEY. Under the circumstances suggested, it will adjourn forthwith on Monday until another day subsequent thereto.

Mr. VANDENBERG. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. The Senator suggested that when the committee meets it is to consider previously introduced legislation on this subject. Does that remark indicate that no new legislation is to be introduced pending the meeting of the committee?

Mr. BARKLEY. No. I merely remarked that some five or six bills were pending and that Members would desire to familiarize themselves with those bills between now and the time of the committee meeting, that fact being responsible for the postponement of the committee meeting until Saturday instead of tomorrow. However, that does not preclude any Member from introducing new bills on the subject and having them considered by the committee.

Mr. VANDENBERG. The Senator is not introducing any new legislation at the present time?

Mr. BARKLEY. I am not.

JOINT MEETING OF THE TWO HOUSES

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and the Senate will proceed to the Hall of the House of Representatives.

The Senate, preceded by the Sergeant at Arms (Chesley W. Jurney), the Secretary (Edwin A. Halsey), and the Vice President, proceeded to the Hall of the House of Representatives.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The address by the President of the United States, this day delivered at a joint meeting of the two Houses of Congress, is printed on page 10 of the CONGRESSIONAL RECORD.

ADJOURNMENT PROCEDURE

The Senate having returned to its Chamber (at 2 o'clock and 47 minutes p. m.), the Vice President resumed the chair.

Mr. BARKLEY. Mr. President, I move that the Senate adjourn until——

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. I shall say only a few words. I wish the Senate to understand that the objection which I made to adjourning at the conclusion of the ceremonies in the other House was not made because of any pique. I merely think it is better procedure, following traditional practice, for the Senate to return to its Chamber before adjourning. I wish to say to the majority leader that I had no desire to annoy or embarrass anybody. This whole affair is more or less in the nature of a solemn ceremony, and I think it is more appropriate that the Senate return to its Chamber before adjourning.

Mr. BARKLEY. I fully appreciate the Senator's view about the matter.

ADDRESS BY COL. CHARLES A. LINDBERGH

Mr. TOBEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from New Hampshire?

Mr. BARKLEY. I yield.

Mr. TOBEY. Mr. President, this extraordinary session of the Congress was called to consider the international situation and America's safety and freedom from participation in the war. I wish to read to the Senate an address delivered by Col. Charles A. Lindbergh stating his position and what I believe to be the point of view of countless millions in this country, and to have it included in the RECORD at this point.

Mr. BARKLEY. Mr. President, at the time the Senator made his request earlier in the day the Senator from Nevada [Mr. PITTMAN] objected on the ground that, as a courtesy to the President, no action of any kind should be taken until the joint session was over and the President had delivered his message.

So far as I am concerned, there will be no objection to the Senator including the speech in the RECORD at this time if he desires so to do. I am sure I speak for the Senator from Nevada as well.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. I will say to the Senator that the Senator from Nevada [Mr. PITTMAN], chairman of the Foreign Relations Committee, who made the objection, is not now present in the Chamber. Therefore, I shall have to object until he shall return and be consulted. If he shall agree to it, I shall have no objection.

Mr. BARKLEY. I will say to the Senator from Texas that the Senator from Nevada talked to me about the matter and said that he had no objection after the conclusion of the formalities of the joint session.

Mr. CONNALLY. Very well. I merely wished to protect the interests of the Senator from Nevada.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HAYDEN. As chairman of the Joint Committee on Printing, I should like to make an observation with respect to printing extraneous matter in the CONGRESSIONAL RECORD.

A Senator reads a very able editorial in some newspaper in his State. At the moment it interests him. It expresses his point of view, and he asks unanimous consent that it be printed in the CONGRESSIONAL RECORD. Other Senators do the same thing; and newspaper articles, radio addresses, and other expressions of views are included in the RECORD to an extent which, in the aggregate, costs a large sum of money, as the printing of one page in the CONGRESSIONAL RECORD involves an expense of $45.

In the instance which the Senator has in mind I have no doubt that the opinion expressed by Colonel Lindbergh reflects the views of the Senator. On the other hand, it may be that the article written by Dorothy Thompson in reply to Colonel Lindbergh very closely expresses the views of some other Senator. I suppose we shall have Miss Thompson's article inserted in the RECORD, and then a rejoinder by some other able columnist and a surrejoinder by someone else. Thus, we shall have printed in the RECORD a vast volume of matter by way of editorial expression, by way of radio addresses, and by way of speeches made in other places. It seems to me that a little consideration and a little thought by Senators would save substantial sums of money to the Public Treasury. I am sure that no evil would come from leaving many words out of the CONGRESSIONAL RECORD however well the ideas and arguments may be expressed.

Mr. TOBEY. Mr. President, I will say to the Senator from Arizona that I stand squarely with him on the grounds of economy and keeping down Government expense. I served for 6 years in the House of Representatives, and have served in this body for 1 year. I am looking forward to my future service in this body. I have never heard the suggestion made so strongly as the Senator has now put it. We have lived here month after month together, and many matters certainly extraneous have been put into the RECORD by many Senators. This address is not extraneous. We are told by the Executive that we confront a great national crisis. He calls it an emergency. Here is one clear voice in America, the voice of one whose patriotism cannot be challenged, whose ability is unquestioned in the thought of this country, and whose character and courage are recognized by all. He makes a speech to the American people setting forth his views. I believe this body can do no finer service to the people of America than to allow the speech to be published in the RECORD at this point, that they may know where this eminent citizen stands. His address will make a strong appeal, especially to the youth of our Nation.

Mr. HAYDEN. When printed in the CONGRESSIONAL RECORD the remarks of Colonel Lindbergh will appear in such fine type that one would require glasses to read them. His address was broadcast to the Nation. It has been published in every important newspaper in America. After it shall have been printed in the RECORD I doubt whether any substantial number of people will ever read it. Publishing a speech or article in the RECORD is a compliment Senators sometimes pay to certain persons. Some people seem to think it is a distinction to have something which they wrote published in the CONGRESSIONAL RECORD.

So far as the remarks of Colonel Lindbergh are concerned, I myself can find no criticism of them. That is not the point I make. Unfortunately, the colonel did not tell us how to keep out of war. The speech of Colonel Lindbergh reflects the views of the Senator from New Hampshire; and if the Senator wants to honor the colonel by publishing his radio address in the RECORD, I have no objection. I merely ask Senators, when they have a sudden urge to print in the RECORD something that appears to them at the moment to be important, to think the matter over before yielding to the impulse and to always bear in mind that the cost of their request to print will be a charge upon the Federal Treasury.

Mr. TOBEY. I will say to the Senator from Arizona that if this message cost 10 times the figure he has indicated I think the money would be well invested, when compared with some of the matter which has gone into the CONGRESSIONAL RECORD during the past 6 years to my knowledge.

I again ask unanimous consent that this address be inserted in the RECORD at this point.

Mr. PITTMAN. Mr. President, reserving the right to object, I wish to state that prior to the joint session I objected to the request of the Senator to publish Colonel Lindbergh's speech. I did so not because I have any objection to the speech, nor because I have any objection to any speech by a prominent man being published in the RECORD, no matter what view he takes. However, I again state that it has been the custom of the Senate, since its first session, after its organization to notify the President of the United States, in conjunction with the House of Representatives, that the Congress is in session and ready to receive any message the President may see fit to submit to it. That has always been the practice. It is a courtesy which I believe the legislative body owes to the Executive, if not an obligation strongly intimated by the Constitution of the United States.

I say this because, in the first place, I do not want the Senator from New Hampshire to conceive that I intended any discourtesy toward him or any other Senator, or that I had any objection to the character of the speech of Colonel Lindbergh. I make no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and the address will be printed in the RECORD.

The address is as follows:

[From the New York Times of September 16, 1939]

LINDBERGH'S APPEAL FOR ISOLATION

WASHINGTON, September 15.—Following is the text of the radio speech by Colonel Lindbergh:

"In times of great emergency men of the same belief must gather together for mutual counsel and action. If they fail to do this, all

that they stand for will be lost. I speak tonight to those people in the United States of America who feel that the destiny of this country does not call for our involvement in European wars.

"We must band together to prevent the loss of more American lives in these internal struggles of Europe. We must keep foreign propaganda from pushing our country blindly into another war. Modern war, with all its consequences, is too tragic and too devastating to be approached from anything but a purely American standpoint. We should never enter a war unless it is absolutely essential to the future welfare of our Nation.

"This country was colonized by men and women from Europe. The hatreds, the persecutions, the intrigues they left behind gave them courage to cross the Atlantic Ocean to a new land. They preferred the wilderness and the Indians to the problems of Europe. They weighed the cost of freedom from those problems, and they paid the price. In this country they eventually found a means of living peacefully together—the same nationalities that are fighting abroad today.

"POINTS TO MONROE DOCTRINE

"The quarrels of Europe faded out from American life as generations passed. Instead of wars between the English, French, and Germans, it became a struggle of the New World for freedom from the old—a struggle for the right of America to find her own destiny. The colonization of this country grew from European troubles and our freedom sprang from European war; for we won independence from England while she was fighting France.

"No one foresaw the danger ahead of us more clearly than George Washington. He solemnly warned the people of America against becoming entangled in European alliances. For over 100 years his advice was followed. We established the Monroe Doctrine for America. We let other nations fight among themselves. Then in 1917 we entered a European war. This time we were on England's side, and so were France and Russia. Friends and enemies reverse as decades pass—as political doctrines rise and fall.

"RECALLS WORLD WAR LOSSES

"The great war ended before our full force had reached the field. We escaped with the loss of relatively few soldiers. We measured our dead in thousands. Europe measured hers in millions. Europe has not yet recovered from the effects of this war and she has already enacted another. A generation has passed since the armistice of 1918, but even in America we are still paying for our part in that victory—and we will continue to pay for another generation. European countries were both unable and unwilling to pay their debts to us.

"Now that war has broken out again, we in America have a decision to make on which the destiny of our Nation depends. We must decide whether or not we intend to become forever involved in this age-old struggle between the nations of Europe.

"Let us not delude ourselves. If we enter the quarrels of Europe during war, we must stay in them in time of peace as well. It is madness to send our soldiers to be killed as we did in the last war if we turn the course of peace over to the greed, the fear, and the intrigue of European nations. We must either keep out of European wars entirely or stay in European affairs permanently.

"WOULD PUT ASIDE PITY

"In making our decision, this point should be clear: These wars in Europe are not wars in which our civilization is defending itself against some Asiatic intruder. There is no Genghis Khan nor Xerxes marching against our Western nations. This is not a question of banding together to defend the white race against foreign invasion. This is simply one more of those age-old quarrels within our own family of nations—a quarrel arising from the errors of the last war—from the failure of the victors of that war to follow a consistent policy either of fairness or of force.

"Arbitrary boundaries can be maintained only by strength of arms. The Treaty of Versailles either had to be revised as time passed or England and France, to be successful, had to keep Germany weak by force. Neither policy was followed—Europe wavered back and forth between the two. As a result, another war has begun—a war which is likely to be far more prostrating than the last; a war which will again kill off the best youth of Europe; a war which may even lead to the end of our Western civilization.

We must not permit our sentiment, our pity, or our personal feelings of sympathy, to obscure the issue, to affect our children's lives. We must be as impersonal as a surgeon with his knife. Let us make no mistake about the cost of entering this war. If we take part successfully, we must throw the resources of our entire Nation into the conflict. Munitions alone will not be enough.

"LITTLE TO GAIN" HE SAYS

"We cannot count on victory merely by shipping abroad several thousand airplanes and cannon. We are likely to lose a million men, possibly several million—the best of American youth. We will be staggering under the burden of recovery during the rest of our lives. And our children will be fortunate if they see the end in their lives, even if, by some unlikely chance, we do not pass on another Polish Corridor to them. Democracy itself may not survive. If we enter fighting for democracy abroad, we may end by losing it at home.

"America has little to gain by taking part in another European war. We must not be misguided by this foreign propaganda to the effect that our frontiers lie in Europe. One need only glance at a map to see where our true frontiers lie. What more could we ask than the Atlantic Ocean on the east and the Pacific on the west? No; our interests in Europe need not be from the standpoint of defense. Our own natural frontiers are enough for that. If we extend them to the center of Europe, we might as well extend them around the earth. An ocean is a formidable barrier, even for modern aircraft.

"Our safety does not lie in fighting European wars. It lies in our own internal strength, in the character of the American people and of American institutions. As long as we maintain an Army, a Navy, and an air force worthy of the name, as long as America does not decay within, we need fear no invasion of this country.

"ASSERTS MUCH NEWS IS COLORED

"Again, I address those among you who agree with this stand. Our future and our children's future depend upon the action we take. It is essential to think clearly and to act quickly in the days which are to come. We will be deluged with propaganda, both foreign and domestic—some obvious, some insidious. Much of our news is already colored. Every incident and every accident will be seized upon to influence us. And in a modern war there are bound to be plenty of both. We must learn to look behind every article we read and every speech we hear. We must not only inquire about the writer and the speaker—about his personal interests and his nationality—but we must ask who owns and who influences the newspaper, the news picture, and the radio station. If our people know the truth, if they are fully and accurately informed, if they are not misled by propaganda, this country is not likely to enter the war now going on in Europe.

"And if Europe is again prostrated by war, as she has been so often in the past, then the greatest hope for our western civilization lies in America. By staying out of war ourselves, we may even bring peace to Europe more quickly.

"Let us look to our own defense and to our own character. If we attend to them, we have no need to fear what happens elsewhere. If we do not attend to them, nothing can save us.

"If war brings more dark ages to Europe, we can better preserve those things which we love and which we mourn the passing of in Europe today by preserving them here, by strengthening them here, rather than by hurling ourselves thoughtlessly to their defense over there and thus destroying all in the conflagration. The German genius for science and organization, the English genius for government and commerce, the French genius for living and understanding of life—they must not go down here as well as on the other side. Here in America they can be blended to form the greatest genius of all.

"The gift of civilized life must still be carried on. It is more important than the sympathies, the friendships, the desires of any single generation. This is the test before America now. This is the challenge—to carry on western civilization."

ADJOURNMENT TO MONDAY

Mr. BARKLEY. I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 56 minutes p. m.) the Senate adjourned until Monday, September 25, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 21, 1939

The House met at 12 o'clock noon, and was called to order by the Speaker, Hon. WILLIAM B. BANKHEAD.

The SPEAKER. The Clerk will read the proclamation of the President of the United States convening this extraordinary session of the Seventy-sixth Congress.

The Clerk read as follows:

CONVENING THE CONGRESS IN EXTRA SESSION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas public interests require that the Congress of the United States should be convened in extraordinary session at 12 o'clock noon, on Thursday, the 21st day of September, 1939, to receive such communication as may be made by the Executive: Now, therefore,

I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extraordinary session at the Capitol in the City of Washington on Thursday, the 21st day of September, 1939, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

In witness whereof, I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the city of Washington this 13th day of September, in the year of our Lord 1939, and of the independence of the United States of America the one hundred and sixty-fourth.

[SEAL] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
Secretary of State.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following

PRAYER

Most merciful Father and Saviour of mankind, have respect unto our prayer and when Thou hearest, forgive. Thine, O Lord, is the greatness, the power, the glory, the victory, and the majesty. In this hour when the world, disheartened, disillusioned in the gray valley of deepening shadows, is rolling in the storm of a heavy sea, let us find the way of Thy hand. Lead the soul of our Nation into pastures where it may be fed in peace and safety. Amid ruthless changes and endless sorrows, O may we give pause to the baseness of marching militarism that the dawn may be seen and Thy voice heard. Rest Thy gracious hand, our Heavenly Father, upon our renowned President and his counselors. We bear to the altar of prayer our beloved Speaker and the Congress that all deliberations may be calm, thoughtful, and courageous, striving devotedly for those ideals which make a nation great and glorious. May our flag continue to wave its stars and stripes in embracing folds over a free, united people, determined and assured in the understanding that democracy must triumph over every form of tyranny. Through Jesus Christ our Lord, the Prince of Peace. Amen.

CALL OF THE ROLL

The SPEAKER. The Clerk will call the roll of Members of the House in order to determine whether or not a quorum is present.

The Clerk called the roll, and the following Members answered to their names:

[Roll No. 1]

Alexander	Byron	Dingell	Gibbs
Allen, Ill.	Caldwell	Dirksen	Gifford
Allen, La.	Camp	Disney	Gilchrist
Allen, Pa.	Cannon, Fla.	Ditter	Gillie
Andersen, H. Carl	Cannon, Mo.	Dondero	Gore
Anderson, Calif.	Carlson	Doughton	Gossett
Anderson, Mo.	Carter	Douglas	Graham
Andrews	Cartwright	Dowell	Grant, Ala.
Angell	Case, S. Dak.	Doxey	Grant, Ind.
Arends	Casey, Mass.	Drewry	Green
Arnold	Celler	Duncan	Gregory
Ashbrook	Chandler	Dunn	Griffith
Austin	Chapman	Durham	Gross
Ball	Chiperfield	Dworshak	Guyer, Kans.
Barden	Church	Eaton	Gwynne
Barnes	Clark	Eberharter	Hall
Barry	Clason	Edmiston	Halleck
Barton	Claypool	Ellis	Hancock
Bates, Ky.	Cluett	Elston	Hare
Bates, Mass.	Cochran	Engel	Harness
Beam	Coffee, Wash.	Englebright	Harrington
Beckworth	Cole, Md.	Evans	Hart
Bell	Cole, N. Y.	Faddis	Harter, N. Y.
Bender	Collins	Fay	Harter, Ohio
Blackney	Colmer	Fenton	Hartley
Bland	Connery	Ferguson	Havenner
Bloom	Cooper	Fernandez	Hawks
Boehne	Corbett	Fitzpatrick	Healey
Boland	Costello	Flaherty	Heinke
Bolles	Courtney	Flannagan	Hendricks
Boren	Cox	Flannery	Hennings
Boykin	Crawford	Folger	Hess
Bradley, Mich.	Creal	Ford, Leland M.	Hill
Bradley, Pa.	Crosser	Ford, Miss.	Hinshaw
Brewster	Crowe	Ford, Thomas F.	Hobbs
Brooks	Crowther	Fries	Hoffman
Brown, Ga.	Culkin	Fulmer	Holmes
Bryson	Cullen	Gamble	Hook
Buck	Cummings	Garrett	Hope
Buckley, N. Y.	Curtis	Gartner	Horton
Bulwinkle	D'Alesandro	Gathings	Houston
Burch	Darden	Gavagan	Hull
Burdick	Delaney	Gearhart	Hunter
Burgin	Dempsey	Gehrmann	Izac
Byrne, N. Y.	Dickstein	Gerlach	Jacobsen
Byrns, Tenn.	Dies	Geyer, Calif.	Jarrett
Jeffries	Mapes	Ramspeck	Starnes, Ala.
Jenkins, Ohio	Marcantonio	Randolph	Steagall
Jenks, N. H.	Marshall	Rankin	Stearns, N. H.
Jensen	Martin, Ill.	Rayburn	Stefan
Johns	Martin, Iowa	Reece, Tenn.	Sullivan
Johnson, Ill.	Martin, Mass.	Reed, Ill.	Sumner, Ill.
Johnson, LutherA.	Mason	Reed, N. Y.	Sumners, Tex.
Johnson, Lyndon	Massingale	Rees, Kans.	Sutphin
Johnson, Okla.	May	Rich	Sweeney
Johnson, W. Va.	Merritt	Richards	Taber
Jones, Ohio	Michener	Risk	Talle
Jones, Tex.	Miller	Robertson	Tarver
Kean	Mills, Ark.	Robinson, Utah	Taylor, Colo.
Kee	Mills, La.	Rockefeller	Taylor, Tenn.
Keefe	Mitchell	Rodgers, Pa.	Tenerowicz
Keller	Monkiewicz	Rogers, Mass.	Thill
Kelly	Monroney	Rogers, Okla.	Thomas, N. J.
Kennedy, Martin	Moser	Romjue	Thomas, Tex.
Kennedy, Md.	Mott	Routzohn	Thomason
Kennedy, Michael	Mouton	Sabath	Thorkelson
Keogh	Mundt	Sacks	Tibbott
Kilday	Murdock, Ariz.	Sandager	Tinkham
Kinzer	Murdock, Utah	Sasscer	Tolan
Kirwan	Murray	Satterfield	Treadway
Kitchens	Myers	Schaefer, Ill.	Van Zandt
Knutson	Nelson	Schafer, Wis.	Vinson, Ga.
Kocialkowski	Nichols	Schiffler	Voorhis, Calif.
Kramer	Norrell	Schuetz	Vorys, Ohio
Kunkel	Norton	Schulte	Vreeland
Lambertson	O'Brien	Schwert	Wadsworth
Landis	O'Connor	Scrugham	Walter
Lanham	O'Day	Seccombe	Ward
Larrabee	O'Leary	Secrest	Warren
Lea	Oliver	Seger	Weaver
Leavy	O'Neal	Shafer, Mich.	Welch
LeCompte	Osmers	Shanley	West
Lemke	O'Toole	Shannon	Wheat
Lesinski	Parsons	Sheppard	Whelchel
Lewis, Colo.	Patman	Short	White, Ohio
Lewis, Ohio	Patrick	Simpson	Wigglesworth
McArdle	Patton	Sirovich	Williams, Del.
McDowell	Pearson	Smith, Conn.	Williams, Mo.
McGehee	Peterson, Fla.	Smith, Ill.	Winter
McGranery	Peterson, Ga.	Smith, Maine	Wolcott
McKeough	Pfeifer	Smith, Ohio	Wolfenden, Pa.
McLaughlin	Pierce, N. Y.	Smith, Va.	Wolverton, N. J.
McLean	Pierce, Oreg.	Smith, Wash.	Wood
McLeod	Pittenger	Smith, W. Va.	Woodrum, Va.
McMillan, John L.	Plumley	Snyder	Youngdahl
McMillan, Thos. S.	Poage	Somers, N. Y.	Zimmerman
Maas	Polk	South	
Maciejewski	Powers	Sparkman	
Mahon	Rabaut	Springer	

The SPEAKER. On this roll call 394 Members have answered to their names. A quorum of the House is present.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. RAYBURN. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 298

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House is assembled and that Congress is ready to receive any communications that he may be pleased to make.

The resolution was agreed to.

The SPEAKER appointed as members of the committee Mr. RAYBURN, Mr. DOUGHTON, and Mr. MARTIN of Massachusetts.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed the following resolutions:

Senate Resolution 182

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The message also announced that pursuant to the foregoing resolution the Vice President had appointed Mr. BARKLEY and Mr. MCNARY as members of said committee on the part of the Senate.

Senate Resolution 183

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

REPRESENTATIVES-ELECT

The SPEAKER. The Chair lays before the House the following communication from the Clerk of the House:

SEPTEMBER 21, 1939.

The SPEAKER, HOUSE OF REPRESENTATIVES,
Washington, D. C.

DEAR SIR: Certificates of election in due form of law of Hon. FADJO CRAVENS and of Hon. ESTES KEFAUVER as Representatives-elect to the Seventy-sixth Congress from the Fourth Congressional District of the State of Arkansas and the Third Congressional District of the State of Tennessee, respectively, to fill the vacancies existing in those districts are on file in this office.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

SWEARING IN OF NEW MEMBERS

Mr. FADJO CRAVENS and Mr. ESTES KEFAUVER appeared at the bar of the House and took the oath of office.

NOTIFICATION OF THE SENATE OF THE PRESENCE OF A QUORUM

Mr. DOUGHTON. Mr. Speaker, I offer a resolution which I send to the desk.

The Clerk read as follows:

House Resolution 299

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed with business.

The resolution was agreed to.

HOUR OF MEETING OF THE HOUSE OF REPRESENTATIVES

Mr. SABATH. Mr. Speaker, I offer a resolution which I send to the desk and ask for its immediate adoption.

The Clerk read as follows:

House Resolution 300

Resolved, That, until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

APPOINTMENT TO COMMITTEE

The SPEAKER. On August 5, 1939, the gentleman from Massachusetts [Mr. HEALEY] submitted his resignation as a member of the Special Committee to Investigate Un-American Activities, and that resignation was accepted by the House. The Chair, pursuant to the authority conferred upon him by the order of the House on August 4, 1939, empowering him to appoint commissions and committees authorized by law or by the House, did on September 2, 1939, appoint the gentleman from Massachusetts [Mr. CASEY] as a member of the Special Committee to Investigate Un-American Activities to fill the existing vacancy thereon and notified the Clerk of the House of his action.

APPOINTMENT OF COMMISSION

The SPEAKER. The Chair, pursuant to the authority conferred upon him by Public Resolution 37, Seventy-sixth Congress, and the order of the House of August 4, 1939, empowering him to appoint commissions and committees authorized by law or by the House, did on September 11, 1939, appoint the following as members of the Commission to formulate and carry out plans for participation by the United States in the celebration of the one hundred and twenty-fifth anniversary of the writing of The Star-Spangled Banner; Mr. KEE, of West Virginia; Mr. SATTERFIELD, of Virginia; and Mr. TIBBOTT, of Pennsylvania.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. RAYBURN. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to inform the President that a quorum of each House is assembled, and that Congress is ready to receive any communication that he may be pleased to make, has performed that duty. The President of the United States requested the committee to state that he would communicate with the Congress in person today at 2 o'clock p. m.

JOINT SESSION OF THE HOUSE AND SENATE

Mr. RAYBURN. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Concurrent Resolution 36

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, the 21st day of September 1939, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The resolution was agreed to, and a motion to reconsider was laid on the table.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT

Mr. HOBBS. Mr. Speaker, the distinguished gentleman from Alabama representing the Sixth District [Mr. JARMAN] is unavoidably detained because of the rainstorm and flood damage which has destroyed more than half of Alabama's crops on the verge of harvest. The gentleman from Alabama, therefore, has been unavoidably detained on official duty in his district.

RECESS

Mr. RAYBURN. Mr. Speaker, I move that the House stand in recess until 1:50 o'clock p. m. today.

The motion was agreed to.

Thereupon (at 12 o'clock and 40 minutes p. m.) the House stood in recess until 1:50 o'clock p. m.

AFTER RECESS

The recess having expired, the House (at 1 o'clock and 50 minutes p. m.) resumed its session.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had agreed without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 36. Concurrent resolution providing for a joint session of the Senate and House of Representatives on Thursday, September 21, 1939.

JOINT MEETING OF THE HOUSE AND SENATE

At 1 o'clock and 52 minutes p. m., the Doorkeeper, Mr. J. J. Sinnott, announced the Vice President of the United States and Members of the United States Senate.

The Members of the House rose.

The Senators, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. On behalf of the House, the Chair appoints the following committee to conduct the President into the Chamber: Messrs. RAYBURN, DOUGHTON, and MARTIN of Massachusetts.

The VICE PRESIDENT. On the part of the Senate, the Chair appoints as a like committee Senators BARKLEY, PITTMAN, and MCNARY.

The Members of the Cabinet of the President of the United States entered the Chamber and took the seats reserved for them in front of the Speaker's rostrum.

At 2 o'clock p. m., the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk amid prolonged applause.

The SPEAKER. Senators and Representatives, I have the distinguished honor of presenting the President of the United States.

ADDRESS OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 474)

To the Congress of the United States:

I have asked the Congress to reassemble in extraordinary session in order that it may consider and act on the amendment of certain legislation, which, in my best judgment, so alters the historic foreign policy of the United States that it impairs the peaceful relations of the United States with foreign nations.

At the outset I proceed on the assumption that every Member of the Senate and of the House of Representatives and every member of the executive branch of the Government, including the President and his associates, personally and officially, are equally and without reservation in favor of such measures as will protect the neutrality, the safety, and the integrity of our country and at the same time keep us out of war.

Because I am wholly willing to ascribe an honorable desire for peace to those who hold different views from my own as to what those measures should be, I trust that these gentlemen will be sufficiently generous to ascribe equally lofty purposes to those with whom they disagree. Let no man or group in any walk of life assume exclusive protectorate over the future well-being of America, because I conceive that regardless of party or section the mantle of peace and of patriotism is wide enough to cover us all. Let no group assume the exclusive label of the peace "bloc." We all belong to it.

I have at all times kept the Congress and the American people informed of events and trends in foreign affairs. I now review them in a spirit of understatement.

Since 1931 the use of force instead of the council table has constantly increased in the settlement of disputes between nations, except in the Western Hemisphere, where there has been only one war, now happily terminated.

During these years also the building up of vast armies, navies, and storehouses of war has proceeded abroad with growing speed and intensity. But, during these years, and extending back even to the days of the Kellogg-Briand Pact, the United States has constantly, consistently, and conscientiously done all in its power to encourage peaceful settlements, to bring about reduction of armaments, and to avert threatened wars. We have done this not only because any war anywhere necessarily hurts American security and American prosperity, but because of the more important fact that any war anywhere retards the progress of morality and religion and impairs the security of civilization itself.

For many years the primary purpose of our foreign policy has been that this Nation and this Government should strive to the utmost to aid in avoiding war among other nations. But if and when war unhappily comes, the Government and the Nation must exert every possible effort to avoid being drawn into the war.

The executive branch of the Government did its utmost, within our traditional policy of noninvolvement, to aid in averting the present appalling war. Having thus striven and failed, this Government must lose no time or effort to keep the Nation from being drawn into the war.

In my candid judgment we shall succeed in these efforts.

We are proud of the historical record of the United States and of all the Americas during all these years because we have thrown every ounce of our influence for peace into the scale of peace.

I note in passing what you will all remember—the long debates on the subject of what constitutes aggression, on the methods of determining who the aggressor might be, and on who the aggressor in past wars had been. Academically this may have been instructive as it may have been of interest to historians to discuss the pros and cons and the rights and wrongs of the World War during the decade that followed it.

But in the light of problems of today and tomorrow responsibility for acts of aggression is not concealed, and the writing of the record can safely be left to future historians.

There has been sufficient realism in the United States to see how close to our own shores came dangerous paths which were being followed on other continents.

Last January I told the Congress that "a war which threatened to envelop the world in flames has been averted, but it has become increasingly clear that peace is not assured." By April new tensions had developed; a new crisis was in the making. Several nations with whom we had friendly, diplomatic, and commercial relations had lost, or were in the process of losing, their independent identity and sovereignty.

During the spring and summer the trend was definitely toward further acts of military conquest and away from peace. As late as the end of July I spoke to Members of the Congress about the definite possibility of war. I should have called it the probability of war.

Last January, also, I spoke to this Congress of the need for further warning of new threats of conquest, military and economic; of challenge to religion, to democracy, and to international good faith. I said:

> An ordering of society which relegates religion, democracy, and good faith among nations to the background can find no place within it for the ideals of the Prince of Peace. The United States rejects such an ordering and retains its ancient faith.
>
> We know what might happen to us of the United States if the new philosophies of force were to encompass the other continents and invade our own. We, no more than other nations, can afford to be surrounded by the enemies of our faith and our humanity. Fortunate it is, therefore, that in this Western Hemisphere we have, under a common ideal of democratic government, a rich diversity of resources and of peoples functioning together in mutual respect and peace.

Last January, in the same message, I also said:

> We have learned that when we deliberately try to legislate neutrality, our neutrality laws may operate unevenly and unfairly—may actually give aid to an aggressor and deny it to the victim. The instinct of self-preservation should warn us that we ought not to let that happen any more.

It was because of what I foresaw last January from watching the trend of foreign affairs and their probable effect upon us that I recommended to the Congress in July of this year that changes be enacted in our neutrality law.

The essentials for American peace in the world have not changed since January. That is why I ask you again to reexamine our own legislation.

Beginning with the foundation of our constitutional government in the year 1789, the American policy in respect to belligerent nations, with one notable exception, has been based on international law. Be it remembered that what we call international law has had as its primary objectives the avoidance of causes of war and the prevention of the extension of war.

The single exception was the policy adopted by this Nation during the Napoleonic wars, when, seeking to avoid involvement, we acted for some years under the so-called Embargo and Nonintercourse Acts. That policy turned out to be a disastrous failure, first, because it brought our own Nation close to ruin; and, second, because it was the major cause of bringing us into active participation in European wars in our own War of 1812. It is merely reciting history to recall to you that one of the results of the policy of embargo and nonintercourse was the burning in 1814 of part of this Capitol in which we are assembled.

Our next deviation by statute from the sound principles of neutrality and peace through international law did not come for 130 years. It was the so-called Neutrality Act of 1935—only 4 years ago—an act continued in force by the joint resolution of May 1, 1937, despite grave doubts expressed as to its wisdom by many Senators and Representatives and by officials charged with the conduct of our foreign relations, including myself. I regret that the Congress passed that act. I regret equally that I signed that act.

On July 14 of this year I asked the Congress, in the cause of peace and in the interest of real American neutrality and security, to take action to change that act.

I now ask again that such action be taken in respect to that part of the act which is wholly inconsistent with ancient precepts of the law of nations—the embargo provisions. I ask it

because they are, in my opinion, most vitally dangerous to American neutrality, American security, and American peace.

These embargo provisions, as they exist today, prevent the sale to a belligerent by an American factory of any completed implements of war, but they allow the sale of many types of uncompleted implements of war, as well as all kinds of general material and supplies. They, furthermore, allow such products of industry and agriculture to be taken in American-flag ships to belligerent nations. There in itself—under the present law—lies definite danger to our neutrality and our peace.

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here? Incidentally, and again from the material point of view, by such employment we automatically aid our own national defense. And if abnormal profits appear in our midst even in time of peace as a result of this increase of industry, I feel certain that the subject will be adequately dealt with at the coming regular session of the Congress.

Let me set forth the present paradox of the existing legislation in its simplest terms: If prior to 1935, a general war had broken out in Europe, the United States would have sold to and bought from belligerent nations such goods and products of all kinds as the belligerent nations, with their existing facilities and geographical situations, were able to buy from us or sell to us. This would have been the normal practice under the age-old doctrines of international law. Our prior position accepted the facts of geography and of conditions of land power and sea power alike as they existed in all parts of the world. If a war in Europe had broken out prior to 1935, there would have been no difference, for example, between our exports of sheets of aluminum and airplane wings; today there is an artificial legal difference. Before 1935 there would have been no difference between the export of cotton and the export of gun cotton; today there is. Before 1935 there would have been no difference between the shipment of brass tubing in pipe form and brass tubing in shell form; today there is. Before 1935 there would have been no difference between the export of a motortruck and an armored motortruck; today there is.

Let us be factual and recognize that a belligerent nation often needs wheat and lard and cotton for the survival of its population just as much as it needs antiaircraft guns and antisubmarine depth charges. Let those who seek to retain the present embargo position be wholly consistent and seek new legislation to cut off cloth and copper and meat and wheat and a thousand other articles from all of the nations at war.

I seek a greater consistency through the repeal of the embargo provisions and a return to international law. I seek reenactment of the historic and traditional American policy which, except for the disastrous interlude of the Embargo and Nonintercourse Acts, has served us well for nearly a century and a half.

It has been erroneously said that return to that policy might bring us nearer to war. I give to you my deep and unalterable conviction, based on years of experience as a worker in the field of international peace, that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

Repeal of the embargo and a return to international law are the crux of this issue.

The enactment of the embargo provisions did more than merely reverse our traditional policy. It had the effect of putting land powers on the same footing as naval powers, so far as sea-borne commerce was concerned. A land power which threatened war could thus feel assured in advance that any prospective sea-power antagonist would be weakened through denial of its ancient right to buy anything anywhere. This, 4 years ago, gave a definite advantage to one belligerent as against another, not through his own strength or geographic position but through an affirmative act of ours. Removal of the embargo is merely reverting to the sounder international practice, and pursuing in time of war as in time of peace our ordinary trade policies. This will be liked by some and disliked by others, depending on the view they take of the present war, but that is not the issue. The step I recommend is to put this country back on the solid footing of real and traditional neutrality.

When and if repeal of the embargo is accomplished, certain other phases of policy reinforcing American safety should be considered. While nearly all of us are in agreement on their objectives, the only question relates to method.

I believe that American merchant vessels should, so far as possible, be restricted from entering danger zones. War zones may change so swiftly and so frequently in the days to come that it is impossible to fix them permanently by act of Congress; specific legislation may prevent adjustment to constant and quick change. It seems, therefore, more practical to delimit them through action of the State Department and administrative agencies. The objective of restricting American ships from entering such zones may be attained by prohibiting such entry by the Congress; or the result can be substantially achieved by Executive proclamation that all such voyages are solely at the risk of the American owners themselves.

The second objective is to prevent American citizens from traveling on belligerent vessels or in danger areas. This can also be accomplished either by legislation, through continuance in force of certain provisions of existing law, or by proclamation making it clear to all Americans that any such travel is at their own risk.

The third objective, requiring the foreign buyer to take transfer of title in this country to commodities purchased by belligerents, is also a result which can be attained by legislation or substantially achieved through due notice by proclamation.

The fourth objective is the preventing of war credits to belligerents. This can be accomplished by maintaining in force existing provisions of law, or by proclamation making it clear that if credits are granted by American citizens to belligerents our Government will take no steps in the future to relieve them of risk or loss. The result of these last two will be to require all purchases to be made in cash and cargoes to be carried in the purchasers' own ships, at the purchasers' own risk.

Two other objectives have been amply attained by existing law, namely, regulating collection of funds in this country for belligerents, and the maintenance of a license system covering import and export of arms, ammunition, and implements of war. Under present enactments, such arms cannot be carried to belligerent countries on American vessels, and this provision should not be disturbed.

The Congress, of course, should make its own choice of the method by which these safeguards are to be attained, so long as the method chosen will meet the needs of new and changing day-to-day situations and dangers.

To those who say that this program would involve a step toward war on our part, I reply that it offers far greater safeguards than we now possess or have ever possessed to protect American lives and property from danger. It is a positive program for giving safety. This means less likelihood of incidents and controversies which tend to draw us into conflict, as they did in the last World War. There lies the road to peace.

The position of the executive branch of the Government is that the age-old and time-honored doctrine of international law, coupled with these positive safeguards, is better calculated than any other means to keep us out of this war.

In respect to our own defense, you are aware that I have issued a proclamation setting forth "a national emergency in connection with the observance, safeguarding, and enforcement of neutrality and the strengthening of the national defense within the limits of peacetime authorizations." This

was done solely to make wholly constitutional and legal certain obviously necessary measures. I have authorized increases in the personnel of the Army, Navy, Marine Corps, and Coast Guard, which will bring all four to a total still below peacetime strength as authorized by the Congress.

I have authorized the State Department to use, for the repatriation of Americans caught in the war zone, $500,000 already authorized by the Congress.

I have authorized the addition of 150 persons to the Department of Justice to be used in the protection of the United States against subversive foreign activities within our borders.

At this time I ask for no other authority from the Congress. At this time I see no need for further Executive action under the proclamation of limited national emergency.

Therefore, I see no valid reason for the consideration of other legislation at this extraordinary session of the Congress.

It is, of course, possible that in the months to come unforeseen needs for further legislation may develop, but they are not imperative today.

These perilous days demand cooperation between us without trace of partisanship. Our acts must be guided by one single hard-headed thought—keeping America out of this war. In that spirit, I am asking the leaders of the two major parties in the Senate and in the House of Representatives to remain in Washington between the close of this extraordinary session and the beginning of the regular session on January 3. They have assured me that they will do so, and I expect to consult with them at frequent intervals on the course of events in foreign affairs and on the need for future action in this field, whether it be executive or legislative action.

Further, in the event of any future danger to the security of the United States or in the event of need for any new legislation of importance, I will immediately reconvene the Congress in another extraordinary session.

I should like to be able to offer the hope that the shadow over the world might swiftly pass. I cannot. The facts compel my stating, with candor, that darker periods may lie ahead. The disaster is not of our making; no act of ours engendered the forces which assault the foundations of civilization. Yet we find ourselves affected to the core; our currents of commerce are changing, our minds are filled with new problems, our position in world affairs has already been altered.

In such circumstances our policy must be to appreciate in the deepest sense the true American interest. Rightly considered, this interest is not selfish. Destiny first made us, with our sister nations on this hemisphere, joint heirs of European culture. Fate seems now to compel us to assume the task of helping to maintain in the western world a citadel wherein that civilization may be kept alive. The peace, the integrity, and the safety of the Americas—these must be kept firm and serene. In a period when it is sometimes said that free discussion is no longer compatible with national safety, may you by your deeds show the world that we of the United States are one people, of one mind, one spirit, one clear resolution, walking before God in the light of the living.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *September 21, 1939.*

Thereupon (at 2 o'clock and 35 minutes p. m.) the President retired from the Hall of the House.

At 2 o'clock and 38 minutes p. m. the Speaker announced that the joint session was dissolved.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

REFERENCE OF THE PRESIDENT'S MESSAGE

Mr. RAYBURN. Mr. Speaker, I move that the message of the President of the United States be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

THE LATE MARION DE VRIES

The SPEAKER. The Chair recognizes the gentleman from California [Mr. BUCK].

Mr. BUCK. Mr. Speaker, it is with a sense of public loss and private loss as well that I announce to the House today the death of a former Member, the Honorable Marion De Vries, who represented the Second District of California in the Fifty-fifth and Fifty-sixth Congresses. The part of the then Second District in which he lived and died has for many years past been incorporated in the Third District, which it is my honor to represent, and hence it is my sad duty to record the passing of a faithful public servant.

Judge De Vries died on September 11, 1939, at his home on his farm near Woodbridge, San Joaquin County, Calif., where he was born 74 years ago.

Educated in California and at the University of Michigan Law School, he was elected in 1896, a Republican year, as the only Democratic Representative from the State of California. Reelected in 1898, he resigned in August 1900 to receive an appointment as a member of the Board of General Appraisers, and he continued in that position and as a judge of the United States Customs Court, when it was established to succeed the Board of General Appraisers, until 1922. He was presiding judge for a number of years, and under his presidency a great deal of present customs law was actually written and modern practice and procedure put into effect.

In 1922 Judge De Vries retired to general practice, and for some years past has represented in the city of Washington and the States of the East the California Wine Institute. Many of the members of the Committee on Ways and Means who are of younger years have become familiar with him as its representative and have valued the information and the counsel he has presented to our committee. We shall all individually mourn the passing of this gentleman of the old school, who was ever loyal to his native soil and to his district, and whose mortal remains have now returned to that soil.

THE LATE LAWRENCE Y. SHERMAN

The SPEAKER. The Chair recognizes the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Speaker, I take these brief moments to advise the House of the death at Daytona Beach, Fla., Friday, September 15, 1939, of former United States Senator Lawrence Y. Sherman, of Illinois. The funeral services are being held at 1:30 p. m. on this day near his old home in Illinois.

I have been acquainted with Mr. Sherman for a number of years and have had many delightful visits with him. I found him constantly in touch with the workings of Congress, and especially was I fortunate in receiving from this great statesman many words of advice and counsel. It is only fitting in these grave hours of our world crisis to pay tribute to the memory of such a great statesman as Lawrence Y. Sherman. Old Members will recall the fighting spirit of Senator Sherman, his great gift of oratory, and his successful leadership in the Senate in the fight against the participation of our country in the League of Nations.

With the permission of the House and for its information I take the liberty of briefly stating something of the life history of this statesman whose departure we mourn this day:

Senator Sherman was born near Piqua, Miami County, Ohio, on November 8, 1858. He moved with his parents to Illinois in 1859. He attended the common schools in Coles County and McKendree College, Lebanon, Ill. He studied law and was admitted to the bar in 1882.

Mr. Sherman commenced practice in Macomb, Ill.; became city attorney of Macomb and served from 1885 to 1887. He was judge in McDonough County from 1886 to 1890. He was a member of the Illinois State House of Representatives from 1897 to 1905, and served as speaker from 1899 to 1903. He was lieutenant governor and ex officio president of the Illinois State Senate from 1905 to 1909. He was president of the board of administration of public charities 1909 to 1913. He was delegate to the Republican National Convention at Chicago in 1912 and 1920 and at Cleveland in 1924. He was elected as a Republican to the United States Senate to fill the vacancy caused by the unseating of William Lorimer. He was reelected in 1914 and served from March 26, 1913, to March 3, 1921. He voluntarily retired from public life and

resumed the practice of law in Springfield, Ill. Thereafter he moved to Daytona Beach, Fla., where he resided until his death which occurred there.

I know other Members of this House will have something to say in eulogy to the memory of this great American statesman. I know the Members of the Illinois delegation and every Member of this House joins me in an expression of deep sympathy to the Sherman family in this hour of bereavement. The State of Illinois has lost a noble son and the Nation has lost a great servant.

In closing, Mr. Speaker, I add two verses, the authorship of one of which may be traced to the pen of Senator Sherman. The other, which was one of our departed friends' favorites, is a necrology report from Nebraska:

WE CALL THIS LIFE

We call this life, that is life's preparation,
We call this life, a little time of tears;
But think you God for this designed creation
A few short years?

If this is all, then why these worlds around us,
And unseen skies, and undiscovered stars?
I wonder, though one little world we found us,
Why God made Mars?

A million spheres, and ours one tiny planet,
Eternity, and earth a little span;
I cannot think for this that God began it,
That God made man.

I eat, I drink, a little gold I win me,
One world enough for my necessities;
But something else, some other thing within me,
Does none of these.

My soul has little use for earthly treasure,
Comes not to table, wears no silk nor wool;
With all our playthings, finds its only pleasure
The beautiful.

So many things my soul has naught to do with,
To which the man of flesh so fondly clings;
Shall that soul die when these things I am through with
The fleshly things?

—SHERMAN.

THE DEMOCRACY OF THE DEAD

In the democracy of the dead, all men are equal. There is neither rank nor station nor prerogative in the republic of the grave. At this fatal threshold the philosopher ceases to be wise, and the song of the poet silent. Dives relinquishes his millions and Lazarus his rags. The poor man is as rich as the richest, and the rich man as poor as the pauper. The creditor loses his usury, and the debtor is acquitted of his obligation. There the proud man surrenders his dignity; the politician his honors; the worldling his pleasures; the invalid needs no physician; the laborer rests from unrequited toil. The wrongs of time are redressed; injustice is expiated, and the irony of fate is refuted. When the fitful fever is ended and the foolish wangle of the forum and the market is closed, grass heals over the scar your descent into the earth has made, and the carpet of the infant becomes the blanket of the dead.

(Necrology Report, Nebraska.)

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a few brief excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief article by Raymond Clapper.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. WOODRUM of Virginia asked and was given permission to extend his own remarks in the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. JARMAN (at the request of Mr. HOBBS), on account of official business in his district requiring his personal presence there.

To Mr. VINCENT of Kentucky (at the request of Mr. GREGORY), on account of serious illness of his mother.

To Mr. SPENCE, indefinitely, on account of illness.

THE LATE THOMAS M. EATON

The SPEAKER. The Chair recognizes the gentleman from California [Mr. CARTER].

Mr. CARTER. Mr. Speaker, it is my sad duty to announce the death of our colleague, Hon. THOMAS M. EATON, of Long Beach, Calif., who passed away last Saturday.

Mr. EATON represented the Eighteenth Congressional District of California in the Seventy-sixth Congress. He was a native of Edwardsville, Ill. He was a school teacher, soldier, and statesman. He served with distinction as mayor of the city of Long Beach, Calif., immediately before his election to the Seventy-sixth Congress.

Although his career as a Member of this House was short, he was highly respected and loved by all with whom he came in contact. In his passing his city, his State, and his Nation have lost a most valued citizen, one who was destined to exert an even greater influence on public affairs had his career not been cut short by his untimely death.

Mr. Speaker, I offer a resolution and ask its immediate consideration.

The Clerk read as follows:

House Resolution 301

Resolved, That the House has heard with profound sorrow of the death of Hon. THOMAS M. EATON, a Representative from the State of California.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 2 o'clock and 52 minutes p. m.), under its previous order, the House adjourned until Monday, September 25, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1066. A letter from the Acting Secretary of Commerce, transmitting a report that papers described therein weighing approximately 32,577 pounds have been sold, and the revenue derived therefrom amounted to $61.90; to the Committee on the Disposition of Executive Papers.

1067. A letter from the Chairman, Securities and Exchange Commission, transmitting a report on commingled or common trust funds administered by banks and trust companies which supplements the Commission's over-all report on its study of investment trusts and investment companies made pursuant to section 30 of the Public Holding Company Act of 1935 (H. Doc. No. 476); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

1068. A letter from the Acting Governor of Hawaii, transmitting the journal of the House of Representatives of the Legislature of the Territory of Hawaii, regular session of 1939; to the Committee on the Territories.

1069. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Legislative Assembly of the Virgin Islands and approved by the Acting Governor; to the Committee on Insular Affairs.

1070. A letter from the Acting Secretary of the Interior, transmitting a copy of legislation passed by the Municipal Council of St. Croix; to the Committee on Insular Affairs.

1071. A letter from the Acting Secretary of the Interior, transmitting a copy of legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

1072. A letter from the Acting Secretary of the Interior, transmitting a copy of legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

1073. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to authorize the exchange of lands between the Richmond, Fredericksburg & Potomac

Railroad Co. and the United States at Quantico, Va.; to the Committee on Naval Affairs.

1074. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report covering the operations of the Reconstruction Finance Corporation for the second quarter of 1939, and for the period from the organization of the Corporation on February 2, 1932, to June 30, 1939 (H. Doc. No. 475); to the Committee on Banking and Currency and ordered to be printed.

1075. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill to authorize the sale of lumber and other forest products obtained from forests on Indian reservations under such regulations as the Secretary of the Interior may prescribe; to the Committee on Indian Affairs.

1076. A letter from the Vice Chairman, United States Maritime Commission, transmitting a special report of the United States Maritime Commission dealing with the action taken by the Commission for the rehabilitation of the services operated by the Dollar Steamship Lines, Inc., Ltd.; to the Committee on Merchant Marine and Fisheries.

1077. A letter from the Acting Chairman, Securities and Exchange Commission, transmitting a report on investment counsel, investment management, investment supervisory services, which supplements the Commission's over-all report on its study of investment trusts and investment companies made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 477); to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

1078. A letter from the Acting Attorney General, transmitting a report showing the special assistants employed for the period from January 1, 1939, to July 1, 1939, under appropriation "Pay of Special Assistant Attorneys, United States Courts"; to the Committee on Expenditures in the Executive Departments.

1079. A letter from the Acting Secretary of Commerce, transmitting a report that certain papers weighing approximately 3,090 pounds have been sold and the revenue derived therefrom amounted to $5.87; to the Committee on the Disposition of Executive Papers.

1080. A letter from the Administrator, Federal Security Agency, transmitting the draft of a proposed bill to amend the act entitled "An act to establish a Civilian Conservation Corps, approved June 28, 1937," as amended; to the Committee on Labor.

1081. A letter from the Acting Chairman, Civil Aeronautics Authority, transmitting a report of an investigation authorized under authority of the Civil Aeronautics Act of 1938 (Public, No. 706) (H. Doc. No. 478); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

1082. A letter from the Acting Secretary of the Navy, transmitting a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department, the prices therefor, and the reason for the award in each case; to the Committee on Expenditures in the Executive Departments.

1083. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to authorize an exchange of lands between the city of San Diego, Calif., and the United States, and acceptance by gift of certain lands from the city of San Diego, Calif.; to the Committee on Naval Affairs.

1084. A letter from the Secretary of Agriculture, transmitting the draft of a proposed bill to permit the Secretary of Agriculture or his authorized representative to deduct all expenses from the proceeds of the sale of surplus agricultural commodities, including animals and the production thereof; to the Committee on Agriculture.

1085. A letter from the Acting Secretary of War, transmitting a report from the Chief of Engineers on the cooperative investigation and study of beach erosion problems at Hawk's Nest Beach, Old Lyme, Conn.; to the Committee on Rivers and Harbors.

1086. A letter from the Acting Chairman, Securities and Exchange Commission, transmitting the fourth and last section of chapter II of part three of the Commission's report on the study of investment trusts and investment companies made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 279); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

1087. A letter from the Acting Secretary of Agriculture, transmitting a report of the receipts, expenditures, and the results of the cooperative agricultural extension work in all the States receiving benefits of the act; to the Committee on Agriculture.

1088. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to authorize the Secretary of the Navy to accept on behalf of the United States certain lands in the city of National City, Calif.; to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MARTIN J. KENNEDY:

H. J. Res. 382. Joint resolution requesting a conference between the hostile nations to secure peace; to the Committee on Foreign Affairs.

By Mr. REED of Illinois:

H. J. Res. 383. Joint resolution legalizing Thanksgiving Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to consider their Joint Resolution No. 69 S., with reference to S. 2877, postponing the payment of the principal installments of Federal land bank and commissioner loans until July 1, 1940; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to consider their Joint Resolution No. 145, A., concerning H. R. 6500, with reference to dairy products; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to consider their Joint Resolution No. 132, A., concerning federally owned property at Tomah; to the Committee on Public Buildings and Grounds.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5398. By Mr. ASHBROOK: Petition of George Gamerick and 32 other members of the Good Neighbors Community Club of Galion, Ohio, protesting against any change in the existing Neutrality Act; to the Committee on Foreign Affairs.

5399. By Mr. BOLLES: Petition of citizens of Delavan, Wis., opposing repeal of the Neutrality Act in its present form; to the Committee on Foreign Affairs.

5400. Also, petition of sundry citizens of Kenosha, Wis., opposing the repeal of the present Neutrality Act in its present form; to the Committee on Foreign Affairs.

5401. Also, petition of sundry citizens of Racine, Wis., opposing the repeal of the Neutrality Act in its present form; to the Committee on Foreign Affairs.

5402. Also, petition of sundry citizens of Burlington and New Munster, Wis., opposing the repeal of the Neutrality Act in its present form; to the Committee on Foreign Affairs.

5403. Also, petition of sundry citizens of Orfordville, Wis., opposing the repeal of the Neutrality Act in its present form; to the Committee on Foreign Affairs.

5404. Also, petition of sundry citizens of Beloit, Wis., opposing the repeal of the Neutrality Act in its present form; to the Committee on Foreign Affairs.

5405. Also, petition of sundry citizens of Watertown, Wis., opposing the repeal of the Neutrality Act in its present form; to the Committee on Foreign Affairs.

5406. Also, petition of sundry citizens of Janesville, Wis., opposing the repeal of the Neutrality Act in its present form; to the Committee on Foreign Affairs.

5407. By Mr. BREWSTER: Petition of 121 signatures, protesting against the discontinuance of the Federal theater project in the State of Maine; to the Committee on Appropriations.

5408. Also, petition containing 17 signatures, protesting against the discontinuance of the Federal theater project in the State of Maine; to the Committee on Appropriations.

5409. By Mr. THOMAS of New Jersey: Resolution adopted by the Bergen County Women's Republican Club, Hackensack, N. J., opposing profiteering in commodities on either a small or large scale; to the Committee on Foreign Affairs.

5410. By the SPEAKER: Petition of C. C. Newman and others, petitioning consideration of their resolution with reference to Work Projects Administration laws; to the Committee on Appropriations.

5411. Also, petition of Alfred M. Kunze, of New Rochelle, N. Y., petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

5412. Also, petition of Sheila MacDonald, of New York City, petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

5413. Also, petition of the Grace Methodist Church, Long Beach, Calif., petitioning consideration of their resolution with reference to the elimination of the gambling ships from off the California coast; to the Committee on the Judiciary.

5414. Also, petition of the city and county of Honolulu, Honolulu, T. H., petitioning consideration of their resolution with reference to the Hawaiian Organic Act; to the Committee on the Territories.

5415. Also, petition of the City of New York Board of Estimate, bureau of the secretary, petitioning consideration of their resolution with reference to Work Projects Administration; to the Committee on Appropriations.

5416. Also, petition of the Young People's Religious Union, Boston, Mass., petitioning consideration of their resolution with reference to the work of United States Senator ROBERT M. LA FOLLETTE, Jr., and the special committee of the United States Senate to investigate the violation of civil liberties and the rights of labor; to the Committee on Rules.

5417. Also, petition of the Syrian and Labanese American Federation of the Eastern States, Boston, Mass., petitioning consideration of their resolution with reference to social and political conditions; to the Committee on Foreign Affairs.

5418. Also, petition of J. M. Mills, of Reform, Ala., and others, petitioning consideration of their resolution with reference to shipping of all weapons and war materials; to the Committee on Foreign Affairs.

5419. Also, petition of the Grand Aerie Fraternal Order of Eagles, Kansas City, Mo., petitioning consideration of their resolution with reference to Manitowoc citizenship-day plan; to the Committee on the Judiciary.

5420. Also, petition of the American Legion, Department of Massachusetts, 159 State House, Boston, petitioning consideration of their resolution with reference to slum clearance; to the Committee on Banking and Currency.

5421. Also, petition of the Insular Association of Social Workers of Puerto Rico, petitioning consideration of their resolution with reference to a state of emergency in the island of Puerto Rico; to the Committee on Insular Affairs.

5422. Also, petition of Soldados Industriales Veterans of the World War, of the towns of Yauco, Guanica, and Guayanilla, P. R., petitioning consideration of their resolution with reference to a bill for compensation for the industrial workers who answered the call of our Government; to the Committee on War Claims.

5423. Also, petition of the Board of Estimate, Bureau of the Secretary, city of New York, petitioning consideration of their resolution with reference to Works Progress Administration relief; to the Committee on Appropriations.

5424. Also, petition of A. W. Bareis, city clerk, Madison, Dane County, Wis., petitioning consideration of their resolution with reference to Works Progress Administration relief; to the Committee on Appropriations.

5425. Also, petition of the Department of Public Safety, Camden, N. J., petitioning consideration of their resolution with reference to protective measures to forestall the excessive increase of commodity prices; to the Committee on Agriculture.

5426. Also, petition of the American Bar Association, Chicago, Ill., petitioning consideration of their resolution with reference to Federal securities legislation; to the Committee on Interstate and Foreign Commerce.

5427. Also, petition of the Windham County Democratic Association, held at Brooklyn, Conn., William Perry Barber, secretary pro tempore, petitioning consideration of their resolution with reference to continuance of the New Deal as a Democratic philosophy and desire to perpetuate that philosophy of President Franklin D. Roosevelt through the instrumentality of the Democratic Party; to the Committee on Ways and Means.

5428. Also, petition of the Utah State Junior Chamber of Commerce, Val D. Hicks, president, petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

5429. Also, petition of the Provincial Board of Nueva Vizcaya, at Bayombong, petitioning consideration of their resolution with reference to charges against His Excellency President Manuel L. Quezon; to the Committee on Insular Affairs.

5430. Also, petition of the Industrial Union of Marine and Shipbuilding Workers of America, Camden, N. J., petitioning consideration of their resolution with reference to the Merchant Marine and Fisheries Committee; to the Committee on Ways and Means.

5431. Also, petition of the American Legion, Department of Alabama, Montgomery, petitioning consideration of their resolution with reference to the Army officers retirement bill; to the Committee on Military Affairs.

SENATE

MONDAY, SEPTEMBER 25, 1939

The Chaplain, Rev. Barney T. Phillips, D. D., offered the following prayer:

O God of Love, Lord of our unrecorded days, who standest suppliant at the doors of desire and obedience: Shame us with the sense of our misspent efforts in which fret and strain have but wrought confusion. Teach us the secret of so being alone with ourselves as to find in solitude sources of power, and in the sanctuaries of our own souls Thine assuring presence. So shall we be able to discern Thy will for us; so only canst Thou speak to us above our tumults and our passions, laying anew upon us the sovereign commandment of love which supplies the only temper in which the differences of mankind can be resolved. Help us to realize that the judgments of love are the only sure judgments; that the insights of love are the only clear insights, and that only the law of love, written on the hearts of men, will bring us all in the end to a safe lodging, a holy rest, and peace at the last. Through Jesus Christ, our Lord. Amen.

APPEARANCE OF SENATORS

EDWIN C. JOHNSON, a Senator from the State of Colorado, ELLISON D. SMITH, a Senator from the State of South Carolina, and ROBERT A. TAFT, a Senator from the State of Ohio, appeared in their seats today.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. Mr. President, the Committee on Foreign Relations met today and adjourned until Thursday in order to give members of the committee an opportunity to study the draft of the bill which has been submitted to the committee. Therefore, after consulting with the distinguished Senator from Oregon [Mr. MCNARY], the minority

leader, I move the Senate now adjourn until noon on Thursday next.

The motion was agreed to; and (at 12 o'clock and 3 minutes p. m.) the Senate adjourned until Thursday, September 28, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 25, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, before whose face the generations rise and fall and the eternal hills are transient, we praise Thee that there is a divine purpose at the heart of this world; mercy is underneath it, and a gracious Providence is in control of it. Oh, move us toward Thee until we stand on Thy holy hill, firm in faith, strong with hope, and lost in love.

Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come; Thy will be done in earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For thine is the kingdom, and the power, and the glory, for ever. Amen.

The Journal of the proceedings of Thursday, September 21, 1939, was read and approved.

PAYMENT OF EXPENSES OF SECOND SESSION OF THE SEVENTY-SIXTH CONGRESS

Mr. TAYLOR of Colorado. Mr. Speaker, I send to the desk a joint resolution and ask unanimous consent for its immediate consideration.

The Clerk read the joint resolution, as follows:

House Joint Resolution 384

Resolved, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of expenses incident to the second session of the Seventy-sixth Congress, namely:

For mileage of the President of the Senate and of Senators, $51,000.

For mileage of Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, $171,000.

For the payment of 21 pages for the Senate and 48 pages for the House of Representatives, at $4 per day each, for the period commencing September 21, 1939, and ending with the last day of the month in which the Seventy-sixth Congress adjourns sine die at the second session thereof, so much as may be necessary for each the Senate and House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE LATE HON. ERNEST MARK POLLARD

Mr. HEINKE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HEINKE. Mr. Speaker, it is with regret that I announce the death of the Honorable Ernest Mark Pollard, a former Member of this body. His death occurred at Lincoln, Nebr., on September 24, 1939.

Mr. Pollard was born at Nehawka, Cass County, Nebr., April 15, 1869, the son of a pioneer family. He attended the public schools at Nehawka and graduated from the University of Nebraska in 1893. During an active and busy life he followed agricultural pursuits.

He was a member of the House of Representatives of Nebraska from 1896 to 1899. He was elected to fill the vacancy of the Honorable Elmer J. Burkett in the Fifty-ninth Congress to represent the First District of Nebraska. He was reelected to the Sixtieth Congress and served from July 18, 1905, to March 3, 1909. He was a member of the Constitutional Convention of Nebraska in 1920 and 1921. He devoted much of his time to public and civic affairs.

In the death of Mr. Pollard, his native State and country has lost an active and useful citizen. His many friends mourn his death.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I offer a resolution which I send to the desk.

The Clerk read as follows:

House Resolution 302

Resolved, That after September 25, 1939, the House shall meet only on Mondays and Thursdays of each week until October 9, 1939.

The resolution was agreed to, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein the program adopted by the Disabled American Veterans of the World War.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ORDER OF BUSINESS

Mr. MAY. Mr. Speaker, may I inquire of the majority floor leader whether, under the resolution that has just been adopted, when the House meets on Mondays and Thursdays, as indicated in the resolution, there will be any business transacted or attempted to be transacted at that time?

Mr. RAYBURN. After consultation with the Speaker, the minority leader, and in the absence of the minority leader, the gentleman from Michigan [Mr. MAPES], we have a gentleman's agreement that there will be no legislation taken up on any Monday or Thursday between now and the 9th of October.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from New York.

Mr. SIROVICH. Could it be possible for the majority leader of this House to arrange with the minority leader so that on Mondays and Thursdays, when we do meet, there shall only be permitted general debate on the subject of neutrality, the time to be equally divided between the members of the majority and minority sides?

Mr. RAYBURN. I do not know that we could enter into a unanimous-consent agreement that remarks could not be extended or that speeches could not be made on any subject. Of course, I contemplate that for the next 2 weeks those who speak will speak to very small audiences. [Laughter.]

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Mr. Speaker, in order that it may be in order, I ask unanimous consent that I may proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISH. I would like to ask the gentleman a question. When he stated that on Mondays there would be no other business taken up, does that mean that the antilynching bill will not be brought up?

Mr. RAYBURN. My understanding is that those who are charged with the responsibility of the antilynching bill have agreed that it will not be called up between now and October 9.

Mr. FISH. I am in accord with the gentleman, but I wanted to understand what his views are.

Mr. RAYBURN. No legislation between now and October 9 is the arrangement, or, I might say, the so-called gentleman's agreement, by those in responsibility.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Michigan.

Mr. MAPES. Is the gentleman able to give the House any assurance as to what will take place after the 9th of October, so that the Members may govern themselves accordingly?

Mr. RAYBURN. I may say to the gentleman from Michigan [Mr. MAPES] that when we meet on the 9th of October, or probably the Thursday preceding that date, if it can be then seen that there will be no business on the 9th or on the following Thursday, we might announce at that time that the Members may stay at home another week. That is my feeling now.

Mr. MAPES. So that if the Members who desire to go home will keep track of the newspapers, they can perhaps ascertain what will be taken up the week after.

Mr. RAYBURN. That is correct, probably, but I have offered this resolution to let Members know, and to let their constituents know, that their presence for the next 2 weeks is not necessary.

Mr. FISH. Mr. Speaker, will the gentleman yield again?

Mr. RAYBURN. Yes.

Mr. FISH. To ask the gentleman whether he agrees that if we do not bring up the antilynching bill, we will not lose any of our rights?

Mr. RAYBURN. No; certainly not. That is my understanding.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. DIRKSEN. I assume that Members would like to make some provision for extending their remarks in the RECORD in those interim days when there is no session. Does the gentleman from Texas contemplate making a suggestion to the House with respect to that matter?

Mr. RAYBURN. At the session every 3 days they would probably do that, but there will be no RECORD printed of House proceedings except following those particular meeting days.

Mr. RANKIN. As I understand it, the Senate will be in session and there will be a RECORD published every day.

Mr. RAYBURN. But there will be no RECORD of House proceedings on the days when the House is not in session.

Mr. RANKIN. But I imagine that the gentleman from Illinois refers to the Appendix of the RECORD.

Mr. DIRKSEN. Members may want to send in some material from home that is quite pertinent information and have that extended in the RECORD as soon as they can have it run off by the Government Printing Office and have it franked to their constituents?

Mr. RAYBURN. If there can be an arrangement or a request made covering that, there certainly will be no objection from me.

Mr. MAPES. As I understand it, the gentleman will have no objection to unanimous-consent requests being made on the days that the House does meet—Mondays and Thursdays—and Members extending their remarks and, within limits, to make speeches.

Mr. RAYBURN. None whatever.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 more minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITTINGTON. Mr. Speaker, is it contemplated in the event the other body has not acted upon pending legislation by the 9th of October, that we will continue to recess for 3 days at a time after that?

Mr. RAYBURN. Yes.

Mr. WHITTINGTON. And the further plan would be to notify people in advance of the 9th, as far as possible?

Mr. RAYBURN. That is my intention, unless someone insists upon calling up the so-called antilynching bill. I might say this to the House: After consultation with the Speaker we are requesting the chairmen of the committees not to meet and report legislation during this session of Congress unless conditions should change and there should be something emergent, and we hope that the chairmen of the committees and the committees will comply with that request.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. RICH. The chairman of the Committee on Appropriations offered a resolution a few moments ago to pay expenses of the Members in coming here to this session, but it was worded in such a way that I do not believe it will be of any service, because the resolution provides for moneys in the Treasury not otherwise appropriated. As the majority leader understands, there is no money in the Treasury. Therefore, how are the Members going to get their expenses here?

Mr. RAYBURN. Oh, the Members have always been able to draw their salaries and other moneys coming to them in the past.

The SPEAKER. The time of the gentleman from Texas has again expired.

EXTENSION OF REMARKS

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech I delivered over the National Broadcasting System on Saturday last.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a quotation from Senate Document 346 and also a quotation from the New York Times of September 14, 1922.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Also, Mr. Speaker, a second request, to extend my own remarks in the RECORD and to insert certain excerpts from the President's message to Congress on September 21 of this year.

The SPEAKER. Is there objection?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address delivered by the Honorable Charles Lindbergh.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and also include in the Appendix an editorial from the New York Herald Tribune.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks by including therein an editorial from the Saturday Evening Post, issue of November 18, 1933, entitled "Once Burned."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that at the conclusion of the unanimous-consent requests I may be permitted to address the House for 20 minutes today.

The SPEAKER. The gentleman from Missouri asks unanimous consent that at the conclusion of the legislative program for today he be permitted to address the House for 20 minutes. Is there objection?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, on what subject?

Mr. CANNON of Missouri. I would like to talk about a question which I am certain the gentleman is very much interested in—farm prices.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein some brief excerpts from five letters.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address I delivered to the Christian Men Builders, of Indianapolis, on yesterday.

The SPEAKER. Is there objection?

There was no objection.

Mr. TOLAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an article by Charles Edison, Acting Secretary of the Navy.

The SPEAKER. Is there objection?

There was no objection.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, on this day, 150 years ago, the Congress, after long and careful consideration, agreed upon the amendments to the Constitution which became the Bill of Rights.

I ask unanimous consent to extend my own remarks in the RECORD on this subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include an editorial from the New York Sun.

The SPEAKER. Is there objection?

There was no objection.

Miss SUMNER of Illinois. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks by including therein a speech made by me on September 10 on the subject Can We Keep Out of War?

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a few brief articles written by the late Senator Sherman, of Illinois.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a speech made by me at Oslo; also a radio speech made by me the other night.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

By unanimous consent, Mr. KEEFE, Mr. BRADLEY of Michigan, Mr. BURDICK, Mr. MILLER, Mr. SMITH of Ohio, and Mr. VAN ZANDT were granted permission to extend their own remarks in the RECORD.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial from the Portland Shopping News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an article by Hermann Rauschning in the publication Foreign Affairs of October 1939.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a short editorial from the Iowa Legionaire.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 3 calendar days in which to extend their own remarks in the RECORD.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that all Members may have 3 calendar days in which to extend their own remarks in the RECORD. Is there objection?

There was no objection.

APPOINTMENT OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair desires to make a personal statement to the Members for a moment.

On account of the unexpected call of the special session the Chair is going to ask the indulgence of the House for a few days to return to his own Alabama to attend to some rather personal and pressing matters. The Chair has asked the gentleman from North Carolina [Mr. DOUGHTON] to introduce a resolution on this subject.

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

House Resolution 303

Resolved, That Hon. SAM RAYBURN, a Representative from the State of Texas, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of Hon. SAM RAYBURN as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to, and a motion to reconsider was laid on the table.

The SPEAKER. Under the special order of the House the gentleman from Missouri [Mr. CANNON] is recognized for 20 minutes.

AGRICULTURAL PRICES

Mr. CANNON of Missouri. Mr. Speaker, the House has just reached a decision to adjourn until the Senate disposes of the pending neutrality bill. In effect it is an agreement not to consider other legislation at this session, an agreement of particular significance just at this time in view of the fact that it postpones until the regular session a proposed measure which has occasioned wide discussion in the press and over the radio, and to which some of the departments and others have been devoting considerable time since the beginning of the European war.

Here are some of the comments referred to:

"Legislation to prevent profiteering, particularly in the necessities of life, during the war emergency, has been virtually completed by the Department of Justice and will be offered in the special session of Congress if the situation demands," said the Attorney General.

A Justice Department official said a policy of "potential enforcement" of antitrust laws would be used to combat profiteering in foodstuffs as a result of the present European conflict.

The forthcoming special session of Congress may give the Agriculture Department authority to combat profiteering. The Department of Justice is now conducting a study along these lines.

And there is daily reference in the press to work of the Department of Justice in formulating proposed legislation and devising administrative machinery to freeze prices and curb profiteering—always with reference to foodstuffs and the cost of living or the delegation of authority to the Department of Agriculture which indicates that it was to be directed to the control of farm products and the prices of farm products.

The Department of Agriculture has been hardly less active in the consideration of ways and means to restrict the range of farm prices. Among the many reports on the earnest concern of the Department have been news releases to the effect that—

An Advisory Council for Agriculture, with producers, processors, and distributors represented, will sit September 19. Consideration will be given to prevention of profiteering (not reasonable price advances), to margins, and similar subjects. It is to be remembered

that there is a Consumers' Council in Agriculture—long inactive but ready to be the medium of "control" of prices by publicity.

Efforts will be made to prevent profiteering inside the United States. Official worry over prospect of sharp rises in the cost of living, particularly foods, which lead to pressure on retail prices, may lead to new controls.

The agricultural advisory committee thinks it should be made a permanent organization, feeling that thus it will be able pretty well to handle any price extravagances that may appear in the agricultural field.

And, in addition, the Department of Agriculture has always been ready to assure the public at every intimation of a rise in farm prices that there are vast surpluses or at least ample supplies of all foodstuffs, the inescapable conclusion being that there is no occasion for paying any more for farm products than the subparity price the farmer has been receiving all along. That is one respect in which the Department of Agriculture has always differed from the other departments—whether under Republican or Democratic administration—its deep concern for the consumer—and as between the farmer and the consumer, the latter always seemed to receive first consideration. Of course, each department of the Government was created to serve all the people, but I have yet to note in all the years I have been in Washington an instance in which the Department of Commerce has exhibited special apprehension lest the manufacturers receive a parity price for their products.

And the Department of Labor has never, to my knowledge, issued bulletins in behalf of the consumer when the question of a fair wage scale for labor was under consideration. And I have no quarrel with them on that score. The two Departments are charged primarily with the duty of conserving the respective interests of industry and labor and are to be commended on the efficiency with which they discharge that duty. My only concern in the present emergency is that the Department of Agriculture be as considerate of the interests of agriculture—and especially since agriculture for the last 10 years has been compelled to accept returns so far out of line with those received by labor and industry, and in many instances below the cost of production.

The newspapers have also carried statements from the labor organizations commenting critically on increases in the price of foodstuffs. According to press reports:

Sharp rises in living costs are being closely studied by both A. F. of L. and C. I. O. leaders. Their idea is to move to reopen old wage contracts if prices get too far out of line.

And President Green of the A. F. of L.—for whom I have the warmest regard and the deepest admiration because he serves his constituency loyally and effectively—said on Saturday, the 23d:

The American Federation of Labor will take action at its coming convention in Cincinnati to curb war profiteering—

And much more in the same tenor, with the idea of holding down the cost of living, of which the principal items, of course, are the products of the farm.

Now, what has brought about this feverish activity on the part of the departments and this searching inquiry on the part of consumer organizations with reference to the price of farm products? The occasion is so small as to be laughable were it not fraught with an import so menacing as to threaten the greatest industry of the Nation with virtual confiscation. In naked terms it proposes a discrimination that amounts to exploitation of rural America.

Here is the occasion for this widespread denunciation and the arbitrary position taken by the departments and the organized industries of the Nation leading up to plans to enact restrictive legislation for the control of farm prices. Since the opening of the European war, wheat has advanced 21 cents a bushel; hogs, $2.20 a hundred pounds; lambs, $1.35 a hundred pounds; steers, $1.35 a hundred pounds; and cotton, $5 a bale. Since these top prices values have receded somewhat. But this is the cause of the departmental releases and the drafting of punitive laws to freeze farm prices—and the farmer at the same time.

And the astonishing feature of the whole drive to restrict farm prices is that all of them—after adding increases to date—are still far below parity. For the last 10 years the promise of every political party has been parity for farm prices. The goal of every agricultural appropriation bill has been parity, and billions of dollars have been spent—millions of them in the last session alone—to attain parity for agriculture. Yet at the first start in the direction of parity the elaborate machinery of the Department of Justice and the vast influence of civic organizations are marshaled to block the long-sought increase. The Department of Agriculture's Federal Bureau of Agricultural Economics reported last week that every agricultural product was selling below parity. Here is the table as it appeared in the departmental bulletin:

Prices of farm products

(Estimates of average prices received by farmers at local farm markets based on reports to the Bureau of Agricultural Economics. Average of reports covering the United States weighted according to relative importance of district and States)

Product	August 1939	Parity price, August 1939
Cotton, pound ..... cents	8.7	15.5
Corn, bushel ..... do	45.7	80.2
Wheat, bushel ..... do	54.5	110.5
Hay, ton ..... dollars	6.77	14.84
Potatoes, bushel ..... cents	69.1	85.3
Oats, bushel ..... do	25.4	49.9
Soybeans, bushel ..... dollars	.64	
Peanuts, pound ..... cents	3.39	6.0
Beef cattle, hundredweight ..... dollars	6.50	6.51
Hogs, hundredweight ..... do	5.47	9.02
Chickens, pound ..... cents	13.0	14.2
Eggs, dozen ..... do	17.5	[1] 23.2
Butterfat, pound ..... do	22.4	[1] 30.6
Wool, pound ..... do	22.0	22.9
Veal calves, hundredweight ..... dollars	8.13	8.44
Lambs, hundredweight ..... do	6.94	7.34
Horses, each ..... do	78.00	170.80

[1] Adjusted for seasonality.

It is to be wondered that with the political platforms of all parties promising parity and the national policy as expressed in legislative enactments and Executive messages urging parity that the first marked step in that direction should meet with the recommendation of coercive legislation by the Department of Justice and the assurance by the Department of Agriculture that there were vast supplies on hand and no occasion for increases in prices.

Wheat sold at Liverpool on July 24, 1939, at the lowest price since the reign of Queen Elizabeth, and only the support of appropriations by Congress prevented a like collapse in America. Lard sold last month at the lowest price in the history of the Chicago market. The index number of farm prices as reported by the Department of Agriculture went down from 96 in December 1938 to 88 in August 1939. In sections of the United States sharecroppers are living outdoors, with no school facilities for their children and no shelter for themselves against the approach of winter. Civilians hurrying home from war-torn Europe are not the only refugees. And yet when the products of the farmer's toil advance a few cents above the inadequate price he has been receiving the cry of "profiteer" goes up over the country, and Congress is asked to take drastic steps to prevent further increases.

The United States Conference of Mayors, well-intentioned gentlemen as they are, announce that pending "legislation to prevent Europe's war from being used as an excuse for unconscionable profiteering on foodstuffs" the cities which they represented would consider "establishing a clearing house in Washington where information regarding commodity prices could be exchanged and bulletins issued" with a view to preventing profiteering. An official of the Department of Justice told reporters that "the Department was receiving an average of 250 complaints a day on profiteering in foodstuffs," and even one farm organization in its official publication said:

Government officials are studying methods of preventing wartime profiteering in foodstuffs as complaints of sharp increases in prices pour in from all over the country.

And the amazing thing about all this profiteering is that the prices of all foodstuffs on which they are charged with profiteering is less today than they were 1 year ago.

Here is a table taken from Sunday's edition of the New York Times. It gives the prices in the New York retail markets, city-wide average retail price in the New York retail market, of each article of food September 23, 1938, and September 23, 1939:

Foodstuff		A year ago	Today
Smoked hams	pound	$0.30	$0.28
Pork loins	do	.32	.29
Center chops	do	.40	.38
End chops	do	.30	.28

Pork was 6.8 percent more expensive last year than it is now. How is that for profiteering?—

Leg of veal	pound	$0.40	$0.31

Veal was 9 cents more expensive a year ago than now—

Rib roast	pound	$0.32	$0.31
Sirloin roast	do	.42	.40
Chuck roast	do	.26	.23
Porterhouse steak	do	.48	.45
Round steak	do	.41	.40
Sirloin steak	do	.41	.39

Beef was 4.3 percent more expensive last year than this, and certainly gives no—affords no—grounds on which to bring charges against the farmer or threats of punitive legislation—

Leg of lamb	pound	$0.28	$0.26
Turkey	do	.41	.35
Fowl	do	.32	.29
Broiling chickens	do	.31	.30

Poultry was 5.8 percent more expensive last year at this time. No one made any comment when it fell nearly 6 cents, and the departments of the Government were not concerned about the producer who was selling at a lower price than any other industry. But when it advances 3½ cents of the 6 cents it had lost, they are filled with anxious apprehension and announce to the press that they propose to appeal to Congress—

Grade A eggs	dozen	$0.50	$0.48
Grade B eggs	do	.32	.29

Vegetables are reported by the Times as being 8.7 percent more expensive a year ago, and fruits were 18.3 percent below last year's prices.

And here is another item from the same paper:

PRICES OF MEATS LOWER, SUPPLIES ABUNDANT, AND SLAUGHTERING IS HEAVY

CHICAGO, September 24.—There is an abundance of all kinds of meat in packing-house coolers available to butcher-shop owners at the lowest prices in recent weeks, according to a review of the wholesale markets. The movement of beef, veal, pork, and lamb into retail channels in the next few days is expected to be the largest of the season as the result of increased slaughtering of all classes of meat animals.

Receipts of cattle, calves, hogs, and sheep at the Chicago Stockyards last week were largest since the week ended on May 6. There were 20 percent more than the average of the 2 preceding weeks, when farmers were holding shipments back pending the effects of the war on prices of livestock.

Wholesale prices for meats are 2 to 36 percent lower than they were for a few days immediately following the start of the war in Europe, and are 13 percent lower to 5 percent higher than a year ago. Live costs of meat animals last week ran mostly 3 to 6 percent lower than 2 weeks ago and 12 to 24 percent lower than in 1938.

The most severe decline from the peak of the "war market" was in pork and lamb. Top light pork loins went yesterday to butcher shops at $19 a hundredweight, compared with $30 at the high time, a drop of 36 percent.

Mr. ZIMMERMAN. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Missouri [Mr. ZIMMERMAN], a member of the Committee on Agriculture.

Mr. ZIMMERMAN. Will the gentleman from Missouri furnish for the RECORD the price of corn that has been complained of, as well as the prices for wheat, hogs, and lamb? Will he also show just how much these commodity prices have lacked being up to parity and the percentage of parity they were before all this talk started about profiteering, so far as foodstuffs are concerned?

Mr. CANNON of Missouri. I am glad to have the gentleman make that suggestion. I shall include a table prepared last week by the Department of Agriculture, giving farm prices in August and up to the time of publication.

	1919-20	1933	August 1939	Parity price August, 1939
Wheat	$3.40	$0.49½	$0.545	$1.105
Corn	1.70	.23½	.457	.802
Oats	1.08	.16¼	.254	.499
Cattle	18.75	.625	6.50	6.510
Hogs	28.00	3.80	5.47	9.020
Eggs	.80	.11½	.175	.232
Butterfat	.89	.20	.224	.306
Poultry	.46	.08½	.130	.142
Cotton	.39	.06	.087	.155

As has been indicated, none of these prices have reached parity.

Mr. NELSON. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to my good friend, who has always taken such deep interest in farm prices, the gentleman from Missouri [Mr. NELSON].

Mr. NELSON. Does my colleague believe that until the prices received by the producer reach parity that there can actually be any profiteering?

Mr. CANNON of Missouri. There certainly has been no profiteering up to this time and the prospect is that the price of farm products will not in many instances reach even parity—certainly will not go above parity. Up to this time the farmer is profiteering on the consumer about like the chicken profiteers on the hawk.

Mr. PATRICK. Will the gentleman yield?

Mr. CANNON of Missouri. I am glad to yield to the gentleman from Alabama.

Mr. PATRICK. I am not asking this question to reveal what I know, because I do not know. I cannot say how it will work. May I ask if there is not already in reserve practically every agricultural commodity that is included that may be released, if necessary, to offset any real upsurge in price such as has been complained of recently?

Mr. CANNON of Missouri. The gentleman is correct. That is the one fundamental fact in this whole situation, and it is worthy of note that the Department of Agriculture, having the interest of the underpaid farmer at heart, has been announcing to the press and to all who would listen ever since the European war opened that there is an ample supply of all food staples and no occasion for anybody paying an increased price—although the prices of all other commodities, already above parity, have been steadily rising from day to day.

Mr. FERGUSON. Will the gentleman yield?

Mr. CANNON of Missouri. With pleasure.

Mr. FERGUSON. Is not the objective of all legislation passed by Congress dealing with agriculture the achievement of parity prices? Until those prices are achieved, then the objective of the agricultural program has not been reached; so there cannot be any conflict in prices until they get up to parity level. Parity means a price for agricultural products which compares with what the farmer has to pay out.

Mr. CANNON of Missouri. The gentleman from Oklahoma states the case convincingly. Congress in the last session voted millions of dollars for the sole purpose of bringing agricultural prices up to parity and now when there is some little prospect of their reaching parity all the forces of the Government are brought into action to hold them below parity. It is, to say the least, inconsistent.

Mr. MASSINGALE. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Oklahoma. He believes in price fixing, but at least above the cost of production.

Mr. MASSINGALE. It seems to me from what the gentleman has said and read that the anxiety seems to be a fear over the statements made by the press that the farmer may get a little bit more than he has been getting for his farm produce during this wartime. Is that correct?

Mr. CANNON of Missouri. The releases carried in the newspapers would seem to justify that conclusion.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. In view of the fact we produce only one-third of the sugar we consume, in view of the fact after we made the world safe for democracy sugar was skyrocketed to 30 and 35 cents a pound, and in view of the fact sugar is now rising, does not the gentleman think we should about-face and let the American producers of sugar increase and expand production so that we will not be gouged by the Cuban sugar monopoly and the Wall Street international bankers which own the monopoly and be forced to pay 30 to 35 cents a pound for sugar?

Mr. CANNON of Missouri. The President has taken care of that situation by revising the quota and there is no prospect that we will be required to pay more than the parity price for sugar at this time.

Mr. PITTENGER. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to my friend, the gentleman from Minnesota.

Mr. PITTENGER. I have listened with a great deal of interest to the gentleman's remarks. After we attain parity prices, does not the gentleman believe that in connection with neutrality legislation we should have anti-war-profiteering legislation with reference to all materials?

Mr. CANNON of Missouri. That is an excellent suggestion. And I am glad to note that the gentleman emphasizes "all" commodities. The farmer is not asking for high prices. He is asking for parity prices—for fair prices. And he is willing to limit his prices if everybody else will do likewise. But that is not the proposal. The charges of profiteering are leveled at the farmer alone, and specific legislation so far proposed contemplates fixing farm prices without reference to industrial prices or wage scales. I am glad to go along with the gentleman from Minnesota on his proposition that all be treated alike.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Washington, one of the distinguished members of the subcommittee on agricultural appropriations.

Mr. LEAVY. The gentleman has demonstrated time out of number that he is the champion of the farmer, and a friend of the farmer in respect of the return the farmer receives for the commodities he produces. The position I understand the gentleman to take now is that there is no need even to think of considering antiprofiteering legislation as far as the farmer is involved. However, I do not take it that the gentleman means there may not be a need for antiprofiteering legislation as far as it pertains to the middleman, the processor, or the broker, those who come between the producer and the consumer. Am I right in that?

Mr. CANNON of Missouri. The gentleman is eminently correct. The farmer is as patriotic as anybody. He is ready to fix his prices any time the welfare of the Nation demands it. However, he does say that if you fix his prices and fix his wages, it is only fair that you fix the prices and the wages of everybody else, treating everybody alike; that you should fix all prices or fix none.

Mr. JONES of Texas. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas, the author of more beneficial farm legislation than any other Member of the House.

Mr. JONES of Texas. As I understand the gentleman, he does not object in any way to antiprofiteering legislation, but makes the point that as long as prices are out of balance and the farmer's prices are below parity, there is no such thing as profiteering in the products of the farm; that until the prices of farm products reach the point of parity and get on the basis of the same purchasing power they had when prices were properly balanced, there is no such thing as profiteering in the actual raw products of the farm.

Mr. CANNON of Missouri. Decidedly so.

Mr. JONES of Texas. Of course, the gentleman would not object to antiprofiteering legislation should the price of any product reach the point of profiteering and get out of balance, and if an attempt should be made to take the price out of its proper price picture and put it into profiteering realms.

Mr. CANNON of Missouri. Certainly not. And I thank the gentleman for his emphasis on that point. All agriculture asks is parity. And that once attained, you may freeze prices forever. Of course, if after parity is reached labor and industry again upset the apple cart by demanding and securing further increases, then the farmer will expect to keep pace with them by corresponding increases.

Mr. O'CONNOR. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. Is it not a fact that the profiteering about which we hear so much may be the result, and usually is the result, of control by monopolies? Is it not true that seldom such legislation is required where producers have to sell in the open market, such as farmers and producers of copper? Their products only become subject to profiteering after they leave the producers.

Mr. CANNON of Missouri. That is true; and unless subsidiary legislation is appended in the stabilization of prices the middleman will get the increase and the farmer will be left where he was. We saw that happen when we levied the processing tax on hogs. The packers first passed the tax back to the producer and then passed it on to the consumers. Then, when the Supreme Court held that whoever paid the tax was entitled to a refund, the packers claimed they had paid it themselves. They collected three times.

They collected from the producer, from the consumer, and from the Government. Therefore, if you fix prices the middleman must have attention. There must be legislation guaranteeing the farmer a fair price under the middleman's deduction.

Mr. GEHRMANN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Wisconsin.

Mr. GEHRMANN. I certainly agree with the gentleman's statement that the farmer is not receiving parity. I cannot see any reason why the departments do not turn their attention to the middlemen, or the monopolies, certainly, that make it possible for the consumer to be charged from 35 to 40 cents for pork chops when the farmer does not get over 10 cents for his hogs.

The same is true in the dairy industry. You are asked to pay 40 cents a pound for cheese that is 3 or 4 months old, whereas the farmer right now does not receive over 14 or 14½ cents for it. This spread is what keeps the farmer from getting parity and curtails the natural consumption. I believe this spread is what the departments should work on and allow the prices the farmers receive to go up at least to parity. This is why a group of us went down to the Department of Justice before we left and proved to them that there was a monopoly in the dairy industry. I believe Mr. Murphy has started to investigate this matter. The consumers ought to know that they are being gouged in this way and that the farmer is not getting anywhere near what he ought to have. As they operate now, according to the newspapers the farmer evidently is getting rich. The consumer should know that the farmer is not getting rich, that he is not getting parity. I believe it is the duty of the Department to protect the farmer and allow the public to know that he is not getting anywhere near parity prices.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 20 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. In confirmation of what the gentleman has said, I may say that it was shown this last month that the price paid by distributors for milk was less than the price they paid for labor. The middleman is getting a disproportionate share of the price paid by the consumer for dairy products. The Department of Justice might well give some attention to the exorbitant toll taken by processors and distributors in all lines of foodstuffs.

But the odd thing about all this anxiety to curb profiteering is that it is directed exclusively at agriculture—agriculture and agricultural products. No one seems to be concerned by the fact that while farm prices have not yet reached parity, the prices of other commodities, practically all other commodities—usually already above parity—have been advancing even more rapidly. You have but to glance at the headlines to note that all metals are up and still advancing unchecked and unreproved.

Copper moved at 12 cents a pound yesterday, although producers withdrew from the market after selling their day's allotment.

The added climb in zinc concentrates' prices made the total rise in 2 weeks $10.50.

That is a heavier increase than any we have seen on the farm.

Quicksilver prices doubled. Despite an advance to the highest level since the World War, buyers were able to get only 10 percent of the quantities they sought. Quotation here was $160 per flask, which brought values to double the level quoted just before the outbreak of the war.

No farm product has doubled since the war started. But no charge of profiteering has been leveled at the purveyor of any of the minerals.

Ore prices jump sharply. Zinc advances $8.50 a ton to $40. Lead climbs $6.48 to $64.54. No. 1 heavy melting steels were quoted at $22.50 a ton, up $2.50 from the preceding week.

The stock extended yesterday's sharp gains.

War stocks lead market as price gains continue. Western Union made a new high. Bethlehem Steel gained more than two points. Douglas Aircraft rose more than two points. Chrysler was up.

Withdrawal of men's woolen and worsted lines from the market followed price advances up to 25 cents a yard. Summer clothing manufacturers are sending salesmen on the road with the new lines without prices.

Tanners in session at the Waldorf-Astoria intimate that new prices may be announced in the next few days, 2 days ranging one-half to 1 cent a foot above the level prevailing until noon yesterday, which had showed gains of from 4 to 6 cents since Labor Day.

The trend in interest rates as reported by one of the leading financial journals, indicated an increase up to this time of approximately 1 percent, a relative increase in proportion in comparison with the rates previously received out of all proportion to the moderate increases registered in the prices of agricultural products.

No one suggests profiteering—the farmer is the only producer mentioned in that connection and the only one it is proposed to regulate by law.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. O'CONNOR. The Tariff Commission a few years ago made an investigation of the cost of production of copper. The Commission found that copper cannot be produced for less than 13 to 14 cents per pound, including depletion and interest, and excluding these items the cost would be 9.93 cents per pound. And copper at 12 cents a pound is not such a price so as to enable producers to recoup their losses sustained when they were producing copper in Montana and elsewhere at 8 or 9 cents a pound. The President's statement that 12½ cents is a fair price for copper has had a serious effect in copper-producing communities—particularly where wages are regulated by the price of copper.

Mr. CANNON of Missouri. The point is that copper is going up more rapidly than wheat or other agricultural products. Yet they propose to restrict the agricultural prices but make no mention of copper.

Mr. O'CONNOR. If wheat went to $2 a bushel today, the farmers would still be broke for years to come before they could pay their back taxes and the interest upon their indebtedness.

Mr. CANNON of Missouri. That is true. And that is why the charge of profiteering is so absurd, and the distinction between farm prices and other prices so puzzling. Why make fish of one and fowl of the other?

Mr. MASSINGALE. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. I appreciate the fact that the gentleman from Missouri, who is so well acquainted with the subject he is discussing, has opened this discussion here today. I wish to suggest to the gentleman this fact: It has been mentioned prominently in the last 3 or 4 or 5 months in the press of the country that during the time when wheat was selling at $1.50 to $2.40 a bushel, the price of bread was not materially higher than it is when wheat is selling for 50 or 60 cents a bushel.

Now, there is no necessity for any alarm on the part of those persons who are agitating that the Government or the Congress take action now to prevent profiteering, certainly, with respect to bread, is there?

Mr. CANNON of Missouri. When wheat was selling at $2.40 a bushel, a loaf of bread sold here in Washington at 10 cents, and when wheat was selling at 30 cents a bushel the same loaf of bread sold here for 10 cents. Wheat has a long way yet to go before we would get to a place where the price of a loaf of bread would be above 10 cents, although in the meantime the average wage of the Government worker in the District of Columbia is $745 higher than it was when wheat was $2.40 a bushel.

Mr. ZIMMERMAN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. Certainly.

Mr. ZIMMERMAN. Will the gentleman explain why the Secretary of Agriculture, after an increase of $5 a bale in cotton, made a public statement that the country need not be alarmed, that with the surplus of cotton nothing serious would happen? Nothing was said about the rise in the other commodities. There is a slight advance in farm prices. It looks as if those in charge of the administration of affairs are always ready to give out some report to the press rather than to boost the price of farm commodities, and I just ask the gentleman if he has ever given any thought to that procedure on the part of the Department of Agriculture in Washington.

Mr. CANNON of Missouri. Mr. Speaker, it is difficult to reconcile the apprehension of the Department over the rise in the farm prices at this time and the press releases which have checked needed increases in cotton and many other farm commodities already selling at ruinous figures.

The contrast between the trend in farm prices and the union wage scales is even more striking. Let me again quote from President Green, and in commendation of the invaluable service he is rendering American labor. When agriculture takes a leaf out of labor's book and perfects its organization to a point where it can speak with similar authority it will have largely solved its most vexatious problems. President Green said a day or two ago:

"The federation had received complaints from all sections of the country against rising prices for commodities," Mr. Green said in a statement.

"This inexcusable form of exploitation really constitutes a wage cut for every American worker," he said. "The American Federation of Labor is convinced that these rising prices are unjustified. This trend must be stopped."

May I call the attention of my good friend, Mr. Green, and the labor organizations to the fact that when they begin to talk about fixing the price of farm products they are on dangerous ground, because when you begin to talk about freezing the price of farm products and fixing the price of food, you take up a subject which leads directly up to the fixing of wages. The two are inextricably related—the fixing of the scale of wages is right behind it.

Here is what another commentator says:

Organized labor is preparing to apply quick pressure for wage increases.

The union wage scale of all labor today is higher than it was when the farmer was getting $2.40 for his wheat, $24 for his hogs, and 60 cents a dozen for his eggs. Now, the intimation is—however accurate—that they are suggesting the restriction of farm prices—and eventually an increase of wage scales. We do not object to an increase in wages. The farmer believes in high wages and high prices, but his position is, if he must pay high wages, he should have a high price for his labor and for his products and a high return commensurate with that received by finance on his investment in his farm, his stock, his machinery and equipment.

Mr. MASSINGALE. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. MASSINGALE. In the gentleman's discussion of labor's complaint or fear of profiteering on the part of the farmer, I believe it would be well for the gentleman to suggest to his friend, Mr. Green, that the farmer is receiving on an average an income of $173 a year to about $225 a year, whereas the industrial worker of the country has an annual income of $908 a year.

Mr. CANNON of Missouri. The gentleman is correct. The union wage scale in the District of Columbia, for example, with which all of you are familiar—and the same is true throughout the country—today is the highest it has ever been in the economic history of this or any other nation.

Here are the statistics compiled by the departments:

Comparative wage scales per 8-hour day

	1920	1933	1938
Carpenters, general [1]	$5.36	$8.80	$11.18
Painters, general [1]	5.20	9.92	10.91
Plumbers and gas fitters [1]	5.76	10.40	12.12
Electricians, inside wiremen [1]	5.52	10.56	12.35
Bricklayers, building [1]	6.24	11.44	13.18
Farmers, field hands [2 3]	2.84	.75	1.31

[1] U. S. Department of Labor, Bureau of Labor Economics.
[2] With board.
[3] Department of Agriculture, Bureau of Agricultural Economics.

The SPEAKER pro tempore. The time of the gentleman from Missouri has again expired.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to proceed for an additional 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. Certainly.

Mr. O'CONNOR. I would like to get a statement in the RECORD about relative prices of wheat and bread.

Mr. CANNON of Missouri. I am glad to have the gentleman's statement.

Mr. O'CONNOR. I thank the gentleman, who is giving the country something to think about, which he always does when he speaks. When wheat was selling in Montana for 30 cents a bushel it went to the consumer in the form of loaves of bread at a price of $6 or $7, for a bushel of wheat makes about 56 loaves of bread. Today, with wheat selling around 80 cents, we find that for 56 loaves of bread the consumer pays the same price he did before. This shows simply that the farmer does not get anywhere near his proportionate share of what the consumer has to pay.

I also note that as a result of an examination by the Senate committee investigating monopolies we find the producers of other necessaries of life receive 40 percent of the dollar which the consumer pays, and that 60 percent of that dollar goes to distribution. This is an inequitable amount; that is to say, the producers do not get their just share.

Mr. PIERCE of Oregon. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. PIERCE of Oregon. I do not want to lose the point brought out by our colleague the gentleman from Montana. He makes the point very clearly that the fault lies in the system of distribution. Should we not in our coming legislation on agriculture follow the commodity through to the point of distribution? Should not legislation be directed to that point rather than taking the line that we have, of trying artificially to force up the price of foods?

It seems to me this Congress could well, at this time when we are taking our leisure, be considering the subject and to correct the evil so clearly brought out by our colleague from Montana.

Mr. CANNON of Missouri. If any control legislation of that character is submitted to this House, or if any control steps are taken by the administrative or executive departments they must include measures which will affect the result to which the gentleman refers. They must see that the farmer gets his fair share of the increase and that it is not all monopolized by the middleman, as the gentleman suggests.

A very great man in American history said, on a great crisis—perhaps no greater than the crisis which now confronts us:

I know of no lamp to guide my feet but the lamp of experience.

It behooves all who are interested in the welfare of agriculture, and the progress of the country as a whole, at this time to consider this situation in the light of our experience in the last war.

We saw them bring in a resolution to "protect" the farmer, to put a minimum price on his products, and, of course, the minimum price became the maximum price. The "minimum price" fixed for wheat was $2.20 at Chicago, and wheat never went above that although the Secretary of Agriculture afterward testified that wheat would have gone to at least $7.50 a bushel and probably $10 a bushel. Steps were also taken by the Government to hold down the price of livestock.

With the machinery at their command and with the legislation passed by Congress, they held down the price of foodstuffs, but they allowed the price of every other commodity to go without let or hindrance. Oil was just as necessary to win the war as food. Fifty basic products were just as essential to win the war as food, yet they put their restraining hand on one thing only, on foodstuffs. There is a certain class of people who never learn by experience, but let us hope the American farmer does not belong to that class; that he will be alert to what is going on in this Chamber, to be certain he is not again "protected" by fixed prices while everybody else profiteers to his heart's content.

May I say again that the farmer does not object to legislation fixing prices, and he certainly has no objection to legislation controlling profiteering. He asks only that such prices and such legislative or administrative action be applied to all, and that measures taken affect everybody alike; that they apply to the things he must buy as well as to the things he has to sell. It is not necessarily high prices or low prices which affect the situation. It is relative prices. The farmer must have a relative price equal in its buying power, equal in its compensation of his labor to that of the rest of the great brotherhood which makes up the industry of the Nation.

That is the wish of the President of the United States, as indicated in the following letter:

SEPTEMBER 18, 1939.

I am in complete agreement with your attitude that the interests of agriculture should be given equal consideration with the interests of other industries in dealing with any situation growing out of this crisis. From information given me, farm prices are still considerably below parity and need to go higher to give a fair return to producers.

I think our problem just now is a double one—to do all we can to get farm prices up to fair levels and to keep them there, and at the same time to prevent profiteering at the expense of the consumer. On the one hand, I think this requires continuation of the farm program, so that we will be in a position to take the fullest advantage of every opportunity to increase farm income. On the other, I believe it includes the assurance that the consuming public, and not the profiteer, will get the benefit of the ample supplies that we now have and will continue to have.

Let me say in closing, Mr. Speaker, that this is not only the opportunity of the farm organizations but this is their challenge. It is a test of their ability to serve agriculture and the Nation. If the farm organizations are ever to justify their existence, if they are ever to justify the faith the American farmer has reposed in them, this is their opportunity. Unless in this crisis they can protect agriculture against

price discrimination and exploitation, unless they are able to secure for him equality of opportunity and compensation, and especially unless they can temper for him the bitter aftermath which must inevitably follow the close of the war, they are as the withered fig tree upon which the Master found no fruit. [Applause.]

[Here the gavel fell.]

THE RELIEF PROBLEM

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, the gentleman from Missouri has made a very able defense of the farmers of America. In these 2 minutes I want to say a couple of things about another group of people who got hit pretty hard by the so-called relief bill that Congress passed during the last session. Nobody will deny that there were a great many extremely experimental things in that bill, among others the provision that whenever anyone has been employed for 18 months on W. P. A. there should be an enforced lay-off of 30 days. I do not know what reports other Members have received with reference to this, but as far as I am concerned, I find that provision has hit just those people I said it would hit; namely, mothers with little children who cannot get a job elsewhere, and older men. I believe that provision, as well as certain other provisions of that act, could well be considered and changed. This could be done in a very short time. The Senate passed a very different provision than that passed by the House, and I have no doubt we could very readily agree on this question. I hope the leadership is not going to refuse to let us iron out, as a matter of justice, some of these provisions. I hope, while we are worried about democracy in Europe, we will not neglet to worry a little about democracy here at home. There are thousands of families now on relief because of cuts in public-works employment whose labor could well be used in connection with national resource conservation, national-defense work, in the real broad sense of that term, rural electrification and similar enterprises. This is no time to forget America. It is a time to demonstrate the wonderful nation our democracy can build.

I would point out further that at the time when the cost of living is going to inevitably rise this supposed security wage that these people are receiving for their work on W. P. A. is in many cases actually being reduced, and it occurs to me this is hardly just and fair. There again we have a job to do. I hope with all my heart that something can be done in the way of considering and correcting these matters. [Applause.]

[Here the gavel fell.]

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2973. An act for the relief of Inez Gillespie; to the Committee on Foreign Affairs.

Mr. ZIMMERMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 23 minutes p. m.), under its previous order, the House adjourned until Thursday, September 28, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1089. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 14, 1939, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Chattanooga, Tenn., and Rossville, Ga., authorized by the Flood Control Act approved June 28, 1938 (H. Doc. No. 479); to the Committee on Flood Control and ordered to be printed, with two illustrations.

1090. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 2, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Salt Fork of the Arkansas River in the vicinity of Cherokee, Okla., requested by resolutions of the Committee on Flood Control, House of Representatives, adopted February 10, 1938, and the Committee on Commerce, United States Senate, adopted January 27, 1938 (H. Doc. No. 480); to the Committee on Flood Control and ordered to be printed, with an illustration.

1091. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 1, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Bay Center Channel, Willapa Harbor, Wash., extending from Palix River to Bay Center dock, authorized by the River and Harbor Act approved June 20, 1938 (H. Doc. No. 481); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND:

H. R. 7542. A bill to amend section 6 of an act of Congress entitled "An act for the protection of the fisheries of Alaska, and for other purposes," approved June 6, 1924; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON of Florida:

H. R. 7543. A bill to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes; to the Committee on Naval Affairs.

By Mr. VOORHIS of California:

H. R. 7544. A bill to provide sound payment for goods sold to belligerent nations; to the Committee on Foreign Affairs.

H. R. 7545. A bill to prevent profiteering in war munitions; to the Committee on Ways and Means.

H. R. 7546. A bill to prevent the spread of foreign propaganda in the United States; to the Committee on the Judiciary.

By Mr. BROWN of Georgia:

H. Res. 304. Resolution for the relief of Alice Everett Cox; to the Committee on Accounts.

By Mr. FISH:

H. Res. 305. Resolution requesting certain information from the Secretary of the Treasury; to the Committee on Ways and Means.

H. Res. 306. Resolution requesting certain information from the Export-Import Bank; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LECOMPTE:

H. R. 7547. A bill granting an increase of pension to Effie J. Clark; to the Committee on Invalid Pensions.

By Mr. VAN ZANDT:

H. R. 7548. A bill granting a pension to Josephine Rutter; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5432. By Mr. BARTON: Petition of Max Walther and sundry other citizens of New York City, requesting that existing neutrality laws not be terminated; to the Committee on Foreign Affairs.

5433. Also, petition of William Lane and sundry other citizens of New York, opposing repeal of present neutrality laws; to the Committee on Foreign Affairs.

5434. Also, petition of Mrs. J. Harrison Irvine and sundry other residents of New York City, opposing the repeal of the present neutrality laws; to the Committee on Foreign Affairs.

5435. Also, petition of William Albert, of New York City, and sundry citizens of New York City, voicing their sentiments for modification of the neutrality law and the adoption of the cash-and-carry plan; to the Committee on Foreign Affairs.

5436. By Mr. SCHIFFLER: Petition of Howard C. Lane, of Wheeling, W. Va., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5437. By Mr. TENEROWICZ: Memorials of Dr. Howard B. Baker and other citizens of Detroit, Mich., urging repeal of the embargo on war supplies and the enactment by Congress of the so-called cash-and-carry plan; to the Committee on Foreign Affairs.

5438. By Mr. THOMAS of New Jersey: Petition containing signatures of 120 persons residing at Garfield, N. J., demanding that the United States be kept strictly neutral and opposing cash-and-carry bills of any kind; to the Committee on Foreign Affairs.

5439. By Mr. VOORHIS of California: Petition of Mira Patterson, of Azusa, Calif., and 43 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5440. Also, petition of Andrew Nelson, of Montebello, Calif., and 10 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5441. Also, petition of Edward R. Volk, of Pasadena, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5442. Also, petition of N. Price, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5443. Also, petition of Clyde O. Angevine, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5444. Also, petition of John Fulton, of Pacific Pallisades, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5445. Also, petition of Hazelle E. Cook, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5446. Also, petition of August Butlke, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5447. Also petition of Frank Kaspar, of Torrance, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5448. Also, petition of Herbert G. Odell, of Arcadia, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5449. Also, petition of Peter J. Ney, of Sonora, Calif., and nine others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5450. Also, petition of Jennie Wolfe, of Pomona, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5451. Also, petition of Charles Rothhas, of Alhambra, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5452. Also, petition of Leonard R. Currie, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5453. Also, petition of Sabilla Marshall, of San Francisco, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5454. Also, petition of Mary J. Frye, of San Francisco, Calif., and three others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5455. Also, petition of Loraine J. Hatton, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5456. Also, petition of O. R. Williamson, of Long Beach, Calif., and 17 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5457. Also, petition of David Schwartz, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency

Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5458. Also, petition of Vesta A. Olmstead, of Los Angeles, Calif., and 22 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5459. Also, petition of Fay M. Stark, of North Hollywood, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5460. Also, petition of C. Sorensen, of Pasadena, Calif., and 6 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5461. Also, petition of Frank F. Newell, of South Pasadena, Calif., and 28 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5462. Also, petition of C. C. Owen, of South Pasadena, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5463. Also, petition of Nelson Beeler, of Long Beach, Calif., and 19 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5464. Also, petition of John Edward Brown, of Pomona, Calif., and 30 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5465. Also, petition of Abraham Lincoln, of Yorba Linda, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5466. Also, petition of Albert Quened, of Santa Barbara, Calif., and 16 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5467. Also, petition of Jennie Brooks, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5468. Also, petition of J. L. Harrison, of Fullerton, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5469. Also, petition of Mauro Scardigno, of Alameda, Calif., and 15 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5470. Also, petition of John R. Culbertson, of Los Angeles, Calif., and 69 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5471. Also, petition of Arthur H. Heyer, of Pasadena, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5472. Also, petition of Adam Lankard, of Colfax, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5473. Also, petition of Maurice Glant, of Banning, Calif., and five others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5474. Also, petition of Mrs. Clise Gehanaier, of Los Angeles, Calif., and one other, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5475. Also, petition of Helene Nodden, of Oakland, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5476. Also, petition of Louis L. Hoyle, of Pasadena, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5477. Also, petition of William A. Morrison, of Monrovia, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5478. Also, petition of James E. Littlefield, of Morrs Bay, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5479. Also, petition of C. Jensen, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5480. Also, petition of Dick B. Lithgaw, of Wilmar, Calif., and five others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5481. Also, petition of Joseph E. McDonald, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5482. Also, petition of B. Carlson, of Los Angeles, Calif., and 14 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5483. Also, petition of Ida M. Walker, of Pasadena, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5484. Also, petition of Fred W. Cunningham, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5485. Also, petition of A. G. Smith, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5486. Also, petition of Cornelius J. Clanson, of Sacramento, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5487. Also, petition of Joseph A. Haverlandt, of Oakland, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5488. Also, petition of Thomas Newman, of Yucaipa, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5489. Also, petition of Nancy J. Lilyard, of Los Angeles, Calif., and 26 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5490. Also, petition of E. L. Rice, of Pomona, Calif., and 18 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5491. Also, petition of Frank Boksic, of Los Angeles, Calif., and seven others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5492. Also, petition of Mae B. Kitchens, of Anaheim, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5493. Also, petition of Anthony Palladino, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5494. Also, petition of Benjamin Strandstrea, of Altadena, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5495. Also, petition of Alice Bingham Staton, of Alta Loma, Calif., and 10 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5496. Also, petition of Herman Hansen, of Gardena, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5497. Also, petition of Albert Grey, of Inglewood, Calif., and 59 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5498. Also, petition of Henry H. Hayden, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5499. Also, petition of Ethel R. Mayhew, of Turlock, Calif., and 13 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5500. Also, petition of Mrs. Dadami, of Suisun, Calif., and 18 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary

powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5501. Also, petition of Edwin R. Nieland, of Bangor, Calif., and 22 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5502. Also, petition of Alexander Corless, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5503. Also, petition of F. H. Dunbar, of Inglewood, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5504. Also, petition of Elmer E. Hunt, of Tujunga, Calif., and 17 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5505. Also, petition of Maud Lane, of Oakland, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5506. Also, petition of Henry D. Dinkeen, of Oakland, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5507. Also, petition of Sage O. Rosmusseu, of Los Angeles, Calif., and 22 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5508. Also, petition of Phil Garvey, of San Francisco, Calif., and 30 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5509. Also, petition of Joe Barugrovee, of La Verne, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5510. Also, petition of Milita S. Baugh, of Ocean Park, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5511. Also, petition of W. R. Newbury, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5512. Also, petition of Charles Kemey, of Los Angeles, Calif., and 24 others, endorsing House bill 4931 providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

5513. By the SPEAKER: Petition of the city of Chicago, Ill., petitioning consideration of their resolution with reference to Works Progress Administration and revision of the Woodrum bill; to the Committee on Appropriations.

5514. Also, petition of the Rotary Club of Baltimore, petitioning consideration of their resolution with reference to the U. S. frigate *Constellation;* to the Committee on Naval Affairs.

5515. Also, petition of the National Council, Sons and Daughters of Liberty, Philadelphia, Pa., petitioning consideration of their resolution with reference to patriotic measures; to the Committee on Foreign Affairs.

5516. Also, petition of the United Spanish War Veterans, Washington, D. C., petitioning consideration of their resolution with reference to our liberty, American institutions and ideals; to the Committee on Foreign Affairs.

5517. Also, petition of the One Hundred and Thirty-eighth Infantry Memorial Post, No. 357, American Legion, St. Louis, Mo., petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

SENATE

THURSDAY, SEPTEMBER 28, 1939

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Grant us, dear Lord, to pass this day in serenity and peace, without stumbling and without shame, and help us to repel every thought of discontent and self-seeking, that we may cultivate magnanimity, charity, and the habit of holy silence.

Make us diligent in our appointed service and faithful to every trust, that this day may be to us fruitful in high endeavor for peace and good will among men and nations.

Finally, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely and of good report, grant that with one accord we may think on these things to do them. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 21, 1939, and Monday, September 25, 1939, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, informed the Senate that Hon. SAM RAYBURN, a Representative from the State of Texas, had been elected Speaker pro tempore of the House during the absence of the Speaker.

The message communicated to the Senate the intelligence of the death of Hon. Thomas M. Eaton, late a Representative from the State of California, and transmitted the resolutions of the House thereon.

The message announced that the House had passed a joint resolution (H. J. Res. 384) to make provision for certain expenses incident to the second session of the Seventy-sixth Congress, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 384) to make provision for certain expenses incident to the second session of the Seventy-

sixth Congress was read twice by its title and, on motion of Mr. BARKLEY, referred to the Committee on Appropriations.

FINANCIAL AND OTHER DATA PERTAINING TO SUNDRY GOVERNMENTAL AGENCIES AND CORPORATIONS (S. DOC. NO. 132)

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting, in response to Senate Resolution 150 (submitted by Mr. BYRD, and agreed to June 27, 1939), two additional reports concerning the financial statements and other information pertaining to the Tennessee Valley Associated Cooperatives, Inc., and the Federal Crop Insurance Corporation, which, with the accompanying reports, was referred to the Committee on Banking and Currency and ordered to be printed.

PAY OF SPECIAL ASSISTANT ATTORNEYS

The VICE PRESIDENT laid before the Senate a letter from the Acting Attorney General, transmitting, pursuant to law, a report showing for the period January 1, 1939, to July 1, 1939, the special assistant attorneys under the appropriation "Pay of special assistant attorneys," contained in the Department of Justice Appropriation Act of 1939, the rates of compensation, the amounts paid, and a description of duties, which, with the accompanying report, was referred to the Committee on the Judiciary.

AIRCRAFT PURCHASES FOR THE NAVY

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Navy, transmitting, pursuant to law, a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department during the fiscal year ended June 30, 1939, the prices paid therefor, and the reason for the award in each case, which, with the accompanying report, was referred to the Committee on Naval Affairs.

SALE OF FOREST PRODUCTS ON INDIAN RESERVATIONS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the sale of lumber and other forest products obtained from forests on Indian reservations by Indian enterprises, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

LAWS ENACTED BY MUNICIPAL COUNCILS, VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate three letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Municipal Council of St. Croix and the Municipal Council of St. Thomas and St. John, V. I., at various meetings, which, with the accompanying papers, were referred to the Committee on Territories and Insular Affairs.

LAW ENACTED BY LEGISLATIVE ASSEMBLY OF THE VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a copy of a law passed by the Legislative Assembly of the Virgin Islands and approved by the Acting Governor, which, with the accompanying paper, was referred to the Committee on Territories and Insular Affairs.

HOUSE OF REPRESENTATIVES JOURNAL OF THE HAWAIIAN LEGISLATURE

The VICE PRESIDENT laid before the Senate a letter from the Acting Director of the Division of Territories and Island Possessions, Department of the Interior, transmitting, pursuant to law, a copy of the Journal of the House of Representatives of the Legislature of the Territory of Hawaii, regular session of 1939, which, with the accompanying document, was referred to the Committee on Territories and Insular Affairs.

PREVENTION OF THE DISSEMINATION OF POULTRY DISEASES

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to enable the Secretary of Agriculture, in cooperation with official State agencies, to prevent the dissemination of pullorum and other diseases of poultry, and to improve poultry, poultry products, and hatcheries, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry.

SALE OF CERTAIN SURPLUS AGRICULTURAL COMMODITIES

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to permit the Secretary of Agriculture or his authorized representative to deduct all expenses from the proceeds of the sale of surplus agricultural commodities, including animals and the products thereof, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry.

COOPERATIVE EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report of the receipts, expenditures, and results of the cooperative agricultural extension work in all the States and stating that no appropriation of a State was withheld during the year 1938, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry.

NOTARIES PUBLIC IN THE CIVILIAN CONSERVATION CORPS

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation to provide that certain officers, agents, or employees paid from funds appropriated for or allocated to the Civilian Conservation Corps shall have the general powers of notaries public, which, with the accompanying paper, was referred to the Committee on Education and Labor.

REGULATION OF AIR CARRIERS ENGAGED IN FOREIGN AIR TRANSPORTATION

The VICE PRESIDENT laid before the Senate a letter from the Acting Chairman of the Civil Aeronautics Authority, transmitting, pursuant to law, a report as to the extent, if any, to which the Federal Government should further regulate the rates, fares, and charges of air carriers engaged in foreign air transportation, and the classifications, rules, regulations, and practices affecting such rates, fares, or charges, which, with the accompanying papers, was referred to the Committee on Commerce.

SERVICES OPERATED BY THE DOLLAR STEAMSHIP LINES, INC., LTD.

The VICE PRESIDENT laid before the Senate a letter from the Vice Chairman of the United States Maritime Commission, transmitting a special report of the United States Maritime Commission dealing with the action taken by the Commission for the rehabilitation of the services operated by the Dollar Steamship Lines, Inc., Ltd., which, with the accompanying report, was referred to the Committee on Commerce.

STUDY OF INVESTMENT TRUSTS AND INVESTMENT COMPANIES

The VICE PRESIDENT laid before the Senate three letters from the Chairman and Acting Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the fourth section of chapter II of part 3 of the Commission's report on Abuses and Deficiencies in the Organization and Operation of Investment Trusts and Investment Companies, and two supplemental reports on Commingled or Common Trust Funds Administered by Banks and Trust Companies, and Investment Counsel, Investment Management, and Investment Supervisory Services, which, with the accompanying reports, were referred to the Committee on Interstate Commerce.

COMPANIES SPONSORING INSTALLMENT INVESTMENT PLANS

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a supplemental report on Companies Sponsoring Installment Investment Plans, supplementing the Commission's over-all report on its study of investment trusts and investment companies, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

AUGUST REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a report, submitted, pursuant to law, of the Reconstruction Finance Corporation relative to its activities and expenditures for the month of August 1939, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

CLAIM OF ROBERT E. NEWTON

The VICE PRESIDENT laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation concerning the claim of Robert E. Newton against the United States, which, with the accompanying paper, was referred to the Committee on Claims.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Department of the Treasury, the Department of the Navy, the Department of the Interior, the United States Civil Service Commission, and the Federal Communications Commission, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Committee on the Disposition of Executive Papers.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of Wisconsin, which was referred to the Committee on Agriculture and Forestry:

Joint resolution memorializing Congress to enact H. R. 6500, to provide for the promotion of sound dairy practices and to provide an adequate and balanced flow of milk and its products in interstate and foreign commerce

Whereas the dairy farmer cannot produce dairy products so as to give him a reasonable return on his investments with the result that the mortgages on the farms of many dairy farmers are being foreclosed; and

Whereas as the result of a low tariff on dairy products the plight of the dairy farmer is further aggravated by the importation of dairy products from foreign countries; and

Whereas the purpose of bill H. R. 6500, now pending in the Congress of the United States, is to stabilize the production of dairy products and to guarantee the producer of such products a parity price, which is a price that is fair and equitable in consideration of the other commodities he has to purchase and expenses that he must meet; and

Whereas said bill provides an appropriation of money to be used to purchase surplus dairy products in flush times in order that a uniform price level may be maintained as nearly as possible: Now, therefore, be it

Resolved by the assembly (the senate concurring), That this legislature respectfully petitions and urges the Congress of the United States to enact into law H. R. 6500, to provide for the promotion of sound dairy practices and to provide an adequate and balanced flow of milk and its products in interstate and foreign commerce; and be it further

Resolved, That properly attested copies of this resolution be sent to the President of the United States, to both Houses of Congress, and to each Wisconsin Member thereof.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of Wisconsin, which was referred to the Committee on Banking and Currency:

Joint resolution memorializing the Congress of the United States immediately to enact into law bill S. 2877, postponing the payment of the principal installments of Federal land bank and commissioner loans until July 1, 1940

Whereas the Seventy-sixth Congress of the United States has pending before it the bill, S. 2877, providing that paragraph 12 of section 12 of the Federal Farm Loan Act, as amended, and section 2: "Section 32 of the Emergency Farm Mortgage Act of 1933, as amended, be amended by adding at the end thereof the following new sentence: Effective July 1, 1938, no payment of the principal portion of any installment of any such loan outstanding on such date shall be required prior to July 1, 1940, if the borrower shall not be in default with respect to any other covenant or condition of his mortgage' "; and

Whereas the purchasing power of the American farmer today in relation to his pre-war purchasing power stands at 74 due to the fact that the prices received for agricultural products sold are 11 points below the pre-war level, while the prices paid by farmers for materials and supplies that enter into cost of production are 21 points above the pre-war period; and

Whereas, due to this deplorable economic situation, worthy farmers find it impossible to maintain their farm operations, feed, and clothe their families, and make payments of principal and interest on Federal land bank and commissioner loans; and

Whereas the postponement at least until July 1, 1940, of installments on the principal portion of such loans will bring relief to such borrowers with no losses to the Farm Credit Administration: Now, therefore, be it

Resolved by the senate (the assembly concurring), That this legislature hereby respectfully urges the Congress of the United States to take immediate action in passing bill S. 2877 so that the farmers of the United States may be given the benefit of such relief in the very near future.

The VICE PRESIDENT also laid before the Senate a resolution of the Board of Supervisors of the City and County of San Francisco, Calif., favoring the enactment of Senate bill 2864, making funds available to the various States for highway purposes, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution of the Council of the City of Chicago, Ill., favoring revision of the W. P. A. Act so as to restore the prevailing wage provision and also the cultural projects, and protesting against the provision providing 30 days' vacation for workers who have been employed 18 months, which was referred to the Committee on Appropriations.

He also laid before the Senate resolutions of the Board of Estimate of the City of New York, N. Y., and the Nebraska State Federation of Labor, Lincoln, Nebr., favoring the making of additional approprations so as to facilitate the payment of the prevailing hourly rate of wages on all W. P. A. projects, which were referred to the Committee on Appropriations.

He also laid before the Senate a resolution of the District of Columbia Cooperative League, Washington, D. C., favoring the enactment of Senate bill 2605, to amend the Agricultural Marketing Act with respect to the definition of a cooperative association, which was referred to the Committee on Agriculture and Forestry.

He also laid before the Senate a resolution of the House of Delegates of the American Bar Association, San Francisco, Calif., favoring the creation of a joint congressional committee to inquire into the need for consolidating and amending existing Federal securities legislation, which was referred to the Committee on Banking and Currency.

He also laid before the Senate a resolution of the Young People's Religious Union, Boston, Mass., favoring the continuance of the subcommittee of the Committee on Education and Labor investigating violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by the American Legion, Department of Massachusetts, at Taunton, Mass., favoring the expansion and continuation of the United States Housing Authority program for low-income families, which was referred to the Committee on Education and Labor.

He also laid before the Senate the memorial of the Grand Island Beet Workers Union, Local No. 43, Grand Island, Nebr., remonstrating against the enactment of legislation curtailing the rights and liberties of Americans, which was referred to the Committee on Immigration.

He also laid before the Senate resolutions of the Second Oregon Regiment of Infantry of the Spanish-American War and Philippine Insurrection, at Portland, Oreg., protesting against the issuance by the United States of any more tax-exempt bonds and favoring the payment of the foreign debt owed to the United States, which were referred to the Committee on Finance.

He also laid before the Senate resolutions of the Central Labor Union of Shenandoah, Pa., and the Department of Public Safety of Camden, N. J., favoring protective measures to forestall excessive increases in commodity prices, which were referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the International Association for Identification in convention assembled at Tulsa, Okla., favoring the enactment of legislation to establish and maintain improved methods of supervision of offenders released on probation, parole, conditional release, or otherwise, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the International Association for Identification, in convention assembled at Tulsa, Okla., favoring the using of fingerprint records in connection with any selective-service registrants required in the future, which was referred to the Committee on Military Affairs.

He also laid before the Senate a resolution adopted by the Cooperative Conclave of the District of Columbia, Washington, D. C., favoring the appointment of a representative of the organized cooperative consumers on any boards, bodies, and administrations concerned with commodity prices and control, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Grand Aerie Fraternal Order of Eagles, Chicago, Ill., favoring the designation of a day as Citizenship Day to welcome publicly individuals entitled to citizenship, which was referred to the Committee on the Judiciary.

He also laid before the Senate a letter in the nature of a memorial from the chairman of the committee on rules of the Prohibition National Committee, New York, N. Y., remonstrating against the nomination and appointment of certain Justices to the Supreme Court of the United States, which was referred to the Committee on the Judiciary.

He also laid before the Senate resolutions of the Second Oregon Regiment Volunteer Infantry Reunion Association, at Portland, Oreg., favoring the enactment of legislation prohibiting the manufacture and sale of munitions of war by any private person, firm, or corporation, and also favoring the conscription of labor, property, and wealth, as well as manpower, in the event of war, which were referred to the Committee on Military Affairs.

He also laid before the Senate a resolution of the board of directors of the Rotary Club, of Baltimore, Md., favoring the return of the U. S. frigate *Constellation* to her home port, Baltimore, Md., and the assignment of the frigate to a permanent berth at Fort McHenry, Md., which was referred to the Committee on Naval Affairs.

He also laid before the Senate the memorial of the Auburndale Improvement Association, Inc., Auburndale-Flushing, Long Island, N. Y., remonstrating against disapproval by the President of the United States of a bill relative to 3-cent postage in the Borough of Queens, N. Y., which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a resolution of the Insular Association of Social Workers of Puerto Rico, San Juan, P. R., relative to a state of emergency in Puerto Rico and favoring the taking of remedial measures for the economic conditions now existing, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution of the Board of Supervisors of the City and County of Honolulu, Hawaii, favoring amendment of the Hawaiian Organic Act so as to provide greater independence to political subdivisions of the Territory of Hawaii, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution of the Provincial Board of Nueva Vizcaya, Bayombong, P. I., relative to a resolution by Representative ALEXANDER, of Minnesota, filed in the House of Representatives, pertaining to his Excellency, President Manuel L. Quezon of the Commonwealth of the Philipipnes, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution of the National Association of Motor Bus Operators, in convention assembled at New York City, N. Y., protesting against ratification of the Draft Convention, "Hours of Work and Rest Periods (road transport) Convention, 1939," promulgated by the International Labor Conference at Geneva, Switzerland, which was referred to the Committee on Foreign Relations.

He also laid before the Senate petitions of sundry citizens of the United States praying that America keep out of war and maintain complete neutrality during the present European conflict, which were ordered to lie on the table.

He also laid before the Senate resolutions adopted by various organizations in the United States favoring the complete neutrality of the United States during the present European conflict, which were ordered to lie on the table.

He also laid before the Senate memorials of sundry citizens of the United States remonstrating against any change in the present neutrality law of the United States, which were ordered to lie on the table.

He also laid before the Senate resolutions adopted by various organizations in the United States protesting against any change in the present neutrality law of the United States, which were ordered to lie on the table.

He also laid before the Senate a resolution of the National Council of the Sons and Daughters of Liberty, Philadelphia, Pa., favoring the deportation of alien spies and other undesirable persons, which was ordered to lie on the table.

Mr. MINTON presented numerous petitions of sundry citizens of the State of Indiana praying that the present embargo on the shipment of arms and munitions be retained and that the United States maintain a policy of strict neutrality, which were ordered to lie on the table.

AUTHORIZATION FOR COMMITTEE ON FOREIGN RELATIONS TO REPORT

Mr. BARKLEY. Mr. President, the Committee on Foreign Relations is in session considering proposed legislation the necessity for the enactment of which caused the Congress to be called into extraordinary session. Whether the committee will be able to conclude its work today, I am not now in a position to say, but, even if it should, it would obviously be impossible, this being Thursday, for the Senate to enter upon the consideration of the proposed legislation before Monday. Therefore I ask unanimous consent that, during any recess or adjournment of the Senate following today's session, the Committee on Foreign Relations may be authorized to report the proposed legislation.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, I probably have no objection. I have had some conversation with the able Senator from Kentucky, and I assume that if a report is made between now and Monday the Senate will enter upon the consideration of the measure not later than Monday.

Mr. BARKLEY. That is the general understanding in the committee, I will say to the Senator.

Mr. McNARY. And that we will proceed in the usual way, commencing at 12 o'clock, and discussing the matter until 5 o'clock or thereabouts.

Mr. BARKLEY. I will say to the Senator I have no present intention to deviate from the regular procedure of the Senate. I think that we can expedite the consideration of the measure which is to be reported under the program suggested, depending, of course, upon developments as they may arise.

Mr. McNARY. That is quite satisfactory.

Mr. BARKLEY. I had hoped and expected on Monday, or whenever the Senate begins the consideration of the bill, to make a very brief statement, in which I shall urge Senators who contemplate discussing the matter to be prepared to do so, in order that the Senate will not have to adjourn in the middle of the afternoon because no Senator is ready to proceed. I think we can all cooperate—I have no reason to believe we cannot—in working out a program of that sort.

Mr. McNARY. That is a very satisfying statement, one that I expected from the able Senator, and one in which I concur. For that reason, I have no objection to the Senator's proposal.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

EXECUTIVE POWERS UNDER NATIONAL EMERGENCY PROCLAMATION

Mr. VANDENBERG. Mr. President, after conferring with the able Senator from Kentucky [Mr. BARKLEY], and having his agreement, I submit a resolution and ask for its present consideration, it being solely a request for information, to which, I understand, there is no objection.

The VICE PRESIDENT. The clerk will read the resolution.

The legislative clerk read the resolution (S. Res. 185), as follows:

Resolved, That the Attorney General is requested to report to the Senate at the earliest date what executive powers are made available to the President under his proclamation of national emergency, and what other extraordinary powers, if any, are made available to the Executive under existing statutes in emergency or state of war.

Mr. BARKLEY. Mr. President, inasmuch as the resolution pertains to the situation with which we are called here to deal, I see no objection to its adoption. As a matter of fact, I think the information which is called for by it may be helpful to us in the discussion.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution offered by the Senator from Michigan?

Mr. BORAH. Mr. President, may I ask for a rereading of at least the first portion of the resolution?

The VICE PRESIDENT. Without objection, the clerk will again read the resolution.

The legislative clerk again read the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. NEELY. Mr. President, reserving the right to object, may I invite the attention of the able Senator from Michigan to the fact that the resolution as presented calls for a report "at the earliest date"? I suppose that that would literally mean today. Does not the Senator mean "at the earliest practicable date"?

Mr. VANDENBERG. Yes; and I assumed that was the meaning of the language.

Mr. NEELY. I ask unanimous consent that the resolution be amended in that particular, by inserting the word "practicable" after the word "earliest" and before the word "date."

Mr. VANDENBERG. I have no objection to that.

The VICE PRESIDENT. Without objection, the resolution will be amended as suggested by the Senator from West Virginia and, without objection, the resolution, as amended, is agreed to.

The resolution as amended and agreed to is as follows:

Resolved, That the Attorney General is requested to report to the Senate at the earliest practicable date what executive powers are made available to the President under his proclamation of national emergency, and what other extraordinary powers, if any, are made available to the executive under existing statutes in emergency or state of war.

ACTIVITIES OF FOREIGN AGENTS AFFECTING NEUTRALITY

Mr. CLARK of Missouri. Mr. President, I send forward a resolution and ask unanimous consent that it may be read for the information of the Senate and then that it may lie upon the table.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read the resolution (S. Res. 186), as follows:

Resolved, That a special committee of seven Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete study and investigation of the activities of any person, firm, or corporation acting for or on behalf of any foreign nation, by way of propaganda or otherwise, having as their ultimate goal or tending to cause, directly or indirectly, a change in the neutral position of the United States in the conflicts now being waged abroad. The committee shall report to the Senate the results of its study and investigations, together with its recommendations, if any, for necessary legislation.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-sixth and succeeding Congresses, to employ clerical and other assistance, to require by subpena, or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. BARKLEY. Mr. President, I think that a resolution of that character should be referred to the Committee on Foreign Relations.

Mr. CLARK of Missouri. I have no objection to that course being taken.

Mr. BARKLEY. I ask that the resolution be so referred.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution is referred to the Committee on Foreign Relations.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 12 o'clock noon on Monday next.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE PRESIDENT'S ADDRESS ON AMERICA'S ATTITUDE TOWARD THE WAR

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the radio address delivered by the President of the United States on the evening of September 3, 1939, concerning the war in Europe and the attitude of the United States in relation thereto, which appears in the Appendix.]

FOREIGN WARS AND NEUTRALITY LEGISLATION—ADDRESS BY SENATOR PITTMAN

[Mr. BYRNES asked and obtained leave to have printed in the RECORD a radio address on the subject of foreign wars and American neutrality legislation, delivered by Senator PITTMAN on September 27, 1939, which appears in the Appendix.]

CONSTITUTION SUNDAY—ADDRESS BY SENATOR DAVIS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a radio address on Constitution Sunday, delivered by him on Saturday, September 16, 1939, which appears in the Appendix.]

NEUTRALITY—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. ADAMS asked and obtained leave to have printed in the RECORD a radio address on the subject of neutrality, delivered by Senator JOHNSON of Colorado on September 21, 1939, at Minneapolis, Minn., which appears in the Appendix.]

NEUTRALITY—LETTER BY SENATOR HOLT

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter written by him on the subject of proposed neutrality legislation, which appears in the Appendix.]

NEUTRALITY—EDITORIALS FROM PARSONS (KANS.) SUN

[Mr. REED asked and obtained leave to have printed in the RECORD editorials on the subject of neutrality, written by him and published in the Parsons (Kans.) Sun, which appear in the Appendix.]

PARTISANSHIP IN WAR CRISIS—STATEMENT BY HON. FRANK KNOX

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a statement entitled "Knox Foreswears Partisanship in War Crisis," which appears in the Appendix.]

AID FOR THE ALLIES—LETTER FROM MAJ. GEN. SIR LEONARD ROGERS

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an open letter from Maj. Gen. Sir Leonard Rogers to the London Daily Telegraph on the subject of America's Aid to the Democracies, which appears in the Appendix.]

FRANCES WILLARD CENTENNIAL TOTAL ABSTINENCE SOCIETY—STATEMENT BY DR. A. C. JACKSON

[Mr. FRAZIER asked and obtained leave to have printed in the RECORD a statement by Dr. Arthur Charles Jackson, president of the Frances Willard Centennial Total Abstinence Society, which appears in the Appendix.]

NEUTRALITY—ARTICLE FROM NEW YORK HERALD TRIBUNE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article on the subject of Neutrality, published in the New York Herald Tribune of September 21, 1939, which appears in the Appendix.]

DEATH OF REPRESENTATIVE EATON OF CALIFORNIA

The VICE PRESIDENT. The Chair lays before the Senate a resolution from the House of Representatives, which will be read.

The resolution (H. Res. 301) was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
September 21, 1939.

Resolved, That the House has heard with profound sorrow of the death of Hon. THOMAS M. EATON, a Representative from the State of California.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. McNARY. Mr. President, in the absence of the senior Senator from California [Mr. JOHNSON], who is detained on official business, I submit the resolution which I send to the desk and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 187) was read, considered, by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. THOMAS M. EATON, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. McNARY. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move, on behalf of the senior Senator from California [Mr. JOHNSON], that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 14 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Monday, October 2, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 28, 1939

The House was called to order at 12 o'clock noon by the Speaker pro tempore, Mr. RAYBURN.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, as we pause on the threshold of this new day, we turn to Thee in praise and adoration. Let us not fail to realize that amid the turmoil of this outward world Thou art ever present to give rest and quiet to the inner life. Humble us in our pride, lift us from our despondency, keep our hearts pure and our lips from speaking guile. In all our ways make us not ashamed to be good, forgiving, and gentle. Blessed Lord, forgive us when we are selfish, recall us when we go astray, and save us from wronging ourselves by thinking ill of others. In our Saviour's name. Amen.

The Journal of the proceedings of Monday, September 25, 1939, was read and approved.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri [Mr. WILLIAMS].

THE LATE RONALD L. JOHNSTON

Mr. WILLIAMS of Missouri. Mr. Speaker, I deeply regret to announce the passing of a former Member of this House, Hon. Ronald L. Johnston, of Rolla, Mo. He died last Friday, September 22, at the age of 67 years.

Mr. Johnston was born in Louisiana, Mo., and in early life went to St. Louis County, which he represented for three terms in the Missouri Legislature. He also served the people of that county for three terms as prosecuting attorney. After that he was assistant circuit attorney of the city of St. Louis for a period of 5 years.

After 17 years of public service in and around the city of St. Louis, Mr. Johnston moved to south central Missouri, and in 1928 was elected from the old Sixteenth Missouri District to Congress. He served in this body during the Seventy-first Congress. After retiring he resumed the practice of law, in which profession he had a long and a very successful career. He was very active and influential in Masonic circles and in Republican politics. He leaves surviving him his widow and two children.

In the death of Ronald Johnston Missouri has lost one of its favorite sons and the Nation has lost an able and a good man.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. CROWTHER].

THE LATE JOHN SANFORD

Mr. CROWTHER. Mr. Speaker, it is with a keen sense of regret that I announce the death of the Honorable John Sanford, of Amsterdam, N. Y., on September 26, 1939. He served as a Member of the House of Representatives during the Fifty-first and Fifty-second Congresses, March 4, 1889, to March 3, 1893, and was born at Amsterdam, N. Y., January 18, 1851.

He attended the common schools and the Poughkeepsie Military Institute and was graduated from Yale College in 1872; engaged in the carpet manufacturing industry with his father in Amsterdam, N. Y., and after leaving Congress he resumed his business pursuits. He was a delegate to the Republican National Convention at Minneapolis in 1892, a Presidential elector on the Republican ticket of McKinley and Hobart in 1896, and was for many years a member of the New York Racing Commission.

Our State has lost a loyal and devoted citizen, and his hometown folks will mourn the passing of one of its outstanding pioneers, a man of unimpeachable character and sterling integrity.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some tables with reference to exports and imports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. VREELAND] may be permitted to extend in the RECORD his remarks on the occasion of the laying of the cornerstone of the new physical education gymnasium building at Seton Hall College, South Orange, N. J., and to include therewith copies of several letters, including one from the Governor of the State of New Jersey.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ELECTION TO COMMITTEES

Mr. COOPER. Mr. Speaker, at the request of the Committee on Ways and Means, I offer a privileged resolution for immediate consideration.

The Clerk read as follows:

House Resolution 307

Resolved, That ESTES KEFAUVER, of Tennessee, be, and he is hereby, elected a member of the standing committees of the House of Representatives on Coinage, Weights, and Measures, Claims, Revision of the Laws, and the Census.

The resolution was agreed to.

Mr. COOPER. Mr. Speaker, I offer a further privileged resolution.

The Clerk read as follows:

House Resolution 308

Resolved, That FADJO CRAVENS, of Arkansas, be, and he is hereby, elected a member of the standing committees of the House of Representatives on Territories, Mines and Mining, Claims, and Irrigation and Reclamation.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert therein an address by the Honorable Cordell Hull, Secretary of State of the United States and Chairman of the Governing Board of the Pan American Union, on the occasion of the celebration of Pan American Day at the New York World's Fair, Friday, September 22, 1939, on the subject of the Significance of the Pan American Movement in the Present Singularly Unhappy Junction of World Affairs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an excerpt from MacMahon and Millett's Federal Administrators.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the remarks of Professor Hodges, Mr. Portnow, and myself on the subject of the European Crisis over radio station WEVD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, my colleague the gentleman from Texas [Mr. KLEBERG] is absent. He recently delivered an interesting address at Corpus Christi, Tex., on the subject of neutrality. I ask unanimous consent to extend my remarks in the RECORD and include therein that address.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement made by Mr. Jay C. Hormel on the subject of foreign relations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

NEUTRALITY

Mr. TAYLOR of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD on the subject of Neutrality and to include therein a brief excerpt from an editorial appearing in the Washington Herald day before yesterday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. TAYLOR of Tennessee. Mr. Speaker, along with all Members of the Congress, as well as Americans generally, I deeply deplore the terrible conflagration that is raging in Europe at this time. It seems paradoxical that three of the greatest nations in the world—nations that have attained the very acme in refinement and culture—should now be in the ghastly grip of a bloody war seeking each other's annihilation.

The paramount desire and purpose of every patriotic American is to keep our peace-loving country out of that horrible holocaust of death and desolation.

Inasmuch as our Constitution vests in the Congress the power to declare war, naturally, being a Member of that body, I feel profoundly the weight of the obligation and responsibility which I owe my constituency and my country as a whole to use every effort in my power to help safeguard American neutrality to the end that the United States may not be drawn into the conflict.

The President has seen fit to call the Congress into extraordinary session to consider and devise the best means possible to safeguard our domestic security and tranquillity.

At the last session of the Congress the House passed a neutrality bill which prohibited the sale of arms, ammunition, and implements of war to belligerent nations. I voted for this measure, because at that time there was comparative peace in Europe and I felt that to return to international law might be construed as an affront by certain nations due to their geographical location. After all, however, the Lord created the lands and the seas, and we are, therefore, not responsible for the world's geography.

While the bill passed by the House placed an embargo on the sales of arms, ammunition, and implements of war to belligerent nations, it permitted the sales of foodstuffs and raw materials which could not only be sold, but shipped in American bottoms, manned by American crews, and flying the American flag to belligerents irrespective of their nationality.

This bill is now before the Senate for its consideration.

It is proposed by one school of thought in the Senate to amend the House bill by lifting the embargo on arms, ammunition, and implements of war, and provide that they may be sold to belligerents on condition that the purchaser come here and pay for the commodities and carry them away in their own ships and at their own risk. The other school of thought in the Senate opposes this principle, and insists on the maintenance of a strict embargo.

Mr. Speaker, and Members of the House, I have devoted long, careful, and conscientious study to the two theories, and at the moment, I feel that the cash-and-carry plan, if properly safeguarded and enforced, offers the best solution of our difficulty, provided the plan also embraces foodstuffs and raw materials as well as munitions of war.

It is conceded by Army experts and by laymen as well that food is not only the major but the indispensable necessity for carrying on a successful war. Napoleon said, "An army advances on its belly." And no matter, Mr. Speaker, how well an army may be equipped with arms and ammunitions, no matter how highly mechanized it may be, if it is not properly fed it is doomed to dismal failure. We appreciated this fact in 1918 when we inaugurated "wheatless and sweetless" days in order that our boys in Europe might have the required and necessary food supply.

Mr. Speaker, food being the primary and paramount necessity of war, for us to sell foodstuffs to belligerents and even deliver it, as can be done under existing law, and at the same time refuse to sell them materials of even less vitality, seems altogether inconsistent and absurd to me. Cotton, copper, zinc, brass, aluminum, and manganese are also essential to successful warfare, and yet under existing law we can sell these raw materials to belligerents and even deliver them, or attempt to do so, in our own craft.

The argument for not lifting the embargo on war munitions and returning to international law is that a cargo containing such contraband of a ship owned by American interests, manned by an American crew, and flying the American flag, might be sunk by one of the belligerent nations, and thus arouse such indignation in our country that we might be precipitated into war. How much more inflamed and indignant, I ask you, would the American people become should the cargo of such a ship be destroyed at sea consist of milk and flour and other food products to relieve starving babies, innocent children, and nonmilitant civilians of belligerent nations? The destruction of such a ship bearing cotton, copper, zinc, and so forth, would have the same effect on the psychology of the American people as if it contained guns, airplanes, and explosives.

Be it remembered, Mr. Speaker, that our entry into the last World War was due, in the main, to the ruthless and unrestricted submarine destruction of American merchant ships on the high seas. For us not to profit by that tragic example would be to classify us as the most stupid people on the face of the earth. Let us enact a neutrality law which will not only keep our merchant vessels outside the zone of hostilities, but our nationals as well. If American citizens are willing to assume the perils of war by traveling on foreign vessels, let them do so with the express understanding that they do so of their own volition and at their own risk.

In this connection, Mr. Speaker, I desire to call to the attention of the House an editorial which appeared in day before yesterday's issue of the Washington Herald, which is as follows:

In the 23 days since the war started 52 ships have been sunk. Britain has lost 32; Germany, 9; France, 1; and the neutral nations have lost 10. Four neutral ships have been destroyed in 3 days, and this has driven Sweden, one of the principal losers, to draft what the cables describe as a "stiff note" of protest to Germany.

Germany responds by pointing out that she is fighting for her life and has published a list of contraband which no ship, however neutral, may bring into the war zone. On this list she has put down cellulose and wood pulp, which the Swedish ships were carrying when torpedoed.

Wood pulp and cellulose are harmless as they stand. But they can be used in making high explosive.

Let this war continue to get more difficult and you will see the list of forbidden goods grow longer. Cotton, which can be doll dresses or dynamite; brass, which can be tubes or shell casings; wheat, which can feed civilians or soldiers; all these and the thousand other articles of innocent commerce will be marked down as contraband.

And just as surely the nations which carry suspect goods are going to get involved in the "freedom of the seas" argument, war's favorite tanglefoot.

Sweden may be able to work around this danger without war. We tried it once and lost. Better adopt a cash-and-carry system with all belligerents and let them fight it out between themselves as they haul their own cargoes in their own way.

To me this editorial accentuates the crux of the situation and I commend it to the careful consideration of my colleagues.

Mr. Speaker, I assume that the American people have been pretty well "fed up" on statements over the radio and otherwise of high officials of the Government that they "hate war." This statement has been employed so often and with such studied repetition that it has become, in the language of Shakespeare, "dull, stale, and unprofitable." We are all unanimous in our abhorrence and execration of war, because we are familiar with the ashen fruits thereof. Let our high officials cease saying "we hope we can stay out of war" and "We believe we can stay out of war" and instead say unequivocally and with determination, "We will stay out of war!"

We know by experience what it means to engage in foreign war. We saw the young manhood of our Nation—the very flower of the Republic—rally to the colors and depart for Europe in 1918. Just 21 years ago, day before yesterday, our boys over there experienced their first zero hour when at 4 o'clock in the morning at the sound of the signal they went over the top and out into no-man's land to grapple with the foe they knew not of and with whom they had no quarrel, except one of pure fiction. From that fatal day forward, with just and increasing pride, we followed the news of their brilliant exploits of heroism on foreign soil. Inspired by the sincere conviction that they were engaged in a holy crusade to make, as we were told, "The world safe for democracy," in our imagination we were with them at Belleau Woods, at St. Mihiel, along the Marne, and in the bloody Argonne. With a gallantry and intrepidity which challenged the world's envy and admiration we saw them demolish the Hindenburg line which precipitated the collapse of German morale and immediately brought about the armistice.

And then, Mr. Speaker, we saw them return—that is, those that were not buried in foreign soil. They were not the same magnificent specimens of physical manhood that they were when they marched away. Alas, Mr. Speaker, hundreds of thousands of them returned mere shells and shadows of their former selves.

And what, I pray you, did we accomplish by that great sacrifice of blood and health and treasure? Today, as we review that awful experience in solemn reverie, we stand aghast, "somnambulists of a vast shattered dream."

The pathetic scenes in our various veterans' hospitals and our rapidly increasing pension rolls, together with what is now going on in the world, amply attest the utter futility of that hapless venture.

Shall we repeat that terrible travesty—that ghastly tragedy again? Not by any vote of mine, Mr. Speaker. I pledge my constituency now that I shall never vote to send American troops to fight and die on foreign soil unless and until our country is first invaded by a foreign foe.

Mr. Speaker, during the next few months we shall witness a veritable avalanche of propaganda in this country designed to incite the passions and prejudices of our people in an effort to array them on one side or the other in this European conflict. Already this campaign of propaganda has manifested itself, and its repercussions are being registered and reflected in the increasing volume of mail of Members of both the House and the Senate. Much of this propaganda is downright insidious and mendacious, just as it was in 1918. Much of it emanates from subversive and un-American activities in this country, such as the Communists and the German-American Bund, which, due to a friendly atmosphere in recent years, have become a real menace to our free institutions. It is the business of these insidious influences to breed war hysteria, and by villainous propaganda prey upon the sympathy and credulity of the people in order to confuse the merits of vital issues.

War propaganda has been reduced to an exact science by these foreign mountebanks, and it behooves the American people to be vigilantly on guard.

Personally I welcome advice from my constituency, but I sincerely hope they may not unconsciously become the purveyors of a false propaganda set in motion by influences in this country whose sole objective is the overthrow of this, the only true and free democratic government in the world today.

In conclusion I want to repeat that, in my judgment at this moment, the cash-and-carry plan is our surest guaranty against involvement in a foreign war, but this plan must embrace all commodities, raw materials as well as munitions of war. The law must be clean-cut and specific, admitting of no excuse for misconstruction, misunderstanding, or maladministration. Discretionary powers to an individual or board should be scrupulously avoided. It has been my observation in recent years that public officials too often interpret discretion for authority.

I am perfectly willing to go along with the present administration in any effort to keep this country out of war, but I shall vigorously oppose, by my voice and my vote, any effort from whatever source to enlist this country in another foreign military debacle.

In the midst of the perplexities and perils of this menacing world crisis, I am moved by only one motive and that is to help as best I can to keep our country out of war.

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement by R. Armistead Grady, of Duluth, Minn.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein excerpts from a letter of former Secretary of State Hon. William Jennings Bryan.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

NEUTRALITY

Mr. POAGE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, today the entire world waits with varying emotions but with undivided interest for some sign which will indicate the policy which will be followed by America and by the American Government in our relations with the unfortunate nations of Europe that are now engaged in such a tragic and profitless struggle. The attitude of America, the policies of our Government, it is recognized, may materially affect the chances of the various combatants. No wonder, then, that the European nations and their nationals are vitally interested in the action of this session of the American Congress. Their interest is natural and understandable, but every American citizen should remember that in these trying days his first duty is to protect the peace of our own dear land—regardless of the effect of our policies on the quarrels of other nations.

The President has recognized this duty to our people—this solemn obligation to take any action reasonably calculated to keep the United States out of war. Acting on this recognition of our common duty, he convened the Congress in extraordinary session at noon last Thursday. This session

will consider the best possible methods of assuring the continuation of peace in our country. I know that each of us came to this session fully mindful of the great responsibility that rests on him as the duly accredited Representative of more than a quarter of a million people, and as one of the 531 men and women who must make the momentous decisions on which may rest the very perpetuity of civilization itself. I pray God that each one of us may have that illumination of mind and purity of spirit that we may each exercise that responsibility faithfully and intelligently.

In calling the Congress to consider a revision of our laws affecting our transactions with foreign nations, President Roosevelt has but carried out the American way of submitting such problems to the representatives of the people. Had he, as some have so unkindly and, I think, unwarrantedly suggested, desired to take the control of our foreign affairs into his own hands and to make his will, rather than the statutes enacted by Congress, the law of the land, he would not have called the Congress. On the contrary, he would have so conducted the affairs of our Nation that the results he desired would have been secured without any congressional action. That is the way things are done in most of the warring nations, but not in America.

The President has, however, often very clearly stated that he felt there should be a change in our existing neutrality laws, in order that we might minimize the dangers of America's entrance into the war. Maybe we can best understand the reasoning of those who want the law changed by first considering the provisions of the present law and then going back into the history of the last war a little.

Just what does the present neutrality law provide? I know that many of our citizens think that the present law would, in some unexplained way, keep America out of war, but I wonder just how many know just why they think it would have that effect. Many Americans doubtless look on the present law as a cloak of isolation for the United States, but on what facts do they rely for this feeling of security? I have received hundreds of printed appeals to "keep America out of war." Every patriotic American joins in that appeal. No decent citizen is going to knowingly plunge his country into war. It is entirely proper and desirable that our constituents should express their hope that we should keep America at peace. I want our people to feel that way. The disquieting feature of these prepared communications is, however, the implication contained in so many of them that our present laws are something sacred and that their repeal or modification will lead us toward war. In fact, many of these communications make the dogmatic statement that "the repeal of the present neutrality law would be equivalent to a declaration of war." At the same time, not one of all these communications makes any attempt to show wherein the present law has any tendency to keep America out of war, or how its modification or repeal would lead us any nearer to war. Surely, when considering such vital questions we should expect reasons and not depend simply on dogmatic statements of conclusions.

Let us, therefore, examine the present so-called neutrality law. What does it do? What does it fail to do? How does it either protect or involve America? In brief, the present neutrality law simply provides that, when a state of officially declared war exists between two or more nations of the world, it becomes the duty of the President to issue a proclamation of American neutrality. This he has, of course, done, insofar as France, England, and Germany are concerned, but not insofar as Russia and Japan are concerned, because their respective aggressions are not in the form of declared war. After this proclamation is issued it becomes unlawful for any American citizen to sell any arms, ammunition, or "implements of war" to any belligerent nation or citizen thereof, or to any neutral for reshipment to a belligerent. That is all there is to our much-discussed neutrality law.

What is the practical effect of this law? Well, for practical purposes it does not at this time mean but one thing—that is, England and France cannot get delivery on the airplanes they bought in this country last spring. Airplanes are included in the term "implements of war." I say that from a practical point of view the present law only affects airplane shipments because they are the only things covered by the law which the belligerent nations want from the United States at this time. Certainly none of the warring nations need at this time to buy arms or ammunition in the United States. They all have supplies of arms ample to equip all the men they may be able to muster into service. No nation can afford to use a mixture of different types of arms if they can supply their troops with uniform equipment. To do so is to cause untold confusion in the matter of supplying ammunition. In other words, if a group of us go dove hunting and desire to use the same supply of shells, it will be much more convenient if we all use 12-gauge guns. At this time all of the major nations, except America, have a supply of ammunition as well as of guns, and surely Germany would never buy American ammunition. She does not need to. She has the two largest munition plants in the world. Her own Krupp plant has long been the world's greatest, and just last spring she acquired the great Skoda works when she took Czechoslovakia. Nor does Germany need American airplanes. She has never bought or sought to buy any quantity of airplanes here at any time. Presumably Germany has more airplanes than any other nation, with the possible exception of her ally, Soviet Russia, from whom she can buy without restriction. In short, Germany and Russia do not need the things that our present law embargoes. Germany would not buy these things from us if she were our next-door neighbor and could truck them across a line. She has these things. For years both Germany and Russia have invested their money and their resources in the construction of vast stores of war supplies. Time and again the United States has suggested that the nations of the world reduce their investments in military establishments, but never have we been able to stop the frenzied preparation for war that has carried the whole world with it. Today the nations that went farthest with this destructive preparation are ready to destroy the cities and civilians of their opponents, whereas, just to the extent that their opponents acted on our pleas that the nations refrain from overbuilding of great air bombers and other instruments of destruction, these opponents need to buy the things they did not build. Our present law rewards Germany for forcing the world into an armament race that has already cost our own Nation many billions of dollars, and that will cost us many more billions before we see the end. As I see it, the present law is not so neutral after all. Clearly it aids Germany and Russia and handicaps England and France.

In fact, throughout its short but inglorious history this so-called neutrality law has, without exception, served as an aid to the aggressor nations. The aggressor is always better prepared, better equipped than his victim, and in a better position to secure munitions, airplanes, and so forth. If he were not, he would not become an aggressor. Our present law has never and never can restrain an aggressor nation. It has, however, withheld from the weak, peace-loving nations all means of self-defense.

As I see it, our present law has not a chance to keep us out of war. The present law does nothing about keeping American citizens out of the zone of hostilities. It does nothing to keep American ships from carrying contraband cargo, except "arms, ammunition, and implements of war" to any port in the world. On the contrary, it definitely allows the delivery of oil, cotton, wheat, and iron to any nation by American citizens, on American ships, flying the American flag. These are the things that Germany, as well as England, wants to buy in the United States. These are the things both sides will try to get for themselves and will try to prevent reaching their enemies. Just as surely as we allow this traffic to continue in American ships, we are going to see American ships sunk. Under the protection of the present neutrality law, American oil companies are today loading their American-owned tankers at Houston and Port Arthur, in my own State, and can sail them, loaded with Texas gasoline, under the American flag, to all of the warring nations. We all know how vital oil and its products are to modern warfare. We know that, with all supplies of petroleum cut off, every plane would be grounded and every tank stalled. Germany is not going to

allow our oil to reach England if she can prevent it, and England is not going to allow it to reach Germany. Each side is going to stop any such ship, even though it does fly the Stars and Stripes, and if this trade continues in American ships, American ships are going to be sunk, and we are going to be led into war to protect the Standard Oil Co. If we are going to allow this traffic, we might just as well send the American fleet along with the oil tankers, because the tankers cannot carry on their business under the American flag in belligerent waters long without involving America and the American fleet.

Likewise, the present law places no obstacle in the path of those American citizens who want to travel in the war zone. As far as our present law is concerned, they can ride a British ship, loaded with high explosives, or they can travel through the front lines. Of course, to allow this will inevitably result in the loss of American lives, but our present law does not prevent it. Neither does the present neutrality law prevent the sale of goods on a credit. The citizens of any nation can, so far as our neutrality laws are concerned, come here, and if they can find anyone who will sell them oil, iron, or cotton, on a credit, they can buy it and take it or send it on an American ship to any belligerent port.

Nor is the present law defective simply in a negative way. It stands as a positive and active threat to American prosperity and security. From the standpoint of our own self-interest, the retention of the present embargo provisions of our law must have three well-defined and injurious consequences:

First. The immediate effect will be the removal of industry from the United States to Canada. Nor does this removal, as some people think, primarily involve the profits of the owners of the industries. The same concerns will continue to own the plants. The same men will make the profits. Only the working personnel will be vitally concerned. The workmen will be Canadians rather than Americans. Now, I would not suggest for one minute that we should consider any policy that would jeopardize American peace, even in order to put American citizens to work, but if a continuation of our present policy definitely jeopardizes the safety of our own country, as I believe it does, then the fact that that same policy also moves jobs across the international line certainly cannot be looked upon as recommending the continuation of the policy.

Second. A continuation of our present law means an abandonment of our historic policy of opposition to excessive armaments. If the smaller nations of the world that do not have munition plants and airplane factories of their own are to be denied the right to buy these things in the American market when they are attacked by those who have these supplies, then their only possible course is to join in the ruinous rivalry of building their own armaments to the breaking point during times of peace. Our present law blots out all that America has done in behalf of the cause of international disarmament and sets the world back a generation.

Third. But far more important from our standpoint, the retention of the present embargo means that the United States can never hope to build up those industries so essential to our own defense in case we should be attacked. Our airplane factories will, of course, produce only as many planes as they can sell; and when their market is cut off, these factories will cease to develop. Under the present law, with no European markets, American factories must close. Should we then be attacked, we would have neither the plants nor the trained personnel for the construction of the planes that the United States would need. I believe that the defense of America is vital. I do not believe that we can wait until we are involved in war to attempt to establish those vital industries. Neither can we afford to rely upon the expensive and ineffective method of building up great peacetime armaments, which will rapidly become obsolete, and which, in the absence of producing factories, cannot be replaced. I think our foreign policy should be realistic and should have as its first, last, and ever-present objective the protection of America and the maintenance of American peace.

What, my friends, took us into the last World War? Certainly we wanted to stay out then just as sincerely as we do now. Less than 6 months before we entered that war the public had expressed its determination to stay out of war, and had elected a President and a Congress largely on that issue. However, when war came it came in response to the demand of the American people. What had caused the change in American opinion? As I see it, two things had conspired to bring the American people to a willingness to fight. These two things were: (1) The sale of goods to belligerent nations on credit; and (2) the insistence of American citizens on their privilege to travel in the war zone. Over a period of years American banking houses had been financing the purchase of goods by the Allies. These bankers had come to the conclusion that if they were to collect their notes an Allied victory was necessary, and that it would be necessary for the United States to join in the war if such a victory was to be assured. The next step was for those who had a financial interest in the outcome of the war to find some more appealing excuse to offer to the people. With the sinking of the British ship *Lusitania* by a German submarine with the loss of more than 100 American lives came the incident. Those whose money was involved saw to it that the indignation of the American public was aroused and we went to war "to make the world safe for democracy." Well, democracy still seems to be on mighty thin ice, but the American banking houses collected for all the credit business that had been done with the Allies. Of course, we know that the Government of the United States finally put up the money and that the ordinary people of America did all the dying and are still doing the paying for that war, but we did get a fine crop of millionaires.

But so much for 1917. What will take us into war in 1939? Just the same factors will take us down that bloody road today if we allow these same factors free play. Credit to warring nations always creates a financial interest in the outcome of some foreign fight. The sale of goods of any kind on a credit to any belligerent should be stopped, and if it is not stopped, it will lead us to war just as it did in 1917. But the present law allows such credit sales.

The travel of American citizens in the war zone is certain, sooner or later, to involve our country if we continue to permit it. If Americans continue to ride British ships or the ships of any other belligerent, it is sure that some of them will ultimately lose their lives, and when that happens it is going to be very doubtful whether we can maintain American neutrality. We did not do it in 1917. But the present law on which some of our citizens rely for American security allows a repetition of the same errors we made then.

Nor is that all. The most immediate threat to our neutrality lies in the movement of goods into the war zone on American ships. And the present law does absolutely nothing to prevent this. I have already mentioned petroleum and its products as being of vital importance in any modern war. If there was nothing else to involve us in war, I cannot believe that we will be able to continue shipping American oil in American ships, with American crews under the American flag, into the war zone without involving our country in this war before Christmas. I know, of course, that Americans and American ships have a theoretical right anywhere on the high seas. I likewise know that I have a right to drive along that street out there whenever I want, but if the sheriff was shooting across the street at a gang of bandits and the outlaws were shooting back, I think I should be "bored for the simples" if I should insist on my right to drive down the street. That is the situation as regards American ships taking goods to any of the warring nations today, except that those who send American ships to these nations, and even those American citizens who insist on traveling in the war zone, endanger not only themselves but they are endangering the whole Nation. They know that if they are killed or their property is destroyed they have thereby made the entrance of our Nation into war that much more probable. Yet just as long as they think they can make a dollar there will be people who will risk their lives and endanger their countrymen. It is all very well to say "let them do it at their own risk." I would go

just as far as President Roosevelt has proposed in this regard, and even further. I would keep all American citizens, all American ships, and all American credit out of the war zone. I am afraid there is no such thing as travel at one's "own risk." The fact is, and we all know it, that after an American ship is sunk, or the American flag is shot down passions are aroused that make it impossible for the Government to consider the question of who assumed the risk, or to ignore the incident. The only way to avoid this source of war is to keep American citizens and ships out of the war zone. Yet the present law does nothing to prevent this. Do you think that kind of a law is going to keep America out of war? I do not. The bad dog bites the delivery boy, not the grocer who sold the goods and filled the order in his store. We must stop being delivery boys to those folks who are at war. Let us make those fellows buy their goods on the Piggly Wiggly plan.

The way to prevent a repetition of the horrors of the last war so far as America is concerned is to profit by the experience of the past. Let us stop the sale of goods to warring nations on credit. Let us stop American citizens from traveling in the war zone. Let us keep American ships out of the combat area. Are these three objectives unfair, un-American, or unneutral? Is there anything so sinister about these simple proposals? I think not. On the contrary, I think they are good, common sense. They are the principles of the proposed cash-and-carry neutrality bill. Early last spring the President suggested to Congress that we should revise and strengthen the American neutrality law. He suggested that the changes should be made before war broke out in Europe. Unfortunately the discussion in Congress dragged on and on. Finally this House passed a half-hearted neutrality bill, but the other body—the Senate—never even offered to consider the question. We are therefore squarely faced with the problem today, and we realize that now the necessity for speedy action is very pressing. We cannot afford to delay. Delay may well involve America unnecessarily. I feel very deeply that President Roosevelt is right; that this program is fair to all nations; that on it depends the safety of America. I pray God that we may be able to remove these visible dangers before they lead us into the tragedy of war.

This program continues the rules of international law, which has always recognized the right of any people to sell anything to any other people. It allows our people to continue to do business with the nations of the world without involving them in the hazards of submarine warfare. It allows American fields and American factories to continue to produce for export as they have always done. The American farmer and the American laborer did not cause the present conditions in Europe. Are they to be denied the opportunity to sell the products of their toil to people who want to buy them just because some foreign nation wants to starve its enemy? If such sale of American goods seemed to endanger the peace of America, the answer might be "yes." I am willing—and I am sure that you are willing—to go to great lengths to keep America out of war; but let me again repeat—it is the delivery, not the sale, of goods that leads to war. If, then, the only effect of an embargo on American goods is to help one or more of the European countries, I am against such an embargo. I am willing to impose most burdensome restrictions on any and all of our people to maintain our peace, but I am not willing to ask our American people to close half their factories and let half the farm land of the South grow up to Johnson grass simply to please some European rulers. Let Americans work. Let our farms and our factories continue to produce. Let us sell to all the world at our own ports. All of this is purely a domestic matter and will not involve us in any trouble. But let us see that in our desire to keep our people working we do not inject ourselves, our people, or our ships into the war zone.

It is, of course, true that the practical effect of such a policy is to allow those nations who have the ships to buy more of our goods than the nations who have invested their resources in bombing planes and implements of invasions. But, here again, I repeat, our action should be determined by self-interest, not sentiment. Our own Nation has always invested heavily in a great Navy. On that Navy we depend for our rubber, our tin, our coffee, our sugar, and a long list of articles of everyday life, as well as indispensable war materials. Certainly, were we suddenly forced to defend our own shores, we would need to buy large quantities of the very munitions and airplanes which we now refuse to sell. We have relied on other nations to continue to follow the well-established rules of international law. We expect these other nations to sell us anything we can pay for if we will go get it any time we need it. If we change the rule, I fear, my friends, that the time will surely come, and possibly shortly, when that very change will rise up to smite us. For, surely if it is wrong for America to sell to those who can come and pay for our products, it will likewise be wrong for other nations to sell to us when we find ourselves in need, and let no one delude you, the United States does need and will need foreign goods for years to come. If warring nations are to be no longer free to buy from all neutrals, then all nations, America included, must arm to the hilt. We must then follow the horrible example of some of the European nations. We must supply ourselves with every necessity and we must continually replenish our supply. We must convert the Ford plant into a second Krupp works. This is exactly what our Nation has sought to avoid for years. We have professed to want to see all nations disarm. Let us not now be the Nation to change the rules so as to force the very thing that we have so long opposed. Let not America be guilty of contributing to a new era of overarmament.

Nor does a policy such as I have described mean that American shipping must quit the seas. It simply means that American ships must quit carrying goods to belligerent nations. South America is at peace with us, and at peace with the rest of the world. South America should be tied more closely to our country, but for years British and German vessels have carried much of the commerce to and from the nations of that continent. Today the German ships are off the seas. If we force Britain to come after everything they want in the United States, it will force British ships out of the South American runs into the North Atlantic runs. Naturally, American ships will replace them. American ships out of the war zone into the South American trade. British ships out of the South American trade into the war zone. As I see it, a decided gain for America. And, after all is said and done, that is just what I want—a policy that will protect American interests, a policy that will keep America at peace—in short, an American policy.

My friends, I hope that I may not be considered as selfish or unfeeling. I hope that I may not be without the deepest sympathy for the suffering of my fellow men in Europe. I hope I may not judge my European friends unfairly. I know that we would all be happy to save Europe. But Europe cannot be saved if we destroy America. If we are to save civilization, if we are to save the world, we must save America. The world cannot afford to lose the example and influence of a free America, a democratic America, an America dedicated in the future as in the past to peace with all nations, to liberty for all within her boundaries. No; America has no right to gamble with the future of civilization, and that is what she would be doing were she to involve herself in the quarrels of Europe. Neither has any American citizen a right to gamble with the destiny of America, and that is just what he does when he goes into the combat zone for any purpose.

Since there are Americans who are so unmindful of their Nation's welfare, it becomes the duty of our Government to throw away the broken reed of existing law on which we have leaned and to implement our Nation with a real neutrality law on which we can safely rest. Of course, I know that we can no more guarantee peace by law than we can guarantee that there will be no more crime; but just as we know that laws check crime, so we can and should check our headlong course toward war. Let us do all we can. Let us stop credit sales to belligerents. Let us forbid American citizens and American ships from going into the combat zone. Let us tell all the world that we will sell to all who come, but that they must pay cash and take their goods home. Let

us do these things that we can see to do and pray to God that He may do for us those things that we cannot see to do.

I sincerely hope that we may be able, without undue delay, to pass legislation that will remove these dangers against which our present law gives us no defense. I can see no reason why the United States should become involved in war if such a realistic policy is pursued. Of course, I recognize the ever-present influence of propaganda which all of the belligerents are pouring out to the American people. Our people are very gullible, and their emotions are easily aroused. They are very prone to rely altogether too strongly on dogmatic statements and attractive phrases. I hope every American will, in the days to come, demand reasons for all statements made about our foreign policy, or that of other nations. Our people must keep their feet on the ground. In this same connection we may expect many efforts to excite our sympathy by stories of the brutality of certain of the belligerents. Let us be careful in our evaluation of these stories, for they are calculated to arouse our passions and lead us to war. In the long run, this is probably the most dangerous single factor in the present situation for America. War is never humane, but as it goes on nations resort to more and more horrible methods, and all too soon the stories that are now but unscrupulous propaganda may become actual facts. Then, indeed, will the soul of America be tortured.

In this tragic hour I feel a deep sense of responsibility that is almost a depression. It is an awful thing to have to make a decision that may involve the lives of millions and the welfare of the whole world. I hope that the good people of America will pray for me, for each of my colleagues, and for America, while we press forward doing the right as God gives us the power to see the right.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address delivered by me at a session of the Interparliamentary Union held in Oslo, Norway, in August 1939.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I submit the further request to extend my remarks in the RECORD and to include therein a copy of a letter sent by me to the Honorable ROBERT F. WAGNER, of the United States Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KERR. Mr. Speaker, I ask unanimous consent to include in the RECORD an address delivered by me at Wake Forest College at the beginning of the one hundred and sixth session of that institution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina.

There was no objection.

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an article written by David Lawrence in yesterday's Washington Evening Star.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to quote briefly from the President's message, as well as a letter written by the Secretary of State, Hon. Cordell Hull.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Aberdeen Daily World, of Aberdeen, Wash.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the New Deal credit-and-carry war-promotion bill and to include therein some brief extracts from speeches delivered by Hon. Sumner Welles, Assistant Secretary of State.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio speech delivered by me and also a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent that I may have permission to address the House for 20 minutes next Monday after the reading of the Journal.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a speech delivered by me over the National Broadcasting System on the 12th instant.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a letter appearing in the New York Times on the question of embargoes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CROP CONDITIONS IN NORTH MISSISSIPPI AND NORTHWESTERN ALABAMA

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, it is my understanding that this session of Congress was called for the purpose of considering the question of neutrality, and we have been asked to postpone the consideration of other legislation until that question is disposed of. However, the people I represent are confronted with a condition that is just as serious to them as a war. I understand the same conditions or similar conditions prevail in several other areas throughout the United States. We have the worst crop conditions that northeastern Mississippi and northwestern Alabama have seen in a hundred years, due to the continuous rains and overflows that began early in the spring and continued until August.

Then followed a serious drought, which prevented even the planting and raising of feed crops. It is even worse than the loss of the crop itself, because the farmers had not only gone to the expense of preparing their ground and buying fertilizer and seed, but they planted their crops several times, and each time they were destroyed by rains and floods to such an extent that the whole section has been declared an emergency area by the Department of Agriculture. But the Department of Agriculture is short of funds to meet the situation. What good does it do to tell people they are in an emergency, that they have suffered a disaster, unless we can do something about it?

This emergency area covers 21 counties in northern Mississippi, including the First District which I represent, the Second District represented by Mr. DOXEY, and the Fourth District represented by Mr. FORD of Mississippi. These two gentlemen and I have done everything we possibly could to get help for these farmers. But it seems to me that under the circumstances we are going to have this emergency legislation.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes; I will yield for a question.

Mr. PITTENGER. Does the gentleman know of any reason why we should not take up other legislative matters in addition to neutrality and the embargo provisions?

Mr. RANKIN. I was about to say that in disasters of this kind it seems to me that while we are waiting on the Senate to debate the neutrality bill, which passed the House some months ago, we might take up these emergency measures and pass them without interfering with the consideration of neutrality legislation.

These matters cannot wait. My desk is piled with letters from farmers telling me that they are selling their cattle, their hogs, and their chickens in order to get money with which to meet their current living expenses in a country that has some of the richest land in the Nation. It is an emergency that must be met, and for that reason I have introduced a joint resolution providing for an emergency appropriation to be administered by the Department of Agriculture.

I do not want to disrupt the program or interfere with the discussion of neutrality legislation. As I said, this is a matter confronting the people of that section which is just as serious to them as if they were in a war. In fact, it is a war for their very existence. It is true that it is temporary. In another year they will be on their feet, but they must have assistance to take them through the winter months, and I think it would be nothing short of criminal to wait until they have lost their livestock and seen what little they have left taken from them because of a condition over which they have no control.

These are people who do not beg to get on relief. These are people who have not asked the Government to support them. These are people who have supported the Government in times of peace and fought its battles in times of war. They are now in distress and are entitled to this consideration. I shall insist that this joint resolution be taken up right away and passed for their benefit. [Applause.]

I ask unanimous consent to extend my remarks in the RECORD and to include therein a copy of the joint resolution which I have just introduced.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RANKIN. The joint resolution is as follows:

House Joint Resolution 386

Joint resolution making an appropriation for loans and relief in flood-stricken areas of Mississippi and Alabama

Resolved, etc., That to continue to provide loans, grants, and relief for distressed farmers, so as to meet emergency needs in those portions of northeastern Mississippi and northwestern Alabama which have been or may hereafter be declared emergency areas by the Secretary of Agriculture as a result of recent destructive rains and floods, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,000,000, which amount shall be added to the appropriation made in section 3 of the Emergency Relief Appropriation Act of 1938.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I simply want to add my word of agreement to that of the gentleman from Mississippi [Mr. RANKIN]. It happens that some of these counties that were particularly hard hit lie in my district. I have had letters during the last few days from the county agents and from others who are acquainted with the facts, who tell me that the crop conditions are absolutely deplorable, and that the resulting conditions among the people of those counties are distressing. The cotton crop is probably 25 to 30 percent of normal, and corn will do well to measure up to that. I remember one county agent estimated that in his county there would be produced 350,000 bushels of corn, whereas the normal crop is a million and a half. The same is largely true of other crops, except hay. These are farmers, as the gentleman from Mississippi has said, who have not been on relief and have not sought it, but now they are confronted with a condition that is indeed deplorable and distressing.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. RANKIN. Speaker BANKHEAD, who has been called home, informed me that a large number of the counties in his district are in the same condition.

I have never seen such conditions. One man wrote me the other day that where they made 3,000 bales of cotton in his community they would only make 300 bales this year.

Mr. SPARKMAN. Let me add one more word, if I may, at this time. I was going to say that the same conditions prevailed in a great part of Speaker BANKHEAD's district, and also in Mr. JARMAN's district. In fact, it is so bad in Mr. JARMAN's district that he has not been able to come here for this special session. He is detained there trying to work out some plan.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Georgia.

Mr. COX. I would like to ask the gentleman to include also all of south Georgia and north Florida, and the greater portion of South Carolina.

Mr. SPARKMAN. Of course, I am not so familiar with that.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. I yield.

Mr. COFFEE of Nebraska. I might call the gentleman's attention to the fact that in many of the drought-stricken States we have had a series of at least 6 years of such disasters. In my own State of Nebraska this year we will have approximately a 30-percent corn crop.

Mr. SPARKMAN. I am sure that these conditions do prevail elsewhere.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

URGENT LEGISLATION

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I have listened with a great deal of attention and a great deal of interest to the remarks of the gentlemen who have just addressed the House. I want to join with them in registering a protest against the policy, which I understand has been adopted, of limiting the measures to be considered at this session to neutrality, embargo, and other measures of like character. Not only in the sections of the country that have been mentioned here but all over the country there are problems which demand the attention of the Congress. For example, there is the Harrison-Colmer bill, which has for its purpose to provide that the Federal Government shall contribute to the expenses of local governments where land is taken for forestry purposes and is taken off the tax rolls.

Then, as was pointed out the other day, the Relief Act of 1940 should be amended so that Work Projects administrators can have more discretion and more authority in the handling of cases of relief. The law which was passed should be amended along those lines.

In my opinion, while Congress is in session we ought to consider the uncompleted business that was before us on the 5th day of August 1939, when we adjourned. I therefore hope there will be a change in the attitude with reference to the different measures that are of concern to this country, which should have consideration at this time. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of business on the Speaker's table, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a letter from Mr. Otis N. Brown, commander in chief of the Veterans of Foreign Wars of the United States, and a copy of Resolution No. 243, adopted by the Fortieth National Encampment of the Veterans of Foreign Wars of the United States.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. SIROVICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 25 minutes p. m.), under its previous order, the House adjourned until Monday, October 2, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1092. A letter from the Chairman of the Securities and Exchange Commission, transmitting a report on companies sponsoring installment-investment plans, which supplements the Commission's over-all report on its study of investment trusts and investment companies made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 482); to the Committee on Interstate and Foreign Commerce, and ordered to be printed with illustrations.

1093. A letter from the Comptroller General of the United States, transmitting report and recommendation to the Congress concerning the claim of Robert E. Newton against the United States; to the Committee on Claims.

1094. A letter from the Secretary of Agriculture, transmitting the draft of a proposed bill to facilitate and simplify national forest administration; to the Committee on Agriculture.

1095. A letter from the Archivist of the United States, transmitting report of the Archivist of the United States on lists of papers consisting of 200 items, from those submitted for disposition by the Department of the Treasury to the Congress of the United States, January 4, 1935, referred to the Joint Committee on the Disposition of Executive Papers, and by that committee referred to the Archivist for examination and a report thereon, and from those recommended to him for disposition, December 4, 1936, and May 1, 1939, by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

1096. A letter from the Archivist of the United States, transmitting report of the Archivist of the United States on lists of papers, consisting of 6,578 items, recommended by him for disposition, April 11, 1939, and April 20, 1939, by the Department of the Navy; to the Committee on the Disposition of Executive Papers.

1097. A letter from the Secretary of the Department of Agriculture, transmitting a draft of a proposed bill to enable the Secretary of Agriculture, in cooperation with official State agencies, to prevent the dissemination of pullorum and other diseases of poultry, and to improve poultry products, and hatcheries, and for other purposes; to the Committee on Agriculture.

1098. A letter from the Archivist of the United States, transmitting report of the Archivist of the United States on lists of papers, consisting of 127 items, recommended to him for disposition on April 20, May 11, May 26, June 19, and June 22, 1939, by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

1099. A letter from the Archivist of the United States, transmitting a list of papers, consisting of one item, from those recommended for disposition, July 5, 1939, by the United States Civil Service Commission; to the Committee on the Disposition of Executive Papers.

1100. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 125 items, among the archives and records of the Federal Communications Commission, which the Commission has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1101. A letter from the secretary of the Reconstruction Finance Corporation, transmitting the report of the Reconstruction Finance Corporation of loans and other authorizations made during the month of August 1939 (H. Doc. No. 483); to the Committee on Banking and Currency and ordered to be printed.

1102. A letter from the Comptroller General of the United States, transmitting report and recommendation to the Congress concerning the claim of O'Brien Bros., Inc., New York City, N. Y., against the United States; to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Florida:

H. R. 7549. A bill providing for an examination and survey at Belle Glade, Fla.; to the Committee on Rivers and Harbors.

By Mr. MUNDT:

H. R. 7550. A bill authorizing the construction of a new veterans' hospital and diagnostic center in the First Congressional District of the State of South Dakota, to be known as the Royal C. Johnson Memorial Veterans' Hospital; to the Committee on World War Veterans' Legislation.

By Mr. MURDOCK of Arizona:

H. R. 7551. A bill authorizing payment to the San Carlos Apache Indians for the lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896, and reopening such lands to mineral entry; to the Committee on Indian Affairs.

By Mr. JONES of Ohio:

H. J. Res. 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the treaty of Greene Ville at Greenville, Ohio; to the Committee on the Library.

By Mr. RANKIN:

H. J. Res. 386. Joint resolution making an appropriation for loans and relief in flood-stricken areas of Mississippi and Alabama; to the Committee on Appropriations.

By Mrs. ROGERS of Massachusetts:

H. Res. 309. Resolution authorizing the House Committee on Foreign Affairs to obtain various information in regard to the preparedness of the United States for its national defense; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 7552. A bill for the relief of Rachib Shriay; to the Committee on Immigration and Naturalization.

By Mr. HAWKS:

H. R. 7553. A bill to admit George Matthew Schucktanz permanently to the United States; to the Committee on Immigration and Naturalization.

By Mr. MURDOCK of Arizona:

H. R. 7554. A bill for the relief of the San Francisco Mountain Scenic Boulevard Co.; to the Committee on Claims.

H. R. 7555. A bill granting an increase of pension to Winnie Alexander; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5518. By Mr. GILLIE: Petition of 40 members of the Waynedale Methodist Church, Waynedale, Ind., urging Congress to retain the embargo on arms and munitions; to the Committee on Foreign Affairs.

5519. Also, petition of Forest E. Drake and sundry citizens of Indiana objecting to proposed repeal of the arms embargo; to the Committee on Foreign Affairs.

5520. Also, petition of 75 voters of Wolcottville and South Bend, Ind., opposing any change in the present Neutrality Act; to the Committee on Foreign Affairs.

5521. Also, petition of James B. Smith and sundry residents of Fort Wayne and New Haven, Ind., urging that the arms embargo be retained; to the Committee on Foreign Affairs.

5522. Also, petition of E. C. Geeding and 50 other citizens of Bluffton, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5523. Also, petition of Chester L. Piper and sundry residents of Fort Wayne, Ind., expressing opposition to the proposed repeal of the arms embargo; to the Committee on Foreign Affairs.

5524. Also, petition of Helen J. Thiel and sundry residents of Butler, Ind., protesting against proposed repeal of the arms embargo; to the Committee on Foreign Affairs.

5525. Also, petition of Robert Hattersley and sundry citizens of Fort Wayne, Ind., opposing any change in the present Neutrality Act; to the Committee on Foreign Affairs.

5526. Also, petition of 110 employees of the Auburn Foundry, Inc., Auburn, Ind., opposing any amendments to the Neutrality Act; to the Committee on Foreign Affairs.

5527. Also, petition of Blanche Schoenle and 50 other residents of Fort Wayne, Ind., urging repeal of the arms embargo; to the Committee on Foreign Affairs.

5528. Also, petition of U. J. Loos and sundry residents of Fort Wayne, Ind., opposing any changes in the Neutrality Act; to the Committee on Foreign Affairs.

5529. Also, petition of Margret Hagerty and sundry residents of Hamilton, Ind., opposing any changes in the Neutrality Act; to the Committee on Foreign Affairs.

5530. Also, petition of Sarah Shroyer and 25 residents of Fort Wayne, Ind., objecting to any change in the Neutrality Act; to the Committee on Foreign Affairs.

5531. Also, petition of Edwin Sohn and 87 other students of Concordia College, Fort Wayne, Ind., objecting to the proposed revision of the Neutrality Act; to the Committee on Foreign Affairs.

5532. Also, petition of Margaret Rohrer and sundry citizens of Berne, Ind., objecting to the proposed repeal of the arms embargo; to the Committee on Foreign Affairs.

5533. Also, petition of Mr. and Mrs. Joseph C. Hayes and sundry citizens of Fort Wayne, Ind., advocating retention of the arms embargo; to the Committee on Foreign Affairs.

5534. Also, petition of Mrs. Jesse Herrmann and sundry residents of Keystone, Bluffton, and Petroleum, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5535. Also, petition of Bernadine F. Froendly and sundry citizens of Fort Wayne, Ind., opposing repeal of the Neutrality Act; to the Committee on Foreign Affairs.

5536. Also, petition of Lilian Bowman, Elaine Thompson, and other employees of the Lincoln National Life Insurance Co., Fort Wayne, Ind., petitioning Congress not to repeal the arms embargo; to the Committee on Foreign Affairs.

5537. Also, petition of Lucy Bolyard and sundry citizens of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5538. Also, petition of W. T. Arnold and 100 citizens of Garrett, Ind., opposing proposed repeal of the arms embargo; to the Committee on Foreign Affairs.

5539. Also, petition of Mrs. W. A. Etoll and sundry citizens of Garrett, Ind., appealing for strict neutrality; to the Committee on Foreign Affairs.

5540. Also, petition of Mr. and Mrs. Sam Williams and sundry residents of Keystone, Bluffton, Poneto, and Petroleum, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5541. Also, petition of Rev. E. O. Kegerreis, pastor of the Hudson Methodist Church, and 50 residents of Hudson, Ashley, and Pleasant Lake, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5542. Also, petition of Rev. Russell Weller and 90 members of the Pleasant Dale Church of the Brethren, Decatur, Ind., urging Congress to retain the embargo on arms and munitions; to the Committee on Foreign Affairs.

5543. Also, petition of Mr. and Mrs. Elmer J. Auspaugh and 25 members of the Evangelical Church of Decatur, Ind., petitioning Congress not to repeal the arms embargo; to the Committee on Foreign Affairs.

5544. Also, petition of Rev. Edgar L. Johnston and 90 other members of the Kimmell, Ind., Methodist Church, opposing repeal of the arms embargo provision of the present Neutrality Act; to the Committee on Foreign Affairs.

5545. Also, petition of Edmund G. Dikty and sundry citizens of Fort Wayne, Ind., opposing American participation in the European war; to the Committee on Foreign Affairs.

5546. Also, petition of Esther Bowers and 50 other residents of Decatur, Ind., protesting against the proposed repeal of the arms-embargo provision of the Neutrality Act; to the Committee on Foreign Affairs.

5547. Also, petition of Mr. and Mrs. J. B. Hay and 35 other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5548. Also, petition of Rev. Richard A. Most, of Fort Wayne, and 50 members of his congregation, opposing any change in the present Neutrality Act; to the Committee on Foreign Affairs.

5549. Also, petition of Rev. Donald H. Ray and 25 residents of Fort Wayne, Ind., urging that the Neutrality Act not be repealed; to the Committee on Foreign Affairs.

5550. Also, petition of Daniel P. White and 30 residents of Fort Wayne, Ind., requesting that no changes be made in the Neutrality Act; to the Committee on Foreign Affairs.

5551. Also, petition of Emil Zimmerman and 25 residents of Fort Wayne, Ind., urging Congress to keep the embargo on arms and munitions; to the Committee on Foreign Affairs.

5552. Also, petition of Walter L. Peterson and 20 other employees of the Honolulu Conservatory of Music, Fort Wayne, Ind., opposing the proposed lifting of the arms embargo; to the Committee on Foreign Affairs.

5553. Also, petition of Emory Stetler and sundry residents of Syracuse, Ind., urging Congress to retain the present embargo on arms and munitions; to the Committee on Foreign Affairs.

5554. Also, petition of John C. Kreider and 50 other residents of Fort Wayne, Ind., urging Congress not to repeal the Neutrality Act; to the Committee on Foreign Affairs.

5555. Also, petition of Don Murray and 40 other citizens of Fort Wayne, Ind., opposing revision of the Neutrality Act; to the Committee on Foreign Affairs.

5556. Also, petition of Rev. Vernon L. Riley and 60 members of the Monroe Friends Church, Monroe, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5557. Also, petition of Rev. Van B. Wright and 50 members of the Church of the Brethren, Fort Wayne, Ind., urging retention of the arms embargo; to the Committee on Foreign Affairs.

5558. Also, petition of Mrs. Martin Hockemeyer and 75 other residents of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5559. Also, petition of Clara Young and 75 other residents of Fort Wayne, Ind., petitioning Congress not to change the Neutrality Act; to the Committee on Foreign Affairs.

5560. Also, petition of J. C. Kohr and 40 other residents of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5561. Also, petition of Isabel A. Smith and 30 other voters of Fort Wayne, Ind., objecting to any change in the present Neutrality Act; to the Committee on Foreign Affairs.

5562. Also, petition of Howard and George Mountz and 150 citizens of Garrett, Ind., opposing the repeal of the present Neutrality Act; to the Committee on Foreign Affairs.

5563. Also, petition of Rev. E. B. Fletcher and 30 residents of Fort Wayne, Ind., objecting to proposed repeal of the arms embargo; to the Committee on Foreign Affairs.

5564. Also, petition of Dorothy Ake and 60 other citizens of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5565. Also, petition of Dwight M. Myers and 67 citizens of Fort Wayne, Ind., opposing the repeal of the Neutrality Act; to the Committee on Foreign Affairs.

5566. Also, petition of Rev. Donald J. Dunkin and 60 residents of Garrett, Ind., requesting Congress not to repeal the Neutrality Act; to the Committee on Foreign Affairs.

5567. Also, petition of Sylvester Pierr and 70 citizens of Fort Wayne, Ind., opposing sale of arms and munitions to nations at war; to the Committee on Foreign Affairs.

5568. Also, petition of Rev. Walter Klausing and 100 other citizens of Fort Wayne, Ind., opposing the proposed repeal of the embargo provision of the present Neutrality Act; to the Committee on Foreign Affairs.

5569. Also, petition of Josephine Strang and sundry citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5570. Also, petition of Edward R. Rossman and sundry citizens of Decatur, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5571. Also, petition of Mr. and Mrs. Charles Lumm and sundry citizens of the Fourth Indiana District, opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5572. Also, petition of 110 members, employees, and friends of the Young Men's Christian Association, Fort Wayne, Ind., opposing the repeal of the arms embargo; to the Committee on Foreign Affairs.

5573. Also, petition of P. F. Buuck and 90 other residents of New Haven, Ind., petitioning Congress not to amend the Neutrality Act; to the Committee on Foreign Affairs.

5574. By Mr. HALLECK: Petition of sundry citizens of Medaryville. Ind., and vicinity, opposing the repeal of or any change in the present neutrality law; to the Committee on Foreign Affairs.

5575. Also, petition of members of the Methodist Episcopal Churches of the Bourbon circuit, Indiana, opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5576. Also, petition of members of the Church of the Brethren of Plymouth, Ind., protesting against the repeal of the Neutrality Act; to the Committee on Foreign Affairs.

5577. Also, petition of members of the Upper Deer Creek Church of the Brethren, Walton, Ind., opposing the proposed change in the Neutrality Act; to the Committee on Foreign Affairs.

5578. By Mr. JARRETT: Petition of Mrs. J. E. Walters and other residents of Warren, Pa., opposing changes in Neutrality Act; to the Committee on Foreign Affairs.

5579. Also, petition of Mrs. W. M. Stevenson, of North Warren, and other citizens of Warren County, Pa., opposing changes in Neutrality Act; to the Committee on Foreign Affairs.

5580. Also, petition of Mrs. N. W. Hess and other residents of Sharon, Pa., opposing changes to Neutrality Act; to the Committee on Foreign Affairs.

5581. Also, petition of May Ridgway and other residents of Oil City, protesting against war; to the Committee on Foreign Affairs.

5582. Also, petition of Amelia Bauer and other citizens of Warren, Pa., opposing change in the Neutrality Act; to the Committee of Foreign Affairs.

5583. Also, petition of R. F. Buzzard and other residents of Climax, Pa., opposing changes in neutrality legislation; to the Committee on Foreign Affairs.

5584. Also, petition of Harold Reed Weaver and other residents of Warren, Pa., opposing changes in neutrality legislation; to the Committee on Foreign Affairs.

5585. Also, petition of Mr. and Mrs. B. A. Vollmer, Mr. and Mrs. George Cuneo, and other residents of Elk County, Pa., opposing changes in neutrality legislation; to the Committee on Foreign Affairs.

5586. Also, petition of Mr. and Mrs. Glenn G. Grosch and other residents of Warren County, Pa., opposing changes in the Neutrality Act; to the Committee on Foreign Affairs.

5587. Also, petition of J. Albert Johnson, Mr. and Mrs. Richard N. Mack, and other citizens of Sugar Grove, Pa., opposing changes in neutrality legislation; to the Committee on Foreign Affairs.

5588. By Mr. KINZER: Petition of 62 members of St. Peter's Reformed Church of Lancaster, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5589. Also, petition of 71 citizens of Marietta, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5590. Also, petition of 80 members of St. Mary's Church Mother's Club, of Lancaster, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5591. Also, petition of the clergy of Marietta, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5592. Also, petition of 86 citizens of Lancaster, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5593. Also, petition of 70 members of St. Mary's Parish, Marietta, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5594. By Mr. O'TOOLE: Petition of Louis Marotta and 126 other residents of the Eighth Congressional District of New York, opposing any revision of the present Neutrality Act; to the Committee on Foreign Affairs.

5595. Also, petition containing 44 signatures from Brooklyn, N. Y., opposing repeal of the Neutrality Act; to the Committee on Foreign Affairs.

5596. Also, petition of Christopher Doyle, Jr., and 37 other residents of Brooklyn, N. Y., protesting against the incorporation of the cash-and-carry clause in the Neutrality Act; to the Committee on Foreign Affairs.

5597. Also, petition of D. J. Breslin and other residents of the Bay Ridge area in Brooklyn, N. Y., protesting against the lifting of the present embargo on the export of arms and munitions to warring nations, to the Committee on Foreign Affairs.

5598. By Mr. POLK: Petition of J. T. Olson, and others, of Portsmouth, Ohio, urging Congress to adopt the so-called cash-and-carry plan to govern our foreign trade; to the Committee on Foreign Affairs.

5599. Also, petition of Edith Anstaett, of Batavia, and 14 other citizens of Clermont County, Ohio, asking that Congress make no change in the present neutrality law that would in any possible way involve us in war on foreign soil; to the Committee on Foreign Affairs.

5600. Also, petition of Mildred Haigh, secretary, Farm Bureau Advisory Council, New Market Township, Highland County, Ohio, and 20 other members, asking Congress to preserve the peace of our country that we may not be oppressed by entering another European war; to the Committee on Foreign Affairs.

5601. Also, petition of G. L. Wamsley and 10 other citizens of West Union, Ohio, opposing any change in the present neutrality law, particularly the proposed cash-and-carry plan, which they believe, if adopted, would eventually lead to war; to the Committee on Foreign Affairs.

5602. Also, petition of Catherine Bezler, of Amelia, and 59 other citizens of Clermont County, Ohio, asking that the Congress do not repeal the Embargo Act, keep strictly neutral, no foreign entanglements, and keep America out of war; to the Committee on Foreign Affairs.

5603. Also, petition of L. C. Hoss, of Sugartree Ridge, and 43 other citizens of Concord Township, Highland County, Ohio, urging the preserving of the neutrality law in such form as to prevent being forced into the European war; to the Committee on Foreign Affairs.

5604. Also, petition of George W. Johnson and other citizens of Batavia, Clermont County, Ohio, urging the preservation of the present Neutrality Act and particularly opposing

the lifting of the arms embargo; to the Committee on Foreign Affairs.

5605. By Mr. SCHIFFLER: Petition of Donato Dittarelli and 110 citizens of Follansbee, W. Va., urging that we keep arms embargo, oppose cash and carry, and keep out of war; to the Committee on Foreign Affairs.

5606. Also, petition of George B. Potts and 44 citizens of Paden City, Wetzel County, W. Va., urging that we adhere to strict neutrality and vote against any proposed change in our present neutrality law; to the Committee on Foreign Affairs.

5607. Also, petition of Verne Monroe, chairman, committee of the Cameron First Methodist Church, Cameron, W. Va., a congregational unit of over 500 members, opposing any change in the present neutrality law; to the Committee on Foreign Affairs.

5608. Also, petition of George B. Potts and other citizens of Paden City, Wetzel County, W. Va., urging that we adhere to strict neutrality and vote against any proposed change in our present neutrality law; to the Committee on Foreign Affairs.

5609. By the SPEAKER: Petition of the District of Columbia Cooperative League, Washington, D. C., petitioning consideration of their resolution with reference to Senate bill 2605, known as the Norris bill; to the Committee on Agriculture.

5610. Also, petition of the International Association for Identification, Albany, N. Y., petitioning consideration of their resolution with reference to the subjects of parole and probation, also the subject of fingerprint; to the Committee on the Judiciary.

5611. Also, petition of the Defenders of America, Pittsburgh Chapter 1, Moose Temple, Pittsburgh, Pa., petitioning consideration of their resolution with reference to all foreign "isms"; to the Committee on Foreign Affairs.

SENATE

MONDAY, OCTOBER 2, 1939

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Giver of Wisdom, in whose light we see light: Forgive us, we beseech Thee, that so often we fail to ask that which is right. Recall us to goodness, and strengthen our wills, that by Thy grace we may overcome the manifold temptations that continually beset us. Illumine our thoughts by Thy divine wisdom, that we may discover in our sense of duty the vision of better lives for each one of us and a happier human fellowship for all mankind. Though the present is overcast and heavy with gloom, while some live upon the light that was and others wait for the light that is to be, do Thou grant to us now a fresh apocalypse of God, a divine sunrise in our humanity that shall light our way onward and upward to the hills of peace.

"Peace does not mean the end of all our striving,
Joy does not mean the drying of our tears,
Peace is the Power that comes to souls arriving
Up to the light where God Himself appears."

Harken, we beseech Thee, to this our prayer for our dear Redeemer's sake. Amen.

APPEARANCE OF SENATORS

WILLIAM H. KING, a Senator from the State of Utah; RICHARD B. RUSSELL, Jr., a Senator from the State of Georgia; and TOM STEWART, a Senator from the State of Tennessee, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 28, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Logan	Russell
Andrews	Ellender	Lucas	Schwartz
Austin	Frazier	Lundeen	Schwellenbach
Bailey	George	McCarran	Sheppard
Barbour	Gerry	McKellar	Shipstead
Barkley	Gibson	McNary	Slattery
Bilbo	Gillette	Maloney	Smathers
Borah	Green	Mead	Stewart
Bulow	Guffey	Miller	Taft
Burke	Gurney	Minton	Thomas, Okla.
Byrd	Hale	Murray	Thomas, Utah
Byrnes	Hatch	Neely	Tobey
Capper	Hayden	Norris	Townsend
Caraway	Herring	Nye	Truman
Chavez	Holman	O'Mahoney	Tydings
Clark, Idaho	Holt	Overton	Vandenberg
Clark, Mo.	Johnson, Calif.	Pepper	Van Nuys
Connally	Johnson, Colo.	Pittman	Wagner
Danaher	King	Radcliffe	White
Davis	La Follette	Reed	Wiley
Donahey	Lee	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Michigan [Mr. BROWN], the Senator from South Carolina [Mr. SMITH], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

CLAIM OF O'BRIEN BROS., INC.

The VICE PRESIDENT laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation concerning the claim of O'Brien Bros., Inc., New York City, N. Y., against the United States, which, with the accompanying paper, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of Wisconsin, which was referred to the Committee on Indian Affairs:

Joint resolution authorizing the board of control to negotiate with the Federal Government for the transfer of the former Indian school at Tomah

Whereas the Federal Government has abandoned the use of the former Indian school at Tomah, Wis., due to a change in policy as to nonsegregation of Indian students; and

Whereas it was proposed by the Federal Government to raze such buildings, but such demolition was postponed upon request of the Governor, in order to determine whether or not the State could utilize the same; and

Whereas this legislature has heretofore adopted joint resolution No. 132A, memorializing the Congress of the United States to convey all of such property located at Tomah to the State of Wisconsin rather than permit such property to waste and deteriorate: Now, therefore, be it

Resolved by the senate (the assembly concurring), That the board of control or its successor be, and it is hereby, authorized and directed to negotiate with the Department of Interior or other proper authorities for the transfer and conveyance to the State of Wisconsin of the Federally owned property at Tomah, including all buildings thereon, formerly used as an Indian school, upon such terms and conditions as the Governor shall first approve: Be it further

Resolved, That properly attested copies of this resolution be sent to the President of the United States, the Department of the Interior, to both Houses of Congress, and to each Wisconsin Member thereof.

The VICE PRESIDENT also laid before the Senate a resolution of the City Council of Cambridge, Mass., favoring amendment of the W. P. A. Act by repealing the provision establishing the so-called 18-month lay-off or amendment of that provision so that on termination of the 30-day furlough period each W. P. A. worker who is eligible shall be restored

and reassigned to W. P. A. projects, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted at Washington, D. C., by the Eighth Annual Convention of the Syrian and Lebanese American Federation of the Eastern States, favoring the maintenance and perpetuation of the democratic form of government under the Constitution of the United States, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted at Washington, D. C., by the Eighth Annual Convention of the Syrian and Lebanese American Federation of the Eastern States, stating that "we unqualifiedly regard it the duty of all the people of the United States to refrain from taking any attitude on national or international problems influenced by any racial or foreign considerations other than those which have for their primary purpose the unity of spirit, interest, and action of these United States," which was ordered to lie on the table.

He also laid before the Senate a resolution of Colonel James S. Pettit Camp, No. 3, United Spanish War Veterans, Department of the District of Columbia, Washington, D. C., protesting against the repeal of the arms and munitions embargo provision in existing law, which was ordered to lie on the table.

He also laid before the Senate resolutions adopted by the Allegheny County (Pa.) Branch, German-American Federation of Pennsylvania, protesting against the repeal or amendment of the so-called Johnson Act, relative to foreign loans, and the existing embargo and neutrality laws, and expressing loyalty to the Constitution of the United States, which were ordered to lie on the table.

NEUTRALITY AND PEACE OF THE UNITED STATES—PETITIONS

Mr. CAPPER. Mr. President, I have here some 30 petitions from agricultural, religious, educational, W. C. T. U., and other organizations in Kansas which I desire to present to the Senate with a request that they lie on the table.

The war in Europe is not our war, Mr. President. It is merely another of the long series of wars that have raged in Europe for more than 2,000 years over boundaries and over power; merely another discouraging incident in the game of power politics.

We learned 20 years ago—and the disillusionment was a bitter one—that we went to war in 1917 not to make the world safe for democracy, not to win the war that would end war, but instead we sacrificed American boys and lent and spent billions of dollars to increase the colonial possessions of the European winners of that war.

I am opposed to the United States taking part in the present European war.

I intend to vote against every proposal which I believe would tend toward involving us in that war.

There is no use in our declaring we intend to keep out of this war, and then approving steps, even in the name of peace or the name of neutrality, which inevitably will lead us into this war, just as the things we did in 1914, 1915, and 1916 made it inevitable that we should actually go to war in 1917.

I do not intend to go into a discussion of the proposed legislation at this time, beyond stating that I consider the sale of arms, munitions, and implements of war to belligerents in this war as a policy that would lead us most certainly and directly into participation in the war.

For this and other reasons which I will discuss at some future time I am opposed to repeal of the arms-embargo provision of the present Neutrality Act.

It is my sincere belief that the majority of the people of the United States feel the same way about this matter. I have received more than 11,000 letters and telegrams since the war in Europe started. These letters practically are unanimous in urging that the United States keep out of Europe's wars; 29 out of 30 urge strict neutrality; and 25 out of 30 urge that the arms embargo be retained.

Mr. President, I ask unanimous consent that I may include as part of my remarks, without reading them, a few excerpts from and comments on the petitions which I am presenting to the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

The members of the Epworth League of the Methodist Church of Cottonwood Falls, Kans., present a large petition signed by 30, asking Senators CAPPER and REED to vote against repeal of the present Neutrality Act, and amplifying their position in the following letter:

"It is very obvious from our experience in the World War that repeal of the embargo section of the Neutrality Act will eventually lead the United States into the European conflict. Since we feel that war is not a Christian way of settling difficulties, and that our entering into the conflict would only prolong the war and be of no benefit to the citizens of Europe or to ourselves, we plead that you will do all in your power to protect the neutrality law as it now stands."

The 21 members of the Worth While Club of Lyons "wish to go on record as opposing any change in the Neutrality Act."

Parker Grange, No. 1467, Parker, Kans., sends word by its secretary that its 50 members stand squarely for strict neutrality, against repeal of the embargo: "We want no part in the European struggle."

Mrs. Grace B. Prather, for the W. C. T. U. of Winfield, opposing repeal of the arms embargo:

"We have no boys to trade that someone may increase his power by reason of the money he may make at the expense of lives and the aftermath of war. We are still suffering from a lowering of moral standards as the result of the World War. Why should we make them any lower by getting into this cataclysm?"

Petition from about 100 members of the August Christian Church, urging strict neutrality and retention of the arms embargo:

"Our political leaders are not warranted in overriding the wishes of the American people for peace. We kept out of European affairs in time of peace; we took no part in the League of Nations and should not now take part in the present conflict in Europe.

"We are opposed to the repeal of the Neutrality Act now on the statute books because repeal means the end of neutrality. We shall be taking sides when allowing warring nations to buy our war materials."

Fourth quarterly conference of the Methodist churches of Elmdale and Strong City:

"We urge our Senators ARTHUR CAPPER and CLYDE M. REED to use every influence and to work and vote to resist any change or weakening in the present neutrality law, believing as we do it is to the best interests of our Nation to stay out of any European war, and that any revision or change in the present law which would permit sale of munitions or supplies of war to warring nations is the first step toward our Nation ultimately being embroiled in the war."

The peace committee of the Mennonite western district conference, Newton, among other things:

"That no munitions, armaments, or any other military supplies or materials or equipment be supplied or sold to belligerent nations."

From Concordia:

"We, the undersigned members of the Catholic Daughters of Concordia, Kans., do hereby protest the proposal to amend the Neutrality Act to enable the warring nations of Europe to buy munitions and engines of war in the United States.

"We also denounce proposed war profits as illusions and, as the President denounced them in the course of his campaign for reelection in 1936, as 'fools' gold.'"

From 125 students of the rural high school at Schoenchen, Kans.:

"We hold that this European conflict is no case of ours as long as they do not attack our country.

"We emphatically object to this wholesale system of so-called legalized murder, plunder, and pillage of innocent parties, which we would be expected to employ in a war in which we, as Americans, have no objective.

"We petition you, ARTHUR CAPPER, to say to your fellow Senators that we shall stay out of this European conflict; that we shall not furnish arms or munitions to either side."

The Topeka Central W. C. T. U.:

"We ask you to do all in your power to retain the arms and munitions embargo and keep the United States neutral."

Similarly from:

The Church of God, Natoma.

The Lorraine Avenue Mennonite Church of Wichita, signed by more than 100 members.

Wallace A. Dunn and 16 other citizens of Richfield.

Six hundred citizens of Union Township, Barton County.

The Sunday-school class of mothers in the Ebenezer Methodist church of Clay Center.

The Alpha Kappa Psi fraternity, University of Kansas.

The ladies' class of the Alden Baptist church, Alden.

The adult women's class of the Presbyterian Sunday school Lakin.

Membership of the First Church of the Brethren, McPherson.

The entire 38 members of the Farmers' Union Local No. 592, Miltonvale.

Twenty-one young married couples of Chanute.

Twelve high-school students of Tonganoxie High School, Tonganoxie, individual letters opposing repeal of the arms embargo.

Sandy Hook Local No. 1867, St. Marys, Kans.: "We respectfully petition our Senators and Congressmen to do all in their power, by using every means in your power, to keep the United States out of war. And we believe that Congress should retain all its powers and not delegate its important functions to any one man."

Members of Farm Bureau Unit, Onaga, Kans.: "What mother is not concerned about her children at a time like this, not only our own sons and daughters but all of the children over the Nation? So we are writing you to do your best to prevent this country from becoming entangled with the present situation abroad."

J. P. Fengel, president, Kansas Farmers Union: "The Kansas Farmers Union does heartily endorse the principle embodied in this resolution (Sandy Hook Farmers Union, Local 1867, of St. Marys, Kans.) and join with them in the making of their request."

Minutes of the meeting of the Northeast Kansas County Officers Association, Alma, Kans., September 21: "We are opposed to the United States entering the present European war and request our Senators and Representatives that they vote to protect the neutrality of the United States of America."

A typical resolution: "We, the members of the Woman's Christian Temperance Union of this place earnestly request that you give your best judgment and wisdom in the consideration of keeping the United States out of war in the European countries."—Oxford, Kans.

Board of Foreign Missions, the Conference of the Mennonite Brethren Church of North America, Buhler, Kans.:

"*Resolved*, That we hereby appeal to our Senators from Kansas and to the Congressman from this district to use all their influence and effort to defeat any legislation on the part of Congress which will have a tendency to cause this country to become involved in the present conflict raging in Europe, or tend to lead to a declaration of war as between the United States and any of the warring nations of Europe."

Church of the Brethern, Newton, Kans.:

"As young people of the Church of the Brethren, we are opposed to war because it means killing folks, and because the whole spirit of war is against everything for which Christ stands.

"We expect you to do everything in your power to maintain the neutrality of our country and keep it out of war."

The Matthewson Avenue Church of Christ, Wichita, is opposed to the United States going to war; opposed also to compulsory military service for its members.

From Jamestown, Kans.:

"We, the mothers, wives, and sisters, express by our signatures our desire to keep out of war," signed by 19 members of the Women's Club of Jamestown.

The Hartford (Kans.) Methodist Aid Society appeals to keep out of war, and adds:

"We feel the lives of our boys are much more valuable to our country than anything which could be gained by a war."

The Presbytery of Larned, Kans.:

"*Resolved*, That we go on record as favoring all proper and legal action that will tend to keep this Nation out of the present war and maintain strict neutrality."

The United Presbyterian Church at Zenith, Kans.:

"Use your influence in every way to keep the United States rigidly neutral, free from all entangling alliances—American blood must never again flow on foreign soil." Signed by the entire adult membership.

St. Leon Council, No. 2402, K. of C., Bellefont, Kans., petitions "to use all your influence in maintaining the power of Congress as regards the neutrality law without vesting any more power in the President; that we are opposed to war and request strictest neutrality, except we be attacked within the borders of the United States." Signed by 51 members.

The Calvary Methodist Bible League, Wichita, urges everything possible be done to prevent the United States entering this war.

The Little Walnut Farm Bureau of Leon, Kans., asks "that you do everything in your power to maintain peace with all nations if possible to do so with honor and safety to our Nation."

The Reverend John W. Waldron and 127 members of the Men's Fellowship Class, Inc., of Topeka, petition that the United States keep free from entangling alliances, remain rigidly neutral, and not take part in the European war.

The VICE PRESIDENT. The petitions presented by the Senator from Kansas will be received and lie on the table.

SESQUICENTENNIAL REAFFIRMATION OF THE BILL OF RIGHTS

Mr. BARBOUR. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a statement signed by 67 leaders of American life and made public by the Council Against Intolerance in America. This statement, in the form of a sesquicentennial reaffirmation of the Bill of Rights, is particularly appropriate at a time which is so near the one hundred and fiftieth anniversary of the approval by Congress of the Bill of Rights, the cornerstone of our democracy.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SESQUICENTENNIAL REAFFIRMATION OF THE BILL OF RIGHTS

September 25, 1939, marks the sesquicentennial of the enactment by the Congress of the United States of the first 10 amendments to the Constitution, known and revered as the Bill of Rights. For a century and a half it has stood as the charter of the liberties of the American people. It is not only a part of the Constitution; it is the soul of that immortal document.

The Bill of Rights embodies the love of freedom which characterized the founding fathers of our country. It reflects the determination of succeeding generations to safeguard the freedom they won. It inspires us today to renew our loyalty to the principles of human equality upon which that freedom rests.

The Bill of Rights came out of the Declaration of Independence and expresses, in legal form, the great concept there set down. Freedom of worship, freedom of speech, freedom of the press, freedom of assembly—these are the pillars which sustain the temple of liberty under law.

On this one hundred and fiftieth anniversary of the enactment by Congress of the Bill of Rights it is fitting that Americans rededicate themselves to maintain and enhance it. This is no empty gesture. The times are fraught with peril to political and human liberty. Now, as when the Bill of Rights was framed by Congress, there are those who would abrogate freedom, create tyranny through bigotry, and destroy the basic American concept that all men are created equal.

Against such attempts to overthrow or whittle away their fundamental rights, the American people must stand firm, alike in times of peace or war. True Americans of all races and creeds, regardless of political affiliations, welcome the opportunity which the sesquicentennial of the Bill of Rights affords them to reaffirm their devoted loyalty to the fundamental principles of personal liberty and human equality—principles upon which our Nation was founded and through which alone it can endure and prosper.

REPORT OF THE COMMITTEE ON FOREIGN RELATIONS—NEUTRALITY AND PEACE OF THE UNITED STATES

Under authority of the order of the 28th ultimo,

On September 29, 1939, Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the joint resolution (H. J. Res. 306), Neutrality Act of 1939, reported it with amendments and submitted a report (No. 1155) thereon.

PRINTING OF NEUTRALITY HEARINGS BEFORE FOREIGN RELATIONS COMMITTEE

Mr. HAYDEN. From the Committee on Printing I report two resolutions for which I desire consideration. One is a simple Senate resolution authorizing the Committee on Foreign Relations to have printed additional copies of its hearings held at the present session of Congress. Then there is a demand for the hearings before that committee printed in the last session of Congress, which will require a concurrent resolution. I ask unanimous consent that these resolutions be considered and acted upon at this time.

The VICE PRESIDENT. The first resolution reported by the Senator from Arizona will be read.

The resolution (S. Res. 188) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That, in accordance with paragraph 3, of section 2, of the Printing Act, approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of the hearings held before said committee during the current Congress relating to bills and resolutions on neutrality, peace legislation, and our foreign policy.

Mr. HAYDEN. I now ask unanimous consent for the consideration of the concurrent resolution which I send to the desk, and which I have been authorized by the Committee on Printing to report favorably.

The VICE PRESIDENT. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 30) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before said committee during the Seventy-fourth Congress, second session, on the bill (S. 3474) relating to neutrality.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GREEN:

S. 2975. A bill to authorize the Secretary of the Navy to proceed with certain public works at Quonset Point, R. I.; to the Committee on Naval Affairs.

By Mr. NORRIS:

S. 2976. A bill for the relief of Mrs. Mary S. Gay; to the Committee on Claims.

By Mr. TYDINGS:

S. 2977. A bill authorizing the construction and maintenance of a dike or dam across Stansbury Creek in Baltimore, Md.; to the Committee on Commerce.

By Mr. SMATHERS:

S. 2978. A bill for the relief of Amplus Storage Battery Co.; to the Committee on Claims.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENTS

Mr. GILLETTE submitted two amendments intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

On page 21, line 14, after the comma, to insert the following: "or to purchase, sell, or exchange bonds, securities, or other obligations of any such government, political subdivision, or person, issued before the date of such proclamation where the legal or equitable title or beneficial interest in any such obligations was vested on such proclamation date in a person other than a citizen of the United States,".

On page 16, line 19, after the period, to insert the following:

"No such transfer of right, title, and interest in any arms, ammunition, or implements listed in a proclamation issued by the President pursuant to section 12 (1) and which are to be so exported or transported, shall be deemed to be made for the purposes of this section if credit has been extended in connection with the sale to a foreign purchaser of such arms, ammunition, or implements of war, except as such credit is authorized pursuant to section 7 (a) of this joint resolution."

ADDRESS BY SENATOR HERRING ON NEUTRALITY

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on the subject of Neutrality delivered by Senator HERRING on September 29, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR BURKE ON NEUTRALITY LEGISLATION AND THE NATIONAL DEFENSE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on the subject of Neutrality Legislation and the National Defense delivered by Senator BURKE, which appears in the Appendix.]

ADDRESS BY SENATOR SCHWELLENBACH ON THE PITTMAN PEACE PROPOSAL

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address entitled "The Pittman Peace Proposal," delivered by Senator SCHWELLENBACH on September 29, 1939, which appears in the Appendix.]

ADDRESS BY HON. ALFRED E. SMITH ON REPEAL OF EMBARGO ACT

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered on October 1, 1939, by Hon. Alfred E. Smith on the subject of the Proposed Repeal of the Embargo Act, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT ON PROPOSED NEUTRALITY LEGISLATION

[Mr. MCNARY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator TAFT at Vienna, Ill., on September 30, 1939, on the subject of Pending Neutrality Legislation, which appears in the Appendix.]

ADDRESS BY SENATOR CAPPER ON ARMS EMBARGO REPEAL PROPOSAL

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address delivered by him on September 29, 1939, on the question of the proposed repeal of the arms embargo provision, which appears in the Appendix.]

ADDRESS BY SENATOR BORAH ON PROPOSED NEUTRALITY LEGISLATION

[Mr. NYE asked and obtained leave to have printed in the RECORD an address by Senator BORAH on the subject of the Proposed Neutrality Legislation, which appears in the Appendix.]

ADDRESSES BY SENATOR NYE ON PROPOSED NEUTRALITY LEGISLATION

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD radio addresses delivered by Senator NYE on September 30 and October 1, 1939, on the subject of Proposed Neutrality Legislation, which appear in the Appendix.]

ADDRESS BY SENATOR NYE ON PROPOSED NEUTRALITY LEGISLATION

[Mr. FRAZIER asked and obtained leave to have printed in the RECORD a radio address by Senator NYE, delivered on August 24, 1939, on the subject Save American Neutrality, which appears in the Appendix.]

SPEECH BY SENATOR WILEY BEFORE INTERPARLIAMENTARY UNION CONFERENCE

[Mr. WILEY asked and obtained leave to have printed in the RECORD a speech delivered by him before the Interparliamentary Union Conference at Oslo, Norway, on August 17, 1939, which appears in the Appendix.]

LETTER FROM SENATOR DONAHEY TO PRESIDENT OF AMERICAN FEDERATION OF LABOR

[Mr. FRAZIER asked and obtained leave to have printed in the RECORD a letter written by Senator DONAHEY to William Green, president of the American Federation of Labor, which appears in the Appendix.]

ARTICLE BY LOWELL LIMPUS ON EXPORTATION OF WAR GOODS

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an article by Lowell Limpus, published in the New York Daily News of October 2, 1939, with reference to the exportation of war goods from the United States, which appears in the Appendix.]

EDITORIALS FROM CHICAGO TRIBUNE

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an editorial from the Chicago Tribune of September 22, 1939, entitled "The War Parties," and another editorial from the same newspaper entitled "Dying for Danzig," which appear in the Appendix.]

EDITORIAL FROM NEW YORK SUN ON ADVANTAGES OF BEING AN AMERICAN

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an editorial from the New York Sun of September 4, 1939, entitled "He Is an American," which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. Thomas S. McMillan, late a Representative from the State of South Carolina, and transmitted the resolutions of the House thereon.

The message informed the Senate that the Speaker pro tempore had appointed Mr. FULMER, Mr. RICHARDS, Mr. CALDWELL, and Mr. COLMER members of a committee on the part of the House to attend the funeral of the deceased Representative.

NEUTRALITY AND PEACE OF THE UNITED STATES

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order.

Mr. BARKLEY. I ask unanimous consent that further proceedings under the morning hour be dispensed with.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky [Mr. BARKLEY]? The Chair hears none, and it is so ordered.

Mr. PITTMAN. I ask unanimous consent for the present consideration of House Joint Resolution 306.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 306) entitled "Neutrality Act of 1939," which had been reported from the Committee on Foreign Relations with an amendment to strike out the preamble and all after the resolving clause, and to insert:

PROCLAMATION OF A STATE OF WAR BETWEEN FOREIGN STATES

SECTION 1. (a) That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the

lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

(b) Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

COMMERCE WITH STATES ENGAGED IN ARMED CONFLICT

SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

(b) Whoever shall violate any of the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any state named in such proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath that there exists in no citizen of the United States any right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States.

(d) Insurance written by underwriters on articles or materials included in shipments which are subject to restrictions under the provisions of this joint resolution, and on vessels carrying such shipments shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

(e) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

(f) The provisions of subsection (a) of this section shall not apply to transportation by American vessels on or over lakes, rivers, and inland waters bordering on the United States, or to transportation by aircraft on or over lands bordering on the United States; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such vessel, and necessary supplies for any such vessel.

(g) The provisions of subsections (a) and (c) of this section shall not apply (1) to transportation by American vessels to any place in the Western Hemisphere south of 30° north latitude of any articles or materials which are to be used exclusively by an American vessel; (2) to transportation by American vessels of mail, passengers, and personal effects of any individual on any such vessel from any port in the United States to a port in the Western Hemisphere south of 30° north latitude; or (3) to transportation by aircraft from any port in the United States to any port on the Pacific Ocean or the China Sea of mail, passengers, personal effects of individuals on such aircraft, and necessary supplies for such aircraft. All transportation referred to in this subsection and subsection (f) shall be subject to such restrictions, rules, and regulations as the President shall prescribe.

COMBAT AREAS

SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area.

(b) In case of the violation of any of the provisions of this section by any American vessel, or any owner or officer thereof, such vessel, owner, or officer shall be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the owner of such vessel be a corporation, organization, or association, each officer or director participating in the violation shall be liable to the penalty hereinabove prescribed. In case of the violation of this section by any citizen traveling as a passenger, such passenger may be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

(c) The President may from time to time modify or extend any proclamation issued under the authority of this section, and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist, he shall revoke such proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

AMERICAN RED CROSS

SEC. 4. The provisions of section 2 (a) shall not prohibit the transportation by vessels under charter or other direction and control of the American Red Cross, proceeding under safe conduct granted by states named in any proclamation issued under the authority of section 1 (a), of officers and American Red Cross personnel, medical personnel, and medical supplies, food, and clothing, for the relief of human suffering.

TRAVEL ON VESSELS OF BELLIGERENT STATES

SEC. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of any state named in such proclamation, except in accordance with such rules and regulations as may be prescribed.

(b) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

SEC. 6. Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel, engaged in commerce with any foreign state to be armed, except with small arms and ammunition therefor, which the President may deem necessary and shall publicly designate for the preservation of discipline aboard any such vessel.

FINANCIAL TRANSACTIONS

SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions, but only if such credits and obligations have maturities of not more than 90 days and are not renewable. If any government, political subdivision, or person to which credit has been extended pursuant to the authority vested in the President under this subsection is in default in whole or in part upon any obligation to which such extension of credit relates, no further extension of credit to such government, political subdivision, or person shall be made or authorized under this subsection during the period of such default. The President shall report to Congress every 6 months any and all exceptions granted under this subsection, together with the amounts of credits involved.

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

(c) Whoever shall violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(d) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

SOLICITATION AND COLLECTION OF FUNDS

SEC. 8. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in such proclamation or for or on behalf of any agent, instrumentality, or supporter of any such state.

(b) Nothing in this section shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf or in aid of any such government, but all such solicitations and collections of funds shall be in accordance with and subject to such rules and regulations as may be prescribed.

(c) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

AMERICAN REPUBLICS

SEC. 9. This joint resolution shall not apply to any American republic engaged in war against a non-American state or states,

provided the American republic is not cooperating with a non-American state or states in such war.

RESTRICTIONS ON USE OF AMERICAN PORTS

SEC. 10. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port or from the jurisdiction of the United States, fuel, men, arms, ammunition, implements of war, supplies, dispatches, or information to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port or from the jurisdiction of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any fuel, supplies, dispatches, information, or any part of the cargo, to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a).

(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously departed from a port or from the jurisdiction of the United States during such war and delivered men, fuel, supplies, dispatches, information, or any part of its cargo to a warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), he may prohibit the departure of such vessel during the duration of the war.

SUBMARINES AND ARMED MERCHANT VESSELS

SEC. 11. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

NATIONAL MUNITIONS CONTROL BOARD

SEC. 12. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the Board). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this section, or by other law, the administration of this section is vested in the Secretary of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

(b) Every person who engages in the business of manufacturing, exporting, or importing any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $100.

(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Board the name of the purchaser and the terms of sale and having obtained a license therefor.

(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

(f) Licenses shall be issued by the Secretary of State to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

(h) The Board shall make a report to Congress on January 1 and July 1 of each year, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war, including the name of the purchaser and the terms of sale made under such license. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder, including the name of the purchaser and the terms of sale made under such license.

(i) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

REGULATIONS

SEC. 13. The President may, from time to time, promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.

GENERAL PENALTY PROVISION

SEC. 14. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000, or imprisoned not more than 2 years, or both.

DEFINITIONS

SEC. 15. For the purposes of this joint resolution—

(a) The term "United States" when used in a geographical sense includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

(b) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

(c) The term "vessel" means every description of watercraft and aircraft capable of being used as a means of transportation on, under, or over water.

(d) The term "American vessel" means any vessel documented, and any aircraft registered or licensed, under the laws of the United States.

(e) The term "state" shall include nation, government, and country.

(f) The term "citizen" shall include any individual owing allegiance to the United States, a partnership, company, or association composed in whole or in part of citizens of the United States, and any corporation organized and existing under the laws of the United States as defined in subsection (a) of this section.

SEPARABILITY OF PROVISIONS

SEC. 16. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

APPROPRIATIONS

SEC. 17. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution.

REPEALS

SEC. 18. The joint resolution of August 31, 1935, as amended, and the joint resolution of January 8, 1937, are hereby repealed; but offenses committed and penalties, forfeitures, or liabilities incurred under either of such joint resolutions prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of either of such joint resolutions or of any rule or regulation issued pursuant thereto may be commenced and prosecuted, in the same manner and with the same effect as if such joint resolutions had not been repealed.

SEC. 19. This joint resolution may be cited as the "Neutrality Act of 1939."

Mr. BARKLEY. Mr. President, I have no purpose at this moment to discuss the House joint resolution; but, in view of the fact that numbers of Senators have asked me about the procedure during the consideration of the joint resolution

I wish to make a very brief observation before the Senator from Nevada [Mr. PITTMAN] proceeds to discuss the measure.

I am sure that all Senators, as well as all the people of the United States, appreciate the seriousness of the legislation which we are about to take up for consideration. I think I am not exaggerating when I say that the discussion of the pending joint resolution during its consideration by the Senate may go down in history as one of the historic discussions of the Senate of the United States. I have been asked by many Senators how long the debate will continue, and how long it will be before the Senate can vote on the measure. I have no predictions to make as to that. I shall proceed, and I think all of us have the right to proceed, on the assumption that every Member of the Senate, regardless of his position on the measure, is actuated by the sincerest motives, and a desire to conserve the welfare and protect the interests of the United States of America above every other consideration. Therefore, I think we can all agree that the debate ought to proceed without personalities and without any implications as to the motives of anybody in this Chamber or elsewhere in any official capacity with respect to the final consummation of the legislation under consideration.

Of course we all hope that the debate will be orderly and speedy, giving to every Senator, without curtailment, the right to engage in discussion on the subject, pertinent to the issue, and legitimate for the consideration not only of the Senate but of the country, and I might even say of the world, because what is said and done here will not only affect the opinions and the attitude of Members of the Senate but it will have an effect upon the opinions of the people of the entire United States and of the entire world, for I think I am well within the truth when I say that the nations of the entire world will be watching the discussion and the final action of the Senate upon this important matter.

Therefore, it is desirable that we proceed as rapidly as possible, giving to every Senator full opportunity to discuss the merits of the proposal. It is not our purpose now to deviate from the ordinary procedure of the Senate, by which I mean that it is planned to assemble here at 12 o'clock, and to carry on our discussion or consideration of amendments and the merits of the proposal itself until the usual hour of recessing, around 5 o'clock or thereabouts. It is my belief that with nothing except this measure to be considered by the Senate, and with no committees in session dealing with other matters, there will be no need for the usual morning hour during the consideration of this measure. Therefore it will be my purpose to ask the Senate to recess from day to day unless occasion should require a different course.

I wish to express the hope and, I believe, the conviction, that all Members of the Senate, regardless of political affiliation and regardless of their attitude on this measure, will cooperate in the speedy and prompt and yet deliberate consideration of the measure, and that all those who intend to speak upon it will prepare themselves, so that, as I have heretofore said, we shall not be required to adjourn or recess in the middle of the afternoon because no Senator is prepared to go on with his address.

I am sure that this debate will be kept upon a high plane, befitting the subject which is under discussion, and befitting the Senate of the United States, and after the debate I am confident that, whatever the result, the American people will feel that they have had their day in court, and they will abide by the result of the decision which is to be rendered by this body in conjunction with the other branch of the Congress.

In concluding my remarks, I may say that I think I have in them expressed the opinion of my dear friend the minority leader, the Senator from Oregon [Mr. MCNARY], and I believe of all other Senators.

Mr. MCNARY. Mr. President, the observations of the very distinguished leader are satisfying and fair. They conform to an understanding we have had in conversations during the last 10 days. I wish to assure the Senator from Kentucky that Republican Senators on this side of the Chamber will not unnecessarily prolong the debate. All they ask is opportunity for full and free discussion of this important subject, and I can assure cooperation along that line.

Mr. PITTMAN. Mr. President, before I present a brief prepared statement, which distinguishes between the joint resolution reported by the Foreign Relations Committee and the existing law, I wish to make a few observations.

The amendment reported by the Committee on Foreign Relations, in the nature of a substitute for the joint resolution as it passed the House, is one amendment. Under the parliamentary rules of this body it will be subject to amendment, as will the originial text of the House joint resolution, which is also shown in the print in the form of matter stricken out.

The Committee on Foreign Relations of the Senate has been considering the general subject of neutrality for a number of years. It has had several hearings of great importance. At the last session, over a period of months, there appeared before the committee the most distinguished international lawyers and statesmen in the United States. At those hearings I believe every possible thought with regard to this subject was thoroughly expressed. There were pending before the committee at that time several joint resolutions and bills having as their object the amendment of the existing neutrality law or the substitution of an entirely new law therefor. Those bills and joint resolutions, in the very nature of things, were given more or less consideration at the hearings. They were certainly constantly in the minds of the members of the committee. Shortly before adjournment there were brought to the attention of the Committee on Foreign Relations these various measures, as well as House Joint Resolution 306, which had passed the House of Representatives and which had been referred to our committee for action.

The majority of the committee deemed it wise not to take up the proposed legislation at that time, but in lieu of a motion being made to proceed to the consideration of the House joint resolution a motion was made that further action on all neutrality legislation be postponed until the next session of the Congress, carrying with it the inference that if an extraordinary session of Congress should be called, proposed legislation affecting neutrality would be brought up as the first order of business and disposed of.

As soon as the Congress was called into extraordinary session members of the committee assembled in order to ascertain whether or not there was any legislation on which a majority of the committee could agree and report to the Senate, so that the Senate might take such action with regard to it as it saw fit to take. A majority of the committee was generally in favor of the repeal of the embargo provisions of the existing law. The question which was to be presented to that majority was as to whether they could agree on other provisions of law affecting neutrality.

A subcommittee on drafting was appointed and a tentative draft of a substitute for the House joint resolution was made. It was considered carefully, paragraph by paragraph, even sentence by sentence, by the group which subsequently, with the exception, I believe, of two members, voted for the report.

As the chairman of the Committee on Foreign Relations, and as the one who made the report on behalf of the majority of the committee, I feel it is my duty to state, as briefly as possible, what the substitute contains, the changes it makes in existing law, and the purpose of such changes, together with the effect it is hoped will be attained by its enactment. I have prepared a very brief statement. I have prepared it because I desire to be exact, beyond question, in any statement I may make, and so that in attempting to express the reasons which actuated the members of the committee who joined in the report, I may not even exaggerate any matter.

I hope that as I discuss this matter, and give the reasons for each proposed change, I will not be interrupted by questions. It is possible, indeed probable, that I will later touch on some question a Senator may have in mind. He may think that the question he desires to ask deals with a primary subject which I might not so consider. The questions may

not be presented in the order in which some Senators might like to have them presented. It will be but a short time before I finish with the prepared statement, and if any Senator shall then desire to ask me a question with regard to the nature of the proposed legislation, I shall be happy to answer it to the best of my ability.

Mr. President, let me observe, in the first place, that in my opinion, no such grave situation has threatened the world in all history as that which now confronts it. The rapidly multiplying tragic events in the world today are appalling, and arouse a feeling of fear and distrust in the minds of all people. The inconceivable developments in the European controversy strike with palsying force on the minds of even the most astute statesmen, confusing reason and delaying action. There is not cause for fear now that we will be drawn into the brutal and widening conflict, and yet, Mr. President, we, as the representatives of a peace-loving, democratic people have no right to refuse to take into consideration that such war, or a war that develops out of it, may some day be brought to the gateway of our own country. There would seem to be, fortunately, no sufficient grounds for fear of being drawn into this war as we were forced into the World War, so long as we conform to the admitted precepts of international law and prevent our citizens from subjecting themselves to destruction in the mad war raging in Europe.

It is not the destruction of property that arouses a war spirit in our people. It is the illegal destruction of the lives of our citizens. It is what we conceive to be the illegal destruction of the lives of our citizens. This was the cause asserted by Woodrow Wilson in his war message to Congress before our entry into the World War.

Unfortunately, we had no domestic law at that time granting sufficient restraint upon our citizens and upon American vessels and their cargoes. We stood firmly on international law as recognized by belligerents and by neutrals in their conduct toward each other. We discovered that the law of self-defense, the law of existence, superseded the international law during the war insofar as the belligerents were concerned. Some able statesmen contend today that we were dragged into the war by our citizens granting too large credits to some of the belligerent powers. That cause might have affected the desires of some to enter the war. I deny that such alleged cause had any effect upon Woodrow Wilson; I deny that any such alleged cause had any effect upon the Members of the United States Senate. I do not believe that there was a man so unpatriotic and so inhuman that he would vote for the entry of our country into that annihilating war, with its inevitable death and destruction, on account of the destruction of property, or for the purpose of collecting debts for anybody.

I lived through the conditions leading up to that war, through the war, and the post-war conditions, as a Member of the United States Senate, and as a member of the Foreign Relations Committee and the Committee on Naval Affairs of the United States Senate. I do not call attention to this fact for the purpose of intimating that I know more about the history of that war than can be known by anyone else who studies its history; I mention it solely for the purpose of asserting that it was the inhuman and illegal killing of our seamen on the high seas in March 1917 which impelled me to vote for the war resolution.

I do not desire to take time to quote from the able speeches delivered by Members of the United States Senate and the House of Representatives on the war resolution to confirm this assertion. Let me, however, quote a few lines from the address made in the Senate on the war resolution on April 4, 1917, by the distinguished Senator from Idaho [Mr. BORAH], who, we are happy to say, is still giving his great services in this body to the United States Government. I want Senators to listen to what the Senator from Idaho said in that great speech. It is the most eloquent language I can conceive. It is a clear-cut and definite statement why the United States should enter the war. Listen to it:

> It was not mere selfishness; it was not base and inconsidered fear; it was not a pusillanimous contemplation of sacrifice or the forfeiture of ease that drove our thoughts back upon ourselves and sent the mind in search of a policy which would best conserve and perpetuate our happiness and the welfare of our people. That charge has been laid at our door, but it is unjust. It was rather, in my belief, the inestimable and, I trust, the imperishable principle and feeling of nationality; it was the love of home; it was devotion to our own; it was the passion of patriotism, the most sublime passion which stirs the heart of man, save that which binds him to his Maker.

Those eloquent remarks made just before the Senate cast its vote on the question of our entering the World War should cause to bow their heads in shame and humility those public men who today attempt to influence the minds of the people of this country by accusing Woodrow Wilson, by accusing the Senator from Idaho, by accusing every great man who was impelled to vote for that war resolution, of having been influenced by the manufacturers of arms and ammunition, of having been influenced by some to whom debts arising from the war were due. My God, I hope that never shall our country be slandered in that way in the future.

Let me read a little more from that great speech.

Mr. President, that speech is so great it should be read often. I continue to read from it:

> Actuated, therefore, by the hope—by the just and righteous hope—that our people might be spared participation in this war, and in harmony with the strong and universal passion of our people for peace, we drew back in every way from the contest. We announced that we intended to be neutral and desired peace. We were even chary in urging the ordinary rights which belong to a neutral power. We were conciliatory in everything save our desire for peace. We appealed to old historic incidents to revive the memory of friendly days, and to old friendships that present friendships might be prolonged. We did everything that a self-respecting nation could do. We did more than any other nation of prestige and of power ever did to remain out of the conflict and to signify to the world our desire for peace.

Yet, Mr. President, some thoughtless statesmen say that Woodrow Wilson led us in to the last war and that Franklin Roosevelt is trying to lead us into the present war, or is actually leading us into war as Woodrow Wilson was said to have led us into war.

I read a few more lines from this great speech:

> Look about us for a moment, listen to the warning which comes to us from every quarter as to what lies beyond in case we pursue this policy of indifference to our rights. May I recur for a moment to the fact that more than 500 of our citizens, men and women, have been assaulted, ravaged, murdered, or assassinated within the very sight of the flag, within the call of the Stars and Stripes, and within hearing distance of our own border. We have submitted in patience. A few years ago we went to war with that same country for territory. Shall we now be charged with impatience if we serve notice now, when our citizens have been slain, that when the challenge comes or the right is invaded the American Republic will protect its own?
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> Our commerce has been destroyed; our ships have been driven from the ocean; our people have been drowned or left to perish upon the midnight sea. What more could a people do to evidence to the world their desire for peace than to do what this Nation has done for the last few years? I repeat that, whatever may be said in justification of the course which has been pursued in the past, it must be evident to every mind that a different policy is not only essential to the protection of our people but is of itself the best guaranty of peace.
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> We have at this time not only no division, in my judgment, among the great rank and file of our citizens, but fortunately we have no division in our country. There is no longer any North or South or East or West, but one united country, meeting, as we fully understand, a perilous and tremendous situation. We enter this war, therefore, not disunited, not discordant, but as men who believe that their rights have been invaded, their privileges assailed, their Government attacked, and who are willing to meet the situation not as they have made it but as others have made it for them.

We are a united country! As President Woodrow Wilson said in his war message, it was not the destruction of property, it was the destruction of the lives of our citizens, and the continued destruction that impelled us to take the action we took. Yet we hear men in high places charging today that Woodrow Wilson led us into that war. I take the evidence of the Senator from Idaho as absolutely refuting that charge. The country took the Congress along with it, and the Congress of the United States had the power to declare the war. Mr. President, never again let it be said that we were brought into the last war because of such selfish causes as have been alleged.

That speech is similar to every speech that was made for the adoption of the war resolution. It expresses the impelling reasons of every Senator who voted for that war resolution for our entry into the World War; and, therefore, I am impatient with the arguments which attempt to convince the people of our country that the debts that were owed to our citizens by the belligerent powers or their nationals was the selfish cause that led us into the war. I think the statements of the Senator from Idaho at the time on the adoption of the war resolution absolutely deny that we took the position that we did take by virtue of any selfish cause. Prior to March 12, 1917, while Germany, as the Senator from Idaho said, had taken the lives of a number of our citizens, still Germany was attempting to provide safety for the lives of our seamen in the submarining of our merchant vessels. However, on March 12, 1917, Germany commenced to put into effect her proclamation of unlimited submarine warfare. She had proclaimed that after February 1 she would sink, without notice, every vessel, neutral or belligerent, neutral dealing with neutral or with belligerent, in an unmarked zone on the high seas hundreds of miles from shore, including practically every port in Europe.

From March 12 until April 2, when the President delivered his message requesting a declaration of war, six of our vessels were sunk, with the loss of the lives of 63 of our seamen. That was the end of 3 long years of patient submission to Germany's illegal destruction of the lives of our citizens.

In 1937 our Government determined to suspend some of its rights under international law during widespread war. We placed restrictions upon our citizens and upon their property, and upon American vessels, such as had never before been enacted in this country or any other country in the world. We did not abandon those rights under international law. We simply suspended them during the war rather than to fight for them, reserving the right, however, to demand reparation after the war for any illegal acts committed against our citizens or their property. We placed an embargo on the export to belligerent powers of certain things that we defined as arms, ammunition, and implements of war. The list of articles defined in the act as subject to embargo consists of only a few manufactured articles, being chiefly guns and the ammunition for guns, war vessels and the guns and ammunition for war vessels, aircraft, and injurious and destructive gases.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the list of manufactured articles which are defined in the act as "arms, ammunition, and implements of war."

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. PITTMAN. The embargo list cannot be enlarged, because it is defined in the act of Congress. By name it purports to include instruments of war; and yet it does not include oil, which propels the battleship and the submarine, or gasoline, which makes it possible for the airship to fly; it does not include cotton, from which gun cotton, one of the highest explosives, is made; it does not include copper or copper tubing, out of which the shells for guns are made; it does not include scrap iron, steel, iron, lead, zinc, or any other raw material used in the manufacture of those things in the list of arms, ammunition, and implements of war. Yet we know from the contraband lists of Great Britain and Germany that all these materials not contained in such embargo lists will be seized or destroyed by belligerent powers if they believe that such materials are moving to their enemy. Is there any doubt that Germany, under its contention that its submarines cannot safely rise to the surface and search and seize contraband on a merchant vessel, will eventually pursue exactly the same policy as it pursued in March 1917? Is there any doubt that if the war lasts long enough, and the situation of countries becomes desperate enough, they will resort to any form of destruction of contraband and vessels carrying contraband to their enemy?

How are citizens protected by prohibiting the export of a few manufactured articles while we permit the export to any of the belligerent powers of all the other things which are designated by the belligerent governments as instruments of war?

It seems to me that the strong and almost fanatical zeal of some of our Senators in treating these particular goods as distinguished from other instruments of war and retaining them on the embargo list is actuated, even if unconsciously, by pride of past attitudes.

I may have that pride of past attitudes. I voted for and spoke for the embargo on arms, ammunition, and implements of war. I thought it would help us. Today I do not see how it can possibly help us, and I believe that it helps Germany while injuring Great Britain and France. If I am right, its effect is unneutral and unfriendly.

Even some distinguished Senators contend that the embargo provision is the symbol of neutrality. It is only another catch word that leads the American people to believe that the repeal of the embargo list is the repeal of all neutrality legislation. The swastika was originally the symbol of the National Socialist Party of Germany. Today it is a symbol of a different character of government. There is no doubt a strong sentiment in the minds and hearts of the people of this country against engaging in the mass murder which attends war today. All of us have the same feeling of horror regarding such a thing. Many persons believe that prohibiting the export of what are defined as arms, ammunition, and instruments of war will entirely eliminate us from any part in the destruction of human lives during war. How mistaken and unfounded is this conception! If export of war materials is participating in war then we are participating in mass murder by the Japanese in China today. Does anyone doubt or deny it? Japan imports from us a proportionately small quantity of manufactured arms, ammunition, and implements of war listed in the embargo provisions of our law. She purchases from the United States 80 percent of the gasoline used to propel her airplanes, which carry death-dealing bombs to the civil as well as the military populations of China. She purchases in the United States most of the scrap iron with which she manufactures the bombs which airplanes drop on the people of China. She purchases our cotton for the purpose of making high explosives. She purchases all of the metals and other raw materials used in the manufacture of arms, ammunition, and implements of war; and yet they are not on our embargo list.

I introduced in the Senate a resolution which would grant to the President the power to embargo the export of such materials to Japan. The Foreign Relations Committee delayed action upon the resolution for fear it might violate a treaty of commerce and amity that we have with Japan.

If an embargo is necessary to keep us out of war, then let us place an embargo on all of the instruments of war and on all of the materials that enter into the manufacture of all arms, ammunition, and instruments of war. Is not that course logical? Is there any answer to it?

I do not consider that such an embargo is necessary for such a purpose. I do not think it is so much a question of the character of goods that we permit to be exported, but rather of the use of our American vessels in the export to belligerents of any material declared by the belligerents to be contraband of war. There has been no stronger supporter of international law in the United States Senate, nor is there now a stronger supporter, than the senior Senator from Idaho [Mr. BORAH]. Yet he knows that under the recognized and accepted principles of international law which have governed the conduct of both belligerents and neutrals during the period of war any neutral may permit its nationals to sell anything to belligerents without becoming unneutral. The embargo provision of the existing law is, in my opinion, the only departure from international law. The other provisions in our existing neutrality act and in the proposed substitute are domestic in their nature, and are not in conflict with international law.

It has been charged by Senators and other able men throughout the United States that to repeal the embargo provisions of our neutrality act and place the materials now subject to embargo in the same category with all other instruments of war and all other goods listed as contraband by the belligerent nations would be a discrimination in favor of Great Britain and France and injurious to Germany. We might put it the other way and say that the maintenance of such embargo is today a discrimination in favor of Germany because it prevents Great Britain, which is surrounded by water, from purchasing in our market arms, ammunition, and implements of war, whilst Germany, being a land power, has access to arms, ammunition, and implements of war that may be legally imported into Russia, Italy, Rumania, Yugoslavia, and other neutral countries.

Does anyone deny that? The embargo has been placed in force and effect against the belligerent nations, Great Britain, France, Germany, and Poland, but it has not been put into effect as against Italy, because Italy is still considered a neutral. It has not been put into effect as to Russia or Rumania, because they are not in a state of war.

Before the recent changed events in Europe there might have been some foundation for the argument that the repeal of the Embargo Act would discriminate in favor of Great Britain and France because such countries are supposed to have control of the sea. Now we find Italy neutral and therefore not subject to our Embargo Act. Italy can legally import from the United States any arms, ammunition, and implements of war, because the Embargo Act applies only to belligerents. Can these goods or substitutes for these goods be transferred to Germany from Italy, Russia, Rumania, and Yugoslavia?

It may be said that the Embargo Act states that such goods shall not be exported to a neutral for reshipment to a belligerent. Is it not obvious that under the espionage system and the censorship which exist in belligerent countries in Europe today we could never obtain proof during war as to what was done with arms and ammunition imported into a neutral country? To attempt to obtain such information would be considered an unfriendly act by the neutral. And if the United States Government should refuse to give a license to export to Italy under the belief that the goods were being exported into Germany, would not that arouse in the minds of the Italian people a feeling of hatred against our Government and our people? But if Italy should import arms and ammunition from the United States and did not export them to Germany would there be any law against Italy transferring her own manufactured arms and ammunition to Germany and keeping our products in lieu thereof?

That is, legally she can buy one plane from us and keep it, and can then send to Germany another plane which she has manufactured. Does not the same situation exist today with regard to Russia? Russia is a neutral country. Not even Great Britain and France have declared that Russia is in a state of war. Russia can import our arms, ammunition, and implements of war by way of both the Atlantic, the Pacific, and the Arctic. Rumania can legally import arms, ammunition, and implements of war—all of the arms, ammunition, and implements of war she seeks—because Rumania is a neutral and the Embargo Act does not apply to Rumania. And yet we know that Germany has forced a treaty upon Rumania compelling Rumania to permit Germany to import from Rumania any articles and materials she sees fit. As a matter of fact, this treaty grants to Germany absolute domination over the industries and transportation of Rumania.

Italy is a neutral and Russia is a neutral, but we know that there is an alliance between Italy and Germany. We know that they have agreed to cooperate. We know that there is an agreement between Russia and Germany through which they are cooperating. Is it not evident that the accepted principles of international law with reference to neutrals maintaining open markets were founded in wisdom, and that this alone constitutes the highest neutrality?

Is it not evident that we cannot through voluntary, artificial laws with reference to imports by belligerent countries maintain in changing events either neutrality or equity?

As between having a law that prevents Great Britain and France from receiving arms, ammunition, and implements of war, and that permits Germany to receive implements of war indirectly through those countries she dominates and through those with whom she has treaties, I would rather that there should be no embargo law, because if there were no embargo law Great Britain and France could get arms and ammunition, subject to destruction by submarines, and Germany could get arms and ammunition and implements of war through the ports of Russia, Rumania, and Italy. That would certainly be fairer.

I contend that any such laws will have changing effects from time to time and in the end must arouse the enmity of many governments and many people. Unfortunately, the people of this country, through the wording of polls conducted by various institutions asking the question, "Are you in favor of the repeal of the neutrality laws?" and through the careless speech of public men, have been led to believe that the issue now before the United States Senate is as to whether we will maintain the present neutrality laws or repeal them. The Foreign Relations Committee are not only opposed to repealing the present neutrality legislation but they propose to reenact it in a very much more mandatory and restrictive manner.

With the exception of the embargo clause, we propose to reenact the section of the old law which by its own terms expired on May 1, 1939, as to the requirement that the title and possession of property before it is exported shall be divested by the American citizen.

We have strengthened this provision by adding thereto that any loss incurred by any citizen, either in the sale or transfer of the property, shall not be a basis for a claim to be made by the United States Government. In other words, the law would prevent the United States Government in any case, whether legal or otherwise, from attempting to collect any damages that may be suffered by an American citizen in the sale of property to a belligerent or to a national of a belligerent.

I venture to assert that substantially all Senators who are opposing the proposed substitute are in favor of such strengthening of that provision of the so-called cash-and-carry provision. But your committee, in reporting the substitute, have gone much further than that. The old law with regard to "carry" which expired on the 1st day of May 1939, vested in the President the discretion to determine whether American vessels should be prohibited from carrying any articles and materials to belligerents, except the few manufactured articles listed in the existing law as arms, ammunition, and implements of war. By the proposed substitute American vessels are mandatorily prohibited from carrying anything to belligerents.

In my opinion, this is the most important legislation that has ever been proposed to Congress or ever enacted into law for the purpose of keeping us out of a European war. If our vessels cannot carry on commerce with belligerents and the belligerent powers know it, there will be little excuse, if any, for the destruction of American vessels on the high seas with the inevitable loss of the lives of our seamen. Certainly the peace-loving Senators who oppose the proposed substitute are in favor of such mandatory legislation.

I have every confidence in the President of the United States. I have confidence in the declaration that he intends to do everything in his power to keep us out of war. I have confidence that if granted the discretion with regard to prohibition of our vessels from engaging in commerce with belligerents that he would exert such discretion. However, the policy of our Government is vested in the Congress of the United States, and it should not, in my opinion, delegate such authority, where it is unnecessary, to the President or any other single man or group of men. We know that the delegation of such authority is not only unnecessary but unwise.

I fully realize that such provision may be injurious to some extent to our merchant marine. I fully realize the value of the merchant marine to the United States, not only in time of peace but in time of war. I doubt, however, if our merchant marine will be seriously injured by such prohibition. We remember that during the World War substantially all of the vessels of every country left the Pacific and the South Atlantic for the purpose of engaging in the very remunerative if dangerous trade with the belligerent countries. The owners of vessels at that time felt that they could risk the dangers by reason of the high freight rates they received and the fact that their vessels were insured. Yes, the owners of the vessels, in consideration of the extremely high profits on transportation, could take a chance of losing their vessels; but how about the American seamen that traveled on those vessels? No one could adequately insure their lives, and, in fact, I know of no case in which their lives were insured. The loss of vessel and the cargo might be compensated for, but there was no adequate compensation for the loss of the American citizens on board such vessels.

We do not intend that American seamen shall be subjected to such dangers.

We do not intend to leave that to the discretion of any man, no matter how good and wise he may be. We propose that Congress shall make it unlawful for American vessels to trade with belligerents. It may be that our American vessels will have to engage more or less in the trade on the Pacific and the South Atlantic, abandoned by the vessels of other countries. This in the long run may be a great benefit, not only to our shipping interests but to our exports. It will permit us to establish a trade firmly and permanently in places where we now are finding great difficulty in promoting such trade in competition with the vessels of other countries.

I saw only recently a statement attributed to a member of the United States Maritime Commission in which he confirmed to a large extent the views I have just expressed, and, in addition, in this statement it was reported that the Maritime Commission was preparing to build a large number of additional American vessels. Certainly this board of experts would not have prepared to build additional vessels if they thought it was possible that there would not be sufficient cargoes for the present vessels in our merchant marine.

And yet, no matter what the effect may be on our merchant marine, it is the most essential proposed law to the preservation of the lives of our citizens and the peace of our country, and therefore no patriotic citizen will oppose making such sacrifice. And if a great sacrifice is made, it is better that our Government as a government should assume such losses than that our merchant vessels should be permitted to engage in commerce with belligerents. This commerce must and shall be discontinued during war.

There is another provision in the proposed legislation that is a subject of some controversy, not only in the Senate but throughout the country. I refer to section 7 (a) of the proposed substitute joint resolution entitled "Financial Transactions." The objection appears to be not to what is in the existing law but rather to an addition to the existing law made by the Foreign Relations Committee. Mind you, the existing law is just the same. Here is what is added; it is an addition to the proviso giving the President discretion to permit short-time credits and usual commercial transactions. The committee felt that the existing law, in giving the President the right to permit the extension of credit for short-time loans without defining what a short-time loan was or customary credits without saying what are customary credits, was not sufficiently definite. So this is what the committee added to that proviso—

> But only if such credits and obligations have maturities of not more than 90 days and are not renewable. If any government, political subdivision, or person to which credit has been extended pursuant to the authority vested in the President under this subsection is in default in whole or in part upon any obligation to which such extension of credit relates, no further extension of credit to such government, political subdivision, or person shall be made or authorized under this subsection during the period of such default.

Now we hear it said by some, "We are opposed to 90-day credit transactions, drafts payable 90 days from date instead of at sight." They are opposed to it, and yet they oppose the substitute which places the greatest conceivable restrictions on foreign governments in its efforts to make them pay their 90-day accounts. The proposed provision is more effective in time of war than a penitentiary sentence. Any government knows that if it does not pay its 90-day obligations it cannot get any more credit.

The existing law, approved May 1, 1937, is copied identically in the proposed substitute, except as to the matter added by the committee limiting the discretion of the President in the proviso to said section of the existing law.

Now it is strange, in fact incomprehensible to me, that 63 Senators voted for that section of the existing law and only 6 against it at the time such bill was being acted on in the United States Senate, where far greater discretion is given to the President than is proposed in the substitute now under consideration by the Senate, and some of them now oppose the proposed amendment, which is more restrictive. There is little doubt as to how the President would interpret the existing law under his discretion, because a similar restriction upon the purchase, sale, or exchange of bonds, securities, or other obligations of governments in default to the United States with regard to any debt is carried in the so-called Johnson Act. The Johnson Act, however, did not contain any proviso such as is found in the existing law granting to the President the discretion to except from the operations of the act ordinary commercial credits, and short-time obligations in aid of legal transactions, and of a character customarily used in normal peacetime transactions. There was no discretion in the Johnson Act. It was just an absolute prohibition, such as is found in section 3 of the existing law and section 7 (a) of the substitute, without the proviso giving discretion to the President.

The Johnson Act was passed on April 3, 1934. It became necessary for the Treasury Department to make rules and regulations to carry out that act.

A conference was called at the Treasury Department between the representatives of the Treasury Department, the State Department, and other departments of the Government. The Attorney General of the United States was called in. He gave an opinion on the subject on May 5, 1934. This opinion is found in volume 37, on page 506, Opinions of Attorneys General. Now, mind you, no discretion whatever is given under the Johnson Act. I read from the opinion:

> This, I think, is indicative of a purpose to deal with such bonds and securities and with other obligations of like nature, observing the rule of ejusdem generis—that is, obligations such as those which had been sold to the American public to raise money for the use of the foreign government issuing them—not contemplating foreign currency, postal money orders, drafts, checks, and other ordinary aids to banking and commercial transactions, which are obligations in a broad sense but not in the sense intended. It was obviously not the purpose of the Congress to discontinue all commercial relations with the defaulting countries.

I understand that the Senator from California [Mr. JOHNSON], the author of such legislation, was present at the conference. In any event, the rules and regulations adopted for the administration of that act, so I am informed, provided for the purchase of such goods with checks and drafts and other securities in accordance with the customary and normal peacetime transaction. I will have the rules and regulations so prescribed set out in full at the end of my address. I am informed that drafts and checks payable 90 days after date are in accordance with the usual practices with regard to export trade and are considered as cash payments. Certainly it cannot be meant that goods that may be legally purchased are to be paid for at the time of purchase with actual money, unless checks and drafts are deemed to be actual money. We know that in the United States at least 95 percent of our commercial transactions are conducted through checks and drafts and bank credits. In the very nature of things it requires some time for a draft or a check upon a foreign bank received by an American citizen to be transmitted through banking channels to the foreign drawee before the seller can get actual credit for the money due him.

It must be understood that the provision added by the Committee on Foreign Relations to existing law is a mandatory limitation upon the President of the United States. He is not compelled to permit any extension of credit to a belligerent government with regard to any transaction. He will undoubtedly be extremely cautious in permitting any such extension of credit. This is not an extension of credit by the Government. It is only permission of the President for the seller, the American citizen, to extend credit to the belligerent government buying such exports. Yet, if the President in any transaction permits such extension of credit, it cannot exceed 90 days, and if such government is in default under the proposed substitute it cannot receive an extension of credit with regard to any transaction. It would seem that this mandatory restriction upon the extension of credit would impel every belligerent government to meet such obligations on every transaction.

The proposed legislation has imposed many stringent restrictions upon our citizens, upon their property, and their commerce. Restrictions have been imposed beyond those ever imposed by any government of the world, so far as I can ascertain. Our citizens are compelled to make great sacrifices under these proposed laws for the purpose of protecting the lives of our citizens and the peace of our country. We must be careful not to further obstruct or stop our exports.

The condition with regard to industry and labor in this country today is so deplorable that further obstructions to our exports would bankrupt large sections of our country. Even today departments of our Government which have had to take over large quantities of cotton and wheat are resorting to various methods and schemes in an effort to find an export market for such articles. The Congress of the United States can know on January 1 all the facts with regard to all of our exports, not only to belligerent countries but to nationals of belligerent countries, and the neutral countries and their nationals.

The committee, in its proposed substitute, has amended the act with regard to the National Munitions Control Board. In addition to everything that is required of exporters in the existing act, it is now provided that those seeking a license to export must state, in addition to other facts required, the name of the foreign purchaser and the terms of sale; and, remember, the President has the authority to include in the list of those things for which an export license shall be required every commodity, article, or thing. Again, the act has been amended by requiring the National Munitions Control Board to report all of the facts in their possession with regard to exports to the Congress of the United States on the 1st day of January 1940, and every 6 months thereafter. If Congress, after examining any such report, finds there is any necessity for any greater restriction upon exports, they will have the facts upon which to base such legislation. Let us obtain a little experience with regard to these matters before we enact permanent legislation.

There are only three other important changes in the existing law. Section 1 of the existing law, which I shall try to describe very briefly, with reference to the proclamation that a state of war exists in some country, now provides that the President must not only find that a state of war exists, but that it is necessary to promote the security or preserve the peace of the United States, or to protect the lives of the citizens of the United States, before he is required to issue a proclamation that a country is in a state of war. In other words, if a state of war did exist as between two small countries in the interior of a continent, it would be obviously unnecessary to put in force and effect as to those two countries all our neutrality laws.

It would seem wholly unnecessary in such circumstances to bring the whole Neutrality Act into effect, there being no danger to our peace or to any citizen. There is a check on that which is not in existing law; that is, if the President of the United States in such a case did not find that there was any necessity for the issuance of the proclamation because the war was between two small countries, far isolated, but the Congress of the United States had a different opinion, then the Congress by concurrent resolution, which would not, of course, have to be approved by the President, could itself proclaim that a state of war existed. Then the President would have to put into force and effect the rest of the act with regard to belligerent states.

Again, I think the existing law is quite ineffective in another particular. It granted the President of the United States authority with regard to vessels carrying munitions to belligerents, but the penalty for the violation of that law was so insignificant that many a vessel owner would take a chance on conviction. We have made the penalty for violation of the law the same as in the case of financial transactions in the existing law; that is, the fine is not to exceed $50,000, and there may be incarceration in the penitentiary not to exceed 5 years upon conviction. Again, we have extended the same penalty not only to the shipowner, but, if the ship involved is owned by a corporation, to the officers and directors of the corporation.

I think there is only one other provision to which I will have to refer; that is, the authority granted the President to establish combat areas. If Senators will read the section relating to that matter, they will find that it is covered by the same expression of the intent of the Congress of the United States that the President shall first find that the peace of this country or the lives of our citizens are being endangered. Then he may establish a combat area at the point of danger, into which no American vessel may enter; that is, subject to such exceptions and under such rules and regulations as the President may make.

It is essential to allow the President to make exceptions and rules and regulations, because this provision has to do solely with our vessels dealing with neutrals, dealings with belligerents being covered under section 2 (a), which absolutely prevents our citizens from carrying on commerce with belligerents.

There must be in the President power to make exceptions, because an emergency might arise in which it would be absolutely essential for a ship to go through a combat zone for the purpose of carrying emergency officers, or people on relief missions, or things of that kind. It may be absolutely necessary, perhaps, for Army and Navy observers to go on a ship into a combat zone. An exception could be made in such a case. The committee feels that that provision has value. They believe that the time may come, if the war lasts sufficiently long, when the heat of battle will grow, and desperation and fear will increase, and there will be acts of retaliation, until some of the belligerents may start sinking neutral vessels, vessels going to neutral countries, on the theory that those vessels are carrying contraband to neutrals adjacent to an enemy which is reaching the enemy. It will be inevitable that belligerents will sink vessels which are going to neutrals under these and other conditions.

If such things should occur, there would be only one of two remedies our country might take. We would either have to fight for our right to have our vessels deal with neutrals, or we would have to prevent our ships from going into such danger zones. There is only one way to stop them from going into the danger zones, and that is by giving discretion to the President to prohibit vessels from entering such zones. They may never develop. We do not know about that. One may develop and last only a few weeks. It may develop as to one neutral and not as to another. But under the theory that it was the destruction of the lives of our citizens that led us into the last war, and that the same thing might happen from the destruction of the lives of our citizens now, the committee is determined that every power that may be necessary shall be exercised to keep our vessels away from the danger of destruction when dealing with belligerents, or even with neutrals adjacent to belligerents. That is the reason for that provision.

Mr. President, I have tried to briefly cover the different points involved. If I have not made myself clear in regard to any matter, and any Senator desires to ask me with regard to it, I am perfectly willing to answer any question. If no Senator desires to propound a question, I yield the floor.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. OVERTON. As I understand the joint resolution which has been reported by the Senate Committee on Foreign Relations, and which has been so clearly explained by the able Senator from Nevada, who is chairman of that committee, the main difference between the existing legislation upon the subject of neutrality and the joint resolution as reported by the committee is the repeal of the arms embargo, the strengthening of certain existing provisions in our present neutrality law, and the addition of a few others.

I find from my correspondence that there seems to be some confusion in the public mind which I do not think ought to exist, and in order to clarify the matter I desire to ask the able Senator from Nevada whether there is any inconsistency, not as to the wisdom or the propriety of the policy, but whether there is any inconsistency between imposing an absolute embargo on arms, ammunition, and implements of war, and the adoption of a policy of cash and carry as to all other commodities and articles.

Mr. PITTMAN. There is no existing cash-and-carry law. The Senator from Nevada thinks the inconsistency lies very largely in the fact that the expression "arms, ammunition, and implements of war" is a misnomer. Both Great Britain and France include in their contraband list all the component parts of all manufactured arms, ammunition, and implements of war. We think we are protecting ourselves by saying that an airship may not go to a belligerent country, but at the same time we can ship all the gasoline we want to ship with which to run the airship, and no one proposes to bar the shipment of gasoline.

Mr. OVERTON. I understand the Senator's argument in that connection, but the point I am making is whether the Congress of the United States is constitutionally empowered to impose an absolute embargo on arms and at the same time to enact a policy of cash and carry as to all other articles and commodities? I am not asking whether it is advisable, or whether it is the proper course to pursue, or the better policy to follow. But there seems to exist in the minds of a great many persons the thought that we must choose between two things; either we have to have an embargo on arms or we have to have the cash-and-carry plan in effect. I want to know from the Senator from Nevada whether or not the two matters are inconsistent? That is, can we have an absolute embargo on arms and can we have the cash-and-carry plan in reference to all other articles and commodities?

Mr. PITTMAN. That was my opinion of the law at the time I voted for both features of it in 1937.

Mr. OVERTON. But the Congress today can adopt such a policy, can it not?

Mr. PITTMAN. I do not know of anything in the Constitution to prevent the Congress from embargoing the export of anything or regulating the export as is proposed under the cash-and-carry plan. I agree with that; yes, sir. Under international law it was not unneutral for a neutral government to permit its nationals to sell to belligerents, or even to deliver such articles purchased.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield to the Senator from Maine.

Mr. WHITE. The present law, as I have it in mind, prohibits the export of arms, ammunition, and implements of war to a belligerent, or to a neutral for transshipment to a belligerent. The pending bill would prohibit an American ship from carrying anything to a belligerent, but it would not prohibit an American ship from carrying articles to a neutral for transshipment to a belligerent.

Mr. PITTMAN. That is correct.

Mr. WHITE. Will the chairman of the Foreign Relations Committee explain to me and to the Senate why that distinction is made in the proposed law as against the existing law?

Mr. PITTMAN. Under the existing law the owners and officers of an American vessel are subjected to a fine of $10,000 and incarceration, I believe, for 5 years in the penitentiary for violating the act just referred to; that is, for transporting arms, ammunition, or implements of war to a neutral for transshipment, or which go directly or indirectly to a belligerent. In the first place, that places entirely too much responsibility on a shipowner. He is not told in advance that the shipment is to be reexported to a belligerent when it is consigned to a neutral. Let us say he takes arms, ammunition, and implements of war today to Russia. There is no law against that. But if the law provides, as the present law does, that arms, ammunition, and implements of war may not be shipped directly or indirectly to a belligerent, how on earth could the officer in charge of the vessel protect himself against such a provision, which means that he has to know that the shipment is not going directly or indirectly into Germany when it is consigned to Russia?

Mr. WHITE. Mr. President, if I understand the Senator, then the provision in question is a relaxation in the interest of the shipowner because of the conviction that the shipowner would not know what the ultimate destination of the goods was to be?

Mr. PITTMAN. That is what was thought. The Attorney General so thinks, and every one with whom I have talked thinks that the shipowners would be subject to being placed in the penitentiary for something they had done against which they could not guard. We have taken care of that in the combat-area provision.

Mr. WHITE. I think it is true that in a measure it is taken care of in the combat-area provision, but it is perfectly possible that combat areas will not cover all neutrals to which goods may be shipped for transshipment to belligerents.

Mr. PITTMAN. Of course. It is within the power probably of the Munitions Board to refuse to give a license for the shipment of certain airplanes to a neutral if they have evidence that the shipment is going directly to a belligerent. The Munitions Board has control over that. But everyone with whom I have advised believes it is dangerous to say that the one who owns a ship must first determine whether a cargo is going directly or indirectly from a neutral country into a belligerent country. Yet such shipowner is subject to indictment or prosecution by some ambitious district attorney on the theory that he had some letters that indicated that it was going indirectly to a belligerent. I think it is a very dangerous thing for an American citizen to be put in that position. That is what I mean.

Mr. WHITE. The Senator understands I was not criticizing. I was merely asking for the reasons which motivated the committee.

Mr. PITTMAN. That was the reason; that it could not be successfully proven, and it was subjecting the owners of the vessels to too great a punishment.

Mr. President, I ask unanimous consent to have published in the RECORD as a part of my speech and at the end an address I delivered last night on certain phases of neutrality, which I did not have time to discuss today; also the committee report and the embargo list of Great Britain and Germany.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2, 3, 4, and 5.)

EXHIBIT 1

ENUMERATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

By the President of the United States of America

A PROCLAMATION

Whereas section 5 of the joint resolution of Congress approved May 1, 1937, amending the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war," approved August 31, 1935, as amended February 29, 1936, provides in part as follows:

"The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section."

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution of Congress, and pursuant to the recommendation of the National Munitions Control Board, declare and proclaim that the articles listed below

shall, on and after June 1, 1937, be considered arms, ammunition, and implements of war for the purposes of section 5 of the said joint resolution of Congress:

Category I

(1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;

(2) Machine guns, automatic or autoloading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition in excess of caliber .22 for the arms enumerated under (1) and (2) above, and cartridge cases or bullets for such ammunition: filled and unfilled projectiles for the arms enumerated under (3) above;

(5) Grenades, bombs, torpedoes, mines and depth charges, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains.

Category II

Vessels of war of all kinds, including aircraft carriers and submarines, and armor plate for such vessels.

Category III

(1) Aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below.

(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb- or torpedo-release mechanisms.

Category IV

(1) Revolvers and automatic pistols using ammunition in excess of caliber .22.

(2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

Category V

(1) Aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, other than those included in category III.

(2) Propellers or air screws, fuselages, hulls, wings, tail units, and under-carriage units.

(3) Aircraft engines, unassembled, assembled, or dismantled.

Category VI

(1) Livens projectors and flame throwers.

(2) a. Mustard gas (dichlorethyl sulphide).

b. Lewisite (chlorvinyldichlorarsine and dichlordivinylchlorarsine).

c. Methyldichlorarsine.

d. Diphenylchlorarsine.

e. Diphenylcyanarsine.

f. Diphenylaminechlorarsine.

g. Phenyldichlorarsine.

h. Ethyldichlorarsine.

i. Phenyldibromarsine.

j. Ethyldibromarsine.

k. Phosgene.

l. Monochlormethylchlorformate.

m. Trichlormethylchlorformate (diphosgene).

n. Dichlordimethyl ether.

o. Dibromdimethyl ether.

p. Cyanogen chloride.

q. Ethylbromacetate.

r. Ethyliodoacetate.

s. Brombenzylcyanide.

t. Bromacetone.

u. Brommethylethyl ketone.

Category VII

(1) Propellent powders.

(2) High explosives, as follows:

a. Nitrocellulose having a nitrogen content of more than 12 percent.

b. Trinitrotoluene.

c. Trinitroxylene.

d. Tetryl (trinitrophenol methyl nitramine or tetranitro methylaniline).

e. Picric acid.

f. Ammonium picrate.

g. Trinitroanisol.

h. Trinitronaphthalene.

i. Tetranitronaphthalene.

j. Hexanitrodiphenylamine.

k. Pentaerythritetetranitrate (penthrite or pentrite).

l. Trimethylenetrinitramine (hexogen or T_4).

m. Potassium nitrate powders (black saltpeter powder).

n. Sodium nitrate powders (black soda powder).

o. Amatol (mixture of ammonium nitrate and trinitrotoluene).

p. Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients).

q. Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).

This proclamation shall supersede the proclamation of April 10, 1936, entitled "Enumeration of Arms, Ammunition, and Implements of War," on June 1, 1937.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 1st day of May, in the year of our Lord 1937, and of the independence of the United States of America the one hundred and sixty-first.

[SEAL] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL, *Secretary of State.*

EXHIBIT 2

ADDRESS BY HON. KEY PITTMAN, OF NEVADA, CHAIRMAN OF THE COMMITTEE ON FOREIGN RELATIONS OF THE UNITED STATES, MADE DURING THE AMERICAN FORUM OF THE AIR PROGRAM, SUNDAY, OCTOBER 1, 1939

Fellow citizens of the radio audience of America, in the 12 minutes allotted to me I can touch but briefly on the most important phases of the proposed neutrality legislation. The members of the Committee on Foreign Relations of the United States Senate who participated in the drafting of the proposed substitute for the House joint resolution were actuated solely by determination to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests. The names of the distinguished Senators who voted in the Foreign Relations Committee to report out this substitute are known to the people of the United States. These men are just as intelligent and patriotic and love peace just as intensely as the distinguished Senators who oppose the proposed substitute. The world situation today and its possible future effect upon the United States is too serious for us to permit that there be any misundertanding as to the proposed legislation or that legitimate consideration of the subject be obscured by "catch" phrases and appeal to the groundless fears of mothers and fathers.

In the proposed substitute for existing law and for the House joint resolution, restrictions upon the travel of our citizens, upon their trade, and upon our American vessels have been made much more severe than exist in the law today or that have ever been proposed in the Congress of the United States. I will admit on the very start that obedience to this proposed legislation will entail a great sacrifice upon the part of our citizens, but I am confident that every patriotic citizen will be willing to make this sacrifice in the knowledge that it has for its purpose, and will probably have as a result, the keeping us out of the European war.

Let us see in brief what it proposes. It absolutely prohibits American vessels from carrying passengers or any kinds of articles or materials to the warring powers. The old neutrality law, which expired on May 1, 1939, granted the discretion to the President to determine what articles might be transported in American vessels to belligerents with the exception of those few manufactured articles defined in existing law as arms, ammunition, and implements of war. That was the provision in the law of 1937 that Senators opposing the proposed substitute bragged was voted for by 63 Senators and voted against by only 6. Aren't those 63 Senators pleased that we now propose to amend the law by now taking this discretion away from the President and absolutely mandatorily prohibiting our American vessels from engaging in any commerce with belligerents? If they do not favor such change, let them say so now. The old cash-and-carry law, which expired on May 1, 1939, as far as the divesting of title of the American citizen, is reenacted in the proposed substitute, but has been strengthened by providing that any loss by any American citizen in the sale and transfer of title and possession of his goods shall not be made the basis of any claim by the United States Government.

Do not the opponents of the present legislation approve of that additional clause? The provision for a foreigner to take title and carry all goods from the United States applies only to the warring powers, but some of the warring powers might start to submarine our American vessels who are dealing with neutrals adjacent to warring powers, as they did in 1917. We can't afford to allow our American seamen to suffer death through submarining without notice for the sake of trading even with a neutral. We do not know whether such conditions will arise; nor with regard to what neutral it well eventuate; nor can we know how long such action might continue; and, therefore, we have granted to the President of the United States the discretion to place combat areas around those neutrals, commerce with which results in the destruction of our ships, our American vessels, and the lives of our citizens on board, and to prohibit entry by our American vessels into such combat area. It is impossible to conceive that any President vested with such responsibility would use such power necessarily, and it is equally inconceivable that he would refuse to use such power in carrying out the intent of Congress in protecting the lives of our seamen.

Do you know that today there is no law restricting American vessels from carrying scrap iron, steel, lead, zinc, copper, and every kind of metal, oil, gasoline, and every other character of raw material to any of the warring powers? Certainly the opponents of the proposed legislation must favor the absolute restrictions that we propose to enact into law prohibiting the transportation of such materials to the warring powers. Great Britain has issued its list of contraband—that is, articles and materials that may be seized or destroyed if they believe they are going to their enemy—which includes all of the articles that I have named which, under existing law, may be carried by our American vessels to the warring powers. Germany has gone even further in its list of contraband.

It includes every article of commerce. Only recently Germany has sunk Swedish vessels because such vessels were carrying wood pulp to Great Britain. Everyone knows that the chief use of wood pulp is in the manufacture of paper. Oh, yes, wood pulp may be used for the manufacture of other things. In fact, today nearly everything can be manufactured into instruments of war; and yet the opponents of the proposed legislation are willing to defeat the proposed neutrality law simply because those few manufactured articles which are defined as arms, ammunition, and implements of war may be purchased in this country, the same as all other kinds of war instruments, and taken away by warring powers in their own vessels.

All the old provisions, even those that have died by their own terms, are reenacted into the proposed legislation and materially strengthened. There is some question being raised by the opponents of the proposed legislation with regard to section 7 (a) of the proposed substitute entitled "Financial transactions," prohibiting the purchase, sale, or exchange of bonds, securities, or other obligations of the warring powers, or the making of loans, or the extension of credit to such powers, because it is provided that if the President shall find that such action will serve to protect the commercial interests of the United States or its citizens, he may, in his discretion and to such extent and under such regulations as he may prescribe, except from the operation of said section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions.

They forget that that language is exactly the same as was contained in the bill for which 63 Senators voted when the existing law was before the Senate in 1937. They forget that such law is now on the statute books; and no Senator or Congressman to my knowledge has ever made any objection to it in the past. The Attorney General in construing the Johnson Act, which is almost the same laguage as section 7 of the existing law and of the proposed substitute except that such act does not by any proviso grant any discretion to the President to permit the extension of short-time credits, said in part: "This, I think, is indicative of a purpose to deal with such 'bonds' and 'securities' and with 'other obligations' of like nature, observing the rule of ejusdem generis—that is, obligations such as those which had been sold to the American public to raise money for the use of the foreign governments issuing them—not contemplating foreign currency, postal money orders, drafts, checks, and other ordinary aids to banking and commercial transactions, which are 'obligations' in a broad sense but not in the sense intended. It was obviously not the purpose of the Congress to discontinue all commercial relations with the defaulting countries." Ninety-day drafts, checks, and other instruments used in the payment for export goods are generally considered as cash transactions, and the Treasury Department so decided at a conference at which, I am informed, Senator JOHNSON was present. But let us remember that the proviso in existing law rests the permission of the extension of such normal peacetime commercial transactions in the President. I am unwilling to believe or admit that any President of the United States would use this discretion contrary to the best interests of the United States. However, the Foreign Relations Committee have added a mandatory clause to such existing law in the following language: "But only if such credits and obligations have maturities of not more than 90 days and are not renewable. If any government, political subdivision, or person to which credit has been extended pursuant to the authority vested in the President under this subsection is in default in whole or in part upon any obligation to which such extension of credit relates, no further extension of credit to such government, political subdivision, or person shall be made or authorized under this subsection during the period of such default."

If any 90-day checks or drafts of a belligerent government are not paid in full at maturity, then the President is prohibited from granting such government said 90-day extension of credit on any other transactions during such default. Is there any stronger mandatory provision that could be enacted? Do we not know that 95 percent of commercial transactions are conducted through drafts and checks and that a period must elapse between the time of the giving of such drafts and checks and the time when such drafts and checks are presented and credit is given to the seller? Are exports of our wheat and cotton and other usual exports to be obstructed, if not stopped, through the abandonment of the customary methods of payment for such goods? We are voluntarily placing great restrictions upon our citizens and their industries without absolutely taking the chance of stopping all exports. Our country is not in a condition today to bear any such additional burdens.

I am impatient at the hocus-pocus that whatever we do today will be a step toward war because tomorrow Congress will yield to persuasions to do things that they believe wrong today. A distinguished Senator of the United States enunciated this baseless contention when he said recently in a national broadcast: "The next step will be to make loans to the Allies to protect the credit that has been advanced." Well, would the Senator vote to give authority for our Government to loan money to a belligerent government for such purpose? Of course not. Would any Senator who opposes the proposed legislation vote to grant such authority? Of course not. Would any patriotic Member of Congress cast such a vote? I don't believe it. I have just as much confidence in the wisdom and patriotism of every Senator in the United States as I have in the distinguished Senators who fear such action and who would fight against it. The Government of the United States can't lend money to a warring power without authority of Congress. Congress alone can appropriate money to carry on a war. Congress alone can authorize war. The Members of the Congress of the United States are patriotic, intelligent, and sincere men and women. They have a fixed determination to keep out of the European war. It is, therefore, deceptive to say that such a Congress, if it takes a step that it believes right today, is going to take another step tomorrow that is not right.

EXHIBIT 3

[Senate Report No. 1155, 76th Cong., 2d sess.]

NEUTRALITY ACT OF 1939

Mr. PITTMAN, from the Committee on Foreign Relations, submitted the following report (to accompany H. J. Res. 306):

The Senate Committee on Foreign Relations, having had under consideration the resolution (H. J. Res. 306) entitled the "Neutrality Act of 1939," hereby report the same with an amendment in the nature of a substitute with the recommendation that the resolution as amended do pass.

The committee further reports the purpose of the substitute is to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests. In attempting to accomplish this purpose the committee has written into the proposed substitute definite and mandatory legislation wherever discretion could be eliminated. From a consideration of the text it will be noted that the cash-and-carry provisions of the law which expired by their terms on May 1, 1939, and which have not been reenacted, have been strengthened as to the provisions dealing with the divesting of title of citizens in goods to be conveyed and transferred and exported to belligerent countries. The addition of this language to the paragraph in the old law with regard to the divesting of title, namely, that "No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States," covers any loophole that might have existed in the old provisions as an excuse for demanding of the Government that the Government undertake to collect debts due a citizen. This, however, is not the most important change in the old cash-and-carry law. The provisions of the old law with regard to carry did not prohibit the transfer of contraband—that is, articles and materials designated by warring powers as war materials—to belligerents except the few manufactured articles defined as arms, ammunition, and implements of war, but delegated to the President the discretion to prohibit American vessels from carrying certain articles to belligerents which he could name. The proposed substitute in definite language and in a mandatory manner prohibits American vessels to carry any passengers or any articles or materials to any foreign state named by the President as being in a state of war. The section of the proposed substitute which is intended to accomplish this purpose is found in section 2 (a), which reads as follows:

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation."

It is true, however, that in subsection (f) on page 17 there are certain exceptions to the mandatory provisions of section 2 (a) hereinbefore set out with relation to certain characters of transportation to ports in the Western Hemisphere. It will be noted that these exceptions are minor and in no way affect the prohibition of transportation by American vessels to the warring powers in Europe or by sea to Canada. It will be remembered, of course, that at the present time there is no law on our statute books with regard to cash-and-carry as such law by its own terms expired on May 1, 1939. However, a copy of our neutrality laws as they existed on April 30, 1939, including the cash-and-carry provisions which expired at that time, are attached to this report for the information of the Senate.

The committee has inserted in the proposed substitute for the House resolution a new provision, being section 3 (a), entitled "Combat areas." This in its very nature must apply to neutrals and not to belligerents, because there will be no commerce by American vessels with belligerents under the prohibition contained in section 2 (a). It is intended to grant to the President discretion to prevent our American ships from trading with neutrals adjacent to belligerents in the event a belligerent is submarining our American merchant vessels which are engaged in commerce with such neutrals. It will be also noted, however, that this discretion may be used by the President under such rules and regulations as he may prescribe. I call attention to the fact that the words used are "as may be prescribed," because under section 13, entitled "Regulations," the President, and the President alone, is authorized from time to time to promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out the intent of such provision or any other provision in the bill. This discretion was deemed necessary to meet any emergency for the transfer of a passenger to a neutral port, even though it be in a combat area, and to protect against unreasonable prosecution of a citizen of the United States under the harsh provisions of the section.

The section dealing with financial transactions in the existing law has been greatly strengthened as a comparison of the existing law with the proposed substitute will readily disclose. Under existing law, credits to belligerent governments are prohibited, but there is a proviso attached to such section which states:

"*Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United

States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions."

In the House joint resolution the existing law was amended by inserting after the words "except from the operation of this section" the following words: "For a period of not more than 90 days without renewals." Your committee did not consider such language a sufficient restriction upon the discretion vested in the President. It, therefore, struck out such language and inserted after the words "normal peacetime commercial transactions" the following:

"but only if such credits and obligations have maturities of not more than 90 days and are not renewable. If any government, political subdivision, or person to which credit has been extended pursuant to the authority vested in the President under this subsection is in default in whole or in part upon any obligation to which such extension of credit relates, no further extension of credit to such government, political subdivision, or person shall be made or authorized under this subsection during the period of such default."

Attention of the Senate is called to the fact that the word "person" is qualified by the words "such person" as is described in the main body of the section, wherein it says:

"* * * any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state."

The provision with regard to traveling on vessels of belligerent states is in substance and effect the same as in existing law.

The provision in existing law with regard to the solicitation and collection of funds is reenacted in the proposed substitute with some modification of the language to make it more definite and to improve the construction.

The provisions in existing law with regard to restrictions on the uses of American ports and with regard to submarines and armed merchant vessels have been substantially reenacted in the proposed substitute with the exception that in some particulars the language has been broadened and strengthened.

The existing law as to American republics is reenacted in the proposed substitute.

Another new provision has been added to existing law in the proposed substitute dealing with the Red Cross. It is found in section 4 of the substitute. It excepts the Red Cross when proceeding under safe conduct granted by the belligerent states as to the carrying of certain materials in chartered vessels from the prohibition contained in section 2 (a). It is the opinion of the committee that such is the proper and wise way to transport officers and American Red Cross personnel, medical personnel, and medical supplies, food, and clothing, for the relief of human suffering to the noncombatants of belligerent states.

There has been another definition added to definitions found in section 15 of the substitute. It is found in subsection (f) of section 15. It defines the word "citizen" as used in the act.

Probably the most important changes made in existing law except section 2 (a) are in the penalty provisions. The maximum penalties contained in the existing law which are for the violation of the financial clauses, namely, punishment upon conviction by fine of not more than $50,000 or imprisonment of not more than 5 years, or both, are also extended to the violation of subsection (a) of section 2—that is, the prohibition against American vessels engaging in commerce with belligerents, and for the violation of the law in relation to combat areas. It will also be noted that these penalties extend to the officers or directors of any corporation, organization, or association that owns the vessel.

The provisions of existing law with regard to the National Munitions Control Board have been strengthened as to the reports that shall be made to the Board by any person seeking a license for such exports. There is added to the existing law in subsection (d) the following language: "without first having submitted to the Board the name of the purchaser and the terms of sale and having obtained a license therefor." The Board by the proposed substitute is required to report to Congress on January 1 and July 1 of each year instead of annually, as is provided in existing law. In addition to the other facts required to be reported by the Board, under the proposed substitute the Board must include in such report "the name of the purchaser and the terms of sale made under such license." This will enable the Congress at its next session in January to obtain all of the facts with regard to sales and exports by licensees, including not only the name of the purchaser but the terms of sale. If Congress then deems the terms of sale unsatisfactory, it will then possess facts upon which to legislate.

The committee was of the opinion that the provisions in existing law providing for an embargo upon arms, ammunition, and implements of war should be repealed and not reenacted in any form. Therefore such provisions are not carried in the present proposed substitute. The committee is of the opinion that the United States cannot maintain its neutrality so long as such embargo provisions remain upon our statute books. It is contrary to the accepted precepts of international law which prescribe that any belligerent may purchase any articles or materials in any neutral country. Belligerents as well as neutrals have relied from time immemorial upon this law. It has for hundreds of years been recognized by both belligerents and neutrals to govern their conduct toward each other and is today so recognized by the governments of the world with the exception of the United States. It was a voluntary departure from international law by the United States Government and cannot, in the opinion of the committee, be administered in an equitable or neutral manner, nor will it serve to maintain the peace of the United States.

There is hereto attached as a part of this report House Joint Resolution 306, as it is now reported to the Senate.

[H. J. Res. 306, 76th Cong., 2d sess.]

[Strike out the preamble and all after the resolving clause and insert the part printed in italic]

Joint resolution—Neutrality Act of 1939

[Whereas the policy of the United States in foreign wars not affecting the defense of the United States is a policy of neutrality in accordance with the rules of international law; and

[Whereas the United States stands for restating and strengthening the rights of neutrals at the earliest practicable time; and

[Whereas it seems advisable, until these rights can be restated, to diminish the risk of this Nation becoming involved in foreign wars by restricting the exercise of certain neutral rights of our citizens: Therefore be it]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

[PROCLAMATION OF A STATE OF WAR BETWEEN FOREIGN STATES

[SECTION 1. (a) That whenever the President or Congress by concurrent resolution shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

[(b) Whenever the conditions which have caused the President to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same.

[SEC. 2. Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms or ammunition from any place in the United States to any belligerent states named in such proclamation.

[TRAVEL ON VESSELS OF BELLIGERENT STATES

[SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), no citizen of the United States shall travel except at his own risk on any vessel of the state or states named in such proclamation, unless in accordance with such rules and regulations as the President shall prescribe.

[(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

[FINANCIAL TRANSACTIONS AND TRANSFER OF TITLE

[SEC. 4. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person: *Provided,* That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section for a period of not more than 90 days without renewals ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions; the President shall make public every 90 days any and all exceptions granted under this proviso, together with the amounts of credits involved.

[(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

[(c) Whoever shall violate the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

[(d) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful, except in accordance with such rules and regulations as the President shall prescribe, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States directly or indirectly to any state named in the proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such

declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. Insurance written by underwriters on such articles or materials shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, and no loss incurred thereunder, shall be made the basis of any claim put forward by the Government of the United States. The provisions of this subsection shall not apply to trade on or over lands, lakes, rivers, and inland waters bordering on the United States.

[(e) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

[SOLICITATION AND COLLECTION OF FUNDS

[SEC. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any small state named in the proclamation or of any association, organization, or person acting for or on behalf of such government. Nothing in this section shall be construed to prohibit the solicitation or collection of contributions to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of contributions is made on behalf of and for use by any person or organization which is not acting for or on behalf or in aid of any such government, but all such solicitations and collections of contributions shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

[(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the small states named in such proclamation, except with respect to offenses committed prior to such revocation.

[AMERICAN REPUBLICS

[SEC. 6. The foregoing provisions of this joint resolution shall not apply to any American republic.

[USE OF AMERICAN PORTS AS BASE OF SUPPLY

[SEC. 7. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States fuel, men, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a belligerent state in violation of the laws, treaties, or obligations of the United States under the law of nations and the supreme law of the land, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power, and it shall be his duty, to require the owner, master, or person in command thereof, before departing from a port of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men or any part of the cargo, to any warship, tender, or supply ship of a belligerent state.

[(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously cleared from a port of the United States during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent state, he may prohibit the departure of such vessel during the duration of the war.

[SUBMARINES AND ARMED MERCHANT VESSELS

[SEC. 8. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use by the submarines or armed merchant vessels of a belligerent state of the ports and territorial waters of the United States will serve to maintain peace between the United States and belligerent states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

[NATIONAL MUNITIONS CONTROL BOARD

[SEC. 9. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the "Board"). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this joint resolution, or by other law, the administration of this joint resolution is vested in the Department of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

[(b) Every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, or implements of war referred to in this joint resolution, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

[(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $100.

[(d) It shall be unlawful for any person to export, or attempt to export from the United States to any other state, any of the arms, ammunition, or implements of war referred to in this joint resolution, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war referred to in this joint resolution, without first having obtained a license therefor. In the application for license the applicant shall set forth a description of such exports or imports together with the terms of sale as to credit or payment.

[(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

[(f) Licenses shall be issued to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

[(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

[(h) The provisions of the act of August 29, 1916, relating to the sale of ordnance and stores to the Government of Cuba (39 Stat. 619, 643; U. S. C., 1934 ed., title 50, sec. 72), are hereby repealed as of December 31, 1937.

[(i) The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder: *Provided*, That if the President shall have issued a proclamation under the authority of section 1 (a), the Board shall thereupon make public an immediate report containing all the information herein provided, and shall make public a similar report each 90 days thereafter so long as such proclamation shall be in force.

[(j) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

[REGULATIONS

[SEC. 10. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.

[GENERAL PENALTY PROVISION

[SEC. 11. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $1,000 or imprisoned not more than 5 years, or both.

[DEFINITIONS

[SEC. 12. For the purposes of this joint resolution—

[(a) The term "United States," when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

[(b) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

[(c) The term "vessel" means every description of watercraft (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on, under, or over water.

[(d) The term "state" shall include nation, government, and country.

[SEPARABILITY OF PROVISIONS

[SEC. 13. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

[APPROPRIATIONS

[SEC. 14. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution.

[REPEAL OF ACTS OF 1935, 1936, 1937

[SEC. 15. The act of August 31, 1935 (Public Res. No. 67, 74th Cong.), as amended by the act of February 29, 1936 (Public Res. No. 74, 74th Cong.), and the act of May 1, 1937 (Public Res. No. 27, 75th Cong.), and the act of January 8, 1937 (Public Res. No. 1, 75th Cong.), are hereby repealed: *Provided*, That such repeal shall not affect the validity of the Proclamation Numbered 2237 of May 1, 1937 (59 Stat. 1834), defining the term "arms, ammunition, and implements of war" or of certificates of registration or licenses issued pursuant to the provisions of section 5 of the act of May 1, 1937.]

Proclamation of a State of War Between Foreign States

Section 1. (a) That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

(b) Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

Commerce With States Engaged in Armed Conflict

Sec. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

(b) Whoever shall violate any of the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any state named in such proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath that there exists in no citizen of the United States any right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States.

(d) Insurance written by underwriters on articles or materials included in shipments which are subject to restrictions under the provisions of this joint resolution, and on vessels carrying such shipments shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

(e) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

(f) The provisions of subsection (a) of this section shall not apply to transportation by American vessels on or over lakes, rivers, and inland waters bordering on the United States, or to transportation by aircraft on or over lands bordering on the United States; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such vessel, and necessary supplies for any such vessel.

(g) The provisions of subsections (a) and (c) of this section shall not apply (1) to transportation by American vessels to any place in the Western Hemisphere south of 30° north latitude of any articles or materials which are to be used exclusively by an American vessel; (2) to transportation by American vessels of mail, passengers, and personal effects of any individual on any such vessel from any port in the United States to a port in the Western Hemisphere south of 30° north latitude; or (3) to transportation by aircraft from any port in the United States to any port on the Pacific Ocean or the China Sea of mail, passengers, personal effects of individuals on such aircraft, and necessary supplies for such aircraft. All transportation referred to in this subsection and subsection (f) shall be subject to such restrictions, rules, and regulations as the President shall prescribe.

Combat Areas

Sec. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area.

(b) In case of the violation of any of the provisions of this section by any American vessel, or any owner or officer thereof, such vessel, owner, or officer shall be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the owner of such vessel be a corporation, organization, or association, each officer or director participating in the violation shall be liable to the penalty hereinabove prescribed. In case of the violation of this section by any citizen traveling as a passenger, such passenger may be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

(c) The President may from time to time modify or extend any proclamation issued under the authority of this section, and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist he shall revoke such proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

American Red Cross

Sec. 4. The provisions of section 2 (a) shall not prohibit the transportation by vessels under charter or other direction and control of the American Red Cross, proceeding under safe conduct granted by states named in any proclamation issued under the authority of section 1 (a), of officers and American Red Cross personnel, medical personnel, and medical supplies, food, and clothing, for the relief of human suffering.

Travel on Vessels of Belligerent States

Sec. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of any state named in such proclamation, except in accordance with such rules and regulations as may be prescribed.

(b) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

Arming of American Merchant Vessels Prohibited

Sec. 6. Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel, engaged in commerce with any foreign state to be armed, except with small arms and ammunition therefor, which the President may deem necessary and shall publicly designate for the preservation of discipline aboard any such vessel.

Financial Transactions

Sec. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person: Provided, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions, but only if such credits and obligations have maturities of not more than 90 days and are not renewable. If any government, political subdivision, or person to which credit has been extended pursuant to the authority vested in the President under this subsection is in default in whole or in part upon any obligation to which such extension of credit relates, no further extension of credit to such government, political subdivision, or person shall be made or authorized under this subsection during the period of such default. The President shall report to Congress every 6 months any and all exceptions granted under this subsection, together with the amounts of credits involved.

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

(c) Whoever shall violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof,

be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(d) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

Solicitation and Collection of Funds

Sec. 8. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in such proclamation or for or on behalf of any agent, instrumentality, or supporter of any such state.

(b) Nothing in this section shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf or in aid of any such government, but all such solicitations and collections of funds shall be in accordance with and subject to such rules and regulations as may be prescribed.

(c) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

American Republics

Sec. 9. This joint resolution shall not apply to any American republic engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

Restrictions on Use of American Ports

Sec. 10. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port or from the jurisdiction of the United States, fuel, men, arms, ammunition, implements of war, supplies, dispatches, or information to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port or from the jurisdiction of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any fuel, supplies, dispatches, information, or any part of the cargo, to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a).

(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously departed from a port or from the jurisdiction of the United States during such war and delivered men, fuel, supplies, dispatches, information, or any part of its cargo to a warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), he may prohibit the departure of such vessel during the duration of the war.

Submarines and Armed Merchant Vessels

Sec. 11. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

National Munitions Control Board

Sec. 12. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the "Board"). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this section, or by other law, the administration of this section is vested in the Secretary of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

(b) Every person who engages in the business of manufacturing, exporting, or importing any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $100. Upon receipt of the required registration fee the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $100.

(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Board the name of the purchaser and the terms of sale and having obtained a license therefor.

(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

(f) Licenses shall be issued by the Secretary of State to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

(h) The Board shall make a report to Congress on January 1 and July 1 of each year, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war, including the name of the purchaser and the terms of sale made under such license. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder, including the name of the purchaser and the terms of sale made under such license.

(i) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

Regulations

Sec. 13. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.

General Penalty Provision

Sec. 14. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000, or imprisoned not more than 2 years, or both.

Definitions

Sec. 15. For the purposes of this joint resolution—

(a) The term "United States" when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

(b) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

(c) The term "vessel" means every description of watercraft and aircraft capable of being used as a means of transportation on, under, or over water.

(d) The term "American vessel" means any vessel documented, and any aircraft registered or licensed, under the laws of the United States.

(e) The term "state" shall include nation, government, and country.

(f) The term "citizen" shall include any individual owing allegiance to the United States, a partnership, company, or association

composed in whole or in part of citizens of the United States, and any corporation organized and existing under the laws of the United States as defined in subsection (a) of this section.

Separability of Provisions

Sec. 16. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Appropriations

Sec. 17. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution.

Repeals

Sec. 18. The joint resolution of August 31, 1935, as amended, and the joint resolution of January 8, 1937, are hereby repealed; but offenses committed and penalties, forfeitures, or liabilities incurred under either of such joint resolutions prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of either of such joint resolutions or of any rule or regulation issued pursuant thereto may be commenced and prosecuted, in the same manner and with the same effect as if such joint resolutions had not been repealed.

Sec. 19. This joint resolution may be cited as the "Neutrality Act of 1939."

Amend the title so as to read: "Joint resolution to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests."

Passed the House of Representatives June 30, 1939.

NEUTRALITY ACT AS IT EXISTED ON APRIL 30, 1939

[Public Resolution—No. 27—75th Congress]

[Chapter 146—1st session]

[S. J. Res. 51]

Joint resolution to amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war," approved August 31, 1935, as amended

Resolved, etc., That the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war," approved August 31, 1935, as amended, is amended to read as follows:

"EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

"SECTION 1. (a) Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"(c) Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state.

"(d) The President shall, from time to time, by proclamation, definitely enumerate the arms, ammunition, and implements of war the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's Proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

"(e) Whoever, in violation of any of the provisions of this act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than $10,000, or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245).

"(f) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"(g) Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed or forfeitures incurred prior to such revocation.

"EXPORT OF OTHER ARTICLES AND MATERIALS

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this act and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to belligerent states, or to a state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over lands bordering on the United States, for any American vessel to carry such articles or materials to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists. The President shall by proclamation from time to time definitely enumerate the articles and materials which it shall be unlawful for American vessels to so transport.

"(b) Whenever the President shall have issued a proclamation under the authority of section 1 of this act and he shall thereafter find that the placing of restrictions on the export of articles or materials from the United States to belligerent states, or to a state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives or commerce of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over land bordering on the United States, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists, any articles or materials whatever until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. Insurance written by underwriters on any articles or materials the export of which is prohibited by this act, or on articles or materials carried by an American vessel in violation of subsection (a) of this section, shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials and no loss incurred thereunder or by the owner of the vessel carrying the same shall be made a basis of any claim put forward by the Government of the United States.

"(c) The President shall from time to time by proclamation extend such restrictions as are imposed under the authority of this section to other states as and when they may be declared to become belligerent states under proclamations issued under the authority of section 1 of this act.

"(d) The President may from time to time change, modify, or revoke in whole or in part any proclamations issued by him under the authority of this section.

"(e) Except with respect to offenses committed, or forfeitures incurred, prior to May 1, 1939, this section and all proclamations issued thereunder shall not be effective after May 1, 1939.

"FINANCIAL TRANSACTIONS

"SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent state or of any state wherein civil strife exists, named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, or of any faction or asserted government within any such state wherein civil strife exists, or of any person acting for or on behalf of any faction or asserted government within any such state wherein civil strife exists, issued after the date of such proclamation, or to make any loan or extend any

credit to any such government, political subdivision, faction, asserted government, or person, or to solicit or receive any contribution for any such government, political subdivision, faction, asserted government, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions. Nothing in this subsection shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, political subdivision, faction, or asserted government, but all such solicitations and collections of funds shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

"(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

"(d) Whenever the President shall have revoked any such proclamation issued under the authority of section 1 of this act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

"EXCEPTIONS—AMERICAN REPUBLICS

"SEC. 4. This act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

"NATIONAL MUNITIONS CONTROL BOARD

"SEC. 5. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the 'Board') to carry out the provisions of this act. The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this act, or by other law, the administration of this act is vested in the Department of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

"(b) Every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, or implements of war referred to in this act, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

"(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $500, unless he manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than $50,000 during the 12 months immediately preceding his registration, in which case he shall pay a registration fee of $100. Upon receipt of the required registration fee the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $500 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of more than $50,000 during the 12 months immediately preceding the renewal, or a fee of $100 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than $50,000 during the 12 months immediately preceding the renewal. The Secretary of the Treasury is hereby directed to refund, out of any moneys in the Treasury not otherwise appropriated, the sum of $400 to every person who shall have paid a registration fee of $500 pursuant to this act, who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than $50,000 during the 12 months immediately preceding his registration.

"(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any of the arms, ammunition, or implements of war referred to in this act, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war referred to in this act, without first having obtained a license therefor.

"(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

"(f) Licenses shall be issued to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this act or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

"(g) Whenever the President shall have issued a proclamation under the authority of section 1 of this act, all licenses theretofore issued under this act shall ipso facto and immediately upon the issuance of such proclamation cease to grant authority to export arms, ammunition, or implements of war from any place in the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists; and said licenses, insofar as the grant of authority to export to the state or states named in such proclamation is concerned, shall be null and void.

"(h) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this act.

"(i) The provisions of the act of August 29, 1916, relating to the sale of ordnance and stores to the Government of Cuba (39 Stat. 619, 643; U. S. C., 1934 ed., title 50, sec. 72), are hereby repealed as of December 31, 1937.

"(j) The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. The Board shall include in such reports a list of all persons required to register under the provisions of this act, and full information concerning the licenses issued hereunder.

"(k) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

"AMERICAN VESSELS PROHIBITED FROM CARRYING ARMS TO BELLIGERENT STATES

"SEC. 6. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel to carry any arms, ammunition, or implements of war to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists.

"(b) Whoever, in violation of the provisions of this section, shall take, or attempt to take, or shall authorize, hire, or solicit another to take, any American vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than $10,000, or imprisoned not more than 5 years, or both; and, in addition, such vessel, and her tackle, apparel, furniture, and equipment, and the arms, ammunition, and implements of war on board, shall be forfeited to the United States.

"USE OF AMERICAN PORTS AS BASE OF SUPPLY

"SEC. 7. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, fuel, men, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a belligerent state, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port of the United States, to give a bond to the United States, with sufficient sureties in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any part of the cargo, to any warship, tender, or supply ship of a belligerent state.

"(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously cleared from a port of the United States during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent state, he may prohibit the departure of such vessel during the duration of the war.

"SUBMARINES AND ARMED MERCHANT VESSELS

"SEC. 8. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States

by the submarines or armed merchant vessels of a foreign state will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

"TRAVEL ON VESSELS OF BELLIGERENT STATES

"SEC. 9. Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation, except in accordance with such rules and regulations as the President shall prescribe: *Provided, however,* That the provisions of this section shall not apply to a citizen of the United States traveling on a vessel whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further,* That they shall not apply under 90 days after the date of the President's proclamation to a citizen of the United States returning from a foreign state to the United States. Whenever, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

"ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

"SEC. 10. Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel engaged in commerce with any belligerent state, or any state wherein civil strife exists, named in such proclamation, to be armed or to carry any armament, arms, ammunition, or implements of war, except small arms and ammunition therefor which the President may deem necessary and shall publicly designate for the preservation of discipline aboard such vessels.

"REGULATIONS

"SEC. 11. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power or authority conferred on him by this act through such officer or officers, or agency or agencies, as he shall direct.

"GENERAL PENALTY PROVISION

"SEC. 12. In every case of the violation of any of the provisions of this act or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"DEFINITIONS

"SEC. 13. For the purposes of this act—

"(a) The term 'United States,' when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

"(b) The term 'person' includes a partnership, company, association, or corporation, as well as a natural person.

"(c) The term 'vessel' means every description of watercraft (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on, under, or over water.

"(d) The term 'American vessel' means any vessel (including aircraft) documented under the laws of the United States.

"(e) The term 'vehicle' means every description of carriage (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on or over land.

"(f) The term 'state' shall include nation, government, and country.

"SEPARABILITY OF PROVISIONS

"SEC. 14. If any of the provisions of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"APPROPRIATIONS

"SEC. 15. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act."

Approved, May 1, 1937, 6:30 p. m., central standard time.

EXHIBIT 4

DEPARTMENT OF STATE,
September 19, 1939.

The American Chargé d'Affaires in Berlin, Mr. Alexander Kirk, has reported to the Department of State that two amendments have been issued to the Prize Law Code which increase the articles and materials to be considered as absolute and conditional contraband by the German Government. The Government of the Reich has enacted and promulgated the following law:

"ARTICLE 1

"The following articles and materials will be regarded as contraband (absolute contraband) if they are destined for enemy territory or the enemy forces:

"1. Arms of all kinds, their component parts and their accessories.

"2. Ammunition and parts thereof, bombs, torpedoes, mines, and other types of projectiles; appliances to be used for the shooting or dropping of these projectiles; powder and explosives, including detonators and igniting materials.

"3. Warships of all kinds, their component parts and their accessories.

"4. Military aircraft of all kinds, their component parts and their accessories; airplane engines.

"5. Tanks, armored cars and armored trains; armor plate of all kinds.

"6. Chemical substances for military purposes; appliances and machines used for shooting or spreading them.

"7. Articles of military clothing and equipment.

"8. Means of communication, signaling, and military illumination and their component parts.

"9. Means of transportation and their component parts.

"10. Fuels and heating substances of all kinds, lubricating oils.

"11. Gold, silver, means of payment, evidences of indebtedness.

"12. Apparatus, tools, machines, and materials for the manufacture or for the utilization of the articles and products named in numbers 1 to 11.

"ARTICLE 2

"Article 1 of this law becomes article 22, paragraph 1, of the Prize Law Code.

"This law becomes effective on its promulgation."

The Government of the Reich on September 12, 1939, made an announcement relating to conditional contraband which read in part, "The following is accordingly announced:

"The following articles and materials will be regarded as contraband (conditional contraband) subject to the conditions of article 24 of the Prize Law Code of August 28, 1939 (Reichsgesetzblatt, pt. 1, p. 1585):

"Foodstuffs (including live animals), beverages, and tobacco and the like, fodder and clothing; articles and materials used for their preparation or manufacture.

"This announcement becomes effective on September 14, 1939."

EXHIBIT 5

DEPARTMENT OF STATE,
September 13, 1939.

The Department of State has been informed by the British Ambassador that a proclamation has been issued in London specifying the articles to be treated as contraband of war by His Majesty's Government, and that these articles are as follows:

"SCHEDULE I

"ABSOLUTE CONTRABAND

"(a) All kinds of arms, ammunition, explosives, chemicals, or appliances suitable for use in chemical warfare, and machines for their manufacture or repair; component parts thereof; articles necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(b) Fuel of all kinds; all contrivances for, or means of, transportation on land, in the water, or air, and machines used in their manufacture or repair; component parts thereof; instruments, articles, or animals necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(c) All means of communication, tools, implements, instruments, equipment, maps, pictures, papers and other articles, machines, or documents necessary or convenient for carrying on hostile operations; articles necessary or convenient for their manufacture or use.

"(d) Coin, bullion, currency, evidences of debt; also metal, materials, dies, plates, machinery, or other articles necessary or convenient for their manufacture.

"SCHEDULE II

"CONDITIONAL CONTRABAND

"(e) All kinds of food, foodstuffs, feed, forage, and clothing and articles and materials used in their production."

Mr. BORAH. Mr. President, I desire to confine my remarks particularly to the question of the repeal of the arms embargo. Of course, there are other questions which I can debate, but it seems to me it will add to brevity and, I trust, to conciseness of presentation and clarity to deal with one subject at a time.

Mr. McNARY. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum? A number of Senators have requested that they be notified when the able Senator discussed the subject.

Mr. BORAH. I think they will come in. If they do not, very well.

Mr. McNARY. I would appreciate it if the Senator would permit me to suggest the absence of a quorum.

Mr. BORAH. Very well.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Logan	Russell
Andrews	Ellender	Lucas	Schwartz
Austin	Frazier	Lundeen	Schwellenbach
Bailey	George	McCarran	Sheppard
Barbour	Gerry	McKellar	Shipstead
Barkley	Gibson	McNary	Slattery
Bilbo	Gillette	Maloney	Smathers
Borah	Green	Mead	Stewart
Bulow	Guffey	Miller	Taft
Burke	Gurney	Minton	Thomas, Okla.
Byrd	Hale	Murray	Thomas, Utah
Byrnes	Hatch	Neely	Tobey
Capper	Hayden	Norris	Townsend
Caraway	Herring	Nye	Truman
Chavez	Holman	O'Mahoney	Tydings
Clark, Idaho	Holt	Overton	Vandenberg
Clark, Mo.	Johnson, Calif.	Pepper	Van Nuys
Connally	Johnson, Colo.	Pittman	Wagner
Danaher	King	Radcliffe	White
Davis	La Follette	Reed	Wiley
Donahey	Lee	Reynolds	

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. A quorum is present.

Mr. BORAH. Mr. President, before the roll call I observed that it is my purpose to confine my remarks to the phase of the proposal before the Senate which has relation to the repeal of the arms embargo. I do so not because I overlook the importance of other phases of the discussion but because I think, as I said, that it adds to brevity in the presentation, and, I trust, to clarity.

Mr. President, when this Nation solemnly resolved and wrote into its laws that it would never again furnish arms, munitions, and implements of war to any nation engaged in war it was almost universally believed that not only here but abroad we had marked an epoch in the cause of peace, that we had offered a challenge to the reign of force which would in time break its hold on the people of the world.

When 130,000,000 people—taken as a whole the most enlightened in the world—with their code of free press, free speech, and personal liberty, not in groups but to all, incorporated in their code of freedom and humanity the pledge never again to furnish warring nations the instrumentalities of mass murder it was hoped, and by millions believed, that the cause of peace had received a most substantial and permanent advance. The only question was, Could we hold our ground? The only element of doubt among those who realized how soon and how powerfully our policy would be assailed was, Could we maintain our position in time of test and trial?

When we as a nation took this position and declared our policy, there was great unanimity among all our people. The Congress, the Executive, and the people were practically in accord to the effect that we would close our markets to all arms for belligerent nations.

Why was the law enacted? What was it which gave support and direction to its enactment? Doubtless different reasons appealed to different persons. Two outstanding reasons held sway with practically all our people. First, we wanted to keep out of and remain aloof from the controversies, embroilments, and wars of the Old World. We had had our experience. We had suffered greatly in the European cause, and from the highest motives, without accomplishing anything substantial in the cause of peace.

We had observed that after the great war Europe had slipped back, as evidenced by the Versailles Treaty and by the current history of Europe, to the ways and the deeds of Europe through the centuries. Do what we might, it seemed clear to the people of this country—it seemed conclusive—that it was not within our power to right the wrongs of that continent, to wipe out its racial bitterness and religious persecutions, to adjust with satisfaction its boundary lines, or to bring happiness and contentment to the masses, as had been hoped and prayed for when we entered the World War. Our task, it seemed to us all, was to maintain liberty, freedom, and free institutions upon the western continent. By doing so we could render greater service to humanity everywhere than by joining in Europe's wars and taking part in her everlasting imperial contests.

We felt that a step in this direction was to embargo arms, to give neither encouragement, nor help, nor moral support, nor means to carry on European wars.

Arms are the source of conflict. They are the symbol of war, the cause of fear and hatred. We were not to place ourselves in a position in which bitterness and retaliation might be engendered, or millions might be slaughtered by means of instruments furnished by a nation professing peace.

There was another moving cause, a cause which permeated our legislative halls and doubtless had its effect upon our executive department. It was a deep humanitarian sentiment against manufacturing and selling to warring nations, for profit, arms with which they might destroy one another. We do not now hear so much about that sentiment, because war is abroad. Nevertheless, I venture to say that it is well implanted in the hearts of the American people this day. The question was constantly presented to the minds and thoughts of our people, Shall this Nation, with all its professions of peace and its Christian teachings, manufacture and sell, purely for gain, vast armaments fit only for the destruction of human life?

That question was asked in every home under the flag. What was to be gained by such a course? What cause could be served by such a course? Wherein was peace to be advanced by such a course? Wherein was humanity to be augmented and strengthened by our selling arms to warring nations? Could anyone say or believe that peace could ever be advanced by a neutral nation furnishing arms, munitions, and the instrumentalities of war? Could anyone contend that any principle of humanity or justice would warrant a nation in doing so? Wherein was peace to be advanced by doing so? We might advance the cause of one side or of the other, but wherein was peace to be advanced? There was a feeling that the business of making arms and selling them for gain was unsuited and unfitted to us as a people. While there were those who hesitated to talk about it for fear they might be called pacifists or for fear they might be regarded as sentimental—always supposed to be very disparaging to a great statesman—still such a feeling prevailed, and it had a tremendous effect in writing into the laws of this country an embargo against arms, and in placing in our statutes a decree that every principle of humanity and justice warranted our denying munitions to those who were disposed to engage in war.

I observe that the distinguished ex-Governor of New York, Mr. Smith, speaking against the embargo and in favor of its repeal, said last evening that the law has not worked. I quote from his remarks:

> The present Neutrality Act does not work. It has not met the test, and in the coming state of world affairs it can't possibly meet the even more drastic strains of the future. It has been weighed in the balance and found wanting.

Of course the law was not intended to prevent war in Europe. We had no idea that we could prevent wars in other parts of the world; and I take it the Governor must have meant that, notwithstanding the law of neutrality, wars were going on. Of course the situation could not be expected to be otherwise by reason merely of a neutrality law.

Has not the law worked? One of the prime purposes of the enactment of the law was to prevent the sale of arms and munitions to people engaged in war. Has it not accomplished that end? Are we or not preventing the sale of arms, munitions, and implements of war to the warring nations? The Neutrality Act is now the law of the land. It is being enforced by the Chief Executive. The proclamations have gone forth; and no arms, munitions, or implements of war are going to the warring nations of Europe. Has not the law worked in that respect. Was not that one of the prime objects?

It may be said, and might have been said by the Governor, that the law will not work. That is a matter of legitimate debate. However, to say that it has not worked up to this time seems to me not in accord with the facts.

Another reason for enacting the law was that it would prevent the sale of arms to the warring nations for gain, for profit. Is not that end being achieved?

Do we not know that the manufacturers of arms and munitions are quite active in desiring the repeal of the law? Why? Because it is effective, because it is preventing them from making a profit out of the sale of arms. Up to this hour in what respect has the law failed to work according to the terms in which it is written?

Mr. President, it may be that the future will bring forth a different story; no one knows what the future has in store; but the reason we enacted the law was to make the most determined effort we could to stay out of Europe and refuse to make profit out of munitions, and in this respect, up to the time this speech was delivered, the law was a success. The complaint of the munition manufacturers is that it has worked. They are seeking its repeal because it is working too well.

But, at any rate, we passed the law. The embargo against the sale of arms became our national policy. There was no reason in international law, no principle of international law, and no equity, it may be said, in the situation which in any way prevented the United States from passing an embargo law or embarrassed it in so doing. No nation has a right under international law or in conscience to ask another nation to furnish it arms or to manufacture and sell material which it needs for war. It was in a sense purely a domestic question as to whether we should adopt such a policy. International law had nothing whatever to do with it. If a nation does not wish to manufacture arms and munitions, there is no obligation upon any other nation, under the law of nations, to do so. The United States was perfectly free as to the obligations of international law to say that it would never again furnish arms and munitions to warring nations.

The enactment of the law against the sale of arms and munitions found ample precedent in the laws of other nations. The most distinguished authorities on international law have stated that the right to do so is clear.

I desire here to quote a celebrated authority upon this subject, a gentleman who has been referred to many times during the last few weeks. John Bassett Moore says:

> There are already various countries which, in accordance with their laws, impose such a ban.

That is, a ban on the sale of arms and munitions.

> This is entirely proper under international law.

Professor Jessup, one of the most distinguished authors on international law, has said:

> There is nothing novel—

For 150 years has it been the practice—

> There is nothing novel in a neutral assuming the duty not imposed by international law of prohibiting its nationals from engaging in the contraband trade.

I know of no rule of international law and no practice which in any way denies the right of a nation to prohibit the sale of arms and munitions, and I know of no instance or rule which justifies any government under any circumstances complaining that such a course has been taken.

In addition to those whom I have cited may be cited Dr. Borchard, Professor Hyde, and lawyers of the State Department, who are all agreed.

Belgium and Switzerland placed embargoes on munitions of war during the Franco-Prussian War. During the Spanish war the Netherlands passed an embargo on arms. During the Russo-Japanese War Sweden did likewise. We followed the same practice during the Ethiopian war. In the recent Spanish war this Government especially endorsed and enacted this principle.

Precedents can be found running back for many years.

Mr. President, let us follow this subject a little further. It is a very important factor in this debate. It is claimed that by passing an arms embargo act we departed from the principles of international law and denied to those who desired to purchase arms a right which they had under international law. It is my contention that they had no right under international law that was denied them. They had no right which international law recognized. We could choose our course in regard to it. It is a mistake to say that we were unneutral in the beginning because we deprived nations of rights which they had under international law.

As to the situation abroad at the time of the enactment of the embargo law, Great Britain and Germany were upon friendly terms. Great Britain was aiding Germany in strengthening her military power and the upbuilding of her Navy. Lord Lothian, who now graces our Capital as Ambassador from Great Britain, was one of the most influential and active in bringing Germany and Great Britain in close cooperation.

We did not have to consult these nations or to consult the ambassadors of nations abroad or take notice of their course of action, but it so happened that everything, the sentiment of our own people, the convictions of our own people, the principles of international law, the precedents which had been established, the outlook in Europe, the relationship of the two now-warring nations, all conspired to make practical and feasible and just and right and propitious the position which was taken by our country at that time.

I issue no challenge, but I will be interested to have a citation and reference to a precedent which upholds the contention that a nation may not pass an act embargoing arms and munitions without infringing upon the principles of international law.

I have read several times in the press that the great defect in the present law was that in the beginning we departed from international law. I have read or heard over the radio debaters say that we were the only nation which established the precedent of enacting a law against the sale of arms, munitions, and implements of war. Without going further into detail, I have here a volume not yet off the press; the index has not as yet been completed; but I was sufficiently fortunate to obtain a copy. It is a collection of neutral laws, regulations, and treaties of various countries running back through many years. Anyone who will examine that volume will find ample precedents to establish the principle that nations have the right and can and may, at their discretion, enact laws prohibiting the sale of arms without in any way interfering with the principles of international law, or of denying to any nation any right or privilege under international law. It is an error to say that by repealing the embargo we are returning to international law. There is no international law and never has been to return to on this subject.

In other words, Mr. President, what did we do? We served notice upon all the nations of the world, regardless of their geographical situation, of their capacity or incapacity to enter into war, that hereafter in their wars, their conflicts, the United States would not furnish them arms or munitions or implements of war. They all knew that; they had notice, and no nation could contend that it was in any respect legislated against. Our position was thoroughly understood. Furthermore, it was a pledge to our own people, and a notice to all peoples, that henceforth arms, munitions, and implements of war would not be furnished or be permitted to be furnished by this country; that we stood for peace, and that we believed, as a nation, the refusal to furnish arms was one of the best insurances we could make in the cause of peace. It was, in my opinion, a noble pledge. It was in the interest of peace. It ought, in the name of peace, in the name of the happiness and contentment and honor of our own people, be kept.

Great and multitudinous in these days are the encomiums on international law. Its healing and uplifting effect upon the wrongs and miseries of the world are being discussed and revealed. I have great regard, as all must have who have

studied international law, for that great body of customs and practices which has grown up through the experience of the centuries. We had before us this question of international law, and what use we could make of it, in framing the embargo statute. It was all considered and debated. But, as I understood, the opinion was almost unanimous that while international law had its place in all schemes for peace, there were other things which individual nations ought to do and had to do in order to advance the cause of peace, and especially there were things which should be done but could not be done under international law.

The State Department, through its counselor, said to us:

I do not see how you can expect to keep out of war if you are going to place your reliance on international law.

It was felt that we were engaged in a work beyond, or aside from, or in addition to, international law. It was felt by the committee and by the State Department that something had to be added, and that is to clean up our own dooryard, to make positive our own rules, which international law did not undertake to do. We were seeking to do some things which would keep us out of war rather than to do the many things provided by international law in case war comes. We were, in fact, not dealing with international law at all when we passed the Embargo Act, because international law has nothing to say upon the subject with which we were dealing until we, ourselves, turn loose the arms and munitions and send them out to the world. So long as they are under our control, our direction, subject to our legislation, undisposed of by ourselves, they are not reached by the principles of international law.

A leading journal stated rather candidly a few days since that this embargo was unneutral because it did not enable Great Britain and France to buy our arms and munitions, and that they were entitled to do so. When, and how, and under what rule did they become entitled to buy our arms and munitions and implements of war unless we were at the same time selling them to other nations? So long as we were refusing to sell to any nation, excluding all nations, tell me by what rule any nation could say that it was impinged upon, or denied its rights, because we refused to sell.

We are not here today to repeal the embargo law because of any injury it is doing to the people of the United States. We are here seeking to repeal it because certain nations feel that they want the arms and munitions; yet that is the very reason why we passed the law, to see that neither they nor anyone else got them. Is it working? If it were not working, they would not be complaining. It is the fact that it is working that causes the complaint.

As I have said, there was nothing in international law which had anything to do with our program. In other words, we were taking a step as a nation, framing a national policy, hoping thereby to aid in preventing war, or at least to aid in keeping ourselves out of war by refusing to furnish arms. Will it be contended by anyone that international law has anything to say about what policy this Nation or any other nation shall adopt with reference to whether it shall sell this or that product, this or that instrument of war? Will it be contended that any nation has a right to say, "We need arms; therefore, we insist that you manufacture them and sell them to us"? If that were so, in my judgment they would have a right, following that, to say, "Give them to us; we need them."

The counselor of the State Department was correct when he said:

You cannot expect to keep out of war if you are going to place your reliance on international law.

The distinguished chairman of our committee, the Senator from Nevada [Mr. PITTMAN], after the passage of the existing law in 1937, with characteristic clarity and force, and referring particularly to our experience in the World War, said:

We relied upon international law for every assurance of our rights, but the reliance brought us no benefits and no protection and was our undoing.

Mr. PITTMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. BORAH. I yield.

Mr. PITTMAN. I take exactly the same position now.

Mr. BORAH. I thank the Senator. I am glad he is getting along well. [Laughter.]

In other words, Mr. President, there was no more enthusiastic advocate, at least no abler advocate, of embargoing arms and munitions and implements of war than the distinguished chairman of the Foreign Relations Committee, and my regret is that I cannot understand at this time why he is not still so. I regret he does not stick to his faith in practice as in theory.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Nevada?

Mr. BORAH. I do.

Mr. PITTMAN. I do not like to interrupt the Senator.

Mr. BORAH. I have no objection.

Mr. PITTMAN. But I have tried to explain why.

Mr. BORAH. Oh, no; if the Senator is going to take time to explain that proposition, I will ask him to defer his remarks.

Mr. PITTMAN. No; I said I tried to explain why. It is because I think the act is not operating neutrally in Europe today.

Mr. BORAH. Mr. President, that brings up the subject—because the act is not operating neutrally in Europe today. What business is it of ours whether or not it is operating neutrally? The question is whether we passed an impartial law, whether we wrote upon the statute books an impartial law, and whether it acted as an impartial law according to its terms. The mere fact that one nation is getting the advantage of another nation, or that the tide is running one way and not another way, has nothing whatever to do with the attitude of mind so far as lawmaking is concerned, with the question of neutrality.

Mr. PITTMAN. Mr. President——

Mr. BORAH. One moment. We have really placed upon international law a construction that is a most extraordinary construction. You remember a short time ago, when the Russian general had invaded Poland and had gotten into the territory of Poland about 100 miles, and had seized a vast number of the Polish people and destroyed some Polish towns, he announced to the world that he wanted it understood that Russia was entirely neutral. [Laughter.]

Mr. PITTMAN. Mr. President, I do not know whether the Senator desires to yield or not. I did not intend to interrupt him; but when he asked me how I explained certain things I thought possibly I ought to tell him.

Mr. BORAH. I am not objecting.

Mr. PITTMAN. I simply want to say that I do think it concerns the United States whether it is neutral or not. I do contend, of course, that the safety and peace of our own people is first.

Mr. BORAH. And last. [Laughter, and manifestations of applause in the galleries.]

The PRESIDING OFFICER. The rules of the Senate do not permit the occupants of the galleries to manifest approval or disapproval of what is said on the floor of the Senate.

Mr. PITTMAN. Yes; but we cannot have it last and have peace if we arouse the enmity of the people of the world by discriminating, becoming unneutral through any act we have. I say that today it is perfectly evident that the rejection of this law would not have anything on earth to do with our getting into war; but at the present time, with the existing alliances of Europe, and in view of the fact that Russia and Rumania and Italy are neutral, these arms and munitions are moving or can move into those countries, and can move into Germany.

Mr. BORAH. If that is true, let us change the law so that they cannot. Let us not surrender our neutrality because someone else is playing the game in a different way. If I may be permitted to say so, we know perfectly well that the neutrality of Italy is just the same as the neutrality of some people in this country. They are playing the game with Germany, and they are covering it up under neutrality.

and it is proposed that we play the game of neutrality by assisting France and Great Britain.

Mr. PITTMAN. Yes; and the Senator has always objected to assisting France and Great Britain, and I have never urged it; but he does not object today to sending goods to Italy, when he knows it is in alliance, as he has just said, with Germany. He does not object to sending goods to Russia, although he knows it is in accord with Germany. The Senator says, let us get a law that will stop it. Let the genius of the Senator from Idaho get a law to stop it. Such a law has not yet been proposed.

Mr. BORAH. If the Senator will stand with me to maintain the neutrality law as it now is, I will sit down in a room with him, and I venture to say that if he feels as I do before we come out of that room there will be no goods going into Italy, which is no more neutral than Germany itself.

Mr. PITTMAN. How about Russia?

Mr. BORAH. Does the Senator regard Russia as neutral? The only reason why we did not include Russia under the decree of neutrality was that France does not want to get into a fight with Russia. Everyone knows that Russia is unneutral, that she is a part of the fight, that she is furnishing the means of fighting. Why not say so and stop it?

Mr. PITTMAN. We would have to say so by a law declaring that neutrals who were not fighting, but were under suspicion of being or were known to be in combination with some who were fighting, would come under the act.

Mr. BORAH. Does the Senator think Russia is not fighting?

Mr. PITTMAN. I do not know whether she is fighting or not——

Mr. BORAH. The people of Poland know it.

Mr. PITTMAN. I think the fight in poor old Poland is through.

Mr. BORAH. Yes; and Russia helped to do the business.

Mr. PITTMAN. They wiped her out, and this law of ours did not prevent them being wiped out.

Mr. BORAH. No; certainly not. We are not running the business of Europe. That is just what I want to avoid.

Oh, if I had to run the business of Europe, I would not discuss cash and carry. I would declare war. That is the only way in which we can run the business of Europe. So much for that.

Mr. President, I repeat, it was near to universal belief, or opinion, that we must have outside of international law control of munitions and implements of war ourselves by the laws of our own country, further rules to guide and control the manufacturing and use of arms in our own law, if we were to make effective our neutrality.

What did Great Britain do during the World War with the neutral nations to her northeast? She insisted that they must lay on a law of neutrality covering arms, munitions, and implements of war. Why? Because they could not be neutral, as they contended they were, unless they controlled arms, munitions, and implements of war. It is instructive to turn back the pages of history and observe how at that time Great Britain thought control of arms, munitions, and implements of war worked for neutrality, as contradistinguished to what they think now.

We are asked to repeal the law, and why? We are asked to repeal a law which forever prohibits the furnishing of these instrumentalities of human destruction and furnishing them for gain, and why? We are asked to again identify ourselves with the destructive power of the nations of Europe, and why?

We are here in extraordinary session and in apparent haste asking for repeal.

Did the cry for repeal originate with, or does it spring from, the people of this country? Did the voice of labor initiate the agitation for repeal? Did the call for rejection of this policy come from the farm, from the pulpit, or the pew, from the homes of America, from the families of America? Did it come from the young men now on the verge of active life, looking where they can find a profession or a calling? Did they call for it? Whence came the call? It came from the war hounds of Europe! It was originated in the situation in Europe. By that statement I am not reflecting upon any individual; I am speaking of conditions which make the situation as it now is.

We passed the law in the name of peace. Does the sale of arms, munitions, and implements of war contribute to peace? Does the refusal to sell them contribute to war? Does the furnishing of arms, munitions, and implements of war to belligerent nations make for peace while the refusal to sell makes for war?

Our Secretary of State, Mr. Hull, has declared, speaking of the act of August 1935:

> The Neutrality Act of last August, in embargoing exports of finished war commodities to belligerents, was to keep us out of war.

If the purpose of the Embargo Act then was to keep us out of war, what is the purpose of repealing it; to get us into war? Oh, no; I would not say the purpose but the inevitable effect of repealing it, in my judgment, would be to get us into war. If the enactment of it, as stated by the distinguished Secretary, was to keep us out of war, what kind of logic is it that says its repeal will keep us out of war?

We passed this law because we wanted to stay out of European conflicts. Does the sale of arms, munitions, and implements of war tend more to keep us out of European conflicts than the refusal to sell arms? If our arms are not upon the sea, if they are not in the fray, if they are not hurting any one or helping any one, how do they help to bring on war? If they are excluded from all, is not the tendency to keep us out of war?

Does the sending of the instruments of war across the sea, regardless of the flag under which they go, tend more to hold us aloof from European controversies than the refusal to send them at all, or to sell them at all?

We passed the law because we did not want to make money out of war, because we did not want to share the profits made out of misery and death.

Does the sale of arms and the shipment of arms, regardless of where they are paid for, tend more to prevent war profits, prohibit the making of money out of the instruments of war, than the refusal to ship them? The refusal to sell them or to furnish them must have the tendency to prevent the war profiteers from making their money. What is it that makes those profiteers active at the present time? It is because they are not making any profits, because they want to make profits; and when they sell the goods, whether they have a little bill of sale or not, the profiteers make their profits.

What has brought about the complete change of view upon the part of some peace forces? First, Mr. President, there is the question of business, of war profits, of putting men back to work. I would not want to be understood as contending that that is the dominating influence for repeal. I would be ashamed to say so if I believed it. But that it has an unmistakable place in the program for repeal, that every influence those interested can exert to that end is being exerted, there can be no possible doubt. We hear talk and receive letters about millions of men going back to work, about the price of this product and that being increased.

It is felt in some quarters that the war is here and that we should not deny ourselves the opportunity of securing war prosperity. That is recognized in high authority. There are those who were wise enough, Mr. President, to foresee the effort which would be made to justify a repeal of this law for business reasons, and who were vigilant enough to warn the people early against that day and against that influence.

The President of the United States, speaking of neutrality and the embargo, said:

> If war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality. They would tell you—

Said the President—

> and, unfortunately, their views would get wide publicity—

Would they not? Would they not?

> that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would

all find work. They would tell you that if they could extend credit to warring nations, that credit could be used in the United States to build homes and factories and pay our debts. They would tell you that America would once more capture the trade of the world. It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace. If we face the choice of profits or peace, the Nation will answer, must answer, "We choose peace."

What is the situation now? Those who say that these profits will build homes overlook the fact that in these homes may be the maimed and the insane boys who have given their health, as others have given up their lives, for such profits. Those who think war prosperity forget that with that prosperity may come misery and suffering which no prosperity can justify. Not a dollar was ever made through war profits of that kind that was not paid for in suffering and misery and lives.

But, Mr. President, the question which engulfs and makes incidental all other questions is, What will be the effect of the act of repeal itself upon the war minds of the belligerent nations? I am interested in this problem before us, and interested solely from the standpoint of avoiding doing anything which will bring us into the war; and I know, and we all know, that the means by which a nation is brought into war are not mere statutes and decrees, but the interpretations of the acts and doings of those who act upon the part of the Nation.

Mr. LEE. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. LEE. Does the Senator contend that there are not certain profits being made under the present law, and that profits probably will be made under the present law, as the result of the war in Europe?

Mr. BORAH. I can admit the Senator's contention, because I do not desire to take up the time to debate it at this time, if the Senator will pardon me. I would not want to go off on that side issue.

Mr. LEE. One other question. I am sure the Senator from Idaho will agree with a number of us, then, that additional legislation is necessary in any event to prevent war profits, and that the President himself in his last speech suggested that at the next session such legislation should be considered.

Mr. BORAH. Well, if it is proposed first to put us into the war-profit business by permitting the sale of arms, ammunition, and implements of war—if it is proposed to put us into that dirty trade, I do not propose to vote for a law which in lieu thereof takes away the liberty and the freedom and the rights of the United States. If you are going to pass a law sufficiently broad, as some of the bills are—I have not read the Senator's bill—to deprive the American people of freedom, of liberty, of the right to run their business, then I say let us stay out of the war-profiteering business so far as arms, ammunition, and implements of war are concerned. There is nothing but hell ahead of this thing if you ever repeal the present law, and start in to pass laws which will try to remove the profits.

I proceed. We may dwell upon the niceties of terms and discuss the import of words and phrases, but under the present circumstances and conditions the only thing which will move people and control, and by which we as a nation will be judged as to our attitude in this conflict, is the effect of the act of repeal, regardless of what the terms encompassing the repeal may be. Repeal has become the symbol of friendship or enmity upon the part of this country as between these warring nations. We have had on our statute books for years a law which forbids the sale of arms to any belligerent nation, and now in the very midst of a war between two groups of nations we repeal that law and begin furnishing arms. As every child old enough to read knows, as Members of this body have declared, as journals have almost universally declared for months, as high officials have bitterly declared, repeal is for the purpose of giving favor to one of the groups in this warring contest.

What difference will it make what the terms of repeal are? I ask, What will be the effect of repeal? It places us in the minds of both groups in the attitude of participating in the conflict. It makes us in the minds of both groups unneutral, and especially in the minds, of course, of those against whom the legislation seems to act.

When the President declared in his message for repeal, what was the effect? Was there any discussion in these foreign nations about the details? There was just one fact noted, and that was that repeal was asked for, and that had the effect of placing us in the attitude all over the world of friendship to one group and of enmity to the other group. When the message of repeal was read and carried to the world the interpretation placed upon it was that there was friendship here for one group and enmity toward the other. The press of Germany announced and the public of Germany declared that the United States was to enter the war against Germany; that the United States "had joined England against us," to use their language. And what took place in Great Britain? Anything different? The announcement by the press and the cry of the public was that the United States "is coming in, that our former ally is to join us again."

There was just one construction placed upon the proposed statute of repeal by both belligerent groups, and that construction was that we were entering the conflict, that we were taking sides, that we were preparing to help and to have a part in this war, thus far by arms and ammunition only. I will come to the other method later.

It is amazing to observe the construction which was placed upon the proposal to repeal by both nations. Germany did not seem to pay the slightest attention to the terms of cash and carry, nor did Great Britain, nor did France. They interpreted whatever we were doing in the way of detail as taking sides in the controversy, and so does the world interpret it today, and so do many Senators.

Would the cash-and-carry policy—paying for arms and carrying them away—have any effect on the belief or conclusion that the United States is taking sides in the conflict, that it is no longer neutral, that it has rejected neutrality? Protest as we may—and as doubtless we will—this construction has been placed upon the proposal by all the belligerent powers, one side being happy, the other dissatisfied.

Did the fact that when the President urged repeal he also urged the cash-and-carry plan have the slighest effect upon the opinion of the public or the press, either in Germany or Great Britain, that we have joined the conflict, that we have taken sides with Great Britain? Did it mollify the bitterness of Germany or dampen the enthusiasm of Great Britain? Germany said, "They are going in." Great Britain said, "They are coming in."

It must be further remembered that when the cash-and-carry plan was introduced in Congress it was not regarded as a neutrality plan. In fact, it was declared to be plainly unneutral. My understanding is—and I think it is generally conceded—that the author of the cash-and-carry plan was Bernard M. Baruch, the distinguished financier who is well known on two continents. It was his resourceful brain which conjured up the idea that we could obtain money out of war without being hurt. He declared that cash-and-carry was not neutrality but that it was clearly unneutral. Let me quote his language, given at the very beginning of the consideration of the plan. Speaking of the cash-and-carry plan, he said:

> Now, this is not neutrality—not by 20 sea-miles. It amounts to giving active assistance to whatever nation has command of the seas.

Further quoting from the record:

> Senator BORAH. You do not contend this proposition that you have been discussing, and with which you were earlier associated, is a neutrality proposition?
>
> Mr. BARUCH. No, sir; I do not think so—entirely neutral.
>
> Senator BORAH. Is it neutral at all?
>
> Mr. BARUCH. No. The reason I recommended it was because I thought it was the least harmful of any that had been suggested.

Mr. President, I beg to be excused for poor taste, but I quote a line or two from my own remarks during the debates when the present law was being considered. Speaking of the cash-and-carry proposal, relating then only to other materials than munitions and implements of war, I said:

I ask the Senators to consider seriously how this new proposition is going to work. It makes us an ally with Great Britain in such a war as came up the last time. It makes us an ally with Japan upon the Pacific coast. * * * It is a program for nations with large navies.

How can anyone expect belligerent nations to regard the cash-and-carry proposal under the present circumstances as anything but distinctly unneutral? We find a law enacted to prevent the sale of arms to any nation engaged in war. The time comes when we are asked to repeal that law, and we repeal it under circumstances in which we have declared that according to our program its repeal is distinctly in favor of one nation.

We all know the feeling in this country against Germany; and I think we know that if it were not for that feeling we would not be here in session. However, the question with me is not my feeling against Germany, or my abhorrence of the cruel and brutal creed which is practiced in that nation. My desire is to permit nothing, whatever it may be, to lead me into a course which would bring my Nation into the conflict in Europe.

How can anyone expect belligerent nations to regard the cash-and-carry proposal under the circumstances as anything but distinctly unneutral, in view of the fact that it is proposed to repeal a law which prohibits the sale of arms, munitions, and implements of war to all belligerent nations, and in lieu of it to enact a law which distinctly favors one of the combatant nations? The repeal of the act would be regarded and treated by all concerned as an act of intervention. I can see it in no other light.

The argument is advanced by the supporters of the cash-and-carry plan that it would give security and afford protection to our own people. The contention is that the American manufacturer having parted with his title, the title to the goods having passed to the shipper before shipment of the munitions, the manufacturer would no longer invite attack from the belligerents.

The matter does not seem to me quite so simple. If a manufacturing plant, engaged in manufacturing and shipping munitions to Great Britain, were located, we will say, at Wilmington, Del., would the antagonist belligerents wait until the title had passed before destroying the goods? Would not every munitions-manufacturing plant and every arsenal in the United States be spotted for destruction? Would the belligerents wait until the cargo was in course of shipment before planting the dynamite or dropping the bomb, or destroying the shipper, if it were known that the munitions plants were manufacturing for British ships? Would the belligerent pass by the arsenal and wait for the ship with the cargo? Would it refuse to strike where it could strike with more powerful effect? Why should it not dynamite or bomb the plant, and destroy not merely a cargo on the sea but the entire establishment which is furnishing the means by which the cargo is supplied?

Is it to be supposed that a belligerent, knowing that the plants are running solely for the benefit of the enemy, would not destroy them? Would not the war be brought into our very midst? If we hark back to the incidents and practices of the World War, we shall hardly conclude that the transfer of title under such circumstances would have the slightest effect in protecting anybody. Is it to be supposed that the enemy would wait until the title had changed and take vengeance upon the purchaser rather than upon the manufacturer or upon those who sell? Why should the enemy have less bitterness, less vindictiveness, less determination to destroy, toward those who make munitions than toward those who buy them, when the enemy knows that they are all bound for the same destination? The spy, the dynamite, and the air bomb will have standing invitations to visit the munitions plants. Who can doubt that the invitations will be accepted? We would be regarded by the belligerents as an enemy in the war. They would treat us as such. To them the transfer of title would be a sham and a pretense. Instead of affording protection, the cash-and-carry policy would invite attention to the manufacturer. The manufacturer, the buyer, and the carrier would be common enemies. The cash-and-carry plan might protect the parties to the transaction in courts of law, where relative legal rights are involved, but in the realities of war it would protect no one.

It has been said, and will be said, that the United States, as a neutral, may change the rule which was established at the beginning of a war and establish a different rule while the war is in progress. That is a very important matter.

It will be contended that the United States has the right to repeal the embargo and to establish a cash-and-carry system, even though the embargo prevailed at the beginning of the war and the change takes place in the midst of the war.

I had supposed nothing better established in international law than the rule announced by this Government during the World War to the effect that any change in our laws of neutrality during the progress of the war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principles of strict neutrality, by which it has consistently sought to direct its action.

The placing of an embargo on the trade in arms at the present time—

Said our Government, writing to the German Government—

would constitute such a change and be a direct violation of the neutrality of the United States.

I invite here particular attention to a letter written by Secretary of State Lansing to the Ambassador in Hungary, August 12, 1915.

The Secretary of State (Lansing) to the Ambassador in Austria-Hungary (Penfield)

AUGUST 12, 1915.

To this assertion of an obligation to change or modify the rules of international usage on account of special conditions the Government of the United States cannot accede. The recognition of an obligation of this sort, unknown to the international practice of the past, would impose upon every neutral nation a duty to sit in judgment on the progress of a war and to restrict its commercial intercourse with a belligerent whose naval successes prevented the neutral from trade with the enemy. The contention of the Imperial and Royal Government appears to be that the advantages gained to a belligerent by its superiority on the sea should be equalized by the neutral powers by the establishment of a system of nonintercourse with the victor. The Imperial and Royal Government confines its comments to arms and ammunition, but, if the principle for which it contends is sound, it should apply with equal force to all articles of contraband. A belligerent controlling the high seas might possess an ample supply of arms and ammunition but be in want of food and clothing. On the novel principle that equalization is a neutral duty, neutral nations would be obligated to place an embargo on such articles because one of the belligerents could not obtain them through commercial intercourse.

But, if this principle, so strongly urged by the Imperial and Royal Government, should be admitted to obtain by reason of the superiority of a belligerent at sea, ought it not to operate equally as to a belligerent superior on land? Applying this theory of equalization, a belligerent who lacks the necessary munitions to contend successfully on land ought to be permitted to purchase them from neutrals, while a belligerent with an abundance of war stores or with the power to produce them should be debarred from such traffic. * * *

As to the assertion that the exportation of arms and ammunition contravenes the preamble of The Hague Convention No. 13 of 1907, this Government presumes that reference it made to the last paragraph of the preamble, which is as follows: "Seeing that, in this category of ideas, these rules should not, in principle, be altered in the course of the war by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power."

Manifestly the only ground to change the rules laid down by the Convention, one of which, it should be noted, explicitly declares that a neutral is not bound to prohibit the exportation of contraband of war is the necessity of a neutral power to do so in order to protect its own rights. The right and duty to determine when this necessity exists rest with the neutral, not with a belligerent. It is discretionary, not mandatory. If a neutral power does not avail itself of the right, a belligerent is not privileged to complain, for in doing so it would be in the position of declaring to the neutral power what is necessary to protect that power's own rights. The

Imperial and Royal Government cannot but perceive that a complaint of this nature would invite just rebuke. (Policy Toward Maritime Commerce in War, prepared by Carlton Savage, vol. II, pp. 369, 372.)

Mr. President, I do not contend that there may not be changes made upon the part of a neutral during the progress of war, but they cannot be changes which affect unequally the belligerent nations or which do not respect the interests of the belligerent nations as they prevailed at the time the original rule was established. To change a neutrality law or rule with the motive or with the effect of aiding certain belligerents is a distinct violation of international law. Changes may be made in neutrality during war, but only in the direction of tightening, or safeguarding, a country's neutrality, and not in the direction of relaxing it. I offer that as my view; but it is, in fact, the view which I have gathered from our own Government's action and from the recognized authorities upon international law. We who have preached, in season and out of season, respect for international law are seeking to do a thing which has surprised, if not shocked, the advocates and supporters of international law the world over. To say that we may have a law at the beginning of war which prohibits the sale of arms and munitions to any belligerent power and that in the midst of the war we may wholly wipe out that rule and establish in lieu thereof a law which permits sale to all belligerents, but with the manifest and declared purpose, though not in the terms of the law itself, to aid one and to distress another belligerent, is, it seems to me, to be beyond debate as to its departure from the well-established rule of neutrality which we ourselves have so often announced.

But suppose we pass by the legal question; suppose, through special pleading, it can be successfully maintained that such a change as proposed can be made. Nevertheless, the change, judged by its effect upon the opinions and beliefs and feelings of the belligerents—all of them—must be regarded, and will be regarded, as intervention, as a change made for the purpose of effecting intervention; in other words, for the purpose of taking sides in the controversy.

Mr. President, you never could convince a belligerent—indeed, I do not see how you could convince any nation though not belligerent—that to change the rule in the respect which we propose would not be utterly unfriendly and unneutral. It would simply add, regardless of technical rules, fuel to the flames. Even if I did not believe in an embargo on arms, I would not at this time under present conditions vote to repeal it. If I stood ready to repeal the embargo law when this present controversy is over I would, nevertheless, under present circumstances refuse to vote for repeal while the controversy is in progress. I regard it as intervention.

What is the purpose of repealing this law? What is the intent? Whom do we hope to aid, to benefit? Who is to receive the advantage of the repeal of the law? Do we not know, do we not think, do we not intend that it shall be the Allies? If I were voting here for a declaration of war, that might be in accordance with my views. What I am hoping to do is so to vote as to avoid the possibility of war. Arthur Krock, the well-known editorial writer of the New York Times, declared back at the beginning of September that the object of repeal was to help the Allies, that the technical ground on which the arms embargo is opposed by the administration was so and so; but the "actual reason why the administration wants the embargo removed" is because of the aid and benefit it will give to the Allies.

There has been little official concealment—

Said he—

that this is the real reason for the recent unsuccessful attempt to eliminate the ban. It is the actual rather than the technical reason which engages the opposition.

This, I venture to say, is a clear, fair summary of the reason for repeal known to all the world.

It may be in accordance with our sentiments; but is it in accordance with neutrality, or can we maintain neutrality under such conditions? Can we stay out of war with such a program? Would we not then take our position as one of the Allies, contributing so much now—arms and munitions of war—and later on, God only knows what.

That which is found in Mr. Krock's article may be found in editorials, speeches, public interviews, for weeks and weeks throughout this country. With the message of repeal as it goes over the water—should that unfortunately happen—will be a message which will be nothing less than the crystallized purpose which has been printed and declared hundreds and thousands of times in the last few months. Nobody doubts the purpose and the intent of the act. I could quote many official statements, but at this time I think it unnecessary to quote further that which is familiar to the minds of all. We are not only changing the rule, the law, but we are changing it, not only in terms of the law, but with the declared intent and purpose of helping one side. We are changing it in such terms as it can in its operation assist only one group of the belligerents.

Mr. President, we have been discussing the effect upon public opinion, particularly in the belligerent countries, of the sheer fact of repeal, and of substituting therefor a law which permits sale under conditions, in practical effect, favorable to one of the belligerents. Let us digress for a moment and discuss the effect of cash-and-carry under present conditions upon the American taxpayer. I am speaking now of cash-and-carry as it relates to arms, munitions, and implements of war.

Cash! In speaking of cash, I make no point at this time of the fact that we propose to extend credit for 90 days. That may be discussed later. I mean cash at any time, or at all.

We are basing our proposed action upon the proposition we will get cash from nations now in the most deplorable economic and financial condition, nations which, though the war has lasted only 4 weeks, are already through taxation digging into the food and the necessities of life even of those already impoverished beyond description. We are dealing with nations which cannot pay the interest, much less the principle, upon the debts incurred in the last war, many of which debts are now due to the American taxpayer, not in sums of millions of dollars, but of billions of dollars. Do we really expect to get a dollar out of munitions, except as that dollar is ultimately furnished by the people of the United States? Where will they go for their money? Where did they go to get money during the World War? The munition maker will get his compensation. He will make his profits. Business will have to move. But where will the buyer, the nation buying the stuff, get the money with which to pay the munitions maker? He will, in my opinion, in the last analysis, get it where he got the money to pay for the war material purchased during the World War, and that is from the American taxpayer.

I do not overlook the fact it is written into the pending joint resolution that, if they do not pay, they will not get munitions. But if they do not pay, they will ask for credit. And the same argument that brought the law into existence, which gave them munitions, will bring about a law which will give them the credits. The same lawmaking body which provided the law giving the right to buy munitions, will give them credit with which to buy. Otherwise, the whole machinery would stop, because they have not the means with which to purchase. They are, in a very true sense, pauper nations. They cannot pay their debts; they cannot meet their obligations, and they are bleeding their people white with taxes. Will it be argued that the Congress should pass a law primarily to enable these democracies to buy munitions because they must have them in their fight and refuse to extend them credit, without which the whole purpose and object of the law would fail?

It has been already suggested by high authority that the joint resolution should be called a credit-and-carry law instead of a cash-and-carry law. It was a far-seeing and practical mind which made that suggestion. In the conditions in which those countries now are, in their utterly impoverished situation, this law will be a futility, an ironic tragedy, offering to furnish arms and munitions and imple-

ments of war provided they pay cash. They have not the cash or anything approximating cash.

Great Britain entered the war in 1914 with a national debt of 650,000,000 pounds. She entered the present war with a national debt in excess of 8,000,000,000 pounds. She could not pay then and she cannot pay now. In the fiscal year 1913–14 the British National Government's expenditures were 197,000,000 pounds. Last year they were 1,019,000,000 pounds. The war has been going on but a few weeks, and they are compelled to levy a heavy tax upon the common necessities of life. Suppose the war runs a year, or suppose it runs 2 years or 3 years. Who will have the heart to say to the British people, "Though we started in to do so, we will furnish you no more help unless you can pay cash"? Who will have the heart to say, "You may have our support, you may have our help, you may have our assistance, provided you pay cash"? You know we will not do it. You know perfectly well we will not do it. You know that the credit will be extended indefinitely; and you know that when the war is over, the huge sums due for munitions and implements of war will pass into bonds, and the bonds, together with the interest upon them, will land upon the bended backs of the American taxpayers.

Looking at the situation as it is, facing the cold, hard facts as they are, it is a cruel misstatement to say to the American people that we are going to get cash for the arms and munitions and implements of war which we are going to furnish to other nations. Judging the future by the past, the nations who wish to avail themselves of this law will be able to run on a cash basis, we will say, for 60 or 90 days, although Winston Churchill says they are going to run indefinitely; then credit will have to be extended, and then credit forever. After the end of the war it will be said, as indeed it has already been said, and if this joint resolution should pass it will be said in loud tones, that the war was our war as well as their war; that we were fighting for civilization, for democracy, and that the least we could do would be to pay our own bills; and what would we say?

If you say to me, "The Congress has written into the law that when a government ceases to pay, that government will get no more goods," my answer, reflecting upon no one nor upon his sincerity, is that such writing will be a blank slip of paper as against the demands of that hour. The Congress which made this law calling for cash will just as hastily write another law extending credit; and I wish to say that if I believed in going into the European war at all, if I believed in furnishing arms and munitions at all, I would unhesitatingly vote to extend credit. If I believed in going in at all, I would not feel justified in sapping from the lives of the helpless children throughout those countries a few dollars to pay cash for means with which to kill people.

If I believed that this was a war to save democracy, a war to save civilization, and that we were justified at all in furnishing arms, I would not stop with credit. I would say that munitions and implements of war were little enough for us to contribute to the cause of civilization. You cannot be a national benefactor and a Shylock at the same time.

If it is intended in good faith to furnish arms, munitions, and implements of war to these belligerents in order that democracy may survive, we shall have to furnish these arms, munitions, and implements of war on credit, and finally we shall have to give them to the belligerents. The Government of the United States will have to take care of these bills; and the taxpayers, as in the World War, will ultimately pay for these arms. We cannot stand up before the world and say, "We will help to save democracy, we will help to save civilization," and in the next breath say, "We will do so only provided you pay cash."

Mr. President, the question which I have from the beginning asked myself, and which, with great deference, I submit to my colleagues and to the people of the country, is this: Can we, under the program we are now adopting and our reasons for adopting it, stay off the battlefields of Europe with our young men? Having changed our laws and our policies in order that we may, as openly and repeatedly declared, send there in aid of the Allies our arms, because of their urgent call, will we—can we—if the hour of greater need should occur, refuse to send our armies? Having put our hands to the plow and declared the reason therefor when the furrows are comparatively smooth, will we turn back when we come to the roots and stumps of impending defeat?

The only way I see in which we can stay out of this war, having taken the first step for the reasons for which we are asked to take it, is for the war to end before we get in. Hearing and heeding the Macedonian cry for arms, will we, if a more critical hour should occur, turn a deaf ear to the Macedonian cry for armies? When the belligerents tell us that these democracies, this civilization, which we furnish arms to help preserve, are now on the verge of destruction, that arms and munitions are not sufficient to save the situation, will we deny them the use of manpower? Having acknowledged and declared the basis of the war, what will "cash and carry" amount to? When we are told, as we already have been told by military men of distinction, that munitions will not do the job, that they must have men, what will we say?

Anyone who would mention munitions and "cash and carry" under such circumstances would be sent to jail under an espionage law, as loyal American citizens by the hundreds were sent to jail for declaring less offensive things during the World War. Woodrow Wilson was a true friend of peace, and verily believed he could keep us out of the war even if we showed favoritism toward Great Britain.

For myself, and for myself only, I want to declare I look upon the present war in Europe as nothing more than another chapter in the bloody volume of European power politics, the balance of power which John Bright, the great commoner of England, once declared was the curse of any possible European peace. Yes; it is power politics.

It is the old question of the balance of power. Was it anything more than the balance of power when the democracies and the dictators of Europe in blessed accord stood over the dismembered body of Czechoslovakia, the only real republic in that portion of the world? Was it anything but power politics, the balance of power, when the Premier of Great Britain, holding aloft an agreement of settlement between the Premier of Great Britain and the Chancellor of Germany, told the people of Great Britain and all the world that there was peace, and peace with honor; that the master of Germany could be trusted?

Territorial settlements: Was the cruel and brutal and revolting creed of nazi-ism any different at Munich than it was at Warsaw? Was civilization and democracy any less under challenge when Czechoslovakia fell at the hands of the combined assassins than when Poland was threatened? Was it anything but power politics when Germany and Great Britain excluded Russia from the Munich conference, but both sought industriously to secure her aid, notwithstanding her creed, in the controversy relative to Poland? When the men at Munich reached the consummation of their awful deed, did they not turn over to the unlimited control and tender mercies thousands of a race whose presence excites the mortal wrath and vengeance of the one to whose control they assigned them? Was that humanity? Was that civilization? Was it saving democracy? Was it saving civilization? No; it was dividing territory. It was power politics. It was imperialism.

Have the hideous doctrines of the dominating power of Germany been any different during all the years in which the democracies, or some of them, have been conniving and consenting to the upbuilding of the naval strength and military power of the authors of this creed? Whatever there may be in the ideologies in parts of Europe which are abhorrent to us all, I declare, and I declare it in the language of the Premier of Great Britain. I read:

> I do not pretend for one moment that ideological differences do not exist. They remain unchanged. But I do declare that whatever may be those ideological differences, they do not count in a question of this kind.

That is the question of conflict with Germany.

If our boys go to Europe they will not go to Europe to wipe out nazi-ism; they will go to Europe to adjust territory, to pass upon the question of power, and when the war is over that will happen which happened after the World War—the representatives of the European nations will sit down together and, forgetting every principle for which the American boys died, they will pass solely upon the question of power politics.

What is going on now in Europe? Is it anything more than a controversy over territory, over power? We are being asked to approach and come nearer, step by step, to just such wars as have gone on in Europe from the Spanish succession to the present hour. During the Munich castrophe, the London Times, seeking to place the blame for the situation in Europe, said:

> It belongs in the first place to the men who closed their minds to conciliation at Versailles. The responsibility belongs secondly to all European statesmen who, over a period of 19 years, have refused and neglected to take any step at righting of admitted wrongs until they accumulated into a threat of catastrophe to the world.

This seems to me a true and courageous statement. Whatever may be the philosophy of nazi-ism, however abhorrent we may write it down, it is not the issue in this conflict, and its cure is not war. It is not an issue which will be settled by this conflict; and I venture to say that the treaty of peace, if it ever comes, will have nothing in it about the ending of nazi-ism or its teachings, or of communism or its teachings, any more than had the agreement at Munich. It will devote itself, as did the Versailles Treaty, to the unquenchable imperialistic appetites of those who sit around the table. And if the American boys take part, they will sacrifice their health and their lives that this or that nation may gratify its desires for territory and for power.

But that, I am fully aware, is not the view of many, if any, of those who support repeal. I do not know that it represents anyone's view except my own. That is not the basis upon which they are sending arms to Europe for the benefit and aid of the Allies. Our law is being changed and our policy modified and our arms, munitions, and implements of war are being sent to the Allies because it is claimed, and no doubt by many believed, that the democracies of Europe are in peril and must be saved, because civilization in Europe is being threatened and must be maintained. These arms are being sent because it is claimed that powerful forces which foster and feed upon racial hatred and religious persecution must be checked.

Well, let us accept this thesis, and suppose the war goes on a year, or years; suppose it goes on even for 6 months, and the tide runs heavily against the Allies—what then? Suppose Russia and Germany tighten their relationship and the Allies call for men to save civilization, to save the democracies? Suppose they say to us, as they said once before, "We need your young men." What will be our answer? Suppose they say to us, as has been said by men already near Downing Street, that arms without men is but trifling with an awful subject. What will we say? What will we do? Will we say, "We realize that democracy is on the verge of destruction, that the very foundations of society are breaking up"? We have said as much many times and published it throughout in our journals, spoken it from our platforms, and declared it, in effect, officially. Will we say, "But we can do nothing for you without the cash. We cannot help you without the money. We will only furnish munitions when you pay for them. Our contribution to the salvation of democracy and the preservation of civilization, our defense of liberty of race and religion is measured in dollars and cents. Hitler may reign supreme, as you verily declare he is on the verge of doing. But the extent of our sacrifice, our contribution, is measured by cash."

No; we would not do any such thing. We are Americans. If we believe what is now being preached throughout this country, if we believed, as one of the reasons for sending arms and munitions, that civilization and democracy were the things which were jeopardized, we would send munitions, and without pay; and if the situation still called for it, if we believed, as is now contended, that the salvation of democracy and of civilization demanded it, we would send the boys. What is the use of saying that we would still cling to the proposition of settling the question with arms, munitions, and cash?

Mr. President, in conclusion, I want to go on record as declaring it to be my conviction, first, that this Government had the right and authority without any invasion whatever of the principles of international law, to pass a law providing for an embargo on arms, munitions, and implements of war.

Second, that there are ample precedents wherein other nations have passed such laws and wherein no question was ever raised to the effect that they interfered with the principles of international law.

Third, that the leading authorities on international law sustain this principle.

Fourth, that at the time this law was passed it met with practically universal support from the Government and from the people of the United States.

Fifth, that to repeal the law after war has been begun and under the circumstances which now prevail, and the intent accompanying the repeal, will be a violation of international law and a distinct affirmative act of intervention.

Sixth, that it is my belief repeal is urged with the purpose of favoring the allies and with the intent of rendering service to them in this present war.

Seventh, and further that to repeal the law at this time under these circumstances will not aid in the cause of peace but contribute greatly to our participation in the war.

I am following the course which I am following solely because of my desire to stay out of the European war. I can see nothing in this program contributing to the cause of peace. On the other hand, it seems clear to me that we are moving rapidly to participating in this war. Arms, munitions, and implements of war are things with which to fight, to destroy life, to win battles; they are fit for nothing else. To furnish these things in the midst of a war to the advantage of one side or with the intent of assisting one side, is to help in the destruction of life and to win battles. All the debates in the world, in parliament, or on the stump, will have no effect as against the passion, the deep-seated war spirit of those who are on the field. To them the manufacturer, the salesman, the carrier, all who participate in getting the instrumentalities to the scene of conflict, will be regarded and treated as enemies. We will be in the war from the time the machinery is set in motion which carries these instrumentalities to the seat of war.

A few days ago I read the following description of a scene of battle after these instrumentalities had done their work. I quote:

> Chunks of human flesh were quivering on the branches of the trees. * * * A half dozen houses were burning. * * * Mules and horses were pawing in their own entrails. * * * The whitewashed church was bespattered with blood and brains. * * * Men were running about howling with insanity, their eyes protruding from their sockets. * * * One woman was sitting against a wall trying to push her bleeding intestines back into her abdomen. * * * A man lay nearby, digging his teeth and his fingers into the ground. * * * A child sat on a doorstep whimperingly holding up the bleeding stumps of its arms to a dead woman whose face was missing.

Looking upon a scene as this, who would undertake to discriminate, to distinguish, between the manufacturer of the instruments which could produce such a scene, the purchaser, paper title or no paper titles, and legal technicalities? Let us stay out of this war. It is not our war.

Mr. President, my good friend the Senator from Nevada [Mr. PITTMAN] did me the honor of reading somewhat at length from my speech made in favor of the declaration of war 20 years ago. In that speech I stated my reasons. I have never had any occasion or thought to modify it.

I am not a pacifist. If Germany, or if Great Britain, or if any nation attacks this Nation, kills its people, destroys its property, and makes war, I am ready again, terrible as I know the consequences will be, to vote for a declaration of war. I strove in every way my weak effort could afford to prevent the war 20 years ago. I am seeking now to the best

of my ability to do that which I think will prevent war. I do not want to take any steps nor do anything which will have a tendency to aggravate the possibilities of war. And that is the reason why I support the course which we have hitherto pursued in this matter, that is the reason why I support the law which we have passed.

I am hopeful that we will be able to prevent war. I do not know whether we shall be able to do so or not. That is in the lap of the gods. I have only this to say, that neither Germany nor Great Britain nor any other power, if they so much as deign to notice my remarks, should for a moment fail to conclude that if the rights of America are invaded, if our property is destroyed, if our people are murdered, if our sovereignty is attacked, I shall vote to meet the enemy on the field of war: It is America; America with peace if possible, but America.

[Applause in the galleries.]

Mr. CONNALLY. Mr. President, I desire recognition, and then I do not care to proceed this afternoon.

Mr. McNARY. Mr. President, will the Senator yield to me? I understand his position. In view of his statement I will say that the Senator from New Hampshire [Mr. TOBEY] desires to be heard at this time.

Mr. CONNALLY. Mr. President, if it is agreeable I will take the floor tomorrow, so long as I can obtain recognition now.

Mr. TOBEY rose.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. TOBEY. Mr. President——

Mr. CONNALLY. Just a second. I was only yielding to the minority leader. I claim the floor.

Mr. BARKLEY. Mr. President, I understood that the Senator from Texas desired to follow the Senator from Idaho in support of the pending measure, and that he did not desire to proceed until tomorrow.

Mr. CONNALLY. That is true.

Mr. BARKLEY. That is entirely agreeable. In the meantime the Senator from New Hampshire [Mr. TOBEY] spoke to the Senator from Oregon [Mr. MCNARY] indicating that he would be willing to speak briefly this afternoon in order that we might not have to adjourn at this hour, which is quarter to four, so we might carry out the suggestion that has been generally in the minds of all of us that we shall do a full day's work here each day.

I realize probably that the first day should be an exception, and if the Senator from Texas insists that he follow immediately after the Senator from Idaho without any further intervention on the part of any Senator on the other side of the question. I shall not raise any objection. The Senator from New Hampshire desires to speak for 10 or 15 minutes this afternoon; as I understand that is all the time he wants.

Mr. CONNALLY. I do not intend to be disagreeable about this matter, but it was distinctly understood that at the conclusion of the address of the Senator from Idaho the Senator from Texas should have the floor and that the debate should go over until tomorrow.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield for a question.

Mr. TOBEY. The Senator from New Hampshire will say to the Senator from Texas that he does not propose to speak on the bill this afternoon. He proposes to speak on a matter of procedure. It will take only about 8 or 10 minutes.

Mr. CONNALLY. On what?

Mr. TOBEY. On the procedure of the debate. Not on the merits of the bill.

Mr. CONNALLY. Mr. President, I do not see that that makes any difference. I do not recognize that the Senator from New Hampshire is conducting the debate for the proponents. I prefer to have others more in touch with their plans determine the procedure. I do not wish to be disagreeable, but it was distinctly understood that the Senator from Texas was to follow the Senator from Idaho, and however much the Senator from New Hampshire should contribute to the debate, I think we have already had sufficient debate today for the Senate and the country to digest overnight.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. Mr. President, let me say to the Senator from Texas that, so far as I am concerned, I have no objection whatever, and I assume no other Senator has, to the Senator from Texas claiming the floor and having the matter lie over until tomorrow, and I think it is entirely proper to do so. However, if that is done, and if at some later point in the debate it shall appear that some other Senator who wishes to speak does not wish to go on at 4 o'clock in the afternoon, I desire that the same courtesy shall be extended to him that is now being extended to the Senator from Texas.

Mr. CONNALLY. Mr. President, I am not at all surprised at the agreement on the part of the Senator.

Mr. CLARK of Missouri. Certainly the Senator does not contend that he has any special privilege?

Mr. CONNALLY. I am asking only that the matter go over for today. The Senator from Missouri may do whatever he pleases to do today or tomorrow or any other day without incurring the displeasure of the Senator from Texas.

Mr. CLARK of Missouri. The Senator from Missouri assures the Senator from Texas he will do so.

Mr. CONNALLY. I am sure the Senator will do that and probably a good deal more.

Mr. President, the only reason I make this point is that I had anticipated that the Senator from Nevada [Mr. PITTMAN], with the questions I expected would be asked him, would consume all the day, and that probably the Senator from Idaho [Mr. BORAH] might consume a good portion of tomorrow, and therefore I am not quite ready to proceed this afternoon. I can go on this afternoon, but I will not conclude before the regular adjournment hour.

Mr. BARKLEY. Mr. President, I will say that I have no desire to have the Senator go on this afternoon, and I fully appreciate his situation. This is only the beginning of the debate, and we can probably make an exception today without it being used as a precedent.

Mr. CLARK of Missouri. I give notice that that is not correct.

Mr. BARKLEY. The very situation which now arises is one I have been trying to guard against—that perhaps on certain days at 3:30 or 4 o'clock we shall have to adjourn over until the next day because some Senator is not ready to proceed. I understand the Senator from New Hampshire is not going to discuss the merits of the joint resolution. My understanding is that he has a proposition in his mind to separate the provisions of the joint resolution into two parts—one the straight-out repeal and the other the remaining provisions of the joint resolution—and that he wants to discuss that subject. In the interest of saving time I had in an informal way agreed with the Senator from Oregon that the Senator from New Hampshire might speak this afternoon without interfering with anyone else, but I do not want that to be done if it is not agreeable to the Senator from Texas.

Mr. CONNALLY. So far as concerns the future conduct of the debate, as well as the reference by the Senator from Missouri, I am not endeavoring to lay down any rule. However, we are now at the very beginning of the debate. Some Senators know I have been very busy on the committee in connection with the pending legislation. I have just completed the remarks which I desire to make tomorrow, but they have not yet been typed in full. If Senators want to insist that I go ahead, I can go ahead without any copy.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. McNARY. Mr. President, there is no desire on the part of anyone to compel the Senator from Texas to proceed today. Only in the interest of expedition was the suggestion made, and the matter was discussed between the Senator from Kentucky and me, as to the possibility of a 10-minute speech this afternoon by the Senator from New

Hampshire [Mr. TOBEY], who wanted to discuss a wholly different proposition from that which is to be discussed tomorrow so ably by the Senator from Texas. I do not wish to depart from the program or understanding. I would not embarrass the majority leader or anyone else involved in the understanding. However, Mr. President, I think the time occupied by the Senator from New Hampshire would not in any way interfere with the eloquent speech which I anticipate will be delivered tomorrow by the Senator from Texas.

Mr. CONNALLY. Mr. President, in deference first to the Senator from Kentucky [Mr. BARKLEY] and to the Senator from Oregon [Mr. MCNARY], on the same level of consideration, and through a great anxiety to hear the views of the Senator from New Hampshire [Mr. TOBEY]—which, as has been stated, will not touch the subject under consideration—I yield; but I wish it distinctly understood that I shall have the floor when the Senate convenes tomorrow.

Mr. MCNARY. Mr. President, I am advised by the Senator from New Hampshire that he will yield this afternoon, and not interfere with the program.

DEATH OF REPRESENTATIVE THOMAS S. M'MILLAN OF SOUTH CAROLINA

The PRESIDING OFFICER. The Chair lays before the Senate a resolution from the House of Representatives which will be read.

The resolution (H. Res. 310) was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
October 2, 1939.

Resolved, That the House has heard with profound sorrow of the death of Hon. THOMAS S. MCMILLAN, a Representative from the State of South Carolina.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. BYRNES. Mr. President, I send to the desk a resolution which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 189) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. THOMAS S. MCMILLAN, late a Representative from the State of South Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. BYRNES. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 3, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 2, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in Heaven, we wait at the altar of prayer for Him who makes our task His own. In the yearnings of our hearts may we lay aside every earthly burden. Deliver us from coldness of heart and wandering mind and bless us with peace and calm unknown to worldly cares. Send us the voice of Thine unuttered speech which memories mock the present day. As we wait, O Lord, two brothers and sincere servants of the State respond not to the call of their names; the loss and the sorrow oppress us. We beseech Thee to let the cloud be Thy shadow and the wind on our sea wafted by Thy wings. Enable us to realize, blessed Lord, that the haze on our horizon whispers the secret of a new life. When the darkness deepens, when other helpers fail and comforts flee, O encircle the cloud with Thy rainbow, and may tears be transformed into jewels to adorn the crown of immortal glory. Be Thou the angel of peace and consolation in the broken family circles. In the dear Redeemer's name. Amen.

The Journal of the proceedings of Thursday, September 28, 1939, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed the following resolutions:

SEPTEMBER 28, 1939.

Senate Resolution 187

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. THOMAS M. EATON, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of executive papers in the following departments and agencies:

1. Department of the Interior.
2. Department of the Navy.
3. Department of the Treasury.
4. United States Civil Service Commission.
5. Federal Communications Commission.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, my colleague the gentleman from New York [Mr. FISH] was assigned 20 minutes to address the House today. He wishes that the special order for today be transferred to next Monday, and I make this request.

The SPEAKER pro tempore (Mr. RAYBURN). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that on next Monday, following the address by the gentleman from New York [Mr. FISH], I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including a speech made by the Honorable Alfred E. Smith over the Columbia Broadcasting System October 1, 1939, under the auspices of the American Union for Concerted Peace Efforts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Bergen Evening Record of Hackensack, N. J.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by the Honorable Harry H. Woodring, Secretary of War, made over an N. B. C. network on September 29.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by the Honorable Raymond J. Kelly, newly elected national commander of the American Legion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by Rev. Edward W. Stimson.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Sioux City Tribune.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of neutrality.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by J. Edgar Hoover, Director of the Federal Bureau of Investigation, at the graduating exercises of the National Police Academy.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech by the Attorney General of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by J. Edgar Hoover, Director of the Federal Bureau of Investigation.

The SPEAKER pro tempore. I think that was put in by another Member.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a broadcast by Capt. Eddie Rickenbacker, America's ace of aces during the World War, and an article by Ernest Lindley, appearing in the Washington Post of Sunday, October 1, 1939, entitled "The Embargo and International Law."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

There was no objection.

Mr. COX. Mr. Speaker, I ask unanimous consent that the unanimous consent just granted me be canceled.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MASSINGALE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by Gen. Hugh Johnson on A Fair Farm Policy.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma [Mr. MASSINGALE]?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. GEHRMANN]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I did not understand the remark the Speaker made with reference to my previous request.

The SPEAKER pro tempore. The Chair was under the impression that the address had been included in the RECORD already.

Mr. CRAWFORD. If it is the same one I do not want it duplicated.

The SPEAKER pro tempore. Without objection, the request of the gentleman from Michigan [Mr. CRAWFORD] is granted.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a certain article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. PITTENGER]?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a discussion by the president emeritus, George W. Rightmire, of Ohio State University, on our stake in the World War.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio [Mr. VORYS]?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a proclamation by the first President of the United States, George Washington.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

Mr. PIERCE of Oregon. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a speech by Dr. Raver, recently appointed administrator at Bonneville.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the New York Times on the poll tax.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. GEYER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COX. Mr. Speaker, I ask unanimous consent that on Monday next, following the previous orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia [Mr. COX]?

There was no objection.

EXTENSION OF REMARKS

Mr. BLACKNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. BLACKNEY]?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement on the subject of legal holidays, prepared by William Tyler Page.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota [Mr. CASE].

There was no objection.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by the Reverend C. J. Gunnell.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa [Mr. GWYNNE]?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a history of the city of Minneapolis prepared by its centennial committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. YOUNGDAHL]?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Gen. Hugh S. Johnson at the annual convention of the American Legion at Chicago last week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho [Mr. DWORSHAK]?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a quotation from the broadcast made by Senator PITTMAN.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

Mr. TAYLOR of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of a letter written by Hon. Charles D. Hilles to Mr. E. Worth Higgins, of the United States News.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article entitled "America's Destiny," from the Daily News Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GARTNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some resolutions passed by the Lions Club of Northeast Philadelphia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from one of my constituents.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Miss SUMNER of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address I shall deliver this afternoon here in Washington.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including an article by Prof. Charles Cheney Hyde on international law.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MILLS of Louisiana and Mr. VOORHIS of California asked and were given permission to extend their own remarks in the RECORD.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein resolutions adopted by two Indiana organizations on international relations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD with regard to a resolution introduced today.

The SPEAKER pro tempore. The Chair thinks it proper to submit this request in view of the fact that there is no legislative program for today.

Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, now that the President has seen fit to call Congress in session for the purpose of considering legislation affecting the attitude we should take at this time toward foreign nations in the present emergency, I believe it is for the best interests of this country that the Congress remain in session until and unless the emergency subsides. I believe a great majority of the people of the country expect us to do so.

The President, in his message, suggested that after the present special session of Congress had completed its work, he would call in for consultation from time to time Members from both branches of Congress to consult with him concerning our foreign policy and other matters that are of interest to the country in connection with the proposed legislation.

It is my suggestion that the interests of the present session of Congress can be better served by the appointment of a special joint committee from the Senate and House, whose particular business it will be to meet with the President and other members of the executive branch of the Government from time to time for the purpose of consultation and discussion of the problems involved in our foreign policy, as well as the foreign problems in which this country may be interested; that such joint committee report to the House and Senate from time to time such information, so that Congress may have first-hand information and thereby be better and more closely informed concerning such affairs, and in turn be enabled to render more efficient and better service to the country.

As the situation now stands, Members of Congress are required to secure most of their information through the newspapers and from other sources, and are not, in my judgment, in as close communication with the executive department as should be, and do not have the information that comes through that department—to which the Congress is entitled.

I have introduced a House joint resolution this morning providing for the appointment of 10 members of a committee—5 from the House, to be appointed by the Speaker, and 5 from the Senate, to be appointed by the Vice President—with a further provision that not more than 3 from each branch of Congress shall come from one political party; and providing further that they shall meet with the President at a call of the majority of the membership of such committee and shall provide the information to Congress which I have just discussed.

I trust the House will see fit to adopt this resolution at the proper time.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHANNON. Mr. Speaker, I ask unanimous consent that after the reading of the Journal on Thursday next and following any special orders heretofore entered I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 3 calendar days in which to extend their own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

THE LATE THOMAS S. M'MILLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Speaker, in the absence of the dean of the delegation from my State, it becomes my sad and painful privilege to announce the sudden death of our colleague, the Honorable THOMAS S. MCMILLAN, at his home in Charleston, S. C., last Friday.

If time permitted, I should like to take this opportunity to pay appropriate tribute to the life and character of this worthy colleague. It is sufficient to say at this time that Mr. MCMILLAN and I came to Congress, representing adjoining districts, in 1925. We soon developed a most cordial and a very close and abiding friendship. I soon learned to admire the many great virtues found in the life of this able and most congenial South Carolinian. He endeared himself to the Members of Congress, I believe, as much as any Member here. This is not a mere complimentary phrase nor is it a colored or exaggerated tribute. Everybody here knew TOM MCMILLAN, as he was affectionately known. We all knew and admired him for his frankness, his fairness, his congenial disposition, his devotion to duty, and his earnest desire to be of service to his people and his country.

Mr. Speaker, at a later date I shall ask an opportunity to pay a more extended and appropriate tribute to the life and character of my personal friend and colleague, the Honorable THOMAS S. MCMILLAN. I now send to the desk a resolution and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 310

Resolved, That the House has heard with profound sorrow of the death of Hon. THOMAS S. MCMILLAN, a Representative from the State of South Carolina.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

PEACE, BE STILL

Mr. RANKIN. Mr. Speaker, I desire to be heard on the resolution.

Mr. Speaker, the Mississippi delegation desires to join the Members from South Carolina in expressing our profound sorrow at the passing of the Honorable THOMAS S. MCMILLAN, a worthy and distinguished son of South Carolina, an able and patriotic representative of the American people.

During these trying hours when the world is fraught with turmoil, when we are threatened with strife and dissension, we need men like TOM MCMILLAN to help carry on the work of this Congress. He was not only a man of sound integrity, he was not only a man of unsual ability and devotion to duty, but TOM MCMILLAN was a Christian gentleman in the truest sense of the word. That is the kind of public men we need today.

We are told in Holy Writ that the Saviour was once asleep upon the Sea of Galilee when there burst forth a great storm. It seemed for a time as if heaven and earth and sea and sky were mingled in one implacable chaos. The disciples awoke the sleeping Saviour and told him they were lost, when he turned and addressed the troubled elements, and said, "Peace, be still." The Bible tells us that "the wind ceased, and there was a great calm."

In the midst of that fearful storm in those perilous waters, where angry waves were rising so high as to seem "to hold communion with the threatening clouds," amidst that "wild and unconscious tumult," this voice, that is being drowned in the world today by the guns of destruction and the voice of malice, avarice, hatred, and revenge, arose above the tumult, addressed the troubled elements, and said, "Peace, be still." The storm ceased, and the Sea of Galilee became as placid as a lake. That is the voice we need in the world today. We have tried everything else in order to bring about the peace of mankind. We have miserably failed.

Napoleon once said that God was on the side of the heaviest artillery. He found his answer at Waterloo, from which he retreated, the disillusioned somnambulist of a shattered dream.

In the World War we heard it expressed repeatedly that might makes right. The might of the world was marshaled, and 10,000,000 young men were destroyed in a futile attempt to bring about the peace of mankind by force of arms. Now we are threatened with another war that would not only wreck the civilization of Europe but threatens to wreck the civilization of America. If it continues and we get into it, it will probably cost the lives of from two to five million of America's bravest and brightest sons.

It would probably place a streamer of crepe on every doorknob of America, broken hearts, vacant chairs, and widows' weeds in every home, and leave us staggering under a burden of debt that it would take hundreds of years to pay, if it did not completely wreck the civilization that Christian men and women have built up in the last 2,000 years.

It is impossible to restore the peace of the world by force of arms. It is impossible to bring about international good will by the wholesale destruction of human beings.

In order to accomplish the desired results, it will be necessary to marshal behind the ideas of peace the moral forces of mankind.

What we need today is to heed the voice of the Prince of Peace, saying to the troubled elements of mankind, "Peace, be still," and thereby allay the storm which threatens to engulf, overwhelm, and destroy the last vestige of our Christian civilization.

We need Him today as never before, in this sad hour when the helpless people of the world are crying for peace. We need to have Him seated, if you please, at the council table, where His voice may be heard above the jingle of coins, above the roar of cannon, and above the voice of hatred, to speak to the troubled elements of mankind and say, "Peace, be still," to bring about a cessation of hostilities and restore to the world that peace for which Christian men and women are praying in every land.

This is what TOM MCMILLAN would say today if he were here to speak for himself. It is what America must say, it is what the world must say, unless we are going to destroy that golden civilization it has taken 2,000 years of Christianity to build.

God save the world from such a catastrophe!

God save America from such a fate!

Mr. FISH. Mr. Speaker, the House of Representatives has lost one of its ablest and most experienced and popular legislators. Mr. HARE, his colleague from South Carolina, was right when he said that TOM MCMILLAN was one of the most popular Members in the House. I think he was as highly regarded and as much liked on our side as even among his colleagues from South Carolina, where he was better known. I had the honor to go abroad with him on the steamship *Manhattan* not long ago, and stayed with him in Europe, and came back only a week or so ago with him on the steamship *President Harding*. He was a man of infinite charm. He radiated good will and friendship. Wherever he went he was the life of the party. He mixed with all classes and was well liked by all. I know of no one in the House who will be more mourned by both sides than TOM MCMILLAN. He was a credit to the Democratic Party; he was a credit to the great State of South Carolina; and, above all, TOM MCMILLAN was a real American citizen, who was devoted to the interests and welfare of his country and who loathed war and urged peaceful relations between the nations of the world.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The resolution was agreed to.

The SPEAKER pro tempore. The Chair announces that the Speaker on September 29, 1939, designated the following

Members as a committee to attend the funeral of our deceased colleague: Mr. FULMER, of South Carolina; Mr. RICHARDS, of South Carolina; Mr. CALDWELL, of Florida; and Mr. COLMER, of Mississippi.

ADJOURNMENT

The SPEAKER pro tempore. The Clerk will report the remaining portion of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, the House do now adjourn.

The resolution was agreed to; and, accordingly (at 12 o'clock and 28 minutes p. m.), in accordance to the order heretofore made, the House adjourned until Thursday, October 5, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 7556. A bill making the last Thursday in November of each year a public legal holiday in the District of Columbia and in all places within the jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. MURDOCK of Arizona:

H. R. 7557. A bill to impose taxes on transactions in arms, ammunition, and implements of war; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 7558 (by request). A bill to equalize the extra compensation payable to certain World War veterans who suffered the loss of the use of one or more feet or hands; to the Committee on World War Veterans' Legislation.

H. R. 7559 (by request). A bill to amend Public Resolution No. 24, Seventy-sixth Congress, entitled "Joint Resolution Making Appropriations for Work Relief and Relief for the Fiscal Year Ending June 30, 1940," so as to grant employment and retention preference to the wives of disabled veterans and to the widows of deceased veterans; to the Committee on Appropriations.

H. R. 7560 (by request). A bill to restore certain service-connected benefits to World War veterans, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. REES of Kansas:

H. J. Res. 387. Joint resolution to create a joint congressional committee to consult with the President on problems relating to the present European situation; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 7561. A bill for the relief of Frank L. Sarazin; to the Committee on Claims.

By Mr. KRAMER:

H. R. 7562. A bill for the relief of Rudolfo Kaufmann and his wife, Ellinor T. Kaufmann; to the Committee on Immigration and Naturalization.

H. R. 7563. A bill for the relief of Salomon Georg Kaufmann, his wife, Doris Kaufmann, nee Stern, and their child, Michael Peter Kaufmann; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5612. By Mr. HALLECK: Petition of sundry citizens of Winona Lake, Ind., and vicinity, urging that the United States remain rigidly neutral and free from all entangling alliances with other nations; to the Committee on Foreign Affairs.

5613. Also, petition of citizens of Rensselaer, Ind., and vicinity, opposed to the proposed revision of our Neutrality Act; to the Committee on Foreign Affairs.

5614. By Mr. GILLIE: Petition of Mr. and Mrs. F. L. McClain, of Bluffton, Ind., and 60 other residents of Bluffton, Keystone, and Poneto, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5615. Also, petition of Rev. Evert Baker and 70 other residents of Bluffton, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5616. Also, petition of Mrs. Leroy Eckert and 75 residents of Fort Wayne, Ind., urging that Congress keep the embargo on arms and munitions; to the Committee on Foreign Affairs.

5617. Also, petition of Ivan Y. Butler, Fort Wayne, Ind., and 100 other citizens, urging retention of the embargo on arms and munitions; to the Committee on Foreign Affairs.

5618. Also, petition of Wallace Adams and members of the Wesleyan Service Guild of the Methodist Church, Avilla, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5619. By Mr. JOHNS: Petition of John B. Stevens and 224 others, of Philadelphia, Pa., requesting Congress to make no changes in the present neutrality law, except to strengthen it and restrict the goods we can ship to foreign nations; to the Committee on Foreign Relations.

5620. Also, petition of George Ney and 243 others, of Two Rivers, Wis., requesting a vote against any bill that has a cash-and-carry program directly or indirectly, or any agreement that might lead us into war; to the Committee on Foreign Affairs.

5621. Also, petition of Florence La Comte and 432 others, from Oconto, Wis., to preserve our present neutrality law; to the Committee on Foreign Affairs.

5622. Also, petition of Wenzel Kozina and 252 others, of Denmark, Wis., to keep the present neutrality as it is and do everything within the power of Congress to keep us out of foreign entanglements; to the Committee on Foreign Affairs.

5623. Also, petition of Nell Shellman and 78 others, of Oconto Falls, Wis., asking that Congress vote to retain the present neutrality legislation in order to retain the peace of our land, our strict neutrality, and freedom from foreign war; to the Committee on Foreign Affairs.

5624. Also, petition of Joseph M. Cisler and 331 others, of Luxemberg, Wis., asking that the Neutrality Act be not changed and to do all we can to keep out of foreign entanglements; to the Committee on Foreign Affairs.

5625. Also, petition of Leroy Klein and 53 others, of Kaukauna, Wis., opposing any cash-and-carry plan, such as the President proposes, and to defeat any such plan; to the Committee on Foreign Affairs.

5626. Also, petition of Helen Meyer and 67 others, of Watertown, Wis., opposing the repeal or change of the neutrality law and to vote against such action; to the Committee on Foreign Affairs.

5627. Also, petition of R. T. Teigen and 74 others, of Milwaukee, Wis., to keep this country out of war by staying absolutely neutral and safeguarding this neutrality by a strict embargo, not alone on arms and ammunition, but everything else as well; to the Committee on Foreign Affairs.

5628. By Mr. KINZER: Petition of 348 citizens of Lancaster County, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5629. By Mr. SCHIFFLER: Petition of R. E. Campbell and his office force of Weirton, W. Va., urging that we use our influence to prevent any revision of the present neutrality law; to the Committee on Foreign Affairs.

5630. Also, petition of Mrs. Paul Gregory, grand regent, Catholic Daughters of America, Court Carroll, No. 299, Wheeling, W. Va., urging no change in the present neutrality law and no involvement of the United States in foreign wars; to the Committee on Foreign Affairs.

5631. Also, petition of citizenship chairman, Mountain State Farm Women's Club of Roneys Point, W. Va., opposing the repeal of the neutrality law and the cash-and-carry system; to the Committee on Foreign Affairs.

5632. Also, petition of Mrs. John Besco and other citizens of Triadelphia, W. Va., urging no change in the present neutrality law; to the Committee on Foreign Affairs.

5633. Also, petition of John Kain and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5634. Also, petition of Charles H. Hawkins and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5635. Also, petition of Herbert Stobb and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5636. Also, petition of Antone Becker and other citizens of Wheeling, W. Va., urging no change in the neutrality law; to the Committee on Foreign Affairs.

5637. Also, petition of Mrs. A. E. Barnett and other citizens of Follansbee, W. Va., urging that the United States remain neutral; to the Committee on Foreign Affairs.

5638. Also, petition of Joseph Tetrick and other citizens of Wheeling, W. Va., urging that no change be made in the present neutrality law; to the Committee on Foreign Affairs.

5639. Also, petition of Donald Habig and 46 citizens of Wheeling, W. Va., urging that we employ all means at our disposal to keep America out of war and free from foreign entanglements; to the Committee on Foreign Affairs.

5640. By Mr. TENEROWICZ: Memorial of certain voters in Detroit, Mich., urging repeal of the arms embargo; to the Committee on Foreign Affairs.

SENATE

TUESDAY, OCTOBER 3, 1939

(Legislative day of Monday, October 2, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal and Unchangeable God, who, in the time of shadow and darkness, canst be our only true and lasting light, in whom alone we find rest for our weariness and comfort for our sorrow: Look upon us with Thy mercy, and give unto us the spirit of understanding promised by Thy dear Son as we pause in reverence to pay loving tribute to him who but yesterday was in our midst serving his country and his God with pure heart and unfeigned lips. Receive him, dear Lord, unto Thyself, and grant that he may go from strength to strength in that life of perfect service which it is Thine to give.

Enfold in Thine everlasting arms the loved ones who remain; and may the influence of this true disciple of the Holy and merciful Saviour abide with us in all our deliberations, enabling us the better to find God in our duty and in the range and richness and mastery of our own powers. Through Jesus Christ, our Lord. Amen.

APPEARANCE OF A SENATOR

Mr. MEAD, a Senator from the State of New York, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, October 2, 1939, was dispensed with, and the Journal was approved.

DEATH OF SENATOR LOGAN, OF KENTUCKY

Mr. BARKLEY. Mr. President, we have all been profoundly shocked today by the news of the sudden death of my late colleague, Senator LOGAN. By the death of Senator LOGAN the Senate of the United States is deprived of the services of one of the most conscientious, sincere, hard-working, and loyal men who ever graced this body with his membership.

I have known Senator LOGAN practically all my life. He was assistant attorney general of Kentucky, he was attorney general of Kentucky, he was chairman of the newly organized tax commission at the time the State legislature created a tax commission. He was a member of our highest court—the court of appeals—and was chief justice of the Court of Appeals of Kentucky at the time he resigned to become a Member of the United States Senate. Whether in public or in private life, whether in his fraternal relationships, which were Nation-wide, or in his association with us here in committees and on the floor, I believe I can say of him as justly as was ever said of any man that he was, in truth, a Christian statesman.

For more than 30 years, notwithstanding his arduous duties as a Member of this great body, Senator LOGAN taught a Bible class wherever he found himself on the Sabbath. Nothing could cause him to depart from his routine of Christian life. I mourn him as a statesman and as a Kentuckian; I deplore his loss as a devoted, lifelong friend.

At a later date I will request the Senate to afford an opportunity for more elaborate expression with respect to his public life and private character. For the time being I offer the resolution which I send to the desk and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 190) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. M. M. LOGAN, late a Senator from the State of Kentucky.

Resolved, That a committee of nine Senators be appointed by the Vice President to take order for superintending the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT subsequently, under the second resolving clause, appointed the following Senators to take order for superintending the funeral of the deceased Senator: Mr. BARKLEY, Mr. ASHURST, Mr. MCKELLAR, Mr. FRAZIER, Mr. AUSTIN, Mr. BURKE, Mr. MINTON, Mr. TRUMAN, and Mr. MILLER.

Mr. BARKLEY. As a further mark of respect to the memory of my deceased colleague, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, October 4, 1939, at 12 o'clock meridian.

SENATE

WEDNESDAY, OCTOBER 4, 1939

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, the Father of our Lord, Jesus Christ, whose infinite humanity and sublime heroism were securely centered in the austere benignity of Thy will: Give to these, Thy servants, composure in this hour of the world's peril, and may each one keep his heart with all diligence, knowing that out of it are the issues of life, for Thy supreme gift is a loving human heart, the spirit of understanding, which can carry us up to the heights, down to the depths, even abroad as wide as morning from evening. Take us, we beseech Thee, at this moment of dedication to the secret place of the Most High, where, like the prophets of old, we may hear Thy voice and, coming forth from thence, may boldly proclaim the great moral and spiritual imperatives, only by laying hold of which our disillusioned world can be brought back to righteousness, justice, and peace. We ask it in the name of Jesus Christ, our Lord and Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar

day Tuesday, October 3, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Russell
Andrews	Downey	Lodge	Schwartz
Austin	Ellender	Lucas	Schwellenbach
Bailey	Frazier	Lundeen	Sheppard
Barbour	George	McCarran	Shipstead
Barkley	Gerry	McKellar	Slattery
Bilbo	Gibson	McNary	Smathers
Borah	Gillette	Maloney	Stewart
Bridges	Green	Mead	Taft
Brown	Guffey	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Tobey
Byrd	Hatch	Neely	Townsend
Byrnes	Hayden	Norris	Truman
Capper	Herring	Nye	Tydings
Caraway	Hill	O'Mahoney	Vandenberg
Chavez	Holman	Overton	Van Nuys
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Johnson, Calif.	Pittman	White
Connally	Johnson, Colo.	Radcliffe	Wiley
Danaher	King	Reed	
Davis	La Follette	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Alabama [Mr. BANKHEAD], the Senator from South Carolina [Mr. SMITH], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

INVESTIGATION OF PRODUCTION AND IMPORTATION OF WOOD PULP

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission submitting, pursuant to Senate Resolution 160, agreed to August 1, 1939, a partial report concerning domestic production and the importation of wood pulp or pulpwood, which was referred to the Committee on Finance.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of New Jersey, which was referred to the Committee on the Judiciary:

A concurrent resolution memorializing the Congress of the United States to enact appropriate legislation to prevent profiteering in foodstuffs and commodities

Whereas there is a widespread tendency to unjustly increase the cost of foodstuffs and commodities; and

Whereas the profiteering resulting therefrom unjustifiably increases the cost of living and burdens the general public, which profiteering should be effectively curbed and punished: Therefore be it

Resolved by the Senate of the State of New Jersey (the house of assembly concurring):

1. The Congress of the United States be memorialized and requested to enact appropriate legislation designed to prevent profiteering in foodstuffs and commodities to the end that such irregular practices shall be abated; and be it further

Resolved, That a copy of this concurrent resolution, signed by the president of the senate and the speaker of the house of assembly, be transmitted to the presiding officers of the Senate and House of Representatives of the United States and to the Senators and Representatives from this State in the Federal Congress.

2. This concurrent resolution shall take effect immediately.

The VICE PRESIDENT also laid before the Senate a letter in the nature of a petition from Ellsworth P. Kane, Kane Travel Service, San Francisco, Calif., praying that American shipping in the Pacific Ocean be exempted from the operation of pending neutrality and peace legislation, which was ordered to lie on the table.

Mr. LODGE presented numerous memorials of sundry citizens of the State of Massachusetts remonstrating against any change in the existing neutrality law, which were ordered to lie on the table.

SUGGESTED ARMISTICE IN EUROPEAN WAR

Mr. JOHNSON of Colorado. Mr. President, I submit a resolution and ask to have it read by the clerk, together with a brief statement, and then referred to the proper committee.

The VICE PRESIDENT. Without objection, the resolution and the accompanying statement will be read.

The legislative clerk read the resolution (S. Res. 191), as follows:

Whereas the time is auspicious for the United States to use its best efforts to promote an immediate armistice in the war now being waged in Europe; and

Whereas it is the sincere desire of our President and the American people to see an early termination of such war; and

Whereas other neutrals are looking to us for leadership in a movement to that end; and

Whereas there is more glory and courageousness in an honorable peace than a bloody victory with its attendant ills and sorrows: Now, therefore, be it

Resolved, That it is the sense of the Senate that every effort should be made by the United States in conjunction with other neutral nations to bring about an early termination of the European conflict, and to that end the President is requested to join with other neutrals in urging the nations that are now at war to enter into an immediate armistice as a preliminiary step toward negotiations looking to the complete, lasting, and peaceful settlement of the various matters about which they are in conflict.

The legislative clerk read the statement presented by Mr. JOHNSON of Colorado, as follows:

Americans are proud and grateful for the persistent effort made by the President of the United States to prevent the European war. These courageous efforts should continue even though the war is now an actuality.

Every possible pressure for peace should be brought to bear upon the belligerents by neutral states and the warring nations should be urged to declare an armistice immediately so that the terms of an honorable peace might be worked out around the conference table. If this war continues millions of women and children will be starved by the blockades, millions of men slaughtered at the front, and billions of taxpayers' dollars will be squandered. While such a fire rages no one's peace will be safe.

Neutral states all over the world are looking to our great President to lead another effort for peace.

The best insurance for keeping America out of the European war will be to stop that war now.

The VICE PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

ADDRESS BY SENATOR NORRIS ON AMERICAN NEUTRALITY

[Mr. BYRNES asked and obtained leave to have printed in the RECORD a radio address on American neutrality delivered by Senator NORRIS on October 3, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR REED ON PENDING NEUTRALITY LEGISLATION

[Mr. REED asked and obtained leave to have printed in the RECORD a radio address delivered by him Sunday, October 1, 1939, on the pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY ROSS F. LOCKRIDGE ON THE BOYHOOD OF LINCOLN

[Mr. MINTON asked and obtained leave to have printed in the RECORD an address on the boyhood of Abraham Lincoln delivered by Mr. Ross F. Lockridge, under the auspices of the Booneville Press Club, in Spencer County, Ind., which appears in the Appendix.]

ADDRESS BY BISHOP SHEIL ON AMERICA'S CATHOLIC YOUTH AND EUROPE'S WAR

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an address delivered on October 2, 1939, by the Most Reverend Bernard D. Sheil, D. D., auxiliary bishop of Chicago, on the subject of America's Catholic youth and Europe's war, which appears in the Appendix.]

ADDRESS BY DR. ERNEST H. WILKINS, PRESIDENT OF OBERLIN COLLEGE, ON DEMOCRACY AT BAY

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address entitled "Democracy at Bay" delivered by Dr. Ernest H. Wilkins, president of Oberlin College, on September 20, 1939, which appears in the Appendix.]

EDITORIAL FROM WILMINGTON (DEL.) JOURNAL ON KEEPING AMERICA OUT OF THE WAR

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial from the Wilmington (Del.) Journal—Every Evening of Wednesday, September 20, 1939, entitled "America Can Keep Out," which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order.

Mr. BARKLEY. I ask unanimous consent that further proceedings under the morning hour be dispensed with and that the unfinished business be taken up for consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

The Senate resumed the consideration of the joint resolution (H. J. Res. 306) the Neutrality Act of 1939.

The VICE PRESIDENT. Let the Chair suggest to the guests of the Senate in the galleries that any kind of conversation in the galleries is very disturbing on the floor of the Senate. Under the rules of the Senate, no demonstrations of approval or disapproval by our guests of what happens in the Senate are permitted. The Chair hopes the occupants of the galleries will respect the rules of the Senate.

Mr. CONNALLY. Mr. President, the President of the United States called the Congress into extraordinary session; and we here in the Senate, together with the entire American people, are now facing a very grave and heavy responsibility. We are gathered to consider the welfare and the interests of no nation or country on earth save the welfare and the interests of the United States and its people. We are gathered to perform, if we can, the duty of charting the course of the United States during a period in which great armies are charging across the battlefields of Europe, plunging those peoples into blood and tragedy; at a time when peaceful processes have been overthrown by the sword, when fair lands are being devastated, and people who perhaps would prefer peace are being engulfed in all the ruin and the tragedy and the miseries of war. So it is our duty, if we can, so to conduct the affairs of the United States that we may not be drawn into all of that terror, desolation, and waste. My purpose is to keep America out of war. America must not be dragged into war.

Those of us who propose the joint resolution assume for ourselves no less than we accord to those who are opposed to it. I assume that every Senator is approaching this problem with an unselfishness worthy of a Senator, with a patriotism worthy of an American, and with an earnest and controlling desire so to speak and so to vote as to bring about the abstention of the United States and its people from all the harrowing effects, the waste, the terror, and the frightfulness of this war. We accord to our opponents that attitude of mind, and we demand for ourselves no less.

It has been intimated over the radio and through the press that some of those who are advocating this joint resolution are actuated by some desire to take this step and then to take another step and then to take another step which would bring us closer and closer and closer to the brink of war, and then plunge us over the Niagara of terror. Speaking for those who favor the joint resolution, I deny and denounce any such assumption or belief. We are trying to keep out of war—not get closer to it. We must face the realities of this situation. The situation is not of our making. We set in motion none of the forces that plunged Europe into war. We were not present when conquerors and dictators plotted and planned aggression and bloody conquest. We had no agency behind the scenes when the general staffs, both political and military, were forming their plans and meditating where destruction and death should begin. We had no part in bringing about the war, and it is not of our making. We want to remain aloof from it. But however we may wish and however we may feel, we face stern, yea, flaming realities; and so far as we can do so, so far as our own attitudes of mind enable us to do so, we must approach this problem with the view that we want to stay out of war, but at the same time we must be practical men; we must not close our eyes or shut our ears to actualities, to grim realities. We must be statesmen.

Mr. President, already the debate has been notable. We heard the Senator from Nevada [Mr. PITTMAN], for whom I have great admiration and respect and affection, expound in detail the provisions of the pending joint resolution, and the defects of the present Embargo Act from which we are trying to escape. He spoke, I think, in a most convincing and a most logical way.

We then heard the distinguished Senator from Idaho [Mr. BORAH]. Let me say that the Senator from Texas not only has high respect for the Senator from Idaho but he has more than respect; he has a deep and an abiding admiration not alone for the ability of the Senator from Idaho, not alone for his oratory, not alone for his statesmanship but for the lofty qualities that have distinguished him not only in America but throughout the world.

Mr. President, the Senator from Texas entertains even more than admiration for the Senator from Idaho. He entertains for him a deep and indescribable personal affection. I regret that in the course of this debate I shall perforce have to take issue with some of the things the Senator from Idaho advocates and for which he speaks. I want him to know, and I want every other Senator to know, and I want every constituent of mine to know, that when I do so I do so with every desire to be respectful and considerate, with no purpose on earth to question in anywise either the sincerity, the patriotism, or the character of the Senator from Idaho.

But, Mr. President, we face realities. The plan proposed in the joint resolution reported by the Committee on Foreign Relations, of which the Senator from Nevada [Mr. PITTMAN] is chairman, is a concrete plan, as we believe, comprehensive in its nature, designed to keep us out of war. The Senator from Idaho [Mr. BORAH] delivered a moving, a stirring address, an oration denouncing the horrors of war, a view which we all share; denouncing European conflicts over territories and over boundaries, a view with which we all agree; denouncing power politics to which we all agree and with which we would have nothing whatever to do. But, Mr. President, oratory is not going to win this war. The Siegfried line, if it is broken, will not be broken by oratory. The Maginot line, if it is broken, will not be broken by oratory. American ships, when they go to sea with commerce destined for the nations at war, will be sunk perhaps by submarines, regardless of the oratory of those upon those ships or of those of us here at home. So we shall have to deal with these things concretely and directly; and I say that with no lack of respect to the Senator from Idaho.

Mr. President, approaching this issue with the view that we are all sincere and earnest and honest and patriotic in our endeavors to keep out of the European war, what are we going to do about it? Words will not do it. Speeches will not do it. If it is done, it must be by what we shall do by our acts, insofar as legislation can avail. Legislation alone may not do it; but it is our duty, insofar as legislation can accomplish the desired result, to approach the problem with the purpose and the view of doing all that legislation can do.

What is the answer? Those of us on the Committee on Foreign Relations have been undertaking to translate our views into a joint resolution which is not alone that of the President. This joint resolution perhaps is not exactly in every detail what the President of the United States would desire. It represents not alone the views of the committee, but we have undertaken to represent the views of the American people. They did not write the language, but we know what is in their hearts, and we have undertaken to put in the joint resolution that which we believe is in the hearts of the American people: First, that they want no involvement in this European war; second, that they want no act of ours, by law or by legislation, to be unneutral or unfair to the nations now at war.

So, Mr. President, we approach this problem with a joint resolution which has two objectives. The first is the repeal

of the present Arms Embargo Act. The second is a comprehensive program outlining what we think we can do in the way of domestic regulations, not international law. We here in this Chamber cannot make international law. We cannot pass laws for the rest of the world. All we can do is to pass domestic legislation which has no relation whatever to international law, save insofar as it may affect our own individual attitude toward international law. So we are met now to propose domestic legislation.

The first thing the joint resolution proposes is a repeal of the arms embargo. What is the arms embargo? The public understands it only in part. There has grown up over the country an idea that the arms embargo means peace, that the arms embargo means no war, that the arms embargo means that we will not go into Europe's war. Over a period of years that theory and that idea have been sedulously and continuously hammered and beaten into the ears of the guileless and those who are susceptible of easy impression by those who were the authors of the act, and who have been agitating over the country in that behalf for years. That claim is not true. I challenge it now. The present Embargo Act of itself does not mean peace, the present Embargo Act of itself does not mean that we will stay out of war. I propose to demonstrate, before I conclude my remarks, that under the present Embargo Act America is a thousand times more apt to be dragged into the present war, as we were dragged into the World War, than it would be under the terms of the pending joint resolution.

What does the Arms Embargo Act provide? The Arms Embargo Act, first passed in 1935, and reenacted in 1937, provides that—

> Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact—

That is all, just the fact that there is a war—

> and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to or for the use of any such belligerent state.

And so on. Then it imposes heavy penalties.

Mr. President, the embargo was enacted at a time when we entertained the hope, which has proved to be vain, that we might by that act influence militaristic powers not to engage in war. We now see how empty that hope was. What voice in Europe listened to the admonition of the United States? Not a single conqueror, not a single military master, paused in his plans or paused in his contemplated campaigns to listen to our pleadings.

The act was passed at a time when public sentiment had been worked up and whipped up to the theory that the enactment of the embargo law meant no war for us. It was whipped up on the theory that it represented real neutrality. That I propose to deny; that I propose to challenge here today. The present Embargo Act is not only not neutral, but in its operation it is distinctly unneutral, perhaps not technically unneutral under international law, because of course the Senator from Idaho is correct when he says that we may pass any domestic regulation without any other government saying that we may or may not do so.

The pending joint resolution is purely a domestic regulation of our own citizens, of our own ships, and of ourselves. We had a right to pass the embargo law, and if we had a right to pass it, we have the same right to repeal it. There is no law of the Medes and Persians in our code. In any free government our laws are written not in bronze—what Congress can write Congress can erase. The Congress of the United States may repeal any law it has a right to pass. So today we have a right to pass the new act without any government on earth questioning our authority or our right.

Mr. MINTON. Mr. President——

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Does the Senator from Texas yield to the Senator from Indiana?

Mr. CONNALLY. In just a moment. When we enact a statute we make no compact with a foreign power. When we want to do that we make a treaty.

I now yield to the Senator from Indiana.

Mr. MINTON. I ask the Senator whether, if the present law were not on the statute books, it would be unneutral for us to pass the law now.

Mr. CONNALLY. I do not suppose there is a Senator on this floor who, if there were no embargo act on the books, would advocate our now passing a law like the present embargo act. It would be unneutral, of course, and if it would be unneutral for us to pass it now, it was unneutral when we passed it, as applied to a situation like the present state of affairs in the world. That is what I intend to try to demonstrate, that it was unneutral when we passed it. No nations were then at war, but when a statute is enacted, and there come within the compass of that statute certain facts and conditions, and it comes to be applied, that is the time when the test comes as to whether it is in fact neutral or unneutral.

Mr. President, let us examine the philosophy of the Arms Embargo Act. The theory of the Arms Embargo Act is that in time of peace it is perfectly legitimate to sell arms to any nation, but we must not sell them in time of war. I ask Senators this question: Why is it right in time of peace to sell nations guns, to sell them arms and ammunition, and wrong to sell them in wartime? When we sell them in peacetimes do we not know that the bullet to be shot out of the gun is intended to kill someone? When we sell a cannon in time of peace does not every sane mind know that it was built and fabricated and made in order to bombard some city, to hammer down the walls of some fort, or destroy human life somewhere? Whenever we sell a sword do we not know it is intended to be wielded in the cause of war? Do we not know its ultimate destiny is the quivering body of some poor victim, to draw the blood of an adversary? When we sell a bayonet do we not know its objective? Why is it made sharp? It is because it is intended to be plunged into some human body.

The Embargo Act says, "We will sell you arms in time of peace, but you cannot get any in time of war. We will sell them to you in time of peace for offense. We will sell them to you in time of peace so that you can get ready for war. We will sell them to you in time of peace when your neighbors are asleep. We will sell them to you in time of peace when your adversary is unsuspecting, is unwary. We will let you arm to the teeth, aggressors. Come on, conquerors, come to our shores and buy your guns and ammunition. Arm yourselves to the teeth. Get our airplanes, get our cannon, get our bayonets, get our rifles, get our nitroglycerine, and all the devilish machinery of war, and then start your war, and we give you assurance that when you do your victim shall not get from us a weapon, your victim shall not get a gun, your victim shall not get such things from this great neutral power, which believes in peace, and wants no war, and which sympathizes with his condition as a peaceful, unoffending nation. We cannot do anything for your victim. He must suffer. He cannot secure any arms here." The aggressor fixes his own time to strike his victim. That time determines when his victim can no longer get arms. Unsuspecting an attack, the victim does not prepare. Assailed without notice he then cannot prepare. The aggressor, by his attack, shuts off our markets. That is the doctrine of the Embargo Act.

Mr. President, the Embargo Act applied to our citizens would mean that the highwayman who is meditating holding up the Senator from Maryland [Mr. TYDINGS] on his way home tonight can get all the arms, all the blackjacks he may desire. "Come and get them." But if Senator TYDINGS, when assailed upon the highway, asked his chauffeur to borrow a weapon for him in order that he might defend himself, the law says, "No; you cannot do it. This aggressor has a vested right to purchase arms in time of peace, and then he has a vested right to say to the United States, 'You cannot sell anybody else in time of war arms with which to protect himself from aggression.'"

Mr. President, that is the doctrine of the Embargo Act. We did not realize that when it was passed. We thought we would look out over the ramparts of Europe, over the bristling battlements, and wave at them this little resolution and say, "Please do not fight. We are against it." But they paid no

attention, paid no heed, and they plunged the world into war. Now it is proposed that we keep on waving it at them, but say to their victims that they cannot get a sword, that they cannot get a cannon, that they cannot get a weapon of any kind.

Mr. President, this doctrine of the embargo, if applied in private life, would say to the safecracker who wants to rob a bank, "Come over. We shall be glad to sell you some nitroglycerine. We have some good 'jimmies,' we have some good pistols, we have some good implements for burglars. Come on. Here they are." But when he goes down to the bank and to the vault to ply his trade, if the watchman is there or the owner is there, or someone is called in to defend the property, under such a law as the Embargo Act, they could not borrow a weapon from the elevator boy, they could not borrow a pistol from a bystander in order to prevent the commission of a crime, or defend the property it was their duty to defend. That is the doctrine.

Mr. DOWNEY. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. Is the Senator making the argument that the American people should not sell finished implements of war even during peacetime?

Mr. CONNALLY. The Senator was not making that argument, but he was making the argument that it is just as logical to sell them in time of war as in time of peace, and even more logical.

Mr. DOWNEY. Then, if I may ask the Senator one additional question, would the Senator be willing to answer me categorically, for use in further argument later on——

Mr. CONNALLY. I do not propose to let the Senator catechize me now merely to store up something with which to attack me later.

Mr. DOWNEY. Very well; I will agree to forget it, and just take the answer.

Mr. CONNALLY. The Senator is invoking now the doctrine of the aggressor under the embargo. He wants to buy arms from me in time of peace with which to assassinate me in time of war. [Laughter.]

Mr. DOWNEY. If the Senator from Texas will yield for another question, I agree not to comment upon his answer later on. That question is this——

Mr. CONNALLY. Mr. President, let me say to the Senator from California that I am going to confine my debate to the joint resolution and to the subject of the embargo, and I really have no time to discuss anything else, so I hope the Senator will not drag in something which is not before the Senate.

Mr. DOWNEY. I think the question is a very pertinent one. Will the Senator yield?

Mr. CONNALLY. I will yield, and then examine its pertinence.

Mr. DOWNEY. Would the Senator be willing to vote for the repeal of the present Embargo Act if Germany rather than Great Britain and France was to be the beneficiary of that repeal?

Mr. CONNALLY. Oh, well, Mr. President, that question carries an implied insult. I do not mean that personally, but it approaches an insult. By that question the Senator from California intimates that the Senator from Texas is actuated by his desire to aid Great Britain and France, while the Senator claims, of course, that he is on a lofty pedestal among the clouds, and is influenced only by highly sublimated and noble and patriotic motives. At the beginning of the debate I requested to be permitted to confine myself to the arms embargo. The Senator asked me that question. I shall not reply in kind.

Let me now say to the Senator from California that we are not here as representatives to vote our personal likes and dislikes. We have to represent the people of the United States. The measure when it shall be passed will speak for itself, and the Senator's vote will speak for itself. If he does not speak loudly enough his vote will speak loudly for him.

Mr. President, I know what the implications of the question are. Perhaps a little later I may decide to say something about it. I anticipated there would be those who would throw dead cats into the discussion by which to divert us. I will discuss that matter later. I will discuss the World War if the Senator wants me to discuss it.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. If the Senator would prefer to have me withdraw the question I will very happily do so.

Mr. CONNALLY. No; that is all right. Let it stand. Leave it alone. [Laughter in the galleries.]

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Will the Senator yield to the Chair for just a moment?

Mr. CONNALLY. I wish to answer the question first. I have a very kindly feeling toward the Senator from California, and it is not at all a personal matter when I make the kind of reply I did make. However, I do not think that reply really does credit to the questionee, to the Senator on the floor, because the question involves an implication that his motives are not pure, and it involves also the further idea that the Senator from California is in a position to judge not alone as to the rectitude of his own course, but as to the rectitude of other Senators. While I have eminent respect for the abilities of the Senator along certain lines, and in his own chosen economic field, I think he had better stick to that rather than to assume the prerogative of a spiritual or a moral censor. [Laughter.]

The PRESIDING OFFICER. The Chair reiterates and emphasizes what the Vice President said earlier in the day. The Senate is glad to have as its guests those who are privileged to sit in the galleries. The rules of the Senate prohibit any demonstrations on the part of our guests of approval or disapproval with regard to the remarks of Senators. The Chair realizes the difficulty at times of observing that rule meticulously during the cross-fire of running debate, but it is a rule of the Senate, and the Chair hopes the occupants of the galleries will seek to preserve order by observing that rule as fully as it is possible.

Mr. CONNALLY. Mr. President, if I may repeat for just a moment, the philosophy of the Embargo Act is that it encourages aggressor nations or aggressor rulers or aggressive conquerors to arm and prepare. On the other hand, it penalizes the peaceful and unprepared people, because, unless they have tremendous munitions plants and supplies, they cannot win a war which is suddenly thrust upon them, a war not of their own making, not of their own desire, a war that is suddenly thrust upon them. Conquerors and aggressors do not go around and notify their intended victims. Such persons, for example, would not say to the Senator from Maryland [Mr. TYDINGS], "We shall come to your residence tomorrow night at 11:30 to burglarize your strongbox." They do not do that. They strike when they are prepared, when they are ready, and when their victim is unprepared. The present law would penalize the weak, the innocent, by denying to them arms in time of their need.

Mr. President, why is it right to sell arms in time of peace for offense, and then refuse to sell them in time of war for defense? If it is wrong to sell arms in time of war for defense, how much worse it is to sell arms in time of peace for offense and for preparation and for the making of these mighty and ambitious schemes to strike with lightning speed and strike with the force of the storm, to subjugate people, while the world has not been able to catch its breath.

Mr. President, that is the doctrine of the Embargo Act. It is now said that under international law to repeal it would be unneutral. I deny that. The lawbooks deny it. The Senator from Idaho denied it when he said a few days ago in a radio speech and when he said here on the floor that international law had nothing on earth to do with our passing the Embargo Act. And it did not. It is purely a domestic regulation. My contention is that if that be true, we have just as much right to repeal it as we had to enact it.

This is what the Senator from Idaho said on the radio a few nights ago, and I say this not in criticism, because I agree with the Senator from Idaho, who is usually sound on constitutional and legal questions:

Undoubtedly, as I say—

This is the Senator from Idaho speaking—

we had a right to pass the law—

He was speaking of the embargo law—

and undoubtedly we have a right to repeal the law.

In his address last Monday before the Senate he reiterated in effect that same idea. The Senator from Idaho, speaking of the Embargo Act—this ark of the covenant, which you must not touch, which is a sacred edict of the Congress which, once passed, can never be repealed, can never be touched—with respect to it the Senator from Idaho said:

It was in a sense purely a domestic question as to whether we should adopt such a policy. International law had nothing whatever to do with it.

Well, now, if it had nothing on earth to do with it when we passed it, how does international law have anything to do with it now? It is a domestic problem. When did international law come in and say that we are not concerned with this?

I continue reading from Senator BORAH's address:

If a nation does not wish to manufacture arms and ammunition, there is no obligation upon the other nations under the law of nations to do so.

Of course not.

The United States was perfectly free as to the obligations of international law to say that it would never again furnish arms and munitions to warring nations.

And if it was free, then freedom meant that it could do it or not as it saw fit. You are not free when you can go in only one direction. The Senator from Idaho said we were free to say that they should not have arms, and if we were free to say that, we would then have the right to say that they should have arms. There is no freedom unless there is discretion, or choice, or alternative.

Mr. President, it is said that under international law we should not take such action as is proposed. Let me say to Senators that since there was any international law, so far as I know, at least for 150 years, during the time when the United States has adhered to international law, the right of neutrals to sell arms and munitions to belligerents in time of war has never been seriously questioned. It was not questioned in the World War. The United States has maintained that doctrine and that theory during all of its history. The nations of the earth today, neutral nations in Europe, are selling arms and munitions to the belligerents whenever they can get them to them. That is not a violation of international law.

Oh, but it is said that some of the foreign nations might think that we were committing an unneutral act. Mr. President, I will say, in the language of the Senator from Idaho, that we are not responsible for what the European nations think. That is their business. We are responsible for what we say and what we do, and what we are doing today under the present embargo law, while it may not technically violate international law, is actually and really not neutral. It is unneutral.

On Monday the Senator from Idaho said in a colloquy with the Senator from Nevada [Mr. PITTMAN]:

Mr. BORAH. Mr. President, that brings up the subject—because the act is not operating neutrally in Europe today. What business is it of ours whether or not it is operating neutrally?

Mr. President, the business of it is that it is our work. We did it; and if it is not operating neutrally in Europe it is our fault. If it is our fault, we ought to correct that fault. We ought to wipe it out and get back to international law and the right of equality between nations.

The Senator from Idaho asks what business it is of ours if the embargo law is not operating neutrally in Europe. That is where we intended it should operate. That is where we hoped it would operate neutrally and impartially. If it does not, we ought to repeal it, wipe it from the statute books, and go back to a policy that will be neutral, that will not be partial, and will not favor the warring nations on one side as against those on the other.

Mr. President, I propose to show that we are not violating international law. The joint resolution does not amend international law. It is simply a domestic regulation of our citizens. It has no relation to international law. We could, of course, pass a law embargoing everything, as was done in Mr. Jefferson's time, and have no intercourse with foreign nations. No one could complain except our citizens, to whom such a course would bring ruin and chaos, business dislocation, and misery worse than in the last days of the previous administration of the United States; that is all. We could starve our farmers and close our factories and ruin our business, but that we cannot do.

But, Mr. President, we speak of international law. It is feared that somebody is going to impinge upon international law. Under international law from historic times every neutral nation has had a right to sell arms and ammunition to warring nations if it could deliver them.

Of course, arms and ammunition are absolute contraband; and if an enemy seizes them, he may sink them or destroy them. That is all right. Every shipper takes that risk. But, Mr. President, that is the same kind of international law for which the United States contended during the World War, for which we spilled the blood of our sons, for which we poured out billions of our treasure, and for which our wives and widows filled the ocean with their tears.

Senators are afraid we are going to violate international law. Mr. President, while claiming every right we have under international law, we are undertaking in this measure so to restrict, so to limit, and so to regulate American citizens and American ships that they will not be sunk on the high seas, and so that we shall never have the necessity of invoking international law on behalf of those whose lives might be destroyed, or the owners of the ships or of the cargoes. We are hoping by this measure to prevent the necessity of ever going into another war. We want to save the Senator from Idaho from having to make the choice which he stated he was ready to make if American ships, American property, or American lives are destroyed.

Mr. President, under the present embargo law American ships leaving our shores may not carry arms; but such ships laden with anything else destined for a belligerent nation are subject to being sunk by submarines. In that event the Senator from Idaho, the Senator from Texas, as well as those Senators who are advocating the embargo, would have to make the choice whether or not we should fight. We do not want to be confronted with that alternative.

Mr. President, during the World War citizens of the United States were murdered on the high seas, where they had a right to be, in the peaceful pursuit of their vocations. Ships were sunk where they had a right to be under international law and under the sanction of nations. So, while we claim for ourselves every right under international law, we are voluntarily commanding our citizens not to bring about states of fact which would force us to choose whether or not to fight. We are not amending international law. We are keeping our citizens from bringing themselves within the law by keeping them out of danger zones, by keeping them off belligerent vessels, and by not allowing a single American ship to go to a single belligerent power with a thing on earth in it.

A law may be passed, and still be a law; but unless a citizen brings himself within the terms of the law by committing acts or bringing about a certain state of facts, the law is not infringed or impaired. It is still there. We are simply keeping out of danger zones. We are preventing the facts from being such that we would have to invoke international law.

Mr. President, I make the statement that the repeal of the Arms Embargo Act is absolutely necessary if the United States wants to be neutral in fact, neutral in law, and neutral in spirit under international law. Why do I say that? I say it because under international law, from the time of Grotius, warring nations have been permitted to buy and neutral nations have been permitted to sell munitions, arms,

and every character of commodity which the warring nations could purchase. The only limitations upon those rights—and they were not limitations upon the rights, but simply applications of another right—were the right of the warring nations to declare contraband, and to intercept the shipment and examine it, and then appropriate the contraband, paying for it in some cases, and in others not paying for it; also the right of blockade, which gives the nation which is able to maintain a blockade the right to blockade certain ports. Those are the only qualifications. Every other neutral nation about which I know anything is living under international law, and if able to do so is selling arms, ammunition, and general supplies to both the warring factions. Why should the United States alone adopt a policy that we will not sell arms or ammunition to anybody, when we were willing to sell them before the war to those who were preparing an army and getting ready for the war?

Mr. President, to keep the embargo is to curtail and impair the rights of certain of the belligerents to freedom of access to our markets, which they have always possessed until the embargo was passed, and to deny them that which they theretofore had a right to expect and which they said to themselves they could expect in the future.

It has been said in this debate that when we passed the Embargo Act we gave notice to the rest of the nations of the world that that was our policy. However, Mr. President, that act was no covenant with the rest of the world. Our domestic regulations constitute no bond or contract with foreign nations. They are not even a contract with our own citizens. We repeal laws every day; and perhaps we should repeal many more.

Mr. President, we are not responsible for this war. Before the war broke we gave notice at the previous session of Congress, we gave notice through all the months, we gave notice before Poland was trampled in the dust, that the embargo was to be repealed. So those on the other side of the question cannot claim that we gave any commitment to which we are bound to adhere.

If the United States is to assume an attitude of absolute impartiality and neutrality, it must treat all belligerents alike. It is said that the operation of the joint resolution would be to favor certain nations. Notice how that claim is put. It is said that the passage of the joint resolution would favor the Allies. If that be true, by the same token keeping the embargo is helping Hitler, Stalin, and all the rest of those associated with him in spreading fire and the sword throughout Europe. Removing the embargo legally, technically, and actually places the United States more nearly on a plane of absolute spiritual and intellectual neutrality and equality than any other measure that could be devised.

Mr. President, it is said it is unneutral. I wish Senators to look at the map. There [indicating] is Holland adjacent to Germany. She is selling arms and ammunition, if she has any, to Germany; at least she is selling general supplies to Germany. If it is not unneutral for Holland to do that, if she as a neutral has a right to sell them, why is it unneutral for the United States to sell them?

There [indicating] is Belgium. If it is not unneutral for Belgium to carry on commerce with Germany, why is it unneutral for the United States to take the action now proposed?

There [indicating] is Denmark. If it is not unneutral for Denmark to sell to belligerents, why does it become unneutral when we do it?

There [indicating] is Poland that was—the tomb of Poland—and, of course, articles of commerce and supplies and arms and equipment are going from Poland to Germany. We do not seek to interfere with it. But if it is right for Germany to get arms and munitions from Poland, why is it wrong for the United States to sell arms and ammunition?

There [indicating] is the great Empire of Russia which technically is still a neutral. We know that the great reservoirs and resources of Russia will pour, if they have not already poured, into Germany arms, ammunition, and all the enginery and all the deviltry of war, and also food supplies. Can we help it? We do not seek to help it. If it is not wrong for the Russian Government to sell to Hitler, why does it become wrong for the United States to sell to other belligerents?

There is Rumania; there is Hungary; there is what was once Czecho-Slovakia. There are the tears and the blood and the heartbreaks of a land that once, as the Senator from Idaho said, was the only real republic in that part of the world. They are now furnishing Germany supplies and arms and ammunition. If it is not wrong for Czecho-Slovakia—or what is left of her—to do that, why is it wrong for the United States to furnish arms and ammunition to those who are in sympathy with poor old Czecho-Slovakia, namely, England and France The Senator from Idaho [Mr. BORAH] paid a tender and touching tribute to what was once Czecho-Slovakia, but under the arms embargo today we are, in effect, aiding and assisting the author of Czecho-Slovakia's obliteration and conquest.

Mr. President, if it is not unneutral for Rumania to sell to Germany, why does it become unneutral for us to sell to belligerents? If it is not unneutral for Hungary, why is it unneutral for us?

It is said that it would result to the advantage of the western powers, the democracies, England and France, because they dominate the sea. Mr. President, that is not our responsibility. In every war some nations have one advantage and others another advantage. We are not responsible for the geography of the earth. We made not the mountains; we made not the oceans; we made not the boundaries of Europe; but the nation that has one superiority has a right to enjoy it without our interference, just as another nation that enjoys another advantage has a right to enjoy it.

The distinguished Senator from Idaho on Monday quoted a letter from Secretary of State Lansing during the World War. Instead of sustaining the position of the Senator from Idaho that letter sustains our position. It was a letter from the Secretary of State to the American Ambassador in Austria-Hungary. Austria-Hungary were beseeching the United States to relax, to forbid the sale of certain things to England and to permit certain things to go to Germany and Austria. Why? Because they said, "England enjoys an advantage on the sea that we do not enjoy." Mr. Lansing repudiated that doctrine, that approach. He said to do that would put a neutral in the position of saying, "Well, this nation has this advantage and we will undertake to counterbalance it by something else," and instead of being neutral, it would involve us in every war in Europe and every war elsewhere. When we should seek to offset the advantages we would aid one or the other. Each nation is entitled to whatever natural advantages it may possess.

Mr. MINTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Indiana?

Mr. CONNALLY. I yield.

Mr. MINTON. Is not the effect of the embargo such that it presents Hitler with a navy that is capable of keeping France and England from our shores?

Mr. CONNALLY. That would be a graphic and striking way to put the matter.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. CONNALLY. I shall yield in a moment, but let me first answer the Senator from Indiana. In other words, the theory of the Senator from Indiana is, since England has a navy, all that any other navy could do would be to sweep the British Navy from the sea; and, so far as we are concerned, the Embargo Act, at least, as affecting arms and ammunition, sweeps our shipping off the seas to the advantage of the belligerent which cannot command the sea.

I now yield to the Senator from Minnesota.

Mr. LUNDEEN. Do I understand that this administration has presented Hitler with a navy? The neutrality law now on our statute books was proposed by this administration. It is their brain child. This is their measure; this is their "baby," and do I understand that it is now contended that this administration law now on our books presents Chancelor Hitler with a navy?

Mr. CONNALLY. Oh, no. The Senator, in his anxiety to question somebody, makes a suggestion in which he does not believe; he does not mean what he intimates.

Mr. LUNDEEN. The Senator knows that the able Senator from Indiana so stated just a moment ago; the record will show it.

Mr. CONNALLY. I hope the Senator will not put that in the RECORD. He has heretofore enjoyed a reputation for intelligence and character. [Laughter.] I hope he will not put that kind of a question into my speech. He says that we are here proposing a measure in behalf of Hitler. He knows that is simply ridiculous. I hope the Senator——

Mr. LUNDEEN. I hope the Senator will adhere to my own language. I did not use the words the Senator used just now.

Mr. CONNALLY. What was the Senator's language? I want to be fair.

Mr. LUNDEEN. I said, Does the Senator mean to say or is the inference to be drawn that the administration's law presented Hitler with a navy? It was so stated on the floor by the Senator from Indiana and it was concurred in by the brilliant Senator from Texas. The administration is the author of this law, our present neutrality law, and it is on the books as the act of the administration.

Mr. CONNALLY. The Senator makes it worse the further he goes. The Senator from Indiana said the Embargo Act, not the pending resolution, gives Hitler a navy. He had better let the first statement stand.

Mr. LUNDEEN. I think it makes it worse for the Senator from Texas, I will say. We were talking about the administration's embargo law placed on our statute books by this same administration—and now you seek to repeal that embargo.

Mr. CONNALLY. The Senator from Texas is sorry that he has been dehorsed by the Senator from Minnesota. I will repeat what the Senator from Texas was undertaking to say. I know the Senator from Minnesota understood me. He knows the attitude of the Senator from Texas. He knows that the Senator from Texas is not representing Mr. Hitler; he knows that he is not representing Mr. Chamberlain——

Mr. LUNDEEN. I did not say what the Senator now maintains I said.

Mr. CONNALLY. He knows I am not representing Mr. Daladier. I am trying to preserve neutrality. What the Senator from Texas said was that nations had a right to enjoy, undisturbed by neutrals, whatever natural advantages they possess, and our interference with an advantage which a nation possesses, either on land or on sea, is a violation of neutrality. Why? Because we are hurting such a nation to that extent; we are limiting its activities. Any nation that aids the enemy or hurts the other side is unneutral, is it not?

Two men are in a fight; another runs up and pulls one of them off. He is aiding the man that is down, but hurting the other man. A third man runs up to two men who are fighting and beats one of them over the head with a club. He says to one of them, "You are stronger than the other man; therefore I am going to hit you with a club." But is he neutral? He may be doing right, but he is not neutral. Senators opposing repeal of the embargo want to even up the advantages of nations by law; but we have no more right to even up the advantages of nations than we have to even up the advantages of individuals unless we want to be unneutral. That is what we are trying not to be.

The question of the Senator from Minnesota was intended to be frivolous, and it was frivolous, but let me say to him in all seriousness that he knows, while this joint resolution is sponsored by the Foreign Relations Committee primarily, it is approved by the President of the United States. President Roosevelt approves this resolution because he has said the embargo is not neutral. I said that to refuse to sell to England and France was to a certain extent to nullify the force and effect of their fleet and their shipping. Then the Senator from Indiana [Mr. MINTON] wanted to know if that did not amount to giving Hitler a navy. That was a beautiful figure of speech, and I thought that all Senators could understand the difference between a figure of speech and an absolute, cold, hard statement of fact. Of course Hitler will have no ships upon the seas and he does not need them if we keep the embargo, because no arms and ammunitions can go to England and France.

Mr. President, I desire to illustrate what I have to say about the geographical advantages and the land advantages of Europe. It is said by those who oppose repeal of the embargo, "You must not do this." Why? Because it is stated that if we do we are going to help England and France. They have a navy and Hitler has not a navy. Therefore England and France alone can come and get the arms and ammunitions, and Hitler cannot get any. Very well. Let us see about that. By the same token, if that is the attitude of those opposing the pending measure, they ought to go over and tell Mr. Hitler that he cannot buy anything from all those land powers which surround Germany.

Let us look at the map. Here [indicating] is Germany, now constituting an empire of 80,000,000 people, an industrial nation, already armed and equipped, already with ammunition plants and factories, turning out cannon and bayonets and rifles and airplanes and all the other instruments that accompany the panoply and pomp of war.

In addition, it is a rich agricultural country. In addition, Germany has at least in part freedom of access to the markets of Belgium and other neutrals, which are selling to her, of course. She has access to the markets of Holland. She has access to the markets of Denmark. She has access to the devastated and desolated and scorched and seared land of Poland for agricultural supplies, arms, and equipment that she has already captured. She has access to the great reservoir of Russia, extending not alone across all of Europe but extending from the Baltic to the far-flung boundaries of the Pacific itself, with great resources of food and supplies of all kinds. Already she has great armaments. Russia has great armament plants. She is fully equipped for war. She has great airplane factories, great machines for turning out numberless cannon and all of the implements of war.

Here is Rumania, bordering on what was once Czecho-Slovakia. Germany has the advantage of that market. The allies can reach that market only through the Dardanelles if they ever reach it at all.

Here is Hungary, a great country, with a good army and great supplies of munitions. Germany has access to them.

Here is what was once Austria. Here is the corpse that once breathed life, but is now dead, Austria, with arms and munitions and food and equipment.

Here is Switzerland, a small country which may not have many supplies or many arms, but Germany has access to it.

Here is Italy, stretching from the German boundary away down into the Mediterranean, still technically neutral—war has not been declared—armed and equipped, possessing great manufacturing plants for the manufacture of armaments and implements and munitions of war. Germany can buy them everywhere she wants to buy them. Why? That is her natural advantage on the land. Nobody is responsible. Can the allies get to these countries? No. Can the allies reach these markets? They are shut out of those markets by geography. That is their misfortune. Should we go over and say, "You are not neutral. England cannot get any arms and ammunition anywhere else. You must sell to England and France"? That is not our objective. That is not our business. That is not our function. That is not our duty. We have no right to do it. That is a natural geographical advantage which Germany possesses, which we cannot take away from her, which we do not desire to take away from her, and which we shall not undertake to take away from her.

Oh, but it is said, "Here is the ocean out here. There are great ships on the ocean. France and Great Britain dominate the ocean with their merchant ships and with their Navies." That is true to a large extent. They do not always dominate it against submarines, though, the lurking assassins which wait unseen to destroy the lives of innocent

American citizens if they go to sea now; the lurking assassins that wait to destroy American cargoes shipped under the Embargo Act. Anything may move under the Embargo Act except arms or ammunition. Food may go anywhere to neutrals or belligerents; and, unless we repeal the Embargo Act and enact other legislation, as surely as the sun shall ever rise again American ships with food and supplies and other cargoes are going to be sunk.

Oh, but it is said, "Because England dominates the Atlantic Ocean you must not sell her anything. You must deny to her the advantage which she possesses. You must say to her, "Since you are on the water we will not sell you anything, because Germany is not also on the water." By that token we should throw a ring around Germany and say, "Poland cannot sell to England, and therefore she must not sell to Germany." We might say to Russia, "You will not sell to England; therefore you must not sell to Germany, or you are not any longer a neutral."

Mr. President, that just shows how fallacious is this doctrine. We have no more right to deny the natural advantages of England and France or Great Britain and France upon the sea than we have by law or by act to undertake to deny to Germany or to Hitler the right to trade and carry on commerce which his country's natural geographical advantages give him.

More than that, Mr. President: Here is Norway. Here is Finland. Germany dominates the Baltic Sea. Already Germany has access to those markets if she needs them. She has access in a large sense—not altogether, perhaps—to Norway and Sweden. England cannot go into the Baltic. France cannot go into the Baltic. They cannot get supplies from Sweden or Finland. In addition they cannot buy from the other land powers already named. Is it any of our business to say to these nations, "Now, here; this is not right. Germany has an advantage on the map. She has a land advantage over England. England has not any adjoining territory. England has not Russia bordering her, stretching away, away, and away almost to touch the western sun. England has not all of Czecho-Slovakia and all of the Balkans reaching from her shores. England and France cannot buy in Italy, or Hungary, or Holland, and even Baltic nations must not sell Germany." England is an island. God made her that way. We did not make her, and she did not make herself. She is an island. Of course, she has to have ships, she has to have navies, if she is to live. And yet we are to say by the present embargo law, "Because you have a navy, because you have a merchant marine and because Germany has not, we will not sell anything to either one of you." But we will let Germany buy all she pleases from the land nations of Europe, the land reservoirs, the land supplies. That is her natural advantage.

Mr. President, we can interfere with neither if we are going to be neutral; but the Embargo Act which we now have does interfere. The Embargo Act takes away from England and from France the positions which they have enjoyed under international law as long as there has been international law. It deprives them of access to our markets. It deprives them of the freedom of our markets, not under international law, not because the council at The Hague said we had to do it, but because we, of our own motion, did it in the Embargo Act.

What does the Hague Convention say about the matter? Something was said to the effect that we had no right under international law to do what is proposed in the joint resolution. I have had prepared for me a memorandum quoting the treaties. I read from article VII of Convention No. XIII, the Hague Conferences of 1907. Let us see if we are forbidden to furnish arms and ammunition by international law, or by anybody else except those who want to keep this embargo.

This is what the article says:

> A neutral power is not called upon to prevent the export or transport, on behalf of one or other of the belligerents, of arms, munitions of war, or, in general, of anything which can be of use to an army or a fleet.

That is international law. That is a treaty which the nations of Europe signed. I think the United States was a party to the Hague Convention.

Mr. PITTMAN. It was.

Mr. BORAH. It was; at least, it participated.

Mr. CONNALLY. The Senator from Idaho and the Senator from Nevada are in agreement on that point, at least that the United States was a member of the Hague Convention.

Let me say right here that there has been more misinformation, there has been more delusive and deceptive information, or misinformation—I will not call it information—about this whole measure, and about the Embargo Act, than about any similar question within my recollection.

A number of people in the country have been led to believe that the United States is to furnish arms and ammunition; that the Government is to do it. Why, of course the Government is not going to spend a nickle for arms and ammunition under this joint resolution. The Government will not furnish a single nation a single bayonet or a single bullet. This measure is simply a regulation of what our citizens may or may not do. It is simply an act with regard to the control and the regulation of our citizens and our ships. These arms and this ammunition will not be sold by the Government, or furnished by the Government, or given by the Government. They simply will be sold by our own citizens. They will be sold to foreign governments and foreign nationals it is true, but they will be sold here on our own soil. Before they leave our ports the title must be divested out of American citizens. They must be placed, not upon American ships, but upon neutral or other foreign ships. That is all that the joint resolution provides.

Mr. President, I also want to say that this same class of misinformation, this same delusive and deceptive and seductive propaganda, has been going out over the radio and through the press that keeping the embargo means peace; that repealing the embargo means war.

I have no doubt that many simple persons over the country have accepted that view. Many persons who are not simple, but who do not want to accept the truth, have accepted that view. A number of men with weak minds and strong mouths have accepted that view; but, Mr. President, that does not follow. That is not true.

I wish to demonstrate now that the Embargo Act will not keep us out of war, and I address this argument to those who believe that keeping the embargo means peace, and that repealing it means war. Some of them are in the galleries. Many professional people come to these galleries, not professional people in the sense of being doctors or lawyers or ministers, but professional listeners, who come here frequently with propaganda in their minds and applause in their hands, to try to influence the Senate. I want those, if any such there be in the galleries, to listen to what I am about to say.

Retention of the embargo does not mean peace. Possibly, and in all probability, retention of the embargo is going to mean war. A little later in my remarks, I propose to demonstrate that, on the other hand, the pending joint resolution, if legislation can accomplish any such result, will come more nearly keeping us out of war than any other measure that can be devised by the wit or the mind of man.

Mr. President, why does not the embargo mean peace? Why may not war ensue? I desire to call attention to the fact that under the present embargo law the prohibition rests only on arms, ammunition, and implements of war. It does not touch food, it does not touch cotton, it does not touch oil, it does not touch lumber, it does not touch a multitude of things which go out upon the high seas. If the embargo law is kept on the books, American ships—not foreign ships, but American ships—can carry any or all of these supplies, other than arms, ammunition, and implements of war, to any or all belligerents, to all nations at war, not simply to neutral countries. They may carry them right into England or right into Germany or right into France or right into any other warring nation.

What is going to happen? How long will the ships be at sea with American seamen on them and with an American captain on the bridge, with an American flag flying above them and with American goods in the holds? How long will they be upon the sea, under the present Embargo Act, before some submarine stealthily and slyly, perhaps in the night, in the dark, will submarine them and send them to the depths of the sea? Is there any Senator here wise enough to say that that will not happen? Is there any Senator here prepared to deny that that will happen?

Mr. President, in the World War it was not the kind of cargo our vessels carried that brought us into the war; it was not what they had on board. What brought us into that war was the unrestricted submarine warfare, when Germany announced that she would sink any kind of vessel carrying on commerce with any warring power. Our neutral ships were going about their own lawful business out on the high seas, where they had a right to be. They were on the high seas under the sanction of international law, under the sanction of law which had been venerated and observed by the nations for hundreds of years, and American citizens on those ships were murdered and sent to the deep. Those American ships, not carrying arms, not carrying ammunition, but carrying general cargoes, were sunk. That is why the Senator from Idaho [Mr. BORAH] voted for war. That is why I voted for war, because of the murder of American seamen and other American citizens while they were in the pursuit of their lawful business upon the peaceful highways of the sea. I do not desire to have to face a similar vote in Congress at this time, and I know the Senator from Idaho does not. We are trying to prevent that. But under the embargo law, if it is kept on the statute books, that is what is going to happen, as I shall demonstrate.

What happened in the World War? Let me show what happened during the World War, and prior to the United States entering the war, before we were a belligerent. I have here a list of the ships that were sunk and a description of their cargoes. I do not believe one of them had on board any arms or ammunition or a single implement of war. If that could happen in the World War, it could happen in this war. If it did happen in the World War, it will happen in this war.

First was the *William P. Frye*, sunk by a German raider on January 28, 1915. It carried a cargo of wheat. Are there any arms and ammunition in wheat? No arm except the strength it gives a soldier to pull the trigger of a gun.

Why should we make any difference in the Embargo Act between bullets and food? Why is it a crime to sell a bullet to feed a gun, but permissible to sell food with which to feed the man who pulls the trigger of the gun? The Germans make no difference between them. They will sink every kind of cargo. Is there anything sacred about arms and ammunition? Under the embargo law, the brass which goes into the shell may be sent, but not the shell. It is possible to send raw copper but not the shell manufactured from the copper. It is possible to send all raw materials out of which arms and ammunition may be made, to send all other general supplies with which armies may be equipped and fed and supplied on the field of battle.

The *William P. Frye* carried a cargo of wheat, wheat perhaps from Minnesota; and I see the junior Senator from Minnesota [Mr. LUNDEEN] in the Chamber. If the Senator from Minnesota wanted to stop these ships from being sunk, why did he not suggest that, instead of referring only to arms and ammunition, we should say, "You must not ship any wheat, because they will sink ships carrying wheat just as quickly as they will sink ships carrying arms"?

Mr. LUNDEEN. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. LUNDEEN. The law is your law, it is the administration's law, it is the President's law. It was enacted by your administration, sir, and you voted for it, I believe.

Mr. CONNALLY. I did.

Mr. LUNDEEN. Now you are complaining about it.

Mr. CONNALLY. I did vote for it, under a deluded theory that it might keep other nations out of war. The Senator will find nothing in the RECORD in the way of a speech from me. I entertained views somewhat like those of the senior Senator from California [Mr. JOHNSON]. I apologize for quoting him while he is not in the Chamber. Let me read what the Senator from California said in 1935. I do not think I heard this speech. If I had heard it, I probably would not have voted for the embargo measure, the so-called Neutrality Act. I would not have voted with the Senator from Minnesota had I heard the wise and persuasive counsel of the Senator from California. Let me read what he said in 1935 when we passed the first Embargo Act. He said:

> Neutrality, and then what? What do we mean by "neutrality"? The only thing that struck me as eloquent in the dispute that has been going on between Italy and Ethiopia was the remark made by the ruler of Ethiopia recently when he said, in substance, to those people who are preventing him from getting arms—

This is the ruler of Ethiopia speaking. He said:

> You claim to be neutral.

He might say that to the Senator from Minnesota today. He might say that to other Senators who are opposing the repeal of the Embargo Act. This is what he said:

> You claim to be neutral. You say that you are neutral in this contest. You know that my antagonist manufactures his arms and his ammunition, and has all that he needs in generous supply. You know that I have none; and yet you embargo sending arms to either of us—arms that he does not need, arms that I must have for self-defense. Your neutrality consists, therefore, of arming him to assassinate me.

The Senator from California added:

> I concede this statement found sympathetic lodgement with me.

So they sank ships carrying wheat, no arms or ammunition, not a single bayonet concealed in those little grains of wheat, to raise which the farmers of Minnesota toiled in the winter and bent their backs in the summer sun. In this country we raise more wheat than we can consume, and we have a right to sell it abroad. Since the days of the establishment of international law our people have had the right to peacefully take their wheat and put it on ships and carry it anywhere, to neutral nations or to warring nations. The Senator knows that.

Next was the *Cushing*, attacked on April 28, 1915.

Mr. President, I realize that there is a world series going on outside. I should like to advise Senators, however, that there is another world series going on over in Europe, and that is the world series with which the Senator from Texas is concerned more than with the world series in this country, to the news of which Senators will go out and listen. [Laughter.]

The *Cushing*, on April 28, 1915, was attacked by a German airship. It carried a cargo of petroleum, no arms, no ammunition. Of course, it may be said that petroleum is used in warfare, and that is true. Wheat is also used in warfare, just as I have been saying. What leads to the sinking of the ships is not that they carry arms and ammunition; it is the fact that they carry anything useful in war, and in modern warfare nearly everything is useful. The ships will be sunk with the Embargo Act on the statute books just as they sank them during the World War.

The *Nebraska*, on May 1, 1915, was torpedoed by a German submarine. She was in ballast. Let me say to the Senator from Minnesota that the *Nebraska* carried no arms, carried no munitions, carried no implements of war. It carried no war supplies at all. It carried only water, water in ballast, and yet the Germans sank that ship.

The *Gulflight*, on May 20, 1915, was torpedoed by a German submarine. It carried a cargo of oil. It carried no munitions, no implements of war. Yet it was sunk. Such a ship can be and would be sunk under the present embargo law because there is no limit on these things.

The *Leelanaw* was sunk by torpedo and shell fire, July 25, 1915. It carried a cargo of flax. Again I wish to invite the attention of the Senator from Minnesota to the fact that the *Leelanaw* carried flax—flax perhaps raised in his

State. It carried no arms, no munitions, and no cannon, but carried a little bit of flax. The Germans sank that ship just as they will sink ships carrying flax in the present war. Unless we repeal the embargo law and put a real neutrality law on the books, the Germans can sink American vessels carrying flax to warring nations.

The *Oswego*, on August 14, 1915, was fired on 10 times, but made port. Well, she was lucky.

The *Petrolite*, on December 5, 1915, was fired on by Austrian submarine repeatedly after vessel had stopped. The vessel carried a cargo of oil.

The *Seaconnet*, on June 18, 1915, was damaged by mine or torpedo. It carried a cargo of timber. Timber! It carried no arms, no munitions, no implements of war, but carried some timber, possibly from Oregon or Washington. But someone may say, Mr. President, "The enemy might make clubs from that timber and fight with the clubs." The Germans did not ask whether or not that would be done. They said, "This ship carries a cargo of timber. We are going to sink her. The enemy might make fortifications out of the timber."

Mr. President, I do not want to burden the Senate with reading the long list of ships which were sunk during the World War. I have not been able to examine the cases in detail, but, so far as I have examined them, not a single one of those ships carried arms, munitions, or implements of war; yet they were sunk.

During the World War and prior to the United States entering that war Germany sank or attacked the following steamships:

William P. Frye, January 28, 1915. Sunk by German raider *Prinz Eitel Friedrich*. Crew taken off. Carried a cargo of wheat (American Journal of International Law, vol. 9, 1915, special supplement Diplomatic Correspondence Between the United States and Belligerent Governments Relating to Neutral Rights and Commerce, p. 180).

Cushing, April 28, 1915. Attacked by German airship. Carried cargo of petroleum. (New York Times, May 1, 1915, p. 1, column 7.)

Nebraska, May 1, 1915. Torpedoed by German submarine. In ballast. (New York Times, May 27, 1915, p. 1, columns 4, 5.)

Gulflight, May 20(2?), 1915. Torpedoed by German submarine. Proceeded. Carried cargo of oil. (New York Times, May 3, 1915, p. 1, column 8.)

Leelanaw, July 25, 1915. Sunk by torpedo and shell fire. Carried cargo of flax. (New York Times, July 27, 1915, p. 1, column 8.)

Oswego, August 14, 1915. Fired on 10 times, but made port.

Petrolite, December 5, 1915. Fired on by Austrian submarine repeatedly after vessel had stopped. Carried cargo of oil. (New York Times, December 8, 1915, p. 2, column 1; December 9, 1915, p. 3, column 2.)

Seaconnet, June 18, 1915 (1916). Damaged by mine or torpedo. Carried cargo of timber. (New York Times, June 21, 1916, p. 6, column 3.)

Kansan, October —, 1916. Fired on by *U–53*, leaving United States. Struck mine after reaching other side. Six men injured in mine explosion. Carried cargo of war supplies and horses. (New York Times, Oct. 15, 1916, sec. 1, p. 2, columns 4–6.)

Lanao (Philippine), October 28, 1916. Destroyed by German submarine. Carried cargo of rice. (New York Times, Nov. 7, 1916, column 4, p. 1.)

Columbian, November 7, 1916. Sunk by German submarine.

Chemung, November 26, 1916. Sunk by Austrian submarine. Carried a general cargo, including 5,760 plates of spelter, 854 tons pig iron, 300 coils of copper wire, 36 barrels of copper, 200 bales of cotton, 153 cases of iron wire, and quantities of provisions; no ammunition or powder on her manifest. (New York Times, Nov. 29, 1916, p. 1, column 1.)

St. Helens, December 10, 1916. Attacked by German submarine.

Rebecca Palmer, December 14, 1916. Fired on by German submarine. Damage light.

Galena, December 15, 1916. Fired on by German submarine.

Sacramento, January 9, 1917. Fired on by German submarine.

Westwego, January 21, 1917. Stopped by German submarine, but allowed to proceed.

Housatonic, February 3, 1917. Sunk by German submarine. Carried a cargo of contraband. (New York Times, Feb. 4, 1917, sec. 1, p. 1, column 5.)

Lyman M. Law, February 13, 1917. Burned by submarine.

Communipaw, December 3, 1915. Fired on, but proceeded. Carried cargo of oil. (New York Times, Dec. 8, 1915, p. 1, column 8.)

Algonquin, March 12, 1917. Sunk by German submarine. Carried cargo of foodstuffs. (New York Times, March 15, 1917, p. 1, column 8.)

City of Memphis, March 18, 1917. Sunk by gunfire. In ballast. (New York Times, Mar. 19, 1917, p. 2, column 8.)

Illinois, March 18, 1917. Sunk by submarine. In ballast. (New York Times, Mar. 19, 1917, p. 2, column 1.)

Vigilancia, March 18, 1917. Sunk by submarine. Carried general cargo. (New York Times, Mar. 19, 1917, p. 2, column 3.)

Evelyn, sunk by mine outside war-zone limits. Carried cargo of cotton. (Feb. 22, 1915, p. 1, column 8.)

Carib, sunk by mine off German coast. (Feb. 24, 1915, p. 1, columns 5, 8.)

The Congressional Library compiled this information with respect to American merchant ships sunk or attacked prior to the United States' entry into the World War.

Ships were sunk so often with the loss of American lives that American patience was finally exhausted, and, in retaliation for that sort of murderous warfare, involving, as it did, the loss of American lives and American shipping, America finally declared the existence of a state of war—a war already made upon it by Germany. We stripped for action, sent 4,000,000 men to fight with the armies of the Allies, and sent our Navy and marines into war.

Mr. President, I do not want that to happen again. Yet there are Senators who are forced to say, as I would be forced to say, that when a foreign nation attacks our citizens and murders our people and destroys our property and invades our sovereignty, our country, of course, has no other recourse except war. I do not want to have to face that alternative. However, that alternative will be faced unless the embargo is repealed, because American ships will surely be sent from our shores, under the embargo. The promise of profits, the hope of high rewards will lure American ships to carry cargo to warring nations.

Mr. President, what else do we find? We find that not only in the World War were American ships sunk when carrying no arms and no munitions and no implements of war, but American ships are going to be sunk again if we keep the present arms embargo law without change or amendment. Why do I say that? Mr. President, just the other day the item was carried in the news that German submarines had sunk Finnish ships. Finland is a neutral nation. Finland is not at war. Those Finnish ships carried no arms, no munitions, no implements of war. They carried wood pulp. Think of it, wood pulp! The Germans sank those neutral ships, sent them to the bottom.

The press has carried reports of the sinking of several Swedish ships which carried no arms, no munitions, no implements of war, but the ships were sunk just the same.

The press has also carried reports of the sinking of Danish ships. Denmark is a neutral country, its ships fly a neutral flag, and carry neutral cargoes; they carry no arms, no munitions, and no implements of war, yet they were sunk. One of the cargoes consisted of butter.

So, Mr. President, the arms embargo offers no assurance of peace. It does not even offer a hope of peace.

We did not go to war with Germany because she sank munition ships. She made no distinction. We went to war because she sank our peaceful vessels, vessels carrying neutral cargoes, and murdered and took the lives of American citizens who had a right to be where they were under international

law, under the laws of humanity, and under the laws of God. That can happen again, and it will happen, because the Embargo Act allows anything, except arms, munitions, and implements of war, to move in American ships to warring countries.

Mr. President, our objective, and our only objective, is to keep out of this terrible war. We are not responsible for it. God knows if the American people could have had any influence, it would never have occurred. We thought we were having an influence upon it in passing the Embargo Act, but we know now that it never caused the monsters who planned this war to hesitate a moment. If it ever beat upon their ear drums, it found no registry in their minds. They went right on completing their plans and carried them into execution, and so we could not stop the war.

Mr. President, our objective is to keep the desolation and the cruelty of this world war from the shores of America. I do not want to aid in again calling to the colors the fine young men, with life all before them, with their hopes and their ambitions to be realized—I do not want to call them out upon the red fields of battle, to suffer wounds, to suffer maiming, perhaps to suffer death. I do not want to visit the homes of this Republic with sorrow and with grief. I do not want to bring desolation and misery to the peoples of America and to the world.

We want to keep out of the war. What is the most practical, the most sensible, and the plainest course for us to pursue? I submit, Mr. President, that the joint resolution gives the greatest possible assurance of any measure that can be devised by any legislative body. It makes sacrifices, it makes sacrifices of our shipping and entails sacrifices upon our people greater than have ever been made by any people in all the history of warfare, greater than any that occurred since Attila with his horde ravaged and pillaged Europe. It makes a greater sacrifice than any that was ever made since Genghis Kahn swept out of the parched Asian deserts and devastated and conquered peaceful lands and peaceful people. But, Mr. President, we are doing it willingly; we are doing it as a domestic regulation; we are doing it in order to save the necessity for facing the issue as to involvement or noninvolvement in the war. We want to stay out of the war, and we are going just as far as any people can go in this legislation to stay out of the war.

We were dragged into the World War. I say we were dragged in. We did not want to go in. We were dragged in. We were dragged up to the door several times and then we broke away and we would not go in. Our ships were sunk, our citizens were murdered, just as our ships will be sunk now and our citizens murdered if the embargo is kept as it is written now, because our ships are going to sail from our ports. The profits are so great, the rewards are so heavy that under the present embargo law shipowners in New York will send their cargoes and will send their poor seamen, who have no control over where they go, into danger zones, and when they get in there German submarines will sink them. So I say that in the World War we were dragged up to the door of war by the sinking of one vessel and we broke away. We did not want to go in. Then another one was sunk, and we were dragged up to the door of war again, but we broke away and we did not go in. They kept dragging us and dragging us until our patience was finally exhausted, and we unwillingly then accepted the issue of war, and reluctantly drew the sword in order to vindicate the rights of our people, international dignity, and the sanctity of American life.

Mr. President, I do not want to do that any more. We have to remove the reason for doing that. The joint resolution does that more clearly than any measure so far proposed. There is nothing else we can do unless we voluntarily renounce and give up all our foreign trade with every nation. That is unthinkable. President Jefferson tried that in 1807 during the Napoleonic wars. It brought ruin, devastation, division, dissension, and bitterness upon the people of the United States, and the Congress finally had to repeal it. It did not help our business, yet we were dragged into the war of 1812. There is no other course save this one unless we want voluntarily to renounce all of our foreign shipping and all of our foreign trade with every nation on earth. That sort of renunciation would be a cowardly and a spineless doctrine unworthy of the Senate and unworthy of the American people.

The American people do not expect us, as their servants and representatives, to make that kind of a surrender, which would damn us in the eyes of every self-respecting nation on earth. That is all we can do unless the present proposal answers the question.

Mr. President, I wish to conclude. What is our plan? Our plan is to allow American ships to carry no commerce—not merely arms and ammunition, but no commerce—to the nations at war. Not a bite of food, not one arm, not one cannon, not one piece of ammunition, not one piece of clothing to shelter the naked, or one bushel of wheat to feed the hungry may be sent to the warring nations in American ships. We do propose that all nations may buy the products of our farms and factories, any and everything, if they are carried away in foreign ships.

Then, Mr. President, we propose that American citizens shall not sail upon belligerent ships except under most extreme circumstances and subject to regulations. There might be some extreme case in which an isolated part of the world had no steamship service except that of a nation at war, and in which there would be no danger in an American traveling on such a ship. In that kind of a case it would be permitted. That there is danger for Americans to travel even on passenger ships of any nation is shown by the sinking of the *Athenia*, upon which more than 100 Americans were passengers. It sailed from Europe before war broke out, carried no arms or munitions and yet it was sunk by a submarine without notice.

Mr. President, so far as shipping in the Pacific Ocean is concerned we have gone further in the joint resolution than I think was necessary. Under the provisions of the joint resolution an American ship may not carry a cargo to Hong Kong, to Australia, or to New Zealand. I think that is an extreme and radical limitation of the rights of American shipping. I cite it only to show how far we have gone, how tremendous are the sacrifices we are making. I cite it to show how earnest we are that as a government and as a people we shall do everything within human reason to forego the alternative of facing the issue of whether we shall go into the great raging war.

Mr. President, American vessels are prohibited from carrying passengers or commerce to nations at war. Why? As I have already said, in the World War neutral ships were sunk. Today neutral ships with neutral cargoes are being sunk because they are going to a nation at war, although such ships may not carry any arms or ammunition. Under the provisions of the joint resolution, it would not be possible to sink an American ship going to a nation at war, because there would be no American ships going to the nations at war. The joint resolution would prohibit it. An American ship going to a nation at war could not be sunk, because under the terms of the joint resolution there would be no such ship.

Mr. President, we provide that title to cargoes must be transferred before the cargoes leave American shores. Why? In the World War the cargoes which were sunk belonged in some cases to American citizens. We had a right to make claim for reparations, because American citizens had a right to ship those cargoes. However, Mr. President, we do not want to have that situation occur again, so we provided that no cargo destined to a belligerent shall leave American shores until its title is transferred to a warring nation or to some of its subjects or agents. Therefore, no American cargo destined for a nation at war can be sunk, because there will be no American cargo bound for a nation at war. That is our answer. How much stronger could we make it? What greater sacrifices could be asked? What greater assurance is demanded of our desire to stay out of war?

Mr. President, the joint resolution not only prohibits Americans from traveling on ships of warring nations; it not only prohibits American ships from carrying any kind of commerce to the nations at war; but, as an added protection, as an in-

creased safeguard, it provides that from time to time the President may lay down combat areas or danger zones, and that after he so proclaims such an area or zone any American ship is prohibited from going into that combat area, whether the ship be destined for a neutral port or for the port of a nation at war. That is in addition to all the other safeguards. For instance, if a ship should be going to Holland, a neutral nation, and it should develop that there is danger of that ship being sunk by a submarine or any other war implement off the coast of Holland, the President could delimit a war-combat area. Then none of our ships would be permitted to go into that area, whether it was going to a neutral nation or to a nation at war. That is an added safeguard.

We also provide that American citizens shall not travel on belligerent ships. I think I briefly referred to that provision earlier in my remarks. Why is that true? We do not want our citizens murdered. We do not want them submarined. So no citizen will be submarined on a belligerent ship. Under the proposed law no citizen may go on the ship of a nation at war. Therefore, he cannot be sunk. In other clauses we prohibit him from going on American ships anywhere except to a neutral port. Is there any greater assurance? That provision is a restriction of the liberty of our people. It is a restriction of their freedom to go where they desire to go. They went where they desired to go during the World War. They went out upon the high seas, supposedly under the aegis and protection of international law, because international law said they had a right to go there. However, Germany said she had the power to prevent them from going there, and German submarines sank them and murdered them. We do not recognize any such right in a belligerent nation. We still stand upon our rights under international law; but, recognizing realities, observing dangers when we face them, we now say to our citizens, "Although under international law you have a right to go about your vocation and to travel the high seas, as a domestic regulation we forbid you to do so at this time, in order not alone to protect your lives, but to protect the lives of all the millions of Americans and help keep them out of a devastating and desolating war." That is the purpose of keeping citizens off belligerent ships.

Mr. President, we provide that American ports may not be used in any way by foreign agents in carrying war supplies, messages, or information from American ports to warships at sea. The Senator from Idaho [Mr. BORAH] the other night in a radio speech, imputing to us a certain purpose, said:

> Is it not your main purpose in securing repeal to enable us to furnish arms, munitions, and implements of war to one group of nations and to deny them to another group of nations, which groups are now in mortal combat?
>
> * * * * * *
>
> Is it not your purpose to take sides through the authority which will be available when the embargo law is repealed?

Mr. President, with all the seriousness and earnestness at my command, I wish to say that that statement was an unfair assumption on the part of the Senator from Idaho. The section which I am discussing, the prohibition against the use of our ports for the dissemination of arms, munitions, or supplies, or anything to a belligerent ship, contradicts the Senator and gives the answer in more eloquent words than I could employ. If we were becoming an ally, as it is charged we are becoming an ally of certain nations at war, if it be true that England and France dominate the seas, then this prohibition could apply only to England and France, whose ships would hang around our coast. We tell them that they may not do it; that they may not use American ports as secret bases, whether such ships fly the British flag, or the French flag, or whether submarines stealthily creep up into the harbor at night and in the morning unfurl the German flag.

The National Munitions Control Board is continued. It is given new powers. No vessel may carry munitions abroad, even to neutrals—no guns or ammunition may leave American shores until the exporter himself has obtained not only a license to deal in munitions and supplies but a license for the individual articles which he is then exporting. We strengthen the law by inserting a provision that when he obtains his license he shall give the name of the purchaser to whom the arms are going, as well as all the details of the terms of sale. We require that he shall make a report to the Congress or to the President on the 1st of January and the 1st of July. That report will disclose all that information, and the Congress will be constantly in possession of facts as to where the exportation of arms, ammunition, munitions, and implements of war are going. If in the interest of peace, in order to keep us out of war, we have to do other things in the future, Congress will have the information upon which it can act.

As I have already observed, this joint resolution represents and gives assurance against war. The Committee on Foreign Relations of the Senate has made a clear and readily understandable report. The joint resolution has been printed and widely disseminated. It has been drafted with great care. Those who drafted the resolution have conferred with the President of the United States, with officials of the State Department, and the entire Committee on Foreign Relations of the Senate have considered the resolution with meticulous care and have given it studious and unusual consideration. It represents the matured and deliberate thought of the committee as to the best available measure to prevent the involvement of the United States in war. That has been the ever constant purpose of those supporting it. We hope that it may meet with the approval of the Senate and of the country.

Mr. President, I wish to return briefly to what I have already said about the statement of the Senator from Idaho on Monday last, that international law had nothing on earth to do with the passage of the embargo, that we had no obligations under international law with respect to it. My reply now is that if international law did not have anything to do with its passage, it has nothing to do with its repeal. The Senator from Idaho carried out that idea on Monday last, I thought, in his colloquy with the Senator from Nevada [Mr. PITTMAN] when the Senator from Idaho asked if our embargo law is not operating neutrally in Europe, what business is it of ours? My reply is that the reason it is the business of ours is because we passed the law; it is our law; and if our law is operating unneutrally and unfairly in Europe it is our business to repeal our law.

Mr. President, the Senator from Idaho also propounded the question—I know he did not really mean it, in all its implications—if we repeal the embargo are we not taking sides? And he said we would be taking sides.

Mr. President, we are not taking sides except as the natural and geographical advantages may affect one nation and naval and oceanic advantages may affect another. If we are taking sides, my answer to that statement is that we are not taking sides now but that we did take sides when we passed the embargo back yonder, and said to Mr. Hitler, "Go ahead; prepare; arm yourself; get your cannon; get your ammunition; prepare your war charts; prepare for conquest, prepare for subjugating other nations, and we will promise you"—it is said this act was a promise to the nations of Europe—"we will promise you, in advance, that when you strike your enemy or your victim he shall get no aid, shall get no weapons, shall get no supplies with which to defend himself."

Mr. President, the Embargo Act also permits the aggressor to say when he will strike. He does not ask the advice of anyone else as to when he will strike. Like a poised rattler, he waits until his victim is in a position where he can take him most quickly and most safely. When the aggressor strikes, that is the hour that determines when the victim can get no more supplies. We did not fix the time. The aggressor fixes the time when his victim is to be shut off from arms and supplies, because the moment he strikes war breaks out; instantaneously the armies march, and the victim of aggression, a weak, peaceful, defenseless nation, unprepared, possessing no airplanes, possessing no munitions and no munition plants, must succumb, because we have condemned it to succumb long before the fact developed.

Mr. President, in conclusion, let me say, as I have probably said already many times, that any war is a terrible tragedy; any war that visits any people brings along with it so much of wreck and so much of ruin and so much wreckage and devastation, the shedding of so much innocent human blood, that it is something that ought to be outlawed by civilized nations and peoples. We have undertaken by this joint resolution to draw a program and a plan that will do all that is humanly possible by legislation to keep America out of such a war.

Europe is now bleeding and staggering amidst the horrors and heartlessness of a war that has engulfed already millions of people in its frightful miseries. This war is not of our making; it is not of our agency; we contributed nothing to its motives; yet these armies, with all the enginery and all the modern machinery of war, are engaged in the enterprise of destroying and killing and butchering countless men, women, and children, and devastating one of the fairest sections of this revolving globe.

America, Mr. President, has among its best ideals an ideal of peace. We want to live with the rest of the world in harmony. We believe in international conciliation and the adjustment of international quarrels around the council table. I covet for my country, as I know other Senators do, that it may be able to go forward and pursue its peaceful ambitions, realize its peaceful hopes, and that our people may be allowed to follow their peaceful vocations toward that day of prosperity and happiness which they envision. But, Mr. President, we cannot make over the world. Today a great part of the earth has surrendered to the rule of the sword. Armed might has dethroned the processes of peace—right and law and ethics are overthrown. Armed might rules like a king on a throne. The soldier with a sword in his hand rules like a sceptered monarch. That has happened under our very eyes. It has happened in sound of our ears. We must recognize that condition. So while I believe that the pending joint resolution will keep us out of war, yet America, in the interest of its own people, its own territory, and its own institutions, must be prepared in this sort of a world to defend itself from conquest and military mastery. We have got to be prepared to defend ourselves against foreign armies and foreign conquerors and foreign dictators. Those ambitious dictators who build great armies intend to fight some nation when they are ready. We are rich in soil, we are rich in resources, we possess much to which the cupidity and the lust for loot might well be attracted. While we hope and pray that, under God, this joint resolution will keep us out of war, I think that, going along with it, we should make still greater preparations not for offense but for defense, not for war but for peace, of our Navy and of our Army and of our aircraft and of our antiaircraft defenses.

Mr. President, we have upon one side of us a mighty ocean whose waters wash the shores of Europe. On the other we have another great ocean that sweeps away until it touches the lands of the Orient. Frequently it is said that we are defended by two oceans. There might have been such a time. There was a time, perhaps, when an ocean was a bulwark, when an ocean was a watery wall that kept out aggressors and enemies; but that condition no longer exists. Today, with modern shipping and modern submarines and modern aircraft, oceans are but highways, four-way highways to bring armed enemies to the shores of a peaceful people. That is true in the Pacific. That is true in the Atlantic. I believe that if we are to remain aloof from the ambitions and the quarrels and the struggles of the great ambitious militaristic powers of the world we shall have to have a navy big enough to dominate both the Atlantic and the Pacific. It is true that we have the Panama Canal, a little bottle neck which might be destroyed tomorrow by an aerial bomb. We cannot switch our Navy from one ocean to the other in an emergency in time to meet our needs. While I know it will cost much of human treasure, I believe we ought to have a navy strong enough and powerful enough to dominate both oceans. Yes, it will cost money; but while it may cost money, it may save blood. While it may cost human exertion, it may save human life. A billion dollars spent today may save us many billions in the years to come.

In addition to building up our Navy until it has no superior upon the seas, I believe that at the present moment our Army should be brought up to its authorized strength. I believe that we ought to increase our aircraft, both naval aircraft and military aircraft, so that we may say to the other nations of the earth, "We want no war with you; we want peace; but if war is the only edict that you can declare, and you attack us, we shall be able to meet you and we shall meet you on the battlefield, though we have been unsuccessful in meeting you in the forum with our laws."

Mr. President, we ought to increase our airplanes both defensively and offensively. We ought to protect our centers of population with adequate aircraft defenses.

Something was said here about the duty of America to remain a great exemplar of democracy and of free government enlightening the world. I covet for it that ambition. I want my country ever to be that. But, Mr. President, when force has overthrown right, when the sword has overthrown the lawbook, when the world is ruled by armed might America can do no less than to recognize that fact and be prepared to repel any aggressor that violates our sovereignty, or our soil, or the lives or liberties of our people.

Mr. President, when you are going to a conference of armed men who are going to fight, it is no place for a Sunday-school teacher with a prayerbook unless he carries his weapons with him. He must know how to shoot as well as pray. I detract nothing from those noble conceptions; but would it not be a still nobler conception to say, "Yes; we are for peace, we believe in peace, we believe in democracy, we believe in self-rule; but we also believe that if any aggressor, any nation that does not believe in self-rule, any nation that does not believe in peace, any nation that does not believe in the sanctity of human life, wants to come over and attack us, or revise our views or our civilization, we shall be ready to defend and protect our shores"?

Mr. President, during this debate something has been said about ideologies. I care nothing about ideologies. As a nation we are not concerned with the kind of government Germany has. That is a matter for the decision of Germany and its people. As a government and as a people, we have no concern and no right of concern with the kind of government that Russia may have. While we might wish that they had governments like our own—governments under constitutions, governments under courts, governments under democratic processes, governments of free speech and free press and freedom of religion—still we have no right by force to impose our will upon them. We have no concern with the kind of government England may possess, or France, or Italy, or Japan. We have never said to Japan, "You shall not have an emperor. We have no emperor, and therefore you shall not have one." We have never said to Italy, "You shall not have a king, who struts his little day in imitation of a Roman emperor, and yet is overshadowed by a sinister figure with a mailed fist, towering above the supposed king of your land." That is their concern. But, Mr. President, while they have their rights within their own lands, when they cross their boundaries and go out into the field of international law and international rights we do have concern.

In 1823 President Monroe and the American people laid down the Monroe Doctrine, in which we said that thenceforth and forever Central and South America would not be permitted to be exploited and resubjugated by European powers; that the monarchies could not establish any portion of their system on the Western Hemisphere; and that if they did American arms and American might would resist them. We drove Louis Napoleon and the French out of Mexico, after Maximilian's fatal enterprise.

Mr. President, if there be ideologies in Europe, if there be fascism and nazi-ism and communism, they have a right to exist within their own lands; but they must not come over here. If other nations come to America with their spies, as it has been charged they have already done; if they come to

America with their secret agents and undertake to infiltrate into the minds of our people disloyalty to our own flag, and build up a loyalty and a love for the flag of another land; if they come to Central and South America and seek to alienate those peoples into following the ideologies of Europe and against the concepts and the safety of the United States and our interpretation of the Monroe Doctrine, I agree with the Senator from Idaho [Mr. BORAH], who said in a speech some time ago that it will be the duty of America to say that they must get out and they must stay out; and, if need be, we must fight to put them out.

Mr. President, in conclusion, in this solemn hour, when the world is engulfed in blood, when great armies with bloody swords and flaming torches are marching over the boundaries of great nations that were, desolating and devastating lands and conquering and subduing peoples, America wants no part in that war. This joint resolution we offer as the best assurance and the best promise and the best guaranty to keep us out of that war. But while we are offering that as a law, we also want to send to them and to all the world this message:

"America wants no war with anyone. We covet the right to live under our own free democracy, our own Constitution and courts, with free press and free religion and free speech. We want to pursue the paths of peace. We will remain neutral. We refuse to give up, however, every right which the American citizen may enjoy."

Mr. President, finally, we say to them: "While we want peace and pray for peace, if you should contemplate the conquest or an attack on American soil or American lives or American institutions, we propose with Army and with Navy and with swarming airplanes and antiaircraft defenses to be able to defend the territory, the integrity, the lives, and the liberties of our people, and the governmental institutions of the United States."

Mr. President, under God we can do no less as the representatives of a free and an independent people.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Russell
Andrews	Downey	Lodge	Schwartz
Austin	Ellender	Lucas	Schwellenbach
Bailey	Frazier	Lundeen	Sheppard
Barbour	George	McCarran	Shipstead
Barkley	Gerry	McKellar	Slattery
Bilbo	Gibson	McNary	Smathers
Borah	Gillette	Maloney	Stewart
Bridges	Green	Mead	Taft
Brown	Guffey	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Tobey
Byrd	Hatch	Neely	Townsend
Byrnes	Hayden	Norris	Truman
Capper	Herring	Nye	Tydings
Caraway	Hill	O'Mahoney	Vandenberg
Chavez	Holman	Overton	Van Nuys
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Johnson, Calif.	Pittman	White
Connally	Johnson, Colo.	Radcliffe	Wiley
Danaher	King	Reed	
Davis	La Follette	Reynolds	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

Mr. VANDENBERG. Mr. President, because the words which will be uttered in the consideration of this bill are addressed to a desperately vital subject of world-wide importance and interpretation, I am anxious—for myself—not to be drawn into any unpremeditated observations. Therefore, I am suggesting to the Senate for the first time in my service here that I be permitted to proceed without interruption, at least until I have concluded my argument and defined the faith that is in me.

Mr. President, I believe this debate symbolically involves the most momentous decision, in the eyes of America and of the world, that the United States Senate has confronted in a generation. In the midst of foreign war and the alarms of other wars, we are asked to depart basically from the neutrality which the American Congress has twice told the world, since 1935, would be our rule of conduct in such event. We are particularly asked to depart from it through the repeal of existing neutrality law establishing an embargo on arms, ammunition, and implements of war. We are asked to depart from it in violation of our own officially asserted doctrine, during the World War, that the rules of a neutral cannot be prejudicially altered in the midst of a war. We are asked to depart from international law itself, as we ourselves have officially declared it to exist. Consciously or otherwise, but mostly consciously, we are asked to depart from it in behalf of one belligerent whom our personal sympathies largely favor, and against another belligerent whom our personal feelings largely condemn. In my opinion, this is the road that may lead us to war, and I will not voluntarily take it.

Mr. President, millions of Americans, including many Members of the Congress, believe—rightly or wrongly—this action not only breaks down our will to peace but also relatively faces toward our involvement in this war. Therefore millions of Americans and many Members of the Congress, regardless of their belligerent sympathies, earnestly oppose the inauguration of such a trend. The proponents of the change vehemently insist that their steadfast purpose, like ours, is to keep America out of the war, and their sincere assurances are presented to our people. But the motive is obvious, and the inevitable interpretation of the change, inevitably invited by the circumstances, will be that we have officially taken sides. Somebody will be fooled—either the America which is assured that the change is wholly pacific, or the foreigners who believe it is the casting of our die. Either of these disillusionments would be intolerable. Each is ominous. Yet someone will be fooled—either those at home who expect too much, or those abroad who will get too little.

There is no such hazard, at least to our own America, in preserving neutrality in the existing law precisely as we almost unanimously notified the world was our intention as recently as 1935 and 1937. There is no such jeopardy, at least to our own America, in maintaining the arms embargo as it is. No menace, no jeopardy, to us can thus be persuasively conjured. Therefore millions of Americans and many Members of the Congress can see no reason for the change, but infinite reason to the contrary, if neutral detachment is our sole objective. I am one who deeply holds this view. If I err, I want to err on America's side. I oppose the change and I present the reasons for my view.

The immediate issue actually before the Senate turns upon legislation which, within itself, probably approaches no such intrinsic magnitude as I have attributed to the decision we must make. It approaches no such inherent magnitude because both the existing neutrality law and the pending substitute for it include far-reaching restraints upon those military and economic factors which are calculated to precipitate us into war. The existing law and the new proposal alike have strongly helpful insulations, and at frequent points they substantially converge. The proponents of both propositions vie with each other in declaring their objective to be to keep this country out of war. Unfortunately, however, the effects of our decision will not confine themselves within these narrow legalistic limitations. The fact of the matter is that the embargo upon arms, ammunition, and implements of war, which the pending proposal would repeal, has come to be the trade-mark of a national state of mind, a national motive, and a great national purpose—the symbol of an attitude, the symbol of our real neutrality, and our noninvolvement.

This is true both at home and abroad. To change the symbol dangerously invites the conclusion that we have changed our attitude. As a matter of fact, it must and does change our neutrality—we get not more of it, but less. No matter how earnestly the proponents of the change may seek to cushion it for peace, and they have made every effort, the cold, stark fact of fundamental change itself remains. No matter what new insulating devices are created, the greatest of all protections against our involvement is stricken down. Of course, it is not intended as a step toward war. But definitely, under existing circumstances, it is not and cannot be a step toward peace. The consequences—concerning which I hope to Heaven I am wholly wrong—are

a monstrous speculation. There is no speculation, on the other hand, in keeping what we have and in adding new protections to it. Why speculate at all? Why take any chance? Any speculation with American destiny is fraught with peril in such fluxing hours as those which now curse a distraught world. In its implications and its trends the embargo repeal may be the very augury of peace or war for our own United States. And in whatever degree this may be true, the lengthened shadow of this outcome falls athwart not only the hearthstones of America but also across the very perpetuity of the American Republic.

Rightly or wrongly, I feel thus deeply about the problem at the Senate's bar. I shall seek and hope to speak this afternoon in keeping with the solemn spirit of such a vital challenge.

Mr. President, at the outset I want to subscribe myself in agreement with the President of the United States in his message of September 21, that the issue transcends any thought or phase of domestic politics. To prostitute the peace of America to politics would be sheer treason. On the other hand, I am certain that the President equally would agree that those of us who fear the unleashed consequences of the major proposal in the pending bill—the repeal of the arms embargo—should say so in candor, conscience, and conviction. The adjournment of partisanship in such a moment does not require the abdication of independent judgments. It would be the height of totalitarian politics of the most offensive and undemocratic sort to pretend otherwise. Both patriotism and free speech can still dwell together on this side of the globe. Meanwhile, what happens to any of us politically in such an hour is of no moment to the country. But what happens to our country is of vital concern to us all.

At the outset, too, I shall concur in another admirable statement in the President's message. I make his words my own: "Because I am wholly willing to ascribe an honorable desire for peace to those who hold different views from my own, I trust that these gentlemen will be sufficiently generous to ascribe equally lofty purpose to those with whom they disagree." That should be our reciprocal rule. There is no hope for that final unity of purpose and procedure which is ultimately indispensable to successful national action, after our irrevocable decisions have been made, if the twin vices of faction and suspicion shall make it impossible for us honorably to differ while the decisions are in process. I respect the motives behind every vote that shall be cast upon this roll call.

Though I uncompromisingly disagree with them, I respect the belief of those who sponsor this pending substitute that they have compensated our chance to remain at peace for its loss of the indispensable arms embargo. In this business of honorably keeping out of war there is no certain sanctuary. But, unfortunately, the best of motives and the warmest pronouncements are not alone enough—as we once discovered to our sorrow when a great President who was elected because "he kept us out of war" found himself catapulted into war within 40 days after his reinauguration.

At the outset again I concur in the President's defense of the principles of liberty, religion, morality, and international good faith, and in his condemnation of military conquest. I hate these latter things. So does America. There is no doubt about our overwhelming personal attitude upon these subjects nor toward today's belligerents. Yes; and if America is ever challenged upon this malignant score—either here or elsewhere on this continent—there can be no doubt of our uncompromising answer. We shall invincibly answer with our lives and fortunes. Any alien tyrant who might reckon otherwise would be tragically disillusioned. We are not too proud to fight. But I am not voting upon that issue now. It has not arisen. I am not speaking upon that issue now. My external sympathies are not involved. In my view, they have no right to be involved. This is a problem in neutrality, not in unneutrality. I must think solely of the welfare of our own America. I believe that welfare is inseverably linked to immunity to any foreign war which does not come to us. "America first" is now a literal necessity. The single, paramount question is, Shall America stay out of this war, and how? Again I quote the President:

> Our acts must be guided by one single, hard-headed thought—keeping America out of this war.

Hard-headedly I applaud the objective. Hard-headedly I dissent from the proposed method of reaching it.

Thus it appears that both sides in this controversy say that we must stay out of this war. The split comes over the formula to keep us out. The chief split—the one issue that overshadows all others—comes over the proposed repeal of the existing embargo on arms, ammunition, and implements of war to all belligerents. You, upon the other side of this debate, assert with the President that it is the embargo itself which endangers peace, though I cannot for the life of me understand it is if it is our peace you are discussing. We, on the contrary, are guided by the one, single, hard-headed thought that to repeal the arms embargo is to strike down a great, indispensable, insulating defense against our involvement in this war; that the repeal, though labeled otherwise, is in its essence a deliberately unneutral act which may too easily be the forerunner of others when once the habit starts; that the substitution of so-called cash and carry as respects munitions is the inauguration of relatively dangerous and complicating factors which seriously hamper if they do not finally destroy our detachment. We are guided by the one, single, hard-headed thought that the retention of the arms embargo cannot possibly involve us in any of these compromising factors; that repeal is not relatively the surest road to peace; that it may finally be the road to war. I oppose repeal because I believe repeal makes us relatively vulnerable while the embargo leaves us relatively immune. And there the major issue lies.

Mr. President, it is not an issue—and I beg of you to let me make it plain—between the arms embargo, on the one hand, and all the other protective devices proposed in the joint resolution, upon the other hand, although the eloquent address of the able and distinguished Senator from Texas [Mr. CONNALLY] rests itself almost exclusively upon that wholly mistaken premise.

Many people have been led to believe that the retention of the arms embargo necessarily involves the abandonment of cash and carry on all other commodities and the abandonment of other new restrictions in the pending bill. That is not true. You who present the new proposal can, under your theory of things, add every one of these protections without disturbing the arms embargo at all—and I can and will support you in many of them, under my theory of things, as I shall presently indicate. The sole question in basic controversy is whether we shall also retain the primary protection of the arms embargo. Why do you eliminate the existing safeguard if, as you say, you only want more safeguards? Why not have both? Why is it necessary for us to sell munitions to belligerents in order to be safe?

Since we all start with an apparent agreement that all of our objectives are pacific in intent—passing for the moment the question of their actual effect—it is perhaps unnecessary to labor the stupendous importance of keeping America out of this war. But unfortunately there are rival emotions in most American hearts—upon the one hand, a deeply sympathetic urge to help one belligerent against the other; upon the other hand, an urge to keep ourselves bombproof and aloof. Again, there is a school of thought which conscientiously promotes the persuasive but, I believe, utterly treacherous doctrine that we can do many unneutral things short of war to help our favorites—as though we might successfully be half in this war and yet safely stay half out. Yet, again, there are those who would mend our faltering economy—even the President's recent message plaintively touched the rim of this cash-register suggestion—by reaching for war orders and war profits behind a shield of technical but highly transparent and fictitious neutrality. And, again, there is the group that is so righteously sensitized to the cause of one belligerent against the other—feeling that its cause is our own, which feeling I can fully understand—that they do not wholly reject the hazards of our own involvement if worst unexpectedly comes

to worst in Europe's mystifying cabinets and on Europe's mystifying battlefields.

In view of all these competing, collateral emotions—each one of which tends to dull the tenacity of our resolution completely to insulate America against involvement in this war—a little time is not misspent if we linger for a brief moment upon the consequences if, through the omission of any act of effective neutrality or through the commission of any act of entangling unneutrality, America once more finds herself pulled into Europe's wars. It may serve to steel our dominating purpose to keep out, regardless of these other considerations; and keep out we must, unless our own American sovereignty and our own American security are challenged. Against the possibility of such a challenge, Mr. President, I will join in a national defense which shall be as impregnable and as invincible as we can make it—a frontier of democracy in this western world which never can be successfully assailed. But I do not believe it is necessary that the challenge should ever come.

There are many who are not too earnest in their fears about our involvement in this war, and I do not speak of them invidiously. Suppose this thing should happen. Let us look at the net result.

The last war cost us 40,000 American boys killed in action. Their crosses dot the skyline of futility. This present one, says Colonel Lindbergh, would cost us a million boys. The last war cost us 192,000 wounded, 76,000 who died of disease, and 350,000 more who now deserve and receive disability allowances. The next war, if Lindbergh is remotely right, would infinitely multiply this sacrifice. The last war cost us at least forty billions in money, including fourteen billions which our erstwhile Allies still owe us 25 years later, all debtors except Finland having suspended all pretense of liquidation. This war appears to relegate the collection of these debts—without adding any more to them—to the ledgers of the millenium. We did not make the world safe for democracy. We did not win a war to end all wars. These vivid, idealistic invitations—then, as now—were emotionally persuasive but tragically sterile. We won the war, but we lost nearly every objective for which we fought. Indeed, we did not even know for what we fought. Before we ever fired a shot, the spoils of our joint victory had been prepledged in sordid, secret treaties concerning which neither our people nor even our Congress knew a single thing. It was a shell game in more than one meaning of that phrase. Let us remember that, my countrymen.

Europe's imperialistic power politics have been devious with deep intrigue for a thousand years. They always have produced wars, and apparently they always will. They are beyond our ken. We found out in 1917–19 that we did not know what went on behind the scenes in Europe even when we thought we knew. There is even less assurance on that score today. For example, Soviet Russia within the last few tragic weeks has been strenuously wooed alike by both belligerents in this cataclysm—the defenders of democracy being no less eager than the anti-Comintern to expediently clasp communism to their bosom in this lust of war. This ideology which we hear about—and which is pleaded to our interest—seems to be a dangerously fluid sort of thing. Frequently it seems to depend upon "whose ox is gored." The only thing of which we can be absolutely sure is that it will be our ox if he strays into these pastures of dissension.

All we got out of the World War—if you call it "getting"—was the Treaty of Versailles, which we declined, even then, to approve. The provocative Treaty of Versailles! It was depicted in horribly faithful prophesy at that very time by the London Herald, which cartooned Clemenceau leaving the council chamber where the treaty had been signed, and stopping quizzically, with one ear cocked, to remark, "Strange, but I thought I heard a child crying." And hidden from the peacemaker's view by a pillar was the class of 1940 which now answers reveille.

Not our "class of 1940," I fervently hope and pray, Mr. President, if any word of mine can make it otherwise.

To those Americans who are not too unwilling to believe it may be necessary or wise for us not only to scrap the arms embargo, but even to go further in support of one belligerent today against the other, I ask, what would we, what could we get out of participation in this new war, even on the assured presumption that we would emerge victorious? What would we get?

First, we would get such a regimentation of our own lives and livelihoods, 20 minutes after we entered the war, that the Bill of Rights would need a gas mask, and individual liberty of action would swiftly become a mocking memory. This is not hyperbole. Scan the Army's industrial mobilization plan, for example. We have previewed it here in Congress. I quote a few typical sentences from a recent authentic newspaper review:

> Labor and business would be regimented. * * * Strikes would be outlawed. * * * Employers would be told by Government what wages to pay and hours to work; what prices to charge; what profits to make. * * * The Government would dictate costs, prices, interest rates, rents, etc. * * * Light, heat, food will be rationed—

And so forth. Another columnist says:

> It is the complete disappearance of an individual's or a corporation's liberty of choice and action—social and economic—which reveals how closely the United States will resemble a Fascist country controlled by a Mussolini or a Hitler.

Let no one distort what I am saying. Specifically I am not charging, even by remotest inference, that this administration has some malignant purpose to chain our freedom through its abuse of war powers. I am simply saying that these chains are inherent in the new war technique all around the globe, and that our own official expectations, in some quarters, anticipate this mold. What has already happened in England? Here is a headline from last week: "British Find Liberties Vanish With War; Traditional Freedom is 'Blacked-out.'" We should not avoid these blackouts here. In the name of another war "to save democracy," we should have to strangle democracy in our own land and erect an American paraphrase of the cooperative state—the very plan of life against which we universally rebel and against which presumably we would be making war. One step in this direction inevitably invites another. It requires little imagination to conjure the ultimate picture. If the war went long enough, I doubt whether we should ever get the Republic back. When we head for war in its contemporary version we head for chains.

Second, we should come out of the victory with an infinitely pyramided debt. If the war dragged on, the debt would not be long in staggering toward $100,000,000,000. It never could be carried or repaid. Repudiation or ruinous inflation would be inevitable. Our economic values would collapse. Nothing but all-powerful central government could save the pieces. We should ultimately understand what old King Pyrrhus meant when he said, "Another such victory and we are lost." We should win another war and lose another peace. Nobody can win anything else.

Discount as you please, Mr. President, this prospectus and its dread casualty rolls, nevertheless, it approximates the outline of our destiny in some degree if we go to Europe to fight another European war. We shall be ready to face even these extremities if ever it is honorably necessary in defense of America and her institutions and her security. But before we dare to think of any other obligation or any other objective than our own security and the security of this Western Hemisphere, before we dilute our own grim determination to stay out of this war and not to yield to any other motives, no matter how nobly meditated, let us frankly count the cruel cost. Let us face it with hardheaded thought.

Before we dream of war booms, let us remember the devastating boom deflations which irresistibly follow as gloomy night pursues departing day.

Before we speculate with measures short of war, let us remember that this equivocal phrase inherently defines a nearer approach to the thing we unitedly say we propose to avoid. Let us learn our lesson, as the British Winston Churchill wrote some years ago:

> Never, never, never believe that any war will be smooth and easy, or that anyone who embarks on the strange voyage can measure the tides and hurricanes he will encounter; and the statesman who

yields to war fever must realize that once the signal is given he is no longer the master of policy but the slave of unforeseeable and uncontrollable events.

Let us not see how close we can squirm toward these unforseeable and uncontrollable events by so-called measures short of war, comforted by the blind infatuation that we shall always be able to pull back from the tides and hurricanes.

Before we yield to our deep attachments, often born of precious blood inheritance, to other nations in the older world, let us kneel at the altars of our own America and faithfully hold her safe above all else.

Before we try, even by specious indirection, to save democracy across 3,000 miles of sea, let us be sure we have saved democracy right here at home; and so far as democracy as a world institution is concerned, let us ask ourselves whether we do not best serve this noble cause by making sure that in at least one hemisphere there remains one torch of hope to light the way to high, safe ground where human liberty may survive in progress, happiness, and peace.

Before we abandon the benediction God gave us when He bounded our America with two great protective oceans, let us preserve this divine insulation for everything it is worth to the last healing degree.

Before we once more involve ourselves in Europe's destiny let us remember Washington's Farewell Address, which is rich with truths that time itself cannot erase:

> Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

Before we yield to the temptation to implement our righteous indignations as we view these bitter scenes 3,000 miles away, let us ponder that other warning bequeathed to us out of the heart of the Father of his Country:

> The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave.

There is that word "slave" again.

> It is a slave to its animosity or its affection, either of which is sufficient to lead it astray from its duty and its interest.

Please God that we shall not be led astray.

Ever since the President's famous Chicago speech suggesting that we join in what he called quarantining aggressor nations, we have intermittently wavered in our traditional neutrality, and in one notable instance the statutes upon this latter subject have not even been invoked. It is entirely human—and a credit to our sensibilities—to give vent to our outraged emotions from time to time in the presence of broken liberties and broken lives beneath other flags. But surely our paramount responsibility—every minute of every hour in every day—is so to maintain our national attitudes that the wars of others do not needlessly come to us, and that whatever destruction happens elsewhere may not needlessly happen here. This is not our war. We did not start it. We have no control over its course. We cannot dictate its conclusion. We cannot order Europe's destiny, not even if we took it as a permanent assignment. It is not our war, despite our devotion to democracy. It need not—it should not—become our war. We should deliberately and consciously stay all the way out unless and until we are deliberately and consciously ready to go all the way in.

There is no implication in these words that the Senate sponsors of this pending legislation are any less concerned about peace than are we who oppose them on this arms-embargo issue. I plead, chiefly to my fellow citizens and the country at large, the menace of war to America solely to emphasize the fateful importance of never toying with the idea that somehow it might have compensating advantages. I do not speak of peace at any price. I reject that doctrine as wholly un-American. I speak of peace only at the price of scrupulous neutrality and an incorrigible effort to maintain it. While perfecting the national defense of a people that shall be invincible in the righteousness of their democracy, I simply plead that peace shall have the benefit of every doubt.

This brings us squarely to the pending issue. Are we less likely to become involved in this new World War and its consequences if we faithfully maintain the neutrality code which we said 2 years ago would govern our attitudes in the event of alien war, and if, under this code, we refuse all arms, ammunition, and implements of war to all belligerents? That is one point. Or are we less likely to become involved if we change the code, for the admitted benefit of one belligerent against the other, and if we become armorers for one against the other?

It seems to me that the question answers itself. I cannot escape the profound conviction that the change must inevitably be less safe, less insulated, less calculated to achieve the American detachment to which we all say we are devoted. I do not say repeal precipitates us into war. That is not necessary to prove my point. I say that as between the two alternative courses available to us as to arms, ammunition, and implements of war it must obviously be relatively safer for America to pursue neutrality precisely as we solemnly declared 2 years ago we intended to pursue it under just such circumstances as we confront today; that it must obviously be relatively safer to decline all sale of all arms, ammunition, and implements of war to all belligerents than it possibly can be if we turn our harbors and our wharves into market places where these alien belligerents will struggle for this merchandise of death. In the long view, I do not believe we can become an arsenal for one belligerent without becoming a target for the other. Therefore, in addition to the larger and paramount consideration that the embargo is the symbol of an essential attitude, I am opposed to the repeal because of its specific hazard. Where the bill creates additional restraints upon ourselves, without reference to the belligerents, I applaud its trend, and I should welcome a chance to accept many of these new insulations which would not change the rules in the middle of the game, so far as the equal rights of belligerents are concerned. So would practically every man who stands at my side in this battle. It is not a question of rejecting what you propose. It is solely the question why, in God's name, is it necessary for us to reject a complete embargo upon munitions of war in order to accept what you propose? And I have yet to hear one side of a rational answer to the question.

But, in my view, all of these new devices combined cannot possibly compensate for the major loss which is confronted when the arms embargo is repealed. If we are all in dead earnest in our pursuit of insulation, why repeal anything? Why not add to it? I do not believe the pending measure, so long as it is trade-marked by repeal, so long as it carries upon its face the amazingly indefensible proposition that the only way America can be saved is to sell arms to belligerents, serves the welfare of our democracy. I do not believe it even serves the ultimate welfare of those particular belligerents whom it is supposed to favor, for reasons which I shall subsequently explore. I do not believe it answers the prayerful desire which dominates the Nation's purpose. I think it is dangerous and grossly unwise. Feeling more intensely about these things than I have ever felt about any other issue, my people, including those who in substantial numbers honestly and sincerely disagree with me, will expect me to stand my ground regardless of consequences. And that I shall do.

I have said I think a majority of the American people, regardless of their wholly preponderating sympathies with England, France, and Poland at the moment, are opposed to the pending joint resolution. Perhaps not. The so-called Gallup poll suggests that they swung from 57 percent in favor of repeal of the arms embargo last April to 50 percent in August, back to 57 percent in the recent September count, and up to 62 percent last week end. If this is true, it shows how public opinion vibrates with changing emotional reactions. I think the vibration would be in sharp reverse if the implications of repeal were fully understood, and if the question itself were not submitted by Dr. Gallup in wholly prejudicial style. Be that as it may, I know what my own amazing mail from Michigan has shown during the last 2 weeks. It is heavier mail than in any three previous instances combined where the people themselves have been deeply moved to speak. It is representative mail. I think without exaggeration it is 95 percent opposed to the repeal of the arms embargo.

It would be silly for proponents of repeal to dismiss all this avalanche—reproduced in every office in the Senate—on the convenient assumption that it is inspired by prejudicial propaganda. No, Mr. President; my mail is not that kind of mail. It is often written with such individual fervor and conviction that no one could mistake its meaning. If it is the result of orders from somewhere, I think the orders are coming from the American conscience and the American heart. For example, in passing, I invite the hysterical columnist who recently was content to classify all these correspondents as either pacifists, star-spangled Fascists, or Communists—I invite her to assign the Michigan Department of the Disabled American Veterans of the World War, with its uncompromising stand in behalf of the existing law, to one of her three prejudicial categories.

No, Mr. President; I am convinced that a majority of the American people, regardless of their sympathies, reject this pending step—despite the great concessions to our insulation viewpoints which are offered as compensation for striking down the greatest insulation of all. But regardless even of that consideration, still I should stand my ground because I believe it is my duty to America, to her democracy and to her mothers' sons, and because I believe the logic of our position against repeal is invincible.

Let us see about the logic.

In 1935 Congress passed a neutrality code, including the arms embargo. In 1936, Congress amended the code but did not touch the arms embargo. In 1937, Congress reenacted the neutrality code and reenacted the arms embargo as it stands in law today. That was no snap judgment. It could not have been. It was preceded by several years of study into all the ramifying phases of the subject. It was done after complete exploration in which the President, the State Department, the House and Senate all participated. It was done because both Congress and the country were unwilling longer to depend solely upon so-called international law as a rampart to protect us against other peoples' wars. We knew there would be other Old World wars. There always have been. Perhaps there always will be. We did not pass this neutrality code, as has been repeatedly suggested upon the other side in this debate, in the expectation that it would stop their wars. We passed it so that when their wars should recur they should not recur to us.

Old World wars seem to be an endemic continental curse. We wanted better insulation against this deadly contagion. We knew that inscrutable power-politics in Europe constantly involve clashing rivalries—imperial rivalries—which are none of our concern and which we can neither fathom nor police. We knew the power of propaganda, over here as well as over there, to draw us in whenever these alien crises should continue to arise. We knew, too, the acquisitive lure of war booms. We wanted new protections. We were not thinking of France or England or Italy or Japan or Germany or Russia. We were just thinking of America. We wanted America to be a little safer against exposure to foreign war.

I repeat, we were no longer willing to rely exclusively upon international law. In his able message of September 21, the President constantly pleaded for a return to this international law. Indeed, he has significantly indicated that if he could wholly have his way, he would repeal all neutrality statutes and go back to complete reliance upon international law alone. He said, "It has served us well for nearly a century and a quarter." I am not so sure. It certainly was the precise law under which we got into the World War in 1917; and it certainly would not be serving us well if it should reproduce that calamity in 1939. It is highly confusing, furthermore, to compare the President's appeal for international law with this pending proposal which, in its repeal of the arms embargo—in the midst of a war—itself violates international law. Be that as it may, Congress and the country—and the President himself at that time—were unwilling longer exclusively to lean upon this broken reed. The final, cumulative result was the Neutrality Act of 1937 which is built around the embargo upon export to any belligerent of arms, ammunition, and implements of war. That is its symbol, its genius, its paramount identification. That is the one thing that has remained constant in the law from start to finish at the insistent demand of Congress itself. An attack aimed at its arms embargo is an attack aimed at the heart of the neutrality code itself, and that is the precise attack that is being made today.

The neutrality code, as it stands in our statutes, and the arms embargo, as it exists at this moment in our statutes, passed the Senate—only 2 short years ago—by a vote of 63 to 6. They passed the House of Representatives by a vote of 376 to 13. Where were today's critics of the arms embargo then? They were voting "aye" upon the roll call. Praising the embargo and helping to write it into law. Rarely has there ever been such unanimity of congressional opinion. The President signed the bill, an act which he says he now regrets. His regrets do not change the record. Neutrality cannot be maintained around regrets. International law does not recognize them. Neither does it recognize the theory that because he began regretting as long ago as last January the Government itself had spoken in denouncing the act before this war began. The Government still necessarily includes Congress. Congress has never denounced the code or the embargo. They are sovereign at this moment. Their passage was overwhelmingly ratified by popular opinion. The people wanted this defense. The truth of the matter is that to indict the wisdom of this neutrality code and the arms embargo is to indict the whole Congress, the whole Government, and the whole body of American public opinion when it was in position to deal with the subject impartially and objectively 2 years ago. It was simply and wholly pro-America. Its motive and its character and its authority cannot be altered by any events abroad. It is still exclusively pro-American today. It is still exclusively pro-peace.

We established a great, new, dynamic principle in healthier and safer international relationships when we decided to close our arsenals to alien warriors, as great a principle as that in the Kellogg-Briand Pact outlawing war as an instrumentality of national policy. In the house of its sponsors and its friends it should not be allowed to suffer the latter's fate in its first impact with reality.

We deliberately notified the world precisely what our American attitude would be in the event of future alien wars. We were not thinking then of any particular belligerents. We were not writing the code to favor any one against any other belligerent. We were not trying to equalize the war resources of any two belligerents who might subsequently clash; that was and is none of our neutral concern. We were thinking solely of America and her insulation. We were thinking solely of neutrality at a time when we could think solely of neutrality, which is wholly impossible today. We had no friends to reward; no enemies to punish. We were not legislating in anticipation of any particular conflict. We were not trying to be in some war by proxy while snugly staying out in apparent fact. We had just one, simon pure, undiluted aspiration—neutrality, neutrality. Not because we were afraid. But just because we were prudent.

We said to all subsequent alien belligerents: "We shall have one rule, and it will apply to all alike." This is the rule: "We shall sell no arms, ammunition, or implements of war to any belligerent, no matter who it is and no matter how it is affected. You can all make your plans accordingly," we said to every foreign power on earth. "If our ultimate attitude is of any concern to you," we said, "we tell you now what that attitude is going to be. America is not going to be the arsenal for any belligerent so far as munitions are concerned. The ultimate effect upon you"—speaking to the whole external world—"is none of our ultimate concern, so long as we scrupulously treat you all alike according to the notice which we now serve on you. We are not dealing with the effect of our neutrality on your war. We are dealing solely with the effect of your wars upon our neutrality, and that is the only thing we have any right to consider. We are seeking singly and solely to determine how we can best deserve and preserve immunity whenever foreign wars—foreign to us—engulf

others. We shall sell you no munitions. Munitions get us into trouble. It makes no difference how rich you are or how powerful you are—we tell you now, we shall sell you no munitions. And we are being doubly faithful to fair play by letting you all know in advance what our course shall be."

We wrote the rule ahead of the necessity for its application—the only time when truly neutral thought can precede truly neutral action. Now, if I may drop into idiom, we are asked by the pending measure to repudiate that whole conception, and to prejudicially change the rules in the middle of the game." What we said in overwhelmingly supported statutes, what we solemnly and repeatedly said we would do under a subsequent set of given circumstances, we are now asked not to do when the circumstances eventuate. When we pass this bill, when we repeal this arms embargo, we have abandoned our own solemnly announced conception of what our neutrality ought to be, no matter what aliens should be involved. As measured by our own conception of neutrality, set down by us in existing law, we take our first step away from neutrality. We must in some degree move in the direction of involvement, because any step away from neutrality must be a step in the other direction. It must have this other direction. We cannot face two ways at once. It is futile to try.

The frankly conceded purpose of the change is to reach into the existing arena of foreign war and, by American action, to alter the relative resources of the belligerents. There cannot be any question about that. The relative resources of the belligerents have nothing to do with our neutrality. It is not our neutral concern. It is not neutrality which speaks in such a fashion; it is the unneutrality of our hearts which thus strives for a new formula that may implement our sympathies and yet seems to preserve our insulations against actual involvement. Our perplexity is that these rival aspirations—here and throughout the country—are struggling against each other for supremacy. We hunt the "no man's land" of a middle ground. The pending joint resolution is the wishful answer. But, Mr. President, I think it is precisely the sort of situation which Shakespeare had in mind when he spoke of "keeping the word of promise to the ear and breaking it to the hope." It is my own deeply considered view that there is no such middle ground upon which a neutral America may safely and wisely take its stand. The arms embargo is the dominating symbol of the neutrality which we almost unanimously said we would preserve. Its repeal must be the dominating symbol of a conscious drift away from neutrality as we ourselves defined it. If we drift away from neutrality, whither do the currents trend? Who can adequately assure us that the British Churchill was wrong when he said:

> The statesman who yields to war fever—

And weakened neutrality certainly is one of the early symptoms of war fever.

> The statesman who yields to war fever must realize that once the signal is given, he is no longer the master of policy, but the slave of unforeseeable and uncontrollable events.

There is no possible American involvement on the other hand in the retention of the arms embargo. There would have been no prejudicial battle of inflammatory headlines in all the alien newspapers of earth if we had calmly and consistently proceeded to live and act—as we solemnly agreed to live and act—under the neutrality code. It never would have occurred to anybody that we were trying to influence alien destiny. No one would have suggested that our purpose was pro-anything except pro-America. And that is the sole purpose of myself and my associates at this critical hour. If any at home misjudge these motives, it is as unfortunate as it is unfair. If any abroad misjudge these motives and read into them an extent of alien friendship which does not exist, they reckon without their hosts and they will count upon us at their peril because American people are not going to war. That is one of the great vices of this situation—one of the reasons why it would have been infinitely better if the repeal had never been proposed. No matter how carefully the President and the proponents of repeal hedge themselves about with dedications to our American noninvolvement just as earnest as our own, we know that repeal will be construed abroad as the fruition of a deliberate purpose to help one belligerent and—let us say mistakenly—as encouragement to believe that we may later come closer to the battle line if necessity requires; and no matter how sincerely we who oppose repeal may make it indubitably plain that we are opposed—as God knows I am—to dictators and to ruthless conquests and to all the bitter fruits of these, we know that the failure of repeal will be construed—again mistakenly—as an intentional aid to the other belligerent.

Ah, yes, it were better that the issue never had been raised at all. But, being raised, we had better stand the only ground upon which there is no reason or right for anyone to misconstrue the congressional purpose of 1935 and 1936 and 1937 to be neutral in behalf of noninvolvement. No one can put a motive into the mind or purpose of Congress 2 years ago when this code was perfected, so we had better stand upon the code as it was born of motives that are impregnably unassailable. The arms embargo is the symbol of that attitude. And I confess the mystery grows upon me as to why anyone thought it was worth while to raise the issue—if our continuing neutrality is the sole concern—because most experts agree that the arms, ammunition, and implements of war which repeal will turn loose—if that is all that is involved—cannot possibly seriously influence the war's result. Why change unless we really intend to influence the result? If we intend to influence it, how far are we prepared to go? If we are not intending to "go," why start? We intend to be either neutral or unneutral. We intend to be either in or out. We cannot be both. Yet if Dr. Gallup's polls prove anything at all, it proves that most of our repealists are sitting on the horns of this dilemma.

In his recent message the President said:

> The essentials for American peace in the world have not changed since January.

I submit that we might have gone much further. The essentials for American peace—if that be our sole objective—have not changed since the neutrality code was written and the arms embargo was pronounced. The code, I say again and again, is the symbol of our noninvolvement. To change the symbol is to change the attitude. I care not with what words it may be clothed.

When once the process of change begins, when once we have broken down our resolve to stand upon our own legalized conception of our own neutrality, no man knows where the process of change may end.

Is my philosophy of action wholly novel? Is this the first time it has been asserted that neutrals who desire and intend to stay neutral should not—again borrowing the idiom—"change the rules in the middle of the game"? That is, change them prejudicially to one belligerent or the other. Do we thus in some way collide with that international law for which the President so eloquently pleads? Oh, no. On the contrary, the collision comes when we do what is now proposed. For example, the famous Roscoe Pound, former dean of the Harvard Law School, is quoted in the Detroit Free Press of September 23 as—

> Warning that America, if it changes its Neutrality Act so as to assist one belligerent, will in effect be in the war.

Those are not my words, but the words of Dean Pound.

Again, an Associated Press dispatch from Syracuse, September 21, quotes Henry S. Fraser, who was technical expert to the League of Nations committee for codification of international law:

> There is an established principle of international law that a neutral may not, after the outbreak of war, change its legislation for the purpose of assisting one of the belligerents.

Kindred authorities are so numerous that it is needless to extend them here. Suffice it to present one exhibit out of our own official records.

In 1914, upon motion of a distinguished Democrat, Mr. Hitchcock, of Nebraska, it was proposed in the Senate of the United States that we should establish an arms embargo

after the World War was already under way. British experts promptly told us it would be unneutral thus to "change the rules in the middle of the game." I read the message of Ambassador Page to our State Department from London on December 11, 1914:

Sir Edward Grey unofficially expressed the hope to me that the bill introduced by Mr. Hitchcock will not pass. * * * He calls attention to the fact that this would be special legislation passed while a war is in progress—

Note the basis of the protest because it precisely fits today's procedure—

Special legislation passed while a war is in progress making radical departure from a long-established custom and that for this reason it would be an unneutral act toward the belligerents that can profit by it.

Well, the American Government agreed with Sir Edward. It resisted all efforts to change the rules in the middle of the game in a fashion unequally affecting belligerents. The American Secretary of State, writing to the German Ambassador on April 27, 1915, said—and this is official American doctrine:

This Government—

This is the American Government speaking—

This Government holds * * * in view of the present indisputable doctrine of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be——

What?—

would be an unjustified departure from the principles of strict neutrality by which it has consistently sought to direct its actions.

Mr. President, that is good enough for me. The experts can pursue these legalisms as far as they please. A layman cannot escape the impact of this quotation. If the United States continues "consistently to direct its neutrality" according to its own interpretation of "indisputable international law"—namely, that it cannot change its own laws of neutrality during the progress of a war in any fashion which would affect belligerents unequally—then it cannot lift the arms embargo without becoming unneutral, according to its own indictment. That is my whole proposition at this point. I do not believe that unneutrality—no matter what you call it—is the safer or the wiser road to peace. If and when, if ever, we are ready frankly to discuss unneutrality, there will be many things to talk about besides the arms embargo, because war itself will be a much closer contemplation.

Whatever substitute is now offered, in the pending bill, for the old law is, of course, important. But it is of secondary concern. The fact that it is a substitute is the all-controlling consideration. I hope I have made plain my belief that until the arms embargo is restored no alternative devices—no matter how restrictive, no matter how nobly meditated—can warrant support of the pending bill. The embargo is the telltale symbol. But I want briefly to discuss the substitute because, in some phases, it serves to dramatize and emphasize what peace loses when the embargo goes. The committee majority and the authors of the new measure have obviously made an extreme effort in attempting to exchange new insulations for old. At some points they have become far greater isolationists than any of us dreamed of being when we wrote the 1937 code. They dismissed practically all of the President's suggestions for neutrality by Executive decree. They created what are virtually new embargoes—certainly on shipping and perhaps on finance—to try to offset the loss of the one on munitions. Contemplating the probable results, I confess again that I cannot comprehend why an arms embargo is so repugnant to those who are quite willing to go to these new, unprecedented, restrictive extremes. I regret more than ever that the committee declined, for some undisclosed reason, to request an opinion from the Secretary of State regarding the new bill, and that the Secretary declined an opinion when I personally requested it myself. But I want particularly to refer to cash and carry in the new scheme of things.

Mr. President, cash and carry was not born in the little caucus which wrote the pending measure. Or no! Cash and carry was born as part of the Neutrality Code of 1937, in which it permissively applied to certain articles and commodities other than the limited category of arms, ammunition, and implements of war. We who are standing in opposition to repeal today in most cases were fervently urging cash and carry at that time upon all commodities except munitions; and we still urge it today and are prepared to vote for it. But we are not prepared to vote for it at the expense of the loss of the major insulation of all, which is to keep us out of the sordid involvement of becoming armorers to the belligerents of the world.

Unfortunately the cash-and-carry section applying to other commodities expired by limitation last May, at which time I moved to renew it. Under my philosophy of our appropriate course of action, it is still entitled to apply to belligerent exports other than munitions.

There comes the whole argument—that by clinging to the embargo we are leaving everything else at the mercy of war's vicissitudes. We do not need to leave anything at the mercy of war's vicissitudes; but why, in the name of God and common sense, in taking everything else out of war's vicissitudes, do we have to start selling munitions of war? What is there about such a course which so essentially and indispensably seems to contribute to the safety of America? I think that section 2, referring to other commodities in connection with cash and carry, was so definitely part of the Neutrality Code of 1937 that, despite its lapse for a few months, it is entitled to be considered as inherently related to that code, and that we would not be changing the rules in the middle of the game in an authentic sense by thus reenacting it. I should like to see it reenacted. But I make this controlling reservation. If the weight of official opinion in our own Government should find its reenactment to be in violation of the principle upon which I stand, I should choose the principle rather than the reenactment. But those who reject the principle could, if they please, certainly have cash and carry on all commodities except munitions, and they could have practically every other provision they are proposing in the new substitute, with scarcely any argument except in respect to details, if they would only stop trying to turn America once more into a belligerent arsenal. That is the only question in this debate, and everything else is incompetent, immaterial, and irrelevant. I think that is what lawyers say. [Laughter.]

The point at primary issue is whether or not we shall substitute cash and carry for the embargo in respect to the export of arms, ammunition, and implements of war regardless of what happens to other commodities. In a choice between cash and carry and mere reliance upon international law—as respects the export control of commodities other than munitions—I should choose cash and carry because—despite its dangers and its implications—to which I wish frankly to refer in a moment—I should consider it safer and wiser than reliance upon international law alone. Hence my relative preference at that point. But there are serious dangers and serious implications—it does no good to blink them—and when the choice is between cash and carry and complete embargo, as applied to the finished, lethal munitions of war, the choice is a totally different proposition. It seems to me that the embargo must get the decision over cash and carry. It seems to me the existing law is better and safer and wiser from every American point of view, entirely aside from the basic fact that it is the indispensable symbol of the American attitude and the American purpose.

Numerous newspaper editorials have urged that this debate be settled within the narrow limits of this one question, namely, Is the embargo on munitions or cash and carry for munitions the safer policy if our objective is to favor nothing but our own insulation against involvement and to favor nobody but Americans at peace? It is to this question that I now address myself.

Cash and carry invites all belligerents to come with their ships and pocketbooks and get their "arms, ammunition, and

implements of war." Actually—and that is, of course, the motive—it presents this privilege almost exclusively to whichever belligerent is in command of the sea. So the ships of one belligerent—probably the armed ships—enter our American harbors and tie up at our American docks and load themselves with prepaid contraband. Meanwhile what is the other belligerent doing? Precisely the same thing as in 1917–18—attempting to sink these ships with their contraband the moment they leave our territorial waters. Where do our territorial waters end? According to international law, which the President so heartily applauds, they end 3 miles at sea. But according to a recent Presidential dictum, in complete disregard of international law, they extend wherever our national interest goes; and according to our spokesman in the contemporary Pan American Conference, they may go 200 or 300 miles out to sea. So one of two things happens under cash and carry: Either we invite the war into our "front yard," so to speak, 3 miles offshore, or we try by dictum to extend the limit and proceed to quarrel with belligerents as to precisely where the kill may start. We can take our choice. The former is too close for comfort and the latter is too controversial to be safe. Is it possible that anyone can seriously argue that cash and carry is less hazardous and less likely to involvements than no trade in munitions at all?

But, they say, will not cash and carry on other commodities involve the same hazards? Have not the belligerents indicated that they will not discriminate between munitions and other commodities? Well, what of it? Is that any reason why we should voluntarily extend the hazard to include munitions, which certainly is the most complete contraband of all? If there are no shipments of munitions at all, this much of the target is withdrawn. There is less rather than more exposure—and that is the question we are now discussing. The passing of title under cash and carry is, of course, supposed to insulate us anyway. But 3 miles from shore is too close for the so-called mistakes which always seem to be happening in submarine warfare; and a controversy over our right to push this protective limit farther out to sea may too easily invite many other so-called collisions; and in whatever degree we reduce the opportunity for mistakes and collisions we have improved our own situation.

The President has argued, in this connection, that it is inconsistent for us to embargo the finished product of arms, ammunition, and implements of war while withholding it from their component parts. At first blush that might seem to be true. However true, I could not concede him the validity of an argument that we should remedy an inconsistency by abandoning a formula which is at least half right in order to embrace an alternative which is relatively all wrong. But just how true is his premise? Has there not always been a distinction between unconditional contraband and conditional contraband and noncontraband in the international law of which he thinks so highly? Have they not always been treated differently so far as the law itself is concerned? Is there not an inherent difference between these categories? Using one of his examples, is there not a real difference between the export of cotton and the export of guncotton? Guncotton is almost exclusively an instrument of destruction. Its war export is obviously for lethal purposes. Not so with ordinary cotton. It has a thousand peacetime uses. Simply because we propose to embargo direct implements of death, must we similarly embargo all the implements of peacetime industry even though the latter contribute ultimately to the total resources of a belligerent? I do not think so. Neither did Congress nor the President when they made the code of 1937. Neither does international law. But whatever the metaphysics as respects these so-called inconsistencies, the hard-headed fact relentlessly recurs that the law is the law; that we are not entitled to alter it prejudicially to others in the midst of a war; that our own self-interest is asserted by all concerned to be the business of keeping out of this war; that any substitute for an embargo on munitions is a step—be it short or long—toward war and not away from it. Indeed, the direction rather than the length of the step is its ominous factor.

But let me get back once more to that naked question as to which is safer—a munitions embargo or cash and carry for munitions; and that is the burden of the entire argument I have heard upon the other side. The embargo is safer, because any encouragement to an abnormal war boom is an invitation to one of the most devastating influences that can curse our economic life. In addition, like it or not, the economic impulse of a war-profits appetite is at war with peace. Yes; I freely concede that this agreement applies to cash and carry on commodities other than munitions, although in lesser degree, but I do not concede that this latter fact justifies the addition of munitions to the hazard. Indeed, the very fact that all abnormal war trade is tinctured with this jeopardy makes it worth while to linger for a moment on the contemplation. But before I do so, I want to register this important and significant fact; while we still have citizens who frankly want war trade, and to whom, therefore, the idea of an embargo is abhorrent, be it said to the everlasting credit of much, if not most, of our industrial leadership—and this includes some of the leading spokesmen of the very munitions trade itself—that it is absolutely opposed to the wrenching dislocations and distorted values created by war booms. It knows the awful penalties of readjustment when war orders stop, and it knows the ease with which the beneficiaries of bonanza can find high-sounding reasons why war orders ought not to stop. Much of this leadership—even in the munitions field itself, I repeat—is opposed today to the repeal of the munitions embargo. So this is no indiscriminate indictment which I file as I proceed. I simply recite a bit of history by way of admonition.

We may start with cash and carry on munitions, which sounds rather neighborly and profitable and inoffensive. It almost puts peace on a chain-store basis. But alien cash is limited. One day it runs out. But we have geared ourselves to this munitions trade, and we want to keep it going. It is employing men. It is paying dividends. It is feathering nests. What happens then? I seem to recall the candid message of our Ambassador Page at London, who, in the World War, cabled the State Department on March 5, 1917:

> Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

That was his idea of a good reason for going to war. It was a very human, though a very sordid, statement. I repeat: What happens when the cash gives out? Do we not then confront a thundering drive for credit and carry? Indeed, the pending bill takes its first piously protected squint in this direction with its limited provision for 90-day credits. Well—and then what happens when the credit gives out? Will it not then be a strident demand for loans and carry? And does not all this finally land us precisely where it did in 1917–18? And then does it not land us in the panic of 1919–20? Oh, yes; I know that a sturdy Congress can stop this sequence—if it will; and perhaps we are sufficiently chastened by our memories of 25 years ago, when we did not even get our money back. But approximately this same sequence was so definitely the 1914–17 sequence that the warning is not to be ignored. At first, on August 15, 1914, our State Department sturdily announced that loans to any belligerent are inconsistent with the true spirit of neutrality. Within 2 months, to wit, on October 23, 1914, this forthright doctrine had been conveniently shifted to discriminate between loans of money and loans of bank credit to make American purchases, still piously denying the former but condoning the latter. By September 6, 1915, Secretaries Lansing and McAdoo were saying it was necessary to permit general money loans to the Allies. Two days later the President acquiesced. One month later the first great Anglo-French loan of $500,000,000 was made; and Andre Tardieu, Premier of France, observed:

> From that time on, whether desired or not, the victory of the Allies became essential to the United States.

Now, do not mistake what I am saying. This sequence would be impossible under the pending bill—and its congressional authors intend that it shall be impossible. That is not the point. The point is that munitions and war trade and

profits, once started, are hard to stop. This same old urge is evident in some quarters today, although, thank God, in infinitely less degree. Yet some of those who ask repeal of the arms embargo have frankly talked with me regarding the opportunities for profitable trade. Even the President gingerly approached this commercial theme in his message of September 21, when he said:

> From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?

But I recall him at Chautauqua a few years back, when he brilliantly said that war profits are fool's gold, and I am sure that is the reality of his position today. Indeed, that Chautauqua speech is worth remembering. I quote:

> It is clear that * * * the measures passed by Congress would, in the event of war on some other continent, reduce war profits which would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men, but for the Nation as a whole it produces disaster.

Then the President recounted the disasters of 1917–20 and continued:

> Nevertheless, if war should break out again in another continent—

And that is what has just happened—

> let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.
>
> They would tell you—and, unfortunately, their views would get wide publicity—

Ah, what wide publicity!—

> that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.
>
> It would be hard to resist that clamor; it would be hard for many Americans, I fear—

Yes; we are finding it hard—

> to look beyond, to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.
>
> If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

Those crystal words are all just as true in this hour of the acid test, which he foresaw, as they were when they were uttered on August 14, 1936, when the President was praising the act of 1935 which first established the American principle of the arms embargo. I attribute no desertion of this sound philosophy to the authors and proponents of the pending bill. But I say that, unwittingly and unintentionally, they may be opening the door to another such malignant sequence of events in some degree. I say that so far as the munitions traffic is concerned the embargo on arms, ammunition, and implements of war stops the vicious circle ere it starts, while cash and carry for arms, ammunition, and implements of war starts the vicious circle that may never stop. It is just one more clinching reason why—in addition to the fundamental, symbolic principle involved—the retention of the embargo is to the relative advantage of America. It may temporarily be harder on our cash registers, but it will be easier upon our permanent stabilities and certainly it will be infinitely easier upon our sons.

I have associated myself with this theme so long that no one should be surprised to find me consistently sustaining it today. Ten years ago when the American Legion was pressing its proposals to take the profits out of war I handled its resolutions on the floor of the Senate; and I believe I am the only surviving Senate member of the joint commission which plowed the first ground under Secretary of War Hurley. I later collaborated with the Senator from North Dakota [Mr. NYE] in the sponsorship of the munitions-investigation resolution and served on the committee. I supported the Neutrality Acts of 1935, 1936, and 1937. Those suspicious and intolerant souls who have tried to find some ulterior motive behind my present attitudes are either unfamiliar with the record or incapable of consecutive thought.

Now I want to go back to just one other allusion in the Presidential message. Much emphasis is put upon what the President calls the disastrous failure of Thomas Jefferson's Embargo and Non-Intercourse Act at the turn of the first century of the Republic's life. He says it "brought our own Nation close to ruin"—referring to the enforced collapse of our foreign trade—and of course it did. I assume the intended inference is that the embargo of 1939 might do the same. Otherwise I do not know why the alleged parallel was drawn. But is there any remote justification for such an inference or such a simile? Jefferson's embargo prohibited the sailing of any vessel from any port of the United States to any foreign port except foreign armed public ships. Any vessel, mark you, from any port. It encompassed the whole American export commerce, except on foreign armed public ships. The 1939 embargo applies solely to "arms, ammunition, and implements of war" which do not constitute more than a fraction of 1 percent of our normal export trade. It seems to me that any suggestion of a ruinous parallel between an all-inclusive embargo and a less-than-1-percent embargo is little short of grotesque. The new bill—the pending proposal—with its complete embargo on American shipping to belligerents infinitely more deserves the Presidential stigma, if it be a stigma, than the old bill—the present law—which we defend. Meanwhile I submit that there is nothing calculated to bring our own Nation close to ruin—the Presidential phrase—in our simple abstention from participating in the extraordinary traffic in munitions incidental to other peoples' wars. I think the proximity to ruin is the other way around. Meanwhile I find it is a novel thought to most historians when the President suggests that the Jefferson embargo was the main cause of the War of 1812.

But from whatever viewpoint the problem is assessed, Mr. President, I find myself always driven back to the proposition that no matter what else is involved in this bill, the repeal of the arms embargo, which is the all-controlling symbol of an attitude, is not the way to encourage America's noninvolvement in this war and in all of its disastrous consequences. Because of the reasons assigned to repeal, it is the way, rather, to encourage ourselves to progressively believe that our appropriate national course is to tie our destiny with one belligerent against the other and to progressively act upon that theory as our favorite's subsequent vicissitudes may require. That is not the road to peace. Without attempting to associate him with my own specific viewpoint, I want to quote upon this point the words of the distinguished new national commander of the American Legion, Raymond J. Kelly, from my own Michigan, delivering his first post-election utterance:

> The voices of more than 1,000,000 American World War veterans united in a common chorus that America must maintain real neutrality—that under no condition shall it be distorted into a deceptive and misleading attempt to take sides behind the scenes.

No one, I hope, will attempt to read me as charging deception or distortion to the authors of this bill. Again and again I pay tribute to the effort they have made to give us adequate protective compensation for the loss of the arms embargo. But they fail before they start—when they start with the repeal of the arms embargo because it is the key to the whole situation. It is our expectations that are distorted and our hopes that are deceived when we try to be neutral and unneutral in the same breath.

If we ever reach the point where the American people are substantially convinced that American destiny is unavoidably dependent upon and inseverably linked with the fate of one side or the other in a European war—which, in spite of my predilections, I strongly deny—or if we ever find one of these belligerents invading essential democracy in the United States or in this western world, then let us not be content merely to edge our way toward war in the disguise of a neutral, but let us go all the way in with everything we have got. But God forbid the arrival of such a zero hour. Meanwhile, let us stay all the way out.

Another thing: While not encouraging ourselves to depart from the solid rock of noninvolvement, let us be sure we do not encourage others to believe that the repeal of this embargo, if it occurs, is the symbol of an attitude that means more than it really does. Let the protestations of the sponsors of this bill—that their purpose is as completely antiwar as our own—be taken at face value, lest when the first step is taken away from straight neutrality, we do not find ourselves unintentionally entangled in moral commitments which may easily lead to tragic misunderstandings, even among those whom we thus propose to favor. Nothing could exceed the bitterness of disillusioned resentments upon this score. I am content to quote the distinguished ex-Senator George Wharton Pepper, of Pennsylvania, when he appeared before the Senate Foreign Relations Committee. I do not mean to infer that he approves the present law. It is by way of warning, if and when the present law be changed, that I recall his words. He is speaking of the danger of unwittingly misleading other nations as to the extent of our friendly interest—so easy in the present instance:

> It would be a tragic thing if, as a result of our utterances, they were to assume commitments which otherwise they would not assume, and plunge into war for the sake of consistency and honor, and were to turn to us to make good what they understood our assurances to be, and thus put us in a position where we would either have to smilingly explain that we never had any intention of being taken so seriously, or else ourselves plunge into a war which we would not approve either as respects its necessity or its wisdom.

So I think it is important to emphasize that most of those who favor the repeal of the arms embargo emphatically insist that they have no thought of going further, and that they, too, are firmly determined to keep us out of this war. But I think it is still more important to insist that the arms embargo be left alone, so that there is no cause or excuse of any nature for anyone to believe, however mistakenly, that we may one day rejoin the European battle line.

I reject the frequent fatalistic thinking among our own people that this involvement finally is inevitable, and that the President's sudden proclamation of "partial emergency," where none exists, is the forerunner of unavoidable complete emergency born of war itself, or that our step-up in national defense is inevitably prophetic of its early martial use. I decry the weakened resistance as a result in our own state of mind. It is not the psychology of peace. It is the psychology of war. Denmark, Norway, Sweden, Switzerland, and the Netherlands, all in the very cockpit of the last World War, stayed out from the beginning to the end. As Dr. L. D. Stillwell, of Dartmouth College, said to our committee:

> If little democracies within gun range of a great war can keep free, surely a great democracy protected by a great ocean can do likewise.

I reject also the notion that our American fate is arbitrarily contingent upon the European outcome; that we will be next—as it frequently is put—if collectivism wins. There will not be any next for any participants in this World War if it runs on to a conclusive military end because it will be so decimating and exhaustive for all concerned. But if there were to be a next and—conceding the improbabilities for the sake of the argument—it should be the United States, I submit that we were well advised to husband all our resources and to perfect our own unassailable defense here upon this side of 3,000 miles of sea rather than to dissipate our strength and our vitality in advance. In this particular phase of the contemplation I feel constrained to borrow Presidential language and apply it to the situation, "All we need to fear is fear itself." Certainly it would be the climax in folly for us to warp our neutrality in this war to fit the utterly remote and speculative circumstances of the next war thereafter.

Our status today must be that of scrupulous detachment. Nor is this the counsel of self-interest alone. Our greatest service to the humanities and ultimately to the cause of peace lies in the maximum aloofness which we can contrive to maintain so that our scrupulously neutral influence can ask for justice from all belligerents alike when we shall choose to ask consideration for the voice of reason. Dr. Tansill, of Fordham University, told our committee that President Wilson's peace appeal failed in December 1916 chiefly because it was preceded by too many unneutral attitudes which robbed it of the detached and impartial authority necessary to its success. In this new crisis some voice should remain available to speak to all concerned in behalf of the preservation of civilization.

Emerson's famous apostrophe comes ringing down the years in this connection:

> America is God's last chance to make a world.

Mr. President, I applaud the contemporary conferences in Panama to seek further solidarity of interest and defense in this essentially democratic Western World and I would withhold no appropriate contribution to the maintenance of these ideals to which our Monroe Doctrine was dedicated more than a century ago. This is useful action which looks toward the preservation of our own pursuits of peace. But I would not step one inch toward Europe. And certainly I would not step one inch toward Europe's wars. Therefore, as the indispensable symbol of our deliberate detachment and the master key to our defense against involvement, I would preserve the arms embargo which this pending measure would destroy.

America is free from the darkness and the horror of war. It is in no spirit of exultation that we thus note our incomparable blessings. It is in a spirit of deepest and most sympathetic pity that we contemplate the fate of others—particularly in brave but prostrate Poland, which is historically immune to permanent partition. It is in a spirit of resolute purpose to preserve democracy as it is particularly committed to our keeping in this younger hemisphere. It is in a spirit of humble gratitude that two great oceans, though much foreshortened, still relatively insulate our shores against this curse of war and the clashing European rivalries and menaces out of which it seems perpetually to grow. But it must also be in a spirit of grim determination that we shall preserve our insulation to the last honorable degree. We may disagree among ourselves as to the wisest means to win and save this benediction. But in the face of this objective we must finally be one people, of one mind, one spirit, one clear resolution, walking before God in the light of the living. [Applause.]

Mr. TOBEY obtained the floor.

Mr. CLARK of Missouri. Mr. President, will the Senator from New Hampshire yield to me in order that I may offer an amendment and have it pending?

Mr. TOBEY. I yield.

The PRESIDING OFFICER (Mr. HILL in the chair). The Senator from Missouri offers an amendment, which the clerk will read.

The amendment was read as follows:

> On page 26, line 18, strike out the word "and" and insert, after the word "Commerce" in such line, a comma and the following: "two Members of the Senate, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. A congressional vacancy in the membership of the Board shall be filled in the same manner as the original selection."

Mr. TOBEY. Mr. President, leaders in the Senate have variously estimated that it will be from 3 weeks to as much as 2 months before final enactment of House Joint Resolution 306 could be accomplished.

In addition to providing repeal of the arms embargo, the pending joint resolution sets up safeguards to keep American vessels out of war zones and forbids American merchant vessels from carrying goods to any of the belligerents. These safeguards are not now in our existing neutrality law. The greater part of the debate on the pending joint resolution will center upon the controversial issue of repeal of the arms embargo.

Leaders in the Senate and in the country have agreed that the causes which drew us into the last European conflict were the seizure and sinking of American merchant vessels carrying cargoes to the belligerents.

So far as protection against a repetition of those same causes at the present time is concerned, America stands in the same position which it occupied in 1917.

Recently England has announced to the world that it is arming its merchant ships, and Germany has replied that such vessels will therefore be considered as men-of-war, and

has warned that it will be compelled to sink such vessels without warning.

During the World War, before America's entrance into the conflict, Great Britain flew the American flag on some of her merchant vessels, admittedly to mislead the German submarines. This practice may prevail at the present time.

American merchant ships are at this moment in the midst of war zones and carrying cargoes destined for the belligerents. There is great danger that some of them will be sunk—perhaps by mistake, perhaps deliberately—tomorrow, next week, or next month.

Thus, by extensive debate by the Congress on the arms-embargo-repeal section of the bill we are holding up passage of those sections designed to keep our ships out of the danger zones. We must put first things first, and at the conclusion of my remarks I will make a motion to have those sections dealing with such safeguards made a separate bill, to be acted upon forthwith, with the understanding that the remainder of the pending joint resolution shall be taken up immediately upon passage of the safeguard provisions. On Thursday, September 28, I wrote and delivered a letter to the Senator from Kentucky [Mr. BARKLEY], the majority leader; the Senator from Oregon [Mr. MCNARY], the minority leader; the Senator from Nevada [Mr. PITTMAN], chairman of the Foreign Relations Committee; and to the Senator from Idaho [Mr. BORAH], ranking minority member of the Senate Foreign Relations Committee, urging them to bring about an agreement to meet this suggestion. I read one of these letters to the Senate:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
September 28, 1939.

Hon. ALBEN W. BARKLEY,
Majority Leader, United States Senate,
Washington, D. C.

DEAR SENATOR BARKLEY: On September 21 the Congress assembled in extraordinary session, upon the call of the President, to deal with proposed legislation designed to keep this country from becoming involved in the European conflict.

In his message to the Congress on that day the President said, "The Government and the Nation must exert every possible effort to avoid being drawn into the war. * * * This Government must lose no time or effort to keep the Nation from being drawn into the war."

I wholeheartedly subscribe to this view and feel that the men and women of this country have a right to rely upon the Congress to adopt a course of procedure which will make for the least possible delay in enacting legislation to keep our country out of war.

The President has asked the Congress to adopt certain recommended provisions to meet the present emergency. I refer particularly to four major sections of the joint resolution. Section 1 provides for issuance of a proclamation by the President naming the states involved whenever he or the Congress shall find that a state of war exists between foreign states. Section 2 forbids American vessels to carry any passengers or materials to any state named in such proclamation, with certain exemptions, and further provides for transfer of title to goods before they are shipped in foreign vessels. Section 3 provides that the President shall define combat areas and forbids, except under such rules and regulations as may be prescribed, any American citizens or vessels to enter those combat areas. Section 18 repeals the Neutrality Acts of 1935 and 1937 and thereby repeals the embargo on arms, ammunition, and implements of war.

Senate leaders have indicated their belief that it will take many weeks and perhaps months of debate on the joint resolution before a final vote is taken. Then the measure will be reconsidered and debated in the House and doubtless again in the Senate before it is enacted into law and signed by the President. Thus, we may well expect many weeks and perhaps months to elapse before the measure is enacted into law.

It has been acknowledged by both the proponents and opponents of repeal of the arms embargo that the preponderance of debate will be with reference to section 18 of the bill, namely, repeal of the arms embargo. In other words, the time consumed by the Congress in debating the controversial issue of repeal of the arms embargo would hold up enactment of sections 1, 2, and 3 of the joint resolution so that, during the many weeks before final enactment of the joint resolution, American vessels will be allowed to continue to carry materials to all belligerents, this without transfer of title, and American vessels will continue to be allowed to travel through combat areas.

Based upon our experience preceding our entrance into the last European conflict, this makes extremely likely the sinking of American vessels in combat areas, vessels laden with goods bound for a belligerent state, with the resultant loss of American goods, American ships, and American seamen.

You can appreciate that during every hour that passes between now and the date of final enactment of the measure we are placing American lives and property in jeopardy and that upon occurrence and recurrence of such tragedies public opinion, molded through the press, radio, and motion pictures and through passionate debates from the platform and floors of Congress, will follow the course that it followed preceding our entrance into the last World War.

Through the failure of the Congress to proceed wisely and promptly in enacting remedial legislation, we may find ourselves on the brink of entrance into a war which will cost us billions of dollars, many thousands of men, economic instability, and greatly increase the depth and length of the post-war depression in this country, with a resultant unemployment of millions of our fellow men.

I therefore urge that the Senate take up as its first order of business sections 1, 2, and 3 of the joint resolution, and such further sections as are less controversial than section 18, and that such shall constitute a joint resolution to be debated promptly and enacted into law at the earliest possible moment.

Time is of the essence. We cannot afford to delay enactment of sections 1, 2, and 3 by controversial debate on section 18, the repeal of the arms embargo. To put the matter in well-known and descriptive terms, we cannot afford to fiddle while Rome burns.

I am, therefore, writing this letter to you to urge that you join with the minority leader, the Honorable CHARLES L. MCNARY, the chairman of the Foreign Relations Committee, the Honorable KEY PITTMAN, and the Honorable WILLIAM E. BORAH, to whom I am writing this same letter, to bring about an agreement which will meet with the above suggestions in order that the provisions regarding American vessels carrying goods to belligerents, passing through war zones, be enacted into law without the unnecessary and, perhaps, vital delay which would be encountered by holding up passage or enactment of such sections of the law by lengthy and controversial debate on the arms-embargo section. Immediately upon enactment of sections 1, 2, and 3, the Senate would then proceed to take up its consideration of the arms-embargo issue.

While it may be unusual for one Member of the Senate to address the Senate leaders in this manner, yet I trust you will appreciate that I am acting thus solely because I feel we should place first things first and that, as a Member of the Senate, having thought this matter through conscientiously and with a view to contingent crisis, I would be neglecting my duty if I did not act promptly and decisively in coming to you with my suggestion at this time, to the end that the Senate may promptly enact sections 1, 2, and 3 of House Joint Resolution 306 without delaying such enactment pending the several weeks and perhaps months of debate over the more controversial issue of the proposed repeal of the arms embargo.

With assurances of my highest esteem,
Sincerely yours,

CHARLES W. TOBEY.

Mr. President, the people of the country and Members of this body look back to the few weeks before the World War and urge that there be no repetition of those events which were climaxed by our entrance into the World War. The most able chairman of the Senate Committee on Foreign Relations in his radio address to the people on September 27 said:

Between March 12 and April 2, 1917, when the President asked for the declaration of a state of war, 6 of our American merchant vessels were sunk with the loss of the lives of 63 of our American seamen. The patience of the American people was worn out. The patience of the President and of Congress ended. The Congress by an overwhelming vote declared that a state of war existed with Germany.

If there lingers a doubt in the mind of any citizen as to the cause that forced us into the World War, let him read the able speeches that were made in Congress upon the war resolution.

Alfred E. Smith, in a more recent radio address to the people, said:

I believe that we should prevent the transportation in American ships of any goods of any kind, contraband or noncontraband, or any passengers to the warring nations. It is undoubtedly the absence of such a law in 1917 that brought us into the World War. There is only one way of avoiding a repetition of this experience and that is by keeping American ships and American passengers out of trade with belligerents.

The President, in his message to the people, has said:

We are trying to insulate this country against the danger of being set afire by any conflagration abroad. * * * I have passed unnumbered hours, I shall pass unnumbered hours, thinking and planning how war may be kept from this Nation.

It was with this background of thought that he said in his message to the Congress on September 21:

This Government must lose no time or effort to keep the Nation from being drawn into the war.

The administration and its leaders have urged enactment of the safeguard provisions to keep us out of war. The President has declared that time is of the essence. Certainly if

the provisions are to be enacted at all—and I join with those who believe that they should be—they should be acted upon now and not several weeks from now.

Mr. President, a motion which I will shortly make reads as follows:

I move that House Joint Resolution 306 be recommitted to the Committee on Foreign Relations with instructions to report to the Senate for its immediate consideration the substance of sections 1, 2, 3, 4, 13, 14, 15, 16, and 17 of the pending committee substitute as a complete new substitute for House Joint Resolution 306, and with further instructions to such committee to report to the Senate for its consideration a separate resolution containing the substance of sections 5 to 18, inclusive, of the pending committee substitute for House Joint Resolution 306 immediately after final action is completed in the Senate upon the new substitute referred to in this motion.

Section 1 provides for a proclamation by the President naming states involved whenever he or Congress advises that a state of war exists between foreign states.

Section 2 forbids American vessels to carry passengers or materials to any belligerent state, except states adjoining the United States, and further provides for transfer of title before goods are shipped in foreign vessels.

Section 3 defines combat areas and forbids, except under such rules and regulations as may be prescribed, any American citizen or vessel to enter those combat areas.

Section 4 exempts American Red Cross vessels from the provisions of section 2.

Section 13 gives the President the power to promulgate rules and regulations to carry out the law.

Section 14 gives a general penalty clause.

Section 15 is a definition clause.

Section 16 is a separability clause.

Section 17 authorizes necessary appropriations to carry out the act.

Mr. President, I honestly believe that every Member of this body will recognize the urgency of the situation and the wisdom in adopting the procedure which I have suggested. It would be a tragedy for this honorable body to hold up enactment of the safeguard sections regarding American vessels for weeks merely on the ground that they desire to combine this with necessarily lengthy debate on the arms embargo repeal question.

The procedure that I am urging will not in any way delay final vote on the embargo on arms provision. It will merely set up an order of procedure which will place first things first, which will call for consideration and vote on the emergency provisions before debate and vote on the repeal clause.

In view of our present unprotected situation, with our vessels on the high seas carrying cargoes to all belligerents, many now located in the danger zones off the European shores, American property and American lives are at stake.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TOBEY. I prefer to wait until I shall have finished, if it meets with the Senator's approval.

Mr. CONNALLY. I am sorry, but I have to go.

Mr. TOBEY. Should the Senate refuse to adopt this motion, and during the next few weeks of debate on the arms embargo repeal clause, should there be a repetition of our experiences in the war zones of 1917, I say that those Members of this body who refuse to put first things first will have a serious and tremendous responsibility. It will then be too late, lives and property will have been destroyed, public opinion will have become inflamed, and we may find ourselves on the brink of entrance into another European war, the last of which cost the United States approximately $47,000,000,000 and produced thousands of casualties and maimed.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from New Hampshire yield to the Senator from Texas?

Mr. TOBEY. I prefer not to yield.

The PRESIDING OFFICER. The Senator from New Hampshire declines to yield.

Mr. TOBEY. We shall be embarking upon a World War, the last of which, as stated by Capt. Eddie Rickenbacker, found 74,000,000 men mobilized, 10,000,000 men killed, 3,000,000 men maimed, 19,000,000 men wounded, 10,000,000 disabled or incapacitated for the remainder of their lives, 7,000,000 orphans, and 5,000,000 widows.

If our ships are sunk, propaganda will play its part to get us into the war.

Let me illustrate by citing one of our outstanding experiences preceding our entrance into the last European war.

Upon the sinking of the *Lusitania* it was stated that this vessel was carrying a substantial cargo of munitions to a belligerent, and that it thus was subject to sinking by the enemy. The Daily Express, one of London's great newspapers, in an issue published 4 days after the torpedoing, said:

It is untrue that the *Lusitania* was carrying ammunition on its final voyage.

However, one American refused to believe the Express. This is described in an article published in the Sunday Oregonian of September 17 of this year, as follows:

Senator Robert M. La Follette, of Wisconsin, father of the present Senator LA FOLLETTE, said the *Lusitania* had been carrying munitions for the allied armies. Immediately terrific outcry went up against him. He was accused of being a traitor and an agent of the Kaiser. A threat was made to expel him from the Senate. La Follette stood his ground. He asked the Treasury Department for the *Lusitania's* bill of lading. He was told it had been turned over to the State Department.

La Follette demanded that the State Department show him the bill of lading. He wanted to show the country the *Lusitania* was not the peaceful merchant vessel the people thought it had been. The State Department refused his demand on the basis that the bill of lading was to be retained for diplomatic correspondence. Walter Hines Page, American Ambassador in London, urged the President to put the United States in the war at once.

In his book, Road to War, Walter Millis of the New York Herald-Tribune has said the sinking of the *Lusitania* was the first big stride in this country's involvement in the conflict. Not until after the war was the nature of the ship's cargo disclosed. Dudley Field Malone, collector of customs at New York, revealed that the *Lusitania* carried large quantities of ammunition consigned to the British Government, including 4,200 cases of Springfield cartridges. Winston Churchill, himself, illustrious English cabinet member, subsequently admitted the *Lusitania* had aboard 173 tons of munitions.

Mr. President, this is our opportunity to prevent a recurrence of our experience in 1917. Whether we shall hold up passage of these safeguard provisions throughout the controversial debate on the arms embargo repeal clause or whether we shall adopt my motion to make these safeguards into law at once and then proceed with debate on the arms embargo repeal clause is up to this body.

Mr. President, I have made the suggestion to the Senate leaders in all sincerity, motivated by one desire and one desire only—to protect this country immediately against occurrences which might again draw us into the European conflict as they did 22 years ago.

A Washington newspaper has recently quoted one of the Senate leaders as saying that he did not fall for the suggestion that the emergency provisions be disposed of immediately, leaving action on the embargo repeal section to be taken up immediately thereafter. "It would have been a smart move if anybody had fallen for it," the leader is quoted as having said.

Mr. President, has the time come in this country when a Member of this body cannot honestly make an effort to do something in the Senate which he feels is constructive and which he honestly feels is urgent in order to preserve the lives and property of our millions of citizens without having his motives smirched by such innuendoes? Nothing that I have done has any suggestion of partisan action or consideration. Nothing in my action is designed to be deceptive or to be a smart move. I am not asking any Member of this body to fall for anything. On the contrary, I am frankly asking every Member of this body to stand with me for a principle and support this move to protect our country from circumstances which are likely to draw us into war.

If my motion is rejected, and similar events take place, the people will look back to this day in the Senate and know that the opportunity was turned down by this body. The choice is ours. I urge that my motion be accepted.

In conclusion, Mr. President, as we contemplate the action which I propose, let us remember what the fruits of war are.

While 20 years have elapsed since our participation in the World War, evidence of the human, material, and financial wreckage of that war is all around us. If we would stir up our minds by way of remembrance we may go, as I have gone, to the neuropsychiatric hospitals scattered all over the country, full of shell-shocked and mentally incapacitated cases, to the cripples of America, to the saddened homes, to the crosses in the cemeteries. Observe the national debt, the decline in public morals, the body blows at democracy. All these and many others are the fruits of the last war.

Mr. President, I beseech you to recall the immortal words of Kipling, and say with me:

Lord God of Hosts be with us yet
Lest we forget—lest we forget!

Mr. President, I move to recommit House Joint Resolution 306 in accordance with my motion, which I send to the desk.

Mr. President, I have a desire to take considerable time, and a purpose, I may say also, to read to this body cumulative evidence, accelerated as it continued, from the New York Times of 1914 to 1917, containing accounts of the individual sinkings of our merchant ships; containing editorial comment, if you please, on the way passions mount in this country on the part of the American public and the American Congress, to back up my thesis enunciated today. I shall be glad to do that now, and continue thereon, or to await the pleasure of the majority leader if he prefers to recess until tomorrow.

Mr. BARKLEY. Mr. President, I ask the Senator how much time would be required to read the documents.

Mr. TOBEY. From 30 minutes to 4 hours, depending upon how I feel.

Mr. BARKLEY. Certainly the Senator is allowing himself a great amount of flexibility.

Mr. TOBEY. I need it in these times, Mr. President.

Mr. BARKLEY. I should not want the Senate to remain in session later than 5 o'clock this afternoon. As the Senator knows, a committee of nine Members of this body is leaving at 6 o'clock to attend the funeral of my late colleague Senator Logan. I rose to ask that the motion of the Senator from New Hampshire go over until those Senators can return from this necessary trip. I myself am a member of the delegation.

Mr. TOBEY. The Senator from New Hampshire is the last man in the world not to accede to any request from the majority leader to satisfy the demands, the needs, the convenience, or the desires of this group. May I ask the Senator, for my information, when he expects the funeral committee to return to the Senate?

Mr. BARKLEY. It is not certain whether they will return in time for the session on Friday or Saturday. I think it would be advisable to let the matter go over until Monday.

Mr. TOBEY. I have no other course than to yield to the request of the Senator.

Mr. BARKLEY. I refer now to the Senator's motion. I am not now referring to the preceding debate.

Mr. TOBEY. I understand. I may say to the Senator that it is near the hour of 5 o'clock. With his permission, I should like to retain the floor and read these extracts into the RECORD tomorrow.

Mr. BARKLEY. So far as I am concerned, that course is satisfactory. Of course, the Senator realizes that we are trying to arrange our program a day or two ahead, across the aisle and with Senators on both sides of the question, so that we shall not find ourselves lagging at any time during the day. When a Senator obtains the floor and does not finish his remarks, if he desires to continue them on the following day it is a customary courtesy that he be then recognized. I myself have no objection to that course.

Mr. TOBEY. I appreciate that attitude. It is what I should expect from the Senator from Kentucky. I will say that I do not desire necessarily to do it tomorrow. Any time between now and the time the matter comes to a vote will be satisfactory to me.

Mr. BARKLEY. The Senator can be his own judge as to whether or not he wishes to proceed tomorrow.

Mr. TOBEY. I now have the floor. Tomorrow I may not again obtain it. I now have the floor, and I should like to have the floor after the recess. If I should now give up the floor, it is very doubtful whether I could regain it to read these excerpts into the RECORD.

Mr. BARKLEY. I do not know about that.

Mr. TOBEY. I will hold the floor and read them tomorrow.

Mr. BARKLEY. If the Senator so desired, instead of reading the documents into the RECORD he could have them printed in the RECORD as a part of his remarks, unless he wishes to read them at this time.

Mr. TOBEY. I have some comments to make as I read the documents, so I prefer to hold the floor, and proceed tomorrow.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. DANAHER. There is a very considerable degree of sympathy for the motion which has been made by the Senator from New Hampshire. There has been much public discussion upon the point. In view of the argument to which we have just listened, it seems to me of peculiar relevancy that two editorials in particular should follow in the RECORD at this point, in order that they may be readily accessible.

I therefore ask unanimous consent to have printed in the RECORD at this point an editorial from the Boston Evening Transcript of October 3, 1939, entitled "Close the Doors," and an article by Mr. G. Gould Lincoln appearing in the Washington Evening Star for October 3, 1939.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial and article are as follows:

[From the Boston Evening Transcript of October 3, 1939]

CLOSE THE DOORS

In the interest of American peace and safety, this paper urges that Congress act without delay upon the less controversial elements of the joint resolution on neutrality.

The question of repeal or retention of the arms embargo may take a month to decide. In the meantime American ships are free to carry American cargoes into war zones or zones of danger; American citizens may travel in those areas. So long as the great bulk of American commerce and travel remains so restricted, an incident might easily occur that would sweep this Nation into war and nullify any conscious effort that the country may contemplate to protect American peace.

There is particular validity in such apprehension in view of Germany's declaration of unrestricted submarine warfare. That even Germany is aware of this danger is evident from its urgent request to the American State Department that American ships stop when signaled on the high seas.

The joint resolution now being debated by Congress is divided into sections. Section 1 provides for issuance of a proclamation by the President, naming the states involved whenever he or the Congress shall find that a state of war exists between foreign states. Section 2 forbids American vessels to carry any passengers or materials to any state named in such proclamation, with certain exceptions, and further provides for transfer of title to goods before they are shipped in foreign vessels. Section 3 provides that the President shall define combat areas and forbids, except under such rules and regulations as may be prescribed, any American citizens or vessels to enter these combat areas. Section 18 repeals the Neutrality Acts of 1935 and 1937 and thereby repeals the embargo on arms, ammunitions, and implements of war.

Senator CHARLES W. TOBEY, of New Hampshire, has been urging for the last few weeks that the Senate make sections 1, 2, and 3 the first order of its business. Prompt debate on these and other less controversial sections are being urged by the New Hampshire Senator. We believe that the Senator's position is a wise one and that the Senate should at once enact into law all of these safeguards.

It would be a national calamity if an incident at sea should prove the arbiter of the neutrality debate. Let the Senate close those doors which may be easily closed at once. There is no logic in wrestling at great length with one door that sticks while the side of the house is open to the elements.

[From the Washington (D. C.) Evening Star of October 3, 1939]

THE POLITICAL MILL—TOBEY ASKS QUICK CASH-CARRY PROVISION ON ALL BELLIGERENT-BOUND GOODS TO SAVE UNITED STATES SHIPS

(By G. Gould Lincoln)

It took a shrewd Yankee to put his finger on the quickest way to make American involvement in the European war less likely—Senator TOBEY of New Hampshire. Put an immediate end, he says, to the shipment of all kinds of goods—including oil, steel, cotton, etc.—in American vessels to the belligerent nations. With such

trade at an end, danger of the sinking of American vessels and the loss of American lives, by belligerent submarines, is reduced to a minimum.

Why wait for a month or longer, Senator TOBEY asks, while the Senate debates the proposed repeal of the arms and munitions embargo? Every day of that month will hold the potentiality of the sinking—or at least the seizure—of American vessels entering the war zones. He contends that it ought to be easy to obtain quick action on the so-called cash-and-carry provisions of the pending neutrality bill—and then, with that out of the way, let the Senate give all the consideration it desires to the arms embargo.

The cash-and-carry provisions of the bill are a sine qua non, as most of the Senators see it, if this country is to avoid "incidents" that may force America to take up arms and play a part in the present war. It is well understood that the repeal of the arms embargo stands little chance of passing the Senate without adoption of the cash-and-carry plan as it relates to all kinds of goods as well as arms and munitions. On the other hand, the cash-and-carry proposal could be put through the Senate, it is believed, with comparatively little opposition.

It is true that some of the Senators favoring repeal and some of those opposing repeal do not believe in the cash-and-carry proposal. But the great majority of them do believe that it presents the only practical way of keeping this country from becoming involved. Opposition to the cash-and-carry plan comes also from important shipping interests.

IDEA SENT TO LEADERS

The New Hampshire Senator has addressed letters to the Democratic and Republican leaders of the Senate, to Chairman PITTMAN and to Senator BORAH, of Idaho, of the Foreign Relations Committee, urging that they join in an agreement to adopt without delay the cash-and-carry provisions of the neutrality bill. Senator MCNARY, the Republican leader, has fallen in with the idea. Senator BARKLEY, the Democratic leader, says he does not consider the proposal "practical."

It is obvious that, should the Tobey plan be carried into effect, the so-called isolationists and those who are prepared to go the limit to keep this country out of the war, would be in good case. No arms and munitions would be going abroad to a belligerent nation in any kind of ships, nor any other supplies in American ships.

While such a position probably would please the isolationist group, it probably would not be so pleasing to those who are intent upon repealing the arms embargo. And yet it seems entirely inconsistent for the repealist group, including President Roosevelt, to oppose a prompt adoption of the cash-and-carry plan as it relates to all those raw materials which are so much needed—and in such great quantities. For the President was quick to call to the attention of Congress in his address at the opening of the special session that it was the shipment of these raw materials in American vessels which might bring attack from submarines—even though the arms embargo remained in full force and effect.

In other words, the adoption of the cash-and-carry plan as it affects all kinds of goods would cut the ground from under one argument which has been advanced by those favoring quick action on the whole administration neutrality bill. Furthermore, the Tobey plan will give to those who support the cash-and-carry plan as well as the arms embargo an excellent opportunity to prove this to the country. Supporters of the arms-embargo repeal have tried to convey the impression that the cash-and-carry plan is a substitute for the present arms embargo, whereas, in reality, it may be merely complementary to the embargo. Indeed, it was just that until the original cash-and-carry provision of the neutrality laws expired by limitation on May 1 last.

Supporters of the arms-embargo repeal counter Senator TOBEY'S proposal for quick and separate action on the cash-and-carry plan by saying, why not have speedy action on the whole measure, including the embargo? All the while, however, it is evident from a practical point of view that speedy action is not going to be had on the embargo repeal. The opening day of the Senate debate on neutrality produced just two speakers—Senator PITTMAN, who is chairman of the Foreign Relations Committee in charge of the bill, made the first statement in support of the measure, and Senator BORAH, ranking Republican member of the committee, opposing the embargo repeal. Senator TOM CONNALLY, of Texas, slated to be the third speaker, was not ready to go on when BORAH finished at 3:45 p. m., nor was he willing that Senator TOBEY should take the floor and outline to the Senate his proposal for dividing up the neutrality bill. So the Senate adjourned.

DELAY SEEN AS DANGEROUS

The tremendous interest with which the first day's debate was followed is indicative of the fact that this is going to be no brief affair in the Senate. And yet, as Senator TOBEY argues, every day that adoption of the full cash-and-carry plan is delayed, so much more danger of the country's becoming involved in the war.

Calling upon a radio address delivered by Senator PITTMAN in support of the neutrality bill—in the National Radio Forum—Senator TOBEY bolstered his argument for quick action on the cash and carry. For, said Senator PITTMAN, "between March 12 and April 2, 1917, when President Wilson asked for the declaration of war, 6 of our American merchant vessels were sunk with the loss of lives of 63 of our American seamen." Senator TOBEY'S contention is that just such a thing might happen again in the next 3 weeks.

It is true that so far no American merchant vessels have suffered from German submarines. But how long will that situation last? Some say until after the Senate has voted on the repeal of the arms embargo. This may or may not be true—particularly if the vote is long delayed. But suppose the Senate acts on the embargo and repeals it; there will be a hiatus before the new Neutrality Act becomes a law. The House must act and the bill must be sent to the President for his approval. It may be a day or a week before the bill finally becomes law. In that interval, what is to prevent the sinking of American merchant vessels carrying steel, oil, and other commodities to the allied nations?

TOBEY AWAITS CHANCE

Senator TOBEY is anxious to make his proposal to the Senate immediately. He was debarred by the attitude of Senator CONNALLY yesterday, and it looks as though he would not have a chance until the Texas Senator yields the floor. At any rate, he plans to submit a motion to separate the cash-and-carry provisions from the rest of the neutrality bill and put it to a quick vote. Such a motion, of course, is debatable. It might be held before the Senate for several weeks, if opponents of such a course wished to do so, or, if the opponents believed they could defeat it out of hand, it might be voted upon without loss of time.

Mr. BARKLEY. Mr. President, am I to understand from the Senator from New Hampshire that, regardless of whether or not he holds the floor to conclude his remarks tomorrow, the motion which he has made will go over until Monday?

Mr. TOBEY. That is correct.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Thursday, October 5, 1939, at 12 o'clock meridian.

SENATE

THURSDAY, OCTOBER 5, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Master of Men, Incarnate Son of God, Revealer of Life Divine: May we have Thy mind and Thy spirit as we enter upon the duties of another day, and do Thou use us just as Thou wilt and when and where.

As Thou hast taught us, may we supplant hatred with love; where there is injury, may we bring pardon; where there is discord, may we promote harmony; where doubt and despair prevail, may we restore faith and hope; and where hearts are sad, may it be ours to minister comfort.

We thank Thee that Thou hast worn our robe of human flesh and hast revealed Thyself in the common ways of life. Give us, therefore, the courage and the reverence to seek honestly and humbly the solution of the problems that perplex us, and help us to be ever watchful for new knowledge of Thee, that, through things temporal, we may discern the things that are eternal. In Thy dear name we ask it. Amen.

THE JOURNAL

On request of Mr. PITTMAN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, October 4, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Downey	Hatch
Andrews	Capper	Ellender	Hayden
Bailey	Caraway	George	Herring
Barbour	Chavez	Gerry	Hill
Bilbo	Clark, Idaho	Gibson	Holman
Borah	Clark, Mo.	Gillette	Holt
Bridges	Connally	Green	Johnson, Calif.
Brown	Danaher	Guffey	Johnson, Colo.
Bulow	Davis	Gurney	King
Byrd	Donahey	Hale	La Follette

Lee	Neely	Reynolds	Tobey
Lodge	Norris	Schwartz	Townsend
Lucas	Nye	Schwellenbach	Tydings
Lundeen	O'Mahoney	Sheppard	Vandenberg
McCarran	Overton	Shipstead	Van Nuys
McNary	Pepper	Smathers	Wagner
Maloney	Pittman	Stewart	Walsh
Mead	Radcliffe	Taft	White
Murray	Reed	Thomas, Utah	Wiley

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Nebraska [Mr. BURKE], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Arkansas [Mr. MILLER], the Senator from Indiana [Mr. MINTON], and the Senator from Missouri [Mr. TRUMAN] are members of the committee attending the funeral of the late Senator Logan, and are therefore necessarily absent.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Georgia [Mr. RUSSELL], the Senator from Illinois [Mr. SLATTERY], the Senator from South Carolina [Mr. SMITH], and the Senator from Oklahoma [Mr. THOMAS] are unavoidably detained.

Mr. MCNARY. I announce that the Senator from Vermont [Mr. AUSTIN] is necessarily absent.

The Senator from North Dakota [Mr. FRAZIER] is absent attending the funeral of the late Senator Logan of Kentucky.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

TRIBUTE TO SENATOR CAPPER

Mr. MCNARY. Mr. President, William Allen White, editor of the Emporia (Kans.) Gazette, on September 30, 1939, in an editorial in his newspaper, paid just tribute to the character and influence of the distinguished Senator from Kansas [Mr. CAPPER]. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Emporia (Kans.) Gazette of September 30, 1939]

CAPPER

A curious and illuminating phase of the Kansas City Star's poll of this region upon neutrality was developed when the returns from the farmers came in. In Kansas and Missouri combined, a large majority of the farmers were for the present Embargo Act. The majority did not overcome the general majority against the present Embargo Act, but it revealed an interesting thing: Missouri's farmers were for the cash-and-carry act and against the present embargo plan in the ratio of 631 for cash and carry to 272 against it. But across the Kansas line, the balloting was 635 against cash and carry to 138 for it, an overwhelming majority.

That means just one thing: The Kansas farmers are following ARTHUR CAPPER. He has no such drag in Missouri, but neither has Senator CLARK, who agrees with CAPPER. The confidence of the people of this State in the leadership of ARTHUR CAPPER is a beautiful thing to see. For 25 years he has served them as Governor and as Senator. For 10 years before that he was a political leader with a wide following. For a generation the people of Kansas have come to know, to trust, and to follow ARTHUR CAPPER.

It happens that we disagree with him about neutrality. We think he is wrong. But the fact that he carries with him the faith and trust of the Kansas farmers indicates an honesty, a courage, and a wisdom that may not be gainsaid. This little token of affectionate trust revealed by the Star's poll must be worth more to ARTHUR CAPPER than an accolade of praise from those who stand in high places. Senator CAPPER has demonstrated beyond question his right to speak for Kansas.

EXECUTIVE POWERS UNDER NATIONAL EMERGENCY (S. DOC. NO. 133)

The VICE PRESIDENT laid before the Senate a letter from the Attorney General with reference to Senate Resolution 185 (agreed to September 28, 1939), pertaining to statutory and constitutional powers that may be exercised by the Executive in emergency or state of war, which, with the accompanying list of statutes, was referred to the Committee on the Judiciary and ordered to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Kiwanis Club of Ensley, Ala., endorsing the neutrality policy of the President of the United States, which was ordered to lie on the table.

He also laid before the Senate resolutions adopted by the Auxiliary to Sons of Union Veterans of the Civil War, in annual session assembled at Pittsburgh, Pa., favoring the enactment of pending legislation providing more stringent restriction of immigration, which were ordered to lie on the table.

He also laid before the Senate a resolution adopted by the New Era Organization of Ohio, Unit No. 1, Dayton, Ohio, favoring the maintenance of a policy to keep the Nation out of all wars, and the immediate declaration of embargoes upon munitions, food, clothing, and supplies of any and every sort or description that may be used by any nation in connection with war, which was ordered to lie on the table.

He also laid before the Senate a letter in the nature of a petition from R. O. Downie, of Memphis, Tenn., praying that pending neutrality legislation be amended so as to provide American industry an opportunity to sell surplus production to any buyer from the world's market who will come, or send, to our ports for his requirements, which was ordered to lie on the table.

Mr. TAFT presented memorials of sundry members of the Council of Women Opposed to Participation in Foreign Wars of Columbus and Franklin County, Ohio, remonstrating against the taking of any step whatsoever on the part of our Government which would tend to send Americans to another war on foreign soil, which were ordered to lie on the table.

DIPLOMATIC CORRESPONDENCE INCIDENT TO EUROPEAN WAR

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD certain diplomatic correspondence with foreign governments containing pleas for peace by the President of the United States, etc., which appear in the Appendix.]

ADDRESS BY SENATOR LA FOLLETTE ON PENDING NEUTRALITY LEGISLATION

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator LA FOLLETTE, October 4, 1939, on pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR JOHNSON OF COLORADO ON PENDING NEUTRALITY LEGISLATION

[Mr. ADAMS asked and obtained leave to have printed in the RECORD a radio address delivered by Senator JOHNSON of Colorado, Wednesday, October 4, 1939, on pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR TOBEY ON PENDING NEUTRALITY LEGISLATION

[Mr. TOBEY asked and obtained leave to have printed in the RECORD a radio address delivered by him on the subject of pending neutrality legislation, October 4, 1939, which appears in the Appendix.]

LETTER BY SENATOR M'KELLAR ON REPEAL OF EMBARGO ACT

[Mr. STEWART asked and obtained leave to have printed in the RECORD a letter by Senator MCKELLAR relative to the proposed repeal of the Embargo Act, which appears in the Appendix.]

POSITION OF SENATOR MURRAY ON PHASES OF NEUTRALITY LEGISLATION

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a form letter written by him setting forth his position on some phases of pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY DR. MAURICE S. SHEEHY ON THE CHALLENGE OF NIHILISM

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD a radio address on the subject The Challenge of Nihilism, delivered by Dr. Maurice S. Sheehy, of the Catholic University of America, on October 4, 1939, which appears in the Appendix.]

ADDRESS BY DR. NICHOLAS MURRAY BUTLER AT SOUTHAMPTON, LONG ISLAND

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address delivered by Dr. Nicholas

Murray Butler, president of Columbia University, on September 3, 1939, at Southampton, Long Island, on the theme Toward a Federal World.

COMMENT ON ADDRESS BY BISHOP SHEIL

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an article from the New York Times of Thursday, October 5, 1939, concerning the radio address delivered by the Most Reverend Bernard Sheil, D. D., auxiliary bishop of Chicago, on October 2, 1939, entitled "America's Catholic Youth and Europe's War," which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

The VICE PRESIDENT. When the Senate took a recess yesterday evening, the Senator from New Hampshire [Mr. TOBEY] had the floor and announced that he desired the floor this morning. The Chair recognizes the Senator from New Hampshire.

Mr. TOBEY. Mr. President, last night, at the conclusion of my address to the Senate, I read, if you please, in the newspapers the suggestion that because I announced that I should read excerpts from the New York Times of 1914 and 1917 into the RECORD today, I might be contemplating a filibuster. Nothing could be further from the truth. I hasten to disclaim that suggestion. This situation is too serious and too far-reaching for any man to dare to trifle with it, or to use artificial or dilatory procedure.

Mr. President, late yesterday afternoon I entered a motion that the Senate recommit House Joint Resolution 306 with instructions to the Foreign Relations Committee to report two separate bills, one embodying the features of those sections which would take our American merchant ships out of the war zones and forbid them to carry goods to any belligerent, this to be immediately acted upon by the Senate, and to report another bill containing the arms-embargo repeal provision as a separate bill, to be acted upon by the Senate immediately upon conclusion of action on the first bill.

I did this on the ground that there is extreme likelihood that unless this procedure is adopted our ships will be in danger of being sunk in the war zones at any time, and thus endanger the determination of this country to be kept out of the European war.

Supplementing my statement of yesterday, I read into the RECORD a statement made in the Washington Daily News of yesterday by Raymond Clapper, which reads as follows:

> But we have at this moment no statute that keeps American ships out of the danger zone. Every day newspaper dispatches report the sinking of neutral ships in European waters, some of them carrying only such apparently peaceful commodities as lumber. Our American ships are still free to carry everything except finished munitions to any belligerent port. This is the most dangerous sort of traffic, protected only by legalistic contentions which don't save sunken ships or lost citizens. Arguments will be all the more difficult to sustain after the arms embargo is repealed.
>
> Therefore, the most important action, insofar as keeping us out of war is concerned, is not the arms embargo but the so-called cash-and-carry provision of the pending bill. Every day's delay in enacting this provision to compel all shipments to belligerents to go in foreign bottoms is an invitation to involvement. So far as we are concerned, the arms embargo is a secondary matter. It is important in that its repeal will help the British and French. But that objective is less important to us than that we keep out of the danger zone.

This motion of mine is now pending in the Senate, and, by agreement with the majority leader, is to be voted on upon the return of the Senators who have gone to Kentucky to attend the funeral of our dear friend and former associate, the Honorable M. M. Logan.

Why wait for a month or longer while the Senate debates the proposed repeal of the arms embargo? Why? I ask. Every day holds potentialities of the sinking of American vessels in the war zones.

In this morning's New York Times there is a report of a statement just issued by Secretary Hull warning American merchant ships to avoid Atlantic and Baltic waters adjacent to the countries that are at war in Europe.

> Under the special circumstances at present—
>
> Said Secretary Hull—
>
> it is believed advisable to warn all American merchant vessels, except American passenger ships which do not carry cargoes to belligerents and are carrying home Americans from European countries, of the special danger incurred in entering such waters.

He further pointed out that certain areas are additionally dangerous because of mines now set in the war zones—mines that do not take cognizance of the nationality of a vessel.

Mr. President, I challenge any Member of the Senate to point out an objection to the procedure that is set forth in my motion. I say once more, time is of the essence.

I make the special plea that we have a responsibility to the people to uphold Secretary Hull in his desire to get our ships out of the war zones immediately. His hands are now tied. He has gone as far as he can under the law, for there is no law which now forbids our vessels from traveling in the war zones. He needs the legal power now to forbid these vessels to travel in the war zones. Let us implement Secretary Hull in his praiseworthy desire.

If we do not adopt the motion, and if, on the contrary, we hold up enactment of the shipping-safeguard provisions of the joint resolution now under consideration until consideration of the lengthy debate on the more controversial issue of arms-embargo repeal, we shall adopt a procedure which ties the hands of our Secretary of State.

Every hour that our ships are in the war zones carrying goods to one belligerent or the other—goods which are to be used to help or harm one belligerent or the other—is an hour of danger to the determination of the American people not to be drawn into the European conflict.

Let us look to the situation of this country during the last European war at the period before we were drawn into the conflict. I maintain that there is danger of our coming to trouble with either side.

David Lawrence, in the Washington Star of last Tuesday, wrote:

> It is not generally realized that the United States, in December 1914, sent one of the severest protests to the British. Diplomacy recalls interference with American shipping to neutral countries was so extensive that a serious rift in British-American relations might have resulted if it had not been for the great transgression which arose out of the attack, without warning, by German submarines on American ships and American citizens.

I have before me a copy of the New York Times of December 29, 1914, which contains a report of the unprecedented message by our Government addressed to the British, which I now read to you:

> LET OUR TRADE GO, ENGLAND IS TOLD—PRESIDENT WILSON, IN FIRM LANGUAGE, ASKS BETTER TREATMENT FOR AMERICAN COMMERCE—PRESENT POLICY HARMFUL—OUR INDUSTRIES DEPRESSED BY SHIP SEIZURES, CARGO DELAYS, AND FEELING IS GROWING HERE—OUR POSITION SET FORTH—NO SEARCH WITHOUT EVIDENCE, NO SEIZING ON SUSPICION—FOOD "CONDITIONAL CONTRABAND"
>
> WASHINGTON, December 28.—The United States Government today sent to London to be delivered to the British Government a memorandum setting forth in vigorous language the American position in opposition to interruptions and interference with American commerce by British warships. The memorandum was cabled to Ambassador Walter Hines Page, in the form of "instructions," on the basis of which he will make representations to the British Foreign Office.
>
> An official stated tonight that, while it would not be correct to describe the communication as a protest, it did take a firm position against the British policy as illustrated in a series of incidents involving interference with American commerce.
>
> The communication deals with interruptions to American commerce rather than with questions of contraband or the addition of new products to the British list of absolute contraband. It is a complete summary of all that has been said in previous communications, dealing with interruptions of American trade, and a full statement of the position of the American Government.
>
> The fact that the communication summarizes previous representations lends greater weight by making its effect cumulative. The intent of the note is to show that the United States should not be made to suffer from war conditions which it had no part in bringing about.
>
> Preparation of this important document was begun a month ago by Solicitor Cone Johnson, Counselor Robert Lansing, and Secretary Bryan, and finally during the last 2 weeks had the personal attention of President Wilson himself, who revised its phraseology with care.

The Senator from Nevada [Mr. PITTMAN] has ably pointed out the urgency of the situation in a recent radio address, in which he stated:

Between March 12 and April 2, 1917, when the President asked for the declaration of a state of war, 6 of our American merchant vessels were sunk with the loss of the lives of 63 of our American seamen. The patience of the American people was worn out. The patience of the President and of Congress ended. The Congress by an overwhelming vote declared that a state of war existed with Germany.

If there lingers a doubt in the mind of any citizen as to the cause that forced us into the World War, let him read the able speeches that were made in Congress upon the war resolution.

Mr. President, this situation is urgent, and the procedure that the Senate will adopt is important.

To illustrate how hysteria mounts in this country, how passions rise in the face of what is happening abroad in these times of sabotaging American ships—innocent ships, neutral ships, albeit in war waters—I read now, if you please, from the New York Times just prior to our entrance into the World War; and the specific date is March 15, 1917:

AMERICAN STEAMER "ALGONQUIN" SUNK; CREW UNWARNED AND AID REFUSED; SUBMARINE WAR FAILS, LONDON SAYS—SHIP SHELLED AND BOMBED—CREW RUSH TO THE BOATS OR JUMP OVERBOARD ON SUDDEN ATTACK—APPEAL FOR A TOW REFUSED—GERMANS LEAVE SAILORS IN THE OPEN SEA TO ROW 27 HOURS TO ENGLISH COAST—CAPTAIN "TOO BUSY" TO AID—VESSEL WAS OWNED HERE AND CHANGED HANDS THE DAY AFTER SAILING

PLYMOUTH, March 14 (via London).—The American steamship *Algonquin*, bound from New York for London with a cargo of foodstuffs, was attacked without warning at 6 o'clock on Monday morning by a German submarine which sank her with shell fire and bombs.

All the freighter's men, numbering 26, escaped in lifeboats, which the submarine commander refused to tow toward shore. After 27 hours in the open boats the men reached Scilly. They are now at Penzance and are to come to Plymouth tomorrow morning.

Capt. A. Norberg, commander of the *Algonquin*, said in an interview tonight:

"We saw the submarine at 6 o'clock in the morning on Monday. As soon as we saw her she started firing at us. I should say quite 20 shots came around us. While she was firing at us we got into the boats and left the steamer.

HAULED DOWN AMERICAN FLAG

"When the commander of the submarine saw that we were leaving the ship he seems to have given the order to cease firing, for it ceased as soon as we got into the boats and left the steamer. At that time the submarine had nothing but the periscope above water. In this fashion she cruised around the steamer six or seven times and then came to the surface. Those on board her launched a small boat and went on board the *Algonquin*.

"The first thing they did was to haul down the American flag and then they placed a bomb somewhere on board—I suppose in the engine room. There was a big explosion about 2 minutes after they left her, and the steamer sank in about 10 minutes. The boat was then pulled over to us and an officer asked us where we were bound for, what was our cargo, and where we had come from. We asked him if he could give us a tow toward land, but the commander replied that he was too busy, as he expected two or three more steamers.

"After the submarine left us to our own devices we commenced to pull for land. We got to land 27 hours after the ship sank.

"I could not hear whether the crew of the submarine fired shrapnel at us or not, but there were plenty of splinters falling about. We certainly were in extreme danger from the firing, and we made all the haste we could to get into the boats. There was absolutely no warning. Their first shot fell a little short, but each one afterward came a little nearer until at last they got the exact range. I think the fifth shot hit the steamer's side. All the time we were on board we could hear shots whistling over our heads.

"I am an American citizen," the captain added grimly.

I now read an editorial from the New York Times which bears upon this sinking:

WORSE THAN ANY GERMAN PLOT

A German ship of war fired on the American flag 3 days ago. It destroyed an American ship carrying American goods. An American crew was on board. The German commander gave them no warning, made no offer of assistance after they had taken to the boats.

Going a little further with the sinkings in cumulative form, I now read to the Senate an excerpt from the New York Times of Monday, March 19, 1917:

THREE AMERICAN SHIPS SUNK, 1 UNWARNED, 22 MEN MISSING; U-BOATS REFUSE AID; MILITIA DEMOBILIZATION IS STOPPED AND RAILROAD STRIKE ABANDONED ON PRESIDENT'S ORDER—PATROL PICKS UP SURVIVORS—"CITY OF MEMPHIS" CREW IS ABANDONED AT SEA IN 5 OPEN BOATS—"VIGILANCIA" SAW NO U-BOAT—29 OF HER 43 MEN LANDED AT SCILLY ISLANDS AFTER SHE IS TORPEDOED UNAWARES—TANKER "ILLINOIS" ALSO LOST—OIL SHIP AND "CITY OF MEMPHIS" WERE RETURNING TO UNITED STATES IN BALLAST

LONDON, March 18.—The sinking of the American steamships *City of Memphis, Illinois*, and *Vigilancia* by German submarines was announced today. Fourteen men from the *Vigilancia* are missing, as are 24 men from the *City of Memphis*. The crew of the *Illinois* was landed safely.

(Later advices which were received by the State Department at Washington said that of the 57 men on the *City of Memphis* 15 had landed at Schull and 34 were on an Admiralty vessel, which was searching for the 8 others.

The *City of Memphis*, which left Cardiff Friday in ballast for New York, was sunk Saturday. When she left port the steamship had the stars and stripes painted on both sides. She encountered a submarine about 5 o'clock Saturday evening. The German commander ordered the captain of the steamer to leave his ship within 15 minutes.

The entire crew entered five boats, and the submarine then fired a torpedo which struck the vessel on the starboard side, tearing a great hole through which the sea poured. The steamer settled down quickly and foundered within a few minutes.

THREE BOAT CREWS PICKED UP

In the night the boats became separated, and at 4 o'clock Sunday morning three boat crews were picked up by a patrol vessel and landed. These boats contained 33 men, mostly Americans. All of the officers were Americans. The officers believe that the other boats will be rescued.

Third Engineer Thompson of the *City of Memphis*, in an interview with the Central News, said that the submarine fired a warning shot for the steamer to slow down, and subsequently signaled for her to stop and for the crew to abandon the ship. Ten or 11 shells were fired at the vessel, which began to sink. Then followed a terrific explosion which caused the vessel to tremble all over, and within 20 minutes she sank, stern first. The crew suffered a great deal from exposure during the night.

Thompson said the ship was on charter to discharge her cargo at Havre. From Havre she went to Cardiff, and the skipper, knowing he was in the danger zone, kept the flag, which was yards in length, flying at the masthead. Nobody seems to have expected an attack.

Captain Borum briefly consulted with the officers after the Germans ordered him by megaphone to leave the ship because it was intended to sink her, said Thompson. All agreed that there was no alternative. After describing the sinking of the steamer, Thompson continued:

"When the ship had been destroyed the German commander steamed to our boat and asked for the captain, but none of our lads answered him. He then went from boat to boat until he found Captain Borum, who briefly conversed with him. I do not know what was said.

FLARE LIGHTS BRING RESCUERS

"The weather was not too bad, but there were heavy swells. We kept the boats together, and during the evening we rowed together toward the coast. The night closed with a biting wind, and some of our young chaps were very sick. Our flare lights were seen between 3 and 4 o'clock in the morning by the patrol vessels, which rescued two boats' crews. The other two had become separated. We lost everything we possessed."

* * * * * * *

The *Vigilancia* was torpedoed without warning. The submarine did not appear. The captain, first and second mates, first, second, and third engineers, and 23 men of the crew have been landed at the Scilly Islands. The fourth engineer and 13 men are missing.

The *Illinois*, from London for Port Arthur, Tex., in ballast, was sunk at 8 o'clock this morning.

I now read from another page, the date being March 19, 1917, an editorial:

GERMANY'S ACTS OF WAR

By the repeated acts of Germany a state of war exists between that country and the United States. No declaration has preceded it. The acts of Germany are not to be looked upon merely as a provocation to war; they are war itself. It lacks only legal recognition to establish its existence.

Reports of the sinking of three American ships by German submarines will be read by the people of the United States this morning—the *Vigilancia*, the *City of Memphis*, and the *Illinois*. Two of them were westward bound in ballast. They were all trading vessels, of American ownership and registry, manned by Americans. Some of the members of these crews have been saved, many others are missing. These, too, may yet be rescued, but there is grave fear that American lives have been lost. In one case at least the submarine that did the work was not seen by the ship's officers or crew.

The destruction of these American ships, after the warnings we have given by word and act, dispels all doubt as to Germany's intentions. It is impossible longer to entertain the belief that she will

try to avoid war with the United States. She is firing upon our ships, sinking them, destroying or endangering the lives of our citizens. This is the very essence of war; these acts are utterly incompatible with the wish to avoid it.

What has the Imperial Government—in particular, what have the German people—to gain by war with the United States? The men who direct the war policy of the empire exhibit the recklessness of madmen, the depravity of irreclaimable criminals.

I now read from the New York Times of March 23. The headline is as follows:

AMERICAN SHIP SUNK, 21 MEN LOST; WILSON PREPARES WAR MESSAGE; GARDEN MEETING FOR VIGOROUS WAR—MEDIATION HINT REJECTED—DESTROYED IN "SAFE ZONE"—TANKER "HEALDTON" TORPEDOED WITHOUT WARNING IN NORTH SEA—THIRTEEN AMERICANS IN CREW—SEAMEN PERISH WHEN BOAT CAPSIZES AND ANOTHER DIES OF HIS INJURIES

I read further:

The American steamer *Healdton*, bound from Philadelphia for Rotterdam with petroleum, was torpedoed without warning at 8 o'clock last night.

The crew left the ship in 3 boats. One boat, containing 7 men, was picked up by a Dutch torpedo boat, and a second, with 13 men, was rescued by a Dutch steam trawler tonight.

The third boat, with 21 men, was lost.

There is one more article that is worthy of being read to establish this record. It is from the New York Times of March 24, and is as follows:

War for the defeat of Germany now favored by Wilson Cabinet; seven Americans lost on *Healdton*. Tanker's lights a target. Captain says a torpedo struck her. Ship's name shone. Oil cargo burst in flame. Trawler at a great distance; mistook glow in sky for aurora borealis. Found survivors helpless. Twenty drowned and one dead of exposure; U-boat left crew to perish.

That was the record before we went into the World War in April 1917. American public opinion mounted and mounted, and the flames of hysteria and passion, and justified passion, mounted high. History will repeat itself, and the only remedy for such a condition lies, in my honest judgment, in the immediate consideration of the safeguard provisions of the pending joint resolution, taking up the repeal provisions later.

Further incidents are reported in the subsequent issues of the New York Times, and further editorials, rapidly mounting to the point of hysteria, and demanding that the Americans send their boys to France to fight on a foreign battlefield in a war the so-called peace treaty of which sowed the very seed for the dictatorships which have sprung up in Europe and made impossible a permanent peace in Europe—a war not to save democracy but to preserve territorial power of certain European nations.

The greatest tragedy about all this is that all the truth does not come to light in such times of confusion and emotion. Reports are made to inflame our minds in favor of one nation against another. It is only natural that the European countries would like to draw us into war, particularly those who fight to maintain great territorial power; but we of America owe a responsibility to Americans first. Whatever legislation we pass here should be by Americans and for Americans.

The bare truth regarding the incidents which drew us into the last World War was not known in many instances until after the war was over and the Europeans no longer needed us, and had sent us home, and refused to pay their war debts.

Yesterday on the Senate floor I described the experience of the then Senator La Follette, father of our associate and colleague, who was called a traitor and threatened with expulsion from the Senate because he had the courage to ask for records at the time of the sinking of the *Lusitania*. As Senators know, the State Department refused to show him the bills of lading of the *Lusitania*, in order that he might show that the contention that she was a peaceful ship on a peaceful mission was untrue. It was not until after the war that Great Britain's Winston Churchill, now First Lord of the Admiralty, admitted that the *Lusitania* was carrying a heavy cargo of munitions bound for England. It was not until after the World War was over that Great Britain admitted, according to Professor Borchard, professor of international law of Yale University, in an article in the Boston Transcript, that during the World War, Great Britain's ships flew the American flag, and that the American flag was painted on the sides of Britain's merchant vessels to deceive the enemy and justify the practice as a war ruse. Naturally, once Germany became aware of England's trick, this action of Great Britain placed our American merchant vessels in jeopardy, for through England's action the American flag no longer could be taken as a guaranty that a ship flying American colors was a ship of a nation at peace rather than an enemy vessel carrying munitions of war to an enemy fort.

Mr. President, at this moment many American merchant vessels laden with cargoes bound for one or the other of the belligerents are slipping through the European war zones. Our experience of the last war should be a lesson to us. The administration is urging passage of those sections designed to protect us from being drawn into the war through the ever potential danger of the sinking of American vessels in the war zones. We cannot afford to keep America in jeopardy by holding up action on the safeguard sections of the joint resolution until, after many weeks and perhaps months, the debate shall be concluded on the controversial issue of repeal of the arms embargo.

Let us forget politics and choose a course which will get our ships out of the war zones immediately. I earnestly make this plea to this body at this time, and I urge that Senators vote on my motion with the same sincerity and the same aim which motivated me in drafting the motion.

I was told last night, and I believe the same statement appeared in the press that one of the leaders of the Senate, if you please, an administration leader, said, "Tobey's motion is going over until Monday. I think we can sidetrack it."

Let me say to that leader, and to anyone within the sound of my voice, if you sidetrack this motion, which is a sane, honest, sincere motion, with the objective of reducing our chances of being involved in a European war, and if you send it down a sidetrack, look out. There may be a cargo of dynamite at the other end of the sidetrack which you will bump into.

I am tremendously in earnest, never more so in my life. There is not a particle of partisanship in what I am attempting. I consulted with no group. Just my son and I, in our room together, collaborated in attempting to reach a decision as to what we should do in this great crisis as a patriotic contribution.

If my colleagues will pardon a personal reference, many, many years ago I learned something which I committed to memory; and not only did I commit it to memory, but I hid it in my heart. I have had some little experience in public life in various activities, and any man who has been in public life knows what one runs up against many, many times. In my deliberations last week I turned back to what I learned as a boy from Holy Writ, and if the Senate will pardon me I will repeat it:

If any of you lack wisdom, let him ask of God, that giveth to all men liberally.

I have sought that Divine guidance heretofore, and I am seeking it now. I hope and pray that we may act aright. My motive is sincere. Why cavil? Why talk about putting the motion down a sidetrack, sending it away? Here is an opportunity for all groups to unite on one safe course, to reduce to a minimum the chances of America being involved in a foreign war, and to stop the gap which now exists in America's offensive for peace.

Mr. NYE obtained the floor.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from North Dakota yield to the Senator from Nevada?

Mr. NYE. I yield.

Mr. PITTMAN. Mr. President, being in charge of the pending joint resolution, on behalf of the committee I wish to say that there was a kind of a general understanding in the Committee on Foreign Relations that the debate would be facilitated and made more valuable if it could be conducted in an orderly manner. One result of that was the practice adopted in the debate with regard to not interrupting a prepared statement. I think that the leader on this side and the leader of the minority were attempting to arrange the debate so that each side might be heard alternately, as nearly

as practicable, and that the publicity should be as fair as possible, and I think I know that the majority leader and the minority leader, after conferring with others, have attempted each day to make a program for the next day.

I was handed a list of the order for today by the majority leader, the senior Senator from Kentucky [Mr. BARKLEY], before he had to leave the city to attend the funeral of the late Senator Logan. I spoke to the minority leader this morning, and he asked whether this order was to be followed, and I stated that, so far as I was concerned, it was. The order was written "Senators OVERTON, NYE, and SCHWELLENBACH." It would seem quite embarrassing to those who attempted to arrange the order of the debate on this side if it were not to be maintained on both sides.

I have stated to the leader of the minority that at least during the absence of the majority leader I would not feel that I would be justified in attempting longer to arrange any order of debate. The order of debate today was, as I have stated, the Senator from Louisiana [Mr. OVERTON], the Senator from North Dakota [Mr. NYE], and the Senator from Washington [Mr. SCHWELLENBACH]. The Senator from New Hampshire [Mr. TOBEY] occupied 30 minutes of time this morning. He had a right to do so, of course. Any Senator who is recognized first has a right to take the floor. However, I think there was an attempt by the leader on the minority side to arrange for the time to be taken by the Senator from New Hampshire. It was understood yesterday that he desired only 10 minutes or 15 minutes. We thought he had taken that much time on yesterday, but we found he wanted 30 minutes this morning. Of course, he had a perfect right to take the time. Any Senator has a right, when he is recognized, to speak as he sees fit. There is no power whatever in the leadership to change that. Therefore, it seems rather embarrassing to attempt to do so. It occurred to me that the senior members on the Committee on Foreign Relations, who have studied this matter, probably would be allowed, by unanimous consent of the Senate, to speak in their order, if they saw fit to do so, by reason of their greater familiarity with the subject, and to a certain extent that procedure has been followed so far. Now I see that it is impossible to carry out even the agreement of yesterday in regard to today.

Mr. NYE. Mr. President, I am very sorry if there has been any embarrassment occasioned by reason of a change in order which has been effected during this hour. I am sure that it occasions no embarrassment to any of those who were scheduled to occupy the floor today, for I discussed this special order with the other Senators who were listed to speak today, and they quite approved it. If there is any plan or any order that is upset by this arrangement of the last hour, of course, I shall be most happy to revert to the order which was scheduled.

Mr. OVERTON. Mr. President, if the Senator will yield——

Mr. NYE. I yield.

Mr. OVERTON. I am very happy to say that I have no objection to the Senator from North Dakota taking the floor at this time. I understand he wishes to make a short statement of some 10 or 12 minutes in length, and that then I shall follow him. It is of no concern particularly to me, and I am quite sure it is of very little concern to the Senate, when I speak, or if I speak at all. I am subject to the wishes of the leader on our side.

Mr. PITTMAN. Mr. President, I have no objection if the Senator from North Dakota wishes to speak first or if he wishes to speak second, and I am inclined to believe, from the statement of the Senator from Louisiana [Mr. OVERTON], that the Senator from North Dakota wishes to speak first and second. Of course, I do not know. It may be all right to speak five or six times a day on the pending subject.

Mr. NYE. Mr. President, there is much to be said for what the Senator from New Hampshire [Mr. TOBEY] has proposed; much to be said for the end which he seeks to serve.

I had thought to embody in perhaps one effort here on the floor my thoughts and views upon the pending program of proposed revision of law and policy intended to help our country stay out of other people's wars. However, I speak but very briefly today to a single thought which it seems to me merits emphasis at this hour, and will ask a hearing by the Senate on other points at a later time, when the Senate is not crowded by those who want its immediate attention.

Our respected colleague, the senior Senator from Idaho [Mr. BORAH], speaking in the Senate Chamber Tuesday, put his finger on the immediate challenge confronting us when he said that there is nothing ahead of America but hell if we repeal the existing arms embargo. History, experience, and reason dictate that that is the thing to anticipate if by any chance that very important safeguard to American peace and security, the arms embargo, should be wiped from the statute books.

Many Senators, to say nothing of many other people of the country, have demonstrated a real confusion respecting the issue which is pending in our present consideration. Out of that confusion comes a will mistakenly to classify those of us who take one position and another on the proposals involved in House Joint Resolution 306, which has been reported to the Senate by its Committee on Foreign Relations. We are classified as being either for or against all the features embodied in that measure. No classification could be more unfair, and I want the record made clear as to my own position, and in making that record, I am confident that I speak the mind of others whose position upon the question is not unlike mine.

The question before us now is not one of being for or against the cash-and-carry plan. It is one of being for or against the arms embargo.

The proponents of arms-embargo repeal have left, and are continuing to leave, the emphatic impression that we cannot do those many things which are desirable to insure our American peace and security until we have first of all accomplished repeal of the existing embargo law. That impression is not based upon anything remotely resembling substantial ground.

There can be quick passage, through the Senate and through the House, of legislation to provide a cash-and-carry provision to cover all commerce which is not covered by the existing embargo law. I have wanted that kind of law for a long time, and have proposed it and stood with others here in urging its enactment into law. I now stand ready to do anything possible to bring about the passage of that kind of legislation, but not if the repeal of the arms embargo is the price to be paid for it.

With scarcely a moment of delay, Congress will gladly enlarge upon existing law as relates to the question of when and where ships and American citizens shall and may go. I have long expressed desire for and urged that kind of law, and will give my most earnest support to those who will lead in accomplishing it, but not if the cost is so high as abandonment of the arms embargo.

With little or no delay in debate, Congress will do whatever might be done to strengthen that existing law which is intended to help us keep out of other peoples' wars. I want those strengthening amendments and will gladly join in accomplishing their enactment into law, but not at the cost of losing the arms embargo.

But those who want embargo repeal take the position that these other things cannot be done until the embargo is repealed. That is a false premise; it misleads the people and it jeopardizes the peace of the United States.

I hope to see both the arms embargo and the cash-and-carry plan made the law of the land. They are in no wise, in no degree, in conflict with each other. Instead, they are both essential if American purpose to stay out of other peoples' wars is to be well served. Though they are both essential, the arms embargo is so much more so that its abandonment in exchange for the cash-and-carry plan is not to be considered. There is no good reason why we should not have both the arms embargo and the cash-and-carry provision. We will have both if the expressed purpose of the great majority in the Senate is pursued and a semblance of neutrality is to be preserved.

Personally I should like to see a wartime embargo upon our statute books that would cover all goods, anything and everything, and thus foreclose against the slightest danger of a trade with nations at war which would invite the incidents that might take our country to war. This would cost us some foreign trade, to be sure, but not more than, indeed, I am sure not so much as we could newly develop with those Latin American countries with whom the warring nations will have to abandon their trade. However, it would appear wise to acknowledge now that a complete embargo is not possible of attainment in our present legislative effort on neutrality. There are, to be sure, a considerable number in the Senate who stand ready today to go the full route of abandoning all trade with nations at war, thus getting away from any need for embargoes, cash-and-carry plans, or credit-and-carry plans. But, abandoning the thought of the possibility of enacting a complete embargo, the challenge confronting our country in this hour is one which we must approach through other avenues.

It is generally acknowledged that American trade in arms, and other commodities as well, with nations at war, does invite and does constitute a danger that could readily take America into war.

The arms embargo forbidding exports of arms, ammunition, and instruments of war, directly or indirectly, to nations at war was born of a desire to avoid that danger to which I have referred. It was born of a further desire to take our country out of that unholy business which makes it the arsenal for nations when they are at war. Personally I wish we might get out of that business in peacetime as well as in wartime. This wish is not new with me. I have pending here in Congress formal legislative proposals to accomplish that end.

The cash-and-carry idea springs from a wish to prevent commerce and trade in other contraband than that covered by the embargo from risking the searches, seizures, sinkings, and our ultimate embarking through that corridor onto the well-known road to war. None can discount this chance and danger. This chance and this danger have been recognized by many of us in the Senate for many years. The cash-and-carry plan is not a newly developed theory, but is as old as is the consideration given to neutrality legislation starting in 1935. It was advanced by those Senators associated with me on the Munitions Committee. The dangers to which I refer were met by a cash-and-carry provision in our neutrality law up until last May, when that provision in the law was permitted to expire by those who now advance it as the one and only way in which we can meet the dangers challenging us.

We proposed last spring—and I believe the Senator from Missouri [Mr. CLARK], the Senator from Washington [Mr. BONE], and myself were the coauthors of the proposed amendment—renewal of this provision with amendments to make it more effective. It is altogether desirable that the provision be reincorporated into the law.

But in the name of neutrality, in the name of fair play, in the name of American security against war, we cannot accept any trade of neutrality or keep-us-out-of-war provisions which barters out of existence and off our statute books the existing arms embargo—that weapon which goes so far to prevent our being drawn into war easily.

I make this declaration alone in the hope that there will be clear and definite understanding of my willingness to do these other things which arms-embargo repeal advocates argue for—a willingness I know is shared by many more in this body opposed to repeal of the arms embargo—things to strengthen and to fortify our determination to keep out of war.

Now, let me analyze in brief what is asked for in the pending proposal to change our existing neutrality law:

First, of course, is the repeal of the arms embargo.

Second is the institution of a so-called cash-and-carry plan—which is, strictly speaking, neither cash nor carry—to be applied as respects all commodities exported from the United States, including arms, ammunitions, and instruments of war? I must in fairness acknowledge in this connection that in certain particulars the proposed so-called cash-and-carry law is an improvement over the cash-and-carry provision which was in the law up to its expiration in May of this year.

Third. A provision forbidding Americans to travel on the vessels of belligerent states.

Fourth. A provision forbidding American vessels engaged in foreign commerce to be armed.

Fifth. A provision forbidding loans to nations at war.

Sixth. A provision granting to the President the power to define combat areas and to proclaim such rules and regulations as may be prescribed for any citizen or vessel of the United States to proceed into or through such combat areas.

House Joint Resolution 306, as amended by the Senate Foreign Relations Committee, provides further features which are more or less common to our existing neutrality law.

So much for the proposal now before us.

Now, let me point out that three of the foregoing features of the proposed legislation are already part of the law of the land, namely, the ban on loans, the prohibition against Americans traveling on belligerent vessels, and the prohibition against the arming of American merchantmen. In addition to these, the present legislation contains the arm embargo, which I consider an absolutely essential provision in any neutrality law. Further, that legislation had a "carry" provision, which expired last May and whose reenactment in stronger form I would be most happy to support.

I point this out only to establish with greater clarity the fact that what is now being promised in exchange for repeal of the arms embargo is already largely a matter of law upon our statute books. These are safeguards the people already have. They do not depend upon the passage of House Joint Resolution 306. There is no reason why a strong "carry" provision should not be added to the existing provisions of the law.

I submit that what is to be gained by way of strengthening our keep-out-of-war laws in the pending proposal is not in one small part worth abandonment of the existing arms embargo. I repeat that we can have such improvements as have been incorporated in the proposal before us without abandoning the arms embargo.

Why do away with one great safeguard for another, when we need and can have both safeguards; namely, the arms embargo and a cash-and-carry plan to take care of all other commodities entering into export trade? We can have them both by an overwhelming approval in Congress when and if the advocates of repeal of the embargo will tolerate inclusion in the existing law of the land of such a cash-and-carry plan.

Later on in the debate I shall wish to discuss at some length the full implications of the proposal to repeal the arms embargo. For the moment, however, I limit myself to a declaration of my support for strong cash-and-carry provisions in addition to the arms embargo.

I believe the authors of House Joint Resolution 306 will have similar support from other colleagues in the Senate once they abandon their determination to insist on repeal of the arms embargo before allowing consideration of the cash-and-carry proposition.

I insist that we need both the ban on arms, ammunition, and implements of war and the cash-and-carry provision respecting other commodities if we are to do our utmost to keep the United States out of Europe's war. In conclusion, I wish to declare again that there is a warm welcome and a want for cash and carry as a supplement to, but never as a substitute for, the arms embargo.

Mr. OVERTON obtained the floor.

Mr. HOLT. Mr. President, will the Senator yield in order that I may suggest the absence of a quorum?

Mr. OVERTON. I yield.

Mr. HOLT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	King	Reed
Andrews	Downey	La Follette	Reynolds
Bailey	Ellender	Lee	Schwartz
Barbour	George	Lodge	Schwellenbach
Bilbo	Gerry	Lucas	Sheppard
Borah	Gibson	Lundeen	Shipstead
Bridges	Gillette	McCarran	Smathers
Brown	Green	McNary	Stewart
Bulow	Guffey	Maloney	Taft
Byrd	Gurney	Mead	Thomas, Utah
Byrnes	Hale	Murray	Tobey
Capper	Hatch	Neely	Townsend
Caraway	Hayden	Norris	Tydings
Chavez	Herring	Nye	Vandenberg
Clark, Idaho	Hill	O'Mahoney	Van Nuys
Clark, Mo.	Holman	Overton	Wagner
Connally	Holt	Pepper	Walsh
Danaher	Johnson, Calif.	Pittman	White
Davis	Johnson, Colo.	Radcliffe	Wiley

The PRESIDING OFFICER. Seventy-six Senators have answered to their names. A quorum is present.

Mr. OVERTON. Mr. President, in speaking on the pending joint resolution I do not expect to contribute any new thought, and I do not flatter myself that I shall be able to influence the judgment of any of my colleagues. My chief purpose is to place in the RECORD some of the reasons that have prompted me to take the stand I have taken and to justify the faith that is within me.

I do not wish, in the course of my remarks, to say anything that will reflect upon the motives, the character, or the integrity of my colleagues. I entertain for them all the very highest regard and profound respect. Nor do I wish it to be understood when I differ with the majority of the Foreign Relations Committee that I do so because I have not confidence in their ability, in their knowledge, in their thorough study of this issue. On the contrary, Mr. President, I am differing with the Foreign Relations Committee today mainly because the Foreign Relations Committee of today is differing from the Foreign Relations Committee of yesterday. In 1935 the Foreign Relations Committee reported to the Senate a neutrality resolution. If I needed to be convinced that all the provisions of that neutrality resolution were sound, I would have been convinced by the report made by the committee and by the proponents of that resolution in the comments which they then made upon the floor of the Senate and in other places.

They took me, Mr. President, out upon the ship of neutrality. They set sail in a calm and pacific sea; the ship was being guided by steady hands and was floating on an even keel; and then, all of a sudden, the winds rose, the gales of war swept from European shores, the billows lifted themselves on high, and the waves are pounding against that good, strong, and stout ship of neutrality which the Foreign Relations Committee gave us for our safe voyage. The ship is still sturdily breasting the billows. But, alas and alack, in the midst of the storm I look around in vain for the captain, for the first mate, and the other officers of our vessel. I find that they have gone. I, with others of my colleagues, am still standing on that good old ship, holding fast to the rudder of the arms embargo. It may be that rudder will be wrenched from our hands. But when I look around me and see that my captain, the chief mate, and the other officers have left the boat, when I see that they have embarked upon another ship of so-called neutrality, and, instead of steering the course which they then charted for us, they are pursuing some other course, I fear they may steer us not into the haven of peace and neutrality but into the port of war. So, as I stand upon the deck of our good, old neutrality ship, I feel much like the boy who "stood on the burning deck."

Mr. President, I stand where the Foreign Relations Committee placed me in 1935. I stand where they placed me again in 1936 and 1937.

The chief purpose of any neutrality resolution we may enact is the avoidance of war for America. Such legislation has the combined purpose of neutrality and of war avoidance. We had one bitter experience in regard to becoming involved in a European war. We expended over $40,000,000,000. We sacrificed the lives of over 100,000 of the flower of our young manhood. We have filled our veterans' hospitals with thousands of others, maimed, diseased, bereft of reason. We entered that war with the loftiest ideals. We entered, as it were, upon a holy crusade to make the world safe for democracy, to put an end to all wars, and to preserve the rights of all nations, great and small. Notwithstanding our sacrifices of blood and treasure, when our representatives gathered at the peace conference and around the council table at Versailles we discovered that the high ideals for which young American manhood had fought and died upon the battlefields of Europe were thrown into the discard, and that greed and avarice sat like ghouls at the council table.

Mr. President, I want no more European war, and I take it that no Senator of the United States wishes another European war, because if we do enter into another European war it will be more disastrous than the last one. We obtained as our chief legacy from our last involvement in European quarrels an accumulation of dishonored and unpaid debts of over $11,000,000,000, an 11-year depression with all of its tragic problems of unemployment, unbalanced budgets, and a mounting national debt of over $40,000,000,000. But the next war, in my humble judgment, will cost us infinitely more than the last one in blood and in treasure. Nay, it may lead us on the road to bankruptcy. It may go further than that. It may saddle us with a home-made dictatorship. Whoever cherishes our civilization, whoever cherishes our institutions, our principles of liberty, of freedom of speech, of freedom of assembly, and all the glorious fundamental safeguards of American democracy, ought to shudder and look with horror upon the prospect of American involvement in another European war. No; we should do all that we can to avoid it, and I am just enough to say that I think we all have a common purpose in view.

What did we do in 1935? We enacted the arms embargo as a national policy. We reaffirmed it in 1936 and 1937. We took that action on three separate occasions. By virtue of the arms embargo, we said to all foreign nations engaged in war, "We shall not furnish you with the instrumentalities with which to prosecute war. We shall not supply you with the instruments of death and destruction." We are now saying to the nations of Europe, just beginning their terrific mass murder, "We shall not contribute anything toward increasing the horrors of that war and toward converting Europe"—as it will ultimately be converted if the war continues—"into a tremendous slaughterhouse of humanity."

It was a clear doctrine; it was a sound doctrine, in my opinion. We made that declaration not simply to France and to Great Britain and to Germany, but we made it to all nations, great and small; to all nations, strong or weak. The Senator from Texas [Mr. CONNALLY] well said, in the course of his brilliant argument yesterday, and the President of the United States has voiced the same thought, that we cannot undertake to rectify the discrepancies which exist between different nations in respect to their geographical situations, in respect to their natural advantages, in respect to which one is weak and which one is strong. We here in America cannot undertake to change the boundaries of Europe so that all nations may be possessed of equal wealth and equal population and equal strength and equal military power. We cannot do it by neutrality legislation, and we cannot do it otherwise. But what we can do is what we did in the embargo provision of our neutrality resolution, and that was to say to all nations, with the sole exception of the South American republics, "Regardless of your strength, regardless of your weakness, regardless of your situation, if you do become involved in war, we stand for peace, and we are not going to assist you in the art of bloody massacre by exporting or selling for export arms, ammunition, and implements of war."

If that was a sound doctrine then, why is it not now? Why any change? Why any modification? I not only stand for the arms embargo but I stand for all the other safeguards, with perhaps some modifications, which the pending joint resolution throws around our neutrality and our avoidance of war. I have no quarrel with the Committee on Foreign Relations concerning these added safeguards, but I cannot for the life of me see, as the Senator from North Dakota pointed out this morning, why, in the interest of peace for

America, in the interest of peace for humanity, as a discouragement to war, we cannot have a combination of both the embargo on arms and the cash-and-carry plan as to all other commodities.

At the outset of this debate, when the Senator from Nevada [Mr. PITTMAN] had the floor, I undertook by interrogatory to bring out from him that there was nothing inconsistent in pursuing such a policy; that we could retain the embargo on arms and go on with the rest of his measure. I think perhaps the Senator did not understand me, and it was no doubt due to my lack of clear expression, but I think that the Senator from Nevada will agree with me that there is nothing inconsistent, there is nothing irreconcilable, in a combination of the embargo on arms and the cash-and-carry plan as to all other commodities.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. PITTMAN. I think I did understand the Senator. I think possibly my lack of clarity may have caused the Senator not to understand me.

Mr. OVERTON. If the Senator was not clear, it was the first time in his Senatorial career that he was not.

Mr. PITTMAN. I stated very emphatically that in 1935 and in 1937 I considered that we had a perfect legal right to embargo anything we desired to embargo. I think I stated we could in a law impose a cash and carry or any other restriction on our citizens. I did state, however, that I had changed my view with regard to the policy of the embargo by reason of my opinion that it could not now be administered in an equal manner as between the belligerents. It was purely a matter of policy.

I think possibly I was misunderstood by the distinguished Senator from Idaho, perhaps, when I stated that the embargo provision was probably the only departure in our measure from international law. I have never yet contended that it was a violation of international law. Under international law a neutral government which permits its nationals to sell to belligerents is not guilty of an unneutral act. But that is international law, and while we have the legal right to embargo anything we see fit to embargo, to that extent the provision is a departure from international law, or presents an exception to it.

Mr. OVERTON. Mr. President, in response to the Senator from Nevada I will say that my knowledge of international law is meager compared to his, but it is my view that we can do anything we wish to do here toward restricting our trade, toward placing an embargo upon our activities, without violating any rules of international law. We could embargo all the produce of this country from shipment to belligerent nations, and we would not be violating international law.

Mr. President, I ask the question, if it was a sound policy before, if it was a sound policy at the time the Embargo Act was enacted, why is it not a sound policy now? I shall not undertake to present my own reasons why I thought it was a sound policy then. I think I will place myself upon firmer ground if I bring before my colleagues, and the assembled audience sitting in the galleries here, the evidence of those who know more about the subject, infinitely more, than I do.

I wish to refer first to what the distinguished and able senior Senator from Nevada [Mr. PITTMAN], chairman of the Committee on Foreign Relations of the Senate, had to say on February 18, 1936. The first arms embargo provision was adopted by us in August 1935, so that the Senator from Nevada had had some 6 months in which to deliberate and to consider the wisdom of this provision. Did his reflections then cause him to have some misgivings as to the soundness of the policy then adopted? I think not, because upon the floor of the Senate on February 18, 1936, as appears in the CONGRESSIONAL RECORD, page 2355, the distinguished Senator from Nevada, referring to the pending neutrality joint resolution, stated:

> If this measure is enacted into law, it will include two of the strongest provisions that could be enacted.

"Two of the strongest provisions that could be enacted." What are they? The Senator answers the question:

> One is an absolute embargo against the exportation of arms, ammunition, and implements of war, on the one hand, and obtaining of credits, on the other hand.

Could a declaration be more emphatic? That was not an idle statement. That was a statement made after the neutrality joint resolution, carrying an arms embargo, had been on the statute books for over 6 months.

On the same day and upon the same occasion the distinguished chairman of the Committee on Foreign Relations stated:

> The existing law prohibits the sale or the purchase for export or the exporting of arms, ammunition, or implements of war to any belligerent country or to any neutral country for transshipment to a belligerent country or for the use of belligerents.

What did the Senator from Nevada, the chairman of the Committee on Foreign Relations, who had made a prolonged study of this question of neutrality and of the avoidance of war, have to say then about that provision? This is what he said:

> I think that in itself is the most powerful protection we could possibly give.

So, according to the view of the Senator from Nevada at that time, the arms embargo was the most powerful protection we could obtain and it was one of the strongest provisions which could be enacted.

I wish now to refer to a magazine article written by the Senator and which appeared on February 1, 1936. Again I wish him to understand that I quote from him because I do consider him one of the foremost of our statesmen, and one who, by reason of his connection with the Committee on Foreign Relations, has been in a better position, perhaps, than anyone else to give sound advice in respect to the grave issue which confronts this country at this hour. I quote from an article which the Senator contributed to the magazine To-Day in which he said:

> I have had the opportunity to read some severe criticisms of the proposed act—

He was referring to the Neutrality Act—

> In none of these criticisms have I discovered any opposition to the embargo upon arms, ammunition, and implements of war. In fact, most of these critics approve such embargo.

I present now another statement and argument made by the Senator from Nevada. It is contained in the same magazine article. He declared:

> It is charged that the bill aids the strong and penalizes the weak.

Let me digress to say that we hear that argument today from the proponents of the repeal of the arms embargo.

It is contended the Arms Embargo Act should be repealed because the charge might be leveled against us that by the arms embargo we are aiding the strong and we are penalizing the weak. If that be true is it a proper argument? Not so, not so according to the views then entertained by the Senator from Nevada.

I continue to quote from the Senator's statement:

> Any exports to belligerent countries during a war must have this effect. The belligerent, or belligerents, having control of the seas will prevent any exports reaching the belligerents weaker upon the seas. How do we injure the weaker, therefore, by permitting fewer exports to all of the belligerents?

Is that not persuasive? Is that not almost conclusive of the issue in this debate?

I continue to quote:

> We sympathize with the weak, but it is better for us that they suffer than that our citizens be dragged into war unnecessarily.

I take that view today. As an American, and as one whose forebears have been upon this side of the ocean for two and one-half centuries, I am not so much concerned with the European situation as I am concerned with what may happen to America in the midst of this conflagration which threatens to sweep the world.

Continuing, the Senator from Nevada said:

> We are seeking primarily to keep our citizens out of war, and in this effort we cannot be deterred by the effect of our domestic action upon any belligerent. The act provides that we must treat all belligerents alike. Nothing could be more neutral.

So where is the argument that the arms embargo today is unneutral when it was perfectly neutral in 1935, 1936, and 1937?

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. PITTMAN. I do not wish to interrupt the Senator to any great extent now. He has done me such high honor by reading from my statement that I do not wish to interrupt him unnecessarily. He may have something else in mind he wishes to read.

Mr. OVERTON. I will say to the Senator that I have.

Mr. PITTMAN. I like the sentence the Senator just read, that the act would be neutral if it affects equally all belligerents. The other day during the colloquy I attempted to show that its effect is not neutral. At the time I made the statement from which the Senator read I believed that it would be neutral. I now know that it is not neutral.

Mr. OVERTON. Mr. President, I understand the contention made by the Senator from Nevada; but if I were driven to a choice between selecting the position that he took at one time and the position he takes at another time, I think that I would be safe in taking the position which he adopted in the calm atmosphere of a comparatively peaceful world and in the cold logic of unimpassioned and disinterested reasoning.

Mr. President, when the Spanish embargo was offered as an amendment to our neutrality legislation, the Senator from Nevada, upon the floor of the Senate, uttered something far more eloquent than has ever fallen or could fall from my lips. I read it to the Senate. The Senator from Nevada said:

> What I should like to do so far as arms and ammunition and munitions of war are concerned would be to starve them both out so they would not have an airplane to drop a bomb on women, children, and the nonbelligerent population; so they would not have a shell to put into a rifle to shoot at long distance and kill innocent people; so they would not have a bomb to blow up buildings with noncombatants in them. I would starve them both out as far as weapons are concerned, and that is my object so far as we can possibly accomplish it.

He would starve them out—not as far as food is concerned, not as far as raiment is concerned, not as far as the material used for the building up of a country, not so far as it may be used both in peacetime or in war, but he would starve them out so far as the weapons of war are concerned. In other words, he would place an absolute embargo upon the exportation of arms. And why? Was it simply in order to protect only the women and the children and the old men of Spain? Was that what influenced the view and the sentiments of the Senator from Nevada? No; it could not be that. I know the Senator so well that I know that when in 1937 he was opposed to the United States manufacturing, for the purpose of exporting abroad, bombs and airplanes which would be used to destroy women and children and old men and noncombatants, that when he was opposed to shipping abroad these great cannon, these long-range cannon and shells with which to load them, he was not doing it simply to protect the noncombatants of Spain, but he was doing it because the arms embargo which the Senator from Nevada had so successfully incorporated into our neutrality legislation protected the innocent people and the children and the women and the old men of every belligerent nation on God's green earth.

> I would starve them both out—

How graphic. How strongly couched. How transcendently eloquent.

> I would starve them both out of the weapons of war.

Now, I think I have made myself quite clear that it is my purpose to present the arguments of one who has given greater study to this question than I have, and who is abler to reach a determination upon it. I present the arguments of the Senator from Nevada upon their merits, and I think that they reinforce the position which I am now taking.

I will content myself with presenting another quotation from the Senator from Nevada. In a speech which the Senator broadcast on August 23, 1937, entitled "The Neutrality Act and the Far Eastern Crisis" he said:

> There being no such thing as international law during periods of war which is recognized by belligerent governments, Members of Congress ever since the World War have sought the enactment of laws that would tend at least to eliminate some of the causes that dragged us into the war. We realize that belligerents who control the seas can receive arms and ammunition and implements of war while their enemies cannot. This has in the past and always will arouse the intense anger and hatred of those governments and peoples who are thus necessarily discriminated against. * * *
>
> The act was enforced as to both Italy and Ethiopia during the war between those countries. It is true that Italy complained on the grounds that, controlling the sea as she did, the embargo did not affect Ethiopia and only injured Italy. That condition will exist in every war. The law is not enacted for the purpose of aiding or injuring either the strong or the weak in the conflict. It is not to be used for the purpose of determining and punishing the aggressor. It was enacted for the sole purpose of protecting the lives and property of our citizens and eliminating causes that have in the past and that might in the future drag us into a foreign war.

What, then, becomes of the argument which just a few moments ago dropped from the lips of the Senator from Nevada that he is in favor of the repeal of the arms embargo because it is unneutral, in that it operates to the disadvantage of one nation as against another?

In the address to which I have referred the Senator from Nevada said that we were not concerned with what effect the embargo would have upon foreign belligerents. We were not concerned with the complaint made by Italy that she commanded the seas and we withheld from her the weapons of murder and massacre, and that we should change our laws to suit the pleasure, the wishes, and the advantages of the Italian Government. If that argument be true in reference to Italy, is it not true in reference to any other country? Is it not true in reference to England? Is it not true in reference to her ally, France? The embargo was neutral then. It is neutral today.

Mr. President, the Senator from Nevada has given another reason, which he did not mention today in the brief colloquy between us, why he favors the repeal of the arms embargo. I shall quote verbatim from a radio address delivered by the Senator over the facilities of the National Broadcasting Co. on September 27 of this year. This is what the Senator said:

> We enacted the embargo law in the first place chiefly for the purpose of preventing the submarining of our American vessels.

I quote his language exactly:

> We enacted the embargo law in the first place chiefly for the purpose of preventing the submarining of our American vessels.

Was that the purpose? If that had been the purpose, why an absolute embargo? If that had been the purpose, why not prohibit arms and munitions of war being carried in American bottoms to belligerent nations? If that had been the purpose, we could have served that purpose, not by an absolute arms embargo, but by denying to our merchant marine the right to transport instruments of war to belligerent nations.

Last Sunday night I was sitting in my apartment listening to a broadcast in the Forum of the Air. The debate was concerning the arms embargo and the Senator from Nevada made a statement which I shall attempt to recall from memory. I am unable to quote the Senator verbatim, because I have not had access to the manuscript. However, according to my memory, he made a statement substantially as follows—and, if I be incorrect, he may correct my statement:

> I confess that in life I have made many errors, and that this was one of them; but it must be understood that now the European situation has changed, and Russia is in cooperation with Germany.

If that is not a correct statement, I pause to have it corrected.

Mr. PITTMAN. Mr. President, I think it is substantially correct. That was not all of my statement, but that is substantially correct.

Mr. OVERTON. Mr. President, I do not for a moment question the integrity of the reasoning of the Senator from Nevada; but can that be true? I will ask the Senator from Nevada to reflect upon it, because, as I understand, in July and August of this year he was advocating the repeal of the arms embargo. He stood then for the repeal of the arms embargo. He advocated it before there was any European conflict and before there was any cooperation between Russia

and Germany; and he stood for it at a time when Great Britain, according to common report, was endeavoring to form a pact with the insufferable Soviet Republic.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. PITTMAN. Even at that time the domination of Hitler over the small eastern governments was evident to anyone who had studied history.

Even at that time he had forced his will on Rumania. Even at that time he had compelled Rumania, a neutral country, to give him, through a treaty, absolute control over its industries and its transportation. There was not a thing that he could tell Rumania to import into Rumania that Rumania would not have to import. There was not a thing that Rumania imported that he could not have compelled Rumania to turn over to him. He had the method of avoiding our Neutrality Act relating to embargo, as he has today—something I could never before have conceived of, even if the Senator from Louisiana could.

Mr. OVERTON. Conceding that that be true, was that situation at all different from the situation which existed in the Italian-Ethiopian war, when the statement was made by the Senator from Nevada that it made no difference whether or not we withheld arms from Italy or from any other country, and that in effect we were pursuing a strict course of neutrality?

Mr. PITTMAN. And so we were. However, if on the other hand Ethiopia had been surrounded by Russia, Rumania, Hungary, and other powerful countries which had the money to buy arms and ammunition and had the desire and intention to put them into Ethiopia, we should have been discriminating against Italy.

Mr. OVERTON. Mr. President, I am one of the many who do not sympathize with Germany in its present prosecution of this war. I have no sympathy with Hitlerism. I have no sympathy with dictatorships. However, it is not the province of neutrality legislation, and it is not the province of the Congress of the United States, to undertake to dictate to foreign nations what form of government they shall have, whether they prefer a republic or whether they prefer a dictatorship. As I conceive the matter, it is not within the proper scope and realm of neutrality that we should say that because there is a dictator at the head of one nation we should undertake by neutrality legislation to punish him, and, on the other hand, undertake to aid his foes. I do not understand that the Senator takes that attitude, but it seems to me that his argument leads irresistibly to such a conclusion.

Mr. PITTMAN. I am glad the Senator does not intimate that I take that attitude, although he says the argument leads to it.

Mr. OVERTON. It leads to it.

Mr. PITTMAN. As a matter of fact, it would not make any difference whether Germany was a democracy, a republic, or an empire. When we enacted the Embargo Act we realized that it was going to be slightly injurious to countries which controlled the seas. That was all right. However, we did not anticipate that not only was it going to be injurious to those countries which controlled the seas by not permitting them to obtain munitions, but that it would be further injurious to them by permitting land powers to obtain munitions when the sea powers could not obtain them. That is exactly the situation which exists today under our Embargo Act. Our commodities may go into Russia, Rumania, or even Italy, and we know where they go when they arrive there. Yet such commodities may not go to the sea powers. I did not object to taking them away from the sea powers—that is, taking something away from all sea powers—but when we take them away from the sea powers under the theory that we are going to deny them to the land powers, and a condition develops by which we are giving them to the enemy land power and denying them to the nation having control of water transportation, we are then absolutely knowingly utilizing an act on our statute books for a discrimination in the administration of the act.

Mr. OVERTON. A little later in the course of my presentation I shall undertake to answer that argument of the Senator. What I am now undertaking to do is to present the argument he used to convince the Congress of the United States and the American public that the arms embargo is the proper policy for us to pursue regardless of any of the considerations which have been suggested.

Now I wish to call another witness. On September 15, 1936, in a speech before the Good Neighbors League of New York City on the subject, Our Foreign Relations and Our Foreign Policy, our very able Secretary of State, Hon. Cordell Hull, made this statement:

> The legislation recently passed—

Referring to the neutrality legislation—

> provides some of the main essentials in a wise anticipatory policy.

Anticipatory policy. Anticipatory of what? Anticipatory of the outbreak of war in other countries; anticipatory of the world being cursed with another great European conflict.

That "anticipatory policy" was a wise policy. It was not only wise then, at the time it was enacted, but because it was anticipatory it is wise as a permanent provision of the neutrality legislation of our Nation.

> I have in mind the resolutions of Congress—

I am quoting further from the Secretary of State—

> I have in mind the resolutions of Congress in 1935 and 1936, which, in addition to providing for the licensing of our imports and exports of arms, ammunition, and implements of war, prohibit their shipment to belligerent nations.

Now, Mr. President, I move up to still higher authority. I note that the President in the address he delivered to the Congress of the United States when it assembled in joint session 2 weeks ago made the statement, in effect—I have not his speech before me—that he had signed, it is true, the neutrality resolution of 1935, carrying with it an absolute embargo on arms, but that he had done so reluctantly.

So, Mr. President, I took the opportunity to ascertain whether or not the President of the United States had made any statement with respect to the neutrality resolution of 1935 and the arms embargo therein provided. Do not misunderstand me. I do not now, and would not under any circumstances, question the sincerity of that statement made by the President; but sometimes memory plays us false and we forget things we have uttered in days gone by. When the President signed the resolution containing the embargo provision on August 31, 1935, he issued the following statement, which is to be found in Department of State Releases, volume 13, No. 309.

> I have approved this joint resolution because it was intended as an expression of a fixed desire of the Government and of the people of the United States to avoid any action which might involve us in war. The purpose is wholly excellent, and this joint resolution will, to a considerable degree, serve that end.

Six months passed away. There came the assembling of Congress in its annual session, January 3, 1936, and the President of the United States sent a message to both Houses. I quote the following excerpt from that message:

> As a consistent part of a clear policy, the United States is following a two-fold neutrality toward any and all nations which engage in wars not of immediate concern to the Americas. First, we decline to encourage the prosecution of war by permitting belligerents to obtain arms, ammunition, or implements of war from the United States.

I take it that that was one of the fundamental reasons why we enacted the embargo provision. It was not simply for the purpose of following a course of strict neutrality, but it was for the purpose, in the language of the President, of discouraging the prosecution of war, or as he put it:

> We decline to encourage the prosecution of war.

Can you tell me, sir, that the situation has so changed, that the world has so changed, that military tactics and strategy have so changed that today the shipment of arms, ammunition, and implements of war to the battle fronts of nations engaged in conflict is not an encouragement of war? When we declined to ship arms to warring nations

in 1935 we did it, according to the statement of the Chief Executive of our country, the representative of all our people, because we declined to encourage war.

I wish to say to you, Mr. President, that today down in the hearts of millions of men in the United States and in the hearts and in the souls of countless American mothers whose sons, in the event of war, would be offered as a sacrifice, the main purpose of an embargo, the main purpose of not shipping arms to the warring nations is to discourage the havoc, the sacrifices, the distress, and the destruction of warfare. It is not simply neutrality; it goes deeper than that; it penetrates into the very fundamentals of our conscience, our thought, and our being; that is that we should not supply those who are engaged in mass murder with the implements to effect their purpose.

The President stated that this arms embargo was "a consistent part of a clear policy" of neutrality. It was clear then. Why is it murky now? Why is it not clear now?

On February 29, 1936, the President, in approving an extension and strengthening of the 1935 act, said:

> By the resolution approved August 31, 1935, a definite step was taken toward enabling this country to maintain its neutrality and avoid being drawn into wars involving other nations. It provided that in the event of the Executive proclaiming the existence of such a war thereupon an embargo would attach to the exportation of arms, ammunition, and implements of war destined to any belligerent country.

The President therefore advised us, in 1936, that our resolution imposing the arms embargo was intended not only to discourage war but also to enable this country to maintain its neutrality and to avoid being drawn into wars with other nations. If that was true then, why is it not true today? Why is it not true, as the Senator from Nevada [Mr. PITTMAN] said a year or so ago, that when we permit the exporting of arms and ammunition to belligerent nations we arouse the hatred and antagonism of other nations which are unable to obtain them from us?

If, Mr. President, we repeal the arms embargo, may we not be giving cause, as the President suggested, for "being drawn into" this European war by arousing, as the Senator from Nevada has declared, the antagonism and hatred of the nation or nations adversely affected?

The other night I saw a moving picture here in the city of Washington. In it I saw huge cannon rising from their places of concealment and belching forth their fire and destruction. I saw the air filled with zooming bombers dropping their bombs upon the ground. I saw all of the modern implements of war. I thought to myself, Is that the purpose for which we are here assembled? Is it our purpose to go back on the policy we have adopted and to ship to the nations now engaged in war those instruments of death and destruction? Is it our purpose to open up our factories of production, to make the night joint laborer with the day, to expand them to their full capacity in order that we may ship abroad to the European countries which are being so pressed by this inhuman war airplanes and bombs that are used not only against combatants, but—as the Senator from Nevada has well said—against noncombatants and innocent persons? Are we going to ship these huge cannon and shells for the purpose of human massacre and human destruction? Is that America's contribution to world peace? God forbid it!

Mr. President, I have received many letters from my constituents in reference to this vital issue. Most of them, I may say, are against the repeal of the arms embargo. I do not for a moment intimate that those letters are persuasive. The issue is not a State issue. It is not a local issue. It is a national issue. It is an international issue. But many of those who do advocate repeal have put their advocacy upon the ground either of sympathy for the cause of the allies or of hatred of Hitler, or of a desire to crush dictatorships in the Old World.

As I have said before, I have no sympathy with dictatorships. I have no sympathy with nazi-ism. I have no sympathy with Hitler and Hitlerism. But, Mr. President, whenever anyone is motivated, in a desire to repeal the arms embargo, by love of one foreign country or of one form of government in a foreign country and hatred of another foreign country and of its ruler, he is not motivated by a desire to observe strict neutrality. He is not motivated by a desire that America avoid participation in the war.

There is some sentiment in this country—I hope it is not a growing one—that we should repeal the arms embargo either because we want to aid one nation as against another or else because those who take that position are afraid that Hitler may become or is so strong and powerful that he will not only be able to defeat the Allies but will be able to bring his minions across the broad Atlantic and subjugate our country.

I appreciate the candor of the statement made by the Senator from Indiana [Mr. VAN NUYS] in a broadcast the other day, in which he frankly stated—I quote him from memory, and if I am incorrect I shall be glad to correct the statement:

> I am for the repeal of the arms embargo because I want to crush Hitlerism.

That is a frank statement. I submit to my colleagues, however, that if that should be the purpose in undertaking to lift the arms embargo—to aid the allies, to punish Germany, and to defeat Hitlerism—why go halfway? Why not go the whole way? Why not now sound the tocsin of war and unfurl our battle standards against Hitler's hordes?

Furthermore, if we open up our arsenals and our munitions factories for the manufacture, and our ports for the export of arms, ammunition, and implements of war, is it not conceivable that Germany will feel that in taking such action we have gone almost as far as we can go at the present time, at least, toward aiding her opponents and injuring her? And if she does take that position, will she hesitate to retaliate? Why should she, in that eventuality, fear our declaring war against her or her declaring war against us? Suppose there is war between Germany and the United States. What can we do to her further than, mainly, the shipment of munitions of war to her opponents? We cannot undertake to sink her fleet, because it is bottled up in the Baltic and in her harbors. We cannot undertake to destroy her merchantmen, because England has driven them off the seven seas. We have said over and over again in these United States that never again shall we send an expenditionary force to European battlefields.

Therefore she has nothing to fear from our man power, she has nothing to fear as to what we may do to her navy and merchantmen, and if she undertakes to retaliate she may undertake to retaliate by destroying our merchantmen, which are still plying the seas between neutral ports. She may engage, as she did once before, in unrestricted submarine warfare.

It is well enough to say, "Let her come on. We whipped her once, and we can whip her again." But when we do it we are engaged in war, war brought about by our own act in antagonizing one of the belligerent nations, which undertakes to retaliate against us.

I think it is idle for us to say that when that war does come it is going to be merely a paper war. Germany may think so, Hitler may think so, but I say to my colleagues that when the German submarines are torpedoing our merchant ships, and when Germany's guns are firing upon the American flag, and when she is sending down to Davy Jones' locker American citizens, there will be a cry to open war upon Germany, and to open war in such a way that we can retaliate. The cry will be, "We will fight the Germans where the Germans are, on the battlefields of Europe." I do not want the United States to take that chance.

I wish in conclusion to read an excerpt from the address delivered by the President to the joint session of the two Houses of Congress at the opening of this extraordinary session. He said:

> Since 1931 the use of force instead of the council table has constantly increased in the settlement of disputes between nations—except in the Western Hemisphere where there has been only one war, now happily terminated.
>
> During these years also the building up of vast armies, navies, and storehouses of war has proceeded abroad with growing speed and intensity. But, during these years, and extending back even to the days of the Kellogg-Briand Pact, the United States has constantly, consistently, and conscientiously done all in its power to

encourage peaceful settlements, to bring about reduction of armaments and to avert threatened wars. We have done this not only because any war anywhere necessarily hurts American security and American prosperity, but because of the more important fact that any war anywhere retards the progress of morality and religion and impairs the security of civilization itself.

Mr. President, I thrilled to those words when they were uttered, and I thrill to them now. It has been a glorious purpose the United States has had in view during these years. It was an inspiring policy we adopted, it was one which appealed to the heart of every mother in these United States. But let me ask, is the shipment of munitions of war to the fighting nations of Europe a step toward reduction of armaments, which the President correctly says has been one of the great objectives of our American diplomacy and our American policy? Is it a step toward disarmament? Nay, it is the very reverse, it means the arming of the soldiers of war in order that they may the better prosecute their appointed task.

As for me, Mr. President, let me say that I am unwilling, as my conscience is my guide, to take any step which I believe may lead America into a war that will make widows of our wives, orphans of our children, corpses of our young men, and bankrupts of us all, and which, unhappily, at some time in the future—not referring to the day and the hour, or to whoever may be in control of the Government—may perhaps lead to the overthrow of our cherished institutions and the establishment here of a dictatorship. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. MEAD in the chair). The Chair admonishes the occupants of the galleries to refrain from applauding or giving any other indication of their attitude in connection with the debate. The Chair directs the doorkeepers in the galleries to see that any violating the rules of the Senate are excluded.

Mr. PITTMAN. Mr. President, under the understanding as to participation in the debate, the junior Senator from Washington [Mr. SCHWELLENBACH] is to proceed at this time. Therefore, I will take only a few moments to comment briefly upon some of the remarks of the senior Senator from Louisiana [Mr. OVERTON] involving my course. However, after the Senator from Washington shall have completed his address, if it be not too late in the day, I will, with the consent of the Senate, more fully answer what I consider an inference of inconsistency, because the Senator from Louisiana quoted extensively from my speeches, and then referred to my present attitude. I feel highly honored that the Senator has read so extensively from my various addresses. I am glad that he was in accord with them. I am satisfied that he would be in accord with my present attitude if he should study the facts as I have studied them. I am not without hope that before the debate shall be concluded he will find that there are exceptions.

I desire to say to the Senator that I have nothing to deny with regard to what he has read, nor have I any apology to make. I hope that what he has read from my former remarks indicates at least that my hatred of war and my belief in its futility are just as strong as those of any Senator in this body.

As the Senator has shown by what he has read, I supported the Embargo Act in 1935 both in the committee and on the floor, and I supported the restrictions on credits to belligerents both in the committee and on the floor. I have nothing whatever to apologize for in that regard. I had the greatest confidence in the effect of those two acts.

I may say also, as the Senator has read what I stated, if it were in my feeble power by a wave of the hand to abolish from the face of the earth today every bombing plane and every bomb, all poisonous gases, and every other device which can be used to destroy innocent men, women, and children, I would do so.

Perhaps at one time in my imagination I fancied we could help to do that, but my belief has been terribly shocked by the realities of the last few years. Our embargo on arms and ammunition did not stop war; it did not prevent war. It did not prevent the Italian-Ethiopian war; it did not prevent the war of Japan against China; it did not prevent the destruction of Czechoslovakia. It did not prevent the destruction of Poland; and, so far as retarding war is concerned, it has accomplished nothing. It has not stopped the brutality of war murder, as we hoped it might help to do.

If there has ever been brutal bombing of civilian populations in the history of the world, it has been going on for 2 years in China. Civilian populations have been bombed in places where there was no army, where there were no munitions of war. Those populations have been bombed from the air. Hundreds of thousands of men, women, and children have been killed by bombings in China, but not with our arms, ammunition, and implements of war. Nor could all that have been retarded by embargo on arms, ammunition, and implements of war, because Japan did not need those things that we call arms and ammunition. She did not want our manufactured bombs. What she wanted was scrap iron with which to make bombs, because she has plenty of labor and she has munitions factories, and she can buy the iron cheap, rather than to pay a big price for the bombs.

The Embargo Act would not have stopped the shipping of gasoline to Japan, because gasoline is not on the embargo list. The shipment to Japan of 80 percent of the gasoline which she has used to fly the planes in which to carry the bombs made out of our scrap iron, with which to accomplish mass murder in China, could not be stopped by any Embargo Act we now have.

Mr. President, let those who depend on the embargo to prevent mass murder of innocent people, to discourage war, be sincere; let them by law place upon the embargo list all of those other instruments of war which are not there now, and which Great Britain and Germany say are just as much instruments of war as are the rifle and the cartridge, so much so that they will sink a ship wherever they can find it which carries them, as quickly as they will sink a ship carrying cartridges or rifles.

Mr. President, that is the way to be sincere in this matter. If Senators think that an embargo is the only thing which will prevent the United States from participating in mass murder, then let them be sincere and stop the shipment of things which are used in mass murder. Who is rising to offer a resolution to include cotton as an instrument of war? Cotton is admittedly an instrument of war.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. OVERTON. Does the Senator take the position that because we deny warring nations completely manufactured weapons of war to be used at once, we should also deny raiment to their noncombatants and food to their noncombatants, and starve them all out, simply because food and raiment and other things may also be used by armies engaged in war?

Mr. PITTMAN. Oh, yes; and rifles and cartridges can be used to shoot deer; but, as we know, all the cotton that is imported into warring countries today goes first to the army, and, if there is any left, it may go to others. It is an instrument of war. It is declared to be an instrument of war by the belligerent countries. They will sink every ship that carries cotton to their enemies under the orders they have already made.

If Senators are trying to protect American seamen from being killed on the high seas, then they do not want any American ships to carry cotton. Of course not, because belligerents will sink American ships carrying cotton just as they will sink ships carrying munitions. If Senators do not want us to engage in mass murder, then they do not want us to sell cotton to belligerents, because they know in their own minds that cotton is used to make guncotton, which is the chief explosive used in bombs.

Has any Senator risen to say that copper, lead, and zinc should not be put in the list? Oh, no. Does anyone want to put on the embargo list oil or gasoline? No, no. So do not question my sincerity on a proposition of that kind.

Let me say that I found out after 1935, by a study of history and renewing my knowledge of it, that the embargo law and

the law controlling loans to belligerents were not sufficient, and in the committee in 1936 I supported the cash-and-carry plan, and supported it on the floor of the Senate. So far as I recall, the Senator from Louisiana has not read any of my statements from the debates on the law of 1937. There was a change made then. Nearly every Senator in this body changed his attitude from 1935 to 1937. I commenced to realize that the cash and carry—particularly the carry plan—was the most important thing that we could do to keep out of war. It was realized that we were dragged into the war in 1917 by reason of the killing of our seamen on American ships going into neutral ports. Then we had only one of two alternatives. We had either to fight for our neutral rights or we would have to suspend them. We fought for them. Now we propose to suspend them. But I cannot see how we can be neutral with the situation in Europe today under the Embargo Act. That is all I have to say now. I cannot see it in the administration of this act.

I do not want now to take up any more of the time of the Senator from Washington [Mr. SCHWELLENBACH]. However, later in the day, if it is agreeable to the Senate, depending upon what time the Senator from Washington concludes his address, I should like to go a little further into the matter of the speeches from which the Senator from Louisiana has read, very largely and almost exclusively for the purpose of rebutting any inference of inconsistency.

Mr. BYRNES. Mr. President, I make the point of order that there is no quorum present.

The PRESIDING OFFICER. Evidently there is not a quorum present. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	King	Reed
Andrews	Downey	La Follette	Reynolds
Bailey	Ellender	Lee	Schwartz
Barbour	George	Lodge	Schwellenbach
Bilbo	Gerry	Lucas	Sheppard
Borah	Gibson	Lundeen	Shipstead
Bridges	Gillette	McCarran	Smathers
Brown	Green	McNary	Stewart
Bulow	Guffey	Maloney	Taft
Byrd	Gurney	Mead	Thomas, Utah
Byrnes	Hale	Murray	Tobey
Capper	Hatch	Neely	Townsend
Caraway	Hayden	Norris	Tydings
Chavez	Herring	Nye	Vandenberg
Clark, Idaho	Hill	O'Mahoney	Van Nuys
Clark, Mo.	Holman	Overton	Wagner
Connally	Holt	Pepper	Walsh
Danaher	Johnson, Calif.	Pittman	White
Davis	Johnson, Colo.	Radcliffe	Wiley

The PRESIDING OFFICER (Mr. LUCAS in the chair). Seventy-six Senators have answered to their names. A quorum is present.

Mr. SCHWELLENBACH. Mr. President, I wish to commence my remarks with the expression of the hope that during the remainder of the course of this debate there may be maintained by the Members of this body, not only in their discussions upon the floor but in their discussions intended to reach the general public, the same spirit of recognition of a mutual aim and goal which has been evidenced here this week.

This debate varies a little from most of the debates we have, in that there is, and can be, no difference in the ultimate objective of those who occupy one position as compared with those who occupy the other position.

I think it is extremely important in the course of these discussions that no effort be made to mislead the American people, and that the members of our Government be honest with the American people, because we must recognize that in the final analysis the decision upon the question whether or not we shall be able to stay out of war will be made by the American people.

Today the American people are determined to stay out of war; Members of Congress are determined to stay out of war; and the President of the United States is determined to stay out of war. But during the coming months there will be efforts to confuse the thoughts and minds of the people by means of an influence such as subtle propaganda, instilling in their minds a feeling of fear and of horror. Members of this body and others connected with the Government have the responsibility of avoiding any attempt to influence the American people by prophecies of disaster or by promises of too complete success.

I can very readily understand the confusion in the mind of the average American today. In 1935 we passed a law. We renewed it in 1936, and we renewed it by amendment in 1937. The people of the country were told that by the adoption of that legislation they had, through their Congress, purchased an insurance policy against war.

There were three main parts of that law. The first was the arms embargo. The second, and in my opinion the most important part, was the "carry" provision, which restricted the rights of our ships upon the sea. The third was the financial provision.

The second provision of the act expired on the first day of May of this year. I know that people at home said, "Why is it necessary for you to talk about a neutrality law? We thought you passed one in 1937. Why is it necessary to raise the question again?"

The first reason is that one of the most vital parts of the law expired by the operation of the law itself on the 1st of May. The second reason is that there is a general recognition—and I think there is not now much dispute in this body that there is a general recognition—of the necessity of strengthening the financial provisions of the act. The third reason is that some of us have reached the conclusion that the peace, safety, and security of the American people may be much better served by the repeal of the arms embargo than by the continuance of the arms embargo. It is upon that issue that this debate is based.

I think it might be well for us, as Members of this body, to stop and ask ourselves a question. Since about the middle of the eighteenth century the neutral nations of the world have been trying to work out systems whereby they could avoid being drawn into controversies in which they had no interest.

By and large, with very few exceptions—and most of them were noted on Monday last by the Senator from Idaho [Mr. BORAH]—the neutral nations of the world have come to the conclusion that their safety, their protection, and their desire to stay out of the wars of other nations may best be served without imposing an embargo upon the exportation of arms and ammunition.

A little less than 200 years have gone by since the first great work upon this subject, written by Vattel, described the needs neutrals had and outlined in the form of a dissertation upon international law what neutrals might best do.

I know there has been a strong tendency upon the part of many people in this country, as there has been a tendency upon the part of many Members of this body during the last few years to say that international law was simply "out the window," that it was to be forgotten, that it was dead, and that nobody should pay any attention to it any more. I am not going to argue that question, but certainly the great wealth of experience the nations of the world have had during hundreds of years should be taken into consideration by us when we are faced, as we are today, with the responsibility of attempting to do something that will keep our nation out of war.

The fact is that, almost without exception, the great students of this subject since 1758 have agreed that a nation was safer so far as being involved in the wars of other countries was concerned without an arms embargo than if it had an arms embargo, and we have some responsibility to take that fact into consideration. It seems such a simple matter. We will merely refuse to ship arms, ammunition, and implements of war to any warring nation and then we cannot get into their war. That was a magic wand that could be waved and we accepted it in the face of the rich experience of the neutral nations for the last 200 years.

I believe—indeed, I am thoroughly convinced—that the maintenance by a neutral of an arms embargo is infinitely more dangerous than for it not to have an arms embargo. Why? I desire to cite some authorities upon the subject.

but first let me make a statement of the background for that belief.

International law recognizes the responsibility upon the belligerent itself to protect itself against the shipment to its enemy of contraband, including arms, ammunition, and the implements of war. International law recognizes no responsibility upon the neutral government to stop its citizens from shipping contraband. It is for the benefit of the belligerent, and therefore the neutral does not have any responsibility to stop it. But when the neutral assumes the responsibility to stop it, when it passes an embargo, a domestic law governing its own citizens, then that neutral has a responsibility. The burden shifts from the belligerent to protect itself over to the neutral to protect the belligerent.

That is precisely what we did when we adopted the arms embargo in 1935 and 1937. It is the responsibility of the United States Government today to protect the belligerent nations of Europe against our citizens shipping arms, ammunition, and implements of war to those nations. Without an arms embargo, it would be their responsibility. If we fail in our responsibility, we are subject to the antagonism of and criticism by the belligerent; and if we continue in our failure, that continuation of failure in itself constitutes an unfriendly act which would justify the belligerent in declaring war against us.

What is my authority for that statement? I wish to read first from an author who, I think all Senators will agree, is an authority upon this question—John Bassett Moore. He says this:

> The fundamental principles are simply these: From the point of view of neutrality the question of unlawfulness is presented in two aspects, (1) that of international law, and (2) that of municipal law. Offenses under (1)—i. e., acts unlawful by international law—are divided into two classes, (a) acts which the state is bound to prevent, and (b) acts which the state is not bound to prevent and which therefore are not usually offenses against municipal law. The dealing in contraband belongs under (1) (b), for it is (1) unlawful by international law, as is shown by the fact that the noxious articles may be seized on the high seas and confiscated; but (b) it is not an act which it is the duty of the neutral state to prevent, and therefore is not usually prohibited by municipal law.

Judge Moore continues:

> Why is the neutral state not bound to prevent it? Simply because, from obvious considerations of convenience, it has been deemed just to confine within reasonable bounds the duty of the neutral state to interfere with the commerce of its citizens, even for the purpose of repressing unneutral acts. The principal interest to be subserved being that of the belligerents, it is left to them, in respect of many acts in their nature unneutral, to adopt measures of self-protection; and neutral states are deemed to have discharged their full duty when they submit to the belligerent enforcement of such measures against their citizens and their commerce.

I quote further from Judge Moore:

> If the sale of munitions of war is to be held a breach of neutrality, "instantly upon the declaration of war between two belligerents, not only the traffic by sea of all the rest of the neutral powers of the world would be exposed to the inconveniences of which they are already impatient, but the whole inland trade of every nation of the earth, which has hitherto been free, would be cast into the fetters. * * * It would give to the belligerent the right of interference in every act of neutral domestic commerce, till at last the burden would be so enormous that neutrality itself would become more intolerable than war, and the result of this assumed reform, professing to be founded on 'the principles of eternal justice,' would be nothing less than universal and interminable hostilities." (Sir W. Harcourt, Historicus, 134.) For, not only the vendor of the iron would have to be prevented from selling to the vendor of the gun, but the miner and machinist would have to be prevented from working for the vendor of the iron. A neutral sovereign, therefore, would have either to stop all machinery by which munitions of war could be produced for belligerent use, or expose himself to a call for whatever damages his failure so to do might have caused either belligerent. Under such circumstances it would be far more economical and polite to plunge into a war as a belligerent than to keep out of it as a neutral.

Let me read from another authority upon this subject, James W. Garner, who quotes from Spaight as follows:

> As Spaight aptly remarks:
> "If a neutral power were held responsible for all the commercial transactions of its subjects with belligerents, most of the nations of the world would have to rewrite their constitutions whenever a war began. The outbreak of hostilities between any two states would have the effect of establishing in every country not participating in the war a system of governmental interference with private persons and their business transactions which would only have to be tried once to stand condemned as intolerable and impossible."
> Geffcken and von Bar, both German writers, have condemned the proposal to prohibit the exportation of arms and munitions largely for this reason. Geffcken remarks that to attempt such a measure would be to impose upon neutrals impossible responsibilities. Von Bar says it "would not only injure incalculably the commerce of neutrals, but it would necessitate a system of surveillance and control by neutrals over the sale and transportation of merchandise which would be intolerable."
> The obligation to prohibit such traffic being once recognized, legal responsibility for failure to enforce the prohibition follows as a consequence and the neutral is exposed to liability for damages to an injured belligerent for neglect to exercise due diligence. As Lawrence observes, a nation "after having dislocated its commerce and aroused the anger of its trading classes, might possibly find itself arraigned before an international tribunal and cast in damages because a few cargoes had slipped through the cordon it maintained against its own subjects." "No chain of mountains and no coast line," says Lorimer, "has ever been or really could be guarded, and a state which undertakes to do it would be exposed to the accusation of having failed in its engagements."
> The practical result of such a policy—

He is referring to the policy of an arms embargo—

> would be to shift the responsibility which now rests upon belligerents themselves to intercept shipments of contraband destined for the use of the enemy, to the shoulders of the neutral who becomes liable to damages for failure to do it. Instead, therefore, of removing what is admitted to be one of the chief sources of controversy between belligerents and neutrals, it is believed that such a rule would, by imposing undesirable if not impossible duties upon neutrals, greatly augment the already serious inconveniences to which they are subjected, and lay the foundations for international claims and controversies.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Maryland?

Mr. SCHWELLENBACH. Yes; I yield.

Mr. TYDINGS. I am very much interested in what the Senator is reading. The thought occurs to me, Does that reasoning apply if cash and carry pertains? Does not that reasoning apply when there is no cash-and-carry provision? Would it not be tenable to say that it would not apply if cash and carry were present, so that the goods were carried in the bottoms of belligerents?

Mr. SCHWELLENBACH. At first I thought the question meant something else; but, as I now understand it, the Senator asks if this burden would not be removed under a cash-and-carry system. No, for this simple reason: I ask the Senator to remember back a couple of weeks, when some sailor in New York refused to sail on a ship, and was called before a board for failure to do so. He testified that the reason why he would not go on the ship was that the ship contained arms and implements of war; and a hearing was required to find out whether or not the particular kind of shotguns that were on the ship were the kind that would come under an arms embargo under a contraband list.

I give the Senator that as just an example of what would happen. It does not make any difference who takes away the articles; our Government would have the responsibility, under the embargo, of seeing that no arms or ammunition got into any ship. I say, as a matter of fact, there would be greater danger under a cash-and-carry system, because we would have exclusively foreign vessels in our ports, and there would be a greater danger of various articles which would be in violation of the embargo slipping through on board of foreign ships than on board of ships of our own registry. So I think the Senator is not correct, and that the actual opposite would result from the situation he suggests.

Mr. TYDINGS. I think the Senator misunderstood my question. My question was, Did not the reasoning of Mr. Moore and the other authorities quoted by the Senator apply to a situation in which there was an embargo, but no cash-and-carry provision attached to the embargo restriction?

Mr. Moore's summary is based upon free commerce, except that the embargo applies to arms and munitions without regard to price, payment, time of payment, or credit.

If cash and carry were put on top of it, so that the title passed at the time the product left the port, then the Senator's reasoning would not, in my judgment, apply, and it is not the author's intention that it should apply; for in the very instant case which the Senator mentions, of the sailor who would not sail on a ship because there was a question of whether or not there were arms on the ship, the ship itself would be a foreign ship, and therefore the sailor would be under a foreign flag; and with the passage of title and the loading of goods on the ship, our responsibility would cease.

Further than that, under a cash-and-carry plan or under an arms-embargo plan our Government would not be responsible to any government on the face of the earth. Its responsibility would be to the people of the United States, and it would owe no responsibility to enforce that law to anyone except to our own people.

Mr. SCHWELLENBACH. I am sorry, I am afraid the Senator from Maryland has completely misunderstood the reasoning of Judge Moore and the other authorities I have cited, because unquestionably under a cash-and-carry system the difficulties and the dangers involved, as described by these authorities, would be infinitely greater than under a system in which there was no cash-and-carry provision.

I now desire to read briefly from a work on the sale of munitions by William C. Morey. He starts back and discusses in detail the basis of the theory I have presented, as outlined by Judge Moore and the two German authorities. He then states:

The Government of the United States from the beginning of its history has uniformly held to the doctrine, as consistent with international law—

This was written, as you may see, prior to the time of the enactment of the law of 1935—

that no neutral nation is under obligation to prohibit the sale of munitions of war to a belligerent power, but that the penalty of such an act so far as a penalty is sought, rests entirely in the hands of the offended belligerent. The prevention of the sale and transportation of munitions is, therefore, recognized in international law as a belligerent right, and not a neutral duty.

* * * * * * *

The subject of a neutral state is committing no offense against his own government by the carriage or sale of contraband to a belligerent, and hence is held to no punishment or restriction by his own government. The offense is committed against the belligerent power, and hence the belligerent government only is authorized to punish or prevent the offensive act. The conduct of neutral subjects within the jurisdiction of their own government is controlled solely by the municipal law of their own government. On the other hand, the punishment of the offenses committed by neutral subjects against a belligerent state is left to the municipal law of the belligerent government. With this matter international law has strictly nothing to do, except so far as the international relation between the states themselves is concerned, in that the neutral state is obliged to acquiesce, within certain limits, with the execution of the law of the belligerent state.

It seems evident that the provisions of international law relating to the transportation and sale of contraband goods, including munitions of war, are in harmony with both expediency and equity. The law, as it exists, confers upon the belligerent state, the party most interested in preventing such acts, the means to prevent them; and it relieves the neutral state, the party least interested in preventing such acts, from the obligation to prevent them. It, furthermore, relieves the neutral state from the difficulty, not to say impossibility, of establishing such a universal system of espionage over its own subjects as shall make their commercial transactions conform solely to the interests of warring powers.

* * * * * * * *

* * * The laying of an embargo upon the sale of munitions of war is sought to be justified upon moral grounds. Notwithstanding the undoubted legal right on the part of a neutral power to permit the sale of munitions; and notwithstanding the absence of any legal right on the part of a belligerent to demand of a neutral power to prohibit such sale, it may be yet urged that circumstances may arise in the progress of a war when the continued sale of munitions may work injustice to one or the other of the belligerent parties. * * * To shift a question of this kind from the domain of law to the domain of morals opens a wide field for a difference of opinion as to what constitutes a moral international right. It assumes that there exists somewhere some common and accepted standard of conduct by which the moral relations of nations may be finally determined. As a matter of fact, so far as any such common standard of conduct may be said to exist, it is already embodied in the law. The law represents the common sense of justice insofar as the various ideas of a community of persons or of nations have been capable of being put into a definite and corporate expression. The so-called appeal from law to morals may, therefore, mean simply an appeal from a definite and ascertainable body of rules which represents the organized judgment of a community to a standard which may be as shifting as the opinions of individuals.

It is true that official protests have sometimes been made on the part of belligerent powers against the right of neutrals to trade in contraband goods, and especially in munitions of war. Such a protest, of course, comes from a belligerent who is prompted, not by high moral considerations, but solely by motives of self-interest. He hopes by his protest to obtain some military advantage for himself or to deprive his adversary of some military advantage. The sale of munitions, it is admitted, is legally open to both belligerents; and as long as each has an equal opportunity to purchase, there need be no occasion for complaint. But if one belligerent, by an act of his enemy or other vicissitude of war, finds himself cut off from access to the sea, while his adversary still retains it, he would endeavor to equalize the war situation by seeking to stop all further supply of munitions to his adversary. And, besides this, he would seek to restore himself from a misfortune of war by an appeal to a neutral power which is in no way responsible for his misfortune. For example, a nation in expectation of a coming war and in preparation for it has been for many years providing itself with abundant supplies of arms, munitions, and other war material, with the intention of surprising its enemy while unprepared for the conflict—

I may say that this article was written long before any of the present forms of government in Europe came into existence—

It may, perchance, find itself, in the progress of the war, perhaps on account of the superior naval force of its enemy, shut up from ready access to the sea and estopped from exercising its authorized belligerent right of intercepting the transportation of munitions. It, therefore, claims that its enemy, which has been inadequately furnished with war material, and especially with those munitions necessary to equip an army, should be estopped from exercising its authorized legal right of supplying itself with further munitions.

Such a claim would evidently be based upon the benefit the belligerent hoped to receive by depriving his enemy of the means of defending himself. But this is not all. The right of intercepting the transportation of munitions of war is by law a belligerent right, and the exercise of this right is by law a belligerent act. Being now prevented himself by a sheer misfortune of war from exercising his own belligerent right and from performing a belligerent act which belongs to himself alone, he would impose upon a neutral power the obligation of exercising this belligerent right and of performing this belligerent act. He would thus seek to convert a neutral into an ally. Strictly speaking, the voluntary assumption on the part of a neutral state, in the interests of a belligerent power, of the task of preventing the legalized traffic in munitions of war, cannot be looked upon in any other light than as a belligerent, or at least an unneutral, act. On the other hand, a protest on the part of a belligerent power which seeks to compensate itself for a misfortune of war by demanding the services and intervention of a neutral state, has, in fact, no justification in law or in morals.

In other words, an arms embargo carried out by the United States, in the situation described by this authority, is not a neutral act but is actually an unneutral act, and any nation which would ask us to take such action would ask us not to continue to be neutral, but to line up with them as an ally. It is an act which could be complained of very properly by the enemy of that belligerent, and either side, if we failed fully to comply with the requirements which we voluntarily assumed, to force our own citizens to stop the shipment of arms, ammunition, and implements of war, would have a right not only to protest, but even to declare war against us because of that unneutral act.

The act of 1935 was never intended as a Neutrality Act. It was an act the purpose of which, as in the case of the pending Pittman proposal, was to keep us out of war, and it has been unfortunate that during the past few years the term "neutrality" has been used, because if we should strictly enforce the arms embargo, of necessity we would cease to be neutral, and we would of necessity become an ally of one or the other of the belligerent powers.

There is another source of danger involved in this kind of legislation. We are all familiar with contraband lists. We know that belligerent powers have the right, and they invariably assert it, to issue lists of contraband, and they say to the neutrals of the world, "This is a list of the articles which we consider to be contraband." They insist upon their right of visit and search, and in the event of the finding of contraband, the seizure and confiscation of the contraband articles. Unfortunately no two nations ever agree upon contraband lists. I have here, and I send to the desk and ask unanimous consent to have printed at this point, lists of contraband

issued by the British Government and the German Government at the outbreak of the present war.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
September 13, 1939.

The Department of State has been informed by the British Ambassador that a proclamation has been issued in London specifying the articles to be treated as contraband of war by His Majesty's Government, and that these articles are as follows:

"SCHEDULE I—ABSOLUTE CONTRABAND

"(a) All kinds of arms, ammunition, explosives, chemicals, or appliances suitable for use in chemical warfare and machines for their manufacture or repair; component parts thereof; articles necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(b) Fuel of all kinds; all contrivances for, or means of, transportation on land, in the water, or air, and machines used in their manufacture or repair; component parts thereof; instruments, articles, or animals necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(c) All means of communication, tools, implements, instruments, equipment, maps, pictures, papers, and other articles, machines, or documents necessary or convenient for carrying on hostile operations; articles necessary or convenient for their manufacture or use.

"(d) Coin, bullion, currency, evidences of debt; also metal, materials, dies, plates, machinery, or other articles necessary or convenient for their manufacture.

"SCHEDULE II—CONDITIONAL CONTRABAND

"(e) All kinds of food, foodstuffs, feed, forage, and clothing and articles and materials used in their production."

DEPARTMENT OF STATE,
September 19, 1939.

The American chargé d'affaires in Berlin, Mr. Alexander Kirk, has reported to the Department of State that two amendments have been issued to the Prize Law Code which increase the articles and materials to be considered as absolute and conditional contraband by the German Government. The Government of the Reich has enacted and promulgated the following law:

"ARTICLE 1

"The following articles and materials will be regarded as contraband (absolute contraband) if they are destined for enemy territory or the enemy forces:

"1. Arms of all kinds, their component parts and their accessories.

"2. Ammunition and parts thereof, bombs, torpedoes, mines, and other types of projectiles; appliances to be used for the shooting or dropping of these projectiles; powder and explosives, including detonators and igniting materials.

"3. Warships of all kinds, their component parts and their accessories.

"4. Military aircraft of all kinds, their component parts and their accessories; airplane engines.

"5. Tanks, armored cars, and armored trains; armor plate of all kinds.

"6. Chemical substances for military purposes; appliances and machines used for shooting or spreading them.

"7. Articles of military clothing and equipment.

"8. Means of communication, signaling, and military illumination and their component parts.

"9. Means of transportation and their component parts.

"10. Fuels and heating substances of all kinds, lubricating oils.

"11. Gold, silver, means of payment, evidences of indebtedness.

"12. Apparatus, tools, machines, and materials for the manufacture or for the utilization of the articles and products named in Nos. 1 to 11.

"ARTICLE 2

"Article 1 of this law becomes article 22, paragraph 1, of the Prize Law Code.

"This law becomes effective on its promulgation."

The Government of the Reich on September 12, 1939, made an announcement relating to conditional contraband which read in part: "The following is accordingly announced:

"The following articles and materials will be regarded as contraband (conditional contraband) subject to the conditions of article 24 of the Prize Law Code of August 28, 1939 (Reichsgesetzblatt, pt. 1, p. 1585):

"Foodstuffs (including live animals), beverages, and tobacco and the like, fodder and clothing; articles and materials used for their preparation or manufacture.

"This announcement becomes effective on September 14, 1939."

Mr. SCHWELLENBACH. Mr. President, the English Government has, as I remember, four classifications of absolute contraband. The German Government has 12. There is no question but that arms, ammunition, and implements of war are contraband, and there is no question, as one will see if he reads the list of absolute contraband, that there are many other articles which, so far as these belligerent powers are concerned, are in exactly the same category with arms, ammunition, and implements of war.

So long as our Government does not assume the responsibility, by means of an arms embargo, of saying that our citizens cannot ship the contraband articles, then the risk is taken entirely by our citizens, and, as I pointed out a few minutes ago, the responsibility of stopping them rests upon the belligerents. But when we assume the responsibility of saying to our citizens "You cannot ship these articles," as we have under the present Arms Embargo Act, then we also have the responsibility of seeing that our list is the correct one. We cannot make a mistake about that without arousing the antagonism of either or both of the belligerents.

We recognized that in the acts of 1935 and 1937. Subsection (d) of section 1 provides:

> The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

In other words, under our present act we have given to the President not only the responsibility but the discretion of saying what shall be included under subsection (d) of section 1.

Let us suppose that he attempts to comply with the contraband lists of the two nations which have already issued them, England and Germany. Let us suppose, first, he includes only the four classifications of the English contraband list. He will immediately get into controversy with the German Government. Let us suppose he includes the 12 articles in the German list. He will immediately get into controversy with the English Government. Let us suppose he gets up a list of his own. Then he probably will get into controversy with both Governments, and having assumed the responsibility of preventing the export of these articles, as I stated before, we will have the complete responsibility of carrying through.

It is because of that fact that the overwhelming number of the group of men who, during the period of over 150 years, have studied this subject for the sole purpose of endeavoring to work out systems whereby neutrals in the same position in which we are today can stay out of a war, have come to the conclusion that there is no method which is more likely to get a nation into a war than the adoption of an arms embargo.

As I have said, we passed the law thinking that we had some insurance policy against getting us into war, but it is certainly our responsibility and duty to give some consideration to the experience of the nations during the years when neutral nations have attempted to stay out of controversies.

One of the great students of the question of international problems was John Westlake, and in 1870, I believe it was, in the course of a paper, he made this statement:

> Clearly, any article to the export of which either belligerent government for the time being objects must be put on that list—

Reverting again to the contraband list—

> or the object of the prohibition, the avoidance of offense, will not be attained. But what will the other belligerent say to the prohibition under those circumstances? If the prize courts of one party decide that to be contraband which the other party desires to import, and neutrals acquiesce, no offense is given by them, because they are merely passive. But it can hardly be imagined that a belligerent would be equally forbearing toward a neutral who, himself, at the dictate of the enemy, took the active step of preventing the export of an important article, which the first-named belligerent did not regard as properly within the prohibited category. Here is another respect in which the advocates of the prohibition have looked to the effect on one only of the belligerents, and in which the prohibition might expose the neutral to greater danger of war from the belligerent they have overlooked than he would have incurred without it from the one they have thought of.

The founder of the Institute of International Law, or certainly the man who has been given credit for founding it,

Charles Noble Gregory, has written many very interesting articles upon this precise question, and I wish to read a short excerpt touching upon this question from one of those articles:

Such a change of law and practice * * * magnifies the power of the prepared and predatory states, and it hinders and prevents the defense of the pacific states. It helps the carnivorous states, and it hurts the herbivorous states, as it were. It sharpens the fangs of the wolf, constantly used in attack, and it takes away the antlers of the stag, as constantly used for defense alone. It tends to embroil the nations and to destroy their balance and repose. It is a pernicious, unwise, and immoral restraint, and injurious change in a just rule.

It is submitted that our people have a right by all laws, international and municipal, to manufacture and freely sell to all comers munitions of war (except when restrained for special circumstances by special laws, as along our southern border); that this right is founded not merely on the long-established customs of all nations, including our own, on the opinions of statesmen, judges, and scholars and on the express agreement of the nations at the last Hague Conference, but it rests upon considerations of wise and necessary policy, salutary for all peaceful nations and hostile to predatory nations; that it ought therefore to be fully preserved and fully exercised for the welfare and safety of all nations seeking to avoid the extremes of militarism, and to devote themselves, without sacrifice of security, to pursuits of peace; that in adhering to, maintaining, and exercising such a right we pursue a policy hostile to no nation and vital to the safety of our own.

I wish to read further from Professor Westlake upon this precise question, which is the question referred to yesterday by the very eloquent Senator from Texas [Mr. CONNALLY]. Professor Westlake says:

Wars now are sudden as conflagrations in their origin and the advantages of preparation and initiative are immense. Why make them vastly greater? Why tempt to secret preparation and sudden aggression by greatly reducing the resources and avails of the defending power? Why aid the wolf and hamstring the lamb? Why, by a change of law and policy, aid and encourage the predatory policy and debilitate defense? Such change must stimulate war and discourage peace?

It is therefore opposed to the general interest of mankind and the present rule is wiser and more pacific tending to maintain the safety and stability of the nations whose main employments are in the peaceful arts.

Mr. President, I was very much impressed with what the Senator from Louisiana [Mr. OVERTON] had to say a few minutes ago. I wish I were gifted with the ability of rhetoric to express my desire for peace in so forceful a way as he is able to do it. At first blush it is apparently a perfectly logical thing to say, "I believe in peace; therefore I believe that our Government should stop the export of arms, ammunition, and implements of war to any belligerent nation." But when we come to a realization that by that act our Government takes on an obligation which the authorities at least agree is more likely to get us into war than any other policy or process that we might use, then certainly we must pause and hesitate. We must further realize that, so far as peace of the world as a whole is concerned, the adoption of such a policy by our Government or by any government certainly looks away from peace, and not toward peace, because it means that those nations in the world which prior to the time of the declaration of war had the facilities and the ambition to prepare themselves in order that they may suddenly attack nations less prepared, are the ones who will over the long period of years benefit by such a policy.

This is not a new question so far as our Government is concerned. I think it might be refreshing to consider for just a moment the attitude of some of our statesmen in the past upon this precise question. I saw in the newspaper of yesterday, I believe, that the very delightful, talented, and distinguished son and daughter of a former President of the United States are about to speak over the radio on the question of the repeal of the arms embargo, and I thought it might be interesting to put into the RECORD what their father had to say about that subject. I read from Theodore Roosevelt's book entitled, "Fear God and Take Your Own Part." He said:

The Americans who are now striving to prevent the sale of munitions of war * * * are committing the gravest possible offense against the cause of international right and of the interest of humanity.

* * * * * * *

Of course, if sales of munitions are improper in time of war, they are precisely as improper in time of peace, for in time of peace they are made only with a view to possible war. To prohibit them is to put a premium upon aggressive nations manufacturing their own ammunition, for it is the nonaggressive nations that do not conduct great manufactories for munitions of war.

Quoting further from Theodore Roosevelt's book:

The warlike and aggressive nation chooses the moment of attack and is fully equipped in advance. If the nation assailed cannot replenish her supplies from outside, she must always maintain them in time of peace at the highest point or else expose herself to ruin.

* * * * * * *

From the standpoint of international law, as I have shown above, we have the absolute right to make such shipments. Washington and Lincoln—in fact, all our Presidents and Secretaries—have preemptorily refused to allow this right to be questioned. The right has been insisted upon by Germany in her own interest, more strongly than by any other nation, up to the beginning of the present war."

This article was written during the last war.

Continuing Theodore Roosevelt's statement:

From the standpoint of morality the justification is even more clear.

Going back to some of the prominent men in our history who have had under consideration this precise question, and the attitude which they took toward it, I wish to read first from Thomas Jefferson's writings when he was Secretary of State. The British Minister was asking our rather feeble Government, during the beginnings of our governmental history, that it refuse to ship arms and ammunition to his country's adversaries. Jefferson's letter was written on May 15, 1793. In it he said:

Our citizens have been always free to make, vend, and export arms. It is the constant occupation and livelihood of some of them. To suppress their callings, the only means perhaps of their subsistence, because a war exists in foreign and distant countries, in which we have no concern, would scarcely be expected. It would be hard in principle and impossible in practice. The law of nations, therefore, respecting the rights of those at peace, does not require from them such an internal disarrangement in their occupations. It is satisfied with the external penalty pronounced in the President's proclamation—that of confiscation of such portion of these arms as shall fall into the hands of any of the belligerent powers on their way to the ports of their enemies. To this penalty our citizens are warned that they will be abandoned, and, that even private contraventions may work no inequality between the parties at war, the benefit of them will be left equally free and open to all.

Alexander Hamilton also had the question under consideration. On August 4, 1793, he said this:

The purchasing within, and exporting from the United States, by way of merchandise, articles commonly called contraband, being generally warlike instruments and military stores, is free to all the parties at war, and is not to be interfered with.

Mr. Pickering, who was Secretary of State in 1796, had a controversy with the French Government about this question, and he answered the French Government in this way:

It was contended on the part of the French Nation, in 1796, that neutral governments were bound to restrain their subjects from selling or exporting articles contraband of war to the belligerent powers. But it was successfully shown, on the part of the United States, that neutrals may lawfully sell, at home, to a belligerent purchaser, or carry, themselves, to the belligerent powers, contraband articles subject to the right of seizure in transitu.

Henry Clay, when he was Secretary of State, got into a controversy, and he wrote a letter to the Minister from Mexico on April 6, 1827, in which he said:

The Government of the United States cannot undertake to punish its own citizens for disposing in another country of contraband articles in violation of the laws of such country. Neither * * * our own laws, nor, as is believed, those of any foreign country, make provision for the enforcement of the penal laws of another country, the general rule being that the laws of every nation are competent to vindicate their own authority.

President Pierce in 1854, in a message to the Congress, had this to say:

In pursuance of this policy, the laws of the United States do not forbid their citizens to sell to either of the belligerent powers articles contraband of war or take munitions of war or soldiers on board their private ships, for transportation; and although in so doing the individual citizen exposes his property or person to some of the hazards of war, his acts do not involve any breach of national neutrality nor of themselves implicate the Government.

I have here statements from five other Secretaries of State. At five other different times the question was raised by some foreign government with our Government. The statements

continue down to the time of the Secretary of State who certainly signified love of peace, the first secretary under President Wilson, Mr. William Jennings Bryan. Rather than take the time of the Senate I now ask unanimous consent that these statements may be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. LUCAS in the Chair). Without objection, it is so ordered.

The statements are as follows:

Mr. Marcy, Secretary of State, in a letter to Mr. Buchanan, Minister to England, on October 13, 1855, wrote:

"It is certainly a novel doctrine of international law that traffic by citizens or subjects of a neutral power with belligerents, though it should be in arms, ammunition, and war-like stores compromise the neutrality of that power. That the enterprise of individuals, citizens of the United States, may have led them in some instances, and to a limited extent, to trade with Russia in some of the specified articles is not denied, nor is it necessary that it should be, for the purpose of vindicating this Government from the charge of having disregarded the duties of neutrality in the present war.

Mr. Fish, Secretary of State, writing to Mr. Lopez Roberts, Spanish minister on April 3, 1869, said:

"Citizens of the United States have, by the law of nations and by treaty, the right to carry to the enemies of Spain, whether insurgents or foreign foes, all merchandise not contraband of war, subject only to the requirements of legal blockade. 'Articles contraband of war, when destined for the enemies of Spain, are liable to seizure on the high seas, but the right of seizure is limited to such articles only, and no claim for its extension to other merchandise, or to persons not in the civil, military, or naval service of the enemies of Spain, will be acquiesced in by the United States. This Government certainly cannot assent to the punishment by Spanish authorities of any citizen of the United States for the exercise of a privilege to which he may be entitled under public laws and treaties.'"

Mr. Foster, Secretary of State, writing to Mr. Bolet Peraza, Venezuelan minister, on September 22, 1892, said:

"The sale of arms and munitions of war, even to a recognized belligerent, during the course of active hostilities, is not in itself an unlawful act, although the seller runs the risk of capture and condemnation of his wares and contraband of war."

Mr. Olney, Secretary of State, writing to Mr. Dupuy de Lome, July 15, 1896, said:

"The citizens of the United States have a right to arms and munitions of war to all comers—neither the sale nor the transportation of such merchandise, except in connection with and in furtherance of a military expedition prosecuted from our shores, are a breach of international duty or give Spain any ground of complaint—and the denunciation of such acts as evidencing 'criminal conspiracy,' or as showing United States territory to have become a base of operations against Spain, is greatly to be deprecated as without sufficient warrant in law or in fact, and as therefore ill calculated to promote the harmonious relations of the two countries."

Mr. SCHWELLENBACH. On April 21, 1915, Mr. Bryan stated that the present indisputable doctrines of accepted international law would make an embargo against the shipment of munitions an unjustifiable departure from the principles of strict neutrality.

Mr. Justice Story, who had the reputation of probably being the outstanding authority upon international affairs of any member of our Supreme Court, in the case of the *Santissima Trinidad* (7 Wheat. 340) used the following language:

There is nothing in our laws or in the law of nations that forbids our citizens from sending armed vessels as well as munitions of war to foreign ports of sale. It is a commercial adventure which no nation is bound to prohibit and which only exposes the persons engaged in it to the penalty of confiscation.

It has been indicated here that the repeal of the arms embargo at the present time is an unneutral proposal, and that it is proposed to be done solely for the purpose of aiding one side and hurting another side. I can only speak for myself. So far as I am concerned my opposition to this arms embargo does not come from a weighting of the right or of the justice of the cause of either side in the present European controversy. I do not agree with those who say that Mr. Hitler is going to win this war. I do not agree with those who might indicate that there is any necessity for us doing anything for the assistance of England and France. I have no more respect for the totalitarian form of government which now exists in Germany and Russia than anyone else has. My own personal ancestry is not such as to cause me to have any deep-seated prejudice against the German people or the German Government, of any particular prejudice in favor of those who may oppose the German people and the German Government. When I present this argument upon the question of the repeal of the arms embargo, I present it because I believe—and I am just as deep in my conviction upon this question as I have ever been upon any question—that we in this country have adopted, in all sincerity, in the desire to avoid war, a device which contains the possibilities of getting us into war to a much greater extent than any other device we might use.

There are those who say that for us to repeal the arms embargo at the present time would constitute an act of unneutrality upon our part; that war has commenced, and that, to use the common phrase, "You should not change the rules in the middle of the game."

Mr. President, I do not criticize anybody for phrase making. We all indulge in it. However, this is altogether too serious a time for indiscriminate phrase making. This is altogether too serious a time, and the lives of our people are too seriously endangered to have half truths, quarter truths, or almost no truth at all attract the attention and secure the support of the people just because the phrase may be attractive. This is a time in the life of the Nation when statesmanship requires a careful weighing of words. I do not think very much was added to the sum total of knowledge upon this subject by some of the phrases which have been rather blithely used during the past 2 or 3 weeks, and among them is the phrase, "You should not change the rules in the middle of the game."

The argument presented yesterday by the Senator from Michigan [Mr. VANDENBERG] and today by the Senator from North Dakota [Mr. NYE], and the Senator from Louisiana [Mr. OVERTON] is a complete rebuttal of that contention, because all three of them have now said that they want our law changed. They want us to adopt the Pittman resolution, perhaps with some modifications, but they want us to adopt the so-called cash-and-carry system, which was not a part of our law when the war started in Europe.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. ANDREWS. As a matter of fact, was not the joint resolution which the Senator is now discussing, and which contained the provisions referred to, introduced in July; and was it not under consideration before any war was declared between England and France and Germany?

Mr. SCHWELLENBACH. Yes; that is true. The debate has gone along on a very fine basis, and I do not say this in any sense of "I told you so" or anything else; but I call attention to the fact that those who are now saying that we should not change the rules in the middle of the game are precisely the ones who argued, just prior to the adjournment of Congress, that we should not take any action at that time, but should wait to see how things came out before taking any action.

I appreciate what the Senator from Florida has said. I think he is correct. Nevertheless, reverting to the discussion by the Senators to whom I have referred, they say, "We want to change the rules. We want to reinstate section 2. We want to strengthen the rules in reference to financial transactions." Such action would change the rules just as much as repealing the arms embargo, because it certainly would affect our relationship with the belligerent countries.

Then there is the further question whether or not there is any such danger which even needs discussing. The matter was discussed in the House Committee on Foreign Affairs on January 8, 1936, by Mr. Hackworth, counsel for the State Department. Apparently the same question was raised at that time with reference to the Ethiopian situation. Mr. Hackworth said:

So long as we apply our policy equally, I do not think either belligerent would have any just ground for complaint. We know that belligerents change their contraband lists from time to time as a war progresses. * * * If belligerents can change their position during the progress of the war, why cannot neutrals? This, of course, is subject to the condition that the neutrals must make their policy or their law apply equally to all the belligerents. It cannot be said, on the basis of law or reason, that a neutral must

determine upon its whole attitude or policy and course of action as regards a given war at the outbreak of that war. * * * This would in effect amount to placing the neutral in a strait jacket, so to speak.

We are not without precedent on the question of changing the rules. The first Neutrality Act of the United States was adopted on June 5, 1794, after the beginning of the then European war.

During the course of the war between Bolivia and Paraguay the Embargo Act of May 28, 1934, was passed and applied.

The Presidential statement of October 5, 1935, which put our 1935 act into effect so far as the Ethiopian situation was concerned, was certainly a change in our position after the war started.

In 1914 we had had an arms embargo against the two contending factions in Mexico—those of Carranza and Huerta; and on August 27, 1913, President Wilson appeared before the Congress and asked for the lifting of that embargo, which was done on February 3, 1914. No claim was ever made that the lifting of the arms embargo at that time was not neutral because it was a change in position after the war had started.

Germany itself certainly would be in no position to object, because three different times—on November 6, 1935, November 9, 1935, and November 18, 1935—Germany changed its embargo provisions in reference to Italy and Ethiopia.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. PITTMAN. Since the war began Germany has already changed her contraband list.

Mr. SCHWELLENBACH. That was pointed out by Mr. Hackworth in his testimony before the House committee.

Constantly during periods of war belligerents change their contraband lists. As those changes in contraband lists are made under the discretionary power given to the President under subsection (d) of section 1 of the present act, it certainly would be necessary for our President from time to time to change the lists therein provided for. So the present act itself gives to the President not only the power but the discretionary power, from time to time, to change our position.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield to the Senator from Iowa.

Mr. GILLETTE. The Senator has just referred to the testimony of Mr. Hackworth before the House committee. I wonder if the Senator has any information or recollection as to the attitude that was taken by Italy at that time with reference to the proposed changes, which attitude was later presented on the floor of the Senate by the distinguished chairman of our committee in 1937. Italy protested that such action would be considered by her as tantamount to a declaration of war. I wonder if the Senator has any recollection of that matter?

Mr. SCHWELLENBACH. While the Senator was absent from the Chamber that matter was rather thoroughly discussed by the Senator from Louisiana [Mr. OVERTON] and the Senator from Nevada [Mr. PITTMAN] in connection with the protest which was made, and the statement made by the Senator from Nevada at that time. My recollection comes from what I heard just a few minutes ago in the statement of the Senator from Louisiana, quoting from the Senator from Nevada, that the chief basis of Italy's objection was the fact of any embargo at all; that it was not fair as between Italy and Ethiopia, because of the fact that we had not previously furnished any of such things to Ethiopia, and therefore we were not taking anything away from Ethiopia, but that we had previously furnished such things to Italy, and were taking them away from Italy. That was the chief basis of Italy's objection.

The second argument against repeal is that it is immoral to sell arms, ammunition, and implements of war. In the first place, I think, in passing upon that question, we should recall the long list of American statesmen to whom I have adverted who had the specific question before them. Certainly no one could question the high moral standing of those gentlemen. The question of morality must embrace the consideration of the total result. If, as these authorities have pointed out, the net result, so far as world peace over a period of time is concerned, is an increased number of wars, particularly wars in which aggressor prepared nations are attacking nonaggressor unprepared nations, then, much as we should hate the idea of questioning the thought of the possible immorality of selling arms and ammunition, we must take that situation into consideration.

The Senator from Idaho in his speech on Monday indicated that he felt that the danger involved was that Germany might take offense at what we did, and that therefore we should not repeal the embargo; and he even saw the possibility of Germany coming over and bombing some of our manufacturing plants. I fully recognize that we have a responsibility so to conduct ourselves as a neutral as not to give justifiable offense to any belligerent. That does not mean a guaranty that we will not always give offense to one or the other of the belligerents, because we cannot control their standards in the matter of being offended. But if there is one nation in the world that cannot object to the sale of munitions to another country by a neutral, it certainly is Germany. Germany during the time of the War between the States supplied munitions to both sides. Germany during the Turko-Italian War supplied munitions to Turkey. During the Balkan War both Germany and Austria were the principal sources of supplies to the different belligerents. A very similar situation to the one that some persons say exists at the present time prevailed at the time of the Boer War. When England had difficulty in South Africa, and the Boers, who were completely surrounded, appealed to Germany not to sell munitions to England, because, as they said, "England controls all the sources of supply; we are cut off, and it is unfair to us; it is unneutral to us," did the Germans stop selling to England? I should say not. They continued their sale of ammunition, munitions, and implements of war to England during all the period of that unfortunate controversy.

Mr. LUNDEEN. Mr. President, will the Senator yield there?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. SCHWELLENBACH. I will yield in a moment. And when Germany in 1915 or 1916 asked us not to sell munitions of war to England and France, our State Department prepared and made public a complete list of the arms, ammunition, and implements of war sold by the Germans and Austrians to Great Britain during the time of the Boer controversy. I ask unanimous consent that I may put that list in the RECORD at this point.

The PRESIDING OFFICER. Without objection, permission is granted.

The list referred to is as follows:

[From Neutrality and the Sale of Arms, by Charles Noble Gregory]

The Department of State retabulated the figures as to German and Austro-Hungarian sales of munitions to England during the Boer War, during much of which the African republics were so isolated. The figures given by it are as follows:

German exports of arms and ammunition to Great Britain

[Quantity 100 kilos]

Article	1899	1900	1901	1902
Explosives	4,342	6,014	5,147	3,645
Gunpowder	28	658	243	69
Gun barrels	12	366	21	133
Shot, of malleable iron, not polished, etc	30	43	38	.....
Shot (further manufactured), polished, etc., not lead-coated	.....	4	.....	.....
Shot, nickled or lead-coated, with copper rings, etc	.....	3,018	176	.....
Weapons for war purposes	.....	.....	18	2
Cartridges with copper shells and percussion caps	904	1,595	866	982

AUSTRO-HUNGARIAN EXPORTS OF ARMS AND AMMUNITION TO GREAT BRITAIN

Arms, exclusive of small arms	190	374	12	.....
Separate parts of guns	1	1	.....	.....
Small arms	2	3	80	5
Ammunition and explosives under tariff No. 346	1	7	16	51
Other ammunition and explosives	.....	.....	4	.....

Mr. SCHWELLENBACH. I now yield to the Senator from Minnesota.

Mr. LUNDEEN. If the Senator will permit, let me say that I have listened with much interest to his learned argument, but I am wondering why the Senator supported the embargo law which is now on the statute books? Why was it all right a few months ago and why is it all wrong now? Perhaps the Senator has already answered that question before I entered the Chamber.

Mr. SCHWELLENBACH. We really should have the Senator from Arizona [Mr. ASHURST] here to answer that question, which apparently is being submitted to each one of us who is talking upon this side of the subject. It was submitted to the Senator from Nevada a short time ago. The Senator from Arizona is most free and frank in his admission of inconsistency. I must be most free and frank in my admission of inconsistency——

Mr. PITTMAN and Mr. LUNDEEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield, and, if so, to whom?

Mr. SCHWELLENBACH. I should like to complete my answer. Then I will yield. I have not sufficient pride of opinion; I have not sufficient stubbornness in my system that when I believe I made a mistake I am not willing to correct that mistake if I think by doing so I can save the lives of a hundred thousand or more American citizens. That is the reason I have changed my position.

Mr. LUNDEEN. If the Senator will permit me, I am interested in the Senator's frank admission that he made a mistake, and I am wondering if he is making another one now.

Mr. SCHWELLENBACH. Mr. President, the Senator from Minnesota should appreciate the fact that we have been able, outside of some interruptions by him, to keep this debate upon the plane of a sincere belief upon the part of both sides that all Senators are trying to do the right thing. I hope the Senator will not further attempt to lower it from that high plane, because, from the point of view of the welfare of our Nation, it is extremely important that, no matter how we may decide this question, we shall not have dissension created in our own country over it. I have an answer which I started to give to the Senator from Minnesota, but I will not give it, because it would simply add fuel to the fire which he has attempted to start.

Mr. LUNDEEN. Mr. President, will the Senator permit me there?

Mr. SCHWELLENBACH. Yes.

Mr. LUNDEEN. The Senator may be entirely free to give the answer. I am not apologizing for any record of mine in connection with issues relating to European politics or in any international situation. I voted against the entry of the United States into the World War, and I am not backing out of the position I then took. I do not think we should engage in the war trade in munitions and arms. That is all. I am not reflecting upon the Senator. I think he has delivered a very learned argument and I am much interested in it; he has shown that he has gone into this question at great length; but I am just wondering, and I was asking, if the Senator had changed his position.

Mr. SCHWELLENBACH. I said I had changed my position; that I had made a mistake, and I had no objection to the Senator asking me the question. If he keeps on, I have an exceedingly good answer to him, but I hope he will not keep on.

Mr. LUNDEEN. I am very much interested to hear the answer.

Mr. SCHWELLENBACH. I have a little too much patriotism to indulge in that sort of debate on this particular question.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nevada?

Mr. SCHWELLENBACH. I yield to the Senator from Nevada.

Mr. PITTMAN. Mr. President, adopting the language of the Senator from Washington, I wish to say that I think I made a mistake, but the mistake was as to the importance of an embargo in keeping us out of war. I finally came to the conclusion I have come to after working with other Senators on the pending joint resolution, that that which will keep us out of war most surely, if anything will, will be to prevent the taking of the lives of our citizens by one of the belligerents. By keeping our citizens off ships is one way; by absolutely prohibiting our ships from dealing with belligerents is a second way; and by taking of title out of American citizens is a third but a lesser way. Having come to that conclusion, I say that I made a mistake as to the importance of an embargo on a few articles, and I am using that as one reason why I think we should repeal the embargo. I think also we should repeal it because of the advice of international lawyers. Practically all of them who have advised us on this subject have told us that, while it was legal for us to do it, they did not favor such a policy.

John Bassett Moore has been quoted here a great deal. John Bassett Moore, in testifying before the Foreign Relations Committee, that is, by sending a document to be read by Dr. Borchard, said there is no doubt whatever that a government has the legal right to place an embargo on the export of anything it wants to; but he also said, "I have never agreed with that policy," and the implication was he did not agree to it under any conditions. All the excerpts from statements by great international lawyers that have been read here in the last few days asserting that a change of our domestic laws after war has commenced is unneutral contains the statement "if such change will do an injury to one of the belligerents and aid the other." There can be no objection by any belligerent to changing any of our laws after war begins if the law bears equally on all belligerents. I know that. Now the question is whether the law that we passed does bear equally on all the belligerents. That is the only question, is it not? If it does not bear equally on all the belligerents, even the Senator from Minnesota would want it to bear equally on every belligerent. Is not that true? I know he would.

Mr. LUNDEEN. I agree to that.

Mr. PITTMAN. When we placed an embargo on arms and ammunition, it was argued on this floor that we took away from Great Britain its natural opportunities through the control of the seas, and we admitted it; and we were actually willing to take away that natural advantage, provided that after we did so it worked equally toward all other nations that might become belligerents.

Wise writers on international law told us that events would change so that we could not administer our law neutrally. We did not believe it and did not know it. We could not conceive of such a situation as exists in Europe today. We could not conceive of two countries in alliance, like Germany and Italy—there is no question that they are in alliance—one of them a belligerent, fighting, and the other a neutral, not fighting.

Mr. THOMAS of Utah. Mr. President——

Mr. PITTMAN. Just a minute. We could not conceive of any government—at least, I could not—acting as Russia has been acting lately, taking over a large area of conquered territory and still asserting that she is neutral, and still under an agreement with Germany to supply Germany with anything she wants. At the time we passed that measure we could not conceive that a country like Rumania, with a million available soldiers, could be a neutral—the law does not apply to neutrals—and still be under the domination of one of the belligerents, and yet we know today that that is a fact.

If our law stated that there should be an embargo as to every country in Europe, it might be fair; but nobody here is prepared to go that far, so far as I know. That would mean the complete destruction of our merchant marine. It would mean the complete surrender of our neutral rights. I do not know anyone who is willing to go that far. I myself am not, and I do not know how many votes such a proposal would get.

The other day, in the very short colloquy with the senior Senator from Idaho [Mr. BORAH], he admitted that situation. He said that everyone knew that Italy was in alliance with Germany, and that arms and ammunition and implements of war should not go to Italy. Everyone remembers that state-

ment. I said that under existing law the President has not any right to place an embargo on any government that is not warring. We should have to change the law, either by saying that all the neutrals of Europe should be embargoed or by saying that any neutral who the President of the United States had proof was in alliance with one of the belligerents, or had an agreement that it would supply to one of the belligerents anything that that belligerent wanted, or was in a conspiracy to supply something to a belligerent, must be embargoed; but the law does not provide for that.

Now, the distinguished Senator from Idaho says to the Senator from Nevada, "If the law has to be changed, let us change it." I said I yield to the brilliancy of the Senator from Idaho. He said that if the Senator from Nevada will sit down with him in a room for a few minutes, we can come out with an amendment that will correct the situation. I cannot think of such an amendment, and it has not been suggested to me. It is admitted, however, that the embargo prevents any implement of war from getting to Great Britain, because there is no neutral next to her to slide it over the border. It is admitted that it may go to Italy and may be slid over the border; that it may go to Russia and be slid over the border; that it may go to Rumania and be slid over the border; and there is not any power in the United States Government to stop it under the law that exists today.

Therefore, I say that the same reasons which caused me to vote for the embargo as a legal proposition will cause me now to wipe it off the books, because it is not a neutral proposition.

Mr. SCHWELLENBACH. Mr. President——

Mr. LUNDEEN. Mr. President, will the Senator permit me to interrupt him for one moment at this point?

Mr. SCHWELLENBACH. No; I am sorry.

Mr. LUNDEEN. Just for a brief statement to the Senator from Nevada.

Mr. SCHWELLENBACH. I am sorry, but I cannot yield. I have to try to conclude my remarks by 5 o'clock.

Mr. LUNDEEN. I want to thank the Senator from Nevada for his able statement.

Mr. SCHWELLENBACH. Mr. President, before this discussion digressed to other matters, I was discussing the position of Germany in objecting to the enactment of this joint resolution, as was indicated by the Senator from Idaho [Mr. BORAH] on last Monday.

There is another reason why Germany cannot object upon the ground that this joint resolution is a change of the rules after the game has started, because on two very important occasions the German Government asked for precisely the same kind of a change, although the converse of it, once from the English Government and once from the American Government.

During the Franco-Prussian War, after the commencement of the war, while hostilities were being conducted, the German Government asked the English Government not to ship arms, ammunition, and implements of war to France.

During the last war, prior to our entry into it, the German Government asked our Government to stop the shipment of arms, ammunition, and implements of war to the Allies.

So if ever a nation was estopped from raising any objection, even though this were a change in the rules after the game has started, certainly Germany is not in a position to raise that issue; and certainly Germany is not in a position to object to the sale of arms, because, with one or possibly two exceptions, every great German student of this subject has agreed with the conclusion that a nation should be entitled to export arms and munitions. Of course, it is a natural thing, because, more than any other nation in the world, since Germany reached her industrial power, she has been an exporter of arms, ammunition, and implements of war.

Quoting again from James W. Garner upon this precise question, I read:

> Among German writers, there has been almost the same unanimity of view in favor of the right of neutrals to sell arms and munitions to belligerents. Perels, at one time legal adviser to the German Admiralty, referring to the "oft-discussed question" as to whether a neutral state is obliged to prevent its subjects from loaning money to belligerents or furnishing them with war materials, etc., says: "It cannot be doubted in fact that unless there is a notorious favor shown toward one of the belligerents there is no obligation to forbid the assistance." Kluber likewise holds that "ordinarily a belligerent does not have the right to require a neutral state to abstain from trade with his enemy" and that "the law of nations does not prohibit neutrals from trading in articles of merchandise which serve the immediate military needs of belligerents, provided there is no design to favor one of the belligerents as against the other."
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> * * * * * * *
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> Among the German jurists who have defended most strongly the right of neutrals to engage in contraband trade may be mentioned Professor von Bar, of Göttingen. * * * He says:
>
> "The fact that two states engage in war with each other authorizes neither to demand that all the relations which exist between his adversary and a neutral state be suspended, even though the adversary derives an advantage from those relations. If two states go to war, the world is not bound to suspend its customary pursuits in order to prevent one of the belligerents from deriving an advantage or sustaining an injury in consequence of those activities.
>
> "The contrary assumption would be to hold that belligerents as such have a right to dominate the rest of the world. What a belligerent may lawfully demand is only that the relations between a neutral and his adversary shall remain as they were before. Consequently the subjects of neutral states may continue to maintain commercial relations with belligerents as formerly, and if they manufacture arms and munitions, and have before the war sold them to everybody, they may continue to do so after the war even to belligerents. It is wrong, therefore, to denounce, as has often been done, the sale of arms by neutrals to belligerents as a business which pollutes the hands and honor of neutral countries. This phrase has no more force than a tirade launched against a fire-insurance company on the ground that it is engaged in a miserable business which draws profit from the misfortunes of others."

I do not personally agree with the last analogy, but I present it to you as a statement by a man who is recognized as probably the leading German authority upon this subject. I have selected German authorities solely because of the implication the other day by the Senator from Idaho [Mr. BORAH] that if we should take this step Germany was the one that might object and might come over here and bomb our factories.

Geffcken—

Another German writer—

who considers the subject of trade in arms and war material at greater length than most German writers, concludes that "it is well-established by international law that the sale and exportation of contraband by the subjects of neutral states is no violation of their neutral duties." After reviewing at length the opinions of the text writers, the vast majority of whom pronounce in favor of the legitimacy of such trade, Geffcken remarks that, in view of this array of authority, the contention of the German Government in 1870 that England was bound to prohibit the sale of arms and munitions of war to agents of the French Government naturally excited astonishment.

Mr. President, I wish at this point to insert in the RECORD a list of prominent German writers upon this subject, with the names of the books which they have written. All of them reach the conclusion which, as I have said, is almost universal among German writers on the subject. There were two about whom there was some question. One of them argued that it was all right to send a small amount of arms but that it was not right to send a large amount of arms, the quantitative theory of correctness in the sale of munitions.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

[From International Law in the European War, by James W. Garner]

Von Liszt, Das Volkerrecht, fourth edition, page 362.
Martens, Precis de Droit des Gens, volume II, section 315.
Lehman, Die Zufuhr von Kriegskonterbanden Waren, page 53.
Schmalz, Das Europaische Volkerrecht, pages 286–287.
Marquardsen, Der Frent. Fall, page 37.
Schramn, Das Prisenrecht in Seiner neusten Gestalt, section 10.
Einicke, Recht und Pflichten der neutralen Machte in Seekriege, page 99.
Hold von Ferneck, Die Kriegskonterbande.
Saalfeld, Handbuch des Positiven Volkerrechts, section 133.

Mr. SCHWELLENBACH. Mr. President, as was pointed out a few moments ago in the quotation from Theodore Roosevelt, if it is wrong to sell arms in time of war, as under our present law, if the so-called arms embargo has as its basis such a foundation in morality that it should never be touched, then

it is equally wrong to sell during times of peace, and the law should provide that, not when the President finds that a state of war exists between two nations, but at all times, we should refuse to sell arms to any nation.

John Bassett Moore very definitely points out those who advocate an arms embargo during times of war never advocate that it become effective during times of peace. They are never willing to go that far, and if an arms embargo is to be effective insofar as the nations who intend to attack other nations are concerned, it should be in effect during times of peace.

I read from Moore's Digest of International Law, page 970:

> The mere act of furnishing by the subject of a neutral state a belligerent with munitions of war, does not involve such neutral state in a breach of neutrality. (1) Between selling arms to a man and indictable participation in an illegal act intended to be effected by the vendee through the instrumentality of such arms there is no casual connection. The miner or manufacturer, to appeal to an analogous case, may regard it not only as possible but as probable that his staples, when consisting of weapons or of the materials of weapons, may be used for guilty purposes, but neither miner nor manufacturer becomes thereby penally responsible. (2) To make the vendor of munitions of war punishable would make it necessary to impose like responsibility on the manufacturer; and if on the manufacturer, then on the producer of the raw material which the manufacturer works up. In each case the thing made or sold is one of the necessities of war. In each case the producer or vendor knows that the thing produced or sold will probably be used for warlike purposes. Hence, in time of war, not only would neutral sales of munitions of war become penal, but penal responsibility might be attached to the production of any of the materials from which such weapons are manufactured. (3) Nor would this paralysis be limited to periods of war. A prudent Government, long foreseeing a rupture, or preparing in secret to surprise an unprepared foe, might take an unfair advantage of its adversary were this permitted, by purchasing in advance of the attack all munitions which neutral states might have in the market; but, on the theory before us, a neutral state could not permit this without breach of neutrality, since to permit such a sale would be to give a peculiarly unfair advantage to the purchasing belligerent. Hence, if such sales are indictable in time of war, they are à fortiori indictable in times of peace.

To carry the matter through to a logical and consistent conclusion, those who advocate that during time of war we should prohibit the exportation of arms and munitions should also advocate prohibition of the export of those things which go to make up arms and munitions. They talk about munitions makers, and I do not criticize anyone for talking about munitions makers. The profits they made out of the last war were outrageous, and with the adoption of the pending joint resolution it is not only my hope but my intention to be of service, if I possibly can, in bringing about such amendments to our tax laws as will make it impossible for the munitions makers to make profits out of these transactions and to retain any unreasonable amount of those profits.

Henry Ford makes automobiles. Some of the automobiles he makes entirely at his plant in Detroit. As to some of them he makes the parts and sends them out to Seattle and Los Angeles and I presume to many other parts of the country where he has assembly plants. Would anyone contend that Henry Ford was not an automobile manufacturer if he did not have an automobile plant in Detroit? Can anyone contend that one who makes all of the parts of a gun, or an airplane, or a shell, or anything else, and sends them somewhere else to be assembled is not the manufacturer of munitions? It is easy for us to see it in the case of Henry Ford, because we know he is an automobile manufacturer and the fact that there are various places of assembly we know does not make him any less an automobile manufacturer. Yet no effort is made to have all of the rest of these things which go to make up the parts of arms, ammunition, and implements of war prohibited from export, but only the completely manufactured products.

I say, therefore, that there can be no basis for the fear which was expressed by the Senator from Idaho that Germany would object on two grounds, first, that we changed our law too late, and, secondly, that we should not export to England and to France, that Germany was suffering by such export, because in the first place on both grounds Germany is estopped from raising an objection, she having done each of the things herself. In the second place, the precedents for changing laws without destroying the status of a neutral after the commencement of belligerency have been too well established for anyone seriously to argue the question at the present time.

The next argument made is also in the form of a phrase, that is, "you cannot become an arsenal for one side without being the target for the other." Once again, in the best of spirit, because I have the highest respect and regard for the Senator from Michigan [Mr. VANDENBERG], who coined that very euphonious phrase, I submit that this is too serious a time for indiscriminate phrase-making, when the phrase does not happen to contain any very large element of ultimate truth as to the result.

Why do I say that the phrase is not a correct one? In the first place, the facts of history prove that it is not a correct phrase. A serious, fair-minded consideration of the history of the world will not furnish a single instance to support the phrase.

In the second place, as I pointed out earlier in my remarks, since 1758 the neutral nations of the world, having as their chief motive a desire to stay out of wars in which they were not interested, have refused to adopt arms embargoes, because they knew that they might more likely involve them in war than any other device which could be imagined, and the phrase flies in the face of all that history.

The neutral nations of the world are the small nations, usually, in discussions about what the rules are to be, and does anyone think that if the phrase were a correct one, those nations would have so vigorously and consistently insisted upon their right? It was not because they wanted to become targets for any nation that they insisted upon it.

I know that in the last few years a very attractive theory has been announced. I say that it is attractive because it has attracted considerable attention.

That was the theory that we got into the last war because of the fact that we manufactured munitions. I do not believe that any fair-minded person can read the history of the last war and arrive at that conclusion. The Senator from Nevada discussed it the other day, and I think that anyone who studies what went on between 1914 and the declaration of war in 1917 must agree with his conclusion that the proximate cause of our entrance into that war was the killing of our people on the high seas by the German submarines. I recognize the part which the extension of credit and the building up of a general war boom in this country played, but from reading, I think, all of the books that have been written by the various people who were close to and who had an opportunity to have access to Woodrow Wilson, I know that so far as he was concerned nothing else had any effect upon him except that one thing. As late as January 1917, he said with the highest degree of impatience that we were not going to get into that war.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. WILEY. I ask the Senator to yield simply for one observation. I have listened these last few days to the debate on the floor of the Senate, and today I asked for some information which I think relates itself to the point the Senator is discussing. I found out that from 1914 until we got into the war, only 13 percent out of 100 percent of what we exported is classified under the heading of munitions and implements of war.

Mr. SCHWELLENBACH. I thank the Senator from Wisconsin.

To my mind the most important document which I have read in an effort to try to satisfy myself what got us into the war, is the official report by the German Admiralty made to the Kaiser on December 22, 1916. I have before me a book entitled "Official German Documents Relating to the World War." These were not propaganda documents. They were not documents issued for the purpose of getting us in on one side or the other, or anything of that kind. They were documents which were made public after the conclusion of the war as the result of an investigation by the Weimar Republic after the termination of the rule of Germany by the Kaiser and the Hohenzollerns.

On December 22, 1916, the German Admiralty in a report which in this book goes from page 1219 to page 1277—I give the Senate the figures so they can see how long the report is—presented to the German Government the case in favor of the resumption of ruthless submarine campaigns. I shall not read the whole report. I shall simply read a few lines from the first part of it:

BERLIN, *December 22, 1916.*

YOUR EXCELLENCY: I consider that the time has come to marshal the investigations and conclusions of the admiralty staff with regard to the questions incidental to the final decision as to the U-boat war and to make a full statement concerning the stand taken at this time, thus preparing a foundation upon which a final determination can be based. The situation is such that this decision cannot be put off any longer. It is my conviction that it should be decided to launch a ruthless U-boat war; that is, a U-boat war in the course of which every enemy and neutral ship found in the war zone is to be sunk without warning. In support of the correctness of my views on the subject, I refer to the following comments.

As I said, I am not going to frighten Senators even by starting to read from the report—it is so long. But I think that no one in the world can read that document and come to any other conclusion than that the sale of munitions had absolutely nothing to do with the starting of that U-boat campaign, which resulted in our getting into the war.

Let me read a few of the headlines on it. It started out with the former U-boat campaign and how it stopped.

The next section deals with the food situation of England, under the following headings:

1. The grain supply.
2. Other means of sustenance.
3. The peril, and the requirements of the people.
4. The policy of the government.

This is the English Government.

5. The prospects for effective relief.
6. The shortage in raw materials.

That is in England.

7. Conclusions.

About the condition in England.

I want to read part of the last section.

7. CONCLUSIONS

If we marshal those facts which go to make up the general situation with regard to the provisioning of England, and consider them from the standpoint of the U-boat war, the following deductions result: That a U-boat war launched in the immediate future, by February 1, 1917, at the latest, would take place under the most favorable conditions which could be possibly imagined for the purposes of success. Want and enhancement of prices dominate the entire situation. So that England is faced with the necessity of using more than twice as much cargo space as has been necessary up to the present time for importing the most important of foodstuffs, wheat; and it is open to very serious doubt, whether the export deliveries at the disposal of England and its Allies are sufficient to meet the demand up to the end of the harvest year. The U-boat war would have a period of from 5 to 6 months before the new harvest in the United States could come in as a working factor, and from 6 to 7 months before the domestic harvest of the Allied countries comes in sight. Whatever might be accomplished in the way of organization to lighten the difficulties of the question of supply would require far more time than would be available by the beginning of February.

That was the conclusion about conditions in England. And all of the report up to that time involved the conditions in England.

Then follows a discussion about possible tonnage to take these things to England, under the following headings:

1. The cargo space at present available.
2. The increase in freight rates.
3. The "cargo-space famine."
4. Congestion at the ports.
5. New ships.
6. Prohibition against the importation of dispensable commodities.
7. The taking over of shipping commerce by the state.
8. The effects of the unrestricted U-boat war.

In all of this whole discussion, which as I said, covers a considerable portion of this book, there are only two short paragraphs which have any mention of the shipment of munitions by the United States, and those do not mention the munitions which would have been shipped. The report was considering the question of the United States getting into the war and the effect upon munitions if the United States were in the war.

No fair-minded person, I say, can read that report upon which the German Government based its decision to start the ruthless unrestricted U-boat campaign on February 1, 1917, and come to the conclusion that there is the slightest possible basis for the fancy phrase—

You cannot become an arsenal for one side without becoming a target for the other.

Because that is the only instance in which it is even contended that such a thing is true.

Another phrase has also attracted the attention of our people. It was the one given over the radio by the very distinguished and brilliant and eloquent Senator from Idaho [Mr. BORAH]:

This is the first step toward war.

All the arguments and all the oratory since have been based upon it. I know that neither the Senator from Idaho nor anyone else in opposition to the pending joint resolution consciously believes or consciously argues that those of us who believe in the joint resolution have any intention of taking this Nation toward war. If we did have, certainly we would not have presented the Pittman joint resolution, which not only is not a step toward war but, in my opinion, is the most orderly and complete retreat from war that any nation has ever taken.

Mr. President, what does this measure do? In order to get it briefly into the RECORD, I want to read this description of it:

It is a code of restrictions upon our citizens so as to prevent any one of us from so conducting ourselves as to endanger all of us. It prohibits our ships from traveling to belligerents or from making deliveries to belligerent ships. It prohibits goods owned by Americans being shipped to belligerents. It prohibits our ships and our citizens, even though destined for neutral countries, to travel through the dangerous submarine and mine-infested areas. It prohibits our citizens from traveling on ships owned by belligerents. It prevents the arming of our merchant vessels. It prevents our Government and our people from loaning money or extending credit to belligerent governments. It so strengthens the duties of the Munitions Control Board as to give Congress such a check on munitions as to prevent our being dragged into war by munitions sales. It takes away from the President all of the important discretionary powers granted in the 1937 act. There is not a word in it giving the President power to name aggressors.

Mr. President, I receive mail each day accusing the President of the United States of wanting to take this first step to get us into war, and then plan on other steps. An analysis of the Pittman joint resolution will show that the President's power has been almost completely depleted by the Pittman measure when compared with the present law. Do you think that if we had some ambition to take the first step toward war we would have attempted to write into our statutes the most completely restrictive statute that this or any other nation ever saw to prevent us from getting into war?

So I believe the objections which have been advanced to the repeal of the arms embargo, when analyzed in the light of the experience of this country and the experience and knowledge of the neutral nations of the world, fall to the ground. It is not a changing of rules after the game begins. It is not the first step toward war. It is not a matter of becoming an arsenal for one side with the danger of becoming a target for the other. It is a careful, painstaking effort to try to keep this Nation out of war.

Mr. President, I wish to conclude my remarks by saying that we all have the same objective. I know something about the results of the last war, I think possibly to as great an extent as any other Member of this body. Because of an active interest in veterans' affairs since the last war, I have had the opportunity to visit veterans' hospitals and deal with the problems of the individual veterans, not from this end but from their end, in their own homes.

Mr. President, this Nation is going to stay out of the war. The determination upon the part of the American people for peace is not going to relax. We know the lesson that we learned. I am not one to cast aspersions upon our participation in the last war. I am not in a very good position

to do so. I think we went into that war honestly, with the belief that it would be possible for us, through our methods, to assist in ending wars and making the world safe for democracy. We now find how vain was our hope in that regard. The people of this country know that they were burned once. The period of time since the burning is too short for them to be burned again.

We shall be told that it will be necessary for us to save democracy. I do not subscribe to that theory. I think the nations of Europe will settle their own problems, and that when they are through settling their problems we shall be in a much better position to be of assistance to them in arriving at a permanent peace if we maintain our own economic conditions at a proper level in this country.

I do not believe either side will win the war. I think both sides will lose the war; and they will be so prostrate that they will need our assistance in rebuilding civilization in the world. When the end of the war comes it will be the hope of the world that somewhere a strong democracy will exist. That place should be here; and our task, not merely in passing upon this piece of legislation, but in all our acts, deeds, and thoughts during the period of the belligerency, must be to see that we maintain ourselves out of the conflict, in order that when the war ends we may render the assistance of a strong democracy in rebuilding true democracy throughout the world.

RECESS

Mr. PITTMAN. Mr. President, it is rather late. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate took a recess until tomorrow, Friday, October 6, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 5, 1939

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. RAYBURN.

Rev. Clifford H. Jope, pastor of the Ninth Street Christian Church, Washington, D. C., offered the following prayer:

Divine Father, by whom men and nations are endowed with positions of trust and responsibility, help us to give to our country the service of unselfish lives. Help us to keep our promise to the world that this shall be the land of freedom, brotherhood, and justice for all. Make us brave, truthful, and fair. Keep us free from boasting, conceit, and hypocrisy. Make our people noble and great-hearted, like unto Thyself, an honor to our country and a light of hope to a bewildered world. May the deliberations of this day make perfect Thy holy will, and whatever the decision in this momentous hour, may humanity be served. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Monday, October 2, 1939, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 30. Concurrent resolution relative to the printing of additional copies of hearings on S. 3474 (neutrality), Seventy-fourth Congress, second session.

The message also announced that the Senate had adopted the following resolutions:

Senate Resolution 189

IN THE SENATE OF THE UNITED STATES,
October 2, 1939.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. THOMAS S. MCMILLAN, late a Representative from the State of South Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do take a recess until 12 o'clock m. tomorrow.

Senate Resolution 190

IN THE SENATE OF THE UNITED STATES,
October 3, 1939.

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. M. M. LOGAN, late a Senator from the State of Kentucky.

Resolved, That a committee of nine Senators be appointed by the Vice President to take order for superintending the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

PRINTING OF ADDITIONAL COPIES OF NEUTRALITY HEARINGS

Mr. JARMAN. Mr. Speaker, I call up a concurrent resolution (S. Con. Res. 30) and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

Senate Concurrent Resolution 30

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before said committee during the Seventy-fourth Congress, second session, on the bill (S. 3474) relating to neutrality.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate concurrent resolution?

Mr. KRAMER. Mr. Speaker, reserving the right to object, how many of those copies will be available for Members of the House? We have been trying to get copies, and perhaps the public or some other person comes in and gets them all before there can be any distribution of them.

Mr. JARMAN. It only provides for the printing of 500 additional copies.

Mr. KRAMER. But there are 435 Members of the House. Is each Member to have one copy, or will we be able to get any after the 500 are printed?

The SPEAKER pro tempore. Since examining the resolution, the Chair will state that the resolution provides for 500 additional copies of the hearings held before the committee for the use of that committee.

Mr. KRAMER. Mr. Speaker, I offer an amendment to make it 5,000 copies, so that each Member of the House may be able to receive copies. We are all receiving requests and we would like to send them out to our constituents.

The SPEAKER pro tempore. The Chair suggests to the gentleman from Alabama [Mr. JARMAN] that he withdraw his request.

Mr. JARMAN. I withdraw the resolution, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the resolution is withdrawn.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. MUNDT] be permitted to address the House for 20 minutes today after the other special orders of the day.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

GENERAL PERMISSION TO EXTEND REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have until October 9 to extend their own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

Mr. RICH. Mr. Speaker, reserving the right to object, of course I am in sympathy with Members extending their own remarks, but if you will look at the RECORD since this special session has been called the people of this country would not recognize it as a record of the transactions that have transpired in the Congress. It is simply a record of newspaper articles, of editorials, of everything in the country.

Every Tom, Dick, and Harry has a right to say something in the RECORD. Now, I understand the gentleman is requesting permission for all Members to say everything they want to. That is what the RECORD is for. I congratulate the gentleman from Mississippi in limiting his request to that, but is not the majority side of this House going to do something about preserving the RECORD for the remarks of Members and a record of things that transpire in the House, or are you going to continue from day to day permitting it to be a conglomeration of everything?

The SPEAKER pro tempore. The Chair will state that these remarks were all put into the RECORD by unanimous consent.

Mr. RICH. I will say to the Chair that the majority leader is responsible for what goes into the RECORD, because it can be prohibited if they want to.

Mr. O'CONNOR demanded the regular order.

Mr. WHITE of Idaho. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. The regular order has been demanded. Is there objection?

Mr. WHITE of Idaho. I reserve the right to object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman cannot reserve the right to object. The regular order has been demanded. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in connection with the death of Senator Logan and to include some poems by Lord Tennyson.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] be permitted to extend his own remarks in the RECORD by including therein a radio address delivered by himself.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. TAYLOR of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a short editorial from last Monday's Knoxville Journal.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks twice on the same subject and to include therein excerpts from the book entitled "While England Slept," by Hon. Winston Churchill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a brief statistical table prepared by the A. A. A.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include therein an editorial appearing in the Livingston Enterprise written by L. E. Flint, editor of that paper.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include as a part thereof an address made by our colleague, Mr. MCCORMACK, at the National Convention of Veterans of Foreign Wars at Boston on August 29, 1939.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a short editorial appearing in the Palladium-Item of Richmond, Ind., of date October 2, 1939, on the work done by the Dies committee.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an address by James M. Tucker, secretary of state of Indiana.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. PLUMLEY] may have unanimous consent to extend his own remarks in the RECORD and to include therein a copy of an address he is today delivering at Manchester, N. H., on the subject, Congress Means Business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. MAPES]?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article entitled, "It Seems to Me," by Heywood Broun, which appears in the Washington Daily News of Tuesday, October 3, 1939.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, is this the Broun who is a member of the Guild?

Mr. SCHAFER of Wisconsin. A witness before one of the committees of Congress accused Mr. Broun of being a member of the Communist Party. Mr. Broun denies this. In view of his own admissions, said witness, who calls himself Mr. Zack, should either be deported or put in a Federal penitentiary.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain excerpts from news dispatches.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech by Gen. Hugh A. Drum, at Plattsburg, N. Y., and to include also First Army Critique, by Gen. Hugh. A. Drum, at Plattsburg, N. Y.

I also ask unanimous consent to extend my remarks in the RECORD and to include therein a statement appearing in the New York Times on neutrality, and excerpts from a speech by Prof. Clyde Eagleton, of New York University.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of a resolution passed at a meeting held at Little Rock, Ark., February 15, 1939, pertaining to free trade discrimination.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KITCHENS. I also ask unanimous consent to extend my remarks in the RECORD and to include therein a statement issued by the Department of Agriculture on the domestic beef market.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BYRON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Baltimore Sun of September 22, 1939.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an excerpt from the President's message and quotations from the Daily News.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein letters and excerpts.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER asked and was given permission to revise and extend his own remarks in the RECORD.

THE LATE FRANK W. MONDELL

Mr. HORTON. Mr. Speaker, it is with a keen sense of personal loss and sorrow that I announce the death on August 6 last of the Honorable Frank W. Mondell, a former Member of this House from my own State of Wyoming.

With the exception of the 2 years of 1896 and 1897 Mr. Mondell represented his State in this body continuously from 1894 until 1923—28 years of actual service.

Always fair, above board, and square but always a fighter for what he believed to be right, he made a host of friends and admirers among his colleagues, who in recognition of his genius, ability, statesmanship, and talent for leadership, selected him as majority floor leader in 1919, in which capacity he served until his retirement from the House in 1923.

A brief review of his political activities reveal that he was elected to the Wyoming State Senate in 1890, becoming president of that body 2 years later. During 1897 and 1898 he held the position of assistant commissioner in the General Land Office. He was director of the War Finance Corporation from 1923 to 1925. In 1924 he was selected permanent chairman of the Republican National Convention which was held at Cleveland, Ohio.

During his early service in Congress he was active in securing the establishment of the Reclamation Service and securing legislation permitting and assisting in the development of the lands, timber, and mineral resources of the West and had much to do with all land legislation passed during his service in Congress. He had charge of the reclamation bill when it passed in the House. He was the author of the Three Hundred and Twenty Acre Enlarged Homestead Act, which bears his name, the law providing for the separation of title to minerals beneath the public lands, and the law transferring the Forestry Service from the Interior Department to the Agricultural Department.

In 1904 he introduced the first resolution to submit an amendment to the States providing for women's suffrage and reintroduced it every Congress thereafter. During his congressional career he served upon the following committees, amongst others: Public Lands, of which he was chairman; Military Affairs; Claims; Irrigation; Mines and Mining; Women's Suffrage, of which he was chairman; and before and during the World War, Appropriations. As floor leader he had no outstanding committee assignments but continued his service on the Women's Suffrage Committee, and was chairman of the committee on committees, and the steering committee.

Frank W. Mondell, born in St. Louis, Mo., 1860, was an orphan at the age of 7 and was adopted by a clergyman, with whom he lived on a farm near Spirit Lake, Iowa, 100 miles from a railroad, until the age of 17, when he went to Chicago in charge of a shipment of cattle. After working in Chicago for a year, he went to Denver. He first worked as general hand about a sawmill at Boulder for $2 a day. In his spare time he studied engineering and mathematics and, returning to Denver, secured work as a teamster with a railroad subcontractor.

Always a builder, it was but natural that during the intensive railroad development of the eighties his talents should find expression in that direction. For a number of years we find him in construction work in Wisconsin, Illinois, Colorado, the Dakotas, and Wyoming.

In 1887 the Burlington Railroad, finding it impossible to carry out their program of constructing their high line on into northern Wyoming and through to Billings, Mont., because of lack of suitable steam coal, sent Frank Mondell, who was then associated with the construction company of Kilpatrick Bros. & Collins, into Wyoming to try and discover the type of coal necessary to carry out their plans. The discovery was made in the Black Hills near the present city of Newcastle, Wyo. From that time on Newcastle became the official residence of Mr. Mondell.

As a matter of record the following facts should be recorded: Born in St. Louis, Mo., November 6, 1860; orphaned, moved to farm in northwestern Iowa, 1867; moved to Chicago, 1877; moved to Colorado, 1878; located in Wyoming, 1887; opened Cambria coal mines, 1888; mayor of Newcastle, 1888–95; elected to State senate, 1890; elected president of State senate, 1892; elected Member Fifty-fourth Congress, 1894; served as Assistant Commissioner, General Land Office, 1897–99; elected Fifty-sixth Congress, 1898; served until March 3, 1923; majority floor leader, 1919–23; Director, War Finance Corporation, 1923–25; delegate to Republican National Convention seven times between 1892–1924 and served as permanent chairman of Cleveland convention, 1924; president Dry Farming Congress, 1910–15; thirty-second degree Mason.

To those of us who were fortunate enough to have served with Frank Mondell in various capacities his death, even though not unlooked for, came as a decided shock. While we mourn his loss, still there is this compensating satisfaction that we all must feel in the knowledge that because of him, his life, his work, his ideals, and his attainments, that this country of ours is a finer and a brighter place in which to live. To all of those of us who knew him intimately and loved him there is also the added satisfaction in the knowledge that just so long as men such as he are willing to devote their entire life and their energies to the service of their country that our firesides will be safe and happy.

Frank W. Mondell was not only Wyoming's first citizen, but carved for himself a niche in the hall of fame, where only men of good accomplishments find favor.

Mr. RAYBURN. Mr. Speaker——

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). The Chair recognizes the gentleman from Texas.

Mr. RAYBURN. Mr. Speaker, it was my privilege to serve for many years in this House with Hon. Frank W. Mondell, of Wyoming. Frank W. Mondell measured up to the highest standards of public service. He was a man of tireless energy, of commanding ability, and of the highest type of honor and integrity. He was looked upon in the early years of his service here more as a representative of the great West than of any other section of the country; and, in the laws that he fathered and the positions he took, the West had a great and outstanding champion in him.

As his years of service gathered, however, the membership on his side of the aisle were convinced that he was not only a Representative of a great section of the country but that his vision was broad enough to comprehend all parts of the Union, and his party in conference assembled made him the majority leader of this House. In that position he carried on in the upstanding and outstanding way he had theretofore as a humbler Member of this House.

Had he chosen to remain in the House of Representatives, in my opinion he would have been Speaker of this House. I simply wanted to take this occasion to express myself not only because he once occupied the position I now occupy in this House but because he was my friend. He was an upstanding, he was an outstanding, American citizen.

Mr. MAPES. Mr. Speaker, as has been stated, Mr. Mondell represented the State of Wyoming in this body for a period

of 28 years and was Republican leader during the last 4 years of that time. He retired from the House voluntarily to run for the Senate. Upon his retirement from public life he engaged in the private practice of the law here in Washington and conducted and active and successful practice until his death.

I enjoyed the privilege of serving with him during the last 10 years of his service in the House and of meeting him from time to time after his retirement to private life. He was always a gentleman, thorough and conscientious in everything he undertook, an able, active, and industrious Member of the House, an eloquent speaker, ready and forceful in debate, and a true, patriotic American. He served his State and Nation with great ability and faithfulness during a long life of activity and usefulness.

I am glad to join the gentleman from Wyoming [Mr. HORTON] and the distinguished majority leader [Mr. RAYBURN] in paying my tribute of admiration and respect to his memory.

Mr. RANKIN. Mr. Speaker, too often, sadly too often, we find the flag on this Capitol at half mast. It seems to me it has been at half mast almost half the time during the last few months. It is at half mast now for a distinguished Member of the United States Senate.

In my humble opinion flags throughout the whole country should be at half mast today in honor of the memory of the distinguished gentleman from Wyoming [Mr. Mondell].

When I came to this House Mr. Mondell was majority leader. He was able, affable, honest, and courageous. I have often made the statement that I have never seen a majority leader, or a minority leader for that matter, who conducted himself in a more appropriate manner at all times than did Frank Mondell. He was indeed a foe without hate and a friend without treachery.

I am probably the last Member of the House who ever spoke to him. On the day of the visit of Their Majesties, the King and Queen of England, he came to the Capitol. He was then in bad health. I helped him to secure a seat where he could see the parade. I realized he was in bad health, but even then in his enfeebled condition he manifested the keenest interest in his country's welfare.

I came here at a time when we Democrats were hopelessly in the minority, when the Republicans had a majority of 169 in the House and 23 in the Senate. I necessarily looked to the leaders in the House, Claude Kitchin on the Democratic side and Frank Mondell on the Republican side, for guidance in procedure. I am compelled to say, after this lapse of years, that no leader ever treated new Members, no leader ever treated the minority with greater courtesy and respect than did Frank Mondell.

He was a great leader, he was a great statesman, and a great American.

We all join in honoring his sacred memory.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, October 9, it adjourn until Thursday, October 12, and that when it adjourns on Thursday, October 12, it adjourn to meet on Monday, October 16.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. HOFFMAN. Mr. Speaker, I object.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

Mr. RANKIN. Mr. Speaker, reserving the right to object, does the gentleman contemplate putting in the RECORD any extraneous matter?

Mr. RICH. I will give the gentleman first-hand the extraneous matter I want to put in.

Mr. RANKIN. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, I want to call your attention to the fact that the first quarter of Government expenditures for this year show by Government statement that we went in the red $976,060,301, notwithstanding the Treasury Department change in bookkeeping on September 30, wherein they did not charge up $82,801,000. This was a bookkeeping change described by the Treasury Department; and had it been as previous statements, it would have shown a deficit of $976,060,301 plus $82,801,000, or $1,058,861,301. Think of it! The first quarter with a deficit of over $1,000,000,000! At that rate we will be over $4,000,000,000 in the "red" at the end of the year. A terrible situation! Remember, last year we were in the red three and six-tenths billions.

Now, Mr. Speaker, they claim it is laid to income fall. Is that a fact? No; it is not the truth. Let us look at the record. Let me show you the total expenditures in the 3-month period were $2,422,675,486, compared with $2,210,-028,994 in the first quarter last year, or a difference of $212,-646,482. In other words, we spent $212,646,482 more this year than last year. Our receipts were $1,446,615,184 this year, as against $1,509,182,032 last year, or a difference of $62,563,845. Now, anyone can see it is not the great fault of receipts that increases our deficit. It is your spending. It is the fault of Congress in making such large appropriations. This Congress is at fault—not the taxpayers. We surely want a Congress that will economize in Government expenditures more than we need greater tax payers. I will say to the people back home that if you do not insist on your Member of Congress economizing in Government expenditures, you will probably have increased taxes or have a wrecked Nation. We cannot continue in this manner. It is simply suicide to try it. We must keep out of war, we must economize in Government, or we will have new and higher taxes of all kinds, and especially income taxes. Let me show you how British income taxes compare to those of this country.

	1938–39	1939–40	1940–41	In the United States
INCOME OF $2,000				
Family with 2 children	$34.96	$46.68	$70.08	None
Married couple, no children	138.40	182.00	246.26	None
Bachelor	234.52	294.00	350.40	$32
INCOME OF $4,000				
Family with 2 children	446.52	572.00	721.26	12
Married couple, no children	578.52	742.00	871.26	44
Bachelor	666.52	884.20	976.26	104
INCOME OF $20,000				
Family with 2 children	6,146.46	7,510.10	8,047.26	1,469
Married couple, no children	6,267.26	7,758.00	8,202.06	1,589
Bachelor	6,366.46	7,790.00	8,326.26	1,834

Do you want to change ours to meet the British scale? Ask your constituents if they want it. Well, they will get it if Congress does not do differently than they have in their manner of expenditures. Congress, I warn you now before it is too late to economize in Government operation.

PETITION AGAINST ARMS EMBARGO REPEAL

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. GILLIE]?

There was no objection.

Mr. GILLIE. Mr. Speaker, I wish to call attention of the Congress to a petition I have just placed in the hopper, bearing the names of some 4,000 of my constituents who do not want the embargo on arms repealed.

This petition was circulated largely in the churches of Fort Wayne, and is in addition to the 55 I placed in the hopper a week ago.

In passing, I want to remark that these petitions, all opposing repeal of the embargo, were not inspired by foreign sources, as some people would have you believe. Many of the petitioners are personally known to me, and all are peace-loving, God-fearing American citizens.

EXTENSION OF REMARKS

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an opinion by Professors Jessup and Hide.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

THE NEUTRALITY BILL

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes for the purpose of propounding a legislative inquiry.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. VAN ZANDT]?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I wish to make an inquiry concerning a matter of vital importance to the American people. It is a question involving the peace and security of the United States. It is a question of keeping America out of war.

I want to know, every Member of this House ought to know, and the American people are entitled to know, what this House will be permitted to do on this all-important legislation Congress was called into special session to consider now that war is raging in Europe.

I want to know what action the House will be allowed to take on the so-called neutrality bill, now pending in the Senate, when that measure comes to the House. The bill may carry the House number, but the Senate Foreign Relations Committee scrapped the so-called Bloom bill, including the arms-embargo provision, which the House adopted by a vote of 214 to 173, and passed on June 30 last. I want to know whether the House will have an opportunity to study this entirely new measure, to debate it freely, to give it the consideration such a momentous piece of legislation deserves.

Despite the fact this new legislation would commit this Government to a policy that might lead us to war, it is reported that a movement already is afoot to gag the House in order to hasten enactment of the measure. Instead of sending the bill to conference in the usual way, it is reported that a rule will be presented to cut to a couple of hours the debate on a question which may involve the peace of this Nation.

It is reported that when the so-called neutrality bill comes over from the Senate the House will be gagged.

Mr. RAYBURN. Who makes that charge? From what responsible source does the gentleman get his information?

Mr. VAN ZANDT. I have said it has been so reported, and I should like to put that question to the majority leader.

It is reported that the gag rule would be so framed that a vote for the gag rule would be a vote for the Senate amendment—a vote for the new Senate bill—a bill that never has had a moment's consideration by any House committee, much less the House itself.

That vote would complete legislative action on this so-called neutrality bill. That vote would kill the arms embargo. That vote would change the neutrality policy of this Government in the midst of this European war. That vote could conceivably be the first step toward American involvement in this European war.

Now, I want to know, every Member of this House ought to know, and the American people are entitled to know, whether we are to have a demonstration of American democracy or of European dictatorship in this House when the bill which may hold the fate of the Nation comes here to be considered for the first time.

I do not ask these questions in any spirit of partisanship. They are questions involving the welfare of our country. I would like to have the attention of the majority leader when I ask whether the House will have the opportunity to give this legislation, which is so vital to the American people, the consideration it deserves. I believe the majority leader should take the Members of the House and the American people into his confidence.

I want to know, and the Members of the House ought to know, whether we are to be gagged. The American people are entitled to know whether their Representatives in Congress will be permitted to vote for the method they believe best to preserve the peace and security of the United States and the American people.

The SPEAKER pro tempore. Under previous special order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 20 minutes.

INVESTIGATION OF IMMIGRATION MATTERS

Mr. DICKSTEIN. Mr. Speaker, in times like these when the world is disturbed, the American people are disturbed. Naturally we want no war. We want to keep peace with the world. We talk about neutrality. We want neutrality not only from the standpoint of what the term implies but also in order to keep out of any trouble, particularly European trouble.

In these times we must keep our borders protected, and when I speak of borders I am referring to protecting them against the entrance of people who have no right to come here. Many times I have stood on this floor and begged for congressional action. I do not have to tell you that it took me 5 years to convince the Congress that an investigation of un-American activities was necessary. The higher-ups saw fit to appoint as chairman of that committee the gentleman from Texas [Mr. DIES] and this committee is now at work. However, I do not raise that question at all. The facts speak for themselves.

In January of this last year I again appealed to the Congress asking that the Committee on Immigration and Naturalization be given the right to investigate the smuggling of aliens and that it be permitted to go into the question of the Americans, so-called, who hold dual nationality. I venture to say, Mr. Speaker, that there are at least a million or more people in this country today who hold certificates of citizenship but are not fit for citizenship and not entitled to citizenship, people who hold dual nationality and are practically agents of foreign governments, people who are in sympathy with foreign dictators and everything they stand for in the way of destruction of our democracy. In one of our courts over 300 certificates of citizenship were issued by certain judges to men who never lived in this country and who never paid taxes in this country, men who still owe allegiance to Hitler.

In view of this situation the Committee on Immigration and Naturalization saw fit to ask the Congress to give the committee the right to study these problems.

In January of 1939 the Committee on Immigration and Naturalization, of which I have the honor to be the chairman, went on record unanimously in favor of a resolution which we directed one of our colleagues the gentleman from Indiana [Mr. SCHULTE] to introduce. This resolution was referred to the powerful Committee on Rules. The resolution would have given the committee the right to go into the question of the hundreds of thousands or millions of so-called citizens who are not true citizens and who do not seek to protect democracy or even defend the Constitution of the United States. It would have given the committee the right to make recommendations with regard to cancelation by the courts of the certificates of citizenship of these so-called citizens, and would also have given the committee the right to do something to stop the smuggling of aliens and the bringing into this country across the Mexican border, by certain interests in this country, of cheap labor in hordes to work for 20 cents a day.

We had the hope that it would be possible after these persons came here to send them back to Mexico. The resolution would also have given to the committee the right to study the problem of how better to enforce our immigration law. However, certain movements were undertaken and

propaganda was issued to the effect that such an investigation was not wanted.

Mr. Speaker, when this resolution came before the Rules Committee, that committee unanimously reported it out. It was called up and presented to the floor by one of the members of the Rules Committee, the gentleman from Mississippi [Mr. COLMER], but because of a blockade of the calendar that day it could not be reached; and the following week, as a result of certain influences in this House, the resolution was called back to the Committee on Rules. Why, it may be asked, was that done? Well, some gentleman did not like the language in the resolution, and so the Committee on Immigration, your servants, went back in executive session and modified the resolution to comply with the request of that particular gentleman who had asked for the modification of the resolution. Then we introduced a new resolution. When that resolution came before the Rules Committee, another distinguished statesman did not like a certain period and a certain comma, so he wanted the resolution changed. So your humble committee went back to its rooms and again modified the resolution and brought back House Resolution 245, which would only do this, Mr. Speaker. It would give the Committee on Immigration the power to make a study of all existing statutes, Executive orders, rules, regulations, instructions, and general orders which relate to immigration, deportation, naturalization, and expatriation; and, second, to investigate the unlawful entry and smuggling of aliens into the United States and to recommend effective methods or laws to meet this problem.

Who in this House objects to that kind of an investigation? Who in this membership wants to see the gates opened and this country flooded with all sorts of undesirable aliens?

Mr. Speaker, as recently as several months ago some Mexicans, through an international smuggling ring, which the committee could have checked if it had the power which the resolution I have referred to would have given them, threw over our borders over a hundred Chinamen. We picked up some of them. The Department could not pick up all of them, because the Mexican border is 6,000 miles long, and with a patrol of only a little over 100 men it is impossible to patrol a border of 6,000 miles. Our border patrol is ineffective for this reason, and something should be done to correct that serious situation.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I do, for a brief question.

Mr. MURDOCK of Arizona. I appreciate what the gentleman has said about the Mexican border situation. I want to commend the gentleman's statement as to the need in that respect, and to that I think we ought to add more military protection. That has been our back door down there on the Mexican border for many years, and while we have closed our other doors, that door has been standing almost wide open.

Mr. DICKSTEIN. I am very grateful for the gentleman's contribution, and I think the gentleman has stated the point correctly.

The smuggling ring is so bad along that border that in the last few years 31 officers of the Immigration and Naturalization Service have lost their lives in line of duty; I mean in line of duty, actual gunfiring by this smuggling ring. Of this number, 3 were mounted guards, 5 were immigration inspectors, and 23 were patrol inspectors.

Now, what Member of Congress has any objection to a committee that is responsible for legislation of this character making such a study and obtaining such information as will do something to protect our borders? I made recommendations along this line some time ago with respect to protecting our borders of 9,000 miles. Yes, Mr. Congressman, 9,000 miles of border and only 800 inspectors—split into three shifts on a 24-hour duty—and in view of the danger at least two men have to work together. If you put them all along the line, they would be about 15 or 20 miles apart. What can you expect under such circumstances? I say if it is necessary, we ought to put a military outfit or a thousand old veterans on this border, who would be only too happy to watch the border, and that is exactly what we need now.

I propose, Mr. Speaker, on the next day of this Congress to offer this resolution (H. Res. 245) for consideration and adoption, so as to give this committee an opportunity to study these various problems that are confronting us so that we may be neutral in the true sense of the word.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from New York.

Mr. MARTIN J. KENNEDY. I think every Member of the House realizes the very difficult job that the gentleman's committee has been doing and the splendid way you have been carrying on your work. I am wondering whether the gentleman could give the House some information as to the number of persons that are here who entered the country illegally. Does the gentleman have any knowledge or information on that subject?

Mr. DICKSTEIN. That is pretty difficult to state, because a number of them who were smuggled here, or who came in illegally otherwise, left the country and later on entered legally under the quota. It would be impossible to say, because there are unlawful and illegal entries every day, not through the front door, as indicated by my colleague, but through the back door—and I refer by this to Mexico and Cuba.

Mr. MARTIN J. KENNEDY. Is there any record of the number of arrests made each day of persons attempting to come into the country illegally who are eventually sent back?

Mr. DICKSTEIN. Yes; there is on an average 9,000 to 11,000 a year. In order to further illustrate the point and give the House a clearer picture of how important the border question is, officers of the Immigration and Naturalization Service border patrol questioned 1,012,242 persons, patrolled 7,824,733 miles of territory, and examined 739,104 conveyances during the fiscal year ending June 30, last, in their successful efforts to prevent the illegal entry of aliens into the United States, according to a report made public today by Secretary of Labor Perkins.

As evidence of the efficiency of the border patrol, 12,685 persons were apprehended last year, of whom 11,077 were illegal entrants, and 137 were smugglers of aliens.

The report to Secretary Perkins says:

While 7,462,847 miles were patrolled by automobiles, 16,212 miles were covered on horseback and 124 miles by airplanes. Motorboats were used to travel 38,548 miles. Property seized amounted to $39,062.

The questioning of more than a million persons indicates the thoroughness with which the border patrol is performing this function in its efforts to prevent the illegal entry of aliens. The use of radio has aided materially in raising the efficiency of the border patrol to its present high standard. A school for patrolmen is conducted at El Paso, Tex., where new appointees take a special course.

In its 15 years of operation the border patrol has apprehended 289,265 persons, seized goods valued at $5,852,084, including 5,860 vehicles of various types, of which 40 were airplanes, and has patrolled 95,426,526 miles along the Mexican and Canadian borders.

The Department of Labor's border patrol is composed of efficient and outstanding Americans, but they are too small a body. They do not have the proper means of enforcement, and they do not have the necessary man power. As you go along you will find that although they have been patrolling the borders by plane, it is most difficult to check on this international smuggling ring, that manages to bring in undesirable aliens. While our front door is shut tight, our back door is wide open. Some important facts have been brought to the attention of the committee by some of the so-called squealers, witnesses who are prepared to give the committee some information provided they can secure some immunity and protection from the Department. I have submitted a lot of their evidence to the Department of Labor and I want to say to you, Mr. Speaker, that the Department of Labor has done a fine job, and that goes for Miss Perkins and the others.

Mr. COX. In what respect?

Mr. DICKSTEIN. In the deportation and the picking up of certain aliens who are undesirable in this country. They would have picked up more, if the Congress had given them

the proper amount of money. They have cut to the bone the appropriations for the Department of Labor, because certain gentlemen in this House feel that the Department is not doing a proper job. I should like to see every person in this country declare his intention in some way or other whether he is with America or against America. We have almost six or seven million people in this country of whom it may be said that we do not know who they are or what they are doing here. In my city of New York we have almost 200,000 people waiting in line to apply for citizenship, but we have not the force and the staff to prepare their documents. That goes for every big city in the country. We have kept the Department of Labor very low in the appropriations. There are hundreds of thousands of people who would declare their intention to become citizens, and who are prepared to defend the United States in an emergency, but have been unable to do so.

Mr. LUDLOW. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. LUDLOW. There are 3,700,000 aliens in the United States. Will the gentleman tell us what his thought is about the wisdom of enacting a law requiring an alien to show his intention to become a citizen within a certain time after his arrival?

Mr. DICKSTEIN. Mr. Speaker, I think the gentleman has asked a fair question and I think he is definitely correct in his theory, except that you have to have the machinery to do it. This is a big job, and men and women have been here for many years who desire to become citizens of the United States, but who cannot do so because the Department of Labor, through its naturalization bureaus in the big cities of the country, has no money to obtain the clerks so that they can have the petitions filed. You cannot blame some of these people for not becoming citizens, because some of them have been waiting for months and months.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. MARTIN J. KENNEDY. Is it not possible for prospective citizens to write a letter and in that way obtain a form which they can return by mail, so that they would not have to stand long in line?

Mr. DICKSTEIN. No; you cannot pursue that course. In the first place, when a person makes an application to become a citizen it is necessary under the law for the Department of Labor to show that he is legally in the United States. You will find that it takes an Englishman about 24 years before he renounces his allegiance to the King of England, while some people coming from southeastern Europe take just 1 day after they land here to take out their first papers.

Mr. MARTIN J. KENNEDY. Does not the gentleman think that a man who takes so long to make up his mind frequently makes a very excellent citizen?

Mr. DICKSTEIN. I do not think so.

Mr. MARTIN J. KENNEDY. Because he assumes it after great consideration and he becomes intensely loyal. I do not think speed has anything to do with the intensity of a man's loyalty to his country.

Mr. DICKSTEIN. It should not take any 24 years for a man to decide whether he will become a good citizen or a bad citizen, after he has made a lot of money and sent it over to the other side, and if something goes wrong over there he thinks he might as well become a citizen of the United States and get the benefits of citizenship. No, my friend, that is begging the question.

Mr. MARTIN J. KENNEDY. Will the gentleman yield for a further question?

Mr. DICKSTEIN. Let me finish my statement, please. I admit, however, that there ought to be a dead line on citizenship. I think 8 years ought to be the dead line. They should either become a citizen or go back home where they belong after that time. I do not think this country should tolerate any more of these people who want to be friends of the United States, friends of Hitler, and friends of Stalin all at the same time. The same goes for aliens who belong to subversive groups advocating ideologies that we do not believe should be advocated in a peaceful country like America.

Mr. MARTIN J. KENNEDY. Will the gentleman yield for a further question?

Mr. DICKSTEIN. I yield.

Mr. MARTIN J. KENNEDY. Speaking about requiring 24 years to make up his mind, my family was down at Ellis Island recently. My wife was taking my son on a sightseeing tour and they went down to Ellis Island. I understand they have many, many Chinese down there who have come in, and it takes them 7 or 8 months to prove their relationship. I do not understand how they got in in the first place. However, they like the place so much they do not want to leave there. As a matter of fact it is so congenial that many of them prefer to stay on. I do not know how the gentleman can explain why it requires the Department so long to make up its mind to send men back, and how they permit them to come in in the first place.

Mr. DICKSTEIN. That is very simple. In the first place, these people must be the children of an American citizen of Chinese race. A Chinaman or Japanese born in this country is an American citizen. Otherwise they are all excluded. The gentleman knows that.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). The time of the gentleman from New York has expired.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent that the gentleman may be permitted to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN J. KENNEDY. I might say by way of passing, that these Chinese adopt American ways almost as soon as they arrive. I understand they cannot stuff any rice into them down there at all. They like lamb chops and steaks, and they adopt our ways almost overnight.

Mr. DICKSTEIN. Let me say in passing to my colleague from New York that I do not quite understand whether that was a question or a speech. I assume it was a speech, but I will let it go at that. However, I want to say to the gentleman that the Department of Labor is so careful in finding out whether that child at Ellis Island, to whom he referred, is in fact the child of an American citizen, that it requires a great deal of time to make such an investigation.

Mr. LUDLOW. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. LUDLOW. The gentleman has given a great deal of study to this matter. Upon what does he predicate his idea that there should be as much as 8 years of immunity elapse before an alien should be required to show some interest in the Government of the United States, which he expects to protect him all through the years?

Mr. DICKSTEIN. Except that it is an arbitrary period. Under the present law you will find that he cannot become an American citizen until 5 years after he arrives in the United States.

Mr. LUDLOW. I understand, but why should he not show some interest within 1 year after he arrives here?

Mr. DICKSTEIN. Well, individually, I oppose that. I would not force citizenship on anybody. I do not believe in forcing citizenship on anybody at all. I do not believe in that kind of citizenship.

Mr. LUDLOW. I submit that would not be forcing citizenship on a man.

Mr. DICKSTEIN. If you tell a man that on a certain day he must become a citizen or else get out, it is not worth the game. There ought to be some statutory limitation, at least some dead line, some place in order to clean house.

Mr. LUDLOW. There would not be any implication that he could even get citizenship. The only thing is that he must shown some interest in this Government.

Mr. DICKSTEIN. I know. But what interest could he show? There are at least 50,000 Nazis who have taken out their first papers and shown their interest in this country by flooding the country with propaganda attacking the

President, attacking the Government, and you cannot take any yardstick and measure these things at all.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. WHITE of Idaho. As a matter of fact, no foreign-born Chinaman is eligible for citizenship in this country.

Mr. DICKSTEIN. If he is born in the United States——

Mr. WHITE of Idaho. If he is foreign-born he is not eligible for citizenship.

Mr. DICKSTEIN. No foreign-born Chinaman or Japanese is eligible. They are excluded under our exclusion law.

Mr. WHITE of Idaho. Every Chinaman has to be registered and have a registration certificate.

Mr. DICKSTEIN. Not necessarily.

Mr. WHITE of Idaho. Every foreign-born Chinaman in this country has to be registered and have a registration certificate. His picture must appear on the certificate. It is an easy matter for our immigration agents to pick up any Chinese who cannot produce the required certificate.

Mr. DICKSTEIN. I do not quite agree with the gentleman.

Mr. WHITE of Idaho. I am giving you facts, because I come from a Chinese section of the country.

Mr. DICKSTEIN. The gentleman cannot give me any facts, because I think the gentleman has forgotten this point, that during the earthquake in San Francisco thousands of those so-called Chinamen who were smuggled into this country, suddenly decided that they were all born in San Francisco, when the immigration inspector picked them up. We were unable to disprove that fact. You cannot measure one argument by another. The fact is that a Chinaman or Japanese born in this country is a citizen.

The fact is also that he is not permitted to bring in a wife, but a child born to that Chinaman who is an American citizen, is eligible for admission into the United States.

Mr. SCHAFER of Wisconsin. In view of the gentleman's statement about aliens who are in this country, would it not be a fine idea from a national-defense standpoint if the committee of which the gentleman is chairman would report out a bill and Congress would enact it into law, requiring the registering and fingerprinting of all aliens at the next census with a sworn statement from each as to the time, manner, and place of arrival?

Mr. DICKSTEIN. When the census is taken I believe the Census Bureau will take care of such matters in accordance with the rules and regulations.

Having followed the efficient work of the Immigration and Naturalization Division in its attempt to cope with the important problem of protecting our borders against smuggling and illegal immigration despite the small group of trained men at their command for this immense task, it was quite a shock to me to read in one of the Washington papers that one phase of the proposed reorganization plan would be the splitting up of the Labor Department. The plan seems to be to transfer the various divisions now under the Labor Department to some other departments.

During the last few years the Secretary of Labor, Hon. Frances Perkins, in her dealings with labor and welfare problems has well shown that she is capable of handling these vital problems of our Nation which happen to come under the jurisdiction of her department. Why this important work should be interrupted just now when the smooth functioning of governmental departments is a basic necessity is beyond me.

I do not presume to know too much about the internal structure of all the divisions of the present Labor Department, but I do know, through my work as the chairman of the House Committee on Immigration and Naturalization, what a splendid job the Immigration and Naturalization Service, under the able guidance of Commissioner James Houghteling and Deputy Commissioner Edward J. Shaughnessy, has been doing. Their work does not simply consist of issuing orders, effecting transfers, or following routine regulations, but deals with human beings in their efforts to adjust themselves to the life in our country.

The Immigration and Naturalization Service in the last few years has very efficiently handled the problem of deporting undesirable aliens, has done its best to stop smuggling and illegal entries, and, in general, has been very active in protecting the best interests of our country. It does not seem logical that at a time like this, when we need this particular protection more than we have ever needed it in the past, the men who have done their work so efficiently should be displaced by army men and other people who would neither have the practical training nor the executive experience necessary for such important work.

It seems inconceivable that our Government should take steps now to disorganize a department which has earned the gratitude of a Nation in handling the difficult tasks assigned to it. I do hope that the rumor of the discontinuation of the Labor Department will remain only a rumor and that the men and women who have guided the work of that Department so excellently will be allowed to continue their work for the benefit of our country.

[Here the gavel fell.]

The SPEAKER pro tempore. Under the special order of the House, the gentleman from Missouri [Mr. SHANNON] is recognized for 15 minutes.

Mr. SHANNON. Mr. Speaker, I ask unanimous consent that my time be extended 5 minutes. If I do not need to use it, I shall not.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHANNON. Mr. Speaker, time and again upon this floor I have voiced my hatred of war and of everything relating to that industry of despots, including the auxiliary industry of profiteering at the expense of human misery and human slavery. Long before Europe became aflame with the horrors of this war I took the stand that whatever happened abroad my hope was that no misguided policy of ours should lead us into those distant fields of carnage, injustice, inhumanity, and murderous greed.

A few days ago I received a postal card bearing this plea:

> The lives of millions may rest partially (or more so) on you. Do your best to keep us neutral. Vote against neutrality revisions; vote against cash and carry. Save our souls, our lives. Do your part.

To the author of that plea I say there is nothing unreasonable in your request. You have a right to expect me, as your Representative in Congress, to do my best to preserve your life. I am your Congressman, and it is my voice and the voices of other Congressmen that will determine in the final analysis whether you will be sent to the blood-drenched trenches of Europe.

YOU HAVE A RIGHT TO LIVE

In 1850 William H. Seward made a speech in the United States Senate in which he appealed to a "higher law" guaranteeing as the common heritage of mankind the freedom bestowed upon them by the Creator of the universe. To the youth of America I say that such "higher law" should protect you from being sent to untimely graves in foreign battlefields. You have a right to live.

To me it seems a supreme challenge to our civilization and our boasted culture that here in this twentieth century we have forsaken the peaceful paths of consultation and adjustment for the dreadful arbitrament of submarines, of bombing planes, of ruthless tanks, and of merciless marching men whose trade is killing and whose objectives are death and destruction, not merely of armies but of innocent women and children. When I say "we" I do not mean that, as yet, we have taken part in that maelstrom of murder and savagery that is going on over there in war-torn Europe. But it does seem to me that the time has come when we must step with caution, or a few months more may find us where the World War found us a score of years ago.

WE WANT NO MORE FOREIGN ALLIANCES

The slogans that led us into that conflict are in the air today. We are hearing the same catchwords. We went into that war "to make the world safe for democracy." We made it safe over there not for the democracies but for the captains

and the kings and the dictators and the crazy war lords who are now engaged in hurling their people into wholesale slaughtering of one another, ostensibly to "save the little democracies" and perhaps the big ones. That word "democracy" carries a world of connotations in these days. The little ones are game for the big ones.

We have in this America of ours what I hope and believe to be the world's last hope of a real democracy, the last refuge of a free people, still the home of liberty in all its forms; of the liberties that we have preserved in our Constitution; the liberty of speech; the liberty of the press; the liberty of religion; the liberty that we are proud to claim as the heritage of our citizens, no matter from what country they may have come, no matter what their creed or color. And I want to see the United States kept free. We want no war. We want to avoid the occasions of war as we would avoid a pestilence or a plague. We want no more foreign alliances with a Europe that knows no way of settling disputes except with the blood of its peoples poured out on a soil that has been drenched with such blood for thousands of years.

WARS HAVE NEVER BROUGHT PEACE

A war never settled anything. That is now a rather trite saying, yet at this time it will be well to remember that all the wars, from the days of Alexander the Great to those of the man who rose to power in Germany through a blood purge, were futile in the way of establishing peace. Wars have never ended war. Wars have never brought peace. The war that is now impending over there will not bring a peace to Europe.

My heart goes out in deep sympathy for those unfortunate and brave men and women of Poland. But her wounds will not be healed and her wrongs will not be righted by a war between the nations which must now degenerate into the old struggle for sea power and land power, for that objective that has kept Europe in a state of fear and almost continuous war for centuries—"the balance of power." We have no place in such a war.

We gain nothing by reiterating that America wants peace; by saying over and over again that we will not send our boys over there again to fight Europe's battles. We must avoid the occasions of war. I know that hope is in the hearts of every home man and woman, every mother and father, in this country. We must not give our boys to slaughter. When and if our land is invaded and the enemy comes to our shores, then, in the words of a great American of our constitutional days, we shall stand ready to give our "millions for defense," but not one American lad for a foreign war. Please God, we shall keep this Nation free, and untouched by all those seductions of "pomp and glory," the fife and the drum, the music and the singing, and all the sentimental catch-alls that the war mongers, from time immemorial, have used to speed the bloody battles, the hatreds, and the savagery of warfare.

NEUTRALITY IS NOT A FLEXIBLE THING

It will not do merely to reiterate the hope of peace, or to keep crying out in the churches and in the market places that "we are for peace." We must do nothing that will tend to suck us into that whirlpool. If we are really for peace, we must guard that peace by every means in our power. If we are to be neutral, we must know the meaning of that word and stick to it. Neutrality is not a flexible thing. If we are to be neutral, the only way that we can maintain neutrality is to present the same face to every warring nation. We cannot hope to escape the charge of partisanship, of being "neutral in deed but not necessarily neutral in thought." There is a dangerous border line between those two forms of neutrality. We must be on our guard against the propaganda and the catchwords that reach us in the press, on the platform, and over the air. Look closely at that word "isolationalist" that is being bandied about nowadays. Before they get through with loading imputations on that word, it will be almost as dreaded an epithet as "Communist" or "Anarchist." Let me say here and now that if to be an "isolationist" is to be an American who wants, by every means in his power, to keep this country out of war and to hold fast to American traditions and American interests, and to the hereditary freedoms that represent our real contribution to all peoples of the world, I am proud to call myself an "isolationalist." [Applause.]

MERCHANDISING OF MUNITIONS IGNOBLE

I cannot work myself up to a fever of approval for any plan to set the United States up as a big merchant of munitions for the warring powers. To me it seems an ignoble thing for this great Nation to present a profiteering face in a world holocaust, in which the lives of men and women and children are being daily sacrificed, by proclaiming that we have opened up business on our shores to sell munitions and war implements of all kinds to whomsover has the hardihood to come and buy our goods and get away with them.

As I hate war, I have also always had a profound distrust of the big munition manufacturers who have operated so long on an international scale in Europe. I have noticed they never hurt one another in a business way. Who ever heard of one nation bombing an enemy munition factory? It would seem that they start their wars with some sort of understanding not to harm each other's munitions industry. The business, it appears, of making the death-dealing missiles must not be disturbed.

Mr. LUDLOW. Will the gentleman yield?

Mr. SHANNON. I yield to the gentleman from Indiana.

Mr. LUDLOW. There is no truer, no more genuine friend of peace anywhere in the world than is the gentleman from Missouri [Mr. SHANNON]. I would like to ask him if his admirable argument, boiled down, is that we should not undertake to wipe out the sins of Europe with the blood of American boys? Does he subscribe to that?

Mr. SHANNON. Yes; I certainly subscribe to that doctrine. [Applause.]

Well, I am loath to see the United States setting up in that sort of business, or becoming a factor in the manufacture and sale of the things that will go abroad to keep up the killing and the destruction. I cannot find any elements of neutrality in such a policy. It seems a small part for our Nation to play. I could understand a policy of neutrality under which we assured the nations over there that while we must and shall stand aloof, we would be pleased to send medicines, nurses, doctors, and Red Cross attendants to help heal the war wounds and bury the dead, but that we shall not send one gun, one stick of dynamite, one airplane with bombs, or one submarine to help in the slaughter. If we are to be neutral, let us not make a joke of the word; let us not be hypocritical.

FREEDOM FREE FROM SPECULATION

Now, let me add just one word more. Existing law seems to me quite plain on this very point that I am talking about, and it sounds like honest-to-goodness neutrality to me. Let me quote one paragraph:

> Whenever the President shall find that there exists a state of war between or among two or more foreign states, the President shall proclaim such fact and it shall thereafter be unlawful to export or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation or to any neutral state for transshipment to or for the use of any such belligerent state.

Now, that provision sounds safe and neutral to me. If we stand by it, we can keep the peace within our land and along our own shores. If we change that provision and the war over there runs into years—as it may—our ports will be crowded with the ships of the warring nations, and the submarines will be swarming along our coasts to catch them as they go out. Whether they get away or are sunk on our side of the big water, how long do you imagine our shores will be safe from the submarines of the nations discriminated against, or our factories from internal sabotage, as in the last World War? Have we so soon forgotten?

Let me reiterate what I have so often voiced: I hate war and all its futilities and subterfuges. I believe that the President is sincere in his hope that a modified Neutrality Act may help to accomplish that purpose. But I still believe that there is grave danger in a neutrality that is expressed in words and breached in deeds, no matter in what direction our sympathies may lie. Above everything, it is our country that

we must defend; our Nation that we must keep intact from war; our people that we must keep free and independent in the traditions of our forefathers. For heaven's sake, let us keep our freedom free from the taint of the bloody profits of war. Let us keep our hopes and our faith in peace above every suspicion. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. GORE). Under a previous order of the House, the Chair recognizes the gentleman from South Dakota [Mr. MUNDT] for 20 minutes.

THE NEUTRALITY BILL

Mr. MUNDT. Mr. Speaker, I am sure that most of you share with me the mingled emotions which I feel as I endeavor to live up to my responsibility as a Member of Congress at this important juncture in our national existence. As we sit here as Members of this body to consider legislation to protect the peace and preserve the continuance of representative government in this country I am sure we are all mindful of the high privilege which is ours as Americans and that we are also conscious of the fearful responsibility which we have in order that no act of ours may move us an inch nearer to war nor darken by a single shade the bright flame of Christian democracy which still beckons from our shores to all the world in this unhappy hour.

We meet here in this special session not as representatives of individual political districts, or as advocates of our respective partisan schools of thought, but truly as national representatives charged with the inescapable duty of exercising our best collective judgment for the best interests of the American people as a whole.

It is the very solemnity and significance of the occasion which has brought us together which gives me the courage and conviction as a Member of Congress in his first term to talk to you today, because in times like these it is my belief that we cannot analyze too carefully the circumstances which confront us.

Mr. Speaker, I rise today primarily to emphasize the seriousness of the parliamentary situation in which we find ourselves—each and all of us—as Members of this House, elected to give voice and direction to the wishes, the feelings, and the highest hopes of our constituents. I rise not only to call attention to this situation but to protest against it while there is yet time, with the hope that the resentment bringing forth this protestation will be so widely shared by all of you that by our collective action we can restore to this House its rightful function as a coordinate and responsible branch of government.

I am sure you know as well as I—and some of you know much better than I—the untenable position in which it now appears we may find ourselves in our honest desire to make our group influence felt on the momentous question soon to face us. Inasmuch as the House passed a neutrality bill at the last session, retaining the arms embargo, and since the Senate at that time refused to act on it, our bill was pending in the other body at the beginning of this session. It was given no consideration in general debate at that time and strangely enough it is to be given no consideration in public debate at this time. And to this, I have no objection. Each House is or should be master of its own destiny in this Congress and can decide for itself what legislation it will consider and what legislation it will cast aside.

But, my colleagues, at this point my acquiescent disposition ends. The other body of this Congress now has before it for consideration a new type of neutrality bill, as different from the bill we passed as day from night. But subtle are the methods of bicameralism. Instead of introducing the administration's neutrality proposals as the new legislative items which they are and as a new bill which it is, the repeal strategists have resorted to a sly legislative trick in an effort to deprive House Members from having due opportunity to consider adequately any legislation now passed by the other body. I submit that the fair and straightforward thing to do would have been to introduce these proposals as the new bill which they actually comprise rather than to amend our House bill by striking out everything after the enacting clause and writing an entirely different bill under our label. But such was not the case; the star chamber session of the Foreign Relations Committee of the other body—open to repealists only, incidentally—determined upon the device of amending our bill to create a parliamentary situation, which I am certain every red-blooded Member of this House recoils against.

ASKS HOUSE DEBATE OF 30 LEGISLATIVE DAYS

Thus, while the bill is an entirely new piece of legislation, it will come back to us as an amendment to the House bill and under customary procedure will go to conference, the differences will be ratified, and then it will come back to us for a "yes" or "no" vote with debate drastically limited and no opportunity for amendment. Against this totalitarian effort to apply the gag rule to the House of Representatives, I protest with all my vigor and ask that the majority leader of this House assure us here and now that this body will be given its full rights of free debate and unlimited amendment for a minimum of 30 legislative days. [Applause.] At best, this would still provide less than 20 minutes for each Member to express his views and reflect the sentiment of his constituents upon this monumental measure. To give the House less authority than that would be a travesty on representative government and would nullify the effectiveness of bicameral parliamentary procedure.

NOT COMMITTED TO ANY PLAN

Let me make it clear at this point—I have not committed myself to any neutrality program nor agreed to support any plan. My whole purpose in this speech is to urge this House to unite in insisting that we be given a full period of 30 legislative days in which to debate the issue and that we be given the right of unlimited amendment when and if the bill comes to us for final consideration. [Applause.] Regardless of anybody's attitude toward neutrality legislation, of this we can all be sure: Any bill or program which must rely for its passage upon depriving the direct representatives of the people of their legislative rights is not a piece of legislation upon which we should reasonably dare to gamble the safety and happiness of our constituents. And if we are worthy of the trust reposed in us, we should join as one to resist any attempt to restrict our functions by an effort to force-feed predigested legislation of this importance to the Members of this House. To me this smacks suspiciously of a growing indication on the part of this administration to use wartime psychology to deprive a peacetime nation of its rights of self-government.

DENOUNCES ATTACK ON SINCERITY OF CONSTITUENTS

We saw an example of such a tendency a week or so ago when a high administration official urged Congressmen to discount the importance of the embargo mail from their constituents on the basis that it was inspired and paid for by foreign groups and fighting nations. I thought that would forever mark an all-time high for political arrogance when administration spokesmen urge the peoples' representatives to ignore an expression of the peoples' will. But the chain of evidence grows stronger. We now contemplate the situation where the peoples' representatives themselves, in their own legislative chamber, will be denied the rights of free debate and effective amendatory legislation. There are even some sly rumors hereabouts that an effort will be made to avoid a roll-call vote in the House. Yesterday's news brought the report that the National Association of Broadcasters, acting under the administration lash, outlawed discussion of controversial issues on paid radio time in what was described as a thinly disguised move to "get Father Coughlin off the air," while presumably war-mongering newscasters and commentators will continue their work of broadcasting horror stories and provocative rumors over the air. It is time America spoke out against wartime censorship unless we intend to become a wartime nation.

I hold no personal brief for Father Coughlin. I have never met the gentleman and have heard his broadcasts less than half a dozen times in my whole life, but both those who agree and those who disagree with Father Coughlin's views on peace have a right to hear his comments. And both those who agree and disagree with the drive to scrap our neutrality laws by

repealing the arms embargo have a right to be heard on the floor of this House.

NO TIME NOW FOR RUBBER STAMPS

Fellow Members, how will you answer your constituents if what I fearfully contemplate comes true and the other body hands you a predigested bill involving perhaps the lives of millions of American boys and your constituents ask you, "What did you do at this critical time in American history? What safeguards did you set up to protect our boys from a brutal death on a foreign battlefield?"

Can you—dare you—go home and say, "I was sitting here waiting for a conference report to come back and debating in my mind whether to attach my name with a rubber stamp marked "yes" or a rubber stamp marked "no." We were elected—all of us—to decide issues by debate and conference and not to serve as mere sounding boards to project or reject advices coming to us from either the other end of this Capitol or the other end of Pennsylvania Avenue.

Let us, therefore, join together in upholding the functions of this House by insisting that not less than 30 full legislative days be given over to debating whatever bill the Senate may finally present to us for consideration. [Applause.]

To this proposal, in my opinion, there is presently no valid objection. The only one which might have been raised is the one that while we debate the bill American ships might be sunk transporting supplies to belligerent nations since the cash-and-carry restrictions which were a part of our neutrality program up until May of this year were permitted to lapse by the majority leadership of this Congress, because at that time they were apparently not thought of sufficient importance to revive. Up until then, we recall, this country had the double safeguard against getting into foreign war provided by the arms embargo and the cash-and-carry restrictions for nonmilitary commodities.

FAVORS SENATOR TOBEY'S PEACE RESOLUTION

However, this objection which might have seemed valid a few days ago no longer exists. Senator TOBEY, of New Hampshire, yesterday introduced a resolution in the Senate dividing the cash-and-carry provisions from the rest of the Neutrality Act and asking for its immediate passage so that not another week need go by before setting up a safeguard against American ships entering belligerent waters. It is inconceivable to me that Senator TOBEY's wise action should not prevail in both Houses. Surely no sincere patriot whose chief concern in all this is to preserve our American peace, will vote against the immediate passage of Senator TOBEY's measure to establish that immediate safeguard to peace.

A TEST OF REPEALISTS' SINCERITY

The vote on the Tobey resolution to apply cash-and-carry restrictions at once to assure prevention of any untoward incidents during debate on this issue is a real test of the sincerity of those pressing for embargo repeal. If through a negative vote or willful shelving they defeat Senator TOBEY's safeguard for peace, all Americans may well question the true motives back of the demand for embargo repeal.

If these provisions were deemed sufficiently important to warrant the calling of a special session of Congress, they should be passed at once so that we can have their protection during the month or 2 months or 3 months which may elapse while we discuss the controversial arms embargo repeal features of neutrality policy. After that safeguard is passed, which Senator TOBEY has so courageously suggested and which I am sure Members of both parties in both Houses will with equal patriotism endorse, then we can have ample time, free from pressure, to debate and consider the far-flung ramifications of these proposed changes in our neutrality legislation.

Mr. Speaker, we are about to be caught in a trap not of our own making unless we take unusual steps to regain the legislative functions on this important bill which otherwise will be taken away from us through the parliamentary situation arranged for us. We are not the authors of this un-American situation, but, my friends, we can be the authors of its solution. Let us as Americans unite in insisting upon securing for this House its full rights of free debate and unlimited amendment on this history-making question. If we, through hasty action, erroneously conceived or inadequately argued, start this country on a policy involving us in war, it will then be too late to demand our rights to speak and hear conflicting opinions. Let us act now to show America it has the benefits as well as the framework of a two-house national legislature. Let us not recede from our demands until the leadership assures us of not less than 30 legislative days in which to debate the effect upon our country's future of any neutrality bill which may come to us from the other body.

You know and I know and all America knows that if the leadership of this House asks for the concession that we may have 30 full legislative days in which to debate it we will get that time to discuss this history-making, this serious and significant proposal which threatens the lives of all Americans. [Applause.]

To ask or to accept less would be to reduce our status to that of puppets and limit our activities before the world to that of rubber stamps cheerfully accepting the role of stamping our opinions upon other peoples' legislation with a hastily considered "yes" or "no." I urge you face to face, let us not vacate our posts, let us not side-step our responsibilities, let us insist upon our full rights to play our fair part in shaping this country's future destiny in what may be her hour of greatest peril. To do less will be to place us before all the world as cravens unworthy of a public trust. [Applause.]

UNITED STATES NEUTRALITY UNDER INTERNATIONAL LAW

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the demand of my friend who has just yielded the floor, the gentleman from South Dakota [Mr. MUNDT], that this House, after the Senate has worn itself down in debating the proposal to repeal the arms-embargo provision of our neutrality law, be permitted to debate the subject for 218 hours is quite modest. I have no objection. [Applause.]

At the outset of the debate in the Senate on the proposal to repeal the arms-embargo provision of our neutrality law I should like to undertake a dispassionate discussion of the subject in the light of international law. My sole purpose is to be helpful to those wishing accurate information and to do my small part in the effort to reach a right conclusion.

War brings combatant states into new relationships with states not parties to the conflict. States not parties to the conflict may, if they elect, join forces with one of the parties to the conflict and thus become belligerents; they may remain quiescently aloof; or they may, and appropriately and generally, declare that the war, not being of direct concern to them, they will remain neutral and insist upon the recognition of their neutral status by the warring belligerents.

International law recognizes the status of neutrality, the rights of neutrals in that status, their duties, and imposes upon belligerents the duty of observing such neutral status. International law recognizes also the duty of neutral states to observe the rights of belligerents and imposes upon neutrals the duty of maintaining the status of neutrality which they have declared or which is automatically imposed upon them. In order to have its neutral status respected, however, a neutral state must preserve an attitude of non-interference and adopt positive measures to prevent within its territory acts which might be regarded as in contravention of neutrality.

This is illustrated by the following expressions in the President's proclamation of the neutrality of the United States, declared on September 5:

> And whereas the United States is on terms of friendship and amity with the contending powers, and with the persons inhabiting their several dominions; * * * and whereas the laws and treaties of the United States, without interfering with the free expression of opinion of sympathy, nevertheless impose upon all

persons who may be within their territory and jurisdiction the duty of an impartial neutrality during the existence of this contest, etc.:

Now, therefore, I, * * * in order to preserve the neutrality of the United States * * * to enforce its laws and treaties, and in order that all persons, being warned of the general tenor of the laws and treaties of the United States in this behalf, and of the law of nations, may thus be prevented from any violation of the same, do hereby declare and proclaim that * * * the following acts are forbidden to be done, under severe penalties within the territory and jurisdiction of the United States, to wit.

There follows an enumeration of the acts forbidden under the Penal Code of the United States and the act approved June 15, 1917.

Since international law recognizes that war cannot be carried on effectively without interfering in some degree with the normal intercourse between citizens of neutral states and warring states it calls upon neutral states to impose upon their citizens certain restrictions. President Roosevelt's proclamation of neutrality exemplifies these principles of international law.

The two fundamental principles of neutral duty, to wit, first, that in all matters connected with the war a neutral state must abstain from helping either party, and second that in matters not connected with the war a neutral state must not refuse to one of the belligerents that which it grants to another, were established during the first half of the eighteenth century. And this principle—that the citizens of a neutral state and those within its jurisdiction must not commit acts that would compromise its neutrality—gradually has been strengthened during the years that have passed. Our own Neutrality Act of 1794 is regarded as conspicuous for its clear formulation of neutral obligations.

The duties imposed upon a neutral state by international law prevent it from direct or indirect participation in the conflict. They also prohibit the neutral from maintaining in its corporate capacity such commercial relations with a belligerent as would have the effect of furnishing him with munitions of war. Under international law a neutral state must not lend money to belligerents, guarantee a belligerent loan, or sell military supplies to a belligerent. A neutral state is required by international law to prevent such use of its territory by either of the belligerents as would tend to give one an advantage over the other; for if belligerents may not violate the neutrality of a state by committing acts of hostility within its territory, neither may a neutral state acquiesce in such acts without giving the injured party cause for complaint.

All the foregoing applies to the acts of the state itself. Neutral states are not obligated by international law to prevent their citizens or other persons within their territory from maintaining relations with the belligerents either directly or indirectly. International law distinguishes between acts of the state in its corporate capacity as a sovereign power and the acts of its individual citizens undertaken upon their own initiative. Acts which the state itself may not commit without compromising its neutrality may be committed freely by its citizens or others within its territory unless specifically prohibited by proclamation or statute.

Neutral states are not under obligation to prevent individuals within their territory from giving expression to opinions or criticisms unfavorable to either of the belligerents; and it was in recognition of this principle of international law that President Wilson in 1914 appealed to our citizens to be "impartial in thought as well as action" in order that, while unrestricted by the terms of international law, we might nevertheless give no cause for offense; and President Roosevelt in his proclamation pointed out that although the laws and treaties of the United States do not interfere with free expression of opinion and sympathy, yet they do impose an impartial neutrality. Although these requirements are in excess of the requirements of international law, they undoubtedly are highly desirable and justifiable as a matter of domestic policy. Likewise, a neutral state is not required to prevent individuals from lending money to either of the belligerents, although it may prevent such practice by law; and in 1914 our State Department declared that loans by American bankers to belligerents were inconsistent with the spirit of neutrality.

With respect to the sale of munitions of war the practice for neutral states has been an unwillingness to restrict the ordinary commercial relations of their citizens with belligerents. But belligerents, of course, have the right to prevent that commerce to the extent they can by the capture and confiscation of the contraband during transit from the neutral to the belligerent state. This practice is well established and of time-honored effect. It was given special recognition in the recommendations made by the Secretary of State last spring; and America, particularly, exemplified it in the blockade of southern ports during the war between the States. Although there is much debate as to what constitutes contraband of war there is no debate about the fact that munitions are and always have been recognized as contraband. For their capture neither the citizen nor the neutral state has any redress. As contraband they are subject to seizure wherever they may be found; and this, too, was recognized by the President in his message to the Congress on September 21, when he recommended that American producers and shippers of such articles, should the present Neutrality Act be modified, divest themselves entirely of title before delivering them to the purchasers, a measure of precaution which the President believes will help us to preserve our neutral status for it will have the effect of removing all desire or necessity on the part of our citizens engaged in such commerce to seek redress in the event of seizure, either directly or through our Government.

There is now before the Congress a new neutrality proposal, drafted in accordance partly with the recommendations of President Roosevelt and the existence of a state of war in Europe. That proposal reflects certain principles formulated under international law and our own traditional policy observed almost unbrokenly since the foundation of the Republic. What are those principles and what has been that policy?

At the beginning of our national existence we still were bound to England by ties of consanguinity, commerce, and national characteristics, although free and independent in matters of government. To France we were bound by ties of gratitude for the assistance she had rendered us. These ties, though practically informal, were perhaps more binding than the formal conventions into which we had entered with both these States, for, despite the fact that we regarded it as best for our interests not to be bound to any foreign power formally, we had, nevertheless, been compelled by force of international circumstances to enter into treaties and conventions respecting our commerce, our use of the seas, the integrity of our territory, and certain principles of international law, particularly those relating to privateering, prize, and the use of our ports in time of war.

When, in April 1793, war was declared between France, on one side, and England and Spain, on the other, Washington, Jefferson, and Hamilton alike turned their attention to the matter of our neutrality. On April 23, 1793, President Washington issued a proclamation of neutrality, although not using the term "neutrality," but declaring that we were at peace with both England and France, warning our citizens to abstain from acts of hostility and not to trade with the powers at war in any of "those articles which are deemed contraband by the modern usage of nations."

President Washington's declaration of neutrality in that crisis, which had been brought on by the conduct of Genet, has characterized our policy with respect to neutrality throughout our history. It was a grave problem for President Washington; but he knew how much depended upon our neutrality and he was resolute in his course of action. He was determined that we should not become a party to the conflict then raging. Washington's policy is exemplified in the recent proclamation of President Roosevelt, in which he urges our citizens to maintain a neutral attitude and warns against the commission of unneutral or hostile acts within our territory. The policy adopted by President Washington

was formulated in our Neutrality Act of 1794, which imposed penalties upon those enlisting in the services of a foreign state, fitting out privateers, or using our ports for the purpose of committing unneutral acts. Taken together with his proclamation and the rules adopted by the Cabinet on August 3, 1793, it established not merely our own policy of neutrality, but it contributed a great deal to the formulation of principles of international law upon the subject of neutrality.

The policy which we adopted then represented the most advanced views of that day with respect to the duties of neutral states. It aided in keeping us out of war at a time when our citizens received a representative of France with an ovation, aided him in fitting out privateers in our waters, and escorted him by thousands on his way to present to President Washington his credentials of office.

[Here the gavel fell.]

Mr. COX. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes more.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, will the gentleman have time to answer one or two questions before he concludes his remarks?

Mr. COX. I will be pleased to answer any question the gentleman may see fit to propound, if it is within my power to do so.

The SPEAKER pro tempore (Mr. GORE). Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes; I yield to the gentleman with pleasure.

Mr. O'CONNOR. The gentleman is making a very fine argument, and I have enjoyed it immensely. As I understand, neutrality presupposes belligerent nations and it presupposes an equal state of friendliness on behalf of the neutral toward both belligerents. Is that right?

Mr. COX. Of course; that is quite true.

Mr. O'CONNOR. And the gentleman agrees with that statement?

Mr. COX. I agree that neutrality means uniformity of treatment.

Mr. O'CONNOR. And an equal state of friendliness toward both belligerents.

Mr. COX. Insofar as friendliness may be reflected by conduct of government, by legislation or by proclamation of the Executive.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COX. With pleasure; yes.

Mr. CASE of South Dakota. I was wondering whether in the gentleman's study he has found anything in international law that would require a neutral to permit the sale of arms to a belligerent.

Mr. COX. Oh, of course not.

Mr. CASE of South Dakota. The right of a neutral, then, is the right of a vendor to refuse to sell——

Mr. COX. No belligerent state has a right to demand of a neutral state the sale of arms to it.

Mr. CASE of South Dakota. Then certainly national policy expressed in a neutrality law that said that we will not sell is perfectly within the rights of a neutral nation to pass.

Mr. COX. Of course, that is true, sir. The act which the Senate is now considering, putting an embargo upon the sale of munitions of war to a belligerent nation, violates no provision of international law.

Mr. CASE of South Dakota. The sentence was used, I believe in the President's address, or at least it has been repeatedly referred to since, referring to the right of a belligerent to buy anything, anywhere, at any time, and it seems to me——

Mr. COX. The traditional policy of this Government is to maintain that attitude with respect to belligerent nations. In other words, the act which we are now considering amending was a departure on the part of this Government from the traditional policy it has always maintained.

Mr. CASE of South Dakota. But perfectly within the power of this country to adopt without violating international law.

Mr. COX. That is quite true.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield to me for a question on that same point?

Mr. COX. With pleasure.

Mr. CRAWFORD. If it was a departure from the traditional policy of this Government, why did we make that departure?

Mr. COX. Well, I presume in the wisdom of the Congress it was thought the wise and the best thing to do.

Mr. CRAWFORD. Would not the gentleman go so far as to agree with me that we made that departure for the purpose of conducting ourselves in a manner which would probably keep us from becoming involved in war?

Mr. COX. I probably would agree with the gentleman that it was then thought the adoption of the law was in the interest of peace. Does that satisfy the gentleman?

Mr. CRAWFORD. Possibly.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes.

Mr. O'CONNOR. Would the gentleman mind informing us just what has happened that makes him feel that the law we passed in 1935 and repassed in 1937 has not worked toward peace?

Mr. COX. I am not contending that it has not so worked, and I have no particular desire to combat the views which I think the gentleman entertains.

Mr. O'CONNOR. I am looking for information. I have the very highest respect for the gentleman whom I am now addressing. I have no fixed opinion on this subject at the present time.

Mr. COX. I thank the gentleman. I am not contending that this is a one-sided question.

Mr. O'CONNOR. The information I would like to have the gentleman furnish, if he can, is just what has happened that makes the administration feel that the law we have now is not working toward peace but, on the contrary, is working toward war?

Mr. COX. I am unwilling to set it down as my opinion that the law is not working in the interest of peace. I do say, however, that in my opinion the adoption of the law was a serious mistake. Repealing it at this time may involve serious trouble. I do not know. I think it would have been much easier to have repealed it when Congress was in regular session, but I do not think you could fairly say that it is an expression of particularly unfriendliness toward any of the warring states. It may, however, be fairly contended as being the promise of an increase in business, which accounts for much of the support the proposal is receiving. I think it may be said that it is an expression of friendliness toward England and France, but there is nothing that is unneutral about it insofar as our willingness to deal with all warring powers.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes.

Mr. SCHAFER of Wisconsin. From a good, sound business standpoint, does the gentleman think it is wise to sell billions of dollars' worth of war supplies, munitions, and implements of war, under a credit-and-carry basis as proposed in the new bill, to countries which now are in default to the almost bankrupt American taxpayers' Treasury to the tune of more than $13,000,000,000?

Mr. COX. I am against the credit provision of the act.

Mr. SCHAFER of Wisconsin. Does not the gentleman believe from a cash-and-carry standpoint that our foreign debt defaulting nations should use the cash which they have to pay for what they carried from America during the last World War and thereby help relieve our heavily burdened taxpayers? Charity begins at home.

Mr. COX. I think their obligations to us should have been paid before they engaged in another war. Mr. Speaker, I am trying to develop this subject in a manner as will make my statement of use to both those who favor and those who oppose change in our neutrality law. I do not insist that anyone accept the conclusions that I have drawn.

The SPEAKER pro tempore (Mr. GORE). The time of the gentleman from Georgia has expired.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended for 15 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COX. But if President Washington was forced ultimately to request Genet's recall because of his unneutral conduct, he was nevertheless determined not to interfere with the rights of our own citizens in the conduct of their commerce as he construed those rights under the principles of international law. When the British complained that we were selling arms to an agent of the French Government, Jefferson, as Secretary of State, replied that American citizens always had been free to make, vend, and export arms; that it is the consistent occupation and calling of some of them; that to suppress their callings, the only means, perhaps, of their subsistence, because a war exists in foreign and distant countries, in which we have no concern, would scarcely be expected; that it would be hard in principle and impossible in practice; that the law of nations respecting the rights of those at peace does not require from them such an internal derangement in their occupations; that it is satisfied with the penalty of confiscation by belligerent powers; and that President Washington's proclamation had warned our citizens that they would be compelled to run the risk of that penalty.

If later Jefferson pursued a course apparently contrary to that which he declared in his reply to Britain in 1793, he did so because he believed that the restrictions upon American commerce could be prevented by no other means than by the embargo which he recommended to the Congress on December 18, 1807, and which was passed by the Senate within 5 hours after the reading of the President's message, and by the House of Representatives within 3 days.

Jefferson's action in recommending the embargo of 1807 must not be construed as an abandonment of the principles which he had stated so clearly in 1793. Jefferson was confronted with the difficult problem of keeping out of a war in which both belligerents were engaged in hostile acts against our shipping; he was determined that we should remain free from the conflict; and the only means which appeared to him to be effective in bringing to an end the hostile acts of the belligerents toward us was to remove our shipping from the seas. His recommendation was not intended to aid either belligerent. It was the only peaceful means at his disposal to compel two powerful belligerents to cease their hostile acts against us.

True, the embargo of 1807 was not successful in accomplishing its objective. Whether it could have been enforced, and what its effects might have been upon the belligerents as well as upon the United States always will remain moot questions. The facts remain that American shippers avoided the act; the Presidential election of 1808 found Jefferson declining a third term; and before Madison succeeded to the Presidency the embargo was replaced with the act of nonintercourse with Britain and France, leaving American shipping free to sail to many ports. There probably is little doubt that the embargo of 1807 did aid France as against Great Britain. It also undoubtedly transferred much of the carrying trade of the United States to Britain and proved a positive benefit to British shipping.

Jefferson's successor in the Presidency found himself confronted with a continuation of what appeared to be perennial warfare between Great Britain and France. On November 2, 1810, he issued a proclamation suspending commercial intercourse with Great Britain, effective in February 1811. On May 1, 1811, the British frigate *Guerriere* impressed John Deggins from the American *Spitfire*, off Sandy Hook.

President Madison's message to the Twelfth Congress recited the wrongs which we had suffered at the hands of belligerents and made various suggestions. It was followed by another on June 1, 1812, recapitulating the wrongs which America had suffered at the hands of England and it suggested a declaration of war. Congress declared war against Great Britain on June 18, 1812. The declaration of war was preceded by the embargo recommended by Madison on April 1, and enacted into law by Congress, with a limitation of 90 days, reflecting the hesitancy of both President and Congress to adopt warlike measures if measures short of war might be successful in preventing war.

The embargo of 1812 must be regarded, as the embargo of 1807, as a measure designed to prevent our entry into war by compelling belligerents to cease their hostilities against us. It was not intended as an act of neutrality; it does not appropriately fall within the category of neutrality. Both embargoes were intended to bring belligerent nations committing hostile acts against us to an end of such hostilities without a positive act of war on our part. While we sought to preserve our neutral rights, we at the same time sought to remain at peace with both belligerents. These acts of embargo were designed to keep us out of war, and they probably did. We were compelled to declare war in 1812, not because of the existence of the embargo but because both belligerents were engaged in hostile acts against us. Madison's message of June 1, 1812, recites the violations of the American flag on the high seas, the refusal of Great Britain to repeal orders in council, and Indian disturbances in the Northwest. These were in the main effective acts of aggression against us, leaving us no choice but a declaration of war.

At the time, however, Calhoun clearly enunciated the policy which has appeared to be more appropriately ours when he said that the restrictive system as a mode of resistance never had been a favorite one with him; that it does not suit the genius of our people, or that of our Government, or the geographical character of our country; that we had had a peace like a war; and that the only thing that is worse is a war like a peace.

However the embargoes of 1807 and 1811 may be regarded, they are not to be construed as departures from our traditional policy of neutrality in a strict sense. They were rather measures short of war. They were designed not so much to keep us neutral as to prevent aggression against us. That they did not prove efficacious is a matter of history; that they were unpopular is a matter of history; that they were unpopular is exemplified by the fact that our people avoided the former and preferred war to the latter.

America's policy of neutrality is expressed in the Presidential proclamations of neutrality and the acts of Congress enacted during the years from 1793 to 1818, and largely embodied in the latter year in the Foreign Enlistment Act. This policy establishes the principles that a neutral state must not officially aid belligerents in matters relating to war, and that the citizens or subjects of neutrals must refrain from acts that have a direct and immediate effect in augmenting the warlike force of any of the parties to the contest. But these earlier neutrality laws of the United States are silent upon the questions of the manufacture and sale of contraband of war, and prior to the present Arms Embargo Act, and exclusive of the embargoes of 1807 and 1811, we never have prohibited such trade. Our traditional policy has been to leave our citizens free to pursue their customary commercial activities, although warning them of the risk they assume when they continue such activities during a state of war between foreign states. In the absence of specific prohibitory municipal law, traffic in contraband of war becomes, according to our traditional policy, an offense against the law of nations, punishable under the rules of that law when, for the purpose, that law is administered in the prize courts of belligerents, and where the penalty invariably is that of forfeiture.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes.

Mr. CASE of South Dakota. Was this embargo of 1807 an embargo on arms or on commodities?

Mr. COX. On commodities.

This principle was exemplified later in our history in Webster's note to the Mexican Government in reply to the

protest of that Government against the alleged violation of our neutrality by individual citizens of the United States who, it was asserted, had supplied arms to Texas while at war with Mexico. Webster said:

It is not the practice of nations to prohibit their own subjects, by previous laws, from trafficking in articles contraband of war. Such trade is carried on at the risk of those engaged in it, under the liabilities and penalties prescribed by the law of nations or particular treaties. If it be true, therefore, that citizens of the United States have been engaged in a commerce by which Texas, an enemy of Mexico, has been supplied with arms and munitions of war, the Government of the United States, nevertheless, was not bound to prevent it; could not have prevented it, without a manifest departure from the principles of neutrality, and is in no way answerable for the consequences. Such commerce is left to its ordinary fate, according to the law of nations.

There never has been any question that international law permits trade in contraband of war subject to the rights and powers of belligerents to prevent it. During the World War—1914–18—our policy as a neutral state prior to our active participation as a belligerent, was to conform fully to the practices of international law and usage, and when protests were made against our course of action we asserted our determination not to deviate from it. As early as 1914 our Secretary of State, Hon. William Jennings Bryan, notified the belligerents that we would observe the rules of international law and that we would adhere to our traditional policy.

In his proclamation of August 4, 1914, President Wilson warned that although our citizens and persons subject to our jurisdiction might lawfully manufacture and sell arms and munitions of war and carry them upon the high seas for the use of a belligerent they could not do so without incurring the risk of hostile capture and the penalties imposed by the law of nations.

In 1915, our Secretary of State, Hon. William Jennings Bryan, in a memorandum to Senator Stone, chairman of the Senate Foreign Relations Committee, who had requested Mr. Bryan to explain why we had not interfered with the sale of arms and munitions to Great Britain and her allies, stated that there was then no power in the Executive to prevent the sale of ammunition to belligerents; and that the duty of a neutral to restrict trade in munitions of war never had been imposed by international law; and that it was not the policy of our Government to prevent the shipment of arms and munitions into belligerent territory, except in the case of neighboring American republics, and then only when civil strife had prevailed.

In that memorandum Mr. Bryan pointed out that the nations then at war had not limited the sale of munitions when they were neutrals; and he cited the memorandum that had been presented by the German Ambassador to our Government on December 15, 1914, in which the German Government had set out its general attitude toward the citizens of neutral countries engaged in the manufacture and sale of contraband, to wit, that under the general principles of international law no exception could be taken to neutral states letting war materials go to Germany's enemies from or through neutral territory, and that the adversaries of Germany in that conflict were, in the opinion of the German Government, authorized to draw on the United States for contraband of war, especially arms, worth billions of marks.

With respect to a rigid observance of those principles of international law that require equal treatment to all belligerents, no incident could be more illustrative of America's scrupulous attitude than the incident of the *Deutschland*, when that German submarine arrived at the port of Baltimore on July 9, 1916, with a cargo of dyestuff from Bremen. To the protests of the British and French embassies at Washington that the *Deutschland* was potentially a warship, our State Department, basing its reply upon the report of the collector of customs at Baltimore, ruled that it was a merchant ship, and we treated it accordingly, and permitted it to purchase a return cargo selected by its master. In a strong note our State Department notified the governments of France, Great Britain, Russia, and Japan, that so far as the treatment of either war or merchant submarines in American waters was concerned our Government reserved its liberty of action in all respects and would treat such vessels as became the action of a power which could be said to have taken the first steps toward establishing the principles of neutrality and which for more than a century had maintained those principles in the traditional spirit and with the high sense of impartiality in which they had been conceived.

Our determination to pursue a policy based upon the principles of international law was given effect in 1915 when our Government requested the recall of Mr. Constantin Dumba, the Austro-Hungarian Ambassador at Washington, who admitted that he had suggested to his government plans to instigate strikes in American plants engaged in the manufacture of munitions of war.

In requesting the recall of Mr. Dumba, Mr. Lansing stated that Mr. Dumba had conspired to cripple the legitimate industries of the people of the United States and to interrupt their legitimate trade, and that for that, among other reasons, he no longer was acceptable to our Government as the Ambassador of Austria-Hungary at Washington.

In reply to protests of the Austro-Hungarian Government, against our sale of munitions, Mr. Lansing clearly stated our policy under the practices of international law in a memorandum dated August 12, 1915, as follows:

Manifestly the idea of strict neutrality now advanced by the imperial and royal government would involve a neutral nation in a mass of perplexities which would obscure the whole field of international obligation, produce economic confusion, and deprive all commerce and industry of legitimate fields of enterprise, already heavily burdened by the unavoidable restrictions of war.

Mr. Lansing then directed attention to the practices which had been pursued by both Austria-Hungary and Germany previously, especially in the war in South Africa, and stated:

If at that time Austria-Hungary and her present ally, Germany, had refused to sell arms and ammunition to Great Britain on the ground that to do so would violate the spirit of strict neutrality, the imperial and royal government might with greater consistency and greater force urge its present contention.

But with respect to our own policy, Mr. Lansing continued:

A nation whose principle and policy it is to rely upon international obligations and international justice to preserve its political and territorial integrity might become the prey of an aggressive nation whose policy and practice it is to increase its military strength during times of peace, with the design of conquest, unless the nation attacked can, after war had been declared, go into the markets of the world and purchase the means to defend itself against the aggressor. The general adoption by the nations of the world of the theory that neutral powers ought to prohibit the sale of arms and ammunition to belligerents would compel every nation to have in readiness at all times sufficient munitions of war to meet any emergency which might arise and to erect and maintain establishments for the manufacture of arms and munitions sufficient to supply the needs of its military and naval forces throughout the progress of a war. Manifestly, the application of this theory would result in every nation becoming an armed camp, ready to resist aggression, and tempted to employ force in asserting its rights rather than appeal to reason and justice for the settlement of international disputes.

Perceiving, as it does—

Continued Mr. Lansing—

That the adoption of the principle that it is the duty of a neutral to prohibit the sale or arms and ammunition to a belligerent during the progress of a war would inevitably give the advantage to the belligerent which had encouraged the manufacture of munitions in time of peace and which had laid in vast stores of arms and ammunition in anticipation of war, the Government of the United States is convinced that the adoption of the theory would force militarism on the world and work against that universal peace which is the desire and purpose of all nations which exalt justice and righteousness in their relations with one another.

Summing up, Mr. Lansing said that—

The principles of international law, the practice of nations, the national safety of the United States and other nations without great military and naval establishments, the prevention of increased armies and navies, the adoption of peaceful methods for the adjustment of international differences, and, finally, neutrality itself, are opposed to the prohibition by a neutral nation of the exportation of arms, ammunition, or other munitions of war to belligerent powers during the progress of the war.

Here, indeed, is the traditional policy of the United States set forth clearly, cogently, and succinctly. And to this policy we have adhered, in the conviction that for us it is the best policy. Our conduct has been guided not merely by a consideration of self-interest, justifiable as that might be, but the principle of neutrality under international law.

We have not heretofore interfered with our citizens engaged in the manufacture and sale of munitions of war; we never have refused an equal opportunity to nations engaged in war to purchase munitions of war from our citizens. We have not maintained a large standing army; we have not accumulated vast arsenals; we never have assumed the role of an aggressor. We have pursued a policy recognized and sanctioned by the principles of international law under which the manufacture and sale of munitions of war are regarded as lawful occupations. Those who hold that as a neutral we must prohibit the sale of arms and munitions of war may be unfamiliar with our traditional policy or with the precepts of international law.

Some base their contentions upon principles of justice and equity and the ardent and laudable desire for peace. But to impose the restrictions required by a different course would jeopardize the very peace they seek without the equity they desire. Our own experience has demonstrated the burden imposed by such a course.

Under international law there prevails the presumption that a neutral state will not interfere with the ordinary pursuits of its citizens so long as they are not likely to compromise the status of neutrality. This is the criterion, the never-failing guide. International law regards the powers at the disposal of belligerents as fully adequate to protect them from the ordinary pursuits of the individuals of neutral states, even though those pursuits include the manufacture and sale of contraband of war. Belligerents may exercise their rights and their powers—blockade, search and seizure, and prize—effective instrumentalities under international law against contraband of war.

These are the measures of restraint imposed by international law. It has been our traditional policy to regard them as sufficient. But for the exceptions already noted they have been adequate to our needs in the past. The restraints we have imposed under our own statutes alone make that unlawful which international law regards as lawful.

The important principle to be observed here is that under the practices of international law belligerent States may not impose upon neutral States the duty of aiding them in preventing the manufacture and sale of munitions of war. Belligerents who lack the facilities necessary to prevent the transportation of contraband, who may have been driven from the high seas, who may be blockaded, cannot under international law transfer their burdens to neutral states. They must be prepared especially if they are the aggressors, to accept the fate of war, and they may not expect neutral states to relieve them of that fate. Indeed, it is doubtful if neutral states could do so without abandoning their status of neutrality.

Accorded the right under international law, to prevent trade in contraband of war, belligerents cannot regard commerce in contraband carried on by the citizens of a neutral state as cause for war. Before the enactment of the present arms embargo act and with the exceptions already noted America imposed no restrictions upon such commerce. To attempt now to enforce the restrictions imposed by our present neutrality act involves the assumption of a difficult task and the constant risk of violating those constitutional guarantees of individual liberty to which our citizens are entitled.

The neutral obligations of a state are not fixed by municipal law, but by the law of nations. The conduct of a neutral state during times of war is determined by the standards of international law. And even if a neutral state enacts a neutrality law, the exactions of which exceed by far those imposed under international law, the standard of conduct, so far as other nations are concerned still remains that fixed by the law of nations. Neutrality laws of a municipal character affect merely the actions of individuals, not of the states themselves. Their conduct is regulated by international law.

It is the duty of our citizens to maintain a spirit of neutrality within the limitations imposed by international law and such regulatory enactments as the Congress has seen fit to enact. But our present embargo act imposes upon us restraints not contemplated by international law, not imposed by international law, not required by a status of belligerency, and not expected by the belligerents themselves.

If we deny to belligerents a commerce sanctioned by international law we may at some future time ourselves suffer the same restraints we now impose. Our peaceful career has made us dependent in time of war upon the resources of other nations for much of the strategic raw materials of war. Our policy has been to make war difficult and neutrality easy under the principles of international law. We should return to that traditional policy now.

It is not unneutral for the United States to repeal the arms embargo now, even though one of the belligerents might not be able to avail itself of the benefits to be conferred by the sales of munitions of war by our citizens. International law imposes no obligation upon neutrals to furnish munitions of war to belligerents. Full compliance with its requirements is met when no discrimination as between belligerents is imposed.

Likewise, international law does not require neutrals to deliver contraband in neutral ships. It does not require them to deliver at all. And although it would appear that by the fortunes of war one of the belligerents might be unable to take munitions of war from our shores today, fate which alone dictates the fortunes of war, may alter over night the relative status of the present belligerents.

America does not wish to enter this conflict. She has no grievance to redress. No wrong has been imposed upon her. She has not been denied any right under the law of nations. America has no desire to impose her ideas of government upon any other nation. She has no desire for territorial conquest. She seeks only peace.

I believe that the road to peace lies for the present in the preservation of our neutrality under international law—a course which has guided us so successfully throughout our history. We need not become involved in this war. We should not.

We need, however, to be reminded that the present war is but the continuance of a strife that has been prolonged for more than a thousand years. The warring nations of Europe seek today what they always have sought—the economic advantages of coal and iron, the raw materials of war—economic advantage, economic security. Millions of men have been sacrified in the perennial conflict. We gave our own youth; we still are burdened with the debt of war. We must resolve that we shall not again be drawn into this caldron of war.

Let us, then, return to our traditional policy of neutrality under international law.

The SPEAKER pro tempore. The time of the gentleman from Georgia has again expired.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the gentleman may have 5 additional minutes.

Mr. COX. Mr. Speaker, I have concluded my statement. If the gentlemen wish to ask any questions, I shall be glad to answer them if I can.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan? Does the gentleman from Georgia seek recognition?

Mr. COX. No, Mr. Speaker; but I am not trying to evade answering questions. I ask unanimous consent that I may have 2 additional minutes, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, would the gentleman like to have a quorum? [Laughter.]

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PITTENGER. Will the gentleman yield?

Mr. COX. I yield.

Mr. PITTENGER. I simply wanted to ask my colleague a question. I have listened to his discussion of this neutrality

question. I have found it interesting. I know the gentleman has spent much time on it. In view of the statements made by the gentleman from Pennsylvania earlier in the session about what would take place with respect to the neutrality bill when it came from the Senate, I wonder if the gentleman does not think we ought to have this measure debated and considered here just as carefully as is being done in the Senate, because the bill which the House sent there has been rewritten?

Mr. COX. I have no objection to full debate on the subject when it comes back here. Of course, the gentleman would not seriously insist upon a week or 2 weeks of debate on the subject, would he?

Mr. PITTENGER. I certainly think the matter should have consideration here, a great deal more than the gentleman from Pennsylvania indicated it would get when it comes here from the Senate.

Mr. COX. The gentleman is probably right. I think it should be fully debated. Members wishing to express their views should be given full opportunity. I have no objection at all, none, so far as I am concerned.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield for a question?

Mr. COX. I yield.

Mr. CRAWFORD. If I understood the gentleman's presentation correctly, it seemed to me there were two points that were greatly stressed: One, that we should not do those things which would disturb the personal action of our nationals. Secondly, we should follow as closely as possible the traditions of the country. However, we have this unique situation at the moment, where the Government of the United States in its corporate form did break away from tradition in purchasing billions and billions of dollars' worth of gold, which resulted in building up a dollar exchange in the hands of the other party or parties, which nationals of those countries and those countries together now propose to turn back to our nationals in payment for goods, knowing full well that the Government of the United States will, in turn, continue to furnish dollar exchange through the purchase of gold, and thereby supply the means of purchases from the nationals. In that respect I take the position that our Government, as a government, furnishes the buying power with which to pay for the goods, assuming they are to be paid for in cash; and, secondly, that in doing that the Government becomes a party to the transaction, which foreign governments can hold against us. Would the gentleman care to comment on that?

Mr. COX. The things to which the gentleman has been referring are entirely foreign to the subject I have been discussing, and I would not care to comment.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I want to add to the words that have already been spoken my appreciation of the study which the gentleman from Georgia [Mr. Cox] has made. Personally, I think it is through such study and such discussion on the floor that we will be put in a position to arrive at a sound judgment on the neutrality legislation.

There were a few questions that I asked which were for the purpose of trying to clear up what seems to be confused in the minds of many people. In the adoption of the embargo acts during the Jefferson period, there were three circumstances which do not apply to the present situation.

First, the Embargo Act of Jefferson was adopted after war had started. That is different than the present situation.

Second, that was an embargo on commodities and not upon arms. The reaction to it in this country and abroad was consequently different.

Third, the embargo of that period was changed from time to time. It was that repeated change, it seems to me, which resulted in a great many of our difficulties. After the first Embargo Act England retaliated with Orders in Council, and Napoleon retaliated with the Berlin Decree; then England issued further Orders in Council, and Napoleon retaliated with the Milan Decree, and we again changed the Embargo Act. Not the embargo, but the attempt to change our policy from time to time finally resulted in the War of 1812.

There are many essential differences between the embargoes of that period and the arms embargo of the present time.

I was very glad to have the gentleman also make clear that a belligerent has no right to compel the sale of munitions or anything else by anyone who wants to be neutral. This, of course, goes back to a principle of the common law, the right of the vendor. The vendor does not have to sell to a purchaser, and particularly not if the vendor is requested to sell a gun to one of two men who happen to be in a fight; in fact, if he did do a thing of that kind knowing the gun was to be used for murder, he would become an accessory before the fact.

So it is perfectly within the power of the United States as a neutral, it seems to me, to establish its policy on selling and to establish it solely upon the grounds which it deems will best preserve the interests of the United States.

There are some other aspects of the gentleman's remarks, to discuss which I hope to secure time later.

[Here the gavel fell.]

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 30. Concurrent resolution relative to the printing of additional copies of hearings on S. 3474 (neutrality), Seventy-fourth Congress, second session; to the Committee on Printing.

DEATH OF SENATOR MARVEL M. LOGAN

Mr. RAYBURN. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 311

Resolved, That the House has heard with profound sorrow of the death of Hon. MARVEL M. LOGAN, a Senator of the United States from the State of Kentucky.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of nine members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The SPEAKER pro tempore. The Chair appoints as members of the funeral committee the following Members of the House: Mr. MAY, Mr. SPENCE, Mr. CHAPMAN, Mr. CREAL, Mr. O'NEAL, Mr. ROBSION of Kentucky, Mr. BATES of Kentucky, Mr. GREGORY, and Mr. VINCENT of Kentucky.

ADJOURNMENT

The SPEAKER pro tempore. The Clerk will report the balance of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased, the House do now adjourn.

The resolution was agreed to; accordingly (at 2 o'clock and 43 minutes p. m.) the House, pursuant to House Resolution 302, adjourned until Monday, October 9, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of Maryland:

H. R. 7564. A bill authorizing the construction and maintenance of a dike or dam across Stansbury Creek in Baltimore, Md.; to the Committee on Interstate and Foreign Commerce.

By Mr. CHANDLER:

H. J. Res. 388. Joint resolution to establish a joint committee to prepare a revision and recodification of the Judi-

cial Code and other provisions of law relating to the judiciary; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to authorize the board of control to negotiate with the Federal Government for the transfer of the former Indian school at Tomah; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FAY:

H. R. 7565. A bill for the relief of Caterina Migliore and Anthony and Rose Migliore; to the Committee on Immigration and Naturalization.

By Mr. KNUTSON:

H. R. 7566. A bill granting a pension to Eugenie Gilsoul; to the Committee on Invalid Pensions.

By Mr. TABER:

H. R. 7567. A bill granting a pension to Lillian R. Seward; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5641. By Mr. HARTER of New York: Petition of officers of the Steel Workers' Organizing Committee in the Buffalo, Batavia, and Rochester, N. Y., district, representing 30 lodges and a membership of some 30,000 persons, to curb the profiteering that is taking place in the United States at the present time; to the Committee on the Judiciary.

5642. By Mr. JARRETT: Petition of J. W. Wickett and other citizens of St. Marys, Pa., asking Congress to defend the present Neutrality Act; to the Committee on Foreign Affairs.

5643. By Mr. JOHNS: Petition of E. R. Morton and 47 others, of Madison, Wis., to use all legal means to keep the present neutrality law and keep this country out of war; to the Committee on Foreign Affairs.

5644. Also, petition of Mrs. Walter F. Hart and 29 others, of Milwaukee, Wis., to resist any attempt to modify the present Arms and Embargo Act incorporated in the present neutrality law; to the Committee on Foreign Affairs.

5645. Also, petition of Mildred Huxhall and 18 others, to repeal the cash-and-carry bill and urge enforcing the Neutrality Act; to the Committee on Foreign Affairs.

5646. Also, petition of Francis Goodwin and 20 others, to retain the present Neutrality Act and oppose changes in same; to the Committee on Foreign Affairs.

5647. By Mr. LAMBERTSON: Petition of Mrs. E. C. Shaw and 32 other members of the Glenwood Farm Bureau Club, Bonner Springs, Kans., the oldest of its kind in the United States, urging Congress to maintain the arms embargo and keep the United States out of the European war; to the Committee on Foreign Affairs.

5648. By Mr. VREELAND: Concurrent resolution adopted by the New Jersey State Senate, memorializing the Congress of the United States to enact appropriate legislation to prevent profiteering in foodstuffs and commodities; to the Committee on Ways and Means.

5649. Also, resolution adopted by the Young Republicans of New Jersey, Inc., the chairman of which is J. Branton Wallace, concerning neutrality legislation; to the Committee on Foreign Affairs.

5650. By Mr. HART: Memorial of the New Jersey State Legislature, requesting the enactment of appropriate legislation designed to prevent profiteering in foodstuffs and commodities to the end that such irregular practices shall be abated; to the Committee on Ways and Means.

5651. By Mr. GILLIE: Petition of Edward J. Bowers, of New Haven, and sundry citizens of New Haven and Monroeville, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5652. Also, petition of approximately 4,000 residents of Fort Wayne, Ind., headed by Al J. Hoffman, H. J. Gerhardstein, and Mrs. Bernadette Kaade, urging Congress to retain the embargo on arms and munitions and maintain strict neutrality; to the Committee on Foreign Affairs.

5653. Also, petition of Mr. and Mrs. W. G. Pitkin and 30 other citizens of Howe, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5654. Also, petition of Mr. and Mrs. Herman Yeager and 35 members and friends of the Methodist Church, Topeka, Ind., urging a policy of strict neutrality; to the Committee on Foreign Affairs.

5655. Also, petition of Edwin R. Garrison and 482 residents of Bluffton, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5656. By Mr. HALLECK: Petition of citizens of Inwood and Bethel communities, Marshall County, Ind., opposing the proposed repeal of the arms-embargo clause of the Neutrality Act; to the Committee on Foreign Affairs.

5657. By Mr. MUNDT: Petition of the South Dakota Federation of Women's Clubs in convention assembled in Sioux Falls, S. Dak., opposing any form of participation in foreign wars; to the Committee on Foreign Affairs.

SENATE

FRIDAY, OCTOBER 6, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, Eternal Source of Being, whose wondrous name is Love, whose worship is Truth, and whose Sanctuary is the heart of man: Look with pity, we beseech Thee, upon Thy world, tempest-tossed and worn with strife; without is tumult and confusion; within is weariness and deep dispeace; and we long for rest. Yet we ask, not the rest of those who sit with idle hands, nor the rest of those who cease from mental strife, but the inward rest which comes to those who share the easy yoke of Christ. We long for Thy forgiveness; yet we crave no easy word of pardon, nor the hiding of Thine eyes, but the cleansing of our hearts; the transforming of our being; the weaving of a robe of righteousness from strands of penitence and high resolve.

So shall we be able to look out upon life with new vision and strength for all realities and, though the tempest still is high, we shall know that the Eternal God is our Refuge, and that underneath are the Everlasting Arms. In our Saviour's name we ask it. Amen.

APPEARANCE OF A SENATOR

BURTON K. WHEELER, a Senator from the State of Montana, appeared in his seat today.

THE JOURNAL

On request of Mr. BYRNES, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Thursday, October 5, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BYRNES. I make the point of no quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bulow	Clark, Idaho	Ellender
Andrews	Burke	Clark, Mo.	Frazier
Bailey	Byrd	Connally	George
Bilbo	Byrnes	Danaher	Gerry
Borah	Capper	Davis	Gibson
Bridges	Caraway	Donahey	Gillette
Brown	Chavez	Downey	Green

Guffey	Lodge	Nye	Smathers
Gurney	Lucas	O'Mahoney	Stewart
Hale	Lundeen	Overton	Thomas, Utah
Hayden	McCarran	Pepper	Tydings
Herring	McKellar	Pittman	Vandenberg
Hill	McNary	Radcliffe	Van Nuys
Holt	Maloney	Reed	Wagner
Johnson, Calif.	Mead	Reynolds	Walsh
Johnson, Colo.	Miller	Schwartz	Wheeler
King	Murray	Schwellenbach	White
La Follette	Neely	Sheppard	Wiley
Lee	Norris	Shipstead	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Kentucky [Mr. BARKLEY], the Senator from New Mexico [Mr. HATCH], the Senator from Indiana [Mr. MINTON], the Senator from Georgia [Mr. RUSSELL], the Senator from Illinois [Mr. SLATTERY], the Senator from South Carolina [Mr. SMITH], and the Senator from Missouri [Mr. TRUMAN] are unavoidably detained.

Mr. McNARY. I announce that the Senator from Vermont [Mr. AUSTIN], the Senator from New Jersey [Mr. BARBOUR], the Senator from Oregon [Mr. HOLMAN], the Senator from Ohio [Mr. TAFT], and the Senator from Delaware [Mr. TOWNSEND] are necessarily absent.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, transmitted to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. M. M. Logan, late a Senator from the State of Kentucky.

The message announced that pursuant to resolution of the House the Speaker pro tempore had appointed Mr. MAY, Mr. SPENCE, Mr. CHAPMAN, Mr. CREAL, Mr. O'NEAL, Mr. ROBSION of Kentucky, Mr. BATES of Kentucky, Mr. GREGORY, and Mr. VINCENT of Kentucky, members of a committee on the part of the House to join the committee appointed on the part of the Senate to attend the funeral of the deceased Senator.

PETITIONS

Mr. GURNEY presented petitions of sundry citizens of the State of South Dakota, praying that the United States may keep out of war and that the existing neutrality law be retained, which were ordered to lie on the table.

He also presented numerous petitions of sundry citizens of the State of South Dakota, praying for the enactment of legislation providing a Nation-wide vote before the United States shall send troops overseas to engage in war in foreign countries, which were referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

S. 2979. A bill for the relief of the San Francisco Mountain Scenic Boulevard Co.; to the Committee on Claims.

S. 2980. A bill providing for the sale of certain lands to the Arizona State Elks Association Hospital; and

S. 2981. A bill to return a portion of the Grand Canyon National Monument to the public domain; to the Committee on Public Lands and Surveys.

By Mr. PEPPER:

S. J. Res. 187. Joint resolution relating to the improvement of economic, commercial, and cultural relations among American republics; to the Committee on Foreign Relations.

ARTICLE BY SENATOR DAVIS ON PENDING NEUTRALITY LEGISLATION

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an article by himself published in the Philadelphia Inquirer of September 20, 1939, on the pending neutrality legislation, which appears in the Appendix.]

LETTER BY SENATOR BAILEY ON PENDING NEUTRALITY LEGISLATION

[Mr. BYRNES asked and obtained leave to have printed in the RECORD a letter addressed by Senator BAILEY to the people of North Carolina on the subject of neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR SCHWELLENBACH BEFORE SEATTLE BAR ASSOCIATION

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address delivered by himself before the Seattle Bar Association on September 13, 1939, on the topic What Shall We Do Now? which appears in the Appendix.]

ADDRESS BY SENATOR BROWN ON PENDING NEUTRALITY LEGISLATION

[Mr. HERRING asked and obtained leave to have printed in the RECORD a radio address on the pending neutrality legislation delivered by Senator BROWN, of Michigan, on October 5, 1939, which appears in the Appendix.]

ADDRESS BY FORMER GOVERNOR LA FOLLETTE, OF WISCONSIN, ON PENDING NEUTRALITY LEGISLATION

[Mr. JOHNSON of California asked and obtained leave to have printed in the RECORD a radio address delivered by Hon. Philip F. La Follette, former Governor of Wisconsin, on Tuesday, October 3, 1939, which appears in the Appendix.]

ADDRESS BY JOHN HAMILTON BEFORE NEW YORK COUNTY REPUBLICAN COMMITTEE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD excerpts from remarks of John Hamilton, chairman of the Republican National Committee, before a meeting of the New York County Republican Committee and workers of the Manhattan Center in New York City, September 28, 1939, which appears in the Appendix.]

LETTER BY COL. HENRY BRECKINRIDGE ON APPEAL OF ARMS EMBARGO

[Mr. BYRD asked and obtained leave to have printed in the RECORD a letter on the subject of the repeal of the arms embargo written by Colonel Breckinridge and published in the New York Times of October 1, 1939, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. McNARY. Mr. President, I rise to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. On Wednesday, shortly before the Senate took a recess, the able Senator from Missouri [Mr. CLARK] offered an amendment to the pending joint resolution. Later the able Senator from New Hampshire [Mr. TOBEY] proposed a motion to recommit the joint resolution to the Committee on Foreign Relations. Of course, I appreciate that the motion to recommit takes precedence over the motion made by the Senator from Missouri; so I am directing my inquiry particularly to the motion of the Senator from New Hampshire to recommit with specific instructions to report two separate measures in lieu of the pending joint resolution.

The point of my inquiry is whether the Senate will vote upon this motion on Monday or whether it may be voted upon on some other date and who may call up the motion.

On page 107 of the RECORD of October 4, this week, in a colloquy, our distinguished leader the able Senator from Kentucky [Mr. BARKLEY] said, referring to the motion made by the Senator from New Hampshire:

I think it would be advisable to let the matter go over until Monday.

On page 108 of the same RECORD I observe the following statement by the distinguished leader:

Mr. President, am I to understand from the Senator from New Hampshire that, regardless of whether or not he holds the floor to conclude his remarks tomorrow, the motion which he has made will go over until Monday?

Mr. TOBEY. That is correct.

It was agreed between the majority leader and the Senator from New Hampshire that his motion would go over until Monday. The question is, Will that motion automatically come up on Monday, or must it be called up, or must we await the decision of some Member who desires to speak on the pending question?

I make that inquiry because a number of Senators have asked when the motion of the Senator from New Hampshire will come before the Senate.

The VICE PRESIDENT. No unanimous agreement was made by the Senate to take up the motion of the Senator from New Hampshire on Monday; but, according to the Chair's understanding of the RECORD, there was a gentlemen's agreement that the motion would go over until Monday, and it seems to the Chair the logical deduction is that it would come up on Monday.

Mr. MCNARY. If that is the ruling of the Chair, it will automatically come up on Monday without any Senator calling it up for consideration?

The VICE PRESIDENT. The Chair will say to the Senator from Oregon that the Chair does not see it exactly that way.

Mr. MCNARY. That is a part of my question.

The VICE PRESIDENT. There is no direction by the Senate to take up the motion on Monday. There is simply a gentleman's agreement that it shall go over until Monday. If, on Monday, any Senator should desire to call up the motion, it seems that whoever might occupy the chair would recognize that gentlemen's agreement and recognize the Senator for the purpose of calling up the motion of the Senator from New Hampshire. There is no direction of the Senate in the RECORD, so far as the Chair can ascertain, as to what shall happen on Monday, but a mere kind of gentlemen's agreement that the motion shall go over until Monday.

Mr. MCNARY. Mr. President, I am in sympathy with the statement of the Chair that there was an agreement between the Senator from Kentucky and the Senator from New Hampshire that the motion would not come up before Monday.

The VICE PRESIDENT. That is correct.

Mr. MCNARY. But there is nothing in the RECORD to indicate that it must come up on Monday.

The VICE PRESIDENT. That is correct.

Mr. MCNARY. In conversation with the Parliamentarian yesterday, however, I gained from his view that he thought the motion automatically would come up on Monday, to which I disagree. That is the reason why I have propounded the parliamentary inquiry. I am satisfied.

The VICE PRESIDENT. The Chair agrees with the Senator from Oregon that the motion will not come up automatically.

Mr. THOMAS of Utah. Mr. President, when the most honored and respected dean of our body, the senior Senator from Idaho [Mr. BORAH], concluded his remarks, he summed up his arguments by stating briefly his seven points.

The Senator's first point was stated as follows:

> That this Government had the right and authority without any invasion whatever of the principles of international law to pass a law providing for an embargo on arms, munitions, and implements of war.

While the report of the Foreign Relations Committee held otherwise in reporting the present proposal onto the calendar, I can respect the opinion of the Senator from Idaho, and leave the question moot whether or not we had the right to pass such an embargo. One point is clear. We are considering today domestic law. The proposal is one of adding restraints to American citizens and American property and American ships. The Senator refutes his own argument by emphasizing the point that the embargo is not contrary to international law, for, if this is true, lifting the embargo cannot be contrary to international law. Therefore, all that has been said about international law and its application to repeal of the embargo provision is beside the point. The Senator from Idaho will, I am sure, share my feeling that we are discussing domestic legislation.

The Senator's second point was stated in the following words:

> That there are ample precedents wherein other nations have passed such laws and wherein no question was ever raised to the effect that they interfered with the principles of international law.

This is granted, but, since precedents are cited, probably it would not be unfair to consider the very precedents noted. Surely the Senator gave us his strongest points when he mentioned the Belgian, Swedish, Swiss, and Netherlands embargoes. But was not there a reason for each one of these embargoes, aside from the fact of a right in international law? Belgian and Swiss neutrality is a forced neutrality, guaranteed by the great powers, and always has been. It was not self-imposed. The Netherlands, too, is a small state. Sweden's nonshipment of arms during the Russian-Japanese War was in no sense an incident to be compared with America's embargoes since 1935. To assume that Sweden placed an embargo during the Russian-Japanese War because she wanted to be neutral in that war in the sense that America is a neutral now would be a flight of the imagination. To assume that Belgium and Switzerland placed embargoes during the Franco-Prussian War for anything but to meet an actual necessity for self-preservation would also be a flight of the imagination.

No one, I trust, will ever assume that the United States in 1935, 1936, or 1937, or now in 1939, is considering the question of an arms embargo because the United States is forced from pressure on the outside to do so. I know that those who are anti-British say England wants the embargo lifted. I know those who are anti-German say that Germany wants the embargo retained. But no one can possibly accuse a protagonist in the United States Senate, or a Senator who is opposed to the arms embargo, of acting because of any pressure outside the United States.

That, sad to relate, could not be said of Switzerland or of Belgium during the Franco-Prussian War or of Sweden during the Russian-Japanese War. When, except in our own case, has a major nation ever created an embargo for the same purpose we did? We must always remember that the purposes of our three neutrality acts were identical. That the present suggested modification has the same purpose we must also always remember. Each prohibition imposed is a restraint of a right and an emphasis upon a duty. Each law has and will mark a retreat from a privilege recognized as proper. This has and will be done for a national purpose where experience has shown a necessity in order to better protect the general welfare of the American people and promote peace in the world. Many nations have embargoed arms for purposes of conservation and other reasons, and this is recognized properly as being in accordance with international law.

In 1925, when some 40 nations drafted an international agreement concerning traffic in arms, freedom of action for the individual states parties to the agreement was provided for during periods of war by allowing each state to act in accordance with its own individual laws when dealing with belligerents in arms trade, all, of course, to be done under international law of neutrality.

Yesterday, when the junior Senator from Washington [Mr. SCHWELLENBACH] was considering the point which we have discussed here, I wanted to call his attention to this arms-traffic treaty ratified by the Senate of the United States in 1935. It emphasizes what the Senator from Washington was pointing out, that an arms embargo during peacetimes is one thing; an arms embargo during times of war is definitely another thing.

The theory behind the traffic-in-arms treaty is that the situation changes so completely under international law and under facts when nations enter into war that the nations must be relieved individually of the restraints put upon them by an international treaty the minute war comes into the world.

The reasons for that are evident, and the Senator from Washington yesterday made them plain in quoting the theory

of international law as propounded by the great John Bassett Moore.

The third point the Senator from Idaho stated was worded as follows:

That the leading authorities on international law sustain this principle.

I believe this point has been cleared up in my previous remarks. It still is quite beside the point whether we had a right to pass the Embargo Act in the beginning. The question of its desirability in this case is stronger than the question of its right. I shall leave it to others to press for citations, if they care to, in behalf of the contention that we never enjoyed such a right under international law, and that its passage, and notably its retention, are contrary to international law, or an abridgment of international law.

The Senator from Idaho made his fourth summation in the following language:

That at the time this law was passed it met with practically universal support from the Government and from the people of the United States.

This is true, I grant. The law, though, was deemed unwise by many. The President of the United States has publicly repented his signature to the law, and, unless my memory fails me, when he signed the first neutrality law he made a statement wherein he questioned the wisdom of the act. Honest repentance is good for the soul and should be condemned by no one. We all know the history of our three neutrality acts. We all know the various stimuli which brought them forth. Suggestion for repeal signifies a changed mind and a changed purpose and results from experience. Government should be commended, not criticized, for righting what is considered inadequate.

The fifth point of the Senator from Idaho is the serious one. Therefore I shall pass on to the sixth and seventh and return later to the fifth. The sixth point is stated as follows:

That it is my belief repeal is urged with the purpose of favoring the Allies and with the intent of rendering service to them in this present war.

And the seventh:

That to repeal the law at this time and under these circumstances will not aid in the cause of peace, but contribute greatly to our participation in the war.

In the first of these last two points the Senator deals with a belief; in the latter he ventures an opinion. I will not argue about beliefs and opinions; but, as my beliefs and opinions differ from the learned Senator's, I shall offer my beliefs and opinions as such at the proper time in this debate.

Now let me return to the fifth point. The Senator concluded—

That to repeal the law after war has been begun and under the circumstances which now prevail, and the intent accompanying the repeal, will be a violation of international law and a distinct affirmative act of intervention.

This is the most serious of all of the Senator's arguments. Neither one of his two conclusions—namely, that repeal is a violation of international law, and, secondly, that it would constitute an affirmative act of intervention—may be granted. Those two arguments I deny. I do not wish to challenge the eminence of the authorities whom the Senator from Idaho has quoted; but I want to emphasize that there are just as strong authorities on the other side. International lawyers, international text writers, and statesmen who quote international law are no more all on one side than are the Members of the United States Senate in regard to any theory in any of the great branches of law. Each of the gentlemen whom the Senator from Idaho quoted, when he is teaching his subject, each when he is writing objective texts, faces his students and his readers impartially and treats his subject honestly. The men whom the Senator from Idaho has quoted are my friends, as they are his. They are great scholars, and I honor them beyond words. But they, like all of us, are advocates when they become partisans for a given cause.

In answering this important point I, too, may quote great international lawyers.

Article 13 of the Draft Convention on the Rights and Duties of Neutral States in Naval and Aerial War reads:

A neutral state, for the purpose of better safeguarding its rights and interests as a neutral or of better fulfilling its duties as a neutral may, during the course of a war, adopt new measures or alter the measures which it has previously adopted; provided, however, that the new measures adopted do not violate any provision of this convention.

The Thirteenth Hague Convention of 1907 reads:

PREAMBLE

Seeing that, in this category of ideas, these rules should not in principle be altered, in the course of the war, by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power * * *.

Article 26. The exercise by a neutral power of the rights laid down in the present convention can, under no circumstances, be considered as an unfriendly act by one or other belligerent who has accepted the articles relating thereto.

In the comment on article 13 of the draft convention, to which more than a score of great international law authorities gave their advice and contributed their wisdom and learning, there is found general concurrence in the rule. There also appears a quotation in the comment from the legal adviser of the Department of State, delivered before the Senate Committee on Foreign Relations in 1936, which reads as follows:

It is not reasonable to say that a neutral cannot change its position after the war starts because we know that belligerents change theirs from time to time as the war progresses. * * * Why is it not reasonable to suppose that neutrals may change theirs, but not at the instance of one of the belligerents. * * * Whether we change our policy at the instance of a belligerent or whether we change it as a matter of domestic policy is the important consideration.

The summary of the argument of the comment is stated as follows:

The practice of states does not indicate the existence of a belief in any general legal principle which would require a neutral state to adopt all its neutrality regulations before war breaks out and to maintain them without modification during the course of the war. Indeed, most of the progress in the development of the law of neutrality from the end of the eighteenth century to the present time has resulted from changes introduced while a war was in progress. Some of these changes have been made and justified on the theory that they were designed merely to make more effective the discharge of a preexisting legal duty; but as in the case of the laws and regulations adopted by the United States in 1793, there was in reality a progression beyond the point then established in international law. From the point of view of the principle embodied in this article, it is immaterial whether the new rule is thus intended to perfect the performance of a neutral duty or whether it is intended to exercise a neutral privilege for the sake of further protecting neutral rights and interests.

My point is that the argument is valid as argument if we stay in the realm of quoting what someone has said about the subject from either standpoint, but I am going to argue this case myself by repeating and reiterating that what we are today considering is domestic legislation. We are considering this legislation with but a single objective, and that is to keep the United States out of war. We are retreating from what international law grants us as being our rights. With the single exception of the arms embargo, we are in this measure making restrictions on American citizens greater than under present law, emphasizing more strongly than ever the duties rather than the rights of an American citizen in times of foreign war. A retreat from a right well within the realms of actual rights could never be deemed changing the rules of the game after the game has started. Some 10 years ago, when a young man who became confused ran a football to his own goal line instead of to that of his opponents, expecting to make a touchdown, did anyone ever suggest that that boy was breaking any of the rules of the game? A change by retreat is never an enlargement of one's rights.

The assertion of the Senator from Idaho that a repeal of the law is a distinct affirmative act of intervention is a most serious charge. If his contention is assumed, and if it should be proved true, then I would be hesitant in proceeding without making explanations to the world. But, I repeat, I cannot see how an act which affects only the citizens of the United States can ever be assumed to be an act of intervention. When a nation intervenes, it moves against another.

not against itself. In international relations a nation cannot be charged with intervention when the action which is taken operates against its own people, when the restraint is put upon its own citizens. While it is true that the embargo on arms will be lifted, still no American citizen may ship arms to a belligerent, and still no American boat may carry arms to a belligerent. The effect of the whole law must be taken into consideration, not just the effect of a single section.

How can a nation become an intervenor by restraining itself? How can a nation become an intervenor by insisting that its citizens do not use the rights and privileges which other neutral nations enjoy? How, in short, could America become an intervenor by relying on the international law, accepted universally for neutral nations, and even that restricted and limited by the proposed restrictions of this projected domestic law? How can we become an intervenor when we do not violate international law in the least degree?

The President has asked that we consider international law as at least being sufficient. If the pending joint resolution recognizes the paramount position of international law and in no way breaches it, it would be paradoxical to say that by applying it we would be "intervening." In short, how can a law-abiding neutral become a participant or intervenor without any breach whatever? And further, is there a nation that would not protest our action should we move in the least toward intervention? Nations are touchy upon these subjects. Germany even protested to Rumania the resignation of the President of Poland within Rumanian borders as being a breach of an international obligation. I would leave suggestions such as a charge of intervention to someone outside of the United States. We may rest assured that if the United States ever does an act contrary to the customs and practices of nations which actually affects another nation's rights we shall hear from it.

But let us see what intervention is. Intervention is the attempt by a state or several states, even with the use of force, to coerce another state in regard to a purely state action. When a state directly interferes with the exercise of the lawful authority of another state that constitutes intervention. Thus there can never be a right to intervention under international law, because it would breach the outstanding fundamental principles of international law, the complete independence and sovereignty of states. Intervention, therefore, if it is indulged in, must be an action which is justifiable within itself. Surely no one even in the loosest manner can assume that a modification of an American domestic law is an act against the sovereignty or the authority of another state.

It is not the Senator from Idaho alone with whom I disagree in regard to a loose use—colloquial adaption of a technical legal concept—of the word "intervention." One of the eminent authorities the Senator has quoted, in speaking about section 4 of the Neutrality Act of 1937, says:

> This committed the United States to an avowed policy of unneutrality in a war between a non-American and an American country. This new policy goes far beyond the Monroe Doctrine and amounts to the promise of an alliance of the United States with any Latin American country which for any reason might find itself at war with a non-American country. It seems particularly unfortunate to introduce a gratuitous promise to intervene—

Mind you, Mr. President, the man who wrote this was cited by the Senator from Idaho as being a great international lawyer, and is perhaps as great an international lawyer as I know of. But here he was writing a book for a special purpose. He was not writing a textbook on international law, but was writing a book dealing with the points involved, and he does what everyone else does, he reaches over into the realm of law and takes a technical legal idea and brings it into a colloquial discussion.

> It seems particularly unfortunate—

He says—

> to introduce a gratuitous promise to intervene in foreign wars that might not concern the United States in a bill designed to preserve American neutrality. (Borchard, Edwin, and Lage, William Potter, Neutrality for the United States, p. 329.)

That is his understanding of an American law which has now been on the statute books since 1936.

There is no suggestion of intervention in section 4. In fact, it would be so grossly out of harmony with everything that has been done, especially by this country under the leadership of the present President in regard to relations with Latin American states, with states in this hemisphere, it would be so completely out of harmony with the whole spirit of the law and with the theory of what has been done in the last 3 or 4 years, that for anyone to assume that we were attempting to give notice that we would intervene in an unneutral way would be to indulge in probably the grossest type of a flight of the imagination.

I repeat the quotation.

> It seems particularly unfortunate to introduce a gratuitous promise to intervene in foreign wars that might not concern the United States in a bill designed to preserve American neutrality.

I suggest, Mr. President, that if you go through the whole discussion of the Neutrality Act of 1936, and particularly through the explanation of section 4 made in 1936 and in 1937, you will find that not a single Senator questioned that provision on the score that it was an unneutral act, that it constituted intervention against a Latin American state or a state that was molesting a Latin American state.

There is no suggestion of intervention in section 4. Of course, the Neutrality Act of 1937 does openly declare to the world that America will be neutral in one way to her neighbor on the north and neutral in another way to a neighbor on the south. This is called unneutrality by some; but everyone must recognize the fact that any principle of international relations and of international law, even a principle which is supposed to be as impartial as a law of neutrality, must be tempered by actualities, facts, national conditions, and physical relations.

Mr. PITTMAN and Mr. DOWNEY rose.

Mr. PITTMAN. Mr. President, before the Senator sits down may I ask him a few questions?

Mr. THOMAS of Utah. I shall be glad to yield to the Senator for that purpose.

The PRESIDING OFFICER (Mr. KING in the chair). The Chair will recognize the Senator from California when the interrogatories about to be propounded by the Senator from Nevada shall have been concluded.

Mr. PITTMAN. Mr. President, I desire to ask the Senator from Utah some questions touching international law, knowing that he has been a teacher of international law and also a teacher of history.

The distinguished senior Senator from Michigan [Mr. VANDENBERG], in his address in the Senate on the fourth day of this month, quoted some excerpts from distinguished writers on international law for the purpose of showing that to change our Embargo Act at this time—that is, to repeal it—would be a violation of our neutrality on the theory that it would be changing one of our domestic laws after a state of war existed between two countries. The Senator from Michigan said:

> For example, the famous Roscoe Pound, former dean of the Harvard Law School, is quoted in the Detroit Free Press of September 23 as warning that America, if it changes its Neutrality Act so as to assist one belligerent will, in effect, be in the war.

He quotes further:

> Again an Associated Press dispatch from Syracuse, September 21, quotes Henry S. Fraser, who was technical expert to the League of Nations committee for codification of international law:
> "There is an established principle of internationcl law that a neutral may not, after the outbreak of war, change its legislation for the purpose of assisting one of the belligerents."

I observe that in the first quotation the qualifying condition on changing a domestic law is, "so as to assist one belligerent"; and in the other quotation the qualifying statement is, "changes its legislation for the purpose of assisting one of the belligerents."

Are not those last statements, with respect to changing the law so that it will aid one belligerent and not the other, qualifications to the whole suggestion of international law?

Mr. THOMAS of Utah. Mr. President, that is the point which I have been trying to make. In each modification one must, of course, go back of the reason for the modification. If a nation deliberately decides to help one side—that is, where the deliberation is outright—that, of course, is not neutrality; it is not impartiality; it is not among the actions which are related to the idea of not taking part in the war on either side.

If, on the other hand, a nation discovers that, for its own reasons and to take care of its own interests, and acting entirely in the domestic realm, a change is essential to its own welfare—and that means all the ideas which a nation may have in mind with relation to its welfare, including the one which we have in mind, and which has been stated so many times, namely, the idea of keeping our country out of war—if those are the reasons a nation gives, and they are true reasons, a nation may change its provisions in regard to its neutrality at any time without doing injury to either of the belligerents by that act, and without in any way affecting its neutrality.

If I may go a little further, let me say that the law of neutrality is not an absolute law. It never can be; it never was supposed to be. In modern times, especially since the time of Grotius, there developed the concept that merely because certain nations may be at war all nations need not be at war. But even Grotius, in his philosophy of neutrality, was afraid to stand upon the right of a nation to remain aloof from war if war was in the world, and nations were not sufficiently strong, or not in a physical position to assert that they had a right to stay out of war. So Grotius explained that the first duty of a nonwarring nation is to discover the more just side and take sides with the more just cause. The moral notions of law during the whole of the Middle Ages in Europe, during the time either of the Petrine control or the control of the Holy Roman Empire, were such that neutrality had no chance to develop. It had no place in the scheme. However, when nations began expressing and explaining their own individual national entities, neutrality came into being. In modern times the nation which has contributed most to the development of the law of neutrality, the nation which has made it a fact in international law which must be respected, is the United States of America. It is the law of neutrality in the United States which has become the guide of all those who wish to see the neutral idea developed in this complex world of ours.

It was the physical position of America which made that possible. The concept of neutrality of George Washington and concept of neutrality of Thomas Jefferson grew just as logically out of the Declaration of Independence as did the Constitution of the United States and our Federal system.

"Neutrality" means that we are to be independent. In the mind of Thomas Jefferson, just because two great nations in the world tried to make wolves of themselves was no reason why this Nation should enter into the strife they created. We have a right to stand alone. That is the basic notion on which American neutrality rests. It is not the basic notion upon which Swiss neutrality rests. It is not the basic notion upon which Belgian neutrality rests. It was not the basic notion upon which Swedish neutrality rested during the Russo-Japanese War. Then Russia extended to the ocean, and Sweden was a neighbor of Russia. Because of her situation Sweden's neutrality was just as much a forced neutrality as it could be. Wherever we go in the world we discover that the law of neutrality, as interpreted by the individual state, always reflects the physical situation, the obligations, and the position of that state.

My reply has been too long. I beg the Senator's pardon.

Mr. PITTMAN. I thank the Senator, because I think it is well that some of these legal questions should be cleared up.

Of course, we had a legal right to place an embargo upon arms and ammunition to all belligerent countries, because the embargo was supposed to be equal. We had the legal right to place the embargo, did we not?

Mr. THOMAS of Utah. I think so. I think there is no question about that.

Mr. PITTMAN. Yet at the time we placed the embargo we knew, from our knowledge of history and geography, that it was going to deprive Great Britain of the opportunity, which she enjoyed before the passage of that act by reason of her control of the seas, to obtain arms and ammunition from us. That is a fact, is it not?

Mr. THOMAS of Utah. I think that is a fact. I should like to go a little further, Mr. President, if I may, in regard to that question.

Those who have thought only of one thing, the lifting of the embargo, on the assumption that England and France are in need of airplanes, and that that is the whole issue, fail to see through the act which we are proposing to pass as a unit. The proposed act can in no sense be deemed pro-German and anti-British. It can in no sense be deemed pro-British and anti-German. However, if we take the physical facts into consideration, if we take the condition of those lands into consideration, if we realize what the position of England was during the last war and the things which England needs most, and if we then undertake, as I will not do and as I do not believe the pending measure does, to be friendly or unfriendly to one of the belligerents, we shall become sunk, not only in our logic but also in our facts, because the restraints put upon American citizens and American shipping with respect to nonmunition products would hit more vitally at Great Britain than the lifting of the arms embargo would help Great Britain.

Everyone knows that there is one country on earth above all other countries which is dependent upon the outside world for its food supply. There is no country quite so dependent as is Great Britain. If England were not so dependent upon the streams of commerce to take care of her lifeblood, there would be no excuse for the British Navy and the British theory that that Navy must be greater than all other navies. There is no other nation so weak so far as the ordinary essentials of life are concerned. In fact, in regard to food England stands in about the same position in which New York would stand in case all communications from the outside were cut off. If there is an unfriendly act or an unfriendly thought in the restrictions we are putting upon ourselves, it is that the ordinary channels of commerce are to be stopped so far as American bottoms are concerned, and that there must be a change of title and ownership of American products to the foreign purchasers.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. In a moment I will yield.

Yesterday the Senator from Wisconsin [Mr. WILEY] brought out the point of our trade with the belligerents during the World War, and he emphasized the fact that about 30 percent of that trade was in arms and ammunition.

Mr. WILEY. Thirteen percent previous to the war.

Mr. THOMAS of Utah. Thirteen percent. I thank the Senator. We all know that was the fact. Those who were trying to provide for our armies ordinary muskets, if I may call them by that name, during the beginning of the World War, know that we were not even able to supply our own men on the other side who were ready to go over the top. We realized that they had to be trained, because they did not have American munitions and they did not have American arms to use. They had to learn to use the arms which were supplied by the warring nations.

Mr. PITTMAN. Mr. President, will the Senator please let me finish the line of legal questions I should like to ask him, and then go on with the other matters?

Mr. SCHWELLENBACH. Mr. President, I should like to ask a question on the point just suggested, if the Senator will permit me.

Mr. THOMAS of Utah. I am glad to yield.

Mr. SCHWELLENBACH. The Senator is familiar with the statement which was made during 1915 that all the munitions shipped from this country to England during that year were not more than equal to the amount of munitions which England used up in one week during that war.

Mr. THOMAS of Utah. I should be surprised if, in actual experience, the amount were that large. I did not know that, however, and I thank the Senator for the information.

Mr. PITTMAN. Mr. President, I inquire if the Senator has finished answering the last question?

Mr. THOMAS of Utah. Yes; but I promised to yield to the Senator from California [Mr. DOWNEY], and then I will yield to the Senator from Nevada.

Mr. DOWNEY. If the Senator from Nevada would rather I should wait, I will defer.

Mr. PITTMAN. I merely wished to ask the Senator from Utah some legal questions, and I should like to finish them. I have four or five in order.

The PRESIDING OFFICER. To whom does the Senator from Utah yield?

Mr. THOMAS of Utah. I yield first to the Senator from Nevada.

Mr. PITTMAN. Mr. President, we had arrived at the last question I asked, I think, as to whether or not we did not know at the time we placed the Embargo Act on our statute books that we were depriving Great Britain, which is an island, of certain natural rights by reason of her control of the seas. I take it that the Senator admitted that to be the fact. We did that notwithstanding; while we denied Great Britain certain natural rights to the seas we realized that land powers had certain natural rights which an insular power, such as Great Britain, did not have. Is not that true?

Mr. THOMAS of Utah. That, of course, is true.

Mr. PITTMAN. But we did that because we felt that it was in the interest of the United States to attempt to remove a cause for the destruction of American vessels and the lives of our seamen. Notwithstanding that, we believed, did we not, that it would prevent arms and ammunition going not only to Great Britain but to every belligerent power on the mainland? Is not that true?

Mr. THOMAS of Utah. That is the way the law is written; and, of course, it is the only way the law can be interpreted.

Mr. PITTMAN. But, as a matter of fact, the peculiar situation which has developed in Europe absolutely negatives our intent. Is not that true?

Mr. THOMAS of Utah. It is.

Mr. PITTMAN. In other words, we have the inconceivable situation of Germany, a belligerent, being denied our arms and ammunition because it is at war, while its ally, Italy, not being at war, not coming within the scope of our Embargo Act, can receive all the ammunition it wants, and at the same time there is an alliance between those two nations to help each other. Is not that true?

Mr. THOMAS of Utah. That is true under the present arrangement.

Mr. PITTMAN. It is perfectly evident that we never intended such a situation as that to exist.

We find another most peculiar situation, namely, that Russia, an enormous country, is not at war today, apparently, with any other nation. It is true that it is acquiring land by persuasion, or it may be by the threat of force; I do not know; but under the law now on our statute books, cannot Russia legally import from the United States all the arms, ammunition, and implements of war she desires?

Mr. THOMAS of Utah. Not only can she, but she is doing so right now in regard to some of the most essential products in America for which we are dependent on the outside world.

If the Senator would like me to make a point there, I should be glad to state an actual situation, because it is in keeping with what is taking place with regard to our strategic materials, and shows how a nation, if it is going to preserve its people and primarily take care of its own interests, must legislate from time to time during war in such a way as to affect tremendously trade with the outside world.

As the Senator knows, for 3½ years we made studies in regard to the strategic material bill which is now on the statute books. The fact was emphasized that great as is the United States, strong as she is, there are certain commodities for which the United States is dependent upon the outside world. One of those products vital to American industry and to American life is rubber. In fact, so vital is it, in connection with another product, that phrasemakers who can describe a condition by the use of a phrase tell us that "the American people live on rubber and out of tin cans." We do not produce a pound of rubber and we do not mine any tin. We are so dependent upon these two commodities to satisfy our peaceful needs, let alone our warlike needs, that we have actually put an embargo on the exportation of tin, on the theory that that which comes in should not go out again.

Now, what has happened in regard to rubber? Every Senator no doubt is conscious of the fact that rubber has been internationally controlled for some time, just as diamonds have been internationally controlled. A world consortium has taken care of all the output. We are entitled to so much rubber. This international control has worked quite to the satisfaction of the American people and American industry, because we have had all that we needed and the price of rubber has been comparatively cheap. But the moment the war broke out in Europe agencies for foreign countries started buying our supply of rubber, and the price jumped up many points. Now, the question arises, Is the American Government entitled—and this is a neutrality question and that is why I am bringing it in here—is the American Government, when it imports for its own use a product upon which its people are dependent and to which they have a right both for industrial purposes and for the comforts of life, entitled to embargo such a product? Of course it is; and should it not do so as a matter of taking care of its own people? Who would suggest, if we should enact an amendment to the strategic materials law providing that the American Government, in taking care of the interests of its own people, should embargo rubber, that we would be doing an unneutral act? Yet who will say that in this day of mechanized warfare, in this day of swift war, anything is more essential than rubber? No airplane dare go in the air, unless it is to land on the water, without having a rubber cushion with which to return. Rubber is essential to the movement of all mechanized units used in warfare.

I do not know of a better illustration, Mr. President, to show what our rights are. No one would suggest that an embargo on rubber at this time would be an unneutral act. Why can we not use the illustration in regard to other products?

Mr. PITTMAN. Mr. President, I have one other question I desire to ask with regard to international law. Probably for 400 years it has been known in international law that a belligerent has certain rights on the high seas and that neutrals have certain rights. I think a belligerent has a right to visit and search and seize what it designates as contraband going to its enemies. Is not that true?

Mr. THOMAS of Utah. That is absolutely true. It grows out of necessity.

Mr. PITTMAN. And even during the World War Germany attempted to justify the legality of its sinking of merchantmen without carrying out the formality of visit and search on the ground that it was impossible for a submarine safely to carry out visit and search. Is not that true?

Mr. THOMAS of Utah. That is true. Under the rules of war it is a commander's duty first of all to take care of the lives of his own people, and, secondly, to take care of the property on which those lives depend. Under that rule of war no submarine dared put itself in front of or near one of our ordinary steamers that could go faster than the submarine. It could not any more conduct it than it could fly.

Mr. PITTMAN. And yet Germany was asserting its attempt to comply with international law at that time, was it not?

Mr. THOMAS of Utah. And, technically, it was complying with an international law worked out at a time when no one dreamed of anyone's going under the sea or over the sea, and when no one thought of anything else but the right of conduct under equal physical conditions.

Mr. PITTMAN. Is not the principle of international law with regard to blockade about as universally accepted as any other principle of international law?

Mr. THOMAS of Utah. The law of blockade during war grows out of absolute necessity on the part of the belligerents to take care of their own interests. Therefore, it is a fact of international law; it is even stronger than a principle.

Mr. PITTMAN. But it was more closely connected with ports of countries that could be physically surrounded by an enemy's fleet, so that it would be practically impossible for any vessel to pass through that fleet to the port or out of it. Is not that true?

Mr. THOMAS of Utah. That is true; but the same rule held on land.

Mr. PITTMAN. Yes; on land.

Such things as paper blockades were mentioned by writers on international law; were they not?

Mr. THOMAS of Utah. There were paper blockades in the last war; yes, sir.

Mr. PITTMAN. I am still stating that Germany was contending for the legality of all of its acts under international law. It justified its submarine zone of 1917 in the Atlantic Ocean on the ground, if I remember correctly, that it was an essential retaliatory act against Great Britain for establishing the whole of the North Sea as a danger area.

What I am getting at is this: Germany and the other belligerents were asserting that they were following international law, even though we did not believe they were. Is not that true?

Mr. THOMAS of Utah. I think that is true. I think the Senator should make the picture of a paper blockade a little bit more simple than he has done in his question, if I may make the suggestion.

Mr. PITTMAN. Yes, sir; that is what I wanted to find out.

Mr. THOMAS of Utah. International law is law which operates by common consent of the nations. There is no sovereign power which brings it into being. The last great world-wide international law which restrained powers by superior authority was probably the bull of the Pope dividing the world into two parts, giving half of the newly discovered land to Portugal and half of it to Spain. That was a consistently legal idea, because almost every one respected the supreme authority; but certain nations did not respect it, and history shows what happened.

If a paper blockade is agreed to by all belligerents, when there is an understanding about it, we have one proposition; but when one belligerent does as was done in the World War, and says, for example, that all the northern Atlantic shall be a war zone, and that blockade is properly challenged by the other belligerents, we have another proposition.

Mr. PITTMAN. Now, let me ask the Senator a further question. Is there anything in international law which justifies a belligerent in bombing a munitions plant in a neutral country so as to prevent goods from that munitions plant going to its enemy?

Mr. THOMAS of Utah. Certainly not. It is an unfriendly act.

Mr. PITTMAN. Has anyone under the precepts of international law ever suggested that a belligerent could go that far?

Mr. THOMAS of Utah. Not that I know of. I have never read international law that far.

Mr. PITTMAN. The reason why I ask the question is because the distinguished Senator from Idaho [Mr. BORAH] is here, and that is one of the dangers he saw in repealing the present act. He stated:

> The matter does not seem to me quite so simple. If a manufacturing plant, engaged in manufacturing and shipping munitions to Great Britain, were located, we will say, at Wilmington, Del., would the antagonist belligerents wait until the title had passed before destroying the goods?
>
> * * * * * * *
>
> Why should it not * * * bomb the plant, and destroy not merely a cargo on the sea but the entire establishment which is furnishing the means by which the cargo is supplied?

Mr. THOMAS of Utah. Mr. President, of course, I did not understand that the Senator from Idaho was defending his proposition as a right under international law. I think he was arguing that international law was not strong enough to restrain what he stated, and that he was merely asking a question which was a proper question in the light of what actually happened before we got into the World War.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. THOMAS of Utah. I do.

Mr. PITTMAN. The Senator from Idaho is present. That is the reason why I asked the question.

Mr. BORAH. The Senator from Nevada did not understand that I was presenting that example as one which would come under international law, did he?

Mr. PITTMAN. No; I could not conceive that the Senator would do so; but I was afraid that some others might conceive that the Senator was arguing that as a right of a belligerent under international law.

Mr. BORAH. I am pleased that the Senator rescued me from that imputation of stupidity.

Mr. PITTMAN. I know the Senator is not stupid, and I should not like to use that term with regard to anyone; yet we sometimes have to deal in realities.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. PITTMAN. Just one other question. During the World War there was no embargo under the laws of the United States against shipping anything, was there?

Mr. THOMAS of Utah. Not in ordinary commerce. I do not know whether or not there was such a law as our tin act, or something of that kind.

Mr. PITTMAN. There was no embargo act so far as the Senator knows?

Mr. THOMAS of Utah. Our ideal has always been freedom of exports, of course. That is the theory of our Constitution.

Mr. PITTMAN. Under international law, our citizens had a right not only to sell but to transport any commodity of the United States to any belligerent, subject to the risks under international law, did they not?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. And our citizens did so, did they not, or tried to do so?

Mr. THOMAS of Utah. They must have done so.

Mr. PITTMAN. Then, although the German Government submarined our merchant vessels without notice, is there any history, so far as the Senator knows, of the German Government attempting to bomb any of our industrial plants in this country during the war?

Mr. THOMAS of Utah. I think the Senator will find that industrial plants within America were bombed before we got into the war; that the United States actually tried to place the responsibility for the bombing; and that question was placed before properly constituted courts and commissions; and that the responsibility was placed upon the German Government for paying damages.

Mr. PITTMAN. It was sabotage, was it not? It was not bombing from the air by military forces.

Mr. THOMAS of Utah. There was no airplane bombing in any of that, so far as I know.

Mr. PITTMAN. It was sabotage?

Mr. THOMAS of Utah. Yes, sir.

Mr. PITTMAN. And, of course, the German Government denied responsibility for all of that. Any belligerent might do that now with regard to automobile factories manufacturing trucks, might it not?

Mr. THOMAS of Utah. Sabotage?

Mr. PITTMAN. Yes.

Mr. THOMAS of Utah. We are all praying that no belligerent government will do it.

Mr. PITTMAN. However, such things may happen.

Mr. THOMAS of Utah. Yes, sir.

Mr. PITTMAN. The belligerents would probably be just as desirous of sabotaging plants that are making great trucks to carry army materials as of destroying some of the materials themselves, would they not?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. As a matter of fact, they did try to sabotage some of our motor plants, as I recollect. Not only that, but if they are going to sabotage would they not have the same incentive to sabotage oil supplies in this country—oil wells, oil fields, oil reserves, gasoline factories—as they would to sabotage some other things?

Mr. THOMAS of Utah. More, because the damage would be greater.

Mr. PITTMAN. In other words, the things that they designate as contraband, not included in our small list of arms and ammunition, would be just as much an incentive to sabotage as the other things, would they not?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. Undoubtedly. It seems that we are treating rifles and cartridges as peculiar things. Now, there is just one other question I wish to ask.

The PRESIDING OFFICER (Mr. KING in the chair). If the Senator will permit, the Chair would like to call his attention to the fact that the Black Tom case might be pertinent to the inquiry the Senator was just making as to sabotage during the war by the Germans.

Mr. PITTMAN. I thank the Chair. I now desire to ask one more question of the junior Senator from Utah. The distinguished senior Senator from Michigan [Mr. VANDENBERG], in his speech on Wednesday, seemed to indicate that he had tremendous fear that some of the belligerents might come just outside our 3-mile limit and search our vessels to see whether they were carrying contraband. That is really legal under international law, is it not, if they have reason to believe the vessels are carrying contraband?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. They did that during the World War, did they not?

Mr. THOMAS of Utah. Yes.

Mr. PITTMAN. Would they be deterred in the slightest from taking that course of action because they suspected that a ship had on it copper, lead, zinc, gasoline, oil, any of those things which they call contraband of war, but not arms and ammunition?

Mr. THOMAS of Utah. Not at all.

Mr. PITTMAN. Does it not seem to the Senator, then, that there is no foundation for such fear as is stirred up on those grounds?

Mr. THOMAS of Utah. Mr. President, I do not like to get into any kind of discussion which involves a deduction made upon some pretty statement, for example, "If you become an arsenal to one side you become a target to the other"—"A stitch in time saves nine," which holds good only when one is repairing something with needle and thread, and does not apply to international relationships. Someone once made the wise-cracking statement that it is always the first drink that leads to drunkenness, which may be correct as to one man, but it hardly holds for 130,000,000 people. Anyone who bases his knowledge of history upon some slogan, or bases his knowledge of law upon some statement which sounds well, can never, of course, meet the facts of history, nor can he meet the facts of law.

It is interesting to note, when one reads, for example, arguments before the Supreme Court of the United States, that the men making them do not resort to wisecracking, and they do not argue from slogans. It is interesting to note, too, when one reads the speeches of politicians, that they invariably do what every movie director directs and every actor does, "play down," because it is assumed in the movies that you cannot take anything for granted, and you have to please the man who is willing to come and pay his money.

Mr. President, can anyone conceive of a nation, fighting as hard as it knows how to fight, busy as it can be with its enemy, having on its hands all it can possibly handle, deliberately trying to turn neutrals into allies for the other side? There is no general trained in military science, no admiral the master of naval tactics, who would be so foolish.

The last war turned on the decision, as related yesterday by the Senator from Washington, on the part of those in charge of the Navy in Germany, that their only hope rested upon completely obliterating England's supply of food and essentials, and they reached the conclusion that unrestricted submarine warfare would accomplish that result. It was suggested that it might bring neutrals into the war against them, and they took that risk; but they did not deliberately go out and sink ships in order to bring the United States into the war against them.

Mr. President, there is no instance in ancient history, medieval history, or modern history, of which I know, of such a course being taken. Even in ordinary street brawls, I have never known of a man who was fighting with another man doing something to make a person who was a bystander become a belligerent against him, though he may do something to cause the bystander to become a belligerent on his side.

Mr. PITTMAN and Mr. DOWNEY rose.

Mr. PITTMAN. Let me ask the Senator a personal question. To whom does the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from Nevada until he finishes.

Mr. PITTMAN. I wish to ask the Senator a personal question, and when I say that, I mean a question searching his own personal action and his intended action. I do this because a number of speeches broadcast over the radio, and some intimations in speeches here, indicate that Senators, even those who are supporting and intend to vote for this very stringent restrictive legislation, will, in the course of time, yield to persuasion, and first throw down the restrictions on credit, which are now so strong, so as to help Great Britain, and later on, as the debts to Great Britain mount, they will waive all security and let the debts mount and mount; and when that is not sufficient to save Great Britain, will vote to send our young men over there to die in Europe to save that money. Is there anything on earth that would induce the Senator from Utah to so yield? That is the question I ask him.

Mr. THOMAS of Utah. Mr. President, in a way I wish the fate of the world rested upon my decision. Then, beyond a doubt, we could make the world right. [Laughter.] But the facts of history are that since the United States has been a nation there have been 30 or 40 wars in the world. During most of those wars we had the right to lend money, and we did lend money; we had the right to trade, and we did trade. Under our rules of neutrality, we took advantage of every right we had. Thirty or forty wars, let us say, were fought—of course, I cannot remember exactly the number of wars—but never once, with the exception of 1812 and 1917, did we contend with a European country. Only once did we send men to the other side of the Atlantic to fight on land—only once in 150 years. We sent troops over the Pacific to the Philippines and we sent them to other places in America.

If the Senator wants to take illustrations from history, I am sure he will find, if he will consider the causes which led us into the World War, that the things to which we are referring now as first steps were the least important of all the reasons why we got into the World War. If I may take just a moment, let me recite what actually happened. I do not know whether or not I can remember all the details, but we all lived through those times.

After the sinking of the *Sussex* the President of the United States got from the German Government a promise which implied a reformation of the way in which the war was being waged in regard to the torpedoing by submarines of ships on the high seas.

On January 31, 1917, the German Government changed its policy. It was in the last part of the month of January 1917 that President Wilson and the German Ambassador to the United States were carrying on correspondence wherein it looked as if peace were going to be possible. In fact, if one will read the notes of the German Ambassador, he will discover that he had high hopes of the coming of peace. He protested to his own Government the return to unrestricted submarine warfare, and he received a reply which said in so many words that, while they probably agreed with his protest, it was too late, because the decision had already been made and the unrestricted submarine warfare would proceed.

Mr. President, that is when we got into the World War. Those were the first steps, and the only steps which can be

taken into consideration. What happened? In the unrestricted warfare the German submarines sank in the month of February 200 vessels, about 8 a day. What about the categories of those vessels? What were they? Were they American vessels? Yes; 2 were. One percent of the total sunk were American.

What about the others? One hundred and fifty of the two hundred, or three-quarters of the two hundred, were neutral ships. It was on that very point that President Wilson had based every one of his notes, wherein he declared American rights and the right of the freedom of the seas. It was then that the President of the United States asked the German Ambassador to go home. It was then that the first step was taken toward getting us into the World War. And what was the reason? Was it the sinking of those two ships? Certainly not. We went into the World War for exactly the same reason that nations that have been imposed upon go into all wars. It is a rule almost as old as the world. A promise had been given, a solemn promise had been made, and that promise was broken. There was a complete loss of faith on the part of our Government in the government that it had considered a friend and with which it had negotiated.

Who in the Senate, who schooled, for example, as President Wilson was schooled, in the theories of the American Government, in the theories of international law, as it grew out of the rights of states to sovereignty in the international regime, is so simple as to imagine that when the very vitals, the very foundation upon which such law and such a scheme of government rests were being wiped out action would not be taken? Of course we had to do something, and we did it.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. THOMAS of Utah. I am glad to yield.

Mr. PITTMAN. I will ask the Senator whether he believes, knowing history as intimately as he does, that Woodrow Wilson asked for a declaration of war or that anyone in the United States Senate at that time voted for war for the purpose of collecting debts?

Mr. THOMAS of Utah. Mr. President, if I may, I will say what I believe the real reason was. Our entry into the war came about because of a sense of outraged justice; not for the purpose of collecting debts. When did we ever go to war to collect debts? What would have been the stand of Grover Cleveland during the Venezuela affair if, for instance, England had said, "We have a right to collect debts"? Do Senators imagine that the American people, with their sensibilities, their notions of fair play, with their ideas built up around the idea of the Monroe Doctrine, the Federal system, their democratic notions, would stand for such a thing?

Mr. PITTMAN. Mr. President, I wish to say a word or two more and then I am through. I know that every Senator who sat on the informal committee constituting a majority of the Foreign Relations Committee was actuated solely by one purpose, and that was to eliminate, so far as possible, every cause that might lead us into controversy, that might lead us into a foreign war. I say that those men whom I know personally voted for stringent regulations with regard to credit. We think we have strengthened the credit provisions. Others do not. No persuasion by any foreign government, by any lobbyist, or by anyone else on earth would cause me to throw down those bars now or hereafter, and I do not believe there is a member of that group that ever would.

If a majority in Congress should throw down the bars against the will of those Senators, and credits granted by our citizens to some foreign belligerent should mount up, and such citizens should come to Congress and ask for a declaration of war so as to collect the debts, there is not a single solitary Senator who participated in framing this measure who would ever vote for such action.

I say to you, Mr. President, that I think the charge that Members of this body, men who have been through the test of politics for many years, who have met the test of statesmanship in this body, who have seen the futility of war and the death and destruction resulting from war, would vote for war on any such grounds is a reflection on the intelligence of those who make it. Such a charge is utterly preposterous. Those men—and I know them—as Members of the Congress that the Constitution vests with the power of declaring war, would never declare war on any such grounds. They would never appropriate the money to send a soldier abroad on any such grounds.

I regret that a practical question such as the Senate is considering should turn on fear which is sought to be stimulated in the hearts and minds of the mothers and the fathers of the United States when we are here striving to remove every practical cause that might draw our country into war. Should any other nation bomb our industrial plants, as has been suggested, it would mean a war against us, and we would resist that war. But even that would not cause us to resort to the foolish strategy of 1917 in sending 2,000,000 boys to a foreign country. That would be utterly unnecessary. With our economic and our financial power and our dominating Navy, we could eventually defeat any foreign power that was so foolish as to attack our country.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Utah. I am glad to yield.

Mr. CONNALLY. I wish to say that I have greatly enjoyed the address of the Senator from Utah, with the wealth of information and learning that he brings to the discussion.

A point has been made by those who are opposing repeal that to change the rules of the game, as they call it, after the game starts would make us unneutral. In other words, that since we have the embargo law, if we change one jot or tittle of it we become unneutral.

I have here a statement that has been issued from the high command of the opposition. It seems that the opponents of repeal—and I speak very respectfully of them—had a meeting, and after they concluded their meeting they handed out this pronouncement:

> We reached an agreement on this statement:
> "We are still willing, as has been our position from the first, to accept the administration bill if the administration will leave in the law the embargo on arms, ammunition, and implements of war, and provide for cash instead of credit on other commodities; but we refuse to yield to the repeal of the arms embargo, and it is not necessary if neutrality is the sole objective."

I wish to inquire of the Senator from Utah why it is wrong to change the embargo section on the ground that it would be unneutral, and yet it is perfectly proper to change the shipping provisions of the law? Under the present embargo act American citizens can send to the warring nations anything except arms and ammunition. They can send it on credit, in American ships, right into the warring nations' ports; is that not true?

Mr. THOMAS of Utah. Yes.

Mr. CONNALLY. But Senators say, "We must not touch the arms embargo. If we touch that while the war is going on, we become unneutral." Yet now they want to change the shipping laws. They want to restrict our shipping. They want to cut that down. Why cannot England and France complain and say with just as much justice, "You must not restrict the commerce coming to us. The war has begun now, and you must not change the rules during the game or after the game starts. After the umpire throws out the ball you must not change the rules of the game." We cannot repeal the embargo on arms because Germany wants no arms to go to England and France; therefore, the opponents say that that would be unneutral. England wants the food we are sending under the embargo law. She wants supplies. She wants raw materials. She wants American ships to continue to sail the seas and bring them over to France and England. But the opponents say with great consistency, "You must not touch one part of the embargo act, but you can repeal all the rest of it and put limitations and restrictions upon American shipping, and all the supplies that would go otherwise to aid England and France. You must not do anything toward letting them have any arms and ammunition. That would be a violation of neutrality. But you must do something more than you are doing now to England

and France. You must injure them, you must strike them by cutting off our commerce with England and France on general commodities." Would it not be just as wrong to restrict the advantages which France and England now enjoy as it would be to change the arms embargo?

Mr. THOMAS of Utah. I am sure the Senator has answered his own question.

I apologize to the Senator from California [Mr. DOWNEY]. My prepared talk was merely 10 minutes, and that is as long as I expected to speak. It may be discovered that something out of a textbook will be found to disagree with what I have said. In attempting to answer the seven points of the great Senator from Idaho I discovered a sufficiently hard task.

Mr. DOWNEY obtained the floor.

Mr. DAVIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Radcliffe
Andrews	Downey	Lee	Reed
Bailey	Ellender	Lodge	Reynolds
Bilbo	Frazier	Lucas	Schwartz
Borah	George	Lundeen	Schwellenbach
Bridges	Gerry	McCarran	Sheppard
Brown	Gibson	McKellar	Shipstead
Bulow	Gillette	McNary	Smathers
Burke	Green	Maloney	Stewart
Byrd	Guffey	Mead	Thomas, Utah
Byrnes	Gurney	Miller	Tydings
Capper	Hale	Murray	Vandenberg
Caraway	Hayden	Neely	Van Nuys
Chavez	Herring	Norris	Wagner
Clark, Idaho	Hill	Nye	Walsh
Clark, Mo.	Holt	O'Mahoney	Wheeler
Connally	Johnson, Calif.	Overton	White
Danaher	Johnson, Colo.	Pepper	Wiley
Davis	King	Pittman	

The PRESIDING OFFICER (Mr. DAVIS in the chair). Seventy-five Senators have answered to their names. A quorum is present.

Mr. DOWNEY. Mr. President, I have been here in the Senate for the past several days listening to the able arguments that have been made on both sides of this important issue. The question has repeatedly come to my mind if there is a single Senator present who would vote to impose, voluntarily, upon the American people a tax that would take away from them 25 to 50 percent of their incomes to help support the war causes of the British and French Empires. I may say in this connection that the British is the greatest empire of the ancient or the modern world, containing more than a quarter of the population of the globe and one-fifth of the land area. It has, with France, incomparably greater land, power, resources, wealth, and armament than has Germany. The question I put is whether the Congress of the United States would be willing to impose a heavy tax burden upon the American people to assist the British Empire as we did during the World War. Some Senators may be saying to themselves, "Of course not; certainly we would not place a heavy additional load upon our economy already weakened, already threatened by a rapidly expanding debt. Of course we would not vote to take away from 50,000,000 of our own people, now almost destitute, from 25 to 50 percent of their scanty incomes."

Mr. President, I hope that is the reaction of Senators. I notice today that one distinguished gentleman, a friend of mine, is even amused at the idea that any Senator would inaugurate a policy under the pending measure which would lay a crushing tax burden upon the American people. But I say to you, Mr. President, the passage of this joint resolution may do exactly that thing, because, in all likelihood, it will inaugurate a large war trade and war boom which will almost certainly be followed by an inflation of prices, resulting in the taking away of a substantial part of the income of the masses of our people.

In order that I may not be improperly quoted, I want to make clear that I do not prophesy dogmatically that the passage of the resolution will inaugurate a war boom. What I am saying is this: That if a war boom comes we may be certain that the American people, many of them already tied by the galling chains of poverty, will be called upon for a great portion of their incomes to help finance the allied empires.

For several reasons such a boom may not come under the pending legislation if it shall be passed. The first may be that the Allies, when they find they have to pay the American producers cash, may not condescend to take our goods. During the World War, of course, ultimately we gave most of the war goods to them for their I O U's, and they, Mr. President, I feel sure, now believe we will in the end be equally generous.

If that shall prove to be incorrect when Britain and France find they must pay the Americans for their supplies they may not desire to purchase the billions of dollars' worth of materials we might produce for them. But let us assume that they do want to buy. We can then say that they can secure, from their gold and other resources—mainly American stocks and bonds owned by their citizens—within 12 months, at least $5,000,000,000 to pay to our people for war supplies.

It may likewise be that the German submarines will cut off the transport of American goods; but most military authorities seem to agree that the English, by their powerful navy, will be able to keep open the sea lanes from America to the European seaboard.

Senators will recall that during the last war the price of goods more than doubled; the cost of living more than doubled. During that war period the general index of wholesale prices increased from about 70 to 170, and, assuming that the war trade to which I have referred would be carried on for 2 or 3 years, we may be certain that the cost of the commodities of life would double in price.

The distinguished Senator from the Lone Star State of Texas [Mr. CONNALLY], for whom I have a deep affection, has indicated that I should restrict my remarks to economics, and I am glad, indeed, to discuss the economics of this proposal, and I should like to make it plain to the Senator from Texas just why, as a matter of mathematical fact, if we ship war materials to the sum of four or five billion dollars in 1 year to the European battlefields, we will thereby impose a tax upon the American people, of from 25 to 50 percent of their entire income. Let me make it plain, a substantial part of this income thus taken from our population, generally, will flow to our American profiteers.

Mr. President, we should go back continuously in our economic discussion to an understanding of the capitalistic mechanism under which we live and under which we want to continue to live. In the production of wealth our farmers and businessmen pay out the purchasing power of the Nation, and that purchasing power is then balanced against the physical wealth that is produced by the disbursement of those incomes. Suppose, Mr. President, in producing commodity goods such as are subject to export, we disburse $40,000,000,000 of income and produce $40,000,000,000 of wealth, and we then ship abroad $5,000,000,000 of those commodities; we then will have left in the United States $35,000,000,000 of actual products, with $40,000,000,000 of purchasing power to equate against it. And as certainly as the sun rises, and the tides swing upon their courses, the $35,000,000,000 of commodity goods will increase in price to equal the Nation's purchasing power of $40,000,000,000. So an increase of prices of 12 or 13 or 14 percent becomes inevitable. That is not only proven by mathematical theory; it has been demonstrated by every great war that has been fought in this world and which has inflated the cost of the necessities of life.

In addition to that, there is another important factor. Very probably if this war shall last 2 or 3 years the American manufacturers will pay out to American workmen two or three or four billion dollars in building or improving factories for the production of war supplies. The payment of that money will not produce commodity wealth; it will prepare factories for the use of Great Britain and France; but it will release additional purchasing power in the United States to prorate against the commodity goods that remain here after we shall have made our shipments abroad. Consequently, I say to you, Mr. President, in calculating the effect of what we are attempting to do, we must realize that when once a war trade or a war boom starts, we shall

be in totally abnormal conditions and we may be almost certain if the war boom comes that we are going to have a twenty-five, a fifty, or a hundred percent increase in the cost of living.

Of course, Mr. President, when we disburse forty or fifty billion dollars of purchasing power and that purchasing power is allowed to be pro rated against only $30,000,000,000 or $35,000,000,000 of wealth, we are immediately thrown into what we know as a seller's market, and, far beyond the necessary mathematical raise we have already discussed the profiteer then enters the picture, and he may add whatever percent he can to commodity costs. As certainly as we are debating this measure here upon the floor, those who vote for it, if this war boom develops, as Wall Street is betting it will, will have placed upon our people a tax equal to 25 or 50 percent of their incomes. Theory proves this, the last and other wars affirm it.

I should not care if the Senate of the United States taxed its own salaries two or three or four thousand dollars a year to help Great Britain or France or someone else fight their battles abroad; but, Mr. President, I am here speaking for millions of pensioners, for millions of persons on the W. P. A., whole families of them by the tens of millions living on 25, 50, and 75 dollars per month per family. The inauguration of a war boom is going to cut squarely in two the scanty purchasing power they now have—a purchasing power at present so small that it should shock our sensibilities—a purchasing power that will not be increased by any fictitious war boom.

Mr. President, when the war first came, navy beans overnight jumped from $3 a hundred pounds to $6 a hundred. When the war speculators realized that here in the Senate of the United States would be made a bitter battle to prevent this war trade, and when it was realized that we had an immense carry-over of beans and a big crop this year, they dropped back to $4 a hundred leaving a present increase of 33⅓ percent over the price that existed when war was declared. But we may know as certainly as we sit here that if we become engaged in large war trade with European nations, by this time next year the price of navy beans will be doubled. That will not mean very much to some of you; but to men whose families are living on $25 and $50 a month, and existing on bread and bacon and beans, that is a plain tragedy, and I speak not lightly when I say that. I should think that not one Senator would deem that he had done his duty to this Nation if, with its people already existing upon almost a starvation diet, he should risk cutting their meager fare in half.

Are we willing to do it? Are we willing to do that, Mr. President, to help the greatest and the most powerful and the richest empires that have existed throughout the centuries? That is what Great Britain and France are today, with resources far beyond our own. Yet, for some strange reason, many people of the United States consider that we should become not only their spiritual guides and guardians but likewise their producers and bankers—I might almost add their money mints.

Mr. President, I know there are Senators here who feel so deeply our obligation to the Allies that they would be willing to involve the American people in a costly inflation, and thereby to take away from the unfortunate classes in America a quarter or half of their incomes to help the English and French fight their battles. I do not say they are not highly intelligent men, and devoted to the public welfare as they see it; but let us carry this argument a little further and see the end we may finally reach. I take it that every economist in the United States who is honest and able will admit that if this war boom comes, it must have the most tragic and disastrous consequences for the American people. Now, Senators, let us not only see what may happen, but let us consider very calmly what is almost sure to happen if the factitious and demoralizing trade boom eventuates.

As I have already said, there is little doubt that the empires could produce $5,000,000,000 of cash resources in 1 year and spend that amount in the United States for war materials. There is just as little doubt that they could not go much beyond that figure. Let us assume that what is apt to happen, and what happened before, will happen again. Assume, if you please, Mr. President, that 1 year from now we shall have four or five or six million men engaged in producing war materials for the Allies. Assume, then, that the cash resources of those belligerent nations will be exhausted. What will we do? Will we have the courage then, after we have voluntarily developed a Frankenstein monster, to kill it with some dagger thrust of credit refusal, or will the same weak conduct and the same hypnotic attachments to France and Great Britain that actuates you now actuate you then in permitting credit expansion for the warring European empires?

I am not pretending to predict what the proponents of this measure will then do; but I am saying that almost certainly the Senators who favor this policy will have led themselves and the American people into a trap from which we can be extricated only with the greatest danger and only with the sternest resolution. I cannot speak for others; but, as for me, my voice shall ever be lifted not only against any war participation but against ever granting credit to belligerent nations for the purpose of battle and destruction.

Right here, Mr. President, let me review what has already been said much more ably than I can say it, but it bears repetition.

What did our last intervention in Europe cost us? Did we gain the gratitude of the people whose benefactors we were? We did not. The ink upon the armistice was not dry before American soldiers in London and Paris were held in contempt and scorn. Our military assistance was minimized, and even before we asked the payment of our debts we were denominated "Uncle Shylock" and ridiculed by the very persons we had assisted at heavy price to ourselves.

No, Senators; you may rest assured of this—you are starting out, as I see it, upon a policy to favor the Allies; and what will it bring us at the end?

However much we may do, whatever we may seek to accomplish, at the end we shall have the bitter dissatisfaction of the people we have sought to help. Such is universal history, Mr. President. Rarely in dealings between nations has there been any gratitude or honor. At the end of this road we shall have not only the hate and the fury of Germany and her allies, but we shall have the contempt and the scorn and the dislike of Great Britain and France. You who do not know that that is human nature, you do not know your history. You who expect constant gratitude and loyal friendship from these nations are expecting something history has not yet revealed.

All right. Likewise in the last war we gained not only the contempt of our allies; we accumulated a crushing public debt that we have not yet begun to liquidate; we were afflicted with serious economic injuries not yet cured; and here we are again attempting another European venture. Again I must reply to the Senators who claim that we are acting here neutrally by making this observation: The whole world knows we would not be here attempting to work out a method to supply Great Britain and France with arms and ammunition unless we wanted to assist those nations. And, in this connection, may I also comment that I am unhappy over the unfortunate position in which I placed the Senator from Texas [Mr. CONNALLY] by asking him the simple question, If Germany were to be the beneficiary of this repeal, would he vote for it? And though he talked for several minutes in answer to the question, he has yet to answer the question. [Laughter in the galleries.]

The PRESIDING OFFICER (Mr. LODGE in the chair). There must be order in the galleries. It is against the rules of the Senate for occupants of the galleries to express either approval or disapproval of what is being said on the floor of the Senate.

Mr. DOWNEY. Mr. President, assume that a year from today, before the next election, we place a 25- or 50-percent tax upon our incomes, that we reach the height of some war boom, and the cash of the European empires is exhausted. We will have then, as I have said, the choice of one of two

alternatives. We can precipitate a catastrophe, with probably a greater depression than we had in 1929, or by the fury of public opinion or the necessity of politicians we may be driven to maintain a demoralizing prosperity a short time longer by involving ourselves and our credit in the war.

Suppose in the madness of that war boom we are led to the granting of credits to the Allies, and assume that this time, as before, the skillful, realistic statesmen of Great Britain manipulate the trusting, confiding, and naive statesmen of America into increasing credit involvements—and that is very likely, for, as the great Will Rogers said, we have never lost a war and never won a conference; and I do not believe we ever will lose a war or ever will win a conference. Suppose, then, our Government leaders are beguiled again into granting billions of credit; where will we end?

Mr. President, during the course of my argument, however short or however brief, the Federal indebtedness will increase several hundred thousand, yes, perhaps millions of dollars, while I am speaking. Not a day passes but that with inexorable certainty the debt is mounting. For 10 years it has grown almost as though by decree of some natural force. Do any of my colleagues think that we can, by grants of credit to the empires, add ten billion or fifteen billion or twenty-five billion to the debt and still remain solvent? Well, I do not think so, and I say let us beware, that the end of a frenzied war boom does not coincide with the end of governmental solvency.

I know there are already able young men here in Washington who are working out apparently innocent means of granting billions upon billions of war credits to the empires. I know their philosophy well, because I have talked with them. They are confident, by some magic which I cannot understand, that we can endlessly and forever place pressure upon the credit of the Government, that we can forever, without any punishment at the end, increase our already staggering total of debt. This delusive philosophy has many devotees here. I pray it will never be accepted as our governmental policy.

Mr. President, if we should be prevailed upon for new loans, we should then be facing a catastrophe almost as great as that which now engulfs the European continents, perhaps greater. Why do I say that? Suppose we are led at some point in this intervention to grant war credits. Suppose we are then sucked in, in the same way in which we were before, in assuming greater and greater Federal debt. Suppose our banks and insurance companies and the people will at some point no longer accept the bonds of a Government already tremendously obligated. What will happen then?

Mr. President, we may not realize it, but the most destructive blow any government can take, next to actual physical dispossession, is the insolvency of that government. Almost every revolution that has devastated and crashed governments has come because of the financial failure of the government in that particular country.

Let us assume that, at the end of 2 or 3 or 4 years, our governmental credit should fail, assume there are thirty or forty, or even fifty million people to be fed because of unemployment, and assume, if you please, that there is no credit or money from the Federal Government with which to buy the food necessary to keep them from starving because the Government's credit has collapsed under the weight of an accumulating indebtedness. What will happen? I think we may reasonably anticipate that the Federal Government would say, "There is a great emergency existing," as there would be. "People will no longer take our bonds and lend us money because they do not trust our stability. Therefore we must declare an emergency and go out and seize the factories and the farms, and the food with which to feed the millions who would otherwise starve."

Mr. President, it is difficult, indeed, to understand how the minds of some of our citizens work at this time. Many of the proponents of the pending measure are honestly of the opinion that we may catch some disease by germs from Hitler or Stalin, the disease of "dictatoritis," we might call it. Do Senators think we have shown any likelihood of contracting that disease, when I can say with certainty that 85 or 90 percent of the American people hate and despise dictators and dictatorships?

No, Mr. President, we will never contract a dictatorship from germs from abroad. But starve thirty or forty, or fifty million people for 2 days, or 4 days, and overnight there will be that many Communists, or that many revolutionists of some kind. Then let our clumpsy Federal bureaucracy, not adapted at all for the task, totally unable to perform it, attempt to seize the productive instruments of this Nation for 30 days, and almost every farmer and businessman and middle-class citizen will be a Fascist, beyond any question.

Mr. President, we need not fear any germs of tyranny from abroad, but our own internal difficulties are many, many indeed, and the steady continuation of those difficulties will bring us into a position of extreme hazard.

Let me point this out to my colleagues, and I pray that we may all be honest and realistically willing to face the truth. For 10 years American leaders and the American people have honestly given their best to work out economic problems accruing over the last generation, and we have not succeeded at all. What is the test of that? Simply this: If our Government would now stop spending three or four billion dollars of borrowed money every year, unemployment in the United States would spring to an all-time high, and we could not feed our starving people.

The truth is that we have problems of incalculable difficulty here in the United States which we have to face and work out. I pray that we will release ourselves from the present hysteria and concern over battles and affairs thousands of miles away, and concentrate upon the relief of our own people, almost one-half of whom now lead dreary and pauperized lives in a land of imperial wealth.

Mr. President, I am willing to admit that there might be causes so imperative that the Government of the United States could say "Yes, we must risk another involvement in Europe; yes, we must support certain belligerents; yes, we must become their arsenal; yes, we must grant them credit."

There might conceivably even be situations in which we would be justified in again hurling our money and our boys on to foreign battlefields. But I proclaim with confidence that there is no basis for such a theory at this time and we will probably never be brought into a position where we should be guided by it.

First, Mr. President, I want to do this: I want to endeavor to lay—and in laying I want to challenge interrogation and interpellation and contradiction—I want to lay the idea that the American people are so weak that we need the help of any navy of any foreign power, or any European support in the defense of the Western Hemisphere and the Monroe Doctrine. The necessity of such support, Mr. President, is something which is believed by many intelligent people. Indeed, for many years, the most persistent propaganda has been disseminated in this Nation to make our leaders and our people believe that we should support Great Britain because we may be dependent upon the British Navy for the support of our safety and our Monroe Doctrine. I say that there never was so delusive, so erroneous an idea, and I want to show why that is true.

First, Mr. President, we are a Nation of great population, and that population is best adapted to fighting a modern war of all peoples because we are the most mechanically minded and trained of any people in the world. And today an army's worth is largely measured by its mechanical equipment and its mechanical ability. We have the factory capacity and the manpower, over the course of a few years, to raise, train, equip, and maintain seven, eight, yes, ten million soldiers, if we have to do it. Indeed, in the great war we actually mobilized 4,000,000 of our sons, of the finest physical and mental specimens in the world, and actually transported more than 2,000,000 of them to European battlefields.

We have as much of resources here as has all of the limitless British Empire with five times our population. We have more manufacturing resources and more materials than the 27 nations of the European continent combined. No possible

assault could successfully be made upon us by any combination of powers in the world.

Mr. President, we do not have to dread Japanese soldiers 10,000 miles away, or German or French soldiers three or four or five thousand miles away. We would not have to stand in dread of any army until it approached our shores. Military experts say that any ruler abroad would be insane if he were to try to overcome our poulation and our resources with less than two or three million trained troops, with all of their equipment. How would any nation get 3,000,000 or 2,000,000 or 1,000,000 or 500,000 or even 300,000 troops over here to assault us? Mr. President, it cannot be done. Not only do we know this from a theoretical standpoint, but we know it from our experience in the Great War. In that war under the greatest emergency possible the United States of America was transporting troops to the Allies in July 1918. We had the benefit of practically 80 percent of the navies of the world, and we had all the cargo space that could be made available from 80 or 90 percent of the ownership of ships. We even had the *Leviathan*, the greatest transport afloat, which had been taken from Germany with other ships. Indeed, Mr. President, it is unlikely that ever again in the history of the world will there be such seapower and armadas available to transport troops between the two continents as existed in July 1918.

I do not want Senators to take my word upon this important point, Mr. President. I wish to read from the report of General March, who was in charge of transportation of those troops. Let us see what he said:

> Within 18 months after the declaration of war 2,000,000 men were transported to France. The greatest number of men transported in 1 month to France was 306,000 during the month of July 1918. Between July 1, 1918, and June 30, 1919, five-million-odd tons of Army cargo were shipped to the American Expeditionary Forces, including shipments to the French. With all the shipping that the Allies could muster during the emergency in the spring and summer of 1918 it was possible to transport only a little over 306,000 American troops in any one month, or at the rate of 10,000 a day.

Mr. President, I ask, Would any foreign ruler embark upon the crazy adventure of conquering this hemisphere even if he could land 300,000 troops here at one time? And let us even assume that foreign rulers by building cargo space for 10 or 15 years could bring here an army, if you please, of a million men in one great armada. Assume that we have no navy at all, while, indeed, we have one of the most powerful and efficient of all. But what would happen even though we had none? Mr. President, you cannot land troops, with 5 tons of cargo for each soldier, upon any remote beach. You have to have dock machines of great power to lift off your great guns, gasoline, your rubber, your explosives, your food. Every military authority that I know says that no army could be landed in the Western Hemisphere except at one of its great ports. And what do you think would be happening to an armada when it got within four or five hundred miles from our shores? We in America are now preparing one of the finest airplane forces in the world, with 5,500 airplanes. We will have them completed within a year or two if we do not stop our manufacture to help Great Britain and France. We are training our boys to pilot those airplanes. Any vast armada that tried to land troops upon our shores would first be destroyed by our powerful port guns, which can fire 10 miles farther than can naval guns. It would be destroyed by our submarines. It would certainly be destroyed by our airplanes. And doubt it not.

Let me read another quotation, which is verified by every military authority, I take it, in the world. I read from Eliot's book, The Ramparts We Watch. Mr. President, I quote now from pages 122 and 123 of that book:

> Nor can troops land on a hostile shore against resistance save with a powerful air force sufficient to establish temporary superiority at the point and time of landing, since transports at anchor and troops crowded in small boats or scattered in detachments along a beach are the most attractive targets imaginable for the defender's aviation. A sufficiently powerful air force for this purpose cannot be attained by carrier-borne aircraft, which must necessarily be inferior in numbers to aircraft based on the infinitely more numerous and larger airdromes afforded by the wide expanse of the land and less efficient in the details of their operation.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. Will the Senator permit me to recall the statement of the world's greatest expert in aviation, Col. Charles A. Lindbergh? He used these words:

> An ocean is a formidable barrier, even for modern aircraft.

The expert opinion of Col. Charles A. Lindbergh bears out the statement of the able Senator from California.

Mr. DOWNEY. I appreciate the contribution by the distinguished Senator from Minnesota.

Mr. President, I cannot conceive that any Mikado or Hitler or Stalin, or Great Britain and France, if they once again resume the imperialistic expansion in the Western Hemisphere which they carried on for centuries, would embark upon the extremely idiotic venture of bringing 1,000,000 or 2,000,000 or 3,000,000 men over here to try to assault our continent, for, in my opinion, not a single ship, soldier, or sailor would return to the Old World or Asia. I have enough confidence in the bravery and military spirit of the American people to think that in the most impregnable position of any people that ever lived we can still defend ourselves. Our past military achievements would so indicate.

Letters coming to me from California from hundreds of Protestant and Catholic churches, from members of almost all the veterans' groups, and from many mothers' associations urge that the United States Senate shall not permit us to manufacture war supplies for belligerent nations. I believe that not more than one-fifth of the messages coming to me urge lifting the embargo. I do not care what any columnist or editor or public official says; the letters and telegrams in my files do not show any indication of having come as a result of propaganda methods. Apparently they are appeals from the hearts of the mothers of California, from the veteran who suffered in a great war, from Christian people, that we should keep out of this dirty, unholy, dangerous business of arming nations in Europe for destruction there.

But, Mr. President, I suppose I have had letters from 25 or 50 persons who are concerned about our need of the British Navy for the defense of the Monroe Doctrine. Their ideas—formed, of course, by the most delusive propaganda—show a total lack of realism or understanding of this problem. I have had letters suggesting that a great Asiatic army might be ferried across the Bering Straits and come down through Alaska and the Yukon and Canada to invade our country. I have had letters suggesting that the Mikado and Stalin might unite in that venture, and that Asiatic hordes of millions might descend upon us through the Arctic wilderness.

Mr. President, that idea is so extremely fantastic it would not be worth discussion, except that it does prevail and is widely used for propaganda purposes. Millions of men could not be brought through the Alaskan and Yukon wilderness of great towering mountains, snow, glaciers, cold, and frost in a hundred years. In the last thousand miles at least 100 men would be required to bring up the supplies from Russia and Japan for every man in that mighty horde. The trip that destroyed Napoleon would be a child's stroll compared to such a weird march. Yet citizens of California have written me that we must stand with Great Britain and France, otherwise the Japanese and the Russians will descend upon us.

Mr. President, while I am on this point, which I consider of vital importance to our future foreign policy, let me say that every military authority I know says that the United States could never hope, even after 10 to 20 years of struggle, to conquer the Japanese people. Why is that true? It is true because the Japanese, operating out of their own bases with submarines, airplanes, and armies, could readily destroy any army which could be brought from a distance of four or five thousand miles. When we finally reached a point within 800 miles of the Japanese nation, for every soldier we had there we would require several men to bring over his food and implements of war.

As a matter of fact, Mr. President, the American Nation is in an infinitely better position to assault the Japanese people than are the Japanese to attack us. I do not know

why the people of either nation should be so idiotic as even to talk about it; and I cannot conceive that the Japanese nation would ever want to come over here, 4,000 miles away, to assault us when, according to the best information, they have greater burdens in Asia than they can now safely carry. But let us meet this argument fully and fairly.

Mr. NYE. Mr. President, will the Senator yield at that point?

Mr. DOWNEY. I gladly yield.

Mr. NYE. On the score that we need to concern ourselves little or not at all with the possibility of attack by Japan, and bearing in mind the Senator's point that our task would be rather a hopeless one were we to attack Japan, will the Senator permit me to read a single paragraph for which a very, very responsible authority is sponsor?

Mr. DOWNEY. I shall be very happy to have the Senator do so.

Mr. NYE. I am sure the Senate will be glad to accept him as perhaps the first authority on that subject. This authority, anticipating and contemplating the possibility of a war with Japan, said this:

> Nobody, presumably, after all the prophets of 1914 have been proved without honor in any country, would attempt to say what would happen at the end of a military deadlock between Japan and the United States. After the first year or two of hostilities economic causes would become the determining factor. Tableau: Japan and the United States, four or five thousand miles apart, making faces at one another across a no-man's water as broad as the Pacific. Some genius might then arise to ask what it was all about and what the use was of the atrophy of national life and development. Or, to take a pessimistic view, jingo counsels might prevail in both nations until one or the other, or both, had bled to death through the pocketbook. If then it were realized by the people of this country and of Japan that a war would be a futile gesture, attended by no sufficiently compensating results, each nation might be in a fair way to change its apprehensive habit of mind.

Without waiting to be asked who the authority is, I will say that he is none other than a former Assistant Secretary of the Navy and now President of the United States.

Mr. DOWNEY. Mr. President, I deeply appreciate the contribution from the Senator, who has so long and ably fought for the cause of peace and sanity in America. Likewise I am grateful for the words of our own President, who, according to his own declaration, is now engaged in the same great crusade of keeping the American people at peace.

It may be of interest to Senators—and I hope I shall be pardoned if I go too far in this discussion—to have a somewhat clearer understanding of the exact military situation in the Pacific.

It does not seem to be generally known that in the Hawaiian Islands, 2,100 miles from San Francisco, we have the greatest military outpost and maritime fortress in the whole world. It is conceded by military men to be impregnable. Centered there are some of the finest bombers in the world, submarines, cruisers, great battleships, and well-trained soldiers. Our military men who amuse themselves by showing how we could not conquer Japan in 10 or 15 years start with the assumption that we could make our base of supplies for operations against Japan 2,000 miles distant from our seacoast. On the contrary, Japan has no such fortified point in the Pacific, even 800 miles out from her seacoast, let alone 2,100 miles.

Our military authorities say that if we should regiment the whole American people and create, if you please, a dictatorship here, and enlist millions upon millions of our boys in the struggle and millions and millions of our workers in producing goods for them, we might start from the Hawaiian Islands as a base and in 3 or 4 years of bloody conflict conquer and occupy small intervening islands to the west of Hawaii up to within 800 miles of the Japanese Islands. Every mile we proceeded out from Hawaii would require more and more men to maintain our communications, and by the time we were within 800 miles of Japan, on the last islands going westward toward Japan, we would probably need four or five men to maintain our lines of communication for every one required for warfare.

When our military men, after shedding oceans of blood and millions of lives and regimenting the American people and carrying on this war theoretically for 4 or 5 years, get up within 800 miles of the Japanese Islands, do they then say we could sail on from there and assault the Japanese successfully? Oh, no. They say that, due to the infinite difficulty of maintaining our lines of communication at that distance, we would have to stop there; but we could then begin to use our Navy in a blockade of Japan, 800 miles distant, and in 3 or 4 years we might starve out the Japanese and prevent them from carrying on war.

I do not know why any American should want to engage in such an idiotic military venture. I am not criticizing military men for considering such a military program or plan; not by the slightest imputation am I indulging in any invective against our Army and Navy. On the contrary, I have great admiration for the officers graduated from West Point and Annapolis and for all our Regular Army officers. I am not trying to intrude as an expert into their field. I am merely reciting data which they themselves have set before the Military Affairs Committee and which appear in other military reports.

Mr. President, if Japan attempted our conquest, instead of being able to start from a base, which is the greatest maritime fortress in the world, such as we have at Hawaii, it would have to start out from desolate, bare islands in the Pacific only 800 miles from the Japanese coast; and there is no possibility, no matter how many other nations they had acting in concert with them, that they could ever assault America from that point.

Mr. President, I have also had letters, which, I take it, are likewise the result of propaganda, indicating a fear that an armada of airplane carriers may sweep down upon us and destroy our great seacoast cities, such as New York and Philadelphia. Let us analyze that suggestion for a moment. All the powers of the world have been building aircraft carriers for several years. It takes 3 or 4 years to build a great naval vessel, and there are certainly not sufficient shipbuilding places in the world to build them very fast. The United States stands preeminent in the quality and number of its aircraft carriers. I have just secured the figures from our War Department and will state to the Senate what those figures show. The United States now has five aircraft carriers with a capacity of 400 airplanes. I may say it is generally conceded that our aircraft carriers, the airplanes, and the men officering them, are superior to those of any other nation. But we could amass against any nation only 400 airplanes by aircraft carriers.

Great Britain, since the sinking of the *Courageous*, has only 177 as against our 400. France has only 40; Germany none. Russia or Stalin, as you please, has only 22; and Japan has 240. We are now building carriers with capacity for 240 more airplanes, while Japan has under construction carriers of only 80-airplane capacity; Russia the same number; Germany 100; France 100; Great Britain 300. Mr. President, today we have practically one-half the aircraft carriers of the world. When the present program shall have been completed we will have two-thirds as many as all the other nations of the world put together and, so far as quality and personnel are concerned, ours are the best of any of them.

Mr. President, I should not intrude upon the Senate with these figures, but this delusive foreign propaganda, which is causing some of our people to lose sleep at night because of fear of Hitler and Stalin, is actually believed by many of our intelligent people. I say I should not have gone into these figures, except to point out that, as has already been recited, we are building one of the finest airplane forces in the world; we could demolish 10 times over all the airplanes that could be brought here upon existing aircraft carriers; and foreign nations could not double them, Mr. President, in the next 5 or 10 years, because the shipbuilding space is simply not available. It should be remembered that here in the United States we have a general factory capacity exceeding that of all the countries of Europe combined. Our resources are greater and our technical skill cannot be surpassed by the

people of any other nation. I say, let any nation beware if it contemplates assaulting the western continent by means of airplanes or armies, because it would be not only the maddest military venture in history but it would result in the destruction of the assaulting forces.

Mr. President, there is a wide difference of opinion among military experts themselves as to how efficient our Army is. The Senator from Texas [Mr. SHEPPARD], after long experience as chairman of the Military Affairs Committee, has assured me that he believes within 6 months we will be able to mobilize and have properly equipped from four to five hundred thousand first-class troops. Most of them could be assembled within 30 or 60 days. Many of the military men point out—and I think correctly—that we lack certain arms, certain ammunition, certain mobile artillery, and certain other implements of war for the greatest efficiency. So far as I am concerned, as a Member of the Senate, let me say to the military men of America: Make us safe against any foreign aggression without weakly counting upon the support of any other nation that well may fail us when we vitally need help. Whatever we ought to do by way of preparation we should do. And Congress, of course, must be guided by its military advisers. How idiotic we would be if, like the statesmen of European empires, we should allow ourselves to be overbuilt so that we could truly be said to be the prey of reasonable apprehension and fear. Whatever amount we have to spend for the protection of our people against foreign aggression should be cheerfully spent. Of course, I hate to say it, but I must say that such expenditures should come ahead of every other expenditure, even expenditures for the unhappy submerged half of the population, because, after all, national defense is the supreme necessity of all.

Colonel Lindbergh and our great war ace, Eddie Rickenbacker, have suggested that if we had 25,000 more military airplanes, then even the most timid and hysterical citizen in America would know that we were absolutely safe, because the first submarine, the first war vessel, the first soldier that came in a belligerent way within 500 miles of the Western Hemisphere would be destroyed overnight by our many airplanes. Some Senators may ask, "But what would be the cost of 25,000 airplanes?" I say to you it would be negligible.

I have secured from one of the great airplane companies—I must keep the name in confidence, because the information was so given to me, but I take it that any company would verify these figures—that with an expenditure of $250,000,000 we could build factories which would produce 3,000 first-class planes every month. I do not know whether or not Mr. Rickenbacker is right that we ought actually to build 25,000 planes, of which we are already building 5,500; but, in any event, I think the Government should undertake the financing of private airplane companies to build those factories, and let them stand as notice to the world that the first hostile vessel, the first submarine, the first soldier that dares to undertake aggressions in the Western Hemisphere will start the operation of those factories at full capacity.

One can easily see the immense value of an air force of twenty-five or fifty thousand planes. It could fly 25,000 or 50,000 soldiers to any point in the Western Hemisphere almost within a day. They could strike at any submarine bases. They could mobilize overnight to protect the whole Western Hemisphere. Who is so deluded as to suggest that we should fight battles in Europe to protect our western safety, with the loss of millions of lives and billions upon billions of dollars, when we can make ourselves invulnerable in the Western Hemisphere for a comparatively small amount, and be thereby assured no one will attack us?

I know the wild and lurid suggestions that some secret expedition from the Mikado or from Hitler or Russia may come over and stealthily equip an airplane base and then bomb our great cities. I suppose that if some ruler in Europe should go stark, raving mad, he might try to send over a few hundred airplanes to bomb our great cities. I cannot conceive what could be gained by it. The aggressors would certainly lose almost every airplane; and their cities, too, are open to bombing in retaliation. Indeed, I cannot understand how anyone can be so hysterical and concerned about our own safety when every military expert in the world declares that never before in all history have a people been able to sleep so safely and securely as we.

Mr. President, in my opinion, this fear of military assault upon the Western Hemisphere is not only foolish, as far as military possibility is concerned; it is also foolish upon a historical basis. Is there anybody here who believes that, contrary to all historical experience, Stalin and Hitler are going to become blood brothers? Why, even in our own country, if political allies of the most exalted nature stay friends for a few years, that is a happy tribute to them. How can anyone believe that there will be some military combination between alien peoples that have a deep antagonism to each other, with leaders lusting for power and glory?

While I am on that point, Mr. President, let me say this: It is true that internal difficulties and commercial rivalries in the 27 states of Europe have been the fuel upon which the crimson flames of war have fed; but the lust for power among European leaders has been the torch that ignited the flames and spread them to the four corners of Europe. I pray God that here in America no leader shall ever appear who will be able to light again any smoldering domestic difficulties into some insane war venture. We may be almost certain that conflicts among European and Asiatic people will absorb their energies and that struggles for power among their leaders will prevent any permanent alliances to threaten our safety.

Mr. President, the American Nation is not innocent of wrongdoing in the past. We have upon our national conscience many things to which I shall not advert; but I am thankful that right now, apparently, we are moving forward decently and justly and fairly among the nations of the Western Hemisphere, limiting our lust for power and our imperial ambitions to friendly, honest, and decent cooperation. If with sadness we may look back at our Civil War and our Indian massacres and other unhappy tragic occurrences in our own history, at least we in America may take some pride and consolation that while the French Revolution produced a Napoleon to loot almost every capital in Europe, thank God the American Revolution produced a Washington not lusting for power, though a mighty fighter; not seeking the kingship he might have had, but renouncing it. Yes; we may be thankful that out of our traditions and our people in our hour of revolution came a great, enlightened, spiritually noble leader. Also, Mr. President, I may say that while the civil war of England produced a Cromwell who helped to behead the king and spread desolating war into Scotland and Ireland, our Civil War, praise God, produced as the greatest leaders in the North and South alike two men of nobility, kindliness, and statesmanship. I refer, of course, to Lincoln in the North, and to that gallant soldier of kind and humble heart, Robert E. Lee, in the South. I hope the day will not be far distant when we in Washington, in a more generous and enlightened era, will erect to that Confederate leader just as noble a monument as we have erected to Washington, Lincoln, and now to Jefferson.

Mr. President, in the message recently delivered by our Chief Executive upon the pending legislation there was made what seemed to me to be an extraordinary statement. That statement has been analyzed with the greatest ability by Senators who have spoken before me, who have made a great contribution to our public life, and I shall not at any length repeat what they have said, except to comment upon one thing.

Our Chief Executive declared in his message that in his opinion the best way to stay out of war is to begin to ship war materials to belligerent nations. As far as I am concerned, that statement is so shocking to common sense and logic that I cannot take it seriously. But our Chief Executive, while not supporting his proposition by any syllogism of reasoning, called to his aid a historical illustration; and

while I do not think that this example adds to or proves his case, I do think it furnishes some valuable philosophy for us in this our hour of need.

It was stated that in 1808 we levied an embargo against the shipment of goods from America to France and England, and then it was said that 4 years later we were precipitated into war, and therefore it is taken for granted that the embargo resulted in the war. I believe we may fairly term this statement what the lawyers term a nonsequitus.

What are the facts? The Senator from Utah [Mr. THOMAS] this morning said that never in all history had any nation endeavored to provoke another nation to war without cause, and he challenged anyone to name an example. Well, the history books are full of them, or imperial nations provoking inferior nations to battle, and the record of Great Britain is filled with just that kind of thing. One of the most glaring examples of British policy in that respect is the period from 1790 to 1812. British military men, statesmen and leaders, as they have done continuously through a thousand years with other nations, went out of their way then to treat us insultingly, brutally, and unfairly. They refused, in the first place, to live up to the treaty of 1783, declining to give up trading posts and military stations as they had agreed. They incited the Indians against us. They endeavored to foment hatred and disagreement among the new Colonies, and, more than that, when the French revolutionary wars came on, and then the Napoleonic wars, they not only seized the shipments off our ships, they literally stole those ships and stole the cargoes. I am speaking now only of what every textbook and encyclopedia says.

The great Washington—great in peace and great in war—while President had to submit to it, and he allowed Great Britain to insult and injure the New American Nation almost beyond endurance. The people were so aroused against him and against Great Britain that when Washington left office he was excoriated and hated by 90 percent of the American people because he had not declared war against Great Britain for many and just causes. But Washington knew, Mr. President, that our unity, our solidarity, hung in the balance; that our solvency was not established, our troops and ships were not strong enough to fight a war and at the same time maintain unity among 13 or 14 or 15 colonies, as the case was, who were all ready to break away upon any slight excuse. Consequently Washington, the fighter, the statesman with great vision, submitted and forced through a peace humiliating and injurious to the American people.

When Washington left office the depredations and the injuries continued under Adams, and under Jefferson likewise. In 1808 our ships were being destroyed and their cargoes confiscated by the British Government, and likewise by Napoleon and the French, and in order to save our ships, to save our seamen, to save our commerce, the Embargo Act was passed, and historians now claim it was a wise and rational act.

Read Beveridge, with his bias against Jefferson, and Bowers, with his bias for Jefferson; read any historian, and it will be found that the embargo was a wise and proper act. It prevented war for 4 years. It allowed the Colonies to grow stronger. We were better prepared for the war when it did come. And it did come, because the conduct of Great Britain toward us became so tyrannical and provoking that it could no longer be endured, and we went forth again to fight that great Empire; again we won, a miracle perhaps, for we are almost the only nation which ever came out of any struggle with Great Britain with victory, independence, and pride.

If you doubt me, read what happened to the Boers, what happened down in the Sudan. Everywhere in Asia and Africa peoples have had to submit in battle to the British Empire. The powerful, again and again, like the weak nations, have bowed to England—Spain, France, and all the rest. But under our colonial statesmen, the most intelligent group probably the world has ever known, we finally emerged unified, strong, militant, holding this continent against the incomparably stronger British Government.

Mr. President, the point the Chief Executive made in his message to this body that the embargo brought the War of 1812, while not, in my opinion, supporting his argument, does direct our attention to an example which very happily illustrates, at least for me, what I think our foreign policy should be. I desire now to read from Beveridge's Life of John Marshall the author's opinion of the ultimate result upon the American Colonies of the Embargo Act and the British blockade. I read from Beveridge, Mr. President, because his bias was not for but was against Jefferson. Otherwise I could read even stronger language, but I wish to take the authority and the language most against us, as some of our very able elder statesmen always do, and thereby make a stronger case.

This is what Beveridge says in the third volume of his great Life of John Marshall, at page 56:

> Our second war with Great Britain accomplished none of the tangible and immediate objects for which it was fought. The British refused to abandon "the right" of impressment, or to disclaim the British sovereignty of the oceans whenever they chose to assert it, or to pay a farthing for their spoliation of American commerce. On the other hand, the British did not secure one of their demands. The peace treaty did little more than to end hostilities.
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> But the war achieved an inestimable good—it de-Europeanized America. It put an end to our thinking and feeling only in European terms and emotions. It developed the spirit of the new America, born since our political independence had been achieved, and now for the first time emancipated from the intellectual and spiritual sovereignty of the Old World. It had revealed to this purely American generation a consciousness of its own strength; it could exult in the fact that at last America had dared to fight.
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> The American Navy, ship for ship, officer for officer, man for man, had proved itself superior to the British Navy, the very name of which had hitherto been mentioned only in terror or admiration of its unconquerable might. In the end, raw and untrained American troops had beaten British regulars. American riflemen of the West and South had overwhelmed the flower of all the armies of Europe. An American frontier officer, Andrew Jackson, had easily outwitted some of Great Britain's ablest and most experienced professional generals. In short, on land and sea America had stood up to, had really beaten, the tremendous power that had overthrown the mighty Napoleon.
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> Such were the feelings and thoughts of that young America which had come into being since John Marshall had put aside his Revolutionary uniform and arms. And in terms very much like those of the foregoing paragraph the American people generally expressed their sentiments.

Mr. President, I wish particularly to direct the attention of this body to the paragraph I shall now read. I am still reading from Beveridge's John Marshall:

> Moreover, the embargo, the nonintercourse and nonimportation acts, the British blockades, the war itself, had revolutionized the country economically and socially. American manufacturing was firmly established. Land travel and land traffic grew to proportions never before imagined, never before desired. The people of distant sections became acquainted.

I use that illustration in this way; while our foreign program for the Old World is foggy and uncertain and our people bewildered by its terms, at least 90 percent of us are agreed upon a crystal-clear policy for the Western Hemisphere based upon the Monroe Doctrine. Let us therefore strive to build in the western world an economy self-sufficient for the people of this hemisphere at the same time as rapidly as possible reducing our Old World trade.

Mr. President, I will not attempt to trace the inconsistent, wavering, vacillating foreign policy that has brought us to our present ambiguous and unhappy position in foreign affairs. But I say we now have the opportunity to create and announce for the American people a doctrine which, judging from the letters I receive, 90 percent of the American people will want to follow in our policy as applied to the Old World.

The question could be asked, Where would we find a policy for the Old World as simple, precise, and popular as that we now have for the new? And I say that that policy can be found by advancing the Monroe Doctrine as a two-sided shield, one side for keeping the Old World out of the new, the other side for keeping the New World out of the old.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. One is a perfect complement of the other, is it not? They dovetail together. Without the two sides

of the shield we are not logically in the position of maintaining the Monroe Doctrine.

Mr. DOWNEY. I agree exactly with what the Senator from Minnesota has said. One side of that shield is as important as the other. One supports the other. Each is vital to our interest.

Mr. President, since the Senator from Minnesota has brought it to my mind, I advert to the thought that in some ways our conduct in diplomatic matters is so obtuse and illogical that I wonder we do not laugh at ourselves. For affrontery and inconsistency our doctrine in dealing with nations outside and inside the Western Hemisphere has never been equalled. While we announce that foreign nations must stay out of the Western Hemisphere, we reserve the right to lecture them, to produce arms and ammunition to support one side, to loan money for war purposes—yes, to send over 2,000,000 men to help settle arguments taking place over there outside our own country.

Mr. President, this cross-eyed, illogical policy of ours is so absurd that I hope our Secretary of State will never confuse the two pigeonholes in which he keeps the different documents pronouncing our Old and New World policies, one pigeonhole containing instructions to nations of the Old World to stay out, and another pigeonhole containing instructions telling them what we are going to do over on the other side.

Mr. President, suppose that at some time our Secretary of State inadvertently was handed the wrong document and published it. How foolish we would feel.

Mr. President, how we would rail at Japan, how we would condemn that country, if it served notice upon non-Asiatic nations that they must stay out of that continent, and at the same time said, "But we are going to meddle as we please over in the Western Hemisphere." If we want, we will even send great armies over there to help decide its destiny on the battlefields.

Mr. President, let us be consistent. Let us become logical. If we want to play the dangerous game of power politics let us enter into it all over the world, and let our European or Asiatic allies come over here and help exploit and defend this hemisphere, and let us, as many of our leaders seem to want, engulf ourselves in the convulsion of contending European countries. Let me hasten to say, Mr. President, that I speak only in irony; thank God, the masses of our people have a different policy for the Western Hemisphere, and woe betide any foreign power that tries to violate the Monroe Doctrine. And we may thankfully say that the people, though not all the leaders, the citizens of North and South America alike, as if by common inspiration, are severing the ties of intellectual servitude that have bound them to the hates and the horrors of the Old World. As if by a common inspiration they, like us, are beginning to envisage here in this western world—one-half the globe, if you please—the dawning of a new and a finer day; the inauguration of a unique and splendid destiny under the western stars.

Mr. President, I pray God that never again will the people of this western world be lured by foreign propaganda to exchange the golden coin of isolation for that miserable leaden counterfeit of intervention in the Old World.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. In the issue of the Washington Evening Star of Friday, October 6, 1939, under the title "Washington Observations," we find an article entitled "Excellent Opportunity Goes Begging for Great Speech on Real Reasons for Arms Ban Repeal." The article is written by Frederick William Wile is as follows:

> There have now been half a dozen eloquent Senate speeches on the neutrality bill—by PITTMAN, CONNALLY, and SCHWELLENBACH, for; and BORAH, VANDENBERG, and NYE, against—but there seems to be a conspiracy of silence, except for occasional innuendoes from the opposition as to what all the shooting is really about. What's the use of mincing words—

Says Mr. Wile—

> dodging issues or pussyfooting at such an hour? Why doesn't some Senator, preferably a supporter of embargo repeal, rise in his place and boldly utter the underlying, unadulterated truth? What is that truth? So far as I know, it has never been so frankly, fearlessly, or fully told in any quarter as it was by my gifted colleague, Arthur Krock, Washington correspondent of the New York Times. Writing on September 6, Krock said that the object of embargo repeal is to help the Allies, that the actual reason why the administration wants the embargo removed is because it deprives, in this instance, Great Britain and France, of 10 percent of the war-making materials which would help them defeat Germany. Krock added that "there has been little official concealment that this is the real reason for the unsuccessful attempt in Congress in July to eliminate the arms ban. It is the actual, rather than the technical, reason which animates the opposition."
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> OPPORTUNITY FOR GREAT SPEECH
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> There is waiting in the United States Senate, at this hour, an opportunity for a speech that will ring down the ages, perhaps like Edmund Burke's address on the American Colonies in the British Parliament, or, to go modern, like William Jennings Bryan's cross-of-gold epic at Chicago. I mean a speech that will not use language as a vehicle for concealing thought, but which will tell the plain truth about this neutrality business, as Arthur Krock did, strip it of its irrational and irrelevant technicalities, and put it to the American people in terms of burning simplicity. The Senate anti-embargo group contains several men who oratorically have what it takes. SHERMAN MINTON, of Indiana, and JOSH LEE, of Oklahoma, both won their Demosthenean spurs in college days. BURKE, of Nebraska, has the eloquence, which Speaker Tom Reed once defined as "logic on fire," requisite for the task. BAILEY, of North Carolina, would be impressive, too. If CARTER GLASS' health permits, that hard-hitting statesman, of course, could shake the dome with the sort of argument he's capable of making on high political occasions. On the Republican side, BOB TAFT ought to do a good job, despite the jinx that's attached to his speaking reputation ever since his Gridiron Club flop last winter.
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> HERE'S A TEXT
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> If some embryonic Patrick Henry wants a text for the kind of neutrality speech herein urged, I commend to him the matriculation sermon just preached to undergraduates at Yale by President Charles Seymour. Remember, moreover, that he was talking to a group of "our boys," probably 90 percent of whom would be fighting if we went to war. Taking as his text, King Solomon's prayer for wisdom, Dr. Seymour insisted that issues were being fought in Europe to which we could not close our eyes, and upon the result of which we dared not turn our backs. A defeat for the western democracies would necessarily be regarded as a disaster of the first water, he stated.
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> PERIL IN NAZI VICTORY
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> "Purely in the political field," President Seymour continued, "we could not view with any comfort a situation characterized by the predominance in western Europe of a victorious Nazi government which has opened the eastern gates of the continent to the Russian flood of Communistic imperialism.
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> "Our Nation will not sacrifice its peace because this or that legislative enactment is maintained or repealed, or by reason of any alleged group interest in a commercial boom, or through haphazard hysteria. We are not governed by a fatalistic onrush of circumstance. We can maintain free decision as our interests dictate."

There you have it—the brazen boldness of the pro-British elements in America—I have never yet heard an American of German descent—I have never read of a German citizen or heard anyone of those so freely denominated pro-German in the World War and since, ever exhibit the gall or the nerve to demand that we help Germany in her battles against her foes. The pro-British elements take it for granted that all men, white or black, red, or brown, or yellow must die for Britain and her empire. There must be an end to this. Even old fighting Ireland, brave and courageous Ireland, now serves notice of her neutrality. The day may soon be here—it may be here now—when Britain must learn to fight her own battles with her own men and abide by the results.

The article I have just read states that there is an opportunity for a great speech; and may some Senator stand forth to speak—a Webster, a Henry Clay, or a Calhoun—on this Senate floor, eloquently pleading for help for Great Britain and France, the world's two greatest empires. The tremendous expansion of Britain we all know and the empire of France contains more than a million square miles of territory than we have in our own great country. We went to her rescue once and now that nation charges rent for the very graves in which our hero dead rest on Flanders fields.

Mr. DOWNEY. Mr. President, I am deeply grateful to the Senator from Minnesota for his contribution. However, may I make this addition to his statement: Opposing the repeal of the arms embargo we have already had arguments of highest power and intellect, which will appeal most persuasively to 90 percent of the American people when they

are thoroughly understood; they have been most realistic, penetrating to the very heart of the issue presented.

I am compelled to make my next statement reluctantly; and, moreover, I regret to say it because many of the Senators about whom I am speaking are not present. I do not blame them for staying away. If I were one of them I should not want to listen to those arguments either. The arguments of the proponents of repeal certainly have not been notable for any realism or candor. I suppose, Mr. President, that 75 percent of such arguments have been to establish the fact that the advocates are acting neutrally, and are not trying to help anybody by lifting the embargo from war waterials.

Perhaps the masses of the American people may be so uninformed; they may not read the newspapers and do not know what this is all about; but I believe otherwise, for I have had tens of thousands of letters and telegrams flooding into my office, and those messages indicate that the writers know, as does every press representative, every editor, and every columnist, that we are called here to pass a law so that we may supply war materials to the British and French Empires to help them through such sales.

I wonder, Mr. President, if there is one Senator who believes that we would have been called here to engage in the unholy and dangerous business of permitting the export of arms, ammunition, and explosives if it were for the benefit of Germany and Hitler. I will say to the Senator from Minnesota that the arguments by the proponents of the joint resolution are failing of their target because of misdirected aim, for they are afraid of realism. They are afraid to meet the issue. Let me briefly state why this is so, and then I will return to the question of embargo. It is plain indeed whence springs the lack of logic and the lack of consistency in the message of our Chief Executive and in the senatorial arguments. The instincts of the proponents of repeal are at war with their intellects; and whenever that happens we are bound to have a defective reasoning power and an inconsistent man. Freud, one of the greatest geniuses of all time, who recently died, in explaining the effect of the subconscious upon the conscious, described many cases typical of Senators who are gathered here for no other purpose than to lift the war materials embargo because they think the empires may need our supplies, but who, nevertheless, try to convince us and the American people that that is not the truth—that they are here as neutrals only, to help keep America out of the war. I sympathized with the able Senator from Utah [Mr. THOMAS]. The Senator from Nevada [Mr. PITTMAN] said in substance to the Senator from Utah: "Will you pledge yourself that you will never go beyond this act, and that you will never again be lured into granting credits abroad and sending American soldiers to the European battlefields?"

I am glad the Senator from Utah is now entering the Chamber, because, though he talked for at least 10 minutes in answer to that question, he never answered it. Nor did the Senator from the great Lone Star State of Texas [Mr. CONNALLY] answer the question which I tried courteously and fairly to put to him. I said to the Senator: "If Germany were to be the beneficiary of this repeal, would you vote for it?" His only reply was that I was guilty of misconduct and unfairness in thus interrogating him.

I wish to read the question asked the Senator from Utah by the Senator from Nevada [Mr. PITTMAN], and I am glad the Senator from Utah is present in the Chamber. I asked him to return, because I wanted to discuss this issue in his presence. He is only about 30 minutes late, but happily he is here. If he desires to make any statement, I shall readily yield to him. In the 10 or 12 minutes in which he discussed Senator PITTMAN's query he said many things but never answered the interrogation. It was as follows. I now quote:

Mr. PITTMAN. I wish to ask the Senator a personal question, and when I say that I mean a question searching his own personal action and his intended action. I do this because a number of speeches broadcast over the radio, and some intimations in speeches here, indicate that Senators, even those who are supporting and intend to vote for this very stringent restrictive legislation, will in the course of time yield to persuasion and first throw down the restrictions on credit which are now so strong, so as to help Great Britain, and later on, as the debts to Great Britain amount, they will waive all security and let the debts mount and mount and, when that is not sufficient to save Great Britain, will vote to send our young men over there to die in Europe to save that money. Is there anything on earth that would induce the Senator from Utah to so yield? That is the question I ask him.

That is the question asked by the Senator from Nevada. Before I yield to the Senator from Utah I should like to ask one further question. For almost 20 minutes the Senator sought to convince the American people and this body that the passage of the joint resolution would be more to the benefit of Germany than of Great Britain. I do not know whether he meant that, but that is what he said, and I ask him this question: Does the Senator really mean that? Does he want the Senate, the American people, the British Government, and the German Government to think that the passage of the resolution would be more to the benefit of Germany than of Great Britain?

I yield to the Senator.

Mr. THOMAS of Utah. Mr. President, the question asked is rather involved and lengthy. If I did not answer the Senator from Nevada, it was not because I did not intend to answer his question. It was because I could not remember all the factors that went to make up the question. The Senator from California has now made the question even more involved than it was. However, if I may summarize what I think he wants me to answer, it is whether or not I would vote to take our country into war to collect debts. Is that what the Senator means?

Mr. DOWNEY. No; I do not mean that. I mean, would the Senator extend credit to the Allies to help them obtain goods from the United States; and if necessary to help them defeat the German people, would the Senator again extend military aid?

Mr. THOMAS of Utah. Mr. President, if I had been in favor of extending credit to any country which wanted to buy under the provisions of the law I should never have supported in committee the limitation put into the bill, the simple definition of what constitutes cash business. In the financial provision of the present law we have no definition of cash business. If I know anything about cash business, by cash business is meant terms cash, 30 days, 60 days, or 90 days. Business with South America is deemed today to be a cash business. Our trouble with trading with South America is that they need a very much longer time than that. If I understand the law, and if I understood what we were doing, we were attempting to make the definition of cash business so strong that no man could misunderstand it. We have it so strong that the 90-day limit is the simplest and surest definition for cash business that I think can be found in ordinary commercial trading. It is not a credit business in any sense whatever, and is not deemed a credit business by those who conduct international business.

Mr. DOWNEY. If the Senator will pardon me, I do not think he has yet met the issue. I should like to have him place himself on record, if he is willing to do so. If he does not wish to do so, I shall not importune him. The question which was propounded by the Senator from Nevada, and which the American people want answered, is, If this joint resolution should be enacted and should prove insufficient to provide war materials for Great Britain and France because they have not the money with which to buy them, later on when, that fact should develop, would the Senator then be willing to grant them such credits as they may need?

Mr. THOMAS of Utah. A question of that kind cannot be answered categorically. In the first place, we would have to repeal the Johnson Act so far as England and France are concerned. Does the Senator want me to say whether I am in favor of repealing the Johnson Act?

Mr. DOWNEY. No.

Mr. THOMAS of Utah. So far as I am concerned, I stand exactly where I think the pending joint resolution stands. I am opposed to giving credit to any country on earth for war purposes. Is that plain?

Mr. DOWNEY. Is that a declaration?

Mr. THOMAS of Utah. That is my stand, and I think it is perfectly understandable. The United States of America

should not extend credit; should not allow foreign nations to obtain credit; should not allow foreign nations to sell bonds in our country. In other words, the wars of foreign nations should be financed by foreign nations.

Mr. DOWNEY. I am happy to have provoked that declaration, which, I take it, is a commitment to the American people. If I understand the Senator from Utah, he now means—and if I am in error I should like to be corrected—that if conditions should develop under which the allies still needed war supplies from us and could not pay for them, he would refuse to grant them credit with which to buy. Is that what I am to understand?

Mr. THOMAS of Utah. Certainly. I stand upon the primary thesis that the United States should not finance the wars of other nations. We have quite a task of our own.

Mr. DOWNEY. I repeat: I am very happy, Mr. President, to have evoked that commitment from the Senator from Utah, and I would say if every other Senator who is a proponent of this measure would commit himself to the American people as agreeing that the pending measure shall not be a first step leading to grants of credit and ultimately to war, I think we would all sleep happier tonight.

Now I should like to intervene with one further question. Does the Senator from Utah want the Senate and the American people to understand that he actually believes—I understood him so to say, but perhaps I was mistaken—that he is solemnly of the opinion that the repeal of the present Embargo Act would, on the whole, be beneficial to Germany and disadvantageous to the British Empire?

Mr. THOMAS of Utah. I think the Senator has put the question a little bit differently from the form in which it was put this morning. The point I was making was that, so far as general trade was concerned, so far as the things which England needed were concerned—and we were talking only about England and not Germany—assuming the correctness of the statement which has been made so many times that repeal is going to enable France and England to secure airplanes from this country, if we take the joint resolution as a unit and consider it in relation to the present law, the restrictions which are proposed to be put upon American trade are of such a nature that England will find herself very much more at a disadvantage, as a result of the passage of the law, than at an advantage. In the first place, all traffic in American ships would be cut off; and, in the second place, England would have to pay cash for everything that should go to England. Those two things are probably the greatest hindrances to the ordinary, normal relations between the nations that could possibly be brought about by law.

Mr. DOWNEY. If it were any other Senator except one for whom I have the very highest admiration, not only for his integrity but for his intelligence—for the Senator from Utah has those two qualities in the highest degree—I should think that by a process of rationalization he is deluding himself. The Senator from Utah must know what the British and German Governments know, and what, I take it, every citizen in America knows, that repeal of the embargo, taken as a whole, will work to the advantage of the Allies and against Germany. I suggest that the passage of the joint resolution will undoubtedly provoke hate and fear from the German people against us. In the last war almost a million Germans were starved because of the British blockade. I am not blaming the English Government for that; war is the ultimate atrocity; people must suffer and starve when they war; but I point out that, beyond doubt, in Germany our action will be taken symbolically and otherwise as a desire to turn the greatest factories in the world over to Great Britain to produce war materials to blow the German people to pieces.

If that is not true, if this proposed law is for the advantage of Germany, on the whole, and against Great Britain, it would be well to make that plain to the German people, so that we shall invoke upon us only the dislike and hate of Great Britain by doing this, for, if the Senator is right, if this proposal is more to the disadvantage of Great Britain than it is to the disadvantage of Germany, we will bring upon us the immediate condemnation of the British and French leaders.

Mr. THOMAS of Utah and Mr. PITTMAN addressed the Chair.

Mr. DOWNEY. I am not through yet. Neither of the Senators would yield to me during an hour and a half when it had been agreed that I should be entitled to speak——

The PRESIDING OFFICER. The Senator from California declines to yield.

Mr. SCHWELLENBACH. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. Under the rules of the Senate is it possible for a Senator to advert to another Senator and interrogate him, and then, after he has interrogated him and commented upon the answer of the Senator fail to give the other Senator an opportunity to be heard at that point?

I appreciate the fact that there is no intention on the part of the Senator from California to be unfair to the Senator from Utah.

Mr. DOWNEY. Mr. President, may I make a statement?

The PRESIDING OFFICER. The Chair will answer the parliamentary inquiry by saying that it is not his understanding that a Senator who has the floor has a right to interrogate a Senator who has not the floor.

Mr. DOWNEY. In order that the distinguished Senator from Washington may thoroughly understand the situation, and for the sake of the RECORD, let me say that I did not at all send for the Senator from Utah, nor am I in any way precluding him from taking all the time he wants right now. I did want the right to finish a sentence or a paragraph I was in the midst of. I merely notified the Senator from Utah—and he will bear me out—that I had secured from the Official Reporter a copy of the question asked by the Senator from Nevada [Mr. PITTMAN] of the Senator from Utah and told the Senator from Utah if he wanted to be present to defend his own position when I discussed it I would be happy to yield the floor to him and let him do so. Let me say that I am not in any controversy with the Senator from Nevada in any way; and if I was impatient, if I was vehement or petulant or rude or impolite or inconsiderate, I certainly apologize to the Senate and to the Senators whom I have affronted; and if the Senator from Utah wants any further time, I very cheerfully and gladly yield to him.

Mr. SCHWELLENBACH. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Washington?

Mr. DOWNEY. I yield.

Mr. SCHWELLENBACH. I know, as we all know, the Senator from California is uniformly courteous and polite and considerate of the other Members of this body. When the Senator from Utah came in, the Senator from California remarked that he was half an hour late. I think, if I may say so to the Senator from California, that he has been a little unfair to the Senator from Utah; and when, in response to a criticism of the answer which the Senator from Utah gave, the Senator from Utah then wanted to reply and the opportunity was denied him by the Senator from California, I think the Senator from California was going just a little further than he himself would want to go. I am sure that there was no intention on the part of anyone on either side to be impolite, but when the Senator from California thinks it over I imagine he will not feel that he has been fair to the Senator from Utah by refusing to let him reply to the criticisms of the answer which he made.

Mr. DOWNEY. Mr. President, if I may reply very briefly to the Senator from Washington, the facts are these: I had a certain outline for my argument, and in about 40 minutes from the time I began I was going to reach the point where I expected to discuss the answer of the Senator from Utah to the question propounded by the Senator from Nevada. I so notified the Senator from Utah, and he assured me that he would endeavor to be back at that time. For perfectly

good reasons, of course, he was delayed an extra 40 minutes, and in my remarks—possibly improperly under the senatorial code, which the Senator from Washington refers to—I facetiously said to him that he was 40 minutes late. If I have hurt the feelings of the Senator from Utah by that humorous comment, I ask his pardon; and if there are any other suggestions the Senator from Washington would like to make, I should be happy to listen to them.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Utah?

Mr. DOWNEY. I yield.

Mr. THOMAS of Utah. I have forgotten what the questions were. [Laughter.] I rose to answer the questions and was anxious to do so. So I am perfectly happy if the Senator is.

Mr. DOWNEY. Mr. President, I do not desire to indulge in further repartee that might bring me any censure, but I may say that not only was the Senator from Utah 40 minutes late in getting here, but, likewise, the Senator from Washington was 40 minutes late in admonishing me for my remarks, for it was just that long ago I made them, and meanwhile the Senator from Utah has forgotten what it was all about.

Mr. President, some time ago I was discussing the effect of the embargo of 1808 upon American commerce; and I read the declaration of Albert J. Beveridge that that embargo had resulted in great benefit to American commerce, because it turned us to our own manufacturing and our own resources. I have contended over many years that a wise American policy would steadily delimit our commerce with Europe and foster it in the New World. What is the basis for that argument? First, because 90 percent of what we ship over to Europe our own people could utilize. We now send to Europe about $1,300,000,000 of exports, which, I may say, is an abnormally large amount. I should say that 90 percent of what we are shipping to Europe the American people, who are in great distress, could use right here in the United States of America. Our people could reasonably produce and enjoy at least forty or fifty billion dollars' worth of goods more than we do produce. To me it has seemed an unsound foreign policy to attempt to force European commerce to the extent of something over a billion dollars annually when thirty or forty billion dollars' worth of those commodities are needed and could be used by the American people. Our only problem is to perfect a distribution of the goods we can produce in almost unlimited quantities and that our people could use for reasonable needs in far greater amounts than they now enjoy.

Take the case of cotton, if you please. I have consulted with some of the Southern Senators, and they tell me that if the American people were given a buying power of one hundred or one hundred and ten billion dollars, which is reasonably within our immediate power to attain, we ourselves would utilize for our own people far more additional cotton than we ship to Europe. It has seemed to me a short-sighted statecraft to try to build a trade in surpluses, that must periodically be demoralized by foreign wars and must periodically thus involve us in foreign difficulties of a most dangerous nature, when here in the United States is an unlimited market for those same goods. Had we employed the same energy in finding means to distribute our wealth to our own people that we have wasted in promoting a meager and transient European commerce our national health would be much better.

Mr. President, let us reflect upon another fact:

After the Great War, which cost us $40,000,000,000, our beneficiaries called us "Uncle Shylock." They can now, with much more justice, call us "Uncle Stupid," and I will tell you why.

There is in the whole world between twenty-six and twenty-seven billion dollars' worth of gold at the price we now pay for it here in the United States. In the United States we now have between sixteen and seventeen billion dollars of that gold. Right now it is coming in at about the rate of $2,000,000,000 a year. Looking ahead 5 years, if present conditions continue, we are going to have 95 or 99 percent of it. The British Empire alone is producing $750,000,000 in gold each year, largely out of South Africa and Canada. Russia and other nations are producing something more than $250,000,000 a year. Those nations know that under present conditions gold would be worthless except for our acceptance of it, as all should see, and they are foisting it on us as rapidly as they can.

Last calendar year we had $1,900,000,000 of gold imports. This year the amount will probably run more. In other words, Great Britain and Canada and Russia are dumping upon us at a tremendous profit all the gold they can produce, and, in addition to current production, our credit balance of trade of about $1,000,000,000 is being paid in gold. What do I mean by that? I mean that while we are sending abroad to Europe every year $1,300,000,000 worth of products produced by American workmen that we ought to be using here, Europe sends back to us only $500,000,000 worth of goods, and pays the other $800,000,000 in this worthless gold which is now being buried in the hills of Kentucky. I am speaking only in round and approximate figures.

Do not Senators realize that all Europe is going into dictatorship? Indeed, it is already there; and under a dictatorship the only purpose of gold is to give it to some democratic and credulous nation for real wealth. Great Britain and France now have left about six or seven billion dollars in gold. If we embark on a great war trade, I have no doubt that within 2 years, if a war boom develops, we shall own 90 or 95 or 99 percent of the gold of the world; and what will it then be worth?

Gold now is of value to a nation only to settle its obligations to other nations. It is no longer, and never will, I think, again be used for internal exchange. Do not think that any nations are ever going to grant us any credit that we can repay in gold. Do not think that the $12,000,000,000 due from the Allies will ever be paid. We no longer use gold for a medium of exchange. Under a modern commercial system we use what we term "checkbook money." We transfer from one individual to another credits in the bank and thereby transact 90 percent of our business. Only 10 percent of our business is done with silver dollars and paper dollars and larger bills, and not one dollar with gold. Is the credit of the United States, to whom almost every great nation in the world is in debt, made any stronger abroad by our ownership of almost all the gold in the world? No, Mr. President. The truth is that Russia and Great Britain and France are wisely getting rid of this gold that nobody could eat or wear; and when Uncle Sam has it all safely buried away no one will ever want it again except to make bridge fillings for teeth, or wedding rings, or perhaps monuments of some kind to American statesmen who helped to collect and bury it.

Mr. McCARRAN. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Nevada?

Mr. DOWNEY. Yes; I yield.

Mr. McCARRAN. I am very much interested in the last expression or two of the able Senator from California. I think all monetary base should be silver. I would even make wedding rings out of silver, because I come from a great silver-producing State. [Laughter.]

Mr. PITTMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the senior Senator from Nevada?

Mr. DOWNEY. Gladly.

Mr. PITTMAN. When I sought to interrupt the Senator a while ago, but was called from the Chamber, all I wanted to say was this:

The Senator from Utah [Mr. THOMAS], as I understood him, said that under no consideration would he ever vote for war or to send soldiers to collect debts. I desire to assure the Senator, as one of those who reported the pending joint resolution, that I hold exactly the same view. Under no consideration on earth, no matter how large the debt, would I ever vote for it. I think the Senator possibly can draw the same

thing from every one of the Senators, because it is my candid belief that there is not a man in the Senate who knows the history of the World War—and I think all of them do now—who would have taken the steps that we took then, knowing what we now know—that is, that we may suspend our rights under international law on the high seas, whatever they may be, rather than pay the cost that we did pay, and probably will have to pay again, to fight for those rights. I will say to the Senator that I do not believe there is a Senator in this body—not one—who would ever vote to go into any foreign war unless this country were attacked. That is my view of the matter.

Mr. President, that is my view. Of course, I cannot speak the sentiments of every Senator here, but I have heard Senators express their opinions off and on, and I believe that I am correct. I hope so.

Mr. DOWNEY. Mr. President, I am profoundly grateful to the Senator from Nevada for his clear declaration of his stand against our future involvement in war, and, if I understand him, against any increase in our debt for the benefit of foreign sovereignties. I wish to say to the distinguished Senator from Nevada, who, by reason of his long prestige and great public service, is of large importance and influence in the United States, far greater than I, in any words I speak, that if his declaration were carried to the four corners of the United States, boys and mothers would sleep easier, for I believe there is a great fear in the hearts of the mothers of America and among the boys of America that we may be asked to repeat the terrible crusade of 20 years ago, with all its follies. If my colleagues will pardon a personal expression, which I would not use except in speaking my own heart, I speak, I am sure, the hearts of almost all American mothers and fathers. I have two boys of my own, and if it were necessary to defend our own Nation, they would cheerfully and courageously, I am sure, lay down their lives, and I could make that sacrifice with grief, yes, but with resignation, if they died in defense of their own people and their own land. But if any American Government, by any indiscretion or precipitate action, should in this great catastrophe involve us in the fires and hates of Europe, and one of my boys should be called there and should meet with injury or death, I never would forgive that American Government; and I think in so speaking I truly interpret the hearts of American parents.

I am therefore glad that the distinguished Senator from Nevada has given his solemn assurance to the mothers and the sons of America that he will stand four-square against any further foreign involvement beyond the pending measure. While he and I do not see alike upon this particular measure of selling war materials abroad, I recognize his experience and ability in this field of legislation far outrun my own.

Mr. President, may I now return to my declaration that the American people should advance the Monroe Doctrine as a two-sided shield, warning aggressor nations out of the Western Hemisphere, and keeping us to our inescapable destiny under the western skies, isolated from foreign ventures and foreign dangers.

I recently talked with one of the American leaders who knows much more about military power than I do, and while at first he put forth the proposition that we were vulnerable to European or Asiatic attack, he finally based his argument upon one single assumption. That our Achilles heel might be found in an alliance between some Latin American country and some European dictator, and since that possibility has been widely discussed by our people, I desire now to advert to it. In the argument presented me it was said, "Suppose some dictator should conquer Europe. Do you think that is possible?"

I replied, "Possible, but not probable; but I am willing to assume it as a possibility against which we in our caution should guard."

He then said to me, "Do you realize that the Latin American nations and Mexico have approximately $500,000,000 of foreign trade with European nations in products which we could not take here in the United States—cattle and wheat and corn—because we already produce an excess of those products?"

I admitted the truth of that statement. He then said, "Suppose some European dictator, having gained complete control of the markets of the Old World, should say to some nation of South America, 'We will not take your five hundred millions of farm products and give you the machinery and the commodities you want unless you enter into a military alliance with us allowing us to establish airplane and military bases in your own country for the conquest of South America and the Western Hemisphere.' What do you think that South American nation would then do?"

It immediately suggested itself to my mind that the countries in South America are a proud, independent, and defiant people. I have found them highly courteous, with an advanced culture and civilization, who at times have justly resented our condescension and our attitude, and some of our acts, which I hope and feel sure will never be repeated. Their fear against us has been that this great colossus of the north might sometime strike at them with imperialistic ambition.

Mr. President, put yourself in the position of a Mexican citizen. Suppose you were a resident of a country of fifteen or twenty million people, and just across a boundary line 3,000 miles long was one of the most powerful nations in the whole world, with 130,000,000 inhabitants, which could attack and devastate your land in 30 days if it desired. Of course, you might well be apprehensive of the foreign policy of that country, particularly if its conduct had not always been blameless in foreign affairs.

And I declare here and now, in connection with this thought, that as we develop our military power to defend the Monroe Doctrine, let us delimit our ambitions, and by repeated statements and good faith and fair dealing let the people of the Western Hemisphere know that we shall always deal with them upon terms of friendship, equality, and peace.

And may I also depart from my theme to say, Mr. President, that I know that such a policy is right now being pursued and that 90 percent of the American people are behind the efforts of the Committee on Foreign Relations and the executive department and our Chief Executive in the great work we are doing in building up good relations with Mexico and Central America and South America. I am not pretending to say anything here which distinguished Senators could not say with more prestige and more intelligently than I could say it.

But some of our neighbors here in the past have feared imperialistic designs from us. Would you conclude from that that they would ever submit their heads to the noose of any European dictatorship, to the burden of some imperialistic war venture? I cannot so believe.

Can we imagine any South American leader selling his people out to the Japanese Mikado, or to Hitler, or to Russia? How long would any South American government last if it invited the arms and soldiers and airplanes of some imperialistic dictator from abroad? The nations of South America are just as bitterly set against conquest as we are, whether it would come from the United States or whether it would come from abroad.

I do believe that almost certainly we, as well as South America, are going to find our European trade involved in difficulties because of continuing European catastrophes, which will probably still strike through the next thousand years as they have repeatedly struck through the last thousand, and a sane policy for the Western Hemisphere would be a hemispheral economy, in which no nation in the New World would seek European trade; but, on the contrary, by wise cooperative action promote a self-contained and balanced economy here in the western world, which, if gradually and intelligently undertaken, would be easy to attain.

As the distinguished Senator from Utah could describe much better than I can, we in the United States lack only three important materials, the want of which prevents us from having a well-balanced economy. The Senator mentioned two of the most important ones today, namely, rubber and tin, because we do eat much out of tin cans and we do

travel far on rubber, sometimes both at the same time. Of course, as the Senator has instructed me, manganese is the third. As to this, we have immense deposits of second-grade manganese in the Western Hemisphere, which, at a higher cost, we could develop. Cans, of course, can be made without tin, as the Senator knows full well, because I have heard him state that very fact. Yes; tin cans are made out of iron and are covered over with tin, and aluminum can be used just as well if a slightly higher price is paid, and we can always have plenty of aluminum.

If I can believe reports that come to me from reputable statistical bureaus, we have already developed a synthetic rubber in the United States, now controlled by the du Pont Co. under the same of "duprene." It might cost twice as much as rubber costs us at present, but, nevertheless, beyond doubt, our inventive genius and our army of the unemployed could develop rubber production if it were necessary. This likewise can be grown in Brazil, and would have been grown in Brazil except for the fact, as the Senator from Utah stated, that a great international syndicate, headed by European and American industrialists and bankers, has prevented the development of any rubber industry in South America.

Mr. President, without discussing this particular problem any longer, let me say that every writer who has written about it has stated that in a few years we can in the Western Hemisphere produce a balanced and self-sufficient economy. And while I am on that subject I want to advert to something that is perhaps somewhat irrelevant here. The honorable Senator from Texas [Mr. CONNALLY] and likewise the Senator from Utah [Mr. THOMAS] apparently were weeping tears over the lack of material and resources for England and the British Empire as a whole. Mr. President, as I have already said, the British Empire is the greatest and the wealthiest empire on the globe, with more natural resources, wealth, and manpower than any other empire in ancient or modern times. The British statesmen have been careful, in selecting one-fifth of the total area in the world, to pick up the rubber and the tin and the petroleum and all the other materials that they need to maintain a warlike economy. And when I hear these tender-hearted Senators almost sobbing as they describe the need of Great Britain and France for arms against their aggressor, Germany, because the latter is so well prepared, while they are not, I am compelled to say that I believe these Senators must be ignorant of the mighty resources and power of the two allied empires.

In the first place, Mr. President, England and France have practically the same population as Germany. And their empires, with almost 1,000,000,000 men, provide them with an immense body of colonial soldiers and workers to draw upon, at least seven or eight times the manpower that we have in the United States. If any of their dominions or colonies are not willing to enthusiastically fight for their government, is that the fault of the United States of America? Great Britain and France likewise have far more material resources for a great war than Germany, and in armament are vastly superior. The French Army is, I think, the largest of them all, with the exception of the inefficient Russians, and considered the greatest army in the world—transcending in equipment and trained reserves that of Germany. The combined navies of Great Britain and France are three or four times as great as that of Germany. And the best military report is that those two empires are now reaching a parity with Germany in their air power. Of that, of course, I do not pretend to speak with any degree of certainty.

Mr. President, I sympathize with all the miserable, unhappy, devastated people of Europe, but I do not shed any tears for Great Britain and France in contrasting them with Germany. In every way, materials, men, wealth, they are overwhelmingly superior. So superior, Mr. President, that if I were a citizen of Germany, I should today dread the might and will of the Allies and fervently pray that the Germans would not again be devastated, as in past wars.

Likewise, Mr. President, let me say this. Let no one sell the British Empire short in this conflict. Our statesmen are naive compared to the British leaders who for centuries have held world supremacy and great parts of the world subjugated. Only once, since William the Conquerer fought the Battle of Hastings in 1066, has the soldier of a foreign nation placed his foot on English soil, and that was a hundred or 200 years later, and it was the foot of one of their present Allies, the French with whom they have periodically been, in the past, engaged in many terrible and cruel wars for many centuries.

Except for that one time England has never been invaded while the British Empire has had its soldiers and its navy in almost every corner of the world conquering and subjugating alien and distant peoples and seizing great areas of land and great quantities of natural resources.

Mr. President, I realize that a new and significant military weapon has developed, and that is the air arm. National movements have been won and lost because some far-sighted leader seized and utilized some new mechanism of war. Hannibal, Caesar, Alexander the Great, Genghis Khan, Napoleon with his massed artillery, all won their great victories by first using with highest efficiency a new military weapon or technique.

Back in the beginning of the Hundred Years War fought between England and France, in the course of which almost every town in France was destroyed, and almost every French leader killed, England beat France to her knees through the use of her long bows and because of her sturdy pikemen, who were able to master the mounted French knights, who outnumbered the English cavalry.

And so through all history we find great empires rising and falling, and the destinies of armies dependent upon some new weapon that appears, or the defense that is developed to it.

It may be that the Wright Brothers when they flew the first airplane at Kitty Hawk, N. C., brought into the world such a military weapon, by which Germany, utilizing it with greatest efficiency, will be able to redress the balance through which Great Britain has been able to hold her own shores inviolate, and yet conquer and subjugate almost every section of the world. But my study of the almost unlimited resources of Great Britain and France—the wealth, the material, the manpower and armament—leads me to believe that any person would be making a risky bet who wagers against Great Britain. If she loses this time it will be the first time in a thousand years, except when a great American leader, George Washington, who believed in containing ourselves in our own country, led our armies against her.

Mr. President, there are certain points I have not yet covered. I am now starting on a new point, and I have been speaking steadily for almost 3 hours. I wonder if I could secure unanimous consent that the Senate now recess, with the privilege of holding the floor tomorrow morning.

The PRESIDING OFFICER (Mr. LODGE in the chair). Is there objection?

Mr. McNARY. Mr. President, I think the attention of the Senator from Nevada [Mr. PITTMAN] should be called to the request of the Senator from California.

Mr. PITTMAN. I beg the Senator's pardon.

Mr. DOWNEY. I stated that I was about to begin upon some other points, and I am rather tired. I know the Senate is also weary. I ask unanimous consent that the Senate recess until tomorrow with the understanding that I shall then have the privilege of resuming the floor.

Mr. PITTMAN. Reserving the right to object, which I do not intend to do——

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. ADAMS. Is it the intention of the leaders to have a session of the Senate on Saturday? It seems to me it would probably result in an uncomfortable situation. Many Senators have gone. It would not look well to have a discussion of a matter of such great importance with three-fourths of the Senate seats empty. I was wondering if the Senate leaders have determined to have a session on Saturday.

Mr. PITTMAN. I was going to call that matter to the attention of the Senate. When the majority leader the Senator

from Kentucky [Mr. BARKLEY] left here the other day, he had a general understanding, I believe, with the minority leader the Senator from Oregon [Mr. MCNARY] that there would be a session of the Senate on Saturday. I wish to say that since I have been in charge of the measure there have been a number of suggestions such as that just made by the Senator from Colorado.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. NORRIS. Since we are considering only one subject, and since committees are not in session, and other business of the Senate is not being taken up, I cannot see why we should not meet on Saturday. No other subject than the one now under discussion is being considered either in the Senate or in committees of the Senate. It seems to be the almost unanimous consensus that the Senate should not do anything at this time except consider the one measure now under consideration. I presume no vote will be taken tomorrow. That can easily be agreed to, if necessary. But why should not the debate proceed tomorrow, thus saving another day?

Mr. PITTMAN. Mr. President, I was about to state that some Senators are absent on account of the funeral of the late Senator from Kentucky [Mr. Logan]. Others have notified me that they expect to be absent attending the funeral of Cardinal Mundelein. Three Senators who have been in attendance on the debates do not feel in sufficient health to be present tomorrow. Others have suggested that they are weary and would like a rest.

Mr. NORRIS. Mr. President, there is no reason why those Senators should not remain away. We could proceed with the debate even if those Senators were not present.

Mr. MCKELLAR. Mr. President, four of the Senators who went to the funeral of the late lamented Senator Logan have returned and are present. It seems to me the Senate might proceed tomorrow. We were called here for this one purpose. I do not see any reason in the world why we should not proceed. I have no doubt that course would be satisfactory to the Senator who has the floor.

Mr. PITTMAN. I was merely suggesting to the Senate matters which have been brought to my attention. I am not urging any change in the usual procedure. So far as the unanimous-consent request of the Senator from California [Mr. DOWNEY] is concerned, I have no objection to his proceeding tomorrow when we convene.

The PRESIDING OFFICER. The Senator from California [Mr. DOWNEY] asks unanimous consent that the Senate take a recess until 12 o'clock noon tomorrow. Is there objection?

Mr. JOHNSON of California. Mr. President, I wish to unite with the Senator from Colorado [Mr. ADAMS], who has suggested that the Senate recess until Monday. I am quite aware of the circumstances under which we meet, and I am quite as well aware that those of us who have attended the sessions have attended regularly and continuously during this week. This is the beginning of the debate. I should like to see the suggestion of the Senator from Colorado adopted, and the Senate take a recess until Monday. I think we should save time by doing so. Not only is the funeral of the distinguished cardinal to take place tomorrow, as I understand, but, in addition, other pending matters require the attendance of Senators. In my opinion, we should have some difficulty in obtaining a quorum tomorrow.

The decision is up to the Senate. I do not make any personal request in the matter, but I wish to unite in the suggestion of the Senator from Colorado.

Mr. BURKE. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. BURKE. A rather careful check indicates the practical certainty that the first time a quorum is called tomorrow a quorum will not be found. Under those circumstances, it seems to me, it would be very much better to take a recess until Monday and continue the debate in an orderly way at that time.

Mr. MCNARY. Mr. President, I have no special opinion in the matter. During the week the Senator from Kentucky [Mr. BARKLEY], the Democratic leader, said to me a number of times that he wanted to have the Senate hold a session on Saturday. That was in conformity with a conversation some time before Congress met as to the general procedure. I concurred in the opinion that probably that was the proper thing to do. In the absence of the Senator from Kentucky, I shall not retreat from my agreement with him to have a session tomorrow.

There is much in what has been said by the able Senator from California [Mr. JOHNSON] and others; but I shall not request that the Senate recess until Monday. My wish is to remain loyal to my leader, the Senator from Kentucky [Mr. BARKLEY]. Nor shall I object to the proposal made by the Senator from California [Mr. DOWNEY], who desires to continue his speech tomorrow. It would probably be wise to have a session tomorrow and permit the Senator to continue his argument.

RECESS TO MONDAY

Mr. PITTMAN. Mr. President, in order that the Senate may vote as it sees fit, I move that the Senate now take a recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada that the Senate take a recess until 12 o'clock noon tomorrow.

Mr. MALONEY. Mr. President, will the Senator yield to me?

Mr. PITTMAN. I yield.

The PRESIDING OFFICER. The Chair is constrained to say that the motion is not debatable.

Mr. MALONEY. I ask unanimous consent to make an observation in this connection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Connecticut is recognized.

Mr. MALONEY. Mr. President, I think it would be very unfortunate if we should take a vote at this time on the question as it is presented. A number of Senators are necessarily absent, and a session tomorrow might create a misunderstanding in the minds of people throughout the country who cannot have an appreciation of the reasons why Senators are compelled to be absent during this tremendously important debate. For that reason I desire to give protection to those Senators who must be absent. If there is a session tomorrow, I intend to be present, but if this question comes to a vote I shall vote to recess until Monday, not because I do not intend to be present tomorrow, but in order properly to protect Senators who must necessarily be absent, and who might be subjected to criticism by some who do not thoroughly understand the situation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada [Mr. PITTMAN] that the Senate take a recess until 12 o'clock noon tomorrow.

Mr. JOHNSON of California. Mr. President, I move to amend that motion by making the time of meeting 12 o'clock noon on Monday next.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California to the motion of the Senator from Nevada, to take a recess until 12 o'clock noon on Monday next.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the motion of the Senator from Nevada [Mr. PITTMAN], as amended.

The motion, as amended, was agreed to; and (at 4 o'clock and 56 minutes p. m.) the Senate took a recess until Monday, October 9, 1939, at 12 o'clock meridian.

SENATE

MONDAY, OCTOBER 9, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Father Eternal, who art above all darkness and change, and hast brought us in safety to this the beginning of another

day of service: Grant us the sense of Thy nearness, and reveal to our weakness the grace and power that are more than sufficient for us. Especially do we pray for all who toil, whether with hand or brain; and grant that we may strive for the coming of that day when man's true worth shall be reckoned far above the price of the things he fashions, and when science shall no longer serve the forces of destruction but shall be dedicated to the promotion and preservation of the highest, noblest purposes of man. And since Thou didst unfold Thy love supreme in the life of the Craftsman of Nazareth, so once again, in the crises of our times, may redemption spring from the ranks of those who toil in the spirit of their Master, in whose name we pray. Amen.

APPEARANCE OF A SENATOR

JOHN H. BANKHEAD 2D, a Senator from the State of Alabama, appeared in his seat today.

THE JOURNAL

On motion of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, October 6, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Reynolds
Andrews	Donahey	Lee	Schwartz
Austin	Downey	Lodge	Schwellenbach
Bailey	Ellender	Lucas	Sheppard
Bankhead	Frazier	Lundeen	Shipstead
Barbour	George	McCarran	Slattery
Barkley	Gerry	McKellar	Smathers
Bilbo	Gibson	McNary	Stewart
Borah	Gillette	Maloney	Taft
Bridges	Green	Mead	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Hatch	Neely	Truman
Byrnes	Hayden	Norris	Tydings
Capper	Herring	Nye	Vandenberg
Caraway	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Johnson, Calif.	Pittman	Wheeler
Connally	Johnson, Colo.	Radcliffe	White
Danaher	King	Reed	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Georgia [Mr. RUSSELL] and the Senator from South Carolina [Mr. SMITH] are unavoidably detained.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

SPECIAL COMMITTEE ON TAXATION OF GOVERNMENTAL SECURITIES AND SALARIES

The VICE PRESIDENT. The Chair appoints the Senator from Nebraska [Mr. BURKE] a member of the Special Committee on Taxation of Governmental Securities and Salaries, authorized by Senate Resolution 303, Seventy-fifth Congress, to fill the vacancy caused by the death of Hon. M. M. Logan, late a Senator from the State of Kentucky.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the board of directors of the Union League Club, of Chicago, Ill., favoring adequate preparedness for defense, the avoidance of political entanglements with other nations, and the maintenance of peace, which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by the National Republican Club, New York City, favoring adequate preparedness for defense, the repeal of the existing embargo law and the adoption of a cash-and-carry provision, and the preservation of peace, which was ordered to lie on the table.

He also laid before the Senate the petition of Edward Williams Emmons, of Southampton, Pa., praying that Congress request the President of the United States to ask the present European belligerents to effect a truce until such time as the problems involved in the current strife can be adjusted satisfactorily by means of open negotiations among the interested powers, and suggesting the President of the United States as an arbiter should major difficulty arise in such negotiations, which was ordered to lie on the table.

Mr. MINTON presented numerous memorials of sundry citizens of Elkhart, Ind., remonstrating against any change in the existing neutrality law, which were ordered to lie on the table.

ADDRESS BY SENATOR SCHWELLENBACH ON PENDING NEUTRALITY LEGISLATION

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a radio address on pending neutrality legislation delivered by Senator SCHWELLENBACH on October 8, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR WAGNER ON PENDING NEUTRALITY LEGISLATION

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by Senator WAGNER on October 7, 1939, outlining his views on neutrality, which appears in the Appendix.]

ARTICLE BY SENATOR THOMAS OF UTAH ON THE NEUTRALITY ISSUE

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD an article by Senator THOMAS of Utah on pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR DAVIS AT PASTORIUS DAY CELEBRATION, PHILADELPHIA, PA.

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address delivered by himself at the Pastorius Day celebration held at Philadelphia, Pa., October 6, 1939, which appears in the Appendix.]

ADDRESS ON NEUTRALITY BY SENATOR TRUMAN AT CARUTHERSVILLE, MO.

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address delivered by Senator TRUMAN at Caruthersville, Mo., on October 8, 1939, which appears in the Appendix.]

EXCERPTS FROM SPEECH OF SENATOR PEPPER IN SUPPORT OF PROPOSED NEUTRALITY LAW

[Mr. MINTON asked and obtained leave to have printed in the RECORD excerpts from a speech in support of the proposed neutrality law delivered by Senator PEPPER at a mass meeting in the National Press Auditorium in Washington, D. C., on September 26, 1939, which appear in the Appendix.]

ADDRESS BY FORMER SECRETARY OF STATE STIMSON ON PENDING NEUTRALITY LEGISLATION

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD a radio address by Hon. Henry L. Stimson, former Secretary of State, on the pending neutrality legislation, which appears in the Appendix.]

PROJECTION OF AMERICA INTO WAR—ADDRESS BY DR. JOHN HAYNES HOLMES

[Mr. NYE asked and obtained leave to have printed in the RECORD an address entitled "Getting America Into War Has Started Again," delivered on September 27, 1939, by Dr. John Haynes Holmes, which appears in the Appendix.]

ARTICLE BY ERNEST G. DRAPER ON SMALL BUSINESS AND ITS CREDIT PROBLEM

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article by Ernest G. Draper, member of the Board of Governors of the Federal Reserve System, on Small Business and Its Credit Problem, published in the Washington Post of Sunday, October 1, 1939, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. DOWNEY obtained the floor.

Mr. JOHNSON of Colorado. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. I yield.

Mr. JOHNSON of Colorado. Mr. President, on October 4 I submitted a resolution (S. Res. 191), which was referred to the Foreign Relations Committee, calling attention to the fact that this was an auspicious time for peace proposals to be made by our President. All America, including, I am sure, the Congress, greatly appreciates the efforts the President made to stop the European conflict prior to the time it started. Many of us feel that those efforts should be renewed now. We have heard repeatedly in the Senate—in fact, it seems to be the unanimous opinion on the part of all Senators—that America should keep out of the war now raging in Europe.

Last night I heard the very able Senator from Washington [Mr. SCHWELLENBACH] make the statement that since he has returned to the special session he has not heard a single Senator express the fatalistic viewpoint that we must be drawn into the war. He says we will not be drawn into the war, for the reason that the people of the United States are all opposed to being drawn into the war, and that the Congress is unanimously against participation in the war.

There is one sure way, and only one, to keep the United States out of this war. Some think that may be done by repealing the embargo; others by retaining it; but I think we all can agree if there is one thing that will keep America out of the war it is to stop the war; and if it should stop, then there would be no danger of getting in. I think that is the only absolute 100-percent assurance that we will keep out.

The neutrals of the world, as has been pointed out here, are interested in bringing about an early cessation of hostilities. The neutrals have a very definite public interest in the war. As a result of a war, they suffer trouble, worry, economic loss, inconvenience, and embarrassment.

Neutrals are very anxious that the war be stopped. When we have a strike, the employers and employees have a difficulty between them. We now generally recognize that a public interest is also involved. So it is in a war. The belligerents—one on one side and one on the other—are parties in interest, and the public interest is represented by the neutrals. As I understand, the neutrals of the world today are looking to the largest and most powerful neutral in all the world to do something to stop this conflict.

According to the press there are rumors that one of the belligerents has suggested that the President of the United States should make a move toward stopping the war and should act as a mediator to that end. To me it seems significant that that suggestion came from the so-called aggressor nation. I should not have been surprised had the German state called upon Il Duce Mussolini to act as mediator. I should not have been surprised if it had called upon Dictator Stalin, or upon the Emperor of Japan. I should not have been greatly surprised if it had called upon one of the small neutral countries closely associated with the area of the European Continent contiguous to the German state. I should not have been surprised if it had called upon Holland, or Switzerland, or Belgium, or any of the other numerous little states adjoining Germany; but Germany did not do that. According to the press and well-established press rumors, which have not been denied by anyone in our State Department or otherwise, it has been suggested by Germany that it would be very pleasing if the President of the United States would act as mediator in this conflict. Knowing his well-established and well-known feeling toward the gobbling up of Czechoslovakia and his well-known and frequently stated position on the conquest of Poland, it is still suggested that he act as mediator. I think that fact is extremely important and extremely significant.

I believe that under such circumstances we must accept the view that Germany will listen to an honorable peace proposal. The Germans know full well that the President of the United States is not going to advance any proposal for surrender by the Allies, or anything of that kind. They know where the United States Government and its people stand on these questions which affect the world; so when they invite mediation by the President of the United States they must be seeking, to some degree at least, an honorable peace.

To my mind the situation now facing our President is the grandest opportunity which has ever faced any of our American Presidents to render a great service to humanity throughout the world.

Mr. DOWNEY. Mr. President, I ask the Senator to yield. May I ask how much longer the Senator anticipates speaking?

Mr. JOHNSON of Colorado. Just 1 minute, Mr. President.

Mr. DOWNEY. The Senator has already gone far beyond what he asked permission to do.

Mr. JOHNSON of Colorado. I thank the Senator from California for his indulgence and for his patience with me. I did not think I should take so much time, but I became so interested in the subject that I exceeded considerably my own intentions.

I have just one more thought. This is a great challenge. History will record how it has been accepted. It seems to me the United States Senate could not speak more eloquently to all the world in behalf of peace than by moving at this time to recess for 3 days to give the influences for peace an opportunity to act.

This is a momentous time. This is the hour for the American people to concentrate all of their thinking on the subject of peace. Mr. President, the matter is so important to civilization and humanity that we ought almost to hold our breaths until the President speaks.

Chamberlain is preparing his answer to Hitler. The press this morning carries these headlines:

Chamberlain plans wary Hitler reply. Commons speech Wednesday probably will evade direct answer, diplomats believe.

I think this is a time when we should like to have a direct answer. I do not think we could speak more eloquently to Mr. Chamberlain than to adjourn the Senate for 3 days, thereby expressing our deep interest in ending the war now.

I therefore move, Mr. President, that the Senate take a recess until Thursday next at 12 o'clock noon.

Mr. BARKLEY. Mr. President, I suggest that the Senator from California [Mr. DOWNEY] did not yield to the Senator from Colorado for the purpose of making a motion.

The VICE PRESIDENT. Let the Chair say that the Senator from California did yield, however, with no restrictions on his yielding, and the Senator from Colorado has the floor.

Mr. BARKLEY. Under that ruling the Chair would have to hold that the Senator from California lost the floor by yielding.

The VICE PRESIDENT. He did the lose the floor, technically speaking, under the rules of the Senate. The Senator from California did not yield for a question. He yielded the floor. Under the technical rules which apply to what may be called "filibustering," when a Senator yields he yields the floor; but under the custom of the Senate, when the yielding is merely for the purpose of enabling another Senator to make a statement, the Senator first having the floor retains it.

Mr. BARKLEY. I am perfectly willing to have the motion voted on; but I do not want to deprive the Senator from California of the floor. He obtained unanimous consent to continue his remarks today, and I do not think he should be deprived of the floor under a motion made while he has courteously yielded to another Senator.

The VICE PRESIDENT. That is a matter between the two Senators concerned.

Mr. BARKLEY. I hope the Senator from Colorado will withdraw his motion at this time.

Mr. JOHNSON of Colorado. Mr. President, I withdraw the motion, but I expect to renew it when the Senator from California shall have about finished his remarks. When he is about ready to leave the floor I shall interrupt him again and ask him if he will yield to me for a second time. I greatly appreciate the courtesy which has been extended to me.

Mr. BARKLEY. I will say to the Senator from Colorado that he need not ask the Senator from California to yield when he has almost concluded. So far as I am concerned, if the Senator from Colorado is afraid he will not receive

recognition from the Chair, I will throw no stone in his way if he waits until the Senator from California has entirely concluded his remarks before making his motion.

Mr. JOHNSON of Colorado. I thank the Senator greatly for that courtesy.

Mr. DAVIS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. DOWNEY. I will yield to the Senator from Pennsylvania if it may be unanimously agreed that I shall not lose the floor.

The VICE PRESIDENT. The Senator yields providing he does not yield the floor.

Mr. DAVIS. Mr. President, in an address made by the President at the opening of this special session of Congress he indicated his desire to have some legislative group of Congress available for consultation after the neutrality legislation of this session shall have been enacted, and Congress as a whole shall have adjourned.

In view of the expressed desire of the President for a special committee, I am offering and sending to the desk, to be printed as a part of my remarks, an amendment calling for the institution of a National Neutrality Commission to be composed of 13 members. Eight of the members of the Commission shall be Members of the Congress of the United States, of whom 4 shall be Senators and 4 shall be Members of the House of Representatives, to be selected by the Members of each House, respectively. Two Members of each House shall be elected by the majority of each House and 2 Members by the minority of each House. The remaining members of the Commission shall consist of the Secretaries of Commerce, State, War, Navy, and Treasury.

Whenever any provision of any of the neutrality laws of the country is by its terms to be effective only after the declaration of the President, he is requested to make this declaration only after he has advised and consulted with the Neutrality Commission. This would make possible in a definite and representative way the counsel of the Congress, which the President says he desires. It does not leave to chance the question of cooperation of Congress with the President. It settles the question in a thoroughly bipartisan way.

The Neutrality Commission which I seek would be available at all times, including such times as Congress is not in session. It would be representative of the people as a whole, and would be a voice for varying points of view which otherwise might not be heard. It would serve as a clearinghouse for diverse opinions and would assure a hearing of minority opinion. It would make possible the publication of data necessary to the public understanding of foreign affairs, and yet would not act in any way so as to impede or impair the effectiveness of our national defense and our national protection. It would assure to the people not only the best thought of the executive branch of the Government but the considered judgment of the legislative branch of the Government. It would be a medium of national security in a time when propaganda and counterpropaganda are raging throughout the land. It would give people confidence in their Government and would serve as a protection against charges which now fill the air that the Executive is following a policy which will lead the country into war.

Many other reasons might be advanced to indicate the practicality of this plan. I have not attempted to enumerate all of them but offer the amendment to be read and discussed by the Members of the Senate.

The VICE PRESIDENT. Without objection, the amendment will be printed in the RECORD and lie on the table.

The amendment is as follows:

Amendment intended to be proposed by Mr. DAVIS to the joint resolution (H. J. Res. 306) Neutrality Act of 1939, viz: On page 31, between lines 11 and 12, insert the following new sections:

"NATIONAL NEUTRALITY COMMISSION

"SEC. 16. (a) There is hereby established a National Neutrality Commission (hereinafter referred to as the 'Commission'), to be composed of 13 members. Eight of the members of the Commission shall be Members of the Congress of the United States, of whom four shall be Senators and four shall be Members of the House of Representatives, to be elected by the Members of each House, respectively. Two Members in each House shall be elected by the majority party of such House and two Members by the minority party of such House. The remaining members of the Commission shall consist of the Secretaries of Commerce, State, War, the Navy, and the Treasury. The elected members of such Commission shall hold office during the term of the Congress from which they are elected and the chairman shall be selected from among their number. Vacancies in the membership of the Commission shall be filled in the same manner as the original selection. The members of the Commission shall not receive any extra compensation for their services as members of the Commission.

"(b) Three-fourths of the elected members of the Commission shall constitute a quorum to transact business. Voting power on the Commission shall be limited to the elected members of the Commission except in the case of a tie, in which case the remaining members of the Commission, voting as a unit, may cast the deciding vote. A record vote shall not be required on any action taken by the Commission.

"(c) The Commission may sit whether or not Congress is in session and may be called together by the President, the Secretary of State, the chairman of the Commission, or by an order signed by any five of its elected members.

"(d) The Commission is authorized to utilize the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government.

"DUTIES OF PRESIDENT AND COMMISSION IN RELATION TO NEUTRALITY LAWS

"SEC. 17. (a) Whenever any provision of any of the neutrality laws of the United States is by its terms to be effective only after a finding or upon the issuance of a proclamation by, or in the discretion or judgment of, the President or the head of any executive department, the President or the head of such department (1) is requested not to make any such finding, to issue such proclamation, or in his discretion or judgment cause such provision to become effective until he has advised and consulted with the Commission with respect thereto; or (2) in the event of a failure to make such finding, to issue such proclamation, or in his discretion or judgment to cause such provision to be effective, may be requested by the Commission to advise and consult with it with respect thereto.

"(b) Whenever any provision of any of the neutrality laws of the United States has by its terms become effective after a finding or upon the issuance of a proclamation by, or in the discretion or judgment of, the President or the head of an executive department, and is by its terms to be ineffective only after a finding or upon the issuance or revocation of a proclamation by, or in the discretion or judgment of, the President or the head of an executive department, the President or the head of such department (1) is requested not to make any such finding, issue or revoke any such proclamation, or in his discretion or judgment cause such provision to become ineffective, until he has advised and consulted with the Commission with respect thereto; or (2) in the event of a failure to make such finding, to issue or revoke such proclamation or in his discretion or judgment to cause such provision to become ineffective, may be requested by the Commission to advise and consult with it with respect thereto.

"(c) The Commission shall from time to time advise and consult with the President with respect to, including the formulation of, the foreign policy of the United States, and the President is requested not to make public or authorize the making public of any official statement with respect to the foreign policy of the United States without having first consulted with the Commission in connection therewith.

"(d) The Commission shall from time to time recommend to Congress the enactment of such legislation relating to the foreign policy and neutrality policy of the United States as it deems advisable.

Mr. DOWNEY. Mr. President, in the special message sent to the Congress of the United States by the Chief Executive upon the pending legislation it was urged that it was highly desirable that we should have national unity in foreign affairs, and many of the noted columnists and editors of the United States have persuasively argued for this same necessity.

One may readily grant that we would be fortunate to have internal harmony in what we expect to execute beyond our own borders, but such a platitude as this means just nothing, because the vital question still remains, What is the international program upon which the American people should agree as best adapted for their welfare? I take it that so long as we live under a democratic system of government that question can be determined only after wide and exhaustive consideration by the people themselves, and by their elected representatives. I refer now only to major foreign policies, incidental details to be executed, of course, as a matter of ministerial form. So long as we remain a democracy, which, thank God, we still do, the elected representatives of the people have the right fully and critically to examine and debate any proposal.

Many noted editors and many noted columnists who have for months literally debated nothing but this question, and poured out oceans of ink in the discussion, seem to be somewhat impatient already that discussion has proceeded a few days in the Senate of the United States. I for one suggest that that is an unhappy viewpoint. If any group of men help by publicity to precipitate action without full and free and analytical discussion by the Senators and Representatives of the United States, they will certain prepare the way, if they are successful, for some unhappy day.

Yes, we may concede, if we can be at harmony in foreign relations we may well congratulate ourselves, because the more certainly we can execute our plans abroad. To me what is more important is the fact that whenever the will and the wish of the American people coincide with the plans and ambitions of governmental leaders, we may be surer that wisdom will pilot the national course. Beyond doubt, Mr. President, in the common sense of the many when fully informed, we have a better guide than in the vacillating and uncertain judgment of a single leader or small group of citizens, and I believe that the American people will not again be lightly precipitated into any foolhardy European venture, remembering what intervention in the last war cost. But with individuals, political necessity may drive us in one step from patriotism to partisanship, and from peace to foreign involvement. That statement is not meant to reflect upon any man or group of men in this Nation, but as the expression of a general human rule of behavior which we here in the United States, if we would remain free men in a free country, had best bear in mind.

Mr. President, I presume that every thinking American will today concede that our state has been engulfed in a crisis of grave danger; a crisis born, not only of many wars abroad, but, what we should constantly remember, of innumerable domestic difficulties at home. Yes, the American people, like almost every other people in the world, are now faced by the collapse of their own economy and by the convulsions of contending states abroad.

I pray that the American leaders will not forget the critical condition of our own great masses in their almost hysterical concern and excitement over wars thousands of miles away.

In that connection, Mr. President, let us remember that it was commercial rivalries and internal difficulties that incited the holocaust which now sweeps Europe, and the same difficulties have continued unchecked here for a whole decade. Let us beware lest American leaders, carried away by the excitement of a factitious war boom, will believe that our economic difficulties have been solved, when all the while, underground, while this transient prosperity continues, those difficulties will steadily and certainly be developing greater power and malignancy, preparing the way for national catastrophe.

In my address last Friday I adverted to the proposition that we should consider the Monroe Doctrine a double-sided shield, one side to keep Europe out of America, and the other side to keep us out of the Old World; and as I read the transcript of my speech I feared that someone would have gained the impression that I thought I was developing a novel international doctrine.

Mr. President, nothing was further from my mind than that, because the Monroe Doctrine, as it was formed at the close of the colonial wars in 1823 by our Secretary of State, Mr. Adams, and promulgated by President Monroe, was wielded in behalf of the Washingtonian doctrine of no intervention in Europe on our part and no intervention in North or South America by the European empires.

The leaders who gooose-stepped us 20 years ago into the World War and those who now want us to help the Allies by selling them war materials, are vitally breaching the Monroe Doctrine as it was declared by men belonging to the greatest group of statesmen the world has ever known. I speak not lightly. The statesmen who formed this Nation and held it unified during its early years comprised among their number several statesmen of first rank in the history of all the world, almost certainly a greater number of men of such genius than had ever before lived at one time in any nation, however large. It was their collective genius that finally produced the declaration of 1823, that we should avoid the entanglements of European intervention and that outside nations should not attempt further conquests here. It is true that Mr. Jefferson differed from Mr. Washington at the beginning of the period, believing that we should support France against England. But before his death he declared, foursquare, for the policy the isolationists advocate today. Let me read to the Senate a brief statement made by Jefferson in the declining years of his life, after he had lived through the same kind of warring world that surrounds us today. I read now from a statement by Thomas Jefferson made in 1823:

> I have ever deemed it fundamental for the United States never to take an active part in the quarrels of Europe. Their political interests are entirely distinct from ours. Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government, are all foreign to us. They are nations of eternal war. * * * On our part, never had a people so favorable a chance of trying the opposite system, of peace and fraternity with mankind, and the direction of all our means and faculties to the purpose of improvement instead of destruction.

Yes, Mr. President, at the end Thomas Jefferson agreed with the policy of the greatest statesman of them all, George Washington, and declared for us in language of rich power the same doctrine for which we now stand. And I express the hope that not one Senator who is a proponent of the pending measure will again rise to tell us that this is a neutral proceeding which is being initiated; will tell us that we are not changing the rules of the game to aid Great Britain and France.

Mr. President, the truth is that as a permanent proposition every Senator in this body, I take it, would be opposed to the American people engaging in the manufacture of war instruments, either in peace or in war, and I believe that every Senator who argues hereafter should frankly and realistically state that neither he nor any other Senator would vote to lift the embargo upon war materials, except that they want to provide those war materials for Great Britain and for France.

So, Mr. President, the Monroe Doctrine comes down to us a two-sided doctrine, declaring that we must refrain from entrance into European quarrels, and European nations shall not become further involved in this hemisphere. That doctrine was violated in the World War, and chiefly as a result of its violation, we now have upon us a crushing Federal debt of almost $50,000,000,000; tens of thousands of veterans are suffering horribly in military hospitals, and we still are afflicted by economic ills which 25 years have not cured.

Mr. President, the question before us involves, I take it, the most serious and far-reaching implications. I do not believe that any group of men should attempt to hurry us into precipitate action on something whose issue could have been foreseen years ago. Is there a single public official who will not admit that years ago we might have anticipated a European war, with danger to our commerce? Why, then, this imperative pressure to get action almost before the people have time to reflect or their representatives in Congress an opportunity to analyze the legislation and to speak thereon?

The proposed legislation as drafted will do immeasurable injury to the commerce and shipping of the Pacific coast. If it is necessary to keep our people from involvement in European war, of course the people of the Pacific coast would want to make that sacrifice. But, Mr. President, I have yet to find one military expert, one person acquainted with conditions in the Pacific traffic, who is willing to state that the continuation of transportation by water from the Pacific coast of the United States to the eastern Pacific could at all involve us in danger. And yet what are we planning? We are attempting to precipitate this Nation into the plainly dangerous business of furnishing war supplies for powerful and belligerent nations, which must greatly increase the hazard of our national peace. At the same time we paralyze on the west coast an important, vital business, whose continuance by no stretch of the imagi-

nation could be said to be inherently dangerous to our economy or to the peace of the American people.

Mr. President, we from the west coast have not yet had even the opportunity to be heard upon that issue, and if this measure shall pass, the people of California and Oregon and Washington, when they once realize that there has been a gratuitous and unnecessary injury to their commerce, while, by the same measure, we involve ourselves in dangerous and destructive traffic in war implements—I say the reaction of the people of the Pacific coast will be bitter indeed, and I speak with measured solemnity. And I apprehend that this measure contains countless implications and questions that have not yet been considered affecting the safety an prosperity of the whole people.

Mr. President, while I am on that subject I should like to discuss one particular feature of the Monroe Doctrine peculiar to the Pacific coast itself. The Monroe Doctrine is sometimes stated as applying to the Western Hemisphere, and sometimes it is made applicable to the continents of North and South America. I have never seen any discussion defining the limits of the Western Hemisphere under the Monroe Doctrine. Some pro-British advocates might wish to have the protection of the Monroe Doctrine thrown over those nations who would fall within the Western Hemisphere as fixed by the line of the Greenwich meridian. But I doubt if even the most enthusiastic proponents of the measure are actually willing to go that far, because the Greenwich meridian, usually the prime meridian, from which we start in determining the Eastern and Western Hemispheres, runs through the city of London. Yes; King Henry VIII, with all his wives and children, at one time lived in the borough of Greenwich. And, Mr. President, if we take under the protection of the Monroe Doctrine the one-half of the earth lying to the west of that meridian we must then protect most of the British Isles, some of France, all of Spain, all of Portugal, and part of Africa, and I do not think that even those among us who are the most enthusiastic advocates of our help for the Allies would desire that.

Mr. President, geographers very often divide the world into two hemispheres known as the New World and the Old, and under such a division we take a meridian 30 degrees west of the Greenwich, which meridian runs north and south in the Atlantic safely excluding from our guardianship the present Allies of Europe and the other devastated and warring nations. Under this hemispherical plan a meridian running north and south in the Pacific places the eastern boundary of our hemisphere so as to include New Zealand and part of Australia. Mr. President, I for one am confident that the protection of the Monroe Doctrine can and should be thrown around New Zealand and Australia, and I want briefly to state to the Senate why I make that assertion.

I believe that the American people should release sovereignty over the Philippine Islands because all military authority is agreed that if Japan desired to move from the Japanese islands or from China down into the Philippines we could never stop her. Now, it is true that an Asiatic invasion from the Philippine Islands by way of the East Indies, Java, Celebes, and Sumatra might finally reach Australia and New Zealand, though such a military venture would take Japan a long way from her homeland and major base of supplies. I have already stated that we have in the Hawaiian Islands the strongest maritime fortress and military outpost in the world, said to be impregnable, lying almost due west of Mexico City and almost due east of Hong Kong, roughly, 2,000 miles from the California coast. If God in His wisdom had been endeavoring to prepare for the American people an island for a military base to protect us against aggression from the Asiatic continent, he could not have selected a better site than Hawaii. It sits astride almost every maritime route in the Pacific. It is directly in the center of the vast expanse of the Pacific Ocean, and with cruisers, submarines, and airplanes it could most effectively prevent any aggression from Asia.

But, Mr. President, our military men have not stopped there. They are likewise preparing military bases in Alaska or in the Aleutian Islands. With airplanes as they are being improved, it would be possible to maintain a maritime frontier from our Alaskan possessions down into the Pacific Ocean at Hawaii. Another 2,000 miles or so to the southeast are the Samoan Islands, and there at Pago Pago we are likewise developing military bases and airdromes.

Then on to the south, Mr. President—and I desire to emphasize this point—lies New Zealand, but a few hundred miles away, and within easy airplane reach of our possessions already being prepared for military bases in the United States and the Pacific. While it would be impossible for us to defend the Philippine Islands, we could easily, if the occasion ever required, catapult from the mainland to Hawaii and from Hawaii to Pago Pago and on down to New Zealand and into Australia with sufficient air power to relieve the New Zealand and Australian people from any conceivable attack from Japan. Of course it is obvious this is only possible because great and friendly bases in Australia and New Zealand would be awaiting us.

As a matter of fact, Mr. President, that frontier line, patrolled by cruisers, submarines, and airplanes, would be so strong that no one would dare to attack it; and if the Japanese people, for whom I have friendship and respect, should attempt to break that line, in 24 hours their great fishing industry in the Pacific Ocean would be wiped out. Operating by airplanes through that line the United States could safely secure the white people in Australia and New Zealand if they were ever threatened with Asiatic conquest. I do not mean to infer we should ever anticipate any Japanese war. On the contrary, I can see no cause that should ever involve us in conflict with them.

Mr. President, while I for one shall ever be opposed to protecting the colonial possessions of Great Britain among the Hindus, the Africans, the Chinese, the South Sea Islanders, the Asiatics, in fact all over the world, so far as the Canadian people are concerned, and so far as New Zealand and Australia are concerned, we could assume that burden with the certainty that our own military position would be strengthened by such commitment.

Yes, I believe that the Monroe Doctrine should be so interpreted as to apply to New Zealand and Australia, as well as Canada, because we would thereby place ourselves and their peoples alike in an impregnable position from attack from the Asiatic Continent. That is one of the reasons, Mr. President, why I am distressed by the fact that commerce between our Pacific coast and these nations is to be destroyed overnight by this bill, a commerce which military experts declare can hardly involve us in any conceivable difficulties. And yet we Senators from the Pacific coast are apparently to be denied any hearing on this issue under a resolution that will make us the arsenal to help blow the German people to pieces, with all of the danger of war involvement thereby brought into existence. Is this precipitate action being taken so as to help delude the American people into the belief that this is a peace measure and not a measure of military intervention? It would seem so.

Mr. KING. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. KING. Has the Senator offered an amendment to the pending measure which would modify the provision which, as I think he correctly interprets, would strike at our commerce, particularly in the Pacific Ocean?

In 1937, when the act which the pending measure supersedes was under consideration, I spoke against it and voted against it, and challenged attention to the fact that if it were enacted it might jeopardize not only our commerce in the Pacific, but, for that matter, in all the world. I commented upon the fact that we had expended perhaps a billion dollars during the past few years to build up a marine trade and to extend our commerce upon the seas to all the nations of the world, and that I was unwilling to vote for a measure—unless it were imperatively needed to preserve our country—which would destroy that great investment and destroy our ocean commerce.

It seems to me that the measure which is under consideration—and I shall vote for the major part of it—ought to be amended so that it would not strike down our sea-going

commerce, and particularly would not prevent us from carrying on trade and commerce in the Pacific Ocean to nations in the Eastern Hemisphere.

If the Senator will pardon me, with respect to his observations concerning the Monroe Doctrine and his interpretations of that doctrine, I do not know that I quite agree with the Senator. The Senator, who is a student of history, will recognize the fact that in South America, about 1825, the colonial possessions of Spain, believing that their liberties had been infringed upon, revolted, and ultimately won their independence. I refer to Chile, Peru, and Bolivia. Mr. Monroe, acting under the suggestions of John Quincy Adams and Thomas Jefferson, in a letter which he wrote, formulated and announced what is known as the Monroe Doctrine. It grew out of the attempt of Spain, which had the promise of support from some of the European powers, to prevent the South American countries from achieving independence. So, as I interpret the Monroe Doctrine, keeping in mind the occasion which caused its promulgation, it related solely and exclusively to the Western Hemisphere, and did not extend even out into the Pacific to include Hawaii.

If I may be pardoned a personal allusion, when I was a young Member of the House of Representatives I offered in 1897 the first resolution for the annexation of Hawaii, provided the people of Hawaii favored coming under the protection of the United States. I believed then—and the Senator has emphasized the point—that Hawaii was indispensable as an outpost, as a frontier for the protection of the United States. I am very glad that we did annex Hawaii, and I am glad to know of the fortifications which are being erected and the steps which are being taken in order to afford protection to the United States against any assault from Asia, or Europe, or any other part of the world.

Mr. DOWNEY. Mr. President, I am grateful, indeed, for the instructive information given to us by the senior Senator from Utah, and I am also glad to know that he will assist other Senators by supporting an amendment that will allow the Pacific coast commerce to be carried on.

Likewise I wish to state that the Senator is entirely correct in the statement he made that the original Monroe Doctrine did not include, and, indeed, never up to this date has included, New Zealand and Australia. I did not intend to be understood as saying that those countries had been included. What I did state was that when the Monroe Doctrine was promulgated in 1823 one of the provisions of primary importance was the noninvolvement of the United States in European affairs, following the Washingtonian doctrine, and added to it was the declaration that no foreign nations should increase their possessions in our hemisphere. However, I still contend, Mr. President, that, while for many years it has been said that the Monroe Doctrine extends to the Western Hemisphere, the Western Hemisphere, so far as I have read, has never been defined by meridians of longitude, and if we adopt the rational idea that the Western Hemisphere embraces one-half of the world, with its eastern boundaries in the Atlantic Ocean, then its western boundaries include part of Australia and all of New Zealand.

Mr. President, I should also like to make a comment, somewhat facetiously, perhaps, but in a kindly spirit; I think, nevertheless, it realistically expresses an important truth. There is no doubt that many of our most intelligent and devoted citizens want to impose upon our people the duty of looking after the British Empire. They are sincere in the belief that the United States should undertake the duty of maintaining the sovereignty of Great Britain in her colonial empire and in her wars.

As a matter of fact, Mr. President, the desire is so strong among many of our editors, columnists, public leaders, and intelligentsia generally, that I can only say that apparently they have some sort of an abortive mother instinct for Great Britain. They are so filled with the milk of human kindness that they want to feed and provide for the great British Empire. Well, I wish to say to the distinguished Senator from Utah, and any other Senators who are willing to give me their attention in this debate, though they do not seem to be very numerous [laughter], that, after all, we are only an eagle, and not a lion—a great eagle, indeed; a powerful bird—but I can remember when I was a small child reading a story in my book, with which I think some of our public leaders must be familiar, about an eagle that mothered two lion cubs. But, Mr. President, that eagle did not mother a full-grown lion.

Mr. President, in the last war our American eagle endeavored to mother the British lion; we lost all our tail feathers and almost our wings. But still gentlemen seem to want to undertake the task of having us again protect the British beast.

I have made this proposal about New Zealand and Australia in the hope that it may provide a rational outlet for the instinct of our great leaders to protect at least two of the lion's cubs; because if we again become involved in the big-league conflict over in Europe we will perhaps lose not only our wings but, perhaps, our head this time—and I do not speak lightly when I say that.

One of the most exalted women in America, for whom I think every citizen of the United States has not only the highest admiration but devoted affection, was quoted in an interview by the press—and I have no doubt correctly—that she had been grievously shocked by hearing Americans say that they were in favor of letting Europe "stew in its own juices," and "that that declaration was a tragic and unsympathetic statement," and, in effect, that we ought to relieve the European peoples from the fires that were raging around them. Let me say, Mr. President, while one may admire the idealism and the sympathy that provokes such a remark, pure realism should convince us that if we again involve ourselves in trying to save nations that have been boiling in the cauldron of war for a thousand years, we will probably "stew in their own juices" with them.

Mr. President, before I leave the subject of the Monroe Doctrine I wish to offer as a part of my speech, without reading, a short article from the Columbia Encyclopedia, setting forth the genesis, the rules, and interpretation of the Monroe Doctrine.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Without objection, permission is granted.

The article referred to is as follows:

MONROE DOCTRINE

Monroe Doctrine, the dual principle of American foreign policy enunciated in President Monroe's message to Congress December 2, 1823. The doctrine grew out of two diplomatic problems. The first was the minor clash with Russia concerning the northwest coast of North America. In this quarrel, Secretary of State John Quincy Adams, in a note to Monroe, expressed the principle that the American continents were not to be considered any longer as a field for colonization by European powers. This was incorporated verbatim in the Presidential message. The other—and more important—part of the doctrine grew out of the fear that the group of reactionary European governments commonly (though incorrectly) called the Holy Alliance would seek to conquer and reduce again to colonial status the Latin-American states that had recently revolted from Spain. The United States had just recognized the independence of those states, and Great Britain did not care to lose the markets of Latin America. The British Foreign Minister, Canning, proposed to the United States that a joint note of protest be sent by the two Governments. Monroe and Adams, after consultation with others, declined to send a joint note. Instead, the Presidential message announced that the United States would not interfere in European affairs but would view with displeasure an attempt by the European powers to subject the nations of the New World to their political systems. Thus in a sense the Monroe Doctrine as the dual principle (no colonization and no intervention by European states in the Americas) was complementary to the old Washington policy of no interference in European affairs. It marked off the Old World and the New World as separate diplomatic fields. The doctrine was not ratified by any congressional legislation. The European nations regarded its pronouncement as unwarranted and deliberately provoking. It did not obtain a place in international law.

Yet it became important in American policy, particularly when President Polk reasserted it in 1845 and 1848 with respect to the disturbances over Texas and Oregon and the aspirations of European nations in Yucatan. Later the strained relations with Great Britain concerning Central America in the 1850's brought a new American expression of the doctrine; Great Britain specifically denied its validity. The most important question involving the doctrine in the years that followed was the French intervention in Mexico and the establishment of the empire of Maximilian. It is impossible to say how much weight American hostility had in

ruining that exploit. The Monroe Doctrine was now definitely fastened in American policy. Under Grant and his successors the doctrine was expanded. It was asserted that the transference of American territory from one European power to another would also be viewed with hostility by the United States. As imperialistic tendencies appeared in the United States the Monroe Doctrine came to be associated not only with the exclusion of European—now extended to all non-American—powers from the Americas, but also with the hegemony of the United States. This condition explains why the Monroe Doctrine, though it was not formally used to justify American intervention, came to be viewed with suspicion and dislike by Latin American nations. The expanding designs of the United States to exercise police power in the New World appeared in the Venezuela boundary dispute, the Venezuela claims question, and the Spanish-American War. In 1904 President Roosevelt expounded the so-called Roosevelt corollary to the doctrine, saying that continued misconduct or continued trouble in a Latin American state might force the United States to intervene in order to prevent European intervention. This definitely imperialistic interpretation has been generally disregarded by later statesmen of the United States. The doctrine, however, is deeply embedded in American thought and has become in the popular mind a fixed and nationalistic principle. Wilson had a specific exception made for the Monroe Doctrine in the Covenant of the League of Nations, but there is little doubt that fear of the violation of the principle of the doctrine had a large part in causing the United States to reject the League and the Treaty of Versailles.

Mr. DOWNEY. I also wish to read, for the sake of the RECORD, a brief statement recently made by General Fickel, setting forth our airplane strength at this time and prospectively. The dispatch is dated Los Angeles, October 7, and reads as follows:

LOS ANGELES, October 7.—The United States can meet any challenge for air supremacy, says Brig. Gen. Jacob E. Fickel, gray-haired veteran who advanced from the ranks in 35 years to command the Army Air Corps' first wing at March Field.

General Fickel told 800 delegates to the Society of Automotive Engineers, holding its fourth annual aircraft production meeting:

"You are the men who build the best airplanes and engines in the world."

He said that with $300,000,000 the War Department last July swung into a 2-year program to tighten America's aerial defense.

Already well on schedule, the plan will find the United States counting these formidable sky elements by June 30, 1941: 4,600 officers and 45,000 enlisted men trained at a cost of $33,000,000; 3 new major air bases and more than a dozen other first line flying fields costing $68,000,000; 5,500 of the "world's best" planes—3,000 of them new—at a cost of $170,000,000, and the remainder of the huge purse spent on experimental laboratories and reserves.

General Fickel told the engineers that civilian schools and colleges are helping to create "reservoirs of pilots" to supplement the cadets being trained at nine auxiliary Air Corps bases.

"With increased money and research, the United States can lead in the design of planes and meet any challenge for air supremacy," he said. "And we can work fast. Within 3 months after bidding was opened, we let contracts to your companies. Your designs have exceeded expectations in every classification. The ships offer better characteristics than any types known today, anywhere."

"Two years from today," he concluded, "when the program matures, the 3,000 new ships will still be new."

Mr. President, while following the lead of Colonel Lindbergh and Eddie Rickenbacker, I suggested on Friday last the building of airplane factories that would, within a brief period, be able to build 25,000 or 50,000 airplanes. Of course, judgment upon that question should be left to men such as General Fickel and our other military experts. If we do not need that many airplanes, certainly we would indeed be foolish to build them.

In that connection, if the leaders of the proponents of this measure are going to make any denial of my thesis that we, the people of the United States, standing alone, have sufficient power to defend the Monroe Doctrine, I should like to challenge them to let us determine it by an investigation by the military and naval committees. Let us find out where this propaganda comes from which seeks, in my opinion, to delude the American people into believing that we, the people of the United States, are dependent upon the British Navy for our safety here in the New World. I may say to distinguished Senators that that challenge, in my opinion, will never be accepted, because every military expert I have read or talked to has said that within 1 or 2 years the United States could be prepared to defend itself and the Monroe Doctrine against the assault of any possible combination.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Florida?

Mr. DOWNEY. I gladly yield.

Mr. PEPPER. I imagine that the Senator from California has derived considerable satisfaction from the fact that during the past few years the fleet of the United States has been based in the Pacific Ocean.

Mr. DOWNEY. No, Mr. President; I have not. There is no more chance of Russia or Japan making an assault upon us over the seven or eight thousand miles of the Pacific Ocean than there is of the Senator who addresses me himself leading such an assault. Not only that, but I know full well that if the Japanese nation did intend to descend upon us they would not have transportation and cargo space available even to bring over soldiers to assault the Pacific coast, unprotected by the power of the rest of the Nation. So I have not been at all concerned over the fact mentioned by the Senator.

Mr. PEPPER. Is the Senator in any way interested in our fleet being located in the Pacific Ocean?

Mr. DOWNEY. Mr. President, I have heard military experts testify that in order to make a technically perfect defense we perhaps ought to have two major navies. If that is the fact, I should cheerfully accede to that suggestion and favor our building more ships.

Mr. PEPPER. Has the Senator calculated the cost of building an adequate Navy to be stationed in the Atlantic Ocean?

Mr. DOWNEY. Yes, Mr. President; and it would be about 5 percent of what the last war cost us.

Mr. PEPPER. Why does the Senator make that comparison?

Mr. DOWNEY. Because I am discussing the question whether the United States should involve itself with Great Britain for the reason that we might conceivably need the support of the British Navy.

Mr. PEPPER. Is there any such proposal in the pending joint resolution?

Mr. DOWNEY. One minute, before I answer that question. If involvement with Great Britain cost us 50 to 100 times the sum with which we could directly protect ourselves, my mathematical sense and my patriotism tell me it would be better for the American people to protect themselves than to involve themselves with Great Britain.

Mr. PEPPER. The Senator, then, has before him the option, as he sees it, of either going into the present war to the same extent that we went into the last war, or of doing nothing at all with respect to the protection of the Atlantic seaboard in the way of building a new and additional Navy. In other words, if we do anything at all, the Senator thinks it is necessary for us to go into the present war to the same degree that we went into the last one. Is that correct?

Mr. DOWNEY. No; that is not correct, for this reason: In the first place, I attempted to show last Friday—of course hardly any of the proponents of the measure were here to listen—that according to every economist a war boom would necessarily involve us in a demoralizing depression, and would add a tax burden upon our people by way of inflation in prices of 25 to 50 percent of their incomes, and even though I did not fear that turning our attention toward Europe might lead us to granting credits and thereafter to actual involvement in the war, I still would never consent that we should precipitate upon our afflicted masses another depression, and take away from the meager living of the submerged half of our population 25 or 50 percent of their incomes.

Mr. PEPPER. Mr. President, will the Senator mention in terms of billions of dollars what, in his opinion, it would cost to build an adequate Navy for the United States to be based on the Atlantic Ocean?

Mr. DOWNEY. I believe this——

Mr. PEPPER. Will not the Senator give the figures? I am just asking for the estimate in dollars and cents.

Mr. DOWNEY. I have the floor. I cannot answer the question in dollars and cents, and I will tell the Senator why.

I believe that our present Navy, in conjunction with a larger air armada and our submarines and our outposts, would be ample to frighten away any possible enemy.

Mr. PEPPER. Mr. President——

Mr. DOWNEY. Wait a minute. If, however, the naval experts say that we require for our protection another major navy, I believe it would cost about $3,000,000,000; and I think the Senator from Florida will verify those figures.

Mr. PEPPER. That is the lowest amount I have ever heard suggested; but let us assume it is only $3,000,000,000. How long would it take, in the Senator's opinion, to build a $3,000,000,000 navy for the Atlantic Ocean?

Mr. DOWNEY. In the first place, I may say that we could build it many and many a year before we should ever need it, or before the European nations would recover from the exhaustion and holocaust of the present war, if it should go ahead. I may say for the Senator, if he wants the information, that it takes 3 or 4 years to build one of our great naval vessels; and that fact operates against every other nation as well as against us. As a matter of fact, the Senator from Florida should not forget that we are not only the wealthiest nation in the world, but we have the greatest factory resources—more than have all Asia and Europe combined.

Mr. PEPPER. Would the Senator consider it an excessive estimate to say that it would take 10 years for the United States to build an adequate $3,000,000,000 navy for the Atlantic Ocean?

Mr. DOWNEY. Mr. President, I cannot say about that. If, under the impulse of war, we should regiment ourselves in great peril, working 24 hours a day in shifts, and driving ourselves under patriotic fervor, we should be ready a great deal sooner than that. I also want this fact understood: I say that right now we are so invulnerable to attack, as I tried to prove last Friday—I do not know whether or not the Senator heard my argument—that, according to military experts, no nation could now land on our shores to exceed 10,000 troops a day, with their supplies, because there simply is not the necessary cargo space in the world to land more troops and supplies than that. As I stated on Friday, the utmost we could do, in conjunction with Great Britain and France in the Great War, when we had the benefit of 80 percent of the navies of the world and 80 percent of the cargo space to draw upon, was to bring over 300,000 men in 1 full month; and it is very possible that never again will there come a time when there will be gathered together such an armada to bring troops and supplies from America to Europe, or from Europe to America, as was gathered in the days of the World War. But even should an enemy come in the same numbers that were assembled in those days, I venture to say that the State of Florida alone could destroy more than those 10,000 soldiers as they landed on the Florida beaches.

Mr. PEPPER. If the Senator will allow me——

Mr. DOWNEY. Let me finish, and then the Senator may ask another question. Let me say that those troops could not even land in Florida, because a modern mechanized army can land only at a great port such as New York or Boston or San Francisco, where there are the very largest kind of cargo-moving mechanical appliances. I realize that there are certain bases in Florida that have been neglected. Puerto Rico is now being strongly fortified and will be a powerful protection against invasion of the Caribbean and Florida. I should like to see the great and generous British Empire give us Bermuda. Bermuda sits out 600 miles from the shores of the Carolinas. Bermuda, added to Puerto Rico, would make the Atlantic Ocean just as safe for the United States as Hawaii now makes the Pacific.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DOWNEY. Gladly.

Mr. PEPPER. I wanted to reassure the Senator's mind about the possibility of their landing in Florida. Instead of it being necessary to meet them in such case with a military or naval force, they would, like their predecessors in past eras, be so enamored of the beauty of the State that they would lose all hostile design and remain as fine citizens of our country. [Laughter.]

Mr. DOWNEY. Mr. President, I am certainly glad to find the distinguished Senator from Florida and myself in harmony at last. I will agree that anyone who would attempt to invade Florida would be so overcome by its delightful atmosphere and its warm air that he would not be able to engage in any battle. I hope the Senator will admit the same thing for our atmosphere in California. [Laughter.]

Mr. PITTMAN. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PITTMAN. Is there a debate proceeding now with regard to the respective merits of grapefruit from California and Florida? [Laughter.]

Mr. DOWNEY. Mr. President, the Senator from Nevada should be charitable, because it will be remembered that last Friday the debate led us into the wisdom of changing the old traditional gold wedding rings into silver wedding rings, made of silver mined in Nevada. [Laughter.]

I yield further to the Senator from Florida.

Mr. PEPPER. The Senator stated that he thought it would take about $3,000,000,000 to build an adequate fleet for the United States.

Mr. DOWNEY. No, Mr. President; I did not say that. I said another major fleet could be built for perhaps $3,000,000,000. I do not think any more of a navy than we have now is required.

Mr. PEPPER. Let us proceed upon the hypothesis that we do want to have both a Pacific and an Atlantic Navy, and that we could construct an Atlantic Navy at an expense of about $3,000,000,000. Let us assume also that it would take a minimum of 5 years, if not more, perhaps 8 or 10 years, to construct such a fleet. Therefore, there is a possible challenge to the ability and the strength of the United States which is a very serious one.

Mr. DOWNEY. Will the Senator permit me?

Mr. PEPPER. Just let me finish the question. Is any one proposing that we should build an Atlantic fleet for the United States if Great Britain and France should win the present war?

Mr. DOWNEY. Mr. President, I do not know of anyone except the Senator from Florida who thinks we require another great fleet. I am not suggesting it. I follow along with Mr. Rickenbacker and with Mr. Lindbergh for 25,000 military airplanes, which could in 24 hours darken the sky of any part of the Western Hemisphere, and would be able to destroy the combined navies of the world if they should approach our shores.

Mr. HOLT. Mr. President, will the Senator from California yield to me?

Mr. DOWNEY. I yield.

Mr. HOLT. Does the Senator from Florida mean to imply that we have an understanding with England as to our naval policy, that there is a secret understanding about which none of us know? What does the English fleet have to do with this argument?

Mr. PEPPER. I assume that the Senator from West Virginia is as well informed on the subject as I am, and has read history sufficiently to know that the British fleet for something like a hundred years has not done anything to hurt the United States, and no one in the United States has felt any alarm or fear of an attack on the Atlantic seaboard, and no one I know of has proposed the necessity of building a fleet to counteract any possible attack from the British Fleet. So it seems to me that the British peoples and the American peoples have been getting along in amity and accord, and if they win the war there will be no one in the United States proposing or thinking of building an Atlantic fleet. I wonder whether the Senator from West Virginia feels that there would be the same condition in case Mr. Hitler should win the war.

Mr. HOLT. Mr. President, will the Senator from California yield further?

Mr. DOWNEY. I yield.

Mr. HOLT. As I have studied history, the only nation which has ever come over to invade us was not Germany but England.

Mr. PEPPER. Yes; and the President of the United States has stated that that grew out of the fact that we had an embargo and nonintercourse act when that occurred.

Mr. HOLT. I think that if the Senator will study history he will find that the embargo act was repealed 3 years before the start of the War of 1812, and that we got into that war after the embargo was lifted and not before.

Mr. PEPPER. Does the Senator from West Virginia think that the security of the United States or the interest of the United States—and in the interest of the United States I include the preservation and protection of the Monroe Doctrine—would in anywise be affected by Hitler winning the war?

Mr. HOLT. I will answer the Senator from Florida by saying that the security of the United States depends on no nation except the United States of America, and I feel that our security should be based upon the strongest national defense here, with a frontier around America instead of a frontier on the Rhine.

Mr. PEPPER. Does the Senator believe in the necessity of creating an Atlantic fleet in case Hitler wins the war?

Mr. HOLT. No; I do not, because I feel that that is an entirely violent assumption.

Mr. PEPPER. Take that hypothesis, however.

The PRESIDING OFFICER. Does the Senator from California yield further?

Mr. DOWNEY. Mr. President, I should like to have the floor back again, if I may. I should like to get my speech concluded before Mr. Hitler comes over. [Laughter.]

I should like to say, without any invidious meaning so far as the Senator from Florida is concerned, that his excitement and concern, I might say almost hysteria, over the possible invasion of our country by a nation which has never shown the slightest desire to invade us, a nation with only a minor navy, a nation now being ringed around by the strongest nations in the world, a nation which has not even the resources sufficient to enable it to fight a great war in Europe, are almost unbelievable to me. But I am glad to say this to the Senator from Florida; he comes from southern stock, and if he will only look back to the Civil War and the great army of the Confederacy he will know that the Confederacy as it existed in 1861 could have whipped five times the soldiers who could now be landed on American soil if every boat that could carry them were allowed to land.

Mr. PEPPER. Mr. President——

Mr. DOWNEY. Let me conclude. In the Civil War, the South had only five and a half million people of the white race, and 3,000,000 of colored blood. They had no manufacturing industries. They were opposed by millions of hard fighting men of the North themselves, men who had behind them a great navy, unlimited wealth, great material, and factory capacity. Yet I say to the Senator from Florida that the Confederate States of America were able, out of their five and a half million, to raise an army of a million men, 600,000 of them being under arms at one time, and with three or four times the manpower and wealth and an undefeated navy against them, they maintained themselves over 4 years, indeed, until they were starved out, which could not occur today because we are a self-fed Nation.

Yes, Mr. President, in Washington, in Jackson, in the bravery and power in the Civil War, developed on both sides, in our magnificent army of the Great War we should find sufficient inspiration and courage to know that we live in the most secure country known to history, with more material resources than all Europe combined, more factories, one of the greatest airplane forces in the world, one of the greatest navies, and so far isolated from great powers that only 10,000 soldiers a day could be brought to our shores. The hysteria and the concern of our leaders and of our people over fear of attack from some dictator, who will probably never emerge successful from the iron ring being forged around him, is unworthy of patriotic American men, and particularly one who has the proud fighting tradition of the South behind him.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Florida?

Mr. DOWNEY. I yield.

Mr. PEPPER. I will ask the Senator from California whether he can estimate what has been our total expenditure to improve our national defense in the last 2 years?

Mr. DOWNEY. Does the Senator include in that——

Mr. PEPPER. I include everything.

Mr. DOWNEY. The pensions we have paid to the widows and orphans of the Great War?

Mr. PEPPER. No. I do not include them, but if after the Senator has answered my question he desires to speak on that touching subject, he can refer to it.

Mr. DOWNEY. To me that is more than touching: it is tragic, and my voice shall always be lifted for generous pensions for veterans, their widows, and the orphans. As to the figure asked for another major navy, I should estimate $3,000,000,000.

Mr. PEPPER. We are spending money at a colossal rate at this moment for our national defense—at least a billion dollars a year, or perhaps $2,000,000,000. That colossal sum of money is coming out of the pockets of the taxpayers of America. Who is causing all this world hysteria which makes us here in the United States spend $2,000,000,000 annually on national defense which should be spent on public education, public health, and pensions, if the Senator pleases; if it is not Hitler, the international brigand, who is threatening the free peoples of the earth with his guns?

Mr. HOLT. Mr. President, will the Senator from California yield to me?

Mr. DOWNEY. I yield.

Mr. HOLT. I wonder if the Senator realizes that we started the naval race long before Hitler was in power. It was generated by those who wanted to sell naval manufactures. I wonder also whether the Senator recalls that the 1932 platform of the Democratic Party condemned the Republicans for spending almost a billion dollars for national defense. However, the naval race did not start with Germany; our race for naval superiority was first with England and then with Japan, not with Germany.

Mr. PEPPER. Mr. President, I think the Senator from West Virginia voted for those proposals to increase our national defense. I imagine he voted as the Senator from Florida did, certainly not actuated by the desire to help any munitions makers, to whom he referred.

Mr. HOLT. That is why I am preparing to vote against lifting the arms embargo.

Mr. PEPPER. Let us consider that.

Mr. DOWNEY. Mr. President——

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DOWNEY. Is this to be a question or an argument?

Mr. PEPPER. I ask the Senator to yield for a question.

Mr. DOWNEY. Very well.

Mr. PEPPER. We have referred to the fact that a certain amount of money is being spent annually to improve our national defense. We have referred to the fact that it might be necessary to build an Atlantic fleet to protect the United States and her interests, which do not stop at the boundaries of the United States itself. Now I will ask the Senator: If Germany were to win this war, and were to capture or sink the British Fleet, as was the case with the German Fleet in the last war, which was sunk after the Allies had won the World War, would it or not, in his opinion, be necessary for the United States to spend any more money than it is now spending to protect the United States and the interests of the United States, which definitely includes South America?

Mr. DOWNEY. Mr. President, that necessarily makes me review certain ground which I tried to cover Friday, but in fairness to the issue I am developing and to the Senator from Florida I want to do it.

In the first place, let me say this: It is the opinion, I take it, of military experts that the present United States Navy is one of the best in the world. The fortresses guarding our

ports are efficiently and powerfully armed. The guns in those forts can fire 10 miles farther than any guns on naval vessels, and that difference will remain constant, because you can always have bigger guns in forts than you can on ships, by reason of stronger foundations. Military experts say that our Navy, operating on our own shores in conjunction with our fort guns, and, most important, with our air forces, could destroy any navy of the world, or let us say the combined navies of the world, or any transports they were convoying if they were indiscreet enough to come within 50 or 100 miles of our coast line. This because, as I have already shown, their aircraft carriers could not bring more than four or five hundred planes, and in a few hours the air force we already have could be so concentrated and could so strike that every naval vessel, every transport, every airplane on an airplane carrier that came here could be destroyed.

Mr. President, our military men in assuming the necessity of the British Navy—and I do not blame them for that, for that is their duty—calculate on an entirely different proposition. They say something which is obviously true, that we could not maintain our foreign commerce with, say, Great Britain's Navy against us, or even a combination of all the other navies in the world, although Germany has practically none at the present time. So if we wanted to protect our far-flung ocean lanes all over the world, including Europe, Africa, and Asia, our present Navy would be insufficient. As a matter of fact, Mr. President, we could not even protect the Philippine Islands with any navy, however large we might build it. The Japanese Navy, inferior to ours, could remove it from the face of the earth over in the Philippines, with their airplanes and their submarines, because they would only be a few hundred miles from their bases, and we would be about 3,000 miles from ours in Hawaii.

So, Mr. President, while our Navy is more than sufficient to protect our own shores, in conjunction with our fort guns and our soldiers and our airplanes, it would not be sufficient to protect a far-flung commerce.

But let me point this out to the Senator from Florida. If what I term the "dictator nightmare" comes true—though it has never yet come true in history—if you can imagine some great military dictator, Hitler, Mussolini, Stalin, if you please, making a conquest of all Europe and Asia, and then starting out on the wild attempt to destroy us, which would take hundreds of billions of wealth and tens of millions of men, to assault us here on this continent, he could readily, overnight, destroy our commerce if he desired by refusing to traffic with us. In other words, whenever Japan does not want to engage in giving us two or three hundred million dollars of products in exchange for our trade, it does not have to destroy our ships to destroy that commerce. It has only to say, "We are not going to trade with you. We do not want your market, and we are going to punish you by letting millions of Japanese starve to death who now produce goods for you." And whenever European dictators want to destroy our trade in Europe or Asia, they would not have to fire a single shot. They need only to stop trading with us. Consequently, I expanded my argument here, on Friday, to show that a rational policy for the American people calls for us steadily to delimit our trade in Europe and Asia and Africa, and build up our trade in the Western Hemisphere.

Mr. CLARK of Idaho. Mr. President——

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from California yield to the Senator from Idaho?

Mr. DOWNEY. I yield.

Mr. CLARK of Idaho. I think the Senator from California has not mentioned the possibilities of mines as against an invading naval force, or transports bringing troops. The British Navy, of course, which is probably the largest in the world, has never even dared to make an attack upon Germany along the expanse of the North Sea, where Wilhelmshaven and those other German ports are located, because of the technique which has been devised in mining the harbors. I think there is a considerable body of naval opinion to the effect that all of our American harbors could be mined so that we practically would not even need our battleships and our airplanes to keep a foreign fleet away.

Mr. DOWNEY. I very much appreciate that contribution.

Mr. PEPPER. Mr. President, will the Senator again yield?

Mr. DOWNEY. I yield.

Mr. PEPPER. The Senator when he is thinking about the probability of events is, of course, not excluding the possibility that the conflict might occur in South America and not here.

Mr. DOWNEY. No, Mr. President; I am not excluding that, although so far my argument has not covered it. But as the Senator from Florida knows better than I do, because he lives in the area, the Caribbean Sea is now being fortified by the United States Government so that next to Hawaii it will probably become our strongest maritime fortress, perhaps more formidable, and when we once have such a base we would have a powerful military instrument with which to strike at any force entering anywhere in the South American Atlantic waters.

Mr. PEPPER. And when the Florida ship canal shall be completed we will make more facile the transfer of our vessels from the Atlantic Ocean to the Gulf of Mexico.

Mr. DOWNEY. Mr. President, I think the Senator from Florida is right. I hope I shall not evoke any contrary declaration from the distinguished Senator from Michigan [Mr. VANDENBERG], who delivered such a statesmanlike address in the Senate a few days ago. I do believe that we ought to have the Nicaragua Canal. I do think that we ought to have the Florida ship canal.

While I am on that subject let me say this: We are already building a long pan-American highway that will cross Mexico. Indeed, it is now down in Mexico City. It is routed all the way through, down almost to the tip of the South American Continent from our most northern boundaries. When that pan-American highway is once completed, with ten or twenty thousand airplanes at hand for use at any point in the Western Hemisphere, I would dislike to be that psychopathic dictator who would try to assault this hemisphere, because any army that could possibly be brought here would not long survive.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CHAVEZ. The best example of how a body of water can serve as a protection is the English Isles themselves. It is only 22 miles across the channel, but never has there been a foreign army in England. So how is an enemy successfully to attack us from 3,000 miles away, with all the modern defenses we have? If the Senator will permit one observation further, so long as he is talking about canals. I was very strong for the Florida ship canal. The reasons outlined by the Senator from Florida were among those that influenced my position.

As long as we are talking about canals, there is another point at which one could be constructed by the United States, if it is interested, and I believe it is interested, not only in its own defense, but in the defense of the Monroe Doctrine and every country to the south of us, and that is the site of the proposed Tehauntepec canal, north of the proposed Nicaraguan canal, by means of which the distance would be only 190 short miles from the Pacific to the Atlantic. So where would an enemy force be able to land if it should attempt to land? We would have ample protection in that event.

Mr. DOWNEY. Mr. President, I appreciate the remarks of the Senator from New Mexico, and I hope the Senate of the United States will study the proposed canal through Mexico which the Senator from New Mexico speaks of. Some authorities, I believe, consider it superior to the Nicaraguan canal, and its possibilities ought to be investigated.

Mr. HOLT. Mr. President, I could go even further and tell the Senator where he can get the money to build these canals without taking it out of the Treasury. He can do it by collecting the interest on the war debts England owes us.

Mr. DOWNEY. Mr. President, I have a high admiration for the intellect of the Senator from West Virginia, but I cannot see where we will be able to finance any kind of a canal by anything that Great Britain or France will pay us on that war debt.

The Senator from West Virginia is younger and more idealistic than I am, and I do not want to destroy his idealism. I hope his energy and ability may be devoted to the task of trying to collect from the Allies the interest on the war debt, but I cannot support him in that cause, because I have the feeling of its futility.

Mr. President, in these days we are told that Adolf Hitler is a man of duplicity. I am not denying that assertion. It seems plain to me that Hitler in making his bargain with Chamberlain by which the latter betrayed Czechoslovakia deliberately deceived the statesman with the umbrella. But O Mr. President, that is nothing new in international history. We all now know that for many years past Great Britain and France have not meant to pay us a cent upon their debts. I will go further.

It is my fixed opinion that when the obligations were undertaken they never intended or expected to meet their terms. I wish our Secretary of State would offer to take the island of Bermuda from Great Britain for all of its billions of I O U's. We should then at least have another strategic outpost in the Atlantic Ocean to protect those who are apprehensive about dictatorial assault upon the Western Hemisphere.

Mr. President, I regret that the apprehensive Senator from Florida [Mr. PEPPER] has left the Chamber, because I wished to have him hear what I am about to say.

We have the strangest propaganda in America. On one day we are told of the duplicity and the lack of integrity of Mr. Hitler and Mr. Stalin; and I am not denying that condition. Those gentlemen are probably just as realistic in what they attempt to do as are the statesmen of Great Britain. On the next day our fearful statesmen believe that a constant, stable course of conduct will emerge between Hitler and Stalin, under which those two men, with opposing ideologies, each lusting for power, will perfect a constant and loyal alliance. Our timid friends have some kind of a nightmareish idea that one or both of the dictators will then send several million men over here to conquer us.

Mr. President, the idea is so absurd that I hesitate even to waste the time of the Senate on it. Does anyone think that the German people, limited as they are in resources, could or would ever undertake a military venture against us?

Does anyone believe they will ever undertake a military adventure against us many times more difficult than what they are now attempting? For every soldier they might bring against us at this distance they would require five or ten men to transport their materials over here; and if by some artifice they should land 25,000, 50,000, or 100,000 men in South America, they would find no factories there and no way by which a large army could obtain its guns and supplies. Its lines of transportation would be cut by our airplane fleets and the army would be destroyed in South America.

Mr. President, on last Friday I discussed the possibility that some foreign dictator controlling the commerce of Europe might say to a country in Latin America, "We will not trade with you unless you allow us to occupy your country." Consequently, the argument is made that we should now extend our military lines to France and England and conquer Hitler there before he can by commercial oppression force some South American country into an alliance. I pointed out the improbability that any of the proud peoples of Latin America would consent to European tyranny; and let us now note that the trade between South America and Europe, including Great Britain, is only about $500,000,000 annually. If a military dictatorial alliance should develop in Europe and the head of that alliance should endeavor to blackmail any country of South America into an alliance by the threat that he would withhold trade and commerce from it if it did not come into his alliance, how simple it would be for us to provide from our ample factories whatever Latin America would need in the way of machinery and other products. Our timid friends evidently believe that we should do everything to protect ourselves except the cheap and rational thing. As a matter of fact, Mr. President, the investment by American capitalists of $500,000,000 in Mexico and South America would make those countries so self-sufficient that they could then produce from their natural resources and ours every dollar's worth of goods they now obtain from Europe. And if we desire to provide these goods ourselves, a tourist trade from here to Mexico and South America along the airways and the pan-American highway of five hundred millions a year would give to Latin America a sufficient balance to buy from us all needed goods.

The truth is, Mr. President, that the Senator from Florida [Mr. PEPPER] and other American leaders are not really apprehensive about the assault from abroad. They are merely rationalizing their mental processes. As I have said, they want the American eagle to mother the great British lion. But they are unwilling to meet the issue fairly, because they know it is not just to the American people. They know it is not sensible. They know that the will of the American people would ride them down; so they accept the false and pernicious information that this powerful Nation is not able to protect itself.

Mr. President, whenever I talk to a man from Sweden, Switzerland, or the Netherlands, or from one of other smaller European countries, and he says to me, "Senator DOWNEY, we find that you Americans are more nervous and apprehensive about what the Mikado or Hitler may do than are we here in Europe," it makes me regret the fearful attitude of some of our leaders. Later in this debate I shall read a description of the first battle in which George Washington fought, contending against almost insurmountable odds. I pray God that American leaders of today will be inspired by that description to a realization of the strength, bravery, and power of the American people, and their ability to protect themselves.

In another respect the Senator from Florida went north when he should have gone south. Germany has never, by remotest inclination, sought to assault or interfere with the rights of the United States. I say to the Senate—and I challenge contradiction—that Great Britain has assaulted our safety and denied our sovereignty in the Western Hemisphere more than any other country. Let us not go back to the War of 1812. Let us go back to the Civil War. Mr. President, do you know what the British Government wanted to do then? Some of its people were concerned with cotton, and a few with the moral question of slavery and State's rights; but the British Cabinet itself hoped there would be a break-up of the American Union, so that imperial England could seize further spoils in South America; and while Maximilian was openly placed upon the Mexican throne by France, history records that Great Britain planned it with the French.

Those two voracious empires, seeing our people in a desperate fraternal struggle, wanted to violate the Monroe Doctrine and shut the United States off from access to South America, so they installed a king upon the Mexican throne—poor, altruistic Maximilian, who paid with his life for that mad venture, because when the Civil War was over the men of the North and South alike were prepared to go to Mexico and blast out the French army and British influence and lift Maximilian off the throne. France, fearful-hearted, deserted Maximilian, withdrew her troops within 30 days, and left him to pay the price of death, leaving his widow, Carlotta, a maniac for the rest of her life as a result of the tragic experience. She died within the recent memory of many of us. As I shall show later, Great Britain has several times since then challenged the Monroe Doctrine; and it is probably only the power of the Monroe Doctrine that now prevents France and Great Britain from moving into South America and subjugating the countries there, as they have already taken and subjugated, I think, almost every foot of Africa, very large sections of Asia, and many of the most important islands of the earth.

Mr. LUNDEEN. Mr. President, will the Senator yield there?

Mr. DOWNEY. Yes; I yield.

Mr. LUNDEEN. Would it not be a good idea if the British and French should turn over their West India islands in payment of their debts? I think the Senator would agree with that, would he not?

Mr. DOWNEY. The Senator from Minnesota suggests—and I am happy to agree with him—that France and Great Britain might turn over their island possessions in the West Indies in settlement of their debts to the United States. I wish to say that any member of the Foreign Relations Committee who would undertake to have returned to the American people some slight token from those defaulting nations would go down in history as a statesman of deathless fame and reputation, for, excepting our early statesmen of George Washington's day, our leaders have been under the hypnotic influence of the statesmen of Great Britain and have yielded such intellectual submission that it has been impossible for them properly to judge between the British Nation and the American people. The proponents of this measure are prompt to challenge the Communist who agrees with Stalin and the German who agrees with Hitler, and I am, too. I say that any American who lives here should have no foreign obligations, adhere to no foreign ideologies, and I join with other Americans in their condemnation of the attitude of American Communists and members of the German Bund.

Why is there such sympathy among any Americans for foreign sovereignties? Well, Mr. President, nearly all the admirers of Stalin came out of the Communist ranks; they were preconditioned by their Marxian theories into allegiance with a foreign government, so that they are now unable to see that they, in reality, are no longer faithful and true to the American people.

Likewise many Germans here, though not nearly all of them, a minority, I am sure, by virtue of their inheritance of language, blood, and culture, place Hitler first and our own people last. I do not defend that; I condemn it; but I am not frightened by it. As I stated on Friday, from 85 to 90 percent of the American people fear and despise the dictatorships of Europe, and we shall never be impregnated with the germs of the disease of "dictatoritis" coming from Europe. But there is another large group of our people—not the masses but what might be called, if I may say so, our intelligentsia, our political and ruling classes—who, by virtue of imbibing their English culture with their mothers' milk, by virtue of English associations, by virtue of the blandishments of British and French statesmen, have been conditioned into an intellectual submission to the British Empire. I have talked to them. The first statement they generally make is, "We must destroy Hitler, for, if we do not, he will come over here and get us." In 30 minutes it is possible to convince any intelligent man that such a thing is impossible. I have done it in the case of almost every pro-British American citizen with whom I have talked. Then what do they say? They lock at one first in an unhappy way, and say, "Well, anyway, I think we have got to lick the German people now." That is the mental process of our ruling class. The same kind of sentiment existed during and after the French revolutionary period; but in that instance the intellectual submission was to France. That volcano of blood, hate, and fire so fascinated our people with so fatal a power that nearly all of them, except Washington, Adams, and a few other stalwart independent souls, forgot their own problems and their own worries.

Mr. President, talk about gratitude, talk about the fact that the British Navy will never assault the Western Hemisphere! I have said already that in all history the phenomenon of constant loyalty and gratitude has never been known between nations and between peoples. We have one of the saddest instances in our own records. We would not have won our independence from Great Britain if it had not been for the military and financial support of the French Government. Was it the French people? It was not. The bright flower of French civilization, that aristocrat, Lafayette, working with Louis XVI and Marie Antoinette, succeeded in arousing their sympathies for our people; he was politic enough also to appeal to their desire to blast their own enemy, the English people. As a result $300,000,000—at present prices—were loaned the American Colonies, and military aid was directly given. History demonstrates that we would not have won our freedom from England, at least at that time, without that aid.

Mr. President, how strange and ironical is history! The French Government collapsed because of financial insolvency, just as our Government will do if we do not check our expanding debt; and one of the greatest burdens cast upon the French Government was its expenditure for colonial-American wars. The collapse of that Government brought on the French Revolution, resulting in the decapitation of Louis XVI and his wife, Marie Antoinette. By that time the American people were so inflamed by the French Revolution against the King and Queen who had befriended them 10 or 15 years before that cries and prayers of joy went up in most of the homes of America when the heads of the King and Queen fell under the guillotine.

Not in the Southland but in the city of Philadelphia, the City of Brotherly Love, a guillotine was set up, and hourly, in effigy, American patriots beheaded Marie Antoinette and Louis XVI. The fury and the excitement were so great that, in the Whisky Rebellion which followed, the French flag was flown by American patriots in defiance of General Washington.

So, Mr. President, let us not count upon the constant gratitude or loyalty of nations. Let us not think that when we need it the British Navy will be placed freely at our service. If we were ever in desperate need and could be saved only by the British Navy—and otherwise we would not want it—the British Government would compel a price from us, for such assistance, that would be far beyond what it would cost us properly to prepare to defend ourselves.

Do you ask me, Mr. President, how I know that? I know it because no one can point to one unselfish and disinterested act in the national history of Europe for a thousand years; at least I have never read of any. We saw a perfect illustration of that, as I said on Friday. The ink upon the armistice was hardly dry when the military valor of the American soldier was ridiculed and minimized; and editorials of French and British papers began to anticipate a refusal to pay their obligations; not long thereafter we were dubbed "Uncle Shylock."

Oh, no, my friends; do not expect any reward in gratitude as a result of demoralizing our commerce and jeopardizing our relations with other nations so that if we are ever threatened the English people will say to the Americans, "You supported us in our hour of need; now we are yours to command." I shall now undertake to prove that statement.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Idaho?

Mr. DOWNEY. Yes; I yield.

Mr. BORAH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Reynolds
Andrews	Donahey	Lee	Schwartz
Austin	Downey	Lodge	Schwellenbach
Bailey	Ellender	Lucas	Sheppard
Bankhead	Frazier	Lundeen	Shipstead
Barbour	George	McCarran	Slattery
Barkley	Gerry	McKellar	Smathers
Bilbo	Gibson	McNary	Stewart
Borah	Gillette	Maloney	Taft
Bridges	Green	Mead	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Hatch	Neely	Truman
Byrnes	Hayden	Norris	Tydings
Capper	Herring	Nye	Vandenberg
Caraway	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Johnson, Calif.	Pittman	Wheeler
Connally	Johnson, Colo.	Radcliffe	White
Danaher	King	Reed	

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. DOWNEY. Mr. President, I have only one further major point to develop, and then I shall have concluded an argument which has already been too long.

Briefly summarizing the points I have so far made, it has been my contention that the repeal of the existing neutrality legislation may develop a great war boom; that that boom, if it lasts a year or so, will necessarily result in an inflation of the prices of necessary commodities for living, thereby throwing upon the American masses a tax of 25 or 50 percent of their incomes to support the Allies in their war; that, of course, a part of that increased cost of living will go to the profiteers, and some of it to employ our unemployed; but that our W. P. A. workers, our pensioners, our public officials, all our people of fixed income, will find that their meager living is cut to 75 percent, or even 50 percent, of the present amount because of the increased prices of what they buy.

I have contended that in a year or so the purchasing power of the Allies will collapse. Several million Americans will be working in war industries for them, and we shall then have the stern alternative of precipitating a great crisis of unemployment by shutting off employment for the Allies or the other yet more terrible alternative of beginning the financing of the Allies by credits, as we were beguiled to do in the last war.

If we take the first alternative, and stop the manufacture of war supplies, in the opinion of most economists, whose facts and figures I do not have time to develop now, we shall probably be hurled down by the reaction from the boom into a more destructive depression than in 1929, with increased insecurity, unemployment, and poverty. If, on the other hand, we weakly, as our Government did in 1916, begin to extend Federal loans to the Allies, we may conceivably be sucked in for ten, fifteen, or twenty-five billion dollars; still, a greater depression will ultimately follow the greater boom, and we will see the destruction of governmental credit at the end of that boom.

As I have said, there are certain men here in Washington who believe we can endlessly and forever expand our already too great debt. I am not one of those, and I anticipate that if we are beguiled into grants of credit to the Allies the collapse of our governmental solvency will come in one of several ways, which I have not the time to discuss. Suffice it to say that at that time, judged by the past, we will probably have thirty or forty or fifty million people starving because of unemployment when Government credit cannot feed them, the Federal Government at Washington will probably attempt to seize the foods and factories, and to do it by a dictatorship. In my humble opinion, the sovereignty of the Federal Government coming in conflict, then, with the sovereignties of 48 commonwealths and the freedom and independence of our people, will precipitate the supreme catastrophe of all, disunity itself.

Mr. President, I cannot at this juncture weigh the necessities of Great Britain or France, Germany or Russia, although I sympathize deeply with the tragic plight of their peoples. I am speaking first and all the time for those I represent, the American people, and before I will vote to inaugurate a policy which will probably lead into a great war boom I will have to be shown, not that it will help Great Britain and France, but that it will help the American people. I will have to be shown how we can avoid a destructive economic collapse.

Neither, as I have said before, am I concerned about the possibility of the disease of "dictatoritis," coming by germs from Europe, nor am I concerned about assaults on the Western Hemisphere by foreign dictators, because the theory that they would ever make such an assault is almost an insane nightmare in the first place, and if it should occur, we have the power to repel it, once and for all.

Of one thing only am I fearfully apprehensive, as I have said: That in our hysteria and concern we will neglect the complicated evils aready inherent in our economy, and seek to undertake abroad that which European statesmen and leaders have not been able to accomplish in a thousand years.

Mr. President, I see here in the Senate among the proponents of the proposed legislation men of patriotism and intelligence, Senators of experience. I think they have probably agreed with most of what I have said up to date; but I have talked to some of the proponents of the joint resolution personally and they have said to me, "The British Empire is the defender of a great system of justice and liberty and democracy in the world. We in the United States, regardless of our own selfish interests, regardless of the sacrifices it must entail, should fight for the cause of democracy and world freedom and human decency, and even though we can remain isolated in the Western Hemisphere, safe from the tragedy of Europe, we would be cowards to do it. We owe a duty," say they, "to humanity and to our principles to take our side with the British and the French Empires on the fields and waters of Europe, and there restore democracy and freedom, there beat back Hitler and tyranny."

Well, Mr. President, if they actually believe that there is a simple issue in Europe of democracy and peace and justice there, and if they believe that by some sacrifice on our part, however great, we can hold the balance for Christianity, decency, and international morality, I can applaud their idealism but not their intelligence.

I desire now to address my remarks to that same class of citizens, perhaps the finest we have in the United States. What are the chances that if we should ally ourselves with Great Britain we could hope to unify and integrate and pacify Europe? Oh, proponents of the resolution, why do you not fairly meet this issue? Why do you not tell us what is in your hearts, and in the hearts of some of the American people, and of those editors and columnists who support your side? Why do you not, on your side, enter into a realistic discussion: Can the American people, if we would, restore democracy and freedom in that foul cataclysmic Europe which has been devastated now under this one western culture for a thousand years?

Mr. President, there have been 6,000 years of recorded history. The world is so old, and so many generations of men marching across the face of the earth have been engulfed in the abyss of time, that we may be sure that every ancient proverb is rich with the wisdom of the centuries, every long-lasting human institution sprung from the need of men for its support. And since wars have devastated the world during almost every generation and in almost every era, we can only conclude the truth of what the philosophers say, that wars spring from causes deep within the human heart, which have persisted there for the centuries, and are just as bitter and just as much a part of the human soul today as they ever were.

Mr. President, 200 generations of men have lived through the crimson pages of history, almost every page stained red with human blood shed by humankind. Somewhere in the world in almost every generation some great war has devastated mankind.

Does that mean that we here in the western continent are condemned by our truculence and our hates to eternal wars? I think not; I pray not. There have been in the history of the world among certain people centuries in which peace reigned, and I believe that now, in our fortunate position, with the ideals we have and our experience behind us, we can hold aloft in the Western Hemisphere the torch of peace and, under the western sky, inaugurate a reign of peace and friendly international cooperation that should last through the centuries.

If we will limit our ambitions as we develop military strength to protect ourselves; if we will constantly let the nations of Mexico and South America know that never again shall we intrude upon their internal affairs; that we shall never again lust for imperial power; if we will deal with them as equals, justly and fairly, I have no doubt that, by the very weight of our population and wealth, we may maintain the peaceful equilibrium of the western half of the world.

Mr. President, we have here 130,000,000 of people. That is more than all the rest of the population in the western world. But do you know that the empires of Great Britain and France alone possess one thousand million—one billion

people? We have not the strength and power, we have not the opportunity and leadership to integrate, pacify, inspire, and lead Europe. For 1,000 years under the western civilization that commenced with Charlemagne, popes, statesmen, generals, leaders, have preached the same ideas about peace that our leaders now preach to Europe. Why, the great Italian, Dante, almost 1,000 years ago enunciated more powerfully than has any man today the vision of a great, integrated, peaceful Europe in which commercial boundaries should disappear and men of all nations and races should live in fraternal friendship.

Every generation between the great wars, poets, philosophers, clergymen, rulers, and kings have contended for that self-same thing.

Mr. President, I am not speaking invidiously of anyone when I propound this illustration. I have often applied it to myself. The great English poet Kipling tells of the jackal that was born one April, and when the floods came that September, as they had come for thousands of years, he was shocked and astonished, and ran around screaming that a great cataclysm had come. Kipling expressed that idea in this way:

> In April was the jackal born.
> The rains came in September.
> "Now such a storm as this," he said,
> "I can't remember."

Mr. President, that is the position which all of us are in. We think that it is some novel cataclysm that devastates Europe, that there is some new spirit in the world of peace and enlightenment that we can inspire, that a new and unique era may be ahead in Europe if its statesmen will only be unselfish and kind. They think that they are the first that ever had that idea, and they want to preach it to the European world so their generals and statesmen will become leaders who will lead their people into prosperity and peace.

The great English poet and essayist Pope expressed it this way:

> Man never is, but always to be blessed.

We always have the illusion that just over the hill are safety and security.

Another great English poet, the tragic Oscar Wilde, expressed it this way:

> At times, far off like a perfect pearl, we may see the Kingdom of God so close as though a child could reach it in a summer's day, and so a child could. But with us, we move with leaden feet, and we are farther from that magic city at dusk than we were at dawn.

Nevertheless, I do believe that here in the western world we may go forward with religion protected, every man given the right to worship God as he desires, freedom of speech and of the press guaranteed, every fundamental right preserved, and ultimately our social and economic problems solved. But I have a total sense of futility in thinking of the European Continent.

Mr. President, we cannot judge this storm by the viewpoint of the jackal who has lived only one season. We cannot judge it instinctively by our own reactions over one generation. We have to take, on this, the viewpoint of the millennium.

Mr. President, I ask you this: Suppose that over the course of 1,000 years persistently and constantly there have developed in Europe certain wars, certain periods of peace, and then wars again? I ask you whether, if conditions are more dynamic and truculent there today than ever before, you would be willing to conclude that suddenly after a consistent warring habit of 1,000 years European leaders and European historical processes would suddenly reverse themselves and nations swing to the principles of idealism as many of our leaders expect? Well, I cannot understand any statesman being so naive and unsophisticated. For 1,000 years the nations of Europe have done certain things in certain ways. Are we now to conclude that they are suddenly going to change when today the navies are greater than ever, the armies more terrifying, the disputes more complicated and devastating?

Let us start, Mr. President, with English history at the Battle of Hastings, when William the Conqueror in 1066 came from Brittany to invade England—almost, speaking in round numbers, nine hundred or nearly a thousand years ago.

England at that time had a record of centuries of warfare behind it even then. In the litany of the old Episcopalian prayer book, long ago, they had this phrase:

> From the fury of the Norsemen, good Lord deliver us.

Yes, Mr. President, before the Battle of Hastings the assaults upon the shores of primitive England had so persisted through the centuries that in the litany they used long thereafter they prayed for deliverance from the Norsemen. But let us forget about the ancient wars and restrict ourselves to English wars. I could just as well tell of the wars of Germany, or Russia, or China, or France, but we are confronted with the proposal that the American people should ally itself with the other great English-speaking people, the British, and jointly undertake a crusade to integrate and pacify Europe and the world. So let us consider only the history of Great Britain, so that we may know by the record of a thousand years what the conduct of the British people will probably be in this era and in the years to come. Take Ireland. There was hardly a single generation in which the English people were not at war with Ireland. A few centuries ago the same thing could have been said of Scotland.

Mr. President, I shall not discuss any small matter like the subjugation of the Irish people over the centuries. Poor Ireland, with but a few million people, was devastated and torn generation after generation. Let us forget about that proud and brave race which had sufficient courage to do what great populations could not do and stand against the military might of a people incomparably stronger in men and military power, and finally win their freedom.

Mr. President, let us start with 1066. Do you know what the English people were doing in every decade for the next 200 years? They were involved in constant invasions of Wales, Ireland, and Scotland. Hardly a spring came without seeing the English Army march forth from England into Scotland on the north, or across the channel into Ireland, or into the Welch hills.

Pass that by as ancient and forgotten history. Say that the English leaders are a changed race; that now they have seen the error of their ways. Do you know what the English and French were doing at the end of the 200-year period from 1337 to 1453? They were engaged in the Hundred Years' War, yes, Mr. President, a war that persisted one full century. Those who know anything about history know that the devastation in France of the Hundred Years' War would make insignificant what has happened to Poland. At the end of the Hundred Years' War hardly one military leader in France was alive, and hardly one member of the aristocracy. Almost every town and city had been destroyed. Farms, cities, schools, and colleges were destroyed in the sanguinary flames of war.

What a strange thing history is! That war grew out of dynastic disputes which had come down from William the Conqueror. Two hundred years after his conquest the English replied by carrying on a series of bloody, brutal, devastating invasions for a hundred years in France.

Many of us have seen recently a wonderful picture depicting the career of Nurse Edith Cavell, who died by German hands as a war spy. Have we forgotten what finally saved the French people at the end of the Hundred Years' War? It was a 17-year-old girl, Joan of Arc, who, with apparent divine guidance, came to inspire leadership that was weak and vacillating and lifted the siege of Orleans. As a result the English, at the end of 100 years, finally gave up their effort to subjugate France, and left; but before they left they saw that Joan of Arc was burned at the stake.

Mr. President, let us not be shocked at the atrocities of war. Such atrocities are always present—violation of women, burning of cities, and destruction of human beings by homicidal lust.

In 1453 the English armies left France; but in 1513 they were back again. They were back again under the leader-

ship of Cardinal Wolsey, who then enunciated for Henry VIII the English policy for Europe which is today being discussed in Parliament by Chamberlain, Eden, and Churchill. What was that policy? Cardinal Wolsey said to the English leaders, "In Europe never throw your power on the side of the strong, but create disunity, create a balance of power by siding with the weak."

From that time to this, as I shall show by authoritative quotations, constantly and openly English statesmen have been committed to a theory of disunity and rule-or-ruin in Europe.

Mr. President, when Columbus discovered America the great empire of the world was Spain. The English people, with their privateers and freebooters, in the century that followed, went out to break down the Spanish Empire, and they did it. Let us never underestimate the English people. They have hardly ever yet lost either a war or, what is more important, a conference. Just as they destroyed the French Empire, they destroyed the Spanish Empire, which feat was finally accomplished in 1588 after the destruction of the Spanish Armada.

Mr. President, we sometimes think that our last Great War was a devastating conflict, and we expect the one that is coming to be of like character. Many European wars have been far more destructive than the last World War.

Let me now speak of the next conflict, which raged in Europe from 1618 to 1648 on the soil of Germany. If some Senators become impatient at me for reading what seems to be history centuries old, let me say that I intend to show a persistent course of military adventure on the part of the British Empire from 1066 right up to date.

In the Thirty Years' War Germany was the scene of battle. Into that war were finally drawn every nation of Europe and every army of Europe, including that of Great Britain itself. That war lasted for 30 years. Every school and every church was destroyed. Every city was razed. Most of the farmhouses were burned. Most of the property of the peasants and the townspeople was either stolen or destroyed; and millions of German peasants were turned out into the forest naked, to live upon the grasses and the bark of the trees. The scourge of that Thirty Years' War was so great that the German people did not recover from it for centuries.

Mr. President, lest you think I exaggerate, let me read to you the closing lines on the Thirty Years' War from the Columbia Encyclopedia. I now quote:

> Though generally considered a religious war, its effects on religion were bad. It was succeeded by a period of debased morality and religious decline. The incredible sufferings of the German peasantry were remembered for centuries. It is estimated that more than a quarter of the population was killed and more than one-third of the cultivated lands surrendered to the wilderness. Education disappeared.

Then is added:

> The political settlements were to the disadvantage of Germany as well as the Hapsburgs.

Yes, one might guess that.

Mr. President, several wars that have been fought through thousands of years have wiped out a greater percentage of the people than have been destroyed by the recent war in Poland or were destroyed in the last World War.

When the English came out of that Thirty Years' War they engaged in a civil war of their own. At the end of that strife a dictator ruled England, beheaded the King, and then took the armies he had amassed into Scotland and into Ireland. The devastation which ensued was so great that parts of Ireland where Cromwell's armies moved are still depopulated to this day, and his name is anathema to the Irish people.

While these civil wars in England were going on, the Dutch had appeared as rivals of the British in fishing, in trading, and in commerce. When the English were freed of their own civil war they did not lose any time; they did not even declare war on the Dutch; but their privateers and their naval vessels sailed out and brushed the Dutch fishing vessels and Dutch commerce off the ocean without justification or excuse.

The English were three or four times as powerful as the Dutch, who did not want to fight but to live peacefully; it took the English only 2 years to finish what is known as the Dutch war.

Mr. President, as I have said previously, do not underrate the English people; they have been engaged in these conquests for a thousand years. They conquered first the French, then the Spanish, then the Dutch.

And soon thereafter the war of the Grand Alliance was fought from 1688 to 1697, and it ended only when almost every nation in Europe and its people were exhausted and depopulated. A peace largely to the benefit of the English was made, which was kept for only a few years, when the war of the Spanish succession broke out and the whole tragic pattern of prior convulsions was repeated.

Mr. President, we have now reached the first war that concerned our own people, and that is the Seven Years War, which the French and English fought over a great part of the globe, and in which Austria was the ally of France and Prussia the friend of England. That war finally involved not only all of Europe but large parts of the American Continent where the Indian wars between the English and the French were fought. It involved as well many other islands and even continents, and, as usual, in the peace of Paris which concluded the conflict, England emerged with far greater colonial possessions than did France.

Mr. President, I wish to read a short excerpt, again from Beveridge's Life of John Marshall. In the Seven Years' War that began in 1756, a minor and isolated episode, but one which is familiar to every American boy, was the attempted conquest of Fort Duquesne by Braddock and the redcoats. As will be remembered, in that battle fought on the Monongahela River, within a short distance of this Capitol, George Washington, who was then a boy of 23, distinguished himself for valor and for generalship. It was probably his heroism here, Mr. President, that prepared the way for the American rebellion against the British Government.

I desire, for the inspiration of those leaders who are doubtful about our ability to defend ourselves, to read of the first military exploit of George Washington. For he had both the courage to fight European nations and the intellectual stamina thereafter to stay out of their quarrels. Mr. Beveridge described how, after happy banquets, Braddock and his redcoats left Philadelphia. I think the Senators will find this interesting and I hope encouraging:

> So through the ancient and unbroken forests Braddock made his slow and painful way. Weeks passed; then months. But there was no impatience, because everybody knew what would happen when his scarlet columns should finally meet and throw themselves upon the enemy. Yet this meeting, when it came, proved to be one of the lesser tragedies of history, and had a deep and fateful effect upon American public opinion and upon the life and future of the American people.
>
> Time has not dulled the vivid picture of that disaster. The golden sunshine of that July day, the pleasant murmur of the waters of the Monongahela, the silent and somber forests, the steady tramp, tramp of the British to the inspiriting music of their regimental bands playing the martial airs of England, the bright uniforms of the advancing columns giving to the background of stream and forest a touch of splendor, and then the ambush and surprise, the war whoops of savage foes that could not be seen, the hail of invisible death, no pellet of which went astray, the pathetic volleys which the doomed British troops fired at hidden antagonists, the panic, the rout, the pursuit, the slaughter, the crushing, humiliating defeat.
>
> Most of the British officers were killed or wounded as they vainly tried to halt the stampede. Braddock himself received a mortal hurt. Raging with battle lust, furious at what he felt was the stupidity and cowardice of the British regulars, the youthful Washington rode among the fear-frenzied Englishmen, striving to save the day. Two horses were shot under him. Four bullets rent his uniform. But, crazed with fright, the Royal soldiers were beyond human control.
>
> Only the Virginia rangers kept their heads and their courage. Obeying the shouted orders of their young commander, they threw themselves between the terror-stricken British and the savage victors; and, fighting behind trees and rocks, were an ever-moving rampart of fire that saved the flying remnants of the English troops. But for Washington and his rangers, Braddock's whole force would have been annihilated. Colonel Dunbar and his 1,500 British regulars, who had been left a short distance behind as a reserve, made off to Philadelphia as fast as their panic-winged feet could carry them.

So everywhere went up the cry, "The British are beaten!" At first, rumor had it that the whole force was destroyed, and that Washington had been killed in action. But soon another word followed hard upon this error, the word that the boyish Virginia captain and his rangers had fought with coolness, skill, and courage; that they alone had prevented the extinction of the British regulars; that they alone had come out of the conflict with honor and glory.

Thus it was that the American Colonists suddenly came to think that they themselves must be their own defenders. It was a revelation, all the more impressive because it was so abrupt, unexpected, and dramatic; that the red-coated professional soldiers were not the unconquerable warriors the Colonists had been told that they were. From colonial "mansion" to log cabin, from the provincial "capitals" to the mean and exposed frontier settlements, Braddock's defeat sowed the seed of the idea that Americans must depend upon themselves. (Life of John Marshal, vol. 1, pp. 3, 4, 5, and 6.)

I say, Mr. President, that that message, the inspiration of a gallant and realistic man able to depend upon himself, should be a guide for us today, and should shame any American when, with infinitely greater resources and power, we want to depend upon the British Navy.

Mr. President, despite the fact that Braddock was defeated, the English again defeated the French, and at the Peace of Paris won great parts of the colonial empire which England still holds.

A few years later we find England involved in a war with the American Colonies. I need not recite the facts of that war, but I may say that after the British statesmen had signed a treaty of peace they flagrantly violated and denounced its terms, provoking the American people toward another war with Great Britain. Washington, however, refused the provocation and kept us out of war, which was staved off until 1812 under the circumstances to which I have already referred.

Mr. President, hardly was the American Rebellion over when England was again involved in wars with France arising out of the aspirations of the French revolutionists for a republic. While up to that time Great Britain had opposed France to the limit, as soon as it appeared that the French people wanted to dispose of a despot England took the side of the French Bourbons, and, as you know, became involved in the wars of the French Revolution. They passed out of that period and Napoleon emerged.

How strange and unforeseeable are the processes of history. Here he was, an unknown Corsican, at a youthful age, riding on the wings of cataclysmic destruction out of the French Revolution, leading armies that started to give liberty to the capitals and peoples of Europe, and ended by looting and destroying those very same cities and their peoples.

Mr. President, I shall not go into those wars, which lasted 15 years, and frightened some people in the United States (just as some of them are frightened today) because they feared that Bonaparte, who died lonely and discredited on an island, would come over and get them, just as they are now afraid of Hitler.

The century which followed is considered the most peaceful century the British people have ever had. But, nevertheless, in ways I have no desire to put in the RECORD, they conquered the people of India, the details of that conquest I have not the stomach to recite.

English citizens wanted to engage in the opium traffic in China; and when the Chinese Government, to protect its own people, tried to stop that traffic, and, in the exercise of its police power, killed one Englishman, the English used that as an excuse to devastate the Chinese people, and take Hong Kong and other ports from them. Great conquests in Egypt in this century were made by the English, in Sudan, and all over Africa. It was only a few years ago they engaged in the Boer Wars. There, however, they found a determined, though numerically weak, people not so easy to overrun. Read, if you care to know a record of tyranny, what happened to the Boers at the end of their desperate resistance, driven into stockades by the tens of thousands, and their villages and farms destroyed. Read, also, of England carrying out her policy with Turkey of supporting the weaker nation, by fighting against the greater Russia. Read, also, how she kept hands off in the Franco-Prussian War because she did not know which side was the weaker or the stronger. Note constantly the policy of the British Government to prevent any integration, pacification, or peace in Europe.

I suppose some Senators think I am overstating the case against the British people. I say that every disinterested historian I know proclaims that the policy of Great Britain, from Cardinal Wolsey up to the present time, has been to prevent any pacification or integration of Europe; to keep that unhappy, damned, and doomed continent in the condition in which it now is.

In support of that statement I desire to read first from a book by one of the trusted advisers of the Executive of this Nation, Mr. Jerome Frank, an American historian and philosopher of some standing. This is what Mr. Frank says, expressing the almost unanimous verdict of history:

Unless and until Europe rids itself of that English-fomented European disunity, America is helpless in the task of helping Europe, or of promoting world peace.

Stuart Chase, who, in his New Western Front, has written a book which every Senator should read, and which, after he has read it, I think should convince him that we should stay out of European involvements, makes this declaration:

The Treaty of Versailles covered 230 large pages. The German Government was commanded to pay a $33,000,000,000 war indemnity over a period of years. The Allies then took her trade, her colonies, sections of her home territory, and a large share of her movables, in the shape of horses, cows, ships, and locomotives. She didn't have anything left to pay with. The French Army occupied the Ruhr Valley, seized the factories, imprisoned mayors, and booted the citizens around. Poor debtors got rough treatment everywhere. Presently the great German currency inflation arrived, a direct effect of the treaty. A cup of coffee cost a hundred million marks. (The New Western Front, by Stuart Chase, page 35.)

Europe was distraught enough in 1914, with some 20 sovereign states competing for markets, raw materials, and political power. The treaty made seven new ones—Poland, Czechoslovakia, Finland, Estonia, Latvia, Hungary, and Lithuania; Serbia became Yugoslavia, with many additional trimmings. Poland and Czechoslovakia promptly entered the race for markets, raw materials, and power. Seven thousand miles of new tariff walls were erected. Minorities everywhere began to cry for Mr. Wilson's self-determination. It was a lofty principle but it made little sense in the economic realities of the twentieth century. It cut across railways, waterways, highways, power lines, natural trading areas. (The New Western Front, by Stuart Chase, p. 36.)

Mr. President, Mr. Chase says that the philosophy of Mr. Wilson was not one relevant to the unhappy, distraught condition of Europe, but let me say that European statesmen made no pretense of meeting the obligations of the then Chief Executive of the United States, Mr. Wilson, though certainly by ethics and morality they should have been bound to them.

The hard-boiled realistic philosophy of those statesmen was well represented by Mr. Clemenceau at the conferences, when, referring to Wilson's 14 points, he "wisecracked" thus:

What? Fourteen points? Why, God Himself took only 10 for the Commandments.

So, Mr. President, that man and his colleagues forgot not only Wilson's 14 points—yes; and the Ten Commandments—but the Golden Rule as well.

Let us read the opinions of the two greatest philosophical minds in England today. I suppose that four out of five critics will concede that George Bernard Shaw and H. G. Wells are the two greatest historical philosophers alive in England today. And what do they say? If American leaders and statesmen will believe just one-quarter of what they say, it will keep them out of European intervention. Let us read the closing paragraphs of the public letter just written in London by George Bernard Shaw, and let us take his description of English philosophy and English policy, from one of the greatest men in Europe, and see then if we want to involve ourselves in helping the empires in carrying out their policy, which has persisted bitterly over almost a thousand years of time.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from California yield to the Senator from Minnesota?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. I wonder whether the Senator has had occasion to refer to the record of the British and the French during the last 150 years, which shows that the British engaged in 54 wars during these last 150 years, lasting 102 years, or 68 percent of the time, and that during the last 150 years the French engaged in 53 wars, lasting 99 years, or 66 percent of the time. I have here the report of the remarks of the senior Senator from Washington [Mr. BONE] in the Senate on Monday, July 17, 1939, during the course of which he inserted a complete list of wars engaged in by France and England, and with the Senator's permission I should like to have the information inserted in the RECORD.

Mr. DOWNEY. I shall be happy, with the consent of the Senate, to have the data printed in the CONGRESSIONAL RECORD as a part of my remarks.

The PRESIDING OFFICER. Is there objection? There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Mr. BONE. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD an editorial appearing in the Seattle (Wash.) Star of July 10, 1939, which is a study of the wars in which England and France have been engaged during the past 150 years. This record indicates that during that period, which is approximately the life of our Nation, England has been engaged in 54 wars lasting 102 years, or a total of 68 percent of the entire period. France during the past 150 years has engaged in 53 wars lasting a total of 99 years, or 66 percent of the time. That indicates a degree of bellicosity and belligerence the like of which the modern world has not witnessed. To find a parallel I submit we would have to go back to the wars of Rome and Greece or to the period of Genghis Khan. I hope, Mr. President, that the Public Printer can find it possible to print the small graph which appears in connection with the article.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Seattle Star of July 10, 1939]

"ENGLAND AND FRANCE: ARE THEY FOR PEACE OR WAR?—CAN WE AVOID WAR?

" 'Instead of preserving our neutrality and staying out of European wars, the United States should prevent European wars. That it can do by allying itself with England and France and their system of alliances.'

"In a few words, the above is the policy of the administration. This line of reasoning may be superficially plausible. No one questions the sincerity of the administration in following it. For the record clearly proves that not only has the administration sought, within the limits of neutrality legislation and legislation against war-debt defaulters, to favor England and France and their allies and to embarrass their potential enemies in every possible way, but has further sought to change neutrality laws so that the United States can become still less neutral.

"This newspaper believes that American neutrality and even American democracy are being recklessly endangered for an illusory ideal of imposing peace and preserving the status quo in the Old World through unneutral use of our power.

"This belief is an opinion. In a democracy, the majority rules—the people decide—and all good citizens are loyal to the decisions of the majority.

"But before the people decide to back the administration in casting our weight with England and France for the preservation of peace, before we succumb to the mass of subtle propaganda that alliance with these "peace loving" nations will banish war from the face of the earth, the people are entitled to know all the facts.

"A very important part of these facts is the record of the wars that have been engaged in by England and France.

"Herewith, this newspaper lists—and urges its readers to study—the lists of wars engaged in by England and France in the 150-year period following our Declaration of Independence.

"Far better than any statement of peaceful or warlike intent, these lists will show you whether or not England and France stand for peace—or for war!

"WARS OF ENGLAND

1778–81	First Mahratta war.
1776–83	North American (and with France).
1780–84	War with Netherlands.
1793–1802	Revolutionary war (with France).
1782–84	First Mysore war.
1790–92	Second Mysore war.
1803–14	War with France.
1815	Hundred Days War (Waterloo).
1801	War with Denmark.
1802–06	Second Mahratta war.
1806	Sepoy revolt.
1810–12	War with Sweden.
1807–12	War with Russia.
1812–15	War with United States.
1814–17	Goorkha war.
1817–18	Third Mahratta war.
1824–25	First Burma war.
1824–25	Ashanti war.
1826	Burma war.
1826	Intervention in Portugal.
1827	War with Turkey.
1832	Intervention in Netherlands.
1838–42	War with Afghanistan.
1840–42	War with China.
1840–41	Egyptian insurrection.
1843–49	Sikh wars.
1845	Intervention in Uruguay.
1845–56	Intervention in Argentina.
1851–52	Kafir war.
1852–53	Second Burma war.
1854–56	War with Russia.
1856–57	War with Persia.
1856–60	War with China.
1857–58	Mutiny of the Sepoys in India.
1863–64	Ashanti war.
1863–69	Maori war.
1867–68	War with Abyssinia.
1874	Ashanti war.
1878–80	War with Afghanistan.
1879	Zulu war.
1880–81	War in Transvaal.
1881–85	War of the Sudan.
1882–84	Occupation of Egypt.
1885–89	Third Burma war.
1895–96	Ashanti war.
1896–99	War of the Sudan.
1897–98	Intervention in Crete.
1899–1902	Boer war.
1900	Boxer Insurrection.
1901–02	Somali war.
1903–05	Tibet expedition.
1908	War on the northwestern boundary of India.
1914–18	World War.
1919	Afghan war.

"(Total for 150 years: 54 wars, lasting 102 years, or 68 percent.)

"WARS OF FRANCE

1779–83	War with England (North American).
1792–97	First Coalition War (against Dutch, Reinish, Italians, Spanish).
1789–1800	Second Coalition War.
1793–1802	War with England.
1793–96	War in Vendee.
1795–1802	Egyptian Expedition of Napoleon.
1791–1802	Insurrection in San Domingo.
1805	Third Coalition War.
1806–07	War with Russia and Prussia.
1809	War with Austria
1803–14	War with England.
1808–14	War with Spain.
1812	War with Russia.
1813–14	War Against German States (Hundred Days War—Waterloo).
1823	Spanish Expedition.
1827	War with Turkey.
1832	War with Holland.
1834	War with Portgual.
1829	War on Madagascar.
1845	War on Madagascar.
1838–39	War in Mexico.
1830–47	War in Algeria.
1838–40	War in Argentina.
1847	War in Cochin China.
1849	Roman Expedition.
1843–44	War with Morocco.
1845	Expedition to Uruguay.
1854–56	Crimean War.
1859	Austro-Italian War.
1862–64	War with China.
1857–62	War with Annam.
1860	Syrian War.
1861–62	Cochin-Chinese War.
1861–67	War in Mexico.
1860–61	War for Papal State.
1870–71	Franco-Prussian War.
1873–74	War in Tonkin.
1867	War in Rome (against Garibaldi).
1883–85	War with Tonkin.
1884–85	War with China.
1894	War with Tonkin.
1883–85	War on Madagascar.
1895–97	War on Madagascar.
1881–82	War on Tunis.
1893–94	War on Morocco.
1890–92	War on Dahomey.
1890–94	War on Sudan.
1893	War on Siam.
1900	Boxer Insurrection.
1907–12	War on Morocco.
1914–18	World War.
1925–26	Riffian War.

"(Total: For 150 years, 53 wars lasting 99 years, or 66 percent.)"

Mr. DOWNEY. Mr. President, I wish now to read, for the edification of the American people and for the guidance of American leaders, what a great Englishman, one noted for his realism, philosophy, and candor, has to say about present conditions in England, into which it is desired by many people in the United States to draw us. I read now the closing paragraphs only:

The Archbishop of York in the next broadcast finally rose to the occasion as became a great Christian prelate. Unfortunately, he began not as a Christian prelate but as a righteously angry, hot-headed Englishman, by giving his blessing to our troops as "dedicated" to the supreme and immediate duty of lynching Hitler and his associates.

RAKING UP HISTORY

Now, I cannot go into the question of whether Hitler deserves to be lynched without raising awkward analogies between his case and those of Mussolini, Franco, Stalin and his associates, and raking up events in India and Ireland which unfriendly pens have represented as somewhat dictatorial on our part.

Like an Englishman, Mr. Shaw indulges in understatement:

I simply remind the archbishop that although we can easily kill a hundred thousand quite innocent German men, women, and children in our determination to get at Hitler, we should not finally succeed in lynching him, and the killing of Germans and our own losses in the process would produce a state of mind on both sides which would operate as a complete black-out of Christianity and make the archbishop's sane, final solution impossible.

VERSAILLES ALL OVER AGAIN

If we won it would be Versailles all over gain, only worse—with another war even less than 20 years off. And if, as is desperately possible, we drove Russia and Germany into a combination against us to avert that catastrophe, which is just what our Stalinophobe old school ties and trade-unionists are recklessly trying to do, then we shall indeed need God's help and not deserve it.

BALDERDASH ABOUT DEMOCRACY

No; it will not do, however thickly we butter it with bunk and balderdash about liberty, democracy, and everything that we have just abolished at home.

That was written by an Englishman, telling us the English people are now pretending to fight Hitler for something which is already lost in England.

As the archbishop nobly confesses, we made all the mischief—we and the French—when we were drunk with our victory at Versailles. And if that mischief had not been there for him to undo, Adolf Hitler would have now been a struggling artist and of no political account.

He actually owes his eminence to us; so let's cease railing at our own creation and recognize the ability with which he has undone our wicked work and the debt the German Nation owes him for it.

BUSINESS NOW TO MAKE PEACE

Our business now is to make peace with him and with all the world instead of making more mischief and ruining our people in the process.

I write without responsibility, because I represent nobody but myself and a handful of despised and politically powerless intellectuals capable of taking a catholic view of the situation.

One of these unhappy outcasts is my friend H. G. Wells.

He has written a vitally important letter to the Times, of which nobody has taken the smallest notice.

This is a part of the quotation:

I disagree with him on one point and would feign to comfort him on it. He warns us that we are risking not only a military defeat but the existence of civilization and even of the human race. Dear H. G.: Let us not flatter ourselves. The utmost we can do is to kill, say, 25,000,000 of one another and make ruins of all our great cities and show places for Maori tourists.

Well, let us. In a few months we shall matter no more than last summer's flies.

As two of the flies, we naturally deprecate such an event, but the world will get on without us, and the world will have had an immense gratification of the primitive instinct that is at the bottom of all this mischief and that we never mention, to wit: Pugnacity, sheer pugnacity for its own sake, that much admired quality of which an example has just been so strikingly set us by the Irish Republican Army.

Mr. President, Mr. Shaw in that refers to a letter from Mr. Wells. I have not seen in the American press the letter to which he refers, though I should like to very much, but I have read a great book recently written by Mr. Wells entitled "The Fate of Homo Sapiens," which one critic said would have been better entitled "The Fate of Homo Sap," which I presume includes the same reasoning that appeared in the letter referred to by Mr. Shaw. Let me read to the Senate some brief quotations from Mr. Wells, another of England's great historians and philosophers, speaking upon the policy and the attitude of his own people. He says:

The disintegrating British Empire is now * * * a system of government almost completely out of popular control. Practically it has undergone a reactionary revolution in the last decade, and a loose-knit combination of court, church, army, and wealth, intensely class-conscious, intensely self-protective, has resumed control of affairs. It is an oligarchy skillful in the assimilation of useful or formidable individuals but without the slightest disposition to amalgamate with anything else on earth. Its ruling motive is the fear of dispossession.

Decisions involving peace or war are made without any pretense of consulting any surviving popular will, and the whole press, the cinema, the radio, and indeed all possible means of influencing opinion, concentrate upon the assertion of the rightness * * * of these decisions. * * * Any inconvenient facts are kept from the public by requests for suppression that are in effect commands. * * *

Today catastrophe is well on its way, it is losing no time at all, but education seems still unable to get started, has indeed not even readjusted itself to start. The race may, after all, prove a walk-over for disaster.

If Homo sapiens—

I digress here to say that I hope every proponent of any kind of intervention of America in European affairs will ponder this rich wisdom. I repeat, reading from Mr. Wells:

If Homo sapiens is such a fool that he cannot realize what is before him now and set himself urgently to save the situation while there is still some light, some freedom of thought and speech, some freedom of movement and action left in the world, can there be the slightest hope that in fifty or a hundred years hence, after he has been through two or three generations of accentuated fear, cruelty, and relentless individual frustration, with ever-diminishing opportunity of apprehending the real nature of his troubles, he will be collectively any less of a fool? Why should he undergo a magic change when all the forces, within him as well as without, are plainly set against it?

Mr. President, most thinkers and critics rate as the greatest philosopher of this age the German who died a few years ago, Oswald Spengler, author of The Decline of the West. In that monumental book compelling meaning, of 1,000 pages, he traces the history of western European civilization and he reaches the conclusion upon argument and data which to me seem undeniable, that there lies ahead of the European continent another century or two of imperialistic wars and ventures, and at the end the people, pauperized, worn-out, emasculated, will fall into the condition of the Chinese, the Egyptians, the Hindus, asking nothing more of culture or civilization, just asking to live and die in peace. It is a dreary and discouraging book, and I want to mention to Senators who have not read it that Mr. Spengler argues that by the fatal magnetism of a common culture the American people will be lured into the same hideous ruin; like the insects hypnotically drawn to the bright lights, he believes the American people will involve themselves in the catastrophes and holocausts which devastate Europe, and that we shall be in the end trapped with them in common ruin.

Mr. President, Spengler predicted the World War before it was fought, and he predicted the present war before it was thought of. It is with tragic apprehension that I read his declaration that because of common culture and inheritance the drama, the conflict, the convulsions of European conflict will prove irresistible for us, and that our leaders, our generals, our politicians will be, through some power they cannot resist, forced to engulf us in those same mad upheavals that have wracked Europe now for a thousand years and would appear to be more imminent and more terrifying now than ever before.

Mr. LUNDEEN. Mr. President, will the Senator please again state the name of the book to which the Senator just referred?

Mr. DOWNEY. Yes. The book I referred to is The Decline of the West, by Oswald Spengler. The first part of it was written, I think, back in 1904 and the last part was not finished until a few years ago, just shortly before the author's

death. Will Durant, in appraising Oswald Spengler, gives the almost unanimous judgment of scholars when he makes this statement about Spengler:

When the world has passed over him and over us our little criticism will be forgotten and his book will remain as the supreme achievement in the philosophy of our age.

Let me read one or two excerpts from that book, though, Mr. President, one can have an abiding understanding of the power of his argument only by reading the book itself. I read now from Spengler's The Decline of the West:

If the nineteenth century has been relatively poor in great wars—and revolutions—and has overcome its worst crises diplomatically by means of congresses, this has been due precisely to the continuous and terrific war preparedness which has made nations (fearful at the eleventh hour of the consequences) postpone the decision again and again, and led to the substitution of chess moves for war, for this is the century of gigantic permanent armies and universal compulsory service. We ourselves are too near to it to see it under this terrifying aspect. In all world history there is no parallel. Ever since Napoleon, hundreds of thousands, and latterly millions, of men have stood ready to march, and mighty fleets renewed every 10 years have filled the harbors.

It is a war without a war, a war of overbidding in equipment and preparedness, a war of figures and tempo and technics, and the diplomatic dealings have been not of court with court but of headquarters with headquarters. The longer the discharge was delayed, the more huge became the means and the more intolerable the tension. And it ended with the explosion of the World War. But the demand of these 4 years of the World War has been altogether too much for the principle of universal service—child of the French Revolution. The place of the permanent armies as we know them will gradually be taken by professional forces of volunteer warkeen soldiers, and from millions we shall revert to hundreds of thousands. But ipso facto this second century—

And he refers to the century now ahead of us—

will be one of actually contending states. These armies are not substitutes for war—they are for war, and they want war. Within two generations it will be they whose will prevails over that of all the comfortables put together. In these wars of theirs for the heritage of the whole world, continents will be staked, India, China, South Africa, Russia, Islam called out, new technics and tactics played and counterplayed. The great cosmopolitan centers of power will dispose at their pleasure of smaller states—their territory, their economy, and their men alike—all this is now merely province, passive object, means to end, and its destinies are without importance to the great march of things.

Again and again between these catastrophes of blood and terror the cry rises up for reconciliation of the peoples and for peace on earth. It is but the background and the echo of the great wars themselves, always futile, always unheeded in the war itself, and always failing in peace period to delay the next convulsion.

From the rigor of these facts—

Says Mr. Spengler—

there is no refuge. The Hague Conference of 1907 was the prelude of the World War; the Washington Conference of 1921 will have been that of other wars.

Mr. President, it is strange, indeed, that we here in America think we are better able to judge of the possibility of pacifying and integrating Europe than the greatest philosophers and historians of that doomed continent. And, Mr. President, why should we doubt the conclusions of these Europeans when we consider a nation that for centuries has persistently adopted a course of action which, with its truculence, and its ambitions, and its lusts, has meant devastating wars for that period of time? We would be naive and unsophisticated to believe that by some magic we can bring to Europe peace and the solution of its complicated problems.

Mr. President, we here from the Atlantic to the Pacific have one indivisible, mighty Nation. We are at peace. We have more factories and more materials than all Europe combined. And there in Europe are 390,000,000 people of 27 nations—before Germany started to swallow them—every one of them with armies, and navies if they have a coast, every one of them with commercial rivalries, every one of them insufficient within itself; and yet each of them busily raising tariff walls against the flow of products from the outside.

Mr. President, I think I speak with moderation when I say that if we can judge our problems in America quantitatively, as compared with those of Europe, we are compelled to say that European problems, real problems, terrifying problems, are 5 or 10 times as great as our economic problems. There are multitudes of explosive points in Europe—passions, furies, hates, feuds, armies, generals, leaders, quarrels over dynasties, and quarrels over boundary lines.

Mr. President, let us be realistic. In the name of heaven and in mercy to the American people, let us forget about politics here for 1 hour and candidly face world and American conditions. For years the Republicans were in command of this Nation, and we Democrats have had the power for the past 7 years, yet we have not yet begun to solve the problems which have accrued in America over the past generation. Do we believe that by some magic American leadership can point out the way to solve tremendous, complicated European difficulties developing over the centuries? If anyone should ask me to make a single suggestion in solving the problems of Europe, I should have to say that I know nothing about their problems and have nothing to offer. They have a hundred problems—in the Baltic, in the Balkans, in the Near East, in Russia, in France, and in the Iberian Peninsula—which no man could understand unless he studied for years. If we have any statesman who has the ability to offer anything to that torn and demoralized continent, pray God that leader will manifest his leadership right here!

Mr. LUNDEEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from California yield to the Senator from Minnesota?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. I do not believe the able Senator has communicated with our State Department. The officials in the State Department have all the problems of Europe solved. They know all about them. They have all the solutions all written down. They were behind the Kellogg-Briand Pact, the Nine Power Pact, the Versailles Treaty, and all that, all of which proved to be delusions and illusions. They were behind the idea that we should go to Europe and put an end to all war by fighting a great World War—imagine that! We were to put out the fires of war by pouring the gasoline of more war into that war, and that was going to end all war. How anyone could be so infantile as all that is unbelievable. We have here in this country those who have an idea they know all about Europe's troubles; they know just how to solve them; but we do not seem to be able to solve the problems of America right here under our own flag and standing on our own ground. They cannot solve those problems, but they know all about the Balkans and Europe and Asia and Africa. I agree with the statement of the able Senator.

Mr. DOWNEY. I thank the Senator from Minnesota, who since the war of 1917 has patriotically and nobly fought for the cause of isolation, who voted against our involvement in the last war, and whose people have since constantly rewarded him because of his foresighted statesmanship.

Mr. President, there is no chance of solving European difficulties until British statesmen are willing to integrate Europe economically. See the trap into which the British people have drawn themselves. As a result of a millennium of conflicts no European leader can trust the word or the treaty of another leader. If Great Britain should consent to an integrated Europe in which Russia and Germany, the Baltic, and the Balkan countries, and the Latin sections of that continent, France, Italy, Portugal, and Spain, combined their nations and their materials in some sort of cooperative commonwealth, Great Britain, by virtue of her own conduct, might justly expect that some power might be developed which would destroy her.

And in sympathy to the British, we may note that the English people are already in desperate position by virtue of economic forces apart from this war. Her leaders have a vital task in maintaining the British Empire even with peace. She is now involved, at the end of 1,000 years, in a supreme disaster for which she, most of all, is responsible, because she has become the greatest and ripest plum of them all.

I have no criticism or charge against the English people. I, myself, am entirely of British descent. I admire their men of letters and of science—Shakespeare, Newton, Osler, Tennyson,

and Browning. I venerate their symbols, such as the memory of Queen Victoria, and Westminster Abbey; but I will not allow myself, as a representative of the American people, to be lured into assisting bloated but still hungry empires by making our country the arsenal to produce explosives to blow other peoples to pieces.

The other day the Senator from Texas [Mr. CONNALLY] in the first part of his statement made a powerful presentation of the horrible situation of our arming other nations in time of peace. As for me, Mr. President, at the appropriate time I shall move to amend the joint resolution to forbid the exportation of war materials not only in time of war but likewise in time of peace.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUCAS. The Senator must admit that what the Senator from Texas said is true—that in time of peace we have armed, or helped to arm, at least all the belligerent nations which are fighting in Europe at the present time.

Mr. DOWNEY. No; if the Senator refers to Germany, the Senator is not correct. The amount of war material which has gone to Germany in the past few years—and I can obtain the figures for the Senator if he desires them—is negligible. Germany has armed herself from her own resources. Only a few million dollars worth of war material has come from the materials of the United States.

With respect to Japan, that statement is not true. We have built up a large war trade with Japan; but the export of our war materials to Germany in the past few years has been practically nothing. I have the figures in my office if the Senator desires to see them.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. DOWNEY. I yield.

Mr. LUCAS. Notwithstanding the statement made by the distinguished Senator, it is true that Germany had the opportunity of coming here and negotiating for the purchase of arms, ammunition, and implements of war in peacetime, and could have purchased just as much as her treasury could afford. That is true, is it not?

Mr. DOWNEY. That is true; yes. The Senator may well add that Germany, starting from scratch 4 or 5 years ago, by virtue of a power and energy probably heretofore unequaled in the world, has now made herself, perhaps not nearly equal to the Allied empires, but at least a formidable antagonist. The terrifying fact about the situation is that the leaders in Europe cannot trust the word of one another. Integrity in foreign relations is gone. When statesmen, either in internal or external affairs, cannot rely upon the treaties or obligations of other nations or other statesmen, then the nations are in a hopeless and confused position indeed.

Mr. NYE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. NYE. The point the Senator makes is correct. The situation is both horrible and terrifying. However, it seems to me there is an equally horrible, terrifying picture presenting itself to a world which is now concerned because of the great threat growing out of Germany. It is horrible and terrible to contemplate the fact that while Germany was rearming in utter violation of the Treaty of Versailles, British industrialists, French industrialists, and American industrialists were winking at the violation and virtually pleading for the opportunity to take whatever there was in the way of profit out of Germany's rearmament program.

The fact that we have all helped Germany to arm in violation of the Treaty of Versailles is sustained by the record. I may say at this point that a member of the Chamber of Deputies of France charged a great armament maker in France with having made a contribution to the political cause of Adolf Hitler at the time of his rise in Germany. I think the record should note those facts.

Mr. DOWNEY. Mr. President, I am grateful for the contribution of the Senator from North Dakota, who, by virtue of his long crusade for peace and isolation, speaks with a knowledge and experience that certainly I do not possess and that few men in America do possess. I know that what he says is true—that it has been the war profiteers of the world, including all Europe and Great Britain, and to a very minor extent ourselves, that have helped to arm Germany.

I hope that the distinguished Senator from Illinois will lend his great devotion and his great ability to the passage of a measure by the Congress that will take the American people out of this unholy, un-Christian, terrifying trade of arming other peoples to blow to pieces men, women, children, cities, and civilizations.

I hope that the Congress of the United States will not repeal the arms-embargo law and make America the arsenal, as the noted Senator from Michigan says, of the warring nations in Europe, but that we will extend the present limitation so as to prevent the manufacture and sale of instrumentalities of war to other nations in time of peace.

Mr. President, I recognize the necessity of America preparing for war. There have been only two kinds of nations in the world that have secured peace for themselves. One kind has been the nation prepared and strong to fight; the other has been the nation, like China or India or Egypt, willing to pay the price of peace by subjugation to foreign conquerors. Thus it is that those peoples who value peace more than they do their independence, the people of Africa, the people of China, of India are now under the heels of Great Britain and France. If we do not arm ourselves, if we are not prepared to meet military onslaught, of course we will become the prey of some foreign dictator. I pray God the American people have sufficient intelligence, while holding sternly to peace, to prepare the way for war if any nation undertakes an attack upon the Western Hemisphere.

Mr. President, a word or two further and I shall have concluded. Some few months ago a column was written by Bruce Catton, Evening News Washington correspondent, which I should like to read and have the American people read. I am, therefore, placing it in the CONGRESSIONAL RECORD because I think it points to the supreme necessity of peace here in America, and indicates the road along which we may travel to a greater and more splended destiny in the New World. This article is dated Washington, September 8, and reads:

No one who returns to Washington at this time, after a tour through the country, can fail to be impressed by the thought that it will be a tremendous tragedy and a colossal blunder if the leadership down here does not find some way of keeping America entirely out of the European war.

Any trip out into the Nation today is bound to give a thoughtful person two firm convictions—

I interpolate here to say, Mr. President, I wish that I had the literary ability to write this description of America and the American people. Though I could not have written it, at least it expresses the sentiments I have carried in my heart for many years, and I think it also expresses the sentiments of most of those who may hear it read or who may read it:

First. In spite of our unsolved problems, we still possess an empire whose riches are almost untapped, comparatively speaking.

Second. The human material the country has to work with is made up of as fine a set of folks as any nation could possibly ask for.

The sheer physical richness of the country fairly hammers on your eyes as you travel.

Your train flashes by great mining areas whose only fault is that they produce too richly. Your car winds through fertile lands whose one flaw is that they are too fertile. Your plane goes over an industrial empire which would be without a flaw if only it wasn't equipped to make more things than the country can handle right now.

LAND OF WEALTH

After you have looked at such things day after day you begin to understand as you never understood before how much our attention and our effort ought to be turned inward, not across the seas—and what a tremendous, lasting boom will get under way once we get the knack of making all of this richness work for us and not against us.

Then there are the people.

It isn't just a matter of their being friendly. There's a competence to them, an industry, an inborn desire to get on with one another, which sticks out even in a country which has to worry about strikes and relief labor and economic royalists.

ONE HUNDRED AND THIRTY MILLION "SWELL GUYS"

Those young marines on the train bound for the Camp Perry, Ohio, rifle matches . . . the stewardess on the air liner . . . the milk-strike

farmer in upper New York, lean and muscular . . . that Boston banker who joked about his own Yankee caution . . . the politician in Detroit who put his feet on his desk and talked about the piney lakes in upper Michigan . . . the North Carolina newspaper publisher who wasn't above inviting a comparative stranger to stay over a day and go deep-sea fishing.

They're pretty grand people, those, and the one-hundred-and-thirty-odd million like them.

We don't know our luck. We've got everything. Over in Europe the thunderheads are blotting out the sunset; maybe it's going to be war over there for a long while.

But we—we can miss it, we must miss it, we've got to miss it—because over here we're waiting for the dawn.

Thus spoke Bruce Catton in his column, and so speak I; and so, Mr. President, I think speaks the thunderous voice of the American people, telling our leaders to turn their thoughts and their concern away from Europe back to our people who have problems that need their attention, away from that holocaust of war and foreign problems we cannot hope to solve, to problems here in the Western Hemisphere that with proper energy and determination, with reasonable intelligence, we can solve.

Mr. President, we have in the United States today a mighty army of unemployed; we have our retired workers and our idle senior citizens whose numbers are increasing by the hundreds of thousands every year as technological improvements increase. We have millions upon millions of young people flowing into a jobless world from the high schools of America, young boys and girls, with the bloom of youth on their cheeks and high hope in their hearts, who are denied the chance to work at decent wages, to marry, and to found homes; all this in the wealthiest empire of all time. Yes, pray God that the exhortation of Mr. Catton will be obeyed, that we shall keep away from the hates and the horrors of European wars and devote ourselves to the problems and the relief of the American people.

I thank the Senate.

Mr. BARKLEY. Mr. President, I desire to ascertain if we can secure a unanimous-consent agreement.

On last Wednesday the Senator from New Hampshire [Mr. TOBEY] made a motion to recommit the pending joint resolution to the Committee on Foreign Relations; and, at my suggestion, an agreement was entered into that the motion would not be voted on earlier than today. That did not mean automatically that it would be voted on today, although any Senator may move to proceed to consider the motion; but I ask the Senator from New Hampshire [Mr. TOBEY] and the Senator from Oregon [Mr. MCNARY] if we may not at this time enter into an agreement to vote tomorrow, at a given hour, on the motion of the Senator from New Hampshire?

Mr. MCNARY. Mr. President, that matter may be possible of solution. I want it understood, however, that any agreement to which I consent would have to bear in mind a proper consideration of the Senator from New Hampshire. I am laboring under the apprehension that fixing an hour probably would not protect him. I think we might enter into an agreement to vote at or before 2 o'clock, the time to be equally divided between proponents and opponents of the motion submitted by the able Senator from New Hampshire.

Mr. BARKLEY. Mr. President, I do not anticipate that 2 hours will be occupied on the motion.

Mr. MCNARY. I do not, either.

Mr. BARKLEY. It might be occupied on the general subject. I had hoped that we could vote at 1 o'clock, and I thought if that hour were fixed the time would be sufficient. I am perfectly willing, however, to agree that an arrangement may be made by which the Senator from New Hampshire [Mr. TOBEY] may close the discussion on his own motion.

Mr. MCNARY. At or before 2 o'clock would mean at 1 o'clock or any time up to 2 o'clock.

Mr. BARKLEY. Yes. I have no objection to fixing the hour at or before 2 o'clock; that is, not later than 2 o'clock.

Mr. MCNARY. Yes; and the time to be equally divided.

Mr. BARKLEY. Does the Senator mean that the 2 hours shall be equally divided?

Mr. MCNARY. Oh, no.

Mr. BARKLEY. Or that the time devoted to discussing the motion shall be equally divided?

Mr. MCNARY. Exactly.

Mr. BARKLEY. I have no objection.

Mr. MCNARY. I am not sure that anyone save the Senator from New Hampshire [Mr. TOBEY] desires to discuss the motion. I am interested in his cause and that of those who desire to support his views.

Mr. BARKLEY. I have no desire in any way to shut off the Senator from New Hampshire.

Mr. MCNARY. With that suggestion, I suggest that the able Senator from Kentucky propose an agreement.

Mr. BARKLEY. I ask unanimous consent that not later than 2 o'clock p. m. on tomorrow the Senate proceed to vote on the motion made on last Wednesday by the Senator from New Hampshire [Mr. TOBEY] to recommit the joint resolution to the Committee on Foreign Relations, and that the time used in discussing the motion be equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. Will the Senator please inform me if there is any arrangement at the present time for the consumption of the remainder of the day's session?

Mr. BARKLEY. I do not know how long any Senator desires to speak; but my understanding is that the Senator from Connecticut [Mr. DANAHER] desired to follow the Senator from California. In the meantime, the Senator from Oklahoma [Mr. THOMAS] wishes to use a very few minutes in commenting on a motion suggested this morning by the Senator from Colorado [Mr. JOHNSON], that the Senate recess for 3 days at a time under certain circumstances. I do not think that speech will interfere very materially with the remarks of the Senator from Connecticut.

Mr. DANAHER. Not in any way. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement proposed by the Senator from Kentucky? The Chair hears none, and the agreement is entered into.

Mr. THOMAS of Oklahoma obtained the floor.

Mr. WAGNER. Mr. President, may I ask a question of the Senator from Kentucky?

Mr. THOMAS of Oklahoma. Without yielding the floor, I am glad to yield to the Senator from New York.

Mr. WAGNER. I merely wish to make an inquiry.

I hoped tomorrow, as early as I could secure the floor, to discuss, not at very great length, the pending measure. As I understand, the understanding reached here is that the time from 12 o'clock until 2 o'clock tomorrow will be devoted to the consideration and discussion of the motion of the Senator from New Hampshire.

Mr. BARKLEY. No; I will say to the Senator from New York that that is not the understanding. I have no idea that anything like 2 hours will be so consumed. As a matter of fact, I think probably the Senator from New Hampshire [Mr. TOBEY] will make a short address of 10 or 15 minutes; I feel that the Committee on Foreign Relations ought to have its position stated to the Senate in a very short speech; and, so far as I know, that is all there will be in the way of discussion of the motion. The agreement is that the time consumed in whatever discussion there may be of the motion shall be equally divided. I do not think the agreement will interfere very materially, if at all, with any Senator who wants to begin speaking at 12 and speak until 1 or 1:30 o'clock.

Mr. WAGNER. If it will be agreeable to whoever may then be presiding and to the Senate, I know that I shall not take more than 30 or 35 minutes; and yet I do not want to consume time which those who desire to discuss the motion of the Senator from New Hampshire wish to take.

Mr. BARKLEY. I will say to the Senator from New York that Senators realize how difficult it is to arrange a program in advance, as we started out to try to do. It had not been anticipated that the Senator from California [Mr. DOWNEY] would occupy as much time as he has, because he indicated that 2 hours was all that he would desire; and the Senator from Connecticut [Mr. DANAHER] expected to follow him. We

see what has happened. It is now quarter after 4. If the Senator from Connecticut should get the floor tonight he might not be able to conclude his remarks this evening and might have to go over until tomorrow. However, I am sure we shall have no difficulty.

Mr. WAGNER. I understand. I know it is difficult to make these arrangements ahead of time.

Mr. CONNALLY. Mr. President, will the Senator from Oklahoma yield to me?

Mr. THOMAS of Oklahoma. I yield to the Senator from Texas.

Mr. CONNALLY. Let me suggest to the Senator from New York that his purpose can be very well accomplished by serving notice now that at the conclusion of the vote tomorrow he expects to claim the floor.

Mr. WAGNER. I was going to do that, except, I may say to the Senator, that the general agreement here is that 2 hours will not be required to discuss the motion.

Mr. CONNALLY. I say, at the conclusion of the vote, whether it is 2 o'clock or earlier.

Mr. WAGNER. It would be better, if I could succeed in doing so, if I could obtain the floor at 12 o'clock tomorrow, the hour of meeting, because I am sure I shall not consume more than 35 minutes of the time of the Senate.

Mr. CONNALLY. The difficulty about that is, if I may say so to the Senator from New York, that the debate tomorrow preceding the vote probably will be confined to the Tobey motion. If the Senator should serve notice that at the conclusion of the vote he would then claim the floor, he could then proceed and address the Senate.

Mr. McNARY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Oregon?

Mr. THOMAS of Oklahoma. Without losing the floor, I yield to the Senator from Oregon.

Mr. McNARY. I only wish to make one observation, to which I call the attention of the able Senator from Texas [Mr. CONNALLY]. The rule is that giving notice does not preempt the floor for anyone.

Mr. WAGNER. I understand that. I make no such claim.

Mr. McNARY. I merely wanted to have that fact understood.

Mr. CONNALLY. If I may reply to the distinguished Senator from Oregon, I will say that the Senator from New York [Mr. WAGNER] has given notice that he will claim the floor. That does not mean that he will get it.

Mr. McNARY. That is all right. I have no objection to the able Senator from New York having the floor when he wants it. I merely do not want it to be understood that any Senator who says he is going to speak at a certain time is necessarily going to have that privilege.

Mr. CONNALLY. If he can obtain recognition, he will have that privilege. All he can do is to serve notice that he will speak if the Chair recognizes him. If the Chair does not recognize him, he is pretty sure not to speak.

Mr. McNARY. That is correct.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Nevada?

Mr. THOMAS of Oklahoma. I yield to the Senator from Nevada.

Mr. PITTMAN. Let me make a statement with regard to the proposed speech of the Senator from New York [Mr. WAGNER]. I spoke to the minority leader with regard to the speech of the Senator from New York, and that Senator has been postponing it by reason of other speeches taking up more time than we expected. I think it has been known right along that the Senator from New York was ready to go on with a short speech; so I think we ought to try to accommodate him.

Mr. JOHNSON of California. Mr. President, I am always glad to hear the Senator from New York. I listened to him over the radio the other night, and I should like to hear the same speech again.

Mr. WAGNER. This is another one.

Mr. JOHNSON of California. Oh, another one? Well, I should like to hear the other one, then.

There has been some understanding, however, that the Senator from Missouri [Mr. CLARK] would speak tomorrow. That matter probably can be ironed out between the Senators, because the Senator from New York will be courteous in the matter, and the Senator from Missouri likewise so; but I wanted to speak of the matter because the Senator from Missouri has been referred to and has agreed to go on tomorrow. My only idea is to have a sequential debate in the Senate, so that we shall not have to wait for Senators to be ready. The Senator from Missouri is ready to go ahead and debate this question, and I understand that is also true of the Senator from New York.

Mr. WAGNER. I will say to the Senator from California that I have been ready for several days. I am sorry I brought up the subject, because I do not attach any very great importance to what I may say. I know that I shall not be able to make any very substantial contribution to the debate, but I do want to state my views.

Mr. JOHNSON of California. Of course.

Mr. WAGNER. What I wanted to do was to act in such a way as not to interfere with the discussion of the motion made by the Senator from New Hampshire [Mr. TOBEY]. I was going to try to guide myself accordingly; that was all. I wanted to try to be courteous, but I do not want to be regarded as considering that it is very important whether I speak or not.

Mr. JOHNSON of California. The only reason why I am speaking of the matter is so that the courtesy of which the Senator from New York speaks may be observed by us all.

Mr. WAGNER. Yes.

Mr. JOHNSON of California. The Senator from Missouri is ready to speak, and expected to go on tomorrow without fail. We shall not interfere with the motion of the Senator from New Hampshire by fixing the time at 2 o'clock.

Mr. WAGNER. If I may say so, I was prepared today; but I was not in a position to deliver the address because of the very able address delivered by the Senator from California [Mr. DOWNEY]. I shall just have to bide my time; but I understood that I was to speak, and that the Senator from Missouri [Mr. CLARK] was to follow me. My remarks will be rather brief, and I am sure I shall not trespass on the time of any other Senator.

Mr. JOHNSON of California. Every one of us is going to be brief.

Mr. WAGNER. It is difficult to make any arrangement in advance. I know that every Senator has the same rights here, and I am not seeking any unusual courtesies at all.

Mr. THOMAS of Oklahoma. Mr. President, I do not desire to break off this informal discussion. Without losing the floor, I am glad to yield.

The PRESIDING OFFICER. The Senator from Oklahoma asks that he may yield further without losing the floor. Is there objection? The Chair hears none, and the Senator from Oklahoma may yield.

Mr. JOHNSON of California. Mr. President, we all are brief. That goes without question. The Senate of the United States, when it starts in to debate a question, is always brief. We have demonstrated that in the past, and we will demonstrate it again in the future. I do not want the Senator from New York, in the absence of the Senator from Missouri, to have him precluded from his right to deliver his address tomorrow. I am very anxious indeed to hear him; equally anxious, of course, to hear the Senator from New York; and inasmuch as he tells me his speech will be different from that he delivered over the radio, I shall be more anxious to hear it. Let this question be taken up by the Senator from New York and the Senator from Missouri, and let them determine the situation.

Mr. THOMAS of Oklahoma. I promised to yield to the Senator from New Hampshire.

Mr. TOBEY. Mr. President, in view of the fact that my motion will be voted on tomorrow at 2 o'clock, I ask unanimous consent to insert in the RECORD at this point certain

editorials bearing upon the subject of the motion, and in favor of the motion.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

[From the Boston Globe of October 6, 1939]

NEUTRALITY AND OUR MARINE

The proposal offered the Senate by Senator CHARLES W. TOBEY, of New Hampshire that the cash-and-carry features of the pending Neutrality Act be speeded to a vote, and that the question of retention or repeal of the arms embargo be acted upon thereafter has much sound sense to commend it, though considerations of strategy have already marshaled the administration leaders in opposition to this procedure.

There is at the moment a fairly unanimous agreement that if the thesis of the whole neutrality bill is desirable and acceptable, then wisdom should counsel such immediate steps to apply that thesis as general agreement makes possible. To enact those portions of the law over which there is little dispute now certainly might narrow the dimensions of the struggle about the arms-embargo problem itself.

It should be pointed out, however, that the implications of cash and carry will speedily confront this Nation with testimony as to the costs of neutrality. These provisions deal a severe blow to our merchant marine, a great proportion of which will have to be tied up in port once the proposed neutrality law begins to operate and outgoing cargoes, destined for any part of the French or British Empires or for the active war zones—like the Baltic—are restricted to foreign-owned bottoms.

Neutrality, no less than war, means losses to this Nation. By overwhelming majority preference we would rather shoulder the bills for the former than the greater loss and suffering certain to accompany the latter. Even Government subsidies to shipping lines to offset losses during the war abroad will fail to prevent the damage represented by loss of place in maritime activities to our international competitors in the world's carrying trade.

To face these facts while considering neutrality legislation is to fortify determination with a sound sense of practical realities.

[From the Boston Transcript of October 7, 1939]

PROCESSING THE NEWS—WHILE CONGRESS CONTINUES DEBATE, DANGER STAYS; BLIVEN SAYS QUESTION SHOULD BE SPLIT INTO TWO BILLS

(By Bruce Bliven)

I submit that compared with such tremendous changes in our foreign policy, the question whether we shall add arms and ammunition to the other types of war supplies we are now selling to England and France is of comparatively little importance.

THE DANGER

What is important is that, in the interest of peace, we should put an end at once to the dangerous situation that now prevails. At this moment American ships wih American crews are sailing the Atlantic carrying cargoes that both sides have ruled to be contraband.

Any date some of these ships may be sunk and American citizens killed. If that happens, keeping out of war will suddenly become far more difficult.

The debate in Congress over repeal of the arms embargo seems likely to continue for another month, perhaps even longer. Every hour of that time increases our danger.

Under these circumstances there is no reason why the question should not be split up into two bills. Pass cash and carry, on which everyone is agreed, at once. Get American ships and sailors out of danger. Then go on debating the matter of repealing the arms embargo to your heart's content.

Any Member of Congress who is unwilling to indorse this procedure is willing to gamble with American lives and with the danger of our being dragged into war.

[From the Cincinnati Times-Star of October 7, 1939]

THE TOBEY MOTION

Administration leaders in Washington are trying to beat the proposal of Senator TOBEY, of New Hampshire, to consider cash and carry and the keeping of American ships out of belligerent zones at once, while leaving abandonment of the embargo on arms and munitions for slower consideration.

The idea of the administration group, of course, is that the proposal for keeping American ships out of the war zones will help carry repeal of the embargo and that the two plans are much more apt to go over together than one of them would be if considered separately.

The Tobey proposal seems to us to be based upon sound common sense. It would be a reasonable thing for Congress to adopt it even if it plans to repeal the embargo later on.

It is not impossible that Germany would strike back at our repeal of the embargo by starting to sink our ships in belligerent zones. If Congress prohibited American ships from sailing into those zones, belligerent waters would be cleared of our shipping in a month or so. After that, if Congress and the country wanted to get rid of the embargo, that could be done with less chance of sea tragedies that might force us toward war.

In the national interest, the Senate might well accept the Tobey motion Monday, and pass on the embargo repeal on its merits later on.

[From the Detroit News of October 6, 1939]

ONE AT A TIME

The proposal that Congress should immediately consider the cash-and-carry part of the Neutrality Act and hold repeal of the arms-embargo section for further discussion, has much to recommend it.

Since the two phases of the question are opposed or supported by different lines of argument, clarity of thinking should be helped by separating them.

Just one motive is back of the cash-and-carry proposition: It reasons that if American ships are forbidden to carry goods to countries at war, there will be less danger of their becoming submarine targets and providing incidents which may drag us into war. Cash and carry means requiring nations wanting our goods to come and get them and pay for them. Money transactions and sinking of American ships figured in getting us into the other war.

Quite different is the maze of arguments about the proposed arms embargo. The backing of the administration for repeal gives it a political angle. A part of big business has the incentive of profits. Those who take sides in the European row say that lifting the embargo will help Britain and France. The discussion of this proposal is likely to be long and involved.

It was Senator CHARLES W. TOBEY, of New Hampshire, who pointed out that while Congress debates, American ships may be sunk and American lives lost and the cry be raised that we must join in the war. Plainly that result would be contrary to the wishes of the great majority of the American people.

"So," says Senator TOBEY, "let's have the cash-and-carry proposal settled." (It is said that a majority in Congress would forbid American shipping transporting supplies to warring countries. It probably would aid Congress to discuss with singleness of purpose if the two parts of the Neutrality Act were considered separately.)

[From the Rochester (N. Y.) Times-Union of October 6, 1939]

CONGRESS SHOULD DO IT

The Times-Union has contended from the start that more urgent than decision on the arms embargo is adoption of cash and carry for all trade with belligerents. Now comes the proposal of Senator CHARLEY W. TOBEY, Republican, New Hampshire, that cash and carry be incorporated in a separate bill and passed at once. This is precisely what this newspaper has advocated.

Every voter should let his representative in Washington know at once that they wish this done.

Unfortunately, the impression is widespread that cash and carry is an alternative to retaining the embargo on arms. It is nothing of the kind. Trade with belligerents in goods other than arms and munitions is now legal. And every day that this is permitted without regulations there lurks danger to American shipping with attendant danger of serious consequences to peace.

Senator TOBEY rightly argues that such cash-and-carry provisions should be enacted immediately to avoid American ships being sunk, as they were prior to United States entry into the World War.

Representative WADSWORTH, a Republican who favors repeal, also backs the cash-and-carry plan for shipments to belligerents, terming it the "sensible" course. Senator PITTMAN, administration spokesman, stressed the importance of the title transfer and cash-and-carry provisions of the pending bill. It is to be hoped that they can be made to see that the enactment into law is urgent and should take precedence over debate on the arms embargo.

Otherwise, the bill may be before the Senate for a considerable time before a final vote is reached. The highly controversial proposal for repeal of the arms embargo merits and will evidently receive prolonged and careful consideration.

It is reported administration Senators are opposed to splitting the bill. They think it will be easier to get the bill passed with the arms-embargo repeal included if the admittedly desirable restrictions on shipments of all goods to belligerents remain part and parcel of the measure.

Such political tactics neglect the main objective of all neutrality legislation—to keep us out of war. That objective, that essential and all-important aim, requires swift action in the field where danger is most pressing.

Secretary Hull has urged owners of American cargo ships to keep them out of danger zones. But he admits this warning has no force of law behind it.

Our policy in this vital matter should not depend, even temporarily, upon executive fiat. That's not the proper method of constitutional, democratic government.

Congress should recognize the need of action and promptly embody in law these vital cash-and-carry restrictions.

[From the Mobile Register of October 6, 1939]

TITLE-AND-CARRY PROPOSAL SHOULD BE CONSIDERED BEFORE EMBARGO ACT

The Senate, in its avowed desire to minimize the danger of American involvement in the European war, will act inconsistently if it fails to heed Senator TOBEY'S recommendation for enactment of laws to keep United States ships out of war zones before the arms-embargo issue is debated.

Such questions as repeal of the embargo and substitution of a title-and-carry plan may occupy the Senate for many weeks before a decision is reached. Meanwhile American ships will continue their voyages to belligerents and increase the possibility of complications that might again lead this Nation to war in Europe.

After the Senate has eliminated this threat to American neutrality, it could then decide to what other extent the law should be revised.

Senator TOBEY's suggestion also was timely. It was made the same day that Secretary of State Hull urged American merchant vessels to remain clear of European danger zones because of the probability that warfare on shipping would be intensified.

With such an increase of belligerent maritime activities, it becomes equally essential for United States ships to stay out of the danger zones. This can first be done by enactment of the title-and-carry proposal, which prohibits American ships from transporting any article of commerce to belligerents. Such a law would be vastly broader than the present statute, which only bans shipments of arms, munitions, and implements of war. Senator BORAH and other strict isolationists have been unable to refute this fact, or at least we have heard no logical arguments as to why the title-and-carry plan would not greater reduce the dangers of United States involvement than the mere embargo of munitions and manufactured arms and implements of war.

A title-and-carry law could be immediately enacted without repealing the embargo on arms, munitions, and war implements, and the embargo could either be retained or made subject to limitations of the proposed new law. This last, of course, would depend on the moral question of whether this Nation wishes to sell lethal weapons to those belligerents that can send for them in their own vessels.

Judging by Senator PITTMAN's stand on the question, the administration wishes to remove the embargo in conjunction with enactment of the title-and-carry proposal. That has been the administration's stand since Mr. Roosevelt and Secretary Hull first began attempts to revise the neutrality law, and obviously it does not desire to deviate from its chartered course.

But on the other hand, the administration will shift from the neutrality propcsal's original purpose if it fails to enact the title-and-carry plan as soon as possible. The measure would aid Britain and France over Germany, but one must never lose sight of its real intent—to keep United States ships, American-owned commodities, and American citizens out of European war zones.

[From Worcester (Mass.) Evening Gazette of October 6, 1939]

A SENSIBLE PROPOSAL

At least one glimmer of common sense has been injected into the neutrality debate. Senator CHARLES W. TOBEY, of New Hampshire, has asked for a vote on his proposal to split the present bill into two parts, and he will get his vote on Monday.

His plan is to have the Foreign Relations Committee report the bill, substantially as it now stands, with the embargo clauses left in it, and then report another bill for the repeal of the embargo.

While this plan seems to be favored by certain supporters of the embargo, it is calculated to separate that issue from the essential question of keeping this country out of war. With the cash-and-carry provision enacted, the present danger of our getting involved is removed.

And when that is accomplished it is difficult to see what talking point is left for the friends of the embargo. It is true that Senator VANDENBERG wants both the cash and carry and the embargo. But that stand apparently indicates merely that he has made the belated discovery that we have today no legislation designed to keep us out of this war, and won't have any such legislation unless we adopt a cash-and-carry policy.

Once we make that policy effective, the public can be made to realize that talk about the danger of removing the arms embargo is merely an emotional exercise.

[From the Philadelphia Inquirer of October 6, 1939]

NATION UNITED ON KEEPING OUT OF WAR

This country's neutrality problem, stripped of all confusing details and trimmings, gets down to one solemn resolution:

The United States must not become involved in Europe's war.

As the Senators debate the mechanics of neutrality, many of them highly controversial, it becomes clearer than ever before that the American people are less interested in how this Nation keeps out than in the simple, unchangeable determination that it must keep out. All else is secondary.

When men talk together on their way to work, or when family and neighborhood groups foregather in the evening, it is rare that any unanimity of opinion develops as to the means and methods upon which America can rely to avoid embroilment abroad.

But there is seldom any difference of opinion on the fundamental issue: We must keep out!

"We ought to repeal the arms embargo, then we'll be in the clear."

"Baloney. We'll get into the war if we don't let the embargo stand."

"But if we repeal the embargo and clamp on cash and carry we can't get into the war."

"What do you mean, cash and carry? That 90-day provision makes it credit and carry and credit to belligerents means that sooner or later we'll have to get in to try to collect. Remember last time?"

"Well, anyhow, we've got to stay out."

"Absolutely. We've got to stay out."

But these arguments, however warm, concerning procedure for keeping the United States out of Europe's war are in themselves strongly reassuring. It is far better for our people to be divided on how not to get into war than on whether to jump in or not to jump in, to make the world safe for democracy—again.

Senators PITTMAN and CONNALLY have presented impressive reasons why the arms embargo should be lifted. Senators BORAH and VANDENBERG have produced arguments, appealing to many persons, on why it should not be lifted.

But this much is already clearly evident: The neutrality bill as it was introduced in Congress is not a complete and finished product. It is only a working model and is subject to many and drastic changes. This is as it should be, under America's democratic system.

What we are seeing and hearing in the Senate now is a heartening demonstration of representative government at work. Were the members of the German Reichstag permitted to debate a proposal for the invasion of Poland? Did the Russian Parliament have a chance to argue Stalin's shift to an imperialistic policy? Not by a long shot.

The arms embargo is the nub of our neutrality bill, but the cash-and-carry provision is just as important in its relation to keeping us out of the mess overseas.

If the pay-in-90-days clause means credit to belligerents, and that seems to be what it sums up to, it should be stricken from the measure. Europe still owes is $13,000,000,000, or more, for the last war. We don't want any more war debts. The country simpy won't stand for them.

On the other hand, if the "carry" part of cash and carry threatens injustice to our ship companies, modifications should be studied to remove the inequity.

But it should be clearly understood by the Senators and Representatives that, on the basis of our former experience, the blundering of our ships into war zones is a sure way to become involved in other nations' wars.

Since our people are irrevocably and wholeheartedly determined not to allow America to become involved in this war, it is up to Congress to enact a bill that will keep our ships away from Hitler's submarines or from any other wartime menace on the high seas. American ships and American citizens alike should be barred by law from risking war-entangling incidents in danger zones.

But there are various provisions of the neutrality measure which are contested neither by the Senators favoring repeal of the arms embargo nor by those opposing it, provisions which are supported both by those who defend the mischievous 90-day clause and by those who are fighting it.

Would it be feasible to separate the neutrality bill, holding up the more controversial provisions for further study and enacting the less complex features—including cash and carry to keep our ships out of combat areas—without possibly dangerous delay?

It might pay the Senators to give consideration to the proposal of Senator TOBEY, New Hampshire Republican, backed by Senator NYE, to speed enactment of cash and carry pending more extended discussion of the arms-embargo repeal.

If this procedure will help protect us from being dragged into Europe's war, let us try it.

There is no sure-fire legislative formula to guarantee our neutrality. But the average citizen looks to Congress to enact all the safeguards it can as quickly as possible. The country is resolved to stay out of war. It is up to Congress to translate that resolution into ironclad law.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. THOMAS of Oklahoma. I yield to the Senator.

Mr. LODGE. Inasmuch as Senators are giving notice of their desire to speak, I should like to say that I am ready to speak, and I had my name inscribed on the list on the Vice President's desk. But of course I shall be glad to suit the convenience of Senators who are senior to me. However, I wanted the leadership to be aware of the fact that I should like to proceed sometime soon.

Mr. THOMAS of Oklahoma. Mr. President, early in the session today the junior Senator from Colorado [Mr. JOHNSON] served notice on the Senate that at the earliest possible moment he would move that the Senate adjourn for the longest time possible under the Constitution without the consent of the other House, namely, for 3 days. It is understood that that motion, if and when made, will be predicated upon the proposition that if carried it will be a sort of pseudo instruction to the President to proceed to intervene in the present war between a number of the nations of Europe. That proposal seems to have some support in the Senate.

I exhibit to the Senate a copy of the Sunday Washington Star of October 8. On the front page appear in large headlines the following words:

Sentiment develops in Senate for peace move by Roosevelt.

Under a headline, The War Situation, I find the following statement:

Sentiment was developing in the Senate for President Roosevelt to step into the rôle of Europe's peacemaker as the result of discussion of German Chancellor Hitler's peace proposal.

A little further on I read this paragraph:

German peace hopes were buoyant, with Hitler represented as confident his proposals will bear fruit and Nazis adopting the slogan, "out of the Siegfried line by Christmas." The Fuehrer would accept an immediate armistice, it was said in Berlin, if it were proposed by President Roosevelt or some other big neutral statesman.

Mr. President, if the motion is made to adjourn for 3 days with the purpose in view as implied, I shall vote against such a motion. A motion of that character, if made, would not be debatable, so in order that I may make my position clear, I have sought this opportunity to occupy a few minutes of the time of the Senate in stating the reasons for my opposition to such a motion.

Only a day or two ago the newspapers of the country carried an article signed by David Lloyd George. It was printed in the Sunday Washington Star—that is, the Star of October 8—yesterday, and I desire to read one or two paragraphs from it. Under the subhead "Hitler Agreeable to Conference," Mr. Lloyd George stated:

Why not propose a conference of the leading powers of the world to review the whole situation? Hitler seems agreeable to that idea. Russia could hardly refuse to agree, inasmuch as she was the first to propose it some months ago. Our objection to it then was simply on the grounds that it was premature. All parties could enter into such a conference without prejudice to the attitude they have adopted on the questions in dispute.

It is essential that America should be induced, if possible, to take part in such a congress. She is the only completely disinterested power. The fact that the United States of America has consistently refused to get mixed up in the controversies that have led to this war will give her a position of incalculable value in helping the warring powers to come to a fair decision on the issues which have been raised. If the President of the American Republic were to summon such a conference, it would be impossible for any of the belligerents to reject such an invitation without laying themselves open to the condemnation of all the neutral powers of the world.

Only recently another great English publicist, an Irish philosopher by the name of George Bernard Shaw, prepared and had printed in numerous papers throughout America, and I presume throughout the world, an article under the following big headlines:

WAR IS OVER, SHAW DECIDES

In the following special article written for the New Statesman, a London weekly, Shaw declared that "the war is over" and that Hitler, as well as the Allies, have been outmaneuvered by Stalin.

From the article, dated London, October 6, I read as follows:

The war is over.

Every person in the country capable of seeing three moves ahead in the game of military chess has known this from the moment when the first Russian soldier stepped across the Polish frontier.

I read further from the article by George Bernard Shaw. He says in one place:

United States neutrality was pro-British.

If America is pro-British, America is not a neutral Nation. Mr. Shaw says further:

America's neutrality was pro-British, just as our nonintervention policy in the Spanish civil war was pro-Franco.

Further on Mr. Shaw says the following:

But we are told that if we don't send Hitler to St. Helena he will proceed to annex Switzerland, Holland, Belgium, England, Scotland, Ireland, Australia, New Zealand, Canada, Africa, and finally the entire universe, and Stalin would help him.

Mr. President, yesterday in the New York Times I find some information which should go into the RECORD. I find an article written by Mr. Edwin L. James printed in yesterday's New York Times. This article is under the headline "Stalin the big winner in war's first month. After getting slice of Poland without fighting, Russia fast taking Baltic states under the 'Red Wing.'"

The first sentence in the article is as follows:

When Hitler addressed the Reichstag Friday he told in glowing terms of the great victory Germany had won in the first month of the war.

I read again from this article:

The Fuehrer has asked for mediation looking toward a peace which will let him keep what he has grabbed. It is said in Berlin that an important neutral nation might well come forward with a proposal for an armistice. That seems to mean Russia, Italy, or the United States. Italy shows no desire to interfere. It would be quite useless for Russia to make any proposals to London or Paris. That leaves the United States.

Mr. President, at this point I wish to catalog very briefly the steps which the German Nation has taken in the last 6 years—and when I say "German Nation," I mean one individual who now rules in Germany. I get this information from the New York Times of yesterday. There will be found in section 4, page e, a map showing the expansion of the German Empire since Mr. Hitler came to power, and on this map we find a catalog of the steps Mr. Hitler has taken since he assumed the reins in that area.

First, on January 30, 1933, Mr. Hitler became the Chancellor of Germany.

The second step was on October 21, 1933. Mr. Hitler obviously had the German Nation resign from the League of Nations. That was the first step he took after he became ruler of the German Empire.

The next step he took was to stage a blood purge, on January 30, 1934. That applied to eastern Europe.

Number 4, he took over the Saar on January 13, 1935.

As his fifth step he tore up the military provisions of the Treaty of Versailles. That was on March 16, 1935.

The next step he took was on March 7, 1936, when he sent a German army into the Rhineland.

As his seventh step he went to the aid of General Franco in the Spanish Civil War. That was in July 1936.

The eighth step he took was to form the Berlin-Rome axis on October 24, 1936.

Ninth, he seized Austria, on March 12, 1938.

The tenth step he took was to take the Sudetenland, on October 1, 1938.

His eleventh step was to break up Czechoslovakia, on March 14, 1939.

The twelfth step he took was to take Memel, on March 22, 1939.

His thirteenth step was to sign a nonaggression agreement with Russia, on August 23, 1939.

The fourteenth step he took was to conquer Poland, during the month of September 1939. And in connection with that step of conquering Poland he has agreed with Russia upon a division of Poland.

The fifteenth and the last step he took was to challenge the Allies on peace or war, and that was done on October 6 in his famous speech made in a radio address to the world.

Mr. President, in connection with the several steps taken by the German "emperor," or "czar," or "kaiser," or whatever one may desire to call him—it all means the same—should we interfere, what shall be our purpose, what shall be our policy, what position shall we taken on the several issues now pending for adjustment? The United States as a nation has not been silent. We have made no less than five major proposals and efforts to preserve the peace of the world. The President, acting for the American Republic, made a proposal on April 14. This proposal for peace was made direct to the German "emperor." The German "emperor" answered that proposal in a bitter speech to the world in rejecting the proposal made to him by the President of the United States. In order that the RECORD may be complete I ask unanimous consent to print at this point in the RECORD a copy of the letter written by the President of the United States to "His Excellency Adolf Hitler." I will say that a copy of this address is to be found in

the Appendix of the CONGRESSIONAL RECORD, volume 84, pages 1482 and 1483, but in order that it may appear at this point I ask permission again to insert it in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

THE WHITE HOUSE,
April 14, 1939.

His Excellency ADOLF HITLER,
Chancelor of the German Reich,
Berlin, Germany:

You realize I am sure that throughout the world hundreds of millions of human beings are living today in constant fear of a new war or even a series of wars.

The existence of this fear—and the possibility of such a conflict—is of definite concern to the people of the United States for whom I speak, as it must also be to the peoples of the other nations of the entire Western Hemisphere. All of them know that any major war, even if it were to be confined to other continents, must bear heavily on them during its continuance and also for generations to come.

Because of the fact that after the acute tension in which the world has been living during the past few weeks there would seem to be at least a momentary relaxation—because no troops are at this moment on the march—this may be an opportune moment for me to send you this message.

On a previous occasion I have addressed you in behalf of the settlement of political, economic, and social problems by peaceful methods and without resort to arms.

But the tide of events seems to have reverted to the threat of arms. If such threats continue, it seems inevitable that much of the world must become involved in common ruin. All the world—victor nations, vanquished nations, and neutral nations—will suffer. I refuse to believe that the world is, of necessity, such a prisoner of destiny. On the contrary, it is clear that the leaders of great nations have it in their power to liberate their peoples from the disaster that impends. It is equally clear that in their own minds and in their own hearts the peoples themselves desire that their fears be ended.

It is, however, unfortunately necessary to take cognizance of recent facts.

Three nations in Europe and one in Africa have seen their independent existence terminated. A vast territory in another independent nation of the Far East has been occupied by a neighboring state. Reports, which we trust are not true, insist that further acts of aggression are contemplated against still other independent naions. Plainly, the world is moving toward the moment when this situation must end in catastrophe unless a more rational way of guiding events is found.

You have repeatedly asserted that you and the German people have no desire for war. If this is true, there need be no war.

Nothing can persuade the peoples of the earth that any governing power has any right or need to inflict the consequences of war on its own or any other people save in the cause of self-evident home defense.

In making this statement we as Americans speak not through selfishness or fear or weakness. If we speak now it is with the voice of strength and with friendship for mankind. It is still clear to me that international problems can be solved at the council table.

It is therefore no answer to the plea for peaceful discussion for one side to plead that unless they receive assurances beforehand that the verdict will be theirs they will not lay aside their arms. In conference rooms, as in courts, it is necessary that both sides enter upon the discussion in good faith, assuming that substantial justice will accrue to both; and it is customary and necessary that they leave their arms outside the room where they confer.

I am convinced that the cause of world peace would be greatly advanced if the nations of the world were to obtain a frank statement relating to the present and future policy of governments.

Because the United States, as one of the nations of the Western Hemisphere, is not involved in the immediate controversies which have arisen in Europe, I trust that you may be willing to make such a statement of policy to me as the head of a nation far removed from Europe in order that I, acting only with the responsibility and obligation of a friendly intermediary, may communicate such declaration to other nations now apprehensive as to the course which the policy of your Government may take.

Are you willing to give assurance that your armed forces will not attack or invade the territory or possessions of the following independent nations: Finland, Estonia, Latvia, Lithuania, Sweden, Norway, Denmark, the Netherlands, Belgium, Great Britain and Ireland, France, Portugal, Spain, Switzerland, Liechtenstein, Luxemburg, Poland, Hungary, Rumania, Yugoslavia, Russia, Bulgaria, Greece, Turkey, Iraq, the Arabias, Syria, Palestine, Egypt, and Iran?

Such an assurance clearly must apply not only to the present day but also to a future sufficiently long to give every opportunity to work by peaceful methods for a more permanent peace. I therefore suggest that you construe the word "future" to apply to a minimum period of assured nonaggression—10 years at the least—a quarter of a century, if we dare look that far ahead.

If such assurance is given by your Government, I will immediately transmit it to the governments of the nations I have named, and I will simultaneously inquire whether, as I am reasonably sure, each of the nations enumerated above will in turn give like assurance for transmission to you.

Reciprocal assurances such as I have outlined will bring to the world an immediate measure of relief.

I propose that if it is given, two essential problems shall promptly be discussed in the resulting peaceful surroundings, and in those discussions the Government of the United States will gladly take part.

The discussions which I have in mind relate to the most effective and immediate manner through which the peoples of the world can obtain progressive relief from the crushing burden of armament which is each day bringing them more closely to the brink of economic disaster. Simultaneously the Government of the United States would be prepared to take part in discussions looking toward the most practical manner of opening up avenues of international trade to the end that every nation of the earth may be enabled to buy and sell on equal terms in the world market as well as to possess assurance of obtaining the materials and products of peaceful economic life.

At the same time, those governments other than the United States which are directly interested could undertake such political discussions as they may consider necessary or desirable.

We recognize complex world problems which affect all humanity but we know that study and discussion of them must be held in an atmosphere of peace. Such an atmosphere of peace cannot exist if negotiations are overshadowed by the threat of force or by the fear of war.

I think you will not misunderstand the spirit of frankness in which I send you this message. Heads of great governments in this hour are literally responsible for the fate of humanity in the coming years. They cannot fail to hear the prayers of their peoples to be protected from the foreseeable chaos of war. History will hold them accountable for the lives and the happiness of all—even unto the least.

I hope that your answer will make it possible for humanity to lose fear and regain security for many years to come.

A similar message is being addressed to the Chief of the Italian Government.

FRANKLIN D. ROOSEVELT.

Mr. THOMAS of Oklahoma. Mr. President, the President of the United States made another appeal to the German "emperor." This appeal was made on August 24 last. The appeal was not made direct to Mr. Hitler. It was made to him indirectly through the King of Italy. I think this appeal is also in the CONGRESSIONAL RECORD, but in order that it may be in the RECORD at this point I ask unanimous consent that a copy of the appeal of August 24 by Mr. Roosevelt be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message is as follows:

Again a crisis in world affairs makes clear the responsibility of heads of nations for the fate of their own people and, indeed, of humanity itself. It is because of traditional accord between Italy and the United States and the ties of consanguinity between millions of our citizens that I feel that I can address Your Majesty in behalf of the maintenance of world peace.

It is my belief and that of the American people that Your Majesty and Your Majesty's Government can greatly influence the averting of an outbreak of war. Any general war would cause to suffer all nations, whether belligerent or neutral, whether victors or vanquished, and would clearly bring devastation to the peoples and perhaps to the governments of some nations most directly concerned.

The friends of the Italian people, and among them the American people, could only regard with grief the destruction of great achievements which European nations and the Italian nation in particular have attained during the past generation.

We in America, having welded a homogeneous nation out of many nationalities, often find it difficult to visualize the animosities which so often have created crises among nations of Europe which are smaller than ours in population and in territory, but we accept the fact that these nations have an absolute right to maintain their national independence if they so desire. If that be sound doctrine, then it must apply to the weaker nations as well as to the stronger.

Acceptance of this means peace, because fear of aggression ends. The alternative, which means of necessity efforts by the strong to dominate the weak, will lead not only to war but to long future years of aggression on the part of victors and to rebellion on the part of the vanquished. So history teaches us.

On April 14 last I suggested in essence an understanding that no armed forces should attack or invade the territory of any other independent nation, and that this being assured, discussions be undertaken to seek progressive relief from the burden of armaments and to open avenues of international trade, including sources of raw materials necessary to the peaceful economic life of each nation.

I said that in these discussions the United States would gladly take part. And such peaceful conversions would make it wholly possible for governments other than the United States to enter

into peaceful discussions of political or territorial problems in which they were directly concerned.

Were it possible for Your Majesty's Government to formulate proposals for a pacific solution of the present crisis along these lines, you are assured of the earnest sympathy of the United States.

The Governments of Italy and the United States today advance those ideals of Christianity which of late seems so often to have been obscured.

The unheard voices of countless millions of human beings ask that they shall not be vainly sacrificed again.

Mr. THOMAS of Oklahoma. Mr. President, this Nation has not been silent; this Nation has not been inactive. A plea for peace made by the United States was not even dignified by a reply. Before a vote comes on the motion to adjourn, in order that our President again may be importuned and beseeched and requested to intervene in this world catastrophe, I desire, as I said, to state my reasons for my vote, which on this motion when, and if made, will be "no."

Mr. President, it has been said that war is the normal state of Europe.

Whether or not that statement is justified, history shows that practically every foot of European soil through war has been drenched with human blood.

Whatever the motive, some of the countries of the eastern world seem to use the blood and flesh and bones of their sons, and, too often, of the mothers and children to fertilize the soil of their war-swept and devastated lands.

I regret that history shows that our own beloved country has made contributions to some of the war scenes of the madmen of the Eastern Hemisphere.

But we need not do that again. We are not obligated to either adjust or act as an arbiter in the adjustment of the partition fences in the backyards of either Europe or of any other nation on earth.

The United States is made up of peace-loving people.

We covet the land of no other nation. Our national policy is not one of imperialism. Had it been so, Cuba would today be basking under the waves of the Stars and Stripes. The Philippines would still be governed by the Congress of the United States.

Just as soon as any of our Territories are ready for self-government they will either be admitted to the sisterhood of States or they will be granted the right and opportunity of forming a government according to specifications of their own making.

The people of our country have already passed upon these propositions.

We had our choice of becoming entangled in the internal affairs of Europe and the world, but the people chose to keep out of the League of Nations.

We later had our chance a second time of becoming involved in European entanglements, and a second time our people chose to keep out of the World Court.

Now, a nation which withdrew from the League, by suggestion at least, seems to desire that our country, acting through our President, intervene by suggesting an armistice and such armistice to be followed by a so-called peace conference.

What would be the result of such a movement?

The answer no one can possibly foretell. The issue changes from day to day.

What is the issue today?

The British and French demand seems to be that Hitler must be destroyed and that Hitlerism must be banished from the earth.

The Hitler demand seems to be that all nations, save Russia, must keep their feet off and their hands out of the adjustment of the problems of central and eastern Europe.

My judgment dictates that we should not now, in time of war, consent to attempt to perform a service which our country has on at least two occasions, after long and careful consideration and deliberation, decided not to either perform or to become a member of an international tribunal especially created to adjust just such problems as those which have arisen in all too many portions of the world.

Mr. President, in support of my position, I ask unanimous consent to have printed in the RECORD in connection with my remarks the leading editorial in the Sunday Star of the issue of yesterday, October 8. Before inserting the whole article I wish to read the first sentence and the concluding sentence. The first sentence is as follows:

There is no indication that President Roosevelt will fall into the peace trap Berlin has set for him.

The last sentence is as follows:

Under all the circumstances, which include a year and more of violent abuse of Mr. Roosevelt and America in the Government-controlled Nazi press, Germany's expectations that we should now snatch her chestnuts out of the fire is as insincere as it is ironical.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial is as follows:

HISTORY REPEATS ITSELF

There is no indication that President Roosevelt will fall into the peace trap Berlin has set for him. "Inspired" sources in the Wilhelmstrasse, which means Nazi government spokesmen, utilizing Hitler's Reichstag speech as a springboard, have launched the suggestion that "there is still a glorious opportunity for Mr. Roosevelt, as head of the largest neutral power, to step in and gather copious laurels." Were the American President, it is added, "to come forward with a proposal for an armistice, Chancellor Hitler would accept unconditionally." As further bait, Berlin dangles before Washington the possibility that the Reich government might even consent to the holding of a peace conference here or somewhere else in the Americas, "far from the scene of the European strife."

It is no unprecedented gesture that the Germans put forth. In December 1916 while the cause of the Central Powers was still in the ascendant, though Germany was progressively feeling the pinch of the blockade, the Kaiser's government announced its willingness to enter into peace negotiations—under conditions not dissimilar from those Nazi Germany now faces. Berlin's language, like Hitler's in the Reichstag last Friday, was bombastic and truculent. It breathed of the Reich's "unconquerable strength" and of its "gigantic advantages" over its adversaries, despite inferiority in numbers and war material. Like Hitler, the Kaiser's spokesmen hinted at the futility of the war's continuance, the return of Germany's colonies, annexation of a large part of Serbia to Austria-Hungary and settlement of the Balkan question by a general European conference. It was apparent to all concerned—as it is apparent today—that the mainspring of Germany's zeal for peace was the realization that she wished to negotiate while her fortunes were at high tide and in the consciousness that the military situation was more favorable than it was likely ever to be again.

The Allies promptly characterized the German offer as a "sham proposal" and "war maneuver" too transparent for serious consideration. They declared, as Britain and France are now declaring, their unwillingness to treat unless Germany and her confederates were ready to make adequate reparation for the past and adequate security for the future. In his maiden speech to the House of Commons as Prime Minister, David Lloyd George quoted Lincoln in a like situation—"We accepted the war for an object, a worthy object. The war will end when that object is attained. Under God, I hope it will never end until that time!"

There are definite, practical reasons why President Roosevelt could not, at this stage, succumb to Nazi blandishments about the chance for glory that would await him as peacemaker. In the first place he could tender no such offer unless assured in advance that the allies desired such initiative on his part. In the second place, the Chief Executive of the United States could not conceivably essay the role Hitler would assign him on any such basis for peace as the terms of allied surrender put forth in the Reichstag speech. That "last offer" by the Fuehrer calls for recognition of the Polish dismemberment, the return of the German colonies, the recognition of Russo-German hegemony in eastern and southeastern Europe, and for other victory terms for Germany which merit only Anglo-French contempt.

Finally, there is the studied rudeness which the President and the United States Government experienced at Germany's hands preceding the outbreak of the present war and long before to peace appeals addressed to the German Chancelor and former President Moscicki, of Poland, on August 24. Hitler did not reply until his troops had actually moved against the Poles. When he did answer it was to accuse Poland of provoking a situation which barred mediation. In 1 year Mr. Roosevelt sent five appeals to Hitler, and only the first and last were answered through diplomatic channels. The third appeal, in which the President last April offered himself as a transmitting agent for nonaggression pledges between Germany and various European and Asiatic nations was rejected by Hitler in a bitter public speech.

Under all the circumstances, which included a year and more of violent abuse of Mr. Roosevelt, and America, in the government-controlled Nazi press, Germany's expectation that we should now snatch her chestnuts out of the fire is as insincere as it is ironical.

Mr. THOMAS of Oklahoma. Mr. President, if the motion is made to adjourn for the purpose of suggesting to the

President that he proceed to intervene in the European troubles for the reasons stated I shall vote "no."

Mr. DANAHER. Mr. President, there are a few features involving the legal technicalities of the pending measure which it seems to me should be profoundly and thoroughly explored. I feel that not only is there a common misapprehension on the part of the public with reference to them, but inquiries have revealed that there is a great and real degree of uncertainty among many of the Senators themselves. Without in any way appearing in the role of one presumptuous enough to instruct other Senators, I nonetheless wish to call to their attention some of the features of this measure, so that we may analyze them together.

I should like to point out specifically that sections 11 to 19, inclusive, of the pending joint resolution, if it shall pass, will become operative at once. Those sections will contain within them a repealer clause which repeals completely every protection afforded to us in the American Continent by our neutrality legislation of 1935, of 1936, and of 1937. On the other hand, Mr. President, the first 10 sections of this joint resolution depend entirely upon the exercise of certain discretion.

If I may direct attention, then, to section 1 of the joint resolution, we find it—shall we call it a self-starter—without the operation of which not another feature of the first 10 sections of the joint resolution will ever become operative, and the commencement of the train of circumstances which will invoke their operation under the terms of the joint resolution will reside in the President of the United States primarily.

Before sections 1 to 10, inclusive, shall be operative the President must find that there shall exist a state of war between foreign states, and in addition he must find "that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States" before any proclamation shall issue. Unless and until the proclamation shall issue, the first 10 sections of this joint resolution do not apply at all.

Mr. President, there is another escape clause, to use the language of legal draftsmen, which has been inserted into section 1 and which is new to this joint resolution. That additional escape clause divides the responsibility between the President on the one hand and the Congress on the other, for it provides that the Congress, by concurrent resolution, may find that a state of war exists and that the peace and security of the United States are involved. That state of affairs, Mr. President, will produce identically the situation in the future which has existed with reference to Japan during the past 2 years.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield for a question.

Mr. CONNALLY. I should like an answer, of course, if I ask the question.

Mr. DANAHER. I dare say I will undertake to give it.

Mr. CONNALLY. Does the Senator favor striking out the reference to Congress, and leaving the matter in the hands of the President alone?

Mr. DANAHER. Will the Senator phrase his question in such a way as to include both the——

Mr. CONNALLY. The Senator was complaining that the first section of the joint resolution provided that whenever the President should find that a state of war existed, or whenever the Congress should by concurrent resolution find that a state of war existed, the President should issue a proclamation, and so forth. Does the Senator favor striking out all about the Congress, and leaving the decision to the President alone?

Mr. DANAHER. I call attention to the fact that the Senator has omitted from his question one of the most important elements which has been inserted in the joint resolution as an escape clause, in this particular——

Mr. CONNALLY. I am asking the Senator whether or not he favors taking out the escape clause and leaving it to the President to determine when a state of war exists.

Mr. DANAHER. I will answer the Senator in this way: This is typical of the sort of thing that must be explored, and has never been explained to the Congress and to the American people.

Mr. CONNALLY. I can explain it if the Senator will first answer my question. He promised that if I asked him a question he would answer it. I have asked the question. I should like to have him answer it. Does the Senator favor striking out the clause giving the Congress the right to determine when there is a state of war, and leaving the language simply applicable to the President to determine when there is a state of war? That is a plain, common-sense, New England question, and I should like to have an answer to it.

Mr. DANAHER. That is a perfectly plain, common-sense, New England question, as the Senator just described it, well propounded by a New England Texan. [Laughter.]

I will say that the Senator from Texas must include in the question the element that it is necessary to promote the security or preserve the peace of the United States. Otherwise, his question is meaningless, and so would the answer to it be.

Mr. CONNALLY. The question applies both to the President and to Congress.

Mr. DANAHER. With that understanding and with that inclusion, I will say to the Senator that this clause ought not to be in the joint resolution.

Mr. CONNALLY. In other words, we should strike out the reference to Congress?

Mr. DANAHER. That is correct.

Mr. CONNALLY. And leave the decision entirely to the President?

Mr. DANAHER. That is correct.

Mr. CONNALLY. The Senate did that in the measure which was previously before us.

Mr. DANAHER. The one which is now the law?

Mr. CONNALLY. The House of Representatives put in the congressional provision. The House insisted on saying that if the President should not find a state of war to exist, the Congress could decide by a concurrent resolution that a state of war existed. That is why that provision is in the committee amendment. It is through deference to the views of the House. The House felt that it would remove the charge that the President might be partial and that he would not declare a state of war. As a safeguard in such a case the Congress, the direct representatives of the people, could find that a state of war existed. That is all the "catch" there is in it. If there is any "catch" that is the "catch." I cannot see any "catch."

Mr. DANAHER. I thank the Senator from Texas for his contribution; but let me point out, Mr. President, that the Senator is incorrect. The law today reads specifically, without the slightest reference to Congress in any way whatever, that—

> Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or to attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States—

And so forth. That is the embargo clause upon which the whole thing turns.

Mr. CONNALLY. The Senator is correct.

Mr. DANAHER. I thank the Senator.

Mr. CONNALLY. However, what the Senator from Texas said was that at the last session the House, in considering the pending neutrality measure, inserted the provision referred to. If the Senator will read the language on page 2 of the House draft, which is stricken out by the Senate amendment, it provides:

> That whenever the President or Congress by concurrent resolution shall find that there exists a state of war between foreign states—

And so forth. That bears out what the Senator from Texas has already said. The House put that provision in the pending measure. If I did not say the pending measure, I meant the pending measure. That provision was inserted in the committee amendment. Out of deference to the expressed view of the House already carried in the pending

measure we carried the same language in the committee amendment.

Mr. DANAHER. But the Senator——

Mr. CONNALLY. So far as the Senator from Texas is concerned, he does not care whether that provision is in or out. I am glad the Senator from Connecticut is willing to trust the President of the United States. The Senator from Texas is willing to trust the President; and if the other Senators associated with the Senator from Connecticut should come to the same opinion we could get through with the pending legislation much more quickly, and we could pass an act which would be expressive of the will of the Congress of the United States.

Mr. DANAHER. The RECORD will bear witness, Mr. President, to the effect that I have ever trusted the President of the United States, and there is no reason in the world why we cannot do so now. The President of the United States long in advance told the Congress what his plan was. I read from the President's message of September 21:

> Repeal of the embargo and a return to international law are the crux of this issue.

Let me say to the Senator from Texas that if we adopt the language which is in section 1 (a) we shall have a return to international law. The President need not find that a state of war exists, or he need not find that the peace and security of the United States are involved; and if he fails to find that either of those conditions prevails, it necessarily follows that sections 1 to 10 will never become operative. What becomes of the so-called neutrality provision that we are now undertaking to decide? There simply will not be any.

If we write in a clause to the effect that the Congress itself shall have concurrent jurisdiction, there is no reason in the world why the President of the United States cannot say, "This is an issue for Congress to decide. It is not for me to handle"; and the net result will be that, just as we find with reference to Japan over the past 2 years, we cannot tell those who are casualties to the number of a million or more that a state of war does not exist over there or that we in the United States do not officially know it. We have never invoked the embargo with respect to Japan. We could invoke it in other places.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. AUSTIN. I should like to ask the Senator from Connecticut if he is aware that on the 3d day of March 1937, when a very distinguished Senator offered an amendment which carried this limitation upon the action of the President, nearly all the Republicans of the United States Senate expressed approval of the very section to which the Senator is now addressing his remarks? As we were considering the matter at that time, an attempt was made by the Senator from Idaho [Mr. BORAH] to limit the power of the President to put into effect the embargo on arms, ammunition, and implements of war by adding the very provision to which the Senator has referred, namely, "that it is necessary to promote the security or preserve the peace of the United States, or to protect the lives of citizens of the United States." I believe it was regarded by Senators on this side of the aisle as a limitation upon the discretion of the President. Therefore it attracted the almost unanimous support of those on this side of the Senate. The yea-and-nay vote stood: Yeas 31, nays 43, not voting 21. I ask the Senator if, in arriving at his objection to this limitation upon the power of the President, he has studied the debate and the RECORD relating to that very language?

Mr. DANAHER. Mr. President, in answer to the Senator from Vermont, I will say that I have read the RECORD but not "studied" it in the sense in which I should like to use that expression with reference to general preparation. I have read it.

I thank the Senator from Vermont for his observation, but I should like to point out that I do not stand here as a Republican. I do not stand here as a Democrat. I do not stand here as one who does or does not trust the President. I stand here as one who is regarding the condition of the United States in world affairs today, when we have a law on the statute books which represents the voice of the American people, under the terms of which we may not sell munitions to any belligerent in the world wherever a state of war exists, as defined by the President in his proclamation.

On the other hand, I find efforts being made to relax the protection which we gave ourselves through our spokesmen in the Congress 4 years ago and 2 years ago. I find efforts being made, Mr. President, to ship arms and munitions to one side in a war. So I say that when we undertake to analyze what the law does we must look at the joint resolution as it may pass; for then the words in our legislative act will control, and not speeches on the floor, not intentions, not what somebody did 2 years ago or 4 years ago, or whether or not he was a Republican. Such considerations will not control.

What does the joint resolution provide? If we adopt the language in its present form, it is perfectly apparent, turning to section 2 or section 3, and so on through, that not one of those sections can ever become operative unless and until a proclamation is issued by the President.

Mr. President, I respectfully invite the attention of the Senate to section 2:

> SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. DANAHER. Yes; I yield to the Senator from Washington.

Mr. SCHWELLENBACH. Is not the Senator mistaken in the conclusion he draws? Under section 1 (a) either the President or the Congress by concurrent resolution has the power to declare that a state of war exists between two states; and if either the President or the Congress shall have taken that step and have made that declaration, then the provision in line 8 of page 15, section 1 (a), is a mandatory provision so far as the President is concerned. So, throughout the various sections of the joint resolution, where it says, "if the President shall have issued the proclamation provided in section 1 (a)," it refers to the proclamation, the issuance of which is mandatory upon the President under the words in line 8 of page 15, which is a part of section 1.

Mr. DANAHER. Mr. President, the Senator from Washington directed to the Senator from Connecticut a question, which began, "Is not the Senator from Connecticut mistaken?" Answering categorically, the Senator from Connecticut is not mistaken. What the Senator from Connecticut said was—and this is the law, and this is the fact, and this is the joint resolution—that whenever the President shall have issued a proclamation, this measure shall become operative in the section to which that clause applies; but the proclamation may be issued only under two sets of circumstances: First, when the President himself shall find that certain conditions exist; or, secondly, when the Congress itself shall adopt a concurrent resolution to that effect.

Since when, however, do we have to write a measure which says that the Congress of the United States from now on shall be authorized to pass appropriate legislation? Will not Congress be here next year or the year after that? Have matters reached such a point that if we should be in session next March, if that clause were not in the pending joint resolution, we could not pass a concurrent resolution whether the President liked it or not?

It is perfectly apparent that a concurrent resolution may be adopted by this body without its ever being referable to the President. So we do not need that language in the joint resolution unless it is an escape clause, and that is the only reason it is there.

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. DANAHER. Yes; I yield.

Mr. LUCAS. I should like to ask the Senator from Connecticut a question. Assuming that the Congress of the

United States should adopt a concurrent resolution finding that a state of war exists between two foreign states, is there anything in the Constitution which would compel the President of the United States to issue the proclamation under those circumstances?

Mr. DANAHER. Does the Senator mean if we were to take out of the pending joint resolution the language appearing in line 4 on page 15? Is that what the Senator means, may I ask?

Mr. LUCAS. Perhaps I did not make myself clear; but this thought occurred to me as I read the language of section 1 (a):

The Congress of the United States has the power, under that section, to find that a state of war exists between two foreign states. Upon that finding, under the language of the joint resolution, the President shall issue a proclamation. The point to which I am now directing the attention of the Senator from Connecticut, and the one in which I am interested, is whether or not the President of the United States would be bound to issue a proclamation even though the Congress of the United States did find that a state of war existed. Until such a proclamation issued, as the Senator says, nothing could be done under the previous section.

Mr. DANAHER. Mr. President, I thank the Senator from Illinois for his interest. I recognize how genuine it is; and I am perfectly certain that if additional Senators in this body will direct their attention to what this language actually is, there will be renewed interest in this whole legislation of a type that will profoundly and deeply explore it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Kentucky.

Mr. BARKLEY. Does not the Senator from Connecticut recognize the difference between a separate and independent concurrent resolution adopted by Congress at some time in the future, which it would have a right to do, as being binding on the President, and a provision of law which we are writing into this joint resolution which gives Congress no authority to pass a concurrent resolution in addition to that which it would have anyway, but which does, by a law which is to be signed by the President, have the effect of a statute, and thereby bind him, whereas an independent concurrent resolution might not do so?

Mr. DANAHER. I recognize that the point made by the Senator from Kentucky is well taken, strictly legally and properly so drawn. However, if we now are being asked to change our position with reference to neutrality legislation enacted 2 years ago, I say there is no reason in the world why we cannot do the same thing next March without having any permissive clause in this joint resolution. That is all I say.

Mr. LUCAS and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield, and, if so, to whom?

Mr. DANAHER. I yield first to the Senator from Illinois merely to clear up the point.

Mr. LUCAS. Mr. President, the question in which I am interested deals with the executive power of the President of the United States under the Constitution. As I read this section, the thought occurred to me, whether or not it would be mandatory upon the President of the United States to issue a proclamation if the Congress of the United States should find by concurrent resolution that a state of war existed between two foreign states.

I frankly and candidly say that I have not given the question much thought. It may be that I am wrong, but it occurred to me that there was a possibility that under the Constitution of the United States the President would not be compelled to follow the concurrent resolution adopted by the Congress of the United States.

Mr. BARKLEY. If the Senator will pardon me, I think the President would not be bound by an independent concurrent resolution, aside from a statute which we are undertaking to write; but I think, under this joint resolution, if it should be enacted as it is now written, the President would be just as much bound to recognize a concurrent resolution provided for here, which is a part of a statute we are proposing to enact, as he is bound to issue a proclamation putting into effect an embargo against the exportation of arms, ammunition, and implements of war under a statute previously enacted by Congress.

Mr. LUCAS. Mr. President, will the Senator further yield to me?

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. I sincerely hope the Senator from Kentucky is correct in his conclusions upon that subject, because so far as the Senator from Illinois is concerned he would be ready to vote for a joint resolution saying in substance that Japan and China are at war, for everybody knows that they are and have been for a couple of years; yet, notwithstanding that fact, we continue under the present Embargo Act to sell war supplies and munitions to those countries. If that be true, we would have the power, as I view the matter, under a proper joint resolution, to declare that a state of war existed; and if the contention of the Senator from Kentucky is correct, it would be mandatory upon the President of the United States to issue such a proclamation so finding in the language laid down in section 1 of the measure.

Mr. BARKLEY. I think so; and in addition to a recognition of the right of Congress to take the initiative in a matter of that sort if it saw fit to do so, the language of the measure before us rather sanctifies—if I may use that word with regard to any law—the obligation of the President to recognize a statute which Congress passes, which he must sign in order to make it effective, just as the Embargo Act now requires him, and it is mandatory that he issue the proclamation which he has issued.

Mr. LUCAS. Mr. President——

Mr. DANAHER. Mr. President, I should like to be permitted to yield to my friend the Senator from Nebraska [Mr. NORRIS], if I may. The Senator desired to ask a question.

Mr. LUCAS. I thank the Senator.

Mr. NORRIS. Mr. President, the Senator from Kentucky [Mr. BARKLEY] has made the point which I wanted to make in my question. I recognize the sincerity of the Senator from Connecticut. I should like, however, to ask him a question.

Suppose we pass this joint resolution with section 1 just as it is now written. It becomes a law. It is signed by the President. It must be so signed before becoming a law. Under that law it becomes the duty of the President, as we provide in various kinds of laws, to take certain action if a certain other thing occurs. That thing in this case is that Congress declares by a concurrent resolution that a state of war exists. The action of the President then is in response to a law which we passed and which he signed.

Suppose that happens. Suppose the law shall be enacted, and the President does not act, and then with this law on the statute books, the Congress passes a concurrent resolution. Under that concurrent resolution it becomes the duty of the President, in accordance with the law, to issue a proclamation. Does the Senator question that the President would issue the proclamation in such a case?

Mr. DANAHER. Mr. President, that is a perfectly fair question. I first thank the Senator from Nebraska for his kind personal reference, and now I answer solely and specifically the question he has asked.

Let me point out to the Senator that the President would have the power to say that a state of war does not exist in Japan and China, just as during the past 2 years he has refrained from so saying, under the existing law, and therefore if he decided that no state of war existed, under the power conferred by section 1 a, no embargo, no limitation, no neutrality legislation, would apply in any particular whatever. Therefore the question would then, under what I have chosen to call an escape clause, come into the lap of Congress, if the Congress decided to take any action at all on it. Then, if both Houses of the Congress reviewed all the circumstances in China, and both Houses said, "There is a state of war," just as the Senator from Illinois has stated that in his opinion

there has been a state of war for the past 2 years, and if we agreed that there was a state of war, we would have to go further, I will say to the Senator from Nebraska, and both Houses of the Congress, under this act, would have to agree that it was necessary that a proclamation be issued to promote the security or preserve the peace of the United States, or to protect the lives of citizens of the United States, and if both Houses did not agree on it, then there never would be any proclamation.

Mr. NORRIS. Suppose they should agree. I am assuming that the President failed to act and that we passed a concurrent resolution, as stipulated in the law. Suppose that all occurred. Does the Senator think the President would not issue the proclamation under those circumstances?

Mr. DANAHER. Oh, no, I say to the Senator from Nebraska. I think he would be bound, and I think he would do so.

Mr. NORRIS. It seems to me, as I view the matter, that that settles the disputed question, unless we take out of the proposed law the power that is given to the Congress to adopt a concurrent resolution. Personally, I do not think it is so very material whether the provision is in or out, but it seems to me it ought to be in so that the matter would still be under the control of Congress if the President should not act.

Mr. DANAHER. Mr. President, let me give the Senator from Nebraska a perfectly practical answer in that particular. There is not the slightest doubt in the mind of any of us that whatever the foreign policy of the United States may be at this moment, the Senator from Nebraska and I are not making it. That is certainly true. Who is doing it, under what circumstances, with what objective, with what thought in view, we do not know. But we do know that conferences take place, that administration spokesmen meet, that they write a bill, that they undertake, in pursuance of a certain plan of action, to bring the bill to us, pursuant to a very able message which we heard in the Congress on the 21st of September, in which the President told us that he wanted us to return to a state of international law. Then we find this particular language put into the pending joint resolution.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. LUCAS. The Senator has referred twice to the address made by the President, in which he stated he wanted us to return to international law; but in fairness to the President the Senator should go on and say briefly what he would agree upon as safeguards in the way of cash and carry.

Mr. DANAHER. Mr. President, I will come to the point to which the Senator from Illinois makes reference in the course of my remarks. I do not know how long the Senate is to continue in session this evening, but I do desire to take more time on the general subject.

Mr. AUSTIN. Mr. President, before the Senator leaves the point he has been discussing, I wish to ask him a question.

Mr. DANAHER. Will the Senator from Vermont withhold his question for a moment, because I wish to give the Senator from Illinois assurance that I desire to take up with him the point to which he has referred. Should I not do so, should I overlook it, I should like to have him call it to my attention. I will develop it, however, and desire to do so. I yield to the Senator from Vermont.

Mr. AUSTIN. My question is founded upon what grew out of the colloquy, the Senator from Illinois having alluded to the constitutional provision as to the obligations of the President. I understood his question to be as to what right the President might have not to issue a proclamation if the pending proposal should become a law.

I desire to call attention to section 3 of article II of the Constitution of the United States, and to this phrase, referring to the power and duties of the President, as found on page 403 of the Senate Manual:

> He shall take care that the laws be faithfully executed.

That is one of his primary duties. If Congress should enact into law the provision—

> That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war—

I apprehend that that having become law, the Constitution would impose a duty on the President which he could not avoid.

Mr. DANAHER. I thank the Senator from Vermont, and I think that the conclusion as stated by the Senator from Vermont is substantially what the Senator from Nebraska and I agreed upon, assuming that it reached the point where the Congress, in fact, later, under such a law as is proposed, should adopt a concurrent resolution. I think the Senator is correct. All I am saying and all I have said on that point, and now reiterate, is that the way the joint resolution is drawn, the practicalities of the situation may well be such that whoever is in charge of our foreign policy might not want a concurrent resolution adopted by the Congress at a given time, and in the same sense and in the same practical way that we who do not want this particular joint resolution passed find as a practical matter that our foreign policy makers apparently want it. I think that is a fair conclusion.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield for a question.

Mr. CONNALLY. Was the Senator from Connecticut in a meeting held a few days ago by Senators who are opposed to the repeal of the embargo?

Mr. DANAHER. I have attended several such meetings, with great profit.

Mr. CONNALLY. This was on Friday, when the Senator from Idaho [Mr. BORAH] issued a statement of the attitude of the group. Was the Senator at that meeting?

Mr. DANAHER. I was there last Friday.

Mr. CONNALLY. Did the Senator participate in the meeting?

Mr. DANAHER. I sat there most interested, I will say to the Senator from Texas.

Mr. CONNALLY. After the meeting the Senator from Idaho [Mr. BORAH] gave out a statement that the group favored accepting the administration bill, "if the administration will leave in the law the embargo on arms, ammunition, and implements of war, and provide for cash on other commodities." Did the Senator vote that way?

Mr. DANAHER. There was no vote of any kind whatever.

Mr. CONNALLY. The statement was issued by the Senator from Idaho [Mr. BORAH] on behalf of the group which met then and there. I was wondering how the Senator could hand out a statement like that—that he was for everything in the joint resolution except embargo repeal—and then give this broadside against the remainder of the joint resolution.

Mr. DANAHER. I think I have already made it plain that my purpose is that we explore the joint resolution and understand it altogether, and if the Senator from Texas will join with me in an explanation and an attempt to find just exactly what things, if any, there are in it which we should not favor, or if we like them all that we all be for them, of course, I recognize that his purpose and mine would concur.

Mr. CONNALLY. I will say to the Senator that I shall be very glad to be of any assistance possible. The Committee on Foreign Relations held hearings on this kind of legislation for over 2 months last spring, in which the Senator from Texas participated along with the distinguished Senator from California [Mr. JOHNSON], the distinguished Senator from Idaho [Mr. BORAH], and other distinguished members of the committee on the Republican side of the Senate. We have been exploring this question, and the exploration should stop sometime, and we should act.

Mr. JOHNSON of California. Mr. President, will the Senator yield to me?

Mr. DANAHER. I gladly yield to the Senator from California.

Mr. JOHNSON of California. Of course we were exploring legislation. But we were not permitted to explore this legislation with the gentlemen who constitute the Democratic

majority, who met and themselves presented this measure. I do not object to that, but that is the fact.

Mr. CONNALLY. Mr. President, will the Senator yield to me again?

Mr. DANAHER. I yield to the Senator from Texas.

Mr. CONNALLY. The Senator from California is substantially accurate in that statement. I will state what happened. As soon as the Congress convened in extraordinary session the bugles began to blow and the "big berthas" began to burst from the group that was against any repeal of the embargo. They had meetings behind closed doors to which I never received an invitation either by card or by telephone.

Mr. JOHNSON of California. Pardon me. Let the Senator get his facts straight.

Mr. CONNALLY. Just a moment. I will answer the Senator. The opponents of the embargo repeal were meeting, and "resoluting," and putting out statements and blasts every day.

The Senator from California now complains because of the action taken by some of us who favor repeal of the embargo, a group of members of the Committee on Foreign Relations, who acted, not as a committee at all, but just as a group, who got together and drew up the measure. Now the complaint of the Senator from California is we did not invite the enemy in. We did not invite anybody in to cut us right across the abdomen while we were trying to draw the measure. When the measure had been drafted we had a full committee meeting; every member was invited; the distinguished Senator from California was there; the Senator from Idaho [Mr. BORAH] was there; all the other Republican Senators were there; and we went over the measure paragraph by paragraph and line by line. Is that not true?

Mr. JOHNSON of California. No.

Mr. CONNALLY. It is true.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. CONNALLY. I ask the Senator from Connecticut to yield to the Senator from California.

Mr. DANAHER. I gladly yield to the Senator from California.

Mr. JOHNSON of California. The Senators got together to draft a measure, which was their right, and I do not complain about that. When I referred to the fact that the Senators met and drafted the joint resolution I had no complaint at all to make about that. But the Senators to whom I referred did draft it. We were not permitted to be present. Those Senators met with someone representing the State Department, and they prepared their joint resolution, and that measure is the one which is now before the Senate.

Mr. CONNALLY. Very well. Did we not have formal meetings of the committee and invite to it the Senator from California, and all other Senators who are members of the committee, and before we reported the joint resolution did we not go over it paragraph by paragraph and line by line?

Mr. JOHNSON of California. I did not observe any such action.

Mr. CONNALLY. Was not the Senator there?

Mr. JOHNSON of California. No.

Mr. CONNALLY. The Senator should have been there. The Senator from Idaho was there, and the Senator from California should have been there. What is the use of notifying the Senator when, after we notify him, he does not come?

Mr. JOHNSON of California. The Senators to whom the Senator from Texas refers were invited after other Senators had prepared a measure, and that measure was the one presented to the Senate. What chance would there have been for any Senator, other than the few who met, or rather the majority who met? Much chance there would have been for any change to be made in that measure.

Mr. CONNALLY. Mr. President, will the Senator from Connecticut again yield?

Mr. DANAHER. I again yield to the Senator from Texas.

Mr. CONNALLY. I provoked this inquiry, and I should like to answer.

Mr. JOHNSON of California. With the action described I have no quarrel, I will say.

Mr. CONNALLY. I understand. I will repeat what happened. A group of members of the Committee on Foreign Relations, not as a committee at all, but merely as a group who favored repeal and wanted to get a measure to accomplish it and to do it properly, who wanted a measure to keep American vessels from carrying arms to belligerent nations, who wanted to give the President power to establish danger zones or combat areas, met, not as a committee, I repeat, but as so many individuals, and drafted a measure. While we were doing that there was another group meeting here in Washington, a group opposing repeal, devising means by which they would circumvent us if they could, and we did not invite them in until we got our measure ready. Then we called a meeting of the Foreign Relations Committee, to which every member of the Foreign Relations Committee who wanted to come did come, and we took this measure and started from alpha and went to omega. We went over it in detail, every paragraph and every line, and accepted suggestions and amendments. Is that not true?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. And not only did the members of the committee meet, with the exception of one member of the committee who was ill and out of the city but the joint resolution was gone over, and amendments were made in the various paragraphs and sections.

Mr. JOHNSON of California. Absolutely.

Mr. BARKLEY. And then the committee, through two or three members designated, went over it with the drafting service, wrote the amendments into the joint resolution, and another committee meeting was called the next day, when the committee met and went over the amendments which were agreed to the day before as they had been redrafted.

Mr. JOHNSON of California. Yes.

Mr. BARKLEY. I understand the Senator from California was there the first day, though I do not know whether or not he was there the second day.

Mr. JOHNSON of California. No; I was not. I could have been there the second day. The fact that I was not there was my fault. I attended a funeral. But that does not make any difference. Gentlemen got together and prepared their measure.

Mr. CONNALLY. That is correct. The Senator from California would not help us prepare it, and we did it ourselves.

Mr. JOHNSON of California. No; you had the right to do it, but you never sought the attendance of a single Senator upon the other side, and that was the result.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. DANAHER. I will yield, if I may first point out that if we are to make any headway tonight we should resume a discussion of the matter under consideration. I yield to the Senator from Nevada.

Mr. PITTMAN. Mr. President, I wish to say that, as chairman of the committee, I feel some responsibility. We had pending before the committee at the last session, if I am not mistaken, five joint resolutions and two bills, and at that time we had a month's hearings on them. They were all printed in a combined form for the benefit of the witnesses and the committee. We met for the purpose of considering those measures toward the end of the last session, and the committee, as Senators know, decided to postpone consideration to this session.

For the purpose of expediting matters, an effort was made to consolidate those measures for report, as in the case of any bill which has been introduced in this body and referred to a committee. It was done only to expedite matters.

When the measure was put into form for consideration by the committee, I remember distinctly stating to the full committee on a Monday that it was simply a tentative draft for the consideration of the full committee. I think all members understood that.

At that meeting on Monday a number of changes were made in the draft, and every one of those changes was discussed at that meeting. Some of them were adopted in actual

language, and some were adopted in principle with authority for the chairman and two other Senators to consult with the State Department, if necessary, and with the drafting board, and put the changes into proper language and resubmit them. That was on Monday.

On Monday evening I sent out a notice to every member of the committee that there would be a committee meeting on Tuesday for the purpose of considering any and all amendments. We had a full meeting of the committee on Tuesday, with the exception of the Senator from California [Mr. JOHNSON], if I remember correctly, and one other Senator who was sick. The amendments were discussed. We adopted each one separately as we came to it. The matter was handled in that way. As the chairman of the committee, I certainly tried to be courteous. I did everything I could by way of giving notice to the members of the committee.

As to the matter which the Senator from Connecticut is discussing, I must say that that was originated in the bill introduced during the last session under the names of the Senator from Missouri [Mr. CLARK], the Senator from North Dakota [Mr. NYE], and the Senator from Washington [Mr. BONE]. That was the first time I noticed the suggestion made in proposed legislation that if the President was in doubt as to whether a state of war existed, and Congress thought war did exist and so declared, then the President should take action. I agreed that that was wise, and the joint resolution which I subsequently introduced included that clause, which was in the Clark-Bone-Nye bill.

That was the origin of the proposal. However, I wish to say that I thoroughly approve of it, because I can conceive that there might be a war between two small countries in the center of a continent somewhere which would not affect us at all; and it would be almost absurd to put into effect this whole instrumentality. On the other hand, if the Congress differed with the President in that matter it could adopt a concurrent resolution stating that in the opinion of Congress a state of war existed.

The question has been raised whether or not we can impose the authority of Congress upon the President to compel him to issue a proclamation. I very seriously doubt whether we could pass a concurrent resolution telling him to perform any particular act. However, if the President signs and approves an act which provides, for example, that when the Tariff Commission finds a certain state of facts to exist he shall put into effect a change in a tariff rate, or an act which provides that if the Congress of the United States finds and notifies him that a state of war exists somewhere the duty is imposed upon the President of putting in force and effect the rest of our laws with regard to that situation, it is the duty of the President to enforce the law. That is all it means. Whether he shall do it by proclamation or in some other manner is purely a matter of method. The question is, if Congress passes a bill providing that there shall be an embargo on exports when a certain state of facts arises, and if the President approves that bill and allows it to become a law, is it not his duty to enforce the Embargo Act when Congress finds the facts? That is all there is to it.

Mr. DANAHER. I thank the Senator from Nevada.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from Connecticut yield to the Senator from Washington?

Mr. DANAHER. I yield.

Mr. SCHWELLENBACH. I do not wish to reopen the whole subject, but I should like to ask the Senator from Texas [Mr. CONNALLY] a question. In view of the fact that the intimation has been made that all the members of the Foreign Relations Committee did not have a full opportunity to explore the joint resolution, I ask the Senator from Texas to recollect the meeting on the last afternoon when the Foreign Relations Committee was working upon the joint resolution, with respect to which meeting all the members of the committee were either present or had been notified of the meeting. I ask the Senator from Texas if he did not then say, turning to those who were opposed to the repeal of the arms embargo:

> Before we report this measure we should like to have you gentlemen offer any suggestions you have for changes. We cannot agree upon the fundamental change, but if the other members see any objections to details of the bill we should like to have suggestions, so that changes may be made in committee and perfected before the measure is taken to the floor of the Senate.

I ask the Senator from Texas if he did not specifically make that request of those who were opposed to the measure?

Mr. CONNALLY. I am glad to be reminded of that episode. I think it is true that I did. The Senator by his question implies that I did. However, I should like to say further in elaboration that I do not recall whether or not this was the meeting at which the Senator from California [Mr. JOHNSON] was present. I will say that I always regret it when he is not present at any meeting of a committee of which I am a member. I always enjoy his ability, his courtesy, and his eloquence, even if I do not always agree with his judgment and his views. However, when we reached the point referred to by the Senator from Washington, I turned to all the members, particularly those opposing repeal, and said:

> While we do not agree on repeal—we understand that—we have undertaken in this measure to cover in the best way we could all the other questions of interest. If anyone has any suggestion or any amendment or any proposal, I hope he will tell us about it, and I hope he will suggest it now. When we reach the floor we do not want to have some Senator rise and say, "Here is a nigger in the wood pile; here is an escape clause; and here is something wrong." If there is anything wrong with the proposed measure, and if you have any suggestions to make, please make them now, so that we may present to the Senate a bill which is as clear and as expressive as possible of what we intend to do.

If I am in error, I should like to be corrected by the Senator from Washington. Is not that what happened?

Mr. SCHWELLENBACH. That is my recollection.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. JOHNSON of California. Simply to illustrate the difference in recollection, I will ask Senators who were so quick to be on their feet whether or not they recall that at one time when I was present I said that there would be a contest over the cash-and-carry proposal and the time for granting credits?

Mr. CONNALLY. Yes; the Senator said that.

Mr. JOHNSON of California. Very well. The Senator forgot it when he stated what happened.

Mr. CONNALLY. The Senator stated that he was going to fight that proposal. However, he offered no amendment and no suggestion.

Mr. JOHNSON of California. What was the use of offering amendments? The fact is that Senators who favored repeal met and formulated the provisions of the joint resolution.

Mr. CONNALLY. That is correct.

Mr. JOHNSON of California. Those Senators met and did not invite a single member of the committee who was opposed to repeal of the arms embargo to be present. Senators who favored repeal finished with the joint resolution and then called in their experts, sitting all that time by themselves, and when they had finished with the joint resolution they extended invitations to other members of the committee to come in and look at their handiwork.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. Is it our fault if all the Senator did was to look at it and make no effort to change it?

Mr. JOHNSON of California. We were busy looking at the Senator, too. [Laughter.]

Mr. DANAHER. Mr. President——

Mr. CONNALLY. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. I yield to the Senator from Texas.

Mr. CONNALLY. As I have already suggested, the Senator from California is substantially correct. He is correct as far as he goes. We met, not as a committee but as a group of

individuals, to draw this measure. We were aware that another group of individuals, meeting in another place, were going to scuttle us if they could.

Mr. JOHNSON of California. Do not talk about "scuttling."

Mr. CONNALLY. I will withdraw the word "scuttle."

Mr. JOHNSON of California. We did not know what we would have to scuttle.

Mr. CONNALLY. Then why were the Senator and his colleagues meeting? They were meeting, and meeting, and meeting.

Mr. JOHNSON of California. We were meeting on this question. There were two groups.

Mr. CONNALLY. Exactly.

Mr. JOHNSON of California. Both groups consisted of members of the Foreign Relations Committee.

Mr. CONNALLY. We were never invited to meetings of the other group, and we did not invite members of the other group to our meetings.

Mr. JOHNSON of California. But the Senator's group was the majority of the Foreign Relations Committee. That is the difference.

Mr. CONNALLY. It is a strange kind of senatorial courtesy which demands that our group invite the enemy group when the enemy group never invites any of us. I do not understand that to be reciprocity.

Mr. JOHNSON of California. If the Senator does not understand the difference between the two, I cannot help it, and he cannot help it.

Mr. CONNALLY. Nobody but God could enable me to understand it. If I had believed that the Senator from California was earnestly in agreement with us and wanted to repeal the embargo, I should have insisted on his being present and helping us draft a measure which would repeal the embargo. But when I picked up the newspaper or stuck my head out the window and heard the broadcasting going out over the land, like the thunders on the eastern front, denouncing everything that we were trying to do, in all candor I was not very enthusiastic about inviting the Senator from California to be present. That is the truth of the matter.

Mr. JOHNSON of California. Nor any other member of the Foreign Relations Committee.

Mr. CONNALLY. No; nor any other member who shared the views of the Senator from California.

Mr. JOHNSON of California. Why should the Senator and I disagree concerning the matter?

Mr. CONNALLY. We do not. We are agreeing.

Mr. JOHNSON of California. The Senator had his group.

Mr. CONNALLY. And the Senator from California had his group.

Mr. JOHNSON of California. However, the group of the Senator from Texas constituted the majority of the Foreign Relations Committee.

Mr. CONNALLY. No.

Mr. JOHNSON of California. The other group did not. That is the difference between the two.

Mr. CONNALLY. The only difference is that some of us happened to be members of the Foreign Relations Committee. Other Senators were present who were not members of the Foreign Relations Committee; but that is not the question. We were all Senators from some State, and we all had equal rights. If we saw fit to get together and draft a measure in which we believed, I do not see that it is incompatible with courtesy to other Senators not to invite those who were opposing us when we knew they would not agree to the proposed measure. The other group did not invite any of us. I challenge any Senator now present who favors repeal to rise and state that he received an invitation to attend the meetings of the group headed by the Senator from California. I received no such invitation, and I thought I was on affectionate terms with the Senator from California. I thought if anybody enjoyed his confidence and his affectionate regard, the Senator from Texas did, and that he would be invited.

Mr. JOHNSON of California. Certainly.

Mr. CONNALLY. I was not invited.

Mr. JOHNSON of California. Why should the Senator be invited to another group which did not constitute the majority of the committee. The Foreign Relations Committee was meeting and rendering its judgment upon the proposed measure.

Mr. CONNALLY. It was not. The Senator is in error in that respect.

Mr. JOHNSON of California. No.

Mr. CONNALLY. The meetings were not called as meetings of the committee. When the committee was called into session as a committee, the Senator from California was invited, and he came.

Mr. JOHNSON of California. Yes.

Mr. CONNALLY. He heard the joint resolution read.

Mr. JOHNSON of California. Yes.

Mr. CONNALLY. He examined the joint resolution.

Mr. JOHNSON of California. Yes.

Mr. CONNALLY. What more could he do?

Mr. JOHNSON of California. He could have been there during its preparation.

Mr. BARKLEY and other Senators addressed the Chair.

Mr. DANAHER. Mr. President, I shall decline to yield further than to the Senator from Kentucky, respectfully, of course.

Mr. BARKLEY. Mr. President, I understand that the Senator from Connecticut will not be able to conclude his remarks this evening. Therefore, in a moment, I am going to move that the Senate take a recess.

I wish to submit a proposed modification of the agreement the Senate entered into earlier in the day as to the procedure tomorow.

We agreed to vote not later than 2 o'clock tomorrow on the motion of the Senator from New Hampshire [Mr. TOBEY], and that the time for debate on that motion should be equally divided. We did not designate who should control the time. I think the Senator from Connecticut [Mr. DANAHER] will want to resume the floor tomorrow.

Mr. DANAHER. That is correct.

Mr. BARKLEY. And I think it may be assumed that all of the first 2 hours tomorrow will not be taken up in discussing the motion of the Senator from New Hampshire. I think we may assume that not more than an hour will be necessary to discuss the motion. Therefore, I am going to request a modification of the agreement we entered into by asking unanimous consent that the time between 1 o'clock and 2 o'clock tomorrow be equally divided among those who are for and those who are against the motion of the Senator from New Hampshire, and that one-half the time be controlled by the Senator from New Hampshire [Mr. TOBEY] and the other half by the Senator from Nevada [Mr. PITTMAN].

Mr. DANAHER. Mr. President, if I may be heard on that point, when I last talked with the Senator from Kentucky about this matter it was 5 o'clock. It is now 5:43 o'clock. In the last 43 minutes I have not had anything to say.

Mr. BARKLEY. The Senator had control of that matter. He did not have to yield. I do think we ought to be able to feel sure that tomorrow at least 1 hour of the 2 hours before the vote shall be devoted, if necessary, to the motion of the Senator from New Hampshire.

Mr. DANAHER. I should like to conclude my thought on the subject I have opened up.

Mr. BARKLEY. The Senator from New Hampshire [Mr. TOBEY] has advised me that he can make his remarks in less than the hour he will have.

Mr. DANAHER. That is true; but if my hour were to be divided on that basis——

Mr. BARKLEY. I am not talking about the first hour. It is only the time between 1 and 2 o'clock.

Mr. DANAHER. I thank the Senator.

Mr. McNARY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield?

Mr. BARKLEY. I yield to the Senator from Oregon.

Mr. McNARY. I think we should go along with our original agreement. I discussed the matter a few moments ago with the able Senator from New Hampshire [Mr. TOBEY], and I think he preferred to have the original agreement

stand. I can see no advantage, in the expedition of the matter before the Senate, in changing it. If we meet at 12 o'clock, as we shall do, and the debate on the motion does not continue longer than 1 o'clock, it will then be well that the Senator from Connecticut be recognized and that he go forward. So I do not see that there is any likelihood of saving time.

Mr. BARKLEY. The point I had in mind was this: If a Senator should get the floor—I am sure the Senator from Connecticut [Mr. DANAHER] would not do that—but if some other Senator should obtain the floor to discuss the general merits of the joint resolution, and should occupy all the time until 2 o'clock, neither the Senator from New Hampshire [Mr. TOBEY], nor I, nor the Senator from Nevada [Mr. PITTMAN] would have any opportunity to discuss it.

Mr. McNARY. Under the proper interpretation of the unanimous-consent agreement, unquestionably the Senator from New Hampshire should be recognized at 12 o'clock. Upon the conclusion of his remarks, if no other Senator should desire to speak, the Senate should take a vote on his motion.

Mr. BARKLEY. The Senator from New Hampshire, as I understand, does not desire to be recognized at 12 o'clock. He wishes to conclude the argument on his own motion, which he probably has a right to do, and that would come some time before 2 o'clock. I thought we might have an understanding that for the first hour tomorrow any Senator might speak about anything he wanted to discuss, and that, beginning at 1 o'clock, the time, on the motion of the Senator from New Hampshire, should be divided. I am trying to make it possible for the Senator from New Hampshire to have some time to discuss his own motion.

Mr. McNARY. That is true, and that is very courteous on the part of the able Senator from Kentucky. I wish to make sure also that the Senator from Connecticut [Mr. DANAHER] is protected. We can cover that matter by a unanimous-consent agreement that after the vote is taken on the motion of the Senator from New Hampshire the Senator from Connecticut may conclude his speech.

Mr. BARKLEY. That presupposes that all of the 2 hours will be occupied in discussing the motion of the Senator from New Hampshire.

Mr. McNARY. Oh, no; it does not.

Mr. BARKLEY. I do not think that will occur. I understood that the Senator from Connecticut wanted to be recognized tomorrow to conclude his remarks, as Senators are always recognized who do not conclude their remarks on the previous day. He said he could do that within 30 minutes. Of course, it all depends on whether or not he yields to every Senator who asks him to yield. That is a matter in his control. I am trying to accommodate the Senator from New Hampshire and at the same time get a few minutes for other Senators.

Mr. McNARY. I think unquestionably whoever may be in the chair tomorrow will recognize the Senator from Connecticut following the disposal of the motion of the Senator from New Hampshire. I do not think we should change the existing agreement. It does not seem to meet with the approval of the Senator from New Hampshire. I think we should stand upon the agreement heretofore made.

Mr. BARKLEY. I evidently misunderstood the Senator from New Hampshire. I discussed the matter with him.

Mr. TOBEY. Mr. President, let me say, if you please, that I did talk over the matter with the Senator from Kentucky. Later, I discussed it with the Senator from Oregon; and I now concur in his judgment that it is wiser to proceed on the original basis. If we do not use all the time, and the vote is taken, there will be at least 3 hours for general debate after that. The matter is about as broad as it is long, but I should like to have the agreement remain as originally made.

Mr. BARKLEY. Of course, any Senator who might get the floor at 12 o'clock tomorrow could take up the entire 2 hours in talking about the joint resolution.

Mr. McNARY. I quite disagree with that interpretation. I do not think the Senator from Kentucky really means that that is the interpretation which should be placed on the agreement. It was understood that the time up to 2 o'clock should be equally divided.

Mr. BARKLEY. No; the Senator is wrong about that. The time consumed in discussing the motion of the Senator from New Hampshire is to be equally divided.

Mr. McNARY. Exactly.

Mr. BARKLEY. But that does not imply that the entire 2 hours will be.

Mr. McNARY. No; but the time that is taken up to 2 o'clock must be equally divided between those who propose the motion and those who oppose it.

Mr. BARKLEY. That is not the agreement; but, Mr. President, I withdraw my request and will let Nature take its course.

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. DANAHER. Is it not the fact, and will not the RECORD show the fact tomorrow, that I still hold the floor to continue my discussion, and is not that what we discussed?

Mr. BARKLEY. The Senator will have no prior right tomorrow because he now happens to have the floor. It is, however, a courtesy usually extended to Senators that when they do not conclude their remarks one day they are permitted to do so the next day. We have seen an example of that today; but whoever may be recognized by the Chair will be the first speaker tomorrow.

Mr. NORRIS. Mr. President, I should like to make a suggestion at this point, because I have a different understanding. I am not interested in this controversy, but I should dislike to have the Senate set a precedent which I think would be wrong. I think the Senator from Connecticut [Mr. DANAHER] has the floor, and he may yield for a motion to take a recess without losing the floor. It seems to me he will have the floor by right tomorrow.

Mr. DANAHER. Mr. President, I thank the Senator from Nebraska for his observation. That certainly was my understanding. I shall be perfectly willing tomorrow to yield for such reasonable purposes as may be required to dispose of the pending motion.

The PRESIDING OFFICER. Let the Chair state that, from a strict parliamentary standpoint, the Senator from Connecticut yielded the floor to the Senator from Kentucky; but, according to all precedents of courtesy to Senators it is customary to recognize the Senator who yielded under such circumstances as having the floor.

Mr. BARKLEY. Mr. President, let me propound this modification, so as to clear up the question of the 2 hours:

I ask unanimous consent that the time from the hour of meeting at 12 until 2 o'clock tomorrow be equally divided, to be controlled by the Senator from New Hampshire [Mr. TOBEY] and the Senator from Nevada [Mr. PITTMAN].

Mr. McNARY. I have no objection.

Mr. MALONEY. Mr. President, I am quite in accord with the view expressed by the Senator from Nebraska that we may be taking a step which will return to plague us at another time. I think it was understood, and surely was clear in the mind of the Senator from Connecticut, that he was yielding the floor with the understanding that he could continue tomorrow. I think we might very easily avoid this controversy, and the danger referred to by the Senator from Nebraska, by the recognition, in accordance with our custom, of the Senator from Connecticut, who has said that he would immediately yield the floor to permit a discussion of the amendment of the Senator from New Hampshire.

Mr. McNARY. Mr. President, I think that is a very fair statement.

The PRESIDING OFFICER. That can be done by unanimous consent of the Senate.

Mr. BARKLEY. Mr. President, on Friday last the Senate gave unanimous consent to the Senator from California [Mr. DOWNEY], who had spoken a good part of the afternoon, to be recognized today and to continue his remarks and that was done. Of course, that is not necessarily a precedent; it was merely a courtesy that was extended.

I ask unanimous consent that the Senator from Connecticut be first recognized when the Senate reassembles tomorrow, and that the remainder of the time to 2 o'clock, after the Senator from Connecticut shall have concluded, be divided equally, and that it be controlled by the Senator from New Hampshire [Mr. TOBEY] and the Senator from Nevada [Mr. PITTMAN].

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. I think that is quite a proper request.

The PRESIDING OFFICER. Without objection, that order will be entered.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 10, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 9, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, for each new day we ask Thy presence and benediction. Forgive us when we are too ready with doubt and complaint of this fair world of Thine. Like cheerful travelers, may we again take the path through the weary-laden shadows with their disquieting forbodings. We pray Thee to look into our hearts and make them humble; open wide the doors that bar their sacred chambers that we may hear immortal litanies. O let them send us back to that angelic chant: "Peace be still." Lighten all waiting eyes and strengthen all nerveless hands and we shall see and know that the stars of God are shining through cloudless skies, keeping watch above His own; we shall thus be armed with the hymn of faith drowning the murmur of the threatening storm. We thank Thee, that the might of an infinite God, whom no despot can baffle, whose dominion is without end, will yet walk the turbulent waters, treading the rough waves level and saying: "Be of good cheer: it is I; be not afraid." In the shrine of our souls we worship Thee, O Christ. In Thy holy name. Amen.

The Journal of the proceedings of Thursday, October 5, 1939, was read and approved.

SPECIAL ORDER

The SPEAKER. Under a special order of the House heretofore made, the gentleman from New York [Mr. FISH] is recognized for 20 minutes.

Mr. RANKIN. Will the gentleman yield for a unanimous-consent request?

Mr. FISH. I yield.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement of David Lloyd George.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

Mr. RICH. Mr. Speaker, reserving the right to object, what did David Lloyd George say in this address?

Mr. RANKIN. I will permit the gentleman to read it. It is on the war situation, and I think it is of vital interest to the Members of the House.

Mr. RICH. He is not telling us how we should vote on neutrality, is he?

Mr. RANKIN. Not at all.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

The SPEAKER. Will the gentleman from New York [Mr. FISH] yield to other Members for unanimous-consent requests?

Mr. FISH. I yield.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include correspondence between the managing editor of the United States News and myself, as well as a letter I have written to a constituent on the subject of the pending neutrality legislation.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

Mr. KRAMER. Mr. Speaker, on last Friday morning, at Chicago, Ill., funeral services were held for the late Cardinal Mundelein, which I attended. I ask unanimous consent to extend my remarks in the RECORD and to include a sermon that was preached at this service by his excellency, Archbishop John J. Cantwell, of Los Angeles.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. KRAMER]?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from a former Member, Hon. John J. O'Connor, on the subject of banshees.

Mr. MAPES. Mr. Speaker, for today I shall have to object to any requests which are made that we cannot hear over here.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

Mr. THOMAS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech delivered by the gentleman from West Virginia [Mr. RANDOLPH], at Houston, Tex., on September 6.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a speech by General Drum.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of neutrality.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. BRYSON]?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend in the RECORD a speech made by me at New York on October 2 before the American Jewish Congress.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DINGELL]?

There was no objection.

Mr. CHANDLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. CHANDLER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that after everyone else has finished speaking today I may be permitted to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the question of the radio monopoly.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a release from the State Department.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address, and also to extend my remarks in reference to letters of Professors Jessup and Hide that have appeared in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

Mr. GARTNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech by Theodore H. Hoffman, national chairman of the Steuben Society of America, delivered at Scranton, Pa.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GARTNER]?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 3 calendar days in which to extend their own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. FRIES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech delivered by Aubrey Williams.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. FRIES]?

There was no objection.

Mr. PATRICK. Mr. Speaker, for fear there may be a poverty of discussion of the neutrality question in the Appendix of the CONGRESSIONAL RECORD, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address I made over the radio on that subject.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The gentleman from New York is recognized for 20 minutes.

THE NEUTRALITY BILL

Mr. FISH. Mr. Speaker, I have asked for this time today for the purpose of seeing if we cannot reach an agreement in the House with regard to the consideration of the neutrality bill when it comes back from the Senate.

Not many months ago after considerable debate in this House we adopted by a majority of 41 votes the so-called Vorys amendment and put back into the bill the arms embargo, leaving out implements of war. Those of us who advocated the Vorys amendment at that time, leaving out implements of war, believed it would mean that we in this country could sell airplanes that were unarmed, without gun racks or bomb racks, and so forth.

The Bloom bill went over to the Senate with the Vorys amendment in it. Over there everything was stricken out after the enacting clause so that in the other body they have under consideration an entirely new bill. It is none of our business what action they take in the Senate. That is a matter entirely in their own hands. Eventually, however, that bill will come back to the House of Representatives for our consideration.

Senator PITTMAN has stated to the press that he is of the opinion that a vote will be reached on that bill this week. Senator MCNARY has stated to the press that he does not believe a final vote will be reached for several weeks. Other Senators have said it will be more than 3 weeks. If I may express my own humble opinion, I doubt very much that the bill will reach us inside of 3 weeks.

We are confronted with an issue which concerns every one of us regardless of party affiliation, and that is the procedure in the House of Representatives. I do not believe anybody will maintain that a bill that has been completely amended in the Senate, as all after the enacting clause of the House bill has been stricken, a bill on such an important issue as neutrality and keeping out of war which we discussed freely here and amended freely, and worked our will on it, should come over here for consideration and be debated for only 1 hour, a half an hour on a side, and then have a motion made to concur in the Senate amendment, or to send the bill to conference. In that case we would only be able, after the committee of conference was through working their will on it, to vote the conference report up or down. I do not believe anyone on either side would agree to such procedure in connection with an important piece of legislation affecting war or peace, particularly legislation which has aroused the interest of the public back home.

May I state at this time, Mr. Speaker, that there are many people in America, perhaps a majority, who are not even aware that the House of Representatives initiated the neutrality bill and do not know that the so-called Bloom bill must come back to the House of Representatives for its decision after the Senate has completed its consideration of the bill. I do not believe there is any partisanship in it—I do not believe that the majority leader has any intention of railroading this bill through when it comes over here. I cannot conceive of anybody, no matter what his views may be, wanting to railroad it because that would be a gigantic blunder, a terrible mistake, and would undermine the dignity, the prestige, and the reputation of the House of Representatives and of representative government itself.

What I am pleading for here is ample debate, free and untrammeled on both sides, by members of both parties and on both sides of the issue. I am asking for a rule granting at least 12 hours of general debate, and more if the House wishes it, together with 4 hours of consideration under the 5-minute rule to discuss the arms embargo, and another 4 hours to discuss the cash-and-carry features, with the credit feature thrown in—whatever is ample to discuss the entire issue and act our will on it.

There is no disposition on our side, I can assure you—I know of none, at least I know of none on the Committee on Foreign Affairs, which is supposed to be the committee that has jurisdiction over this subject—to filibuster or avoid a vote, or to delay the measure one single minute. All I am asking here today—and I have discussed this, of course, with the minority members of the Committee on Foreign Affairs—is to have some assurance from the majority leader or from those acting for the majority leader that we will have ample debate and ample opportunity to amend.

The only way I know that we can do this—and there may be other methods, because there are others who know the rules far better than I—is to bring in a rule. The Committee on Rules can always change the rules of the House. We cannot change the rules after the bill goes to conference because after it goes to conference you either vote up or down the conference report. Before the bill goes to conference, however, the Committee on Rules can change the rules of the House and provide for general debate and debate under the 5-minute rule so that we may give full consideration to this bill, which is an entirely new bill—a bill we have never considered. This is my plea here this afternoon.

I see by the papers that certain releases have gone out that there is supposed to be a debate between the gentleman from Virginia [Mr. WOODRUM] and me on the neutrality bill. I know nothing about this except what I have read in the newspapers. I should be delighted to debate with the gentleman from Virginia at any time or at any place he suggests, in the House, in his own district, in my district, in Washington, or in any city in the United States, the question of the arms embargo and keeping out of foreign wars.

Furthermore, as long as I have a little time left this afternoon, I am willing to make a confession to the House. I have never supported the cash-and-carry feature. I have never fought it very vigorously. I was against it on general principles because I thought it was a discrimination—a rather severe discrimination—against our own merchant marine, which we have spent hundreds of millions of dollars to develop. I do not like the idea of saying to our merchant marine, "You cannot carry our goods to foreign lands, but the ships of other nations can come here and carry them."

I thought that was a rather severe discrimination, and I wanted our ships to travel at their own risk, just as the Dutch, the Norwegian, and the Swedish ships all did in the last World War, and as the merchant ships of England, the Mistress of the Seas, did in the recent Spanish war, when England lost 100 of her ships traveling at their own risk in war zones, but was not involved in war. However, I am willing—and I am speaking for myself and not for any other member of my party, and I am not speaking for one member of the Committee on Foreign Affairs—to accept the cash-and-carry feature on all commodities except arms and ammunition.

There apparently is a great deal of confusion in the country about the arms embargo. One faction of the people wants to keep the arms embargo, while another wants the cash and carry. They are not inconsistent, but efforts are being made and propaganda spread to bring about a situation whereby these groups are fighting one another. It is perfectly consistent to be for a cash and carry, not a credit and carry, but a cash-and-carry amendment and also for an arms embargo, with cash and carry for everything we sell except arms and ammunition.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman; yes.

Mr. RANKIN. The gentleman from New York states he wants ample time to debate this question, and with that proposition I agree thoroughly; but since it is apparent that the war is over in Europe, or will likely be in a few days, and we are going to be here at least during the next 3 weeks during the time the gentleman states the Senate will debate the matter, why not use all of that time to debate the question? It looks now as if the nations of Europe are going to get together and put a stop to hostilities. Therefore, no matter what is said on this floor, it can do no harm either way, and I see no reason why we should not take up that time in debating the question on the floor here, if Members so desire.

Mr. FISH. I quite agree with the gentleman. There is no reason in the world why we should not discuss this matter on the floor here at the same time the Senate is discussing it. That has been the procedure in the past.

I am in entire accord with the gentleman from Mississippi about desiring peace in Europe. It is none of our business what the Germans may do or what other nations decide to do, but we have at least the right to say that we hope there will be peace throughout the world, and that an armistice be agreed to before more people are killed on both sides. I think that this war in Europe is sheer madness; that the victor does not win any longer; that they are all losers; that it means, if this war continues for 3 or 6 or 10 years, bankruptcy and destruction of civilization in Europe, destruction of Christianity, and the ruin of that part of the world if the war continues for any length of time.

There is nothing, I may say to the gentleman, I would not do, in any possible way, to bring about peace in Europe; and as far as that goes, while I do not represent, possibly, all the people on my side, I would like nothing better than to have the President or anyone else in authority—because the fact I am an isolationist from war does not mean I am an isolationist from peace—that is a big issue in the world today and if President Roosevelt can help to bring about this peace, more power to him, and more power to anybody else, whether it is Mussolini or the King of the Belgians, and so forth.

Mr. RANKIN. Mr. Speaker, will the gentleman yield further?

Mr. FISH. I yield to the gentleman.

Mr. RANKIN. Has the gentleman read the statement of David Lloyd George on yesterday and the statement of Bernard Shaw, to the effect that the war is over? And is he familiar with the fact that the word is being passed around among the lords of high finance in this country telling their followers to stand from under or to "unload" and take care of themselves?

Mr. FISH. The gentleman is getting me a little far afield from my subject. I agree so much with him that I want to say this to the House, even though I have to pass up anything else that I had intended to say.

I have just come back from Europe. I went into 15 different countries in 6 weeks' time. I saw the foreign ministers of most of the great countries in that period of time, including those of Great Britain, France, Germany, and many others. The only thing I am interested in over there and over here is the preservation of peace, even if I am a lone voice crying in the wilderness.

The trouble abroad, gentlemen, is that there were no peace elements. All of the people in France, England, and Germany want peace, all of the farmers, the small-business men, and the wage earners of all of those countries want peace, but there was no single element in any of them that could speak for peace. If you spoke for peace, you were a defeatist, and that is the trouble in France and in Germany. The trouble is also that they have the conscription system over there. They take the youths of their lands and put them into the army and train them to militarism, and it goes on year after year until they build up a huge military system and war becomes inevitable, war becomes natural, and why not now? This militaristic system must never be permitted to come over here.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. COX. If we did not have conscription in this country, how does the gentleman imagine that we would ever get into a soldier's uniform these people who are now advocating war, or who were advocating war pretty strenuously up to the time that Russia cast her lot in with Germany?

Mr. FISH. Oh, I cannot agree with the gentleman that there is any considerable element in the United States asking for war. I do not believe that there are a dozen Members of Congress today who would get on the floor of the House and go back and face their constituents and say, "I am in favor of going to war now." I know what would happen to them if they did. Of course, we are against conscription, all of us, here in time of peace. If we get into a war we will have conscription, although many of us are opposed to sending any more soldiers to foreign lands to die on foreign battlefields and fight other people's battles.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. SCHAFER of Wisconsin. The gentleman stated that he was willing to accept a cash-and-carry provision. That does not indicate that the gentleman is ready to accept the credit-and-carry provisions of the Bloom-Bernard Baruch bill, which is now being considered at the other end of the Capitol?

Mr. FISH. Oh, no. The gentleman is 100-percent right. Three issues are before the country today: First, the effort to do away with the arms embargo; second, to extend credit, 90-day credit, then longer credit, then war loans; and the third step is to send our soldiers overseas. Do not make any mistake about this issue. There are a great many internationalists in our country, and interventionists—not in Congress, but throughout the country—who will stop at nothing to get us into war, and then back of that is the foreign propaganda spread throughout the United States, backed up by millions of dollars, that will do everything in their power and influence to create a war hysteria and inflame hatred in the United States and help ease us into war or drive us into war. Those are the three steps. That is one reason I am against doing away with the arms embargo, because if we serve notice in the House of Representatives—and I know of no changes or of any considerable changes in the House—that we will retain the arms embargo we will do more to keep this country out of war and stop the prolongation of the war in Europe than by any other thing.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. ALLEN of Pennsylvania. Will the gentleman inform the Members of the House how he would define arms, muni-

tions, and implements of war? Would the gentleman include wood pulp?

Mr. FISH. I will tell the gentleman. The nations of the world, long before this war came into being, agreed on a certain category, known as arms and ammunition and implements of war. The League of Nations did. We did, and right down in the State Department there is a list of those things which determine arms and ammunition. Every other civilized nation has it. In a general way, arms and ammunition mean guns, cannon, machine guns, antitank guns, antiaircraft guns, and the ammunition that goes with them. The whole category is there. Anybody can ring up and ask what it is.

It is accepted throughout the world. I am opposed and will continue to oppose the sale of arms and ammunition, for one reason, because I believe it to be utterly unmoral, to be utterly un-Christian, to be a vicious system. I think it is wrong to sell these arms and ammunition for blood money, and war profits, which, if it is allowed, will drag us into the wars of the world—not only this war but wars all over the world. That is why I am against it. The burden of proof is on those who want to make the change. It has been the law of the land for 4 or 5 years, and we in the House by a majority of 41 votes put the arms embargo back into the bill.

The burden of proof is on those who want to do away with the arms embargo, to show it will keep the United States of America out of war; how they can keep us out of war by repealing the arms embargo. It is half a vote for war. It is a measure short of war, as they say. It is an effort to take sides, to sell to one side or the other which, like all other measures short of war, means war in the long run.

Mr. ALLEN of Pennsylvania. I will answer that question if the gentleman will——

Mr. FISH. I did not know I was having a debate with the gentleman, but it is all right.

Mr. ALLEN of Pennsylvania. If the gentleman will explain to the House the difference between selling an assembled arm and the implements from which the arms are made. If there is any moral difference, I wish the gentleman would explain it.

Mr. FISH. I will be glad to do it.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, may I have 1 more minute by unanimous consent?

The SPEAKER. The Chair cannot submit that except with the consent of the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. I will be glad to consent, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. The civilized nations of the world have settled that. They have accepted these embargoes on arms. They say you cannot sell a battleship to any belligerent nation, but they say you can sell a merchant vessel. If they arm that merchant vessel afterward, that is none of our business; but that is the law, accepted throughout the world as to arms and ammunition.

I again submit that to sell them for blood money and war profit it is unmoral, it is un-Christian, and it is a vicious system. If we go back to that, we are doing more harm in addition to our own industrial system, based upon private initiative and reasonable profit, for the sake of this mania for profits, war brides, and speculation, if we go into the sale of arms and ammunition we are undermining our whole industrial American system, because every radical will point the finger of scorn at us. [Applause.]

[Here the gavel fell.]

The SPEAKER. Under previous order of the House, the gentleman from Virginia [Mr. WOODRUM] is recognized for 30 minutes. [Applause.]

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain extracts from correspondence and clippings which I shall use in the debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, during the debate on neutrality at the previous session of Congress I did not intrude my views upon the House. I sought this allotment of time designedly now, I will be frank to say, because I naturally supposed that the distinguished gentleman from New York [Mr. FISH] would give to the House and to the American people some account and some elaboration of his views and activities in Europe [applause and laughter], where he traveled as the accredited representative of the American Congress, and at the expense of the American taxpayer as the president of the American group of the Interparliamentary Union. The manner of its constitution we will not discuss.

I want to say, Mr. Speaker, that in the 16 years I have served in this body I have never taken the floor when I felt that I had any personal feeling toward any of my colleagues, though we may differ very radically. I want to say that in anything I may say today—and I shall try to speak frankly and freely—I accord to every gentleman the fullest measure of personal and official integrity, though I shall endeavor to assail his official judgment.

The distinguished gentleman from New York is ranking minority member of the Foreign Affairs Committee (president of the American Group of the Interparliamentary Union, recently sent abroad, and apparently is minority leader on the neutrality issue as it now pends in Congress, and will shortly be before the House again. Because he takes the floor today to discuss procedure, the gentleman's position and the gentleman's feelings are of interest to the Congress and to the American people.

The gentleman has many times exhorted Congress and exhorted the American people against meddling in foreign affairs. He has spoken often, long, eloquently, and convincingly upon that subject. He has assailed the President of the United States and made the statement before a roaring crowd of New Yorkers, under a committee presided over by our former colleague, Hon. James J. O'Connor, that the President had already made arrangements for America to participate in the next war. And then we have the ludicrous spectacle of a congressional isolationist leader going to Europe and undertaking to settle their affairs for them over there. [Laughter and applause.]

A dispatch from Oslo, Norway, dated August 16, says:

Representative HAMILTON FISH, Jr., Republican, of New York, proposed to the Interparliamentary Union Congress here today that Europe take a 30-day political armistice. Mr. FISH arrived yesterday in the personal airplane of Joachim von Ribbintrop, German Foreign Minister, to whom he had talked at Salzburg, Austria, Monday. He said:

The European situation is undoubtedly more serious than it was last September. It seems that a catastrophe can be avoided on the basis of a 30-day armistice, with the conference of the foreign ministers of the four great powers to settle European problems.

And then under an Associated Press article dated Berlin, August 16, the newspaper Zwoelf Uhr Blatt today published an interview quoting the gentleman from New York, Representative FISH, as saying he is convinced that Danzig and other political problems could be solved without war if Great Britain and France show an understanding of Germany.

And then the Associated Press—and I will say that in the absence of any report from our colleague of his journeyings abroad we are left to such accredited news agencies as the Associated Press—the Associated Press from Paris under date of August 17 states:

HAMILTON FISH'S suggestion for a 30-day truce in European power politics was treated roughly today by French newspaper commentators. His name is FISH.

Said the newspaper L'Ordre—

Isn't that clear enough? The FISH has bitten.

Other newspapers commented that the gentleman from New York [Mr. FISH] was given a free airplane ride by Germany's foreign minister and declared that he was duped by the German and Italian propaganda machines into floating a trial balloon.

Under date of August 28 Berlin reports our distinguished president of the American Group of the Interparliamentary Union as having said he was in favor of liquidation of the Versailles Treaty in the East.

The gentleman from New York [Mr. FISH] said that he favored arbitration of the present European difficulties.

The United Press bulletin from Berlin under date of August 27—during the time that he was in conference with Mr. Joachim von Ribbentrop, the German Foreign Minister:

Representative FISH said today that he believes Germany's claims are "just"—

And they put quotation marks around the word "just"—

"I favor liquidation of the Versailles Treaty in the East," he added during a stop-over here en route to Paris.

I am perfectly willing to accord to my friend from New York the right to hold any opinion upon this subject that he wishes, but as one Member of Congress and as one American citizen I believe he was not then representing the dominant thought or spirit of the American people. [Applause.] The gentleman has steadfastly tried to make this a partisan issue, and that is natural. There is no Member of this body or any other body who has so unfailingly, so persistently, so regularly, so systematically, and so ineffectively opposed the present administration. Oftentimes he does not exercise that logic, reason, and good judgment that he would if he were not so biased and prejudiced. Why? In addressing a large audience in New York City on June 27, 1939, an audience composed of more than 2,000 men and women in Carnegie Hall, we read this report of the occasion:

More than 2,000 men and women in Carnegie Hall last night vigorously cheered one of their number who called for the impeachment of President Roosevelt, when Representative HAMILTON FISH, Jr., said that Mr. Roosevelt "has already committed us to go into the next war."

A bigger falsehood never resounded from the public rostrum than that. [Applause.] And there is not a reasonable, thinking American citizen today who would for one instant, no matter how much he might disagree with the President's views, believe that the President of the United States wants to take this country into war.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. Not right now.

Mr. RICH. Will not the gentleman yield for one question?

Mr. WOODRUM of Virginia. A little later.

Mr. RICH. I want to ask the gentleman just one question.

Mr. WOODRUM of Virginia. I will tell the gentleman where we are going to get the money just a little later. [Laughter.]

The gentleman has tried to make this a partisan matter, yet what is he confronted with? He is confronted with this as he undertakes to lead the American people to believe the New Deal is trying to put something over. Let us look at the record. Over the Nation at large we find such gentlemen as Mr. Landon, Mr. Knox, and Mr. Stimson, a former Secretary of State under the Republican administration, approving the program which the President of the United States has suggested. We go into the other body and find such gentlemen as the distinguished Senator from Ohio, who in a day or two will make a speech upon the subject; the distinguished Senator from New Jersey [Mr. BARBOUR]; the distinguished Senator from New Hampshire [Mr. BRIDGES]—certainly no one can say that these gentlemen would connive and combine with the New Deal to put anything over on the American people—we find them supporting the President's views. We go to the press and we find almost every reputable, influential newspaper commentator in America, as well as the leading press of the country, Republican as well as Democratic, defending the program the President has suggested. We come to our own body and we find some of the strongest Members of this House and some of the leading Members on my friend's side of the House advocating this program. Certainly no one would accuse our distinguished colleague from New Jersey [Mr. EATON] of helping the New Deal put anything over. [Laughter.] This gentleman made a magnificent and powerful address to this House on June 27, 1939, which appears at page 8000 of the RECORD. Read it. Certainly no one will accuse our distinguished friend from New York [Mr. WADSWORTH] of collaborating with the New Deal in any ungodly enterprise.

In a magnificent address before this House, made on June 28, 1939, he spoke in favor of the bill then pending before the House on neutrality. Other gentlemen on the minority side, I am sure, are in favor of this program.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. WOODRUM of Virginia. I would prefer not to at this time.

Mr. SCHAFER of Wisconsin. Will the gentleman not put in the RECORD the names of the Democrats who are opposed to the program?

The SPEAKER. The gentleman declines to yield.

Mr. WOODRUM of Virginia. Mr. Speaker, the gentleman from New York has spoken of the prestige and integrity of the House of Representatives. I want to deal for a few moments with that subject. I want to speak a little bit about pressure programs, minority groups, and things of that sort. During the last few years we Members of Congress have felt the whip of pressure groups many times, organized, exploited, and financed for the purpose of influencing action in the House of Representatives; yet my friend from New York in his zeal has himself set up and is conducting a propaganda racket that makes the utility outfit and Doc Townsend look like pikers. I say that goodnaturedly.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask that the gentleman's words be taken down.

Mr. WOODRUM of Virginia. They are all being taken down. I have not started yet.

The SPEAKER. Does the gentleman from Wisconsin [Mr. SCHAFER] insist that the words be taken down?

Mr. SCHAFER of Wisconsin. Yes; I insist, Mr. Speaker. The gentleman from Virginia [Mr. WOODRUM] has accused the gentleman from New York [Mr. FISH] of conducting a racket.

The SPEAKER. The Clerk will report the words the gentleman from Wisconsin requests be taken down.

Mr. LUTHER A. JOHNSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LUTHER A. JOHNSON. Will the procedure in taking down the words the gentleman from Wisconsin has requested be taken down be taken out of the time of the gentleman from Virginia who is now addressing the House?

The SPEAKER. No; it will not.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Georgia.

Mr. COX. I wonder if the gentleman may not be willing to substitute the word "campaign" for "racket."

Mr. WOODRUM of Virginia. I will gladly do that. Mr. Speaker, I ask unanimous consent to change the word "racket" to "propaganda program."

Mr. MICHENER. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Of course, after the demand is made that the words be taken down the gentleman is off the floor until the matter is decided. He does not hold the floor any longer. I am taking no part in this discussion, but for the sake of the record I wished to make this observation.

The SPEAKER. The gentleman from Virginia has submitted a unanimous-consent request that he be permitted to withdraw from his statement the word "racket" or "racketeer" and substitute the word "program." The Chair believes the Chair should submit this request.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, if the gentleman will withdraw his entire

derogatory sentence accusing a Member of this House of conducting a racket, I shall not object.

The SPEAKER. The gentleman from Virginia has submitted a unanimous-consent request that he be permitted to withdraw the word "racket" or "racketeer" from his remarks and substitute the word "program."

Is there objection to the request of the gentleman from Virginia?

Mr. SCHAFER of Wisconsin. I shall not object if that is withdrawn, Mr. Speaker.

The SPEAKER. No objection is heard to the request.

The gentleman from Wisconsin withdraws his request that the words be taken down.

The gentleman from Virginia will proceed in order.

Mr. WOODRUM of Virginia. Mr. Speaker, I will let the Members of the House designate the transaction and call it what they wish to call it. This is what it is.

There has been set up the National Committee to Keep America Out of Foreign Wars. The gentleman from New York [Mr. FISH] is the chairman. The gentleman from Minnesota [Mr. KNUTSON] is the vice chairman. A former Member of Congress from New York, Hon. John J. O'Connor, is the second vice chairman. A former Member from Indiana, Hon. Samuel Pettengill, is the third vice chairman. Mr. Walter L. Reynolds, who, I understand, is the congressional secretary to the gentleman from New York [Mr. FISH], is the secretary-treasurer of this Committee to Keep America Out of Foreign Wars. The committee is composed of 38 Members of the House. Their names appear in the heading of the letter, which I shall insert in the RECORD. Thirty-seven of them are Republican Members of the House, and one is a Democratic Member. Let me say now that in my judgment and my very firm belief those whose names appear as members of this committee have little idea or little conception of what has been done by the committee. I wish in advance to acquit them of knowledge of that. May I also say that the headquarters of the committee is room 1424 in the House Office Building, which I understand to be the congressional office of the gentleman from New York.

This is a letter that went out from this committee:

FELLOW AMERICAN: The time has come when it is imperative that all of us interested in keeping America out of foreign wars unite in a coordinated program to offset the New Deal war-hysteria campaign that is now under full headway in the syndicated columns of the daily papers and the internationalist press, through which false and misleading propaganda is disseminated to further agitate a war psychosis and prepare our youth for another blood bath in Europe.

President Roosevelt has called a special session of Congress to force reconsideration of the Bloom bill, giving him authority to intervene in Europe's power politics, boundary disputes, and blood feuds. The American people are being led to believe the existing arms embargo, which the Bloom bill would scrap, favors Germany, while the fact is it merely prevents the President from intervening or taking sides in any foreign conflict. Repeal of the arms embargo gives the President the power to select the aggressor nation—the war-making powers of the Congress.

It is essential that this and other such false and malicious propaganda be exposed, or the American people will be coerced into another European war. Hysteria must be dispelled with truth and reason, with no succumbing to the mouthings of the war mongers as to the fate of any democracy other than our own United States. Involvement in a war would mean the end of our free institutions and the establishment of a dictatorship here; the consequences and futileness of war must be firmly established in the minds of the people.

In perfecting our program we will need funds with which to print and distribute literature, with facts to offset false propaganda. When the next session of Congress convenes we must be prepared to back up those Members who are working in the interest of peace and against war by getting their statements to the people in all sections of the country. We must also be in a position to hold a national keep-out-of-war convention at an appropriate time in Washington, to which all groups interested in promoting peace can be invited, and weld a united public sentiment against our youth and wealth being sacrificed in another foreign war.

Send us your contribution, and get your friends to help, so that we can be ready to meet any war crisis that arises. Should you or any organization with which you are affiliated be in a position to distribute literature as compiled and released, let us know your requirements, and we will be glad to cooperate. Thank you.

NATIONAL COMMITTEE TO KEEP AMERICA OUT OF FOREIGN WARS.

(Make all checks payable to Walter L. Reynolds, treasurer.)

I do not know to how many people this letter went, but doubtless to many, and I imagine with hearty response.

I have in my hand another letter under date of October 2, 1939, on the personal congressional stationery of the gentleman from New York [Mr. FISH]:

[Hamilton Fish, Twenty-sixth District, New York. Committees: Foreign Affairs; Rules]

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., October 2, 1939.

DEAR MISS FORST: I know it is not necessary for me to explain to you that the biggest issue before our people today is to keep America out of foreign entanglements and wars. In order to combat the propaganda of the internationalists at home and the foreign propagandists in our midst, it is necessary to have adequate funds to expose these efforts to involve us in war and to make the American people believe that war is inevitable.

We need the financial support of all those who want to keep us neutral and out of the eternal wars of Europe. If you are in accord with these views, will you send me your check for a substantial contribution to offset this propaganda by use of the radio, distribution of speeches and literature, and by holding large public meetings in all sections of the country. Would like to have any advice or suggestions that you feel would be beneficial, and will keep them confidential if you prefer. Would like very much to hear from you.

Sincerely yours,

HAMILTON FISH.

This letter is a double-page sheet. On the other side of this congressional stationery sheet is printed:

Aims and purposes of the National Committee to Keep America Out of Foreign Wars.

There is some literature on that page, and it is signed by Walter L. Reynolds, treasurer. Enclosed with it is a slip which reads:

WALTER L. REYNOLDS,
Treasurer, National Committee to Keep America Out of Foreign Wars, 1424 New House Office Building, Washington, D. C.

I am sending you herewith $_____ to aid your campaign to keep America out of war, and to help toward the distribution of peace literature to back up the efforts of the members of your committee to keep America out of foreign entanglements and wars.

Signed_____
Address_____

Mr. Speaker, this is a departure and an innovation in propaganda in America. It has marvelous possibilities. [Laughter.] My friend, in his literature, speaks of "our program." These funds are for the purpose of carrying on "our program." You know, we do not call them campaigns any more—they are programs. Is not that a swell idea? All you have to do is to get a hobby, a good mailing list, and you do not have to go around the Hatch bill or through it; you can finance your campaign, not out of the pockets of Government employees but out of the pockets of the American suckers, if you can get enough of them to respond to you.

"Our program!" What is that program? First, to get a proper psychology—fear, fear—war, war is upon us. "The President has already said we are going into war. Do you want to stay out of war? Send us a substantial contribution and we will stay out of war."

Now, let me make this statement. I do not want to be too rough about this matter. I have never heard of such a colossal propaganda undertaking in the 16 years I have been a Member of this body. We have condemned the utilities, we have condemned Dr. Townsend; but at least they had to have offices downtown. They had to employ secretaries. They have to buy typewriters and, at least, they did not set up their committee under the dome of the Capitol, but here we have a committee propagandizing the American people, trying to sway public sentiment to influence legislation that is pending before the Congress at this very time.

Now, why stop at sending out letters? Why not put at each door of the gallery a little basket or a box and as we take positions on public questions, let the admiring spectators and those who are in sympathy with us drop a nickel or a dime in the Fish box or in the Woodrum box as they go out in order to help us with our program. [Laughter.] Remember this is for our program, our 1940 program, perhaps. [Laughter.] Now, I do not think my friend for a

moment thought he could get away with that, but just look at the situation, if you please. The sad part of it is that many Americans will believe that the other Members of Congress whose names do not appear upon this letter and the administration are engaged in Washington in a horrid conspiracy to carry this country into war. The gentleman himself said today that he did not believe in such a thing as that. Mr. Speaker, every Member of this House is a committee to keep America out of war. [Applause.]

Let me say this about this Committee to Keep Us Out of Foreign Wars. It seems to be a semiofficial committee. The committee's headquarters are at the Capitol. It sends out appeals on official stationery. It uses the Government facilities and employees. No one is a member of it except a Member of Congress or a former Member of Congress, and any average American citizen would be perfectly justified in thinking it is a semiofficial organization. Therefore, I think it should account to Congress, and I have just dropped into the basket a little resolution by which I ask the Speaker to appoint a committee to find out who are making these contributions, how much they have put in the pot, just what the program is, and just what the false propaganda is.

Mr. Speaker, I ask unanimous consent that my time be extended for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, will that give the gentleman opportunities to answer questions?

Mr. WOODRUM of Virginia. I shall try to. I have just a few minutes more that I would like in which to conclude my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUM of Virginia. I think, Mr. Speaker, in justice to the gentleman and his committee and these other Members of Congress, I think there should be a full, open, frank, official disclosure of just what this semiofficial committee is doing.

Aside from the question of neutrality, let us examine for a moment the occasion for any such committee as has been set up under the dome of the Capitol, to arouse sentiment in America for the purpose of influencing the action of Congress, for radio, for printing, for distribution of speeches. Mr. Speaker, every member of that committee, every one of the 38 Congressmen, is privileged to do just what I am doing today—take the Well of this House and make a speech. Every member of that committee, under the facilities provided for him by the Congress, may have that speech printed, paying, as is usual, for the printing of it out of his own pocket. It may be sent to his constituents, hundreds of them, thousands of them, millions of them, free of cost under the Congressional frank. There is no reason under the high heavens for funds being collected for the purpose of informing the American people when any Member of Congress has a message that he wants to give to them. I venture to say that the time has not yet come when this Congress under this administration or any other administration is going to let itself in for the headaches and trouble and heartaches it would have if it ever once put its stamp of approval on such procedure as that. [Applause.]

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. CASE of South Dakota. I may say that probably my name will be found as a member of that committee. Further, that committee was organized last spring and so far as I know there has been no meeting of that committee since this special session of Congress was called, but I for one would be very glad to have that committee make a voluntary report without any requirement through a resolution. May I say further, in the spirit of the President's address that the mantle of peace is broad enough to cover all, that if it be treason to serve on any committee to keep America out of war, then make the most of it. [Applause.]

Mr. WOODRUM of Virginia. Does the gentleman approve of the idea of such a committee to collect funds from the American people for propaganda purposes?

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I would like to have an answer from the gentleman from South Dakota.

Mr. CASE of South Dakota. I have already stated that I would be glad to have that committee make a voluntary report.

Mr. WOODRUM of Virginia. That is not what I asked the gentleman.

Mr. CASE of South Dakota. Of its procedure, as far as I know, I know nothing or about anything the gentleman has said about the solicitation of funds.

Mr. WOODRUM of Virginia. Does the gentleman approve of it?

Mr. CASE of South Dakota. I would like to know what the money is used for.

Mr. WOODRUM of Virginia. If the money is used later, does the gentleman approve of it?

Mr. CASE of South Dakota. I do not approve of soliciting money in some forms, but if it is to keep America out of war, then I think it would be for a good purpose.

Mr. SCHAFER of Wisconsin. My name is on the letter. I will say I approve of that solicitation of funds for the purpose of keeping America out of war far more than I approve the solicitation of millions of dollars by selling economic royalists $250 shake-down autographed books by the Postmaster General in order to obtain New Deal campaign funds for propaganda purposes. [Laughter and applause.]

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. RICH. As I understand the arguments on neutrality in the Senate, they are for the purpose of keeping America out of war. Nothing has been said in the Senate about partisanship. It seems to me that if we are to keep America out of war, which I believe the gentleman from Virginia and all Members of the House do, we should eliminate partisanship from any discussion regarding the individual Members of the House and that we should be free to exercise our best judgment in that respect. I think—in fact, I know—my name is not on that list. [Applause.] At least, I hope it is not, because I am very careful what lists I get my name on. [Laughter.]

Mr. WOODRUM of Virginia. I thank the gentleman for his contribution.

Mr. RICH. But I do say that every Member on that list is just as desirous of trying to keep America out of war as is the gentleman from Virginia and myself. I know that nothing is going to happen in Europe that is going to have me vote for war, because I do not believe there is any issue that will arise over there that should put this country into war, regardless of what happens.

Mr. WOODRUM of Virginia. Will the gentleman yield to me now? I want to comment on my friend's statement. [Laughter.] Of course, I did not expect to find the gentleman's name on this list. The gentleman is very wary and circumspect. The gentleman will recall that before I read the list I acquitted every member of the committee; I personally attested the integrity of everybody and I acquitted every member of the committee of knowing anything about the solicitation of funds. There is no effort to impute anything of that kind to anybody except to challenge their judgment.

Answering my friend, when he said he would serve on any kind of a committee, it is passing strange that the names of nobody but members of the minority are on this committee.

Mr. CASE of South Dakota. Any committee to keep America out of war.

Mr. WOODRUM of Virginia. Oh, yes. There are 120,000,000 citizens who are ready to keep us out of war. America will stay out of war, but follow me for a minute.

Committee to keep America out of foreign wars.
Active program.
America stays out of war--

As America is going to stay out of war. Those who lead the program and who had an active part in keeping America out of war would of course expect to have the undying gratitude, to say nothing of the grateful patronage of the American people.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. ALLEN of Illinois. I happen to be on that list to keep America out of war. I am there because I do not like war. I left high school during the last war and served 27 months overseas. How long did the gentleman from Virginia serve in the last war?

Mr. WOODRUM of Virginia. The gentleman will observe the gray hairs of the gentleman from Virginia. I was a State official during the last war and I did not serve in it. I appreciate the gentleman's implication. Now, does the gentleman approve of collecting funds from American citizens in this fashion?

Mr. ALLEN of Illinois. Voluntarily, yes.

Mr. WOODRUM of Virginia. Subscriptions voluntarily asked by Members of Congress for propaganda purposes? The gentleman thinks that is all right?

Mr. ALLEN of Illinois. Voluntary subscriptions, yes.

Mr. WOODRUM of Virginia. Just as it is done here?

Mr. ALLEN of Illinois. Yes.

Mr. WOODRUM of Virginia. I am glad to have the gentleman on record on that.

Mr. DWORSHAK. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. DWORSHAK. My name is on the list and I am extremely proud of that fact. I wish to ask the gentleman from Virginia if there is any difference in promoting a campaign to raise funds to keep America out of war and the raising of millions of dollars from the taxpayers by this administration and the use of the franking privilege of our country to promote the vicious propaganda of this administration?

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. WOLCOTT. I may say to the gentleman that I am more than proud to be one of the directors of the Committee to Keep America Out of Foreign Wars. It was done for the purpose of at least meeting the millions of dollars which have been spent already in placing lithographed propaganda on your desk and my desk and the desks of thousands and millions of business and professional men of this country. Millions of dollars have already been spent for propaganda telling us of the atrocities in Poland. In the press within the last 3 weeks we read where people were lined up and each and every tenth person shot indiscriminately. The remainder were compelled to dig a trench, place their dead relatives and friends in the trench, saturate them with gasoline, and burn them up. Certain old men, women, and children had taken refuge in a church. They battered down the church doors, killed all of the people, and cut off the tongues and ears of the Catholic priests. Do you believe that? No. There is a familiar ring about that. This Committee to Keep America Out of Foreign Wars was organized to meet that propaganda and to give the American people the facts if the people wanted the facts. If they want the facts, we are the means through which they can get the facts, and I am proud to be on that committee.

Mr. WOODRUM of Virginia. Would the gentleman approve of collecting funds by setting up an establishment in the Capitol——

Mr. WOLCOTT. The gentleman apparently did not listen to my last sentence. I said I was very proud to be the medium through which the American people might contribute of their money to get the facts. [Applause.]

Mr. WOODRUM of Virginia. The gentleman is entitled to his opinion.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. HOOK. I was wondering whether or not the gentleman from Michigan would explain whether these atrocities in Poland were committed at the time or before this committee was formed.

Mr. WOODRUM of Virginia. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 2 minutes remaining.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. Very briefly.

Mr. JENSEN. Mr. Speaker, I am a member of that committee to which the gentleman from Virginia referred. I very seldom speak on this floor, because I am a new Member. Let me say, however, that I joined that committee with my eyes open. I knew what the committee was for. I remember back in '14, '15, and '16——

Mr. WOODRUM of Virginia. Do not make a speech, please.

Mr. JENSEN. I remember back in the early years of World War No. 1 when the propaganda experts were at work. I am proud to be a member of that committee.

Mr. WOODRUM of Virginia. Oh, yes. "Do you want to keep America out of war?" "Yes." "Well, send us a contribution."

Mr. KITCHENS. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. Mr. Speaker, I decline to yield further.

Mr. FISH. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes.

Mr. WOODRUM of Virginia. I thank the gentleman, but I do not care for any more time. The gentleman can get some time himself if he wants it.

Mr. Speaker, there is no excuse for any Member of this House having to ask for public contributions to make his views upon public questions known to the American people. That is the fundamental political question involved here. It has never been done before in the history of this Government, and this is not the first time we have had a vital issue presented to the American people. Had this been done on this side of the aisle—private contributions taken up for the purpose of printing and buying radio time, and what not, outside of the free public Congressional facilities you have—my friends over here would be the first ones to holler "bloody murder."

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I must ask the gentleman to excuse me; I cannot yield.

The SPEAKER. The gentleman declines to yield.

Mr. WOODRUM of Virginia. The whole question before the American people is clear-cut. They understand it. If they have sense enough to read this appeal for funds which the gentleman has sent them, they certainly have sense enough to read the debates in the House and the Senate in every paper and to understand what they hear over the radio. Mr. Speaker, the American people are informed, as there has been no question of covering up facts, of withholding information from the American people. They understand it. Everything has been wide open and aboveboard. Once this Congress sets its stamp of approval upon a procedure by an organization of that kind, then it will never lie in my mouth or yours to take this floor and cry out against other organizations, and outside organizations, trying to whip up public sentiment and trying to influence the official action of Congress. [Applause, Members rising.]

The SPEAKER. Under special order of the House heretofore made, the gentleman from Georgia [Mr. Cox] is entitled to be recognized at this time. Does the gentleman from Georgia desire to claim his time?

Mr. COX. Part at least, Mr. Speaker.

The SPEAKER. The gentleman from Georgia is recognized for 20 minutes.

Mr. COX. Mr. Speaker, I have already made my speech supporting the President's recommendation that our neutrality laws be amended. I have no purpose at this time of undertaking to restate the case or of amplifying arguments already developed. I do feel, however, Mr. Speaker, that it ought to be made clear to the people of the country that the question we have under consideration is not so simple and so one-sided as many would make believe, and that it is by no

means entirely free of danger to the peace and safety of the Republic. In the consideration we have given this question there has been too much of a willingness to gloss over embarrassing realities with soft and diplomatic language, and too little of a willingness to speak the hard, plain language of truth. We ought not, Mr. Speaker, to deceive the people of America. We ought not to be willing that the people of America be deceived. Our responsibility is a grave one and we ought not to conceal that which should be made known.

It is important that we keep reminded of the fact that the subject we are considering is that of neutrality with all that the term implies, and in this consideration it is important to consider the proposal to offer freely in our American ports all the munitions of war that a belligerent may wish to carry away for cash, emphasis being placed upon the fact that all belligerents able to call for and pay cash for such commodities are to be treated alike.

Mr. Speaker, innocent and innocuous as the proposal appears to be, there is nevertheless grave doubt attendant upon its application in practice. Obviously the proposal could benefit only the Allies, England still being mistress of the sea, with the German fleet bottled up. To adopt the doctrine that it is Germany's misfortune to be unable to share equally in America's offer of munitions, which would aid in continuing the conduct of the war so long as the belligerents may be able to pay and carry may be a statement of fact; but to change deliberately a policy which the United States has put into effect by legislation and recognized as one adapted to the prevention of war by denying munitions of war to all belligerents for a policy which will permit the sale of such munitions in full knowledge of the fact that only one of the belligerents will be able to avail itself of these facilities is, Mr. Speaker, to stretch the doctrine of neutrality to a dangerous degree.

No effort, of course, is being made or will be made to defend Germany or to protect her from the ultimate effects of war, certainly from a war which she began, no matter how disastrous such effects may prove to be to her; but to assert that the sale of arms to her enemies will tend to end the war by reducing Germany all the more speedily because she will be unable to carry away munitions from our shores, as is the declared purpose of the proposed repeal of the present arms embargo, is far from a declaration of neutrality or to keep America out of this most recent European conflict. If even there were a suspicion that Germany might be able to carry munitions of war away from our shores and run an even risk of preventing capture upon the high seas, the proposal to repeal the present arms embargo could be justified perhaps upon the doctrine of equal treatment to all; but, Mr. Speaker, and we must speak the truth, to propose to repeal the embargo in full knowledge of Germany's inability to reach our shores because of the blockade of her fleet by the British is a proposal which, under the law of nations, might be held to be not of neutrality but of participation in the conflict. [Applause.]

There is force, Mr. Speaker, in the contention that it is a clear proposal to violate strict neutrality and under such circumstances Germany and her allies might say, under international law, that they have no recourse other than to declare it a hostile act and, appropriately under the rules of war, seek reprisal against our citizens or declare that we had created a state of war by aiding her enemies in prolonging the war and thus prevent an early peace.

The position of the United States is a grave one, and to contend otherwise is to play foolish. It is not difficult, Mr. Speaker, for the head of the State so to involve the Nation as to compel the legislative body, the Congress if you please, so far as this country is concerned, in self-respect and national decency to declare war, for the President of the United States has the power, as exemplified by his proclamation, to declare existence of a state of war, to recognize the existence of a state of war, and to take certain steps in connection with that status. Of course, Mr. Speaker, I am not one who entertains the slightest suspicion, if there be those who do, that the President has any purpose, remote or present, of leading this country into war. I do not believe any fair-minded person who heard his message to the Congress on the subject could entertain for a moment the slightest doubt of his deep purpose of keeping this country at peace.

Mr. Speaker, does America wish to enter this conflict? For what purpose? To redress a grievance? She has none. To correct a wrong? None has been done her. To pursue the ideology of the world peacemaker, the savior of European self-determination? Well, she failed in both less than a quarter of a century ago, paid an intolerable price for the privilege of doing so, and still labors under the burden of a staggering debt for doing so. Her erstwhile allies, while refusing to pay the debts of that war, lack no funds to engage in a new war. Thousands of American youth made the supreme sacrifice in vain. Gold Star Mothers visit the graves of their sons in a foreign pilgrimage. Does anyone, Mr. Speaker, wish to create more Gold Star Mothers?

Some may ask, and properly so, Why this mad rush to plunge us into the sale of armament that will prolong a conflict to which we are in no way a part? Our peace has not been invaded, our security is not at stake, our national rights have not been challenged. The time-honored admonition of President Washington against foreign entanglement with European states whose policies of government are distinct from ours is as valid now as when he uttered it. He did not seek to involve us in European conflict; and when our peace and neutrality were threatened by foreign emissaries who did try to involve us in European wars, he arrested and deported those emissaries. He was content to regard our boundary on the east as the Atlantic Ocean, with 3,000 miles of security between us and warring Europe.

Mr. Speaker, statecraft, propaganda, self-preservation—these are the forces behind the apparent determination of European states to make us participants in this war, and certainly no one is foolish enough to contend that the effort is not now in play. Those were the forces that prevailed against us in 1917. Their insidiousness was obscured by the subtlety of mob psychology, well understood by the propagandist bureaus of European states, eternally engaged in economic rivalry, racial hatreds, and destructive work. The European caldron of war has fermented and seethed for more than a thousand years. Today, as for a thousand years, the warring armies of Europe seek the economic advantage of coal and iron, the raw materials of war, of economic progress, and economic security. In the thousand-year perpetual conflict millions of men have been sacrificed to the god of war as possession of these raw materials has passed alternately into the hands of one or the other of these perennial belligerents.

In 1917 we were seductively enticed into the conflict between these perpetually warring nations by the only appeal to which America would respond—to preserve democracy. The propagandists of Europe knew it as the only appeal to which Americans would give heed, and they lured us into a conflict that has been raging intermittently for a thousand years. They lured us in by the most modern and subtle psychology known to war-making propagandists.

Mr. Speaker, we have spent billions, we gave the young men of the Nation, we so disrupted the normal progress of our national life that today the debt of war still lies heavily upon us. We joined the council of the conquerors at the close of the war; we aided in dictating the terms of peace; we were vaingloriously hailed as the saviors of Europe and of civilization; we created ideally new states, brought self-determination to aspiring minorities, then we paid the bill for it all. We wrote down the debts of our allies; we forgave our debtors vast sums contributed to aid them in their reconstruction; we nobly disavowed the interest upon their vast borrowings.

Mr. Speaker, where is that peace now, bought so dearly with the blood of America's youth? Where are those aspiring minorities? Where is the self-determinism which we created for them? One thing we do know: We know where the staggering, unbearable burden of debt rests, and any hope which we may have indulged that Europe would repay any part thereof may now be dismissed permanently.

Mr. Speaker, what shall be the future course of America's foreign policy? Will it become the fate of America to engage in the perpetual conflicts of Europe? Is it America's destiny

to sacrifice in perpetual atonement the blood of the Nation upon the altar of the god of European wars? Is the blood of American youth to purge henceforth the crimes of Europe, of strife, greed, and hatred? Mr. Speaker, if this be our destiny, then let us now highly resolve that we shall accept it, but let us accept it courageously, boldly, manfully, and with our eyes open. Let us solemnly resolve now to plunge this Nation into this new conflict. Let American mothers give up their sons. Let the Nation pour forth its economic means, gird itself for battle, accept the philosophy of a frontier of war that extends to the coast of Britain, and join in the conflict openly, bravely, courageously, manfully, and knowingly. Let us once again become the savior of Europe, the hero of aspiring minorities, the champion of self-determinism. Let us wage war again to preserve Europe, and make the world safe for democracy. Let us wage war again to end war. Then let us resolve that within a quarter of a century we shall do it all over again, and again, and again, until hatred, greed, racial, and linguistic animosity and economic desires, ambitions, and covetousness shall have been removed from the European cauldron of war. In short, let us highly resolve to continue to do so in perpetuity, and let us devise and bequeath that burden to our posterity so that they, too, may periodically renew the conflict and join the battle, the burden of America, our destiny.

The recommendation to repeal our present Arms Embargo Act comes now when the conflict to all intents and purposes is ended. However we may like or dislike it, the partition of Poland is a fait accompli. Poland has been dismembered and partitioned as so often before she has been. The victors occupy the territorial domain of the Polish state.

England and France may refuse, Mr. Speaker, to accept the arbitrament of war, and declare they will fight on. For what? For the restoration of Poland or the punishment of Russia and Herr Hitler? England and France will be compelled to carry the war to enemy territory. They cannot conquer Russia. Her vast natural resources, her boundless granaries can sustain Germany indefinitely. And who will sustain England and France? History has repeatedly demonstrated England's reliance upon her ocean commerce. The resources of France are definitely limited. Shall America then supply the means of war, munitions, foodstuffs, arms? How long then could we remain neutral? How long before American youth once again embarks for the shores of Europe to contrive and prolong a war now substantially concluded?

Mr. Speaker, suppose the proffered peace of the dictators is repugnant to America, to our ideas of democracy and self-determinism, and the rights of aspiring minorities, is America to be the avenger of totalitarian conquests?

PERMISSION TO ADDRESS THE HOUSE

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that on Thursday next I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that on Thursday next, following any special orders heretofore entered, the gentleman from Ohio [Mr. SMITH] may be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that on Friday next, after the disposition of matters on the Speaker's table and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. KEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter addressed by me to a resident of my district.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from a newspaper published in my district.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from citizens of Los Angeles in regard to the W. P. A. situation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHAFER of Michigan asked and was given permission to extend his own remarks in the RECORD.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief statement by George Bernard Shaw.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Under a previous special order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan may be permitted to proceed for 10 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the statement made by the gentleman from Virginia [Mr. WOODRUM] in thought and method was a typical New Deal speech. It lacked accuracy in that the gentleman was in error when he said that it was not necessary for any of us to ask for funds if we wished to supply the demands for statements made on the floor of the House.

One instance is recalled where requests came in for more than 100,000 copies of a speech, and this without any previous publicity. Those requests were for a statement made on the 1st day of June 1937, which described the manner in which the Communists had taken over the C. I. O., and were using communistic methods, Communists as organizers, in the 44-day sit-down strike which was carried on under the administration of former Governor, now Attorney General, Frank Murphy.

You may not think that speech was worth 5 cents, but some people wanted copies of it and asked for it. My financial condition, even though the speech might have been franked out, did not justify me in purchasing 100,000 copies, and had someone come forward with the funds to pay the Government Printer the amount required for the publication, I should not have hesitated to have forwarded copies of that speech to those making the request for copies.

I wonder if the gentleman believes it was a crime to go down here into the departments, as his party leaders did go, and force the clerks to buy tickets at $100 each to go to a dinner where some Democratic orator was going to speak?

A high-handed sandbagging of clerks, stenographers, and office girls, some of whom bought, paying in four $25 installments for the $100 dinner. A dinner for the New Deal dictators. Nero of old never had a more direct nor effective way of collecting revenue from his subjects.

Was that an offense? How do you compare that with the solicitation of funds to keep us out of war so the sons and the husbands can stay home? Oh, it is a crime to do anything that is in opposition to the New Deal and the principles, or lack of principles, they would teach.

I wonder if the gentleman considers it wrong that the President put his "John Hancock" on the flyleaf of a campaign book that was not worth 15 cents and then permitted

the national committee to sell it to corporations and labor unions, which might need administration favors, for $250 a copy, so that the Democratic National Campaign Committee would be able to circulate the slop and sewage that Charley Michelson, the champion mudslinger of the Roosevelt publicity department, puts out, that others write for the President and his stooges, Jackson and Ickes?

Was that wrong? Is it wrong for John L. Lewis, with John Brophy, an acknowledged Communist, in his executive organization to go down to the men who are working on relief and ask of them 25 cents a month for dues and use a part of it to pay John's salary of $25,000 a year? They are the men to whom we voted relief funds, and Lewis and the Communists take 25 cents a month away from them and would use it to inveigle men into their organizations. Is that wrong? Is it fair? Is it decent, I say, is it even decent when the President permits without rebuke the organizers of the C. I. O., with the Communists in their midst, to say on a circular, "The President wants you to join"?

Was it honest, was it fair to permit the use of that kind of a circular by an organization whose activities in many cases were directed by Communists, to make people believe that the President of the United States wanted them to join that particular union? Where was the fine sense of what is right of the gentleman from Virginia when that was going on? Did he here on the floor of the House lift his voice in protest? And when labor organizations whose members and whose dues had been increased and collected largely because of administrative department failures to protect American citizens, made contributions of more than $1,700,000 to the Democratic campaign fund, did any of you hear the gentleman from Virginia crying out in horror or making protest?

Can you see any fault in your own organization? You cannot smell the stink from the political chicanery that goes up from this White House down here, can you? Perhaps that it because you have become accustomed to it and it is a familiar odor. It is said that even a skunk enjoys the smell of his den and finds in it nothing offensive.

But when someone appeals to the American mothers and the American fathers for money to pay for the circulation of speeches or arguments against what the White House or the New Deal happens to want, or if it believes in something which the Americans do not want but which nevertheless its conduct will bring about, then that action becomes a crime, or if not a crime, something that should be investigated. Oh, yes; let us investigate the activities of this committee on which are so many patriotic Congressmen, but keep your fingers off the C. I. O. and its communistic allies. Keep your eyes turned away from the money contributed by Moscow to finance the "reds" who endorsed the President for a third term.

Typically New Deal, yes; the speech might have been made by the President himself. You would deny to the people of this country the right to petition, the right to contribute voluntarily to the circulation of views in opposition to the New Deal or something the President wants.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. The gentleman apparently has forgotten the Two Percent McNutt Clubs in Indiana.

Mr. HOFFMAN. That was not a national activity. That was just the activity of a man who wants to be a New Deal President.

That was just a little side line of a shrewd politician, an effective collector and the beneficiary of which has now been taken into the White House's inner circle.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield for a question?

Mr. HOFFMAN. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. The gentleman's criticism——

Mr. HOFFMAN. I am not criticizing, I am just calling attention.

Mr. LUTHER A. JOHNSON. The gentleman's laudation, then.

Mr. HOFFMAN. It is hardly that, either. It is just a statement of the facts.

Mr. LUTHER A. JOHNSON. No; I do not believe the gentleman stated a fact.

Mr. HOFFMAN. That is where the gentleman is in error again.

Mr. LUTHER A. JOHNSON. Did the gentleman yield to me or is he going to do the talking?

Mr. HOFFMAN. Yes; if the gentleman will not characterize as improper or inaccurate something I said.

Mr. LUTHER A. JOHNSON. I want to ask the gentleman a question with reference to the gentleman who made the speech in which he refers. As I understood from the gentleman's remarks, if he will permit me to so express myself, what he was seeking to do was to say that the gentleman from Virginia had blindly followed the New Deal and criticized everybody who did not.

Mr. HOFFMAN. Oh, no, no; he only follows the New Deal occasionally.

Mr. LUTHER A. JOHNSON. Will the gentleman keep quiet until I answer the gentleman?

Mr. HOFFMAN. Well, it is going to be pretty hard.

Mr. LUTHER A. JOHNSON. I know it is going to be hard, but I want to ask if the gentleman does not believe that the gentleman from Virginia has not been a blind follower or worshiper of the New Deal. Has he not been liberal and broad-minded in his views?

Mr. HOFFMAN. Listen! He has been kicked all over the House by the New Deal; in fact, I do not know of a Democrat of any distinction or intelligence who has not been kicked around on occasion by the New Deal, and I do not know of one that does not come back and, figuratively speaking, lick their boots for more.

Mr. LUTHER A. JOHNSON. Will the gentleman allow me to ask the question: A bootlicker of this administration? Does not the gentleman think the gentleman from Virginia [Mr. WOODRUM] has been fearless and independent in his views and votes in this House, and do you think his record is such as to justify the charge that he made this attack merely because of his loyalty to the administration?

Mr. HOFFMAN. No; I think the gentleman from Virginia is altogether too intelligent and too independent to adopt or give utterance to any views which are not his own. Often on the floor of this House, have I heard the gentleman from Virginia [Mr. WOODRUM] fight vigorously and with marked ability, administration measures which his judgment convinced him were unwise. I know that on occasion men change their views after hearing argument but the gentleman from Virginia, however great his ability, however clear his mind and sound his judgment, is nevertheless human and it may be that on this occasion he is just mistaken and in error when he condemned the action of this committee in soliciting funds. Probably he loves the gentleman from New York [Mr. FISH], but he loves him in such a way and his party views and associates are such that it was easier to convince himself of the impropriety of the course followed by this committee than it would have been had the soliciting been done by a New Deal revenue collector.

In what I have said or in what I may say here today I in no way question either the ability, the integrity, or the loyalty of the gentleman from Virginia. All I charge is that today, for the moment, his vision is obscured by his New Deal glasses, his memory is impaired by his party loyalty. He has forgotten that the House in which this administration dwells is of the most fragile glass, that the linen which can be hung on its wash line is about the dirtiest and the smelliest that ever needed an application of soap and hot water.

In another aspect the speech of the gentleman characteristically followed the New Deal thought. It assumed that all those who approved of either soliciting or accepting voluntarily contributions to the National Committee to Keep America Out of Foreign War were engaged as he first said, in a racket. He later withdrew the word "racket," but by his

manner and language left open the door to those who desired to follow that insinuation to do so.

If you will look over the list of the names on the letterhead, you will find the names of three Michigan Congressmen. First is the name of "ROY O. WOODRUFF." He was born in 1876; at the time America went into the World War he was 41 years of age, or 11 years older than the gentleman from Virginia, who on the floor pointed to his gray hair and called attention to his age as a reason why he was not now a veteran of foreign wars. The gentleman from Michigan, Congressman WOODRUFF had two children, one 10 the other 12. He enlisted; he served as an infantry officer for 2 years, almost 1 year of which he was on foreign soil. Who is the gentleman who would first challenge the record of the gentleman from Michigan, ROY WOODRUFF?

Further down on the list will be found the name of "JESSE P. WOLCOTT." Jesse served abroad as a machine gunner for something like 12 months, and his total service covered a period of almost 2 years. Let a veteran arise and question either his patriotism or methods. Let others remain silent.

One other name of a Michigan Congressman is found on the list. It is "PAUL W. SHAFER," who twice enlisted and seven times was rejected because of his physical disabilities. Oh, I know that the gentleman from Virginia disclaimed all intention of criticizing the motives of the members of this committee and stated clearly that he did not charge them with any improper conduct, but like the head of the New Deal, his words were not consistent with his attitude upon the activities of the committee. Like all New Deal utterances, his statement on the floor carried the inference, not too well veiled, that the committee was engaged in a reprehensible, in a corrupt, effort to put out and circulate un-American propaganda. It smacked all too strongly of the New Deal theory that the people should receive information and enlightenment from only New Deal sources. Its central thought seems to be that none other than those who are in accord with New Deal ideas should contribute to or aid in the circulation of information which might create sentiment in opposition to the first President who ever sought to become a third President. Like Hitler's utterances, it intimated that the right to free speech, the right to petition, should not be exercised unless it was used in the interests of the Government's program.

Let us compare some of the methods of the gentleman's party leaders. It was his theory that if not a crime, it was at least unethical and no doubt corrupt, to solicit funds to circulate material to keep America out of foreign war. A more perverted view it would be difficult to conceive.

The gentleman from Virginia condemns the soliciting of voluntary contributions to an organization formed to "Keep America Out of Foreign Wars"; or, if that was not the meaning of his talk, then he charges, by inference at least that those funds are being improperly diverted or improperly used, and he asks for an investigation. If the gentleman believes that the proposition is unsound or the method which the committee employs is improper, what does he think of those who lend their support to organizations which are shot through and through with Communists, whose leadership many times is in the hands of those who would, by force, destroy our Government. For an example, what has he to say about the Workers' Alliance and its strike against the Government itself? It has recently been disclosed that the Communists are strong in the Workers' Alliance. Benjamin, one of its principle officers, is known the wide world over as a Communist. Some of those prominent in Federal activities are acknowledged Communists, yet we find the First Lady of the Land, the President's wife, down at a convention of the Workers' Alliance, whooping it up for that organization, and from the gentleman of Virginia we hear no words of protest.

Today, before the Dies committee, came Kenneth Goff, a former Communist, who said he was first asked to join the Communist Party while attending a former "worker's school" which was held at a Wisconsin University fraternity house and financed by Federal funds. Do we hear the gentleman from Virginia criticising the use of Federal funds by an organization endeavoring to turn college students into Communists? Goff testified that William Hinckley and other leaders in the Youth Congress movement were invited by Mrs. Roosevelt to have tea with her at Hyde Park and that because of this association with the First Lady they gained added prestige among the Communists.

The gentleman from Texas, Chairman DIES, remarks that the Youth Congress official "imposed on Mrs. Roosevelt's hospitality, since she had no idea they were Communists."

Mrs. Roosevelt gets about not a little, she is very free with her advice, and, being the First Lady of the Land, it would seem as though she might take the trouble to learn, or some one of her numerous secretaries might ascertain, something about the record of her invited guests. Most assuredly if she reads the papers as assiduously as she writes for them, she might have received a hint that Benjamin of the Workers' Alliance, that Lasser, and Browder at least, were inclined toward communistic doctrines. She might even have ascertained that Mme. Perkins has been a powerful aid to those Communists who have been seeking to lick industry through the sit-down strikes carried on by the C. I. O. The trail of the "reds" runs across the White House lawn and recrosses the front porch.

From the gentleman from Virginia we hear no words of protest. When the so-called youth movement has in its ranks notorious Communists and receives the benediction of the White House, we hear no criticism of the administration's endorsement of that movement from the gentleman from Virginia, but today because an organization, aided by a veteran of the World War, gives to American citizens their constitutional right to contribute funds to the circulation of propaganda to keep us out of war we find the gentleman's sense of decency outraged.

It seems too soon that the gentleman's desire to aid his party organization in hanging the gentleman from New York [Mr. FISH] on a hook, in attempting to discredit the gentleman from New York [Mr. FISH] before the American public, has led him, the distinguished, the capable, patriotic gentleman from Virginia, into a bitter and unfounded partisan attack upon a World War veteran who has been in peacetime an able exponent of the fallacies of the New Deal methods.

Here we are, called in special session by the President because of a great emergency, and here or in our offices we sit and the President's spokesmen in the Senate and over the radio yell their heads off condemning Hitler.

I do not like Hitler nor his methods even though they appear here in these United States with the sanction of the Labor Board, Mme. Perkins, Frank Murphy, or the President himself. I hope someone licks Hitler and all his kind. I would much prefer that they bring him over and let Joe Louis do the job but that, under present international law, or more correctly speaking, with our present ability, is an impossibility.

The President brings us down here and wants one particular thing. Are we, as he seems to assume, incompetent to transact our own business? Hitler tells his legislative body to get out and they get out. The President brings us down here and he says do not do anything and you agree that you will not do anything. What is the matter? After an expense of about half a million dollars to get 400 Congressmen down here he says, "Now, boys, you go home, the Senate is talking." What kind of business is that? Do we not know enough to legislate? Are you going to keep the promise that you made in the last session of Congress, when you said that when you met again the unfinished business was going to be an amendment of the Wagner law? You say that I am cracked on that subject. If I am, I never will be lonesome for want of company, and I assure you I will never be considered cracked because of a delusion that I am a superman with a master mind, or that I possess all of the charity, the kindness, as well as all of the knowledge that it is sometimes intimated some one or more prominent man possesses. I probably will be talking on the subject of the N. L. R. A. until

you get rid of the inequities of that law or I get out of Congress.

You noticed the other day how the new man who has been appointed on the N. L. R. B. pointed out in a minority opinion that it was just plumb foolish and said that they were denying a union at Crystal City, Mo., the right to select representatives of their own choosing—the very same thing that I talked to you about in the last session of Congress. He held the law does not protect the employee. And now you gentlemen from the great Northwest, you liberal fellows, who were so critical last year when I stated that the Labor Board was not doing the square thing by our Nell, did you notice how the President's appointee decided that question? He must be right, because he was appointed by the President, and he is on that point unmistakably right. He gives an indication of knowing what it is about. He said that the Board, the Labor Board, the New Deal Labor Board, is depriving employees of the right given them by section 7 of the N. L. R. A. Are you going to sit here and let that continue? Are you fellows, who were sent here by the votes of the A. F. of L., going to sit here and let the Communists and the C. I. O. destroy the organization to which you owe your political existence? You give every indication of intending to do that very thing. Why not go ahead and amend that law? We are here. We have the time. What are you afraid of—the Communists or the C. I. O., or both? That is not the only decision that has been made which exposes the rottenness of the Wagner law. You remember just within the last 3 weeks the N. L. R. B. said that a company must pay two workmen from the time they applied for work, although they never were hired. How do you like that?

Do you know of any more effective way to ruin business than to have the C. I. O. or the Communists cause its members to apply for jobs and when, because of their records or the activities of their organizations, the employer refuses to give them a job to have the N. L. R. B. decree and order that the businessman, the industrialist, should pay them going wages from the time they applied for work until he gives them a job? That is what the Labor Board did a week or two ago.

My mind goes back to the collection of dues from the United Mine Workers, who had to put up a special assessment, paying it to John L. Lewis, and then Lewis diverting that fund to the extent of $470,000 and putting it into the President's campaign fund. What do you think about that? Talk about a racket.

That has Pendergast skinned a thousand ways and still the gentleman from Virginia talks about the rottenness, the sin of putting out propaganda against war.

Take the varnish off this scheme and look at it as it is, without prejudice, and I am repeating now, for I want you to remember it, the C. I. O. workers go about circulating handbills which state, in substance, that the President wants them to join the union. The La Follette Senate Civil Liberties Committee lends its endorsement by its activities. Workers, whether they wish or not, are forced into the C. I. O. Then comes the collection of dues, then the last step—a part of those dues which have been levied as a tribute, by the payment of which the workingman has purchased from Lewis the right to work, are diverted by Lewis back to the President's campaign fund and the circle is complete.

With the record as it is why get up on the floor and jump on my good friend from Michigan [Mr. WOLCOTT], who served for 12 months in the first-line trenches, or any other man on that committee and say that he wants money for an improper purpose? No; no one wants any money. They are willing to give their voices, their efforts to keep this country out of war.

Browder, speaking for the Communists, endorsed the President for a third term and, so far as I know, the President has never repudiated that endorsement. Browder confessed before the Dies Committee he used a forged passport, a violation of our criminal laws. Does Browder's endorsement of the President act as a bar to his prosecution? Where, oh, where is our criminal chaser, Attorney General Frank Murphy? Did he ever hear about Browder? But, perhaps, they do not need Browder at the White House for they have Murphy in the official family.

In Michigan, Murphy took Frankenstein, a reputed Communist, and put him in as the distributor of the relief funds. As a reward, or in recognition for his services, they brought Murphy down here to Washington. A reward for a fellow who puts a reputed Communist into a State office, his salary paid by the taxpayers of the State, to distribute State money. Isn't that a pretty picture? Oh, I wish I had the time and the ability to tell all about the combination between the Communists and the big fellows down here who pretend to control, or who in fact too often do control our activities, to spread it all on the record. But is not the picture plain enough?

Before anyone proceeds further to criticize this committee let us take a look at the Hitler methods employed here in these United States to hamper or destroy the executive branch of the Government.

ROOSEVELT WOULD HITLERIZE CONGRESS

Called in extraordinary session because a great national emergency existed, congressional leaders at the request of the President agreed that from the 21st day of September, when Congress met, until the 9th day of October, the House, while the Senate was discussing neutrality, would do nothing but meet and adjourn on Monday and Thursday of each week. Opposition to this agreement forced the concession that on those 2 days for a limited time the people's Representatives might talk and insert speeches in the RECORD but could not legislate.

On a Thursday the gentleman from Texas, Majority Leader RAYBURN, undoubtedly acting for the President, sought to continue this agreement. Objection was made. If the new dealers insist upon it and can muster the votes, a resolution will be passed which will permit the meeting of Congress only on Mondays and Thursdays until the President's efforts to repeal the arms embargo have been successful in the Senate.

Not long ago the President's son, Elliott, over the radio, announced Congress had outlived its usefulness. Now comes the President himself and, either taking a cue from Elliott, or following his own plan, attempts, through the majority leadership, to follow Hitler's method of calling the people's Representatives when, and only when, he has a program ready for their consideration and adoption.

If the Budget has been balanced; if there is now peace between the A. F. of L. and the C. I. O.; if a state of neutrality exists between the labor-union organizers and industrialists; if the Communists in the Government's employ, and there are something like 2,850 of them, are harmless; if the N. L. R. B. has seen the error of its ways and has repented; if the Communists who are posing as labor organizers have ceased their war on business and their attempts to levy tribute on the workingman; and if all other domestic problems have been satisfactorily settled, then there is no need for the House to consider proposed legislation, unless, as many suggest, the Army bill to cover preparation for war and which will be introduced at the next session, should be given to the Committee on Military Affairs for its consideration.

The President has long had a "rubber stamp" Congress, but even the "rubber stamp" Congress was vocal at times. So now Mr. Roosevelt, following the course of a dictator, through his New Deal leadership, is demanding that the House be, and so far he has been successful in rendering, the House impotent.

If he can muzzle the House of Representatives, deny to it its constitutional right to consider and pass legislation, he is within sight of the accomplishment of his dictatorship. He claims he has had his way with the courts. He is now taking over the functions of the House.

Apparently he has control of the Senate, for if 400 or 435 Members of the House of Representatives will draw their pay while sitting in their chairs in their office at Washington, remain speechless and come forth only to signify their approval of his measures, what more would there be for a dictator to ask?

How do you like the spectacle of your representatives being called back to Washington to legislate in a so-called public emergency, then denied their right to function?

And just think of how your Congressman is being frightened. One day the President, who is Commander in Chief of the Navy, blandly announced that off the coast a mysterious submarine has been sighted and then having disclosed this great secret, refused to name the nationality of the submarine. Now the Navy announces that it was one of our boats.

A little later the President annouced that he has received a message from abroad which originated in Germany, to the effect that the *Iroquois* returning to an American port is to be torpedoed. He ordered a convoy of American warships to escort her safely home. The intimation from Germany is that the British were going to sink her. The British say that if she is destroyed the Germans will be responsible.

Whether there is anything to the message or whether this is another of those all-too-frequent conversations with a "businessman" no one knows. But the submarine story certainly indicates that the President must be thinking along the same line with the boy who on Hallowe'en night—and that will soon be here again—goes about with a hideous face cut in a pumpkin which is lighted with a candle, thus scaring the smaller children in his neighborhood.

Either the President is correct in his apparent surmise that the House of Representatives is mentally incompetent to perform their duties of functioning as the people's representatives, or its Members have not awakened to their responsibilities to take up and make progress with the unfinished business left over from last session or lack the courage to do so.

Right here in Washington we have a threatened strike, which would, if prolonged, tie up millions of dollars' worth of construction, and all because the truck drivers' union and the operating engineers' union disagree as to who shall collect dues and exercise supervision over some 70 men who are driving trucks which mix concrete.

Throughout the country similar absurd liberty-destroying activities continue.

It has been frequently charged that Communists control the C. I. O.'s auto workers union, which has jurisdiction over airplane plants which are working on Government planes. The A. F. of L. charges that in the meat-packing industry, certainly an essential industry in time of war, the C. I. O. is signing up Communist organizers. Communists, under Bridges, long have been in control of the Pacific coast industries. It is charged it is in control of the Atlantic coast seamen's unions. It has its members in the C. I. O. unions, which have jurisdiction in the steel, rubber, and other industries producing goods essential in preparing for and carrying on war. Communists are in these positions because John L. Lewis took them in, because Mme. Perkins and President Roosevelt permit them to remain. There is no dodging that responsibility.

The President's campaign fund profited to the extent of $470,000 from the United Mine Workers, but that is no reason why these Communists should be permitted to remain in positions where they can sabotage our production of munitions which are essential to our own defense. Congress is in session. Why not take some action similar to that which was recently taken in France and give these Communists a dose of their own medicine?

It is my purpose, if possible, to induce Congress to give consideration to some of the domestic problems which confront us, by objecting to any unanimous-consent adjourning from Monday to Thursday to Monday, and force the leadership of the House to assume the responsibility for the Members drawing their salaries as the people's representatives, and at the same time being deprived of the opportunity to earn part of their salary. [Here the gavel fell.] [Applause.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I listened to the statements, charges, and challenges of the gentleman from Virginia [Mr. WOODRUM] more in sorrow than in anger. But, Members of the House, Democrats and Republicans, it has come to a pretty state of affairs when, by implication, in these days of war hysteria, a Member of the House can be charged as being a traitor to his own country, and particularly one who has served for a number of years in the House, because he took a ride in Mr. von Ribbentrop's airplane, the Foreign Minister of Germany. Now, if the gentleman from Virginia wanted to find out the facts about that ride, in all fairness, all he had to do was to ask me about it. Evidently he was not interested in the facts, but only in making a personal, abusive, and smearing attack. What are the facts? The facts were that I was invited, when I was in Paris, by an American, at the request of Von Ribbentrop, to come and see him in Berlin on my way to Oslo. It so happened that the date was fixed prior to my going to Oslo, and on my way there. Unfortunately for my convenience, the Italian Foreign Minister, Mr. Ciano, had to see Mr. von Ribbentrop at that time, and my appointment was postponed 1 day until Monday morning at 10 o'clock in Salzburg. Then it was delayed again until 4 o'clock that afternoon. I sent word that I was very sorry I could not stay, because I had to be in Oslo the next morning, and the only train I could take left at noon. Word came back that if I would stay over and see him he would send me to Oslo in one of his airplanes.

Those are the simple facts of how I went in that airplane; yet now, by implication, not only here on the floor of the House but in the press of Washington, it is implied that I did something traitorous; that I sold out the Congress for a trip in Von Ribbentrop's machine; that I sold out my own delegation to the Oslo Conference because I went in the German Foreign Minister's machine, when the fact is that it so happens that I do not like to be kept waiting. I have a little Dutch blood in me, and I was pretty sore about it. I was taking the next train when he did me the courtesy of offering me one of his three planes if I would stay over to see him.

Furthermore, I will have to admit I do not care much about night flying, and that was a night flight all the way from Salzburg to Berlin and Copenhagen in the early hours of the morning to Oslo.

Those are the simple facts, but we have now reached a stage in the war hysteria when everybody's motives are challenged, even those who fought in the World War, by those who did not fight in the World War. [Applause.]

The gentleman from Virginia [Mr. WOODRUM] started this. He made these personal charges and attacks. I made none in my speech. Where was the gentleman from Virginia [Mr. WOODRUM] 20 years ago? He is my age. Where was he when we went out to make the world safe for democracy?

He was holding a State job; a soft job somewhere down in Virginia. That is where he was, yet now he comes along and by implication tries to make me out a traitor to my country because of this ride in an airplane and because I am chairman of a committee to raise funds openly in order to try to keep America out of war. I may have been proud of being on that committee before, but I assure you that now I am doubly proud of being a member of this committee and raising funds to keep us out of war, after the remark made by the gentleman from Virginia in this House. [Applause.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. FISH. I would rather not yield. I would rather fight my own battles, and one does not need to fight—at least I do not have to defend my character, my honesty, or my integrity, or my Americanism before any Democrats in this country, including those in my own district where I am known. There is not one that would question them except the gentleman from Virginia. Now, the books of the National Committee To Keep America Out of Foreign Wars are open; there is no need of any resolution; and, of course, that resolution is a fake, gentlemen, because there is an agreement there will be no committee hearings. That proposed investigation is for publicity and for the press. That

is the dagger in the back to smear the members of the committee publicly. There is no need of any investigation, as there is nothing to cover up as far as I am concerned or anything that these 38 other Members of Congress are connected with. Without checking it up, I believe over one-half of the committee are veterans of the World War. If anybody wants to know where the money is, where it came from, or how it is being used, it is an open book; it does not amount to a billion dollars; it does not amount to a million dollars, to one hundred thousand dollars, or to one-tenth of it, or anything like it. It is not like the campaign books autographed by the President from which hundreds of thousands of dollars were raised. Where did that money go? Are we going to investigate that? If this resolution comes out, I expect to offer an amendment asking an investigation of where this money from these autographed books went; yes, and where the hundred-dollar bills went for the Jackson dinners or the Rooseveltian dinners. What is sauce for the goose is sauce for the gander. But that is not the question raised here as far as I am concerned. I will be glad to furnish in detail the expenditures of our committee at any time.

Members of the Democratic Party heard my remarks today. Those remarks were directed on a nonpartisan basis to the proposition of having a hearing, a fair and adequate discussion on the neutrality bill in the House. I never made any reference to the President except a complimentary one. I said it would be a fine thing if he could settle the war and bring about peace, and that if he could he would have earned the thanks of the peace-loving people of all the world. That was met by what? By a prepared statement, in minute detail picking up everything some Associated Press or United Press dispatch said, some of them absolute falsehoods.

It is well known that I have said—and I do not mind repeating it for the RECORD—I have said for a long time on the floor of the House that I thought Danzig belonged to Germany. I was in Danzig 2 days before the war in Europe, and I found Danzig 97 percent German, 97 percent Prussian, and 97 percent Nazi. It was inconceivable to me that there could be a war about Danzig or roads over the Corridor, and it could have been settled on that basis 6 months ago. Now, Poland has been crucified; instead of peace, you have war. This is the one issue I am interested in, and I am glad to take these few moments before the Members of Congress, because I wish the gentleman from Virginia would repeat that same speech without taking out any of the questions or anything else; repeat it here every week, for then the vote would be unanimous to keep the arms embargo. [Applause.] If we did not gain 20 votes here today, then I am no judge of such matters. I am seriously concerned, however, whether this personal and prepared attack is just the beginning of similar attacks and character assassinations against those who are leading the fight to retain the arms embargo and to keep America out of all foreign wars.

The only thing I am sorry for is that anyone in Congress should get carried away in the midst of this war propaganda and hysteria and make personal attacks on any Member, whether it be I or somebody else. The gentleman talks of his white hairs. Let the RECORD show that he and I are the same age. I served my country in time of war, and I will do it again if necessary. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CURLEY for the special session of Congress on account of illness.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter I wrote to the Vice President and his reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter I received from the St. Paul Association of Commerce, and also an affidavit from the Stella Cheese Co. regarding the Argentina reciprocal-trade agreement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. THOMASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 10, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 7568. A bill providing for alternate structural designs; to the Committee on Public Buildings and Grounds.

By Mr. LUDLOW:

H. R. 7569. A bill to provide for deportation of certain aliens who do not make declaration of intention to become citizens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. MURDOCK of Arizona:

H. R. 7570. A bill to return a portion of the Grand Canyon National Monument to the public domain; to the Committee on the Public Lands.

H. R. 7571. A bill providing for the sale of certain lands to the Arizona State Elks' Association Hospital; to the Committee on the Public Lands.

By Mr. WOODRUM of Virginia:

H. Res. 312. Resolution to investigate the National Committee To Keep America Out of Foreign Wars; to the Committee on Rules.

By Mr. HAVENNER:

H. J. Res. 389. Joint resolution authorizing negotiations for the acquisition of Lower California; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey memorializing the President and the Congress of the United States to consider their senate concurrent resolution dated September 25, 1939; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H. R. 7572. A bill granting an increase of pension to Mary E. Porter; to the Committee on Invalid Pensions.

By Mr. CHANDLER:

H. R. 7573. A bill for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn.; to the Committee on War Claims.

By Mr. MOTT:

H. R. 7574. A bill granting a pension to Willie D. Nelson; to the Committee on Invalid Pensions.

H. R. 7575. A bill granting a pension to Marion Van Natta; to the Committee on Invalid Pensions.

By Mr. MURDOCK of Arizona:

H. R. 7576. A bill for the relief of the San Francisco Mountain Scenic Boulevard Co.; to the Committee on Claims.

By Mr. TAYLOR of Tennessee:

H. R. 7577. A bill granting a pension to Isabel Lawhorn; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5658. By Mr. LAMBERTSON: Petition of A. L. Sewers and 88 other citizens of Topeka, Kans., urging Congress to main-

tain the present Neutrality Act and arms embargo and keep the United States out of war; to the Committee on Foreign Affairs.

5659. By Mr. POLK: Petition of Jessie A. Montgomery, of Waverly, Ohio, and 15 other citizens of Pike County, Ohio, urging the Congress to do everything in its power to avert the entry of the United States into the European war; to the Committee on Foreign Affairs.

5660. By Mr. TENEROWICZ: Petition of 56 citizens of Detroit, urging that the arms embargo be lifted, also letters from the mayor and Common Council of Hamtramck, urging the embargo be lifted and a cash-and-carry provision be provided; to the Committee on Foreign Affairs.

5661. By the SPEAKER: Petition of Colonel James S. Pettit Camp, No. 3, United Spanish War Veterans, Washington, D. C., petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

5662. Also, petition of the city of Cambridge, Mass., petitioning consideration of their resolution with reference to Work Projects Administration; to the Committee on Appropriations.

5663. Also, petition of National Headquarters Auxiliary Sons of Union Veterans of the Civil War, Brockton, Mass., petitioning consideration of their resolution with reference to House bills 5138, 5643, 6075, 6724, and Senate bill 409, concerning immigration; to the Committee on the Judiciary.

5664. Also, petition of the International Union of Mine, Mill, and Smelter Workers, Denver, Colo., petitioning consideration of their resolution with reference to unemployment by shortening the hours of labor; to the Committee on Labor.

5665. Also, petition of the New Era Organization of Ohio, Unit No. 1, Dayton, Ohio, petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

5666. Also, petition of the Workers Alliance of San Francisco, Local G 472, petitioning consideration of their resolution with reference to Work Projects Administration work; to the Committee on Appropriations.

SENATE

TUESDAY, OCTOBER 10, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, whose patience forgives our faithlessness, and whose truth forbears our falsity and compromise, enable us at this aspiring moment to look upon the love that has borne with us and the heart that suffers for us, that we may worship Thee not only with our lips but in our lives, for there is only one offering we can make; it is our own poor selves, and we give Thee but Thine own.

If unconsciously we have been hiding away from life, do Thou bring us back to the light and help us to see that Thou art the path as well as the goal, that the prayer is Thine as the answer is Thine, and that our search is ended when Thou dost rest our longings in Thyself. We ask it in the name of Him who taught us when we pray to say, "Our Father," and who ever liveth to make intercession for us, Jesus Christ, Thy Son, our Lord. Amen.

APPEARANCE OF A SENATOR

Mr. HARRISON, a Senator from the State of Mississippi, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, October 9, 1939, was dispensed with, and the Journal was approved.

PETITIONS

The VICE PRESIDENT laid before the Senate resolutions adopted by Locals G-472 and G-778, Workers Alliance of San Francisco, Calif., favoring the enactment of legislation to enlarge the quota of the W. P. A. and to increase the benefits of W. P. A. workers, which were referred to the Committee on Appropriations.

Mr. BARBOUR. Mr. President, I present and ask unanimous consent to have inserted in the RECORD at this point a concurrent resolution adopted by the Legislature of the State of New Jersey on September 25, 1939, memorializing Congress to enact appropriate legislation to prevent profiteering in foodstuffs and commodities.

The resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

A concurrent resolution memorializing the Congress of the United States to enact appropriate legislation to prevent profiteering in foodstuffs and commodities

Whereas there is a widespread tendency to unjustly increase the cost of foodstuffs and commodities; and

Whereas the profiteering resulting therefrom unjustifiably increases the cost of living and burdens the general public, which profiteering should be effectively curbed and punished: Therefore be it

Resolved by the Senate of the State of New Jersey (the house of assembly concurring):

1. The Congress of the United States be memorialized and requested to enact appropriate legislation designed to prevent profiteering in foodstuffs and commodities to the end that such irregular practices shall be abated; and be it further

Resolved, That a copy of this concurrent resolution, signed by the president of the senate and the speaker of the house of assembly, be transmitted to the Presiding Officers of the Senate and House of Representatives of the United States and to the Senators and Representatives from this State in the Federal Congress.

2. This concurrent resolution shall take effect immediately.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 2982 (by request). A bill for the relief of the Eastern or Emigrant Cherokees; and

S. 2983. A bill to authorize the sale of lumber and other forest products obtained from the forests on Indian reservations by Indian enterprises; to the Committee on Indian Affairs.

By Mr. FRAZIER:

S. J. Res. 188. Joint resolution to restore to Congress the sole power to issue money and regulate the value thereof; to the Committee on Banking and Currency.

ADDRESS BY SENATOR CONNALLY ON PENDING NEUTRALITY LEGISLATION

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio speech delivered by Senator CONNALLY on October 6, 1939, on the subject of the pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR WHEELER AT WHEELER HOMECOMING CELEBRATION, HUDSON, MASS.

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address delivered by Senator WHEELER at the BURTON K. WHEELER homecoming celebration held at Hudson, Mass., Sunday afternoon, October 1, 1939, which appears in the Appendix.]

ATTITUDE OF SENATOR CARAWAY TOWARD REPEAL OF ARMS EMBARGO

[Mr. BYRNES asked and obtained leave to have printed in the RECORD an article from the Washington Post relative to the attitude of Senator CARAWAY toward the pending neutrality legislation, which appears in the Appendix.]

LIST OF SUPPORTERS OF PENDING NEUTRALITY LEGISLATION

[Mr. BILBO asked and obtained leave to have printed in the RECORD a list of men and women in the Southeastern States supporting the pending neutrality legislation, which appears in the Appendix.]

AIR-MAIL PICK-UP—ARTICLE BY FREDERICK J. HASKIN

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD an article entitled "Air-Mail

Pick-Up to Cover All United States," written by Frederick J. Haskin and published in the Boston Traveler, which appears in the Appendix.]

APPROPRIATION FOR EXPENSES OF EXTRAORDINARY SESSION

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. From the unanimous-consent agreement entered into yesterday, the Chair understands that he is directed to recognize the Senator from Connecticut [Mr. DANAHER] this morning. The Chair recognizes that Senator. Does he yield to the Senator from Tennessee?

Mr. DANAHER. I gladly yield.

Mr. McKELLAR. From the Committee on Appropriations, I report back favorably without amendment the joint resolution (H. J. Res. 384) to make provision for certain expenses incident to the second session of the Seventy-sixth Congress. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. BARKLEY. I offer an amendment to the joint resolution.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, after line 6, it is proposed to insert the following:

For payment to Della Logan, widow of Hon. M. M. Logan, late a Senator from the State of Kentucky, $10,000.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kentucky.

The amendment was agreed to.

Mr. McKELLAR. On behalf of Chairman TAYLOR, of the House Appropriations Committee, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, after the amendment last agreed to, it is proposed to insert the following:

To pay the widow of Thomas M. Eaton, late a Representative from the State of California, $10,000.

To pay the widow of Thomas S. McMillan, late a Representative from the State of South Carolina, $10,000.

The two foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Tennessee.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have placed in the RECORD the letter addressed by Chairman TAYLOR, of the House Appropriations Committee, to the Senator from Virginia [Mr. GLASS], chairman of the Appropriations Committee of the Senate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, D. C., October 9, 1939.

Hon. CARTER GLASS,
Chairman, Committee on Appropriations,
United States Senate.

MY DEAR MR. CHAIRMAN: If the Senate, in the consideration of the joint resolution making appropriations for certain expenses incident to the second session of the Seventy-sixth Congress, should make provision for the year's salary to the beneficiary of any deceased Senator, I would appreciate it if provision could be made at the same time for the widows of two House Members who have not been provided for. I enclose amendments to provide the year's salary for the widows of Hon. Thomas S. McMillan, of South Carolina, and Hon. Thomas M. Eaton, of California.

In the event the Senate should add these amendments, I am sure that the House would be glad to accept them.

With best wishes and assurances of my esteem, I am,

Very cordially yours,

EDWARD T. TAYLOR, *Chairman.*

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. AUSTIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Vermont?

Mr. DANAHER. I yield.

Mr. AUSTIN. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Reynolds
Andrews	Donahey	La Follette	Russell
Ashurst	Downey	Lee	Schwartz
Austin	Ellender	Lodge	Schwellenbach
Bailey	Frazier	Lucas	Sheppard
Bankhead	George	Lundeen	Shipstead
Barbour	Gerry	McCarran	Slattery
Barkley	Gibson	McKellar	Smathers
Bilbo	Gillette	McNary	Stewart
Borah	Green	Maloney	Taft
Bridges	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Thomas, Utah
Bulow	Hale	Minton	Tobey
Burke	Harrison	Murray	Townsend
Byrd	Hatch	Neely	Truman
Byrnes	Hayden	Norris	Tydings
Capper	Herring	Nye	Vandenberg
Caraway	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	Wheeler
Connally	Johnson, Calif.	Radcliffe	White
Danaher	Johnson, Colo.	Reed	Wiley

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from South Carolina [Mr. SMITH] is unavoidably detained.

The VICE PRESIDENT. Ninety-two Senators have answered to their names. A quorum is present.

Mr. SCHWELLENBACH. Mr. President, I wish to place in the RECORD three newspaper articles. Prior to doing so, I desire to call attention to a quotation which I read last week from a noted authority on international problems, Mr. William C. Morey, in which he pointed out that an arms embargo placed upon a neutral the duty of assuming the obligation of a belligerent and, as he says, "the belligerent would thus seek to convert a neutral into an ally."

I ask unanimous consent to have inserted in the RECORD at this point two editorials which appeared last night, one in the Washington Evening Star, entitled "And Now Finland"; one in the Washington News, entitled "Russia, Filth, and Finland"; and also an article which appeared in this morning's Washington Post, the headline of which reads:

Soviet troops massed near Finn frontier.

And the bulletin under the headline reads:

Thirty Russian divisions, comprising about 450,000 men, have been massed around Leningrad, within 25 miles of Finland's border * * *. Soviet naval and air concentrations at Kronstadt, within striking distance of Finnish coast, were also reported.

The article itself says that—

Northern European countries—

The dispatch is from Stockholm—

drew more closely together tonight in the face of a threat to their trade in the Baltic Sea and the sudden interest of Moscow in their most eastern member—Finland.

In light of this observation, I should like to present to the Senate this question, whether or not, by the retention of the arms embargo, it is the desire of this body for the United States to become an ally with Communist Russia as against Norway, Sweden, Denmark, and Finland? I ask unanimous consent that the articles to which I have referred may be inserted in the RECORD at this point.

The VICE PRESIDENT. Is there objection?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From The Washington Evening Star of October 9, 1939]

AND NOW FINLAND

Finland, which has a strong claim on the esteem of the United States because of the lonely eminence she occupies among our World War debtors, seems to be earmarked as the next victim of Soviet Russia's march toward Baltic domination. Estonia, Latvia, and Lithuania, having in succession agreed to military, naval, and economic concessions which virtually turn them into vassals of

Stalin, Finland, northernmost of the Baltic states, has now been summoned to the Moscow throne. The Helsinki government has appointed a delegation to confer at Moscow, headed by M. Passikivi, Finnish Minister at Stockholm.

Coincident with the announced intention to respond to the Soviet's invitation to appear in Moscow, there are reports that Finland's Government has sent troops to the Russian frontier as a gesture that she does not propose meekly to surrender to "Red" pressure, but the Helsinki authorities cannot be blind to the fact that successful resistance to Stalin's pressure is difficult. Earlier Russo-Finnish trade talks proved abortive because Moscow insisted upon combining political claims with them. The U. S. S. R. notoriously covets a group of Finnish islands in the eastern area of the Gulf of Finland, not far from Estonia. Now that Moscow controls that region, it apparently believes it can impose Russian demands on the Finns. Once fortified, the islands would become important strongholds, like the Estonian, Latvian, and Lithuanian bases, of which the Soviet has just laid hold.

With Finland under Russian influence, Sweden would feel herself directly menaced. The Finns and the Swedes have a common frontier at the far north of the Scandinavian Peninsula and the Swedish east coast lies directly across the Baltic from Estonia, Latvia, and Lithuania. King Gustav Adolphus' people realize that with the Soviet's relentless advance into the Baltic, their country comes within the range of the "red" army's air force. Even Denmark is now in easy reach of Russian bombing craft, as is also Memel, the Lithuanian port Hitler seized last March.

Apart from the fate to which the small Baltic states are now condemned by the westward drive of the Communist juggernaut, the significance of Stalin's bloodless conquest lies in the fact that Hitler has surrendered the Baltic, long mapped in Berlin as a German lake, to his new bedfellow at Moscow. That concession, plus the simultaneous handing over of eastern Poland, whereby Russia becomes a barrier to the Reich's program of expansion across Hungary and Rumania to the Black Sea, reveals the high price Hitler has paid to protect Germany's eastern flank, in order to concentrate on war in the west.

Though the Nazis have proclaimed that if Britain and France spurn Hitler's outstretched hand for peace, the Reich and Russia will consult over measures next to be taken, concrete evidence is still lacking of a formal Nazi-Communist military alliance. If Stalin can continue to mop up on the Baltic and southeastern Europe by mere exploitation of Hitler's necessities in the west, the chances are that the Communist czar will go on making "red" hay while the Russo-German sun shines, always in the hope that capitalist-bourgeois Europe will devastate itself for the eventual benefit of Communist imperialism and world revolution.

[From the Washington Daily News of October 9, 1939]

RUSSIA, FILTH, AND FINLAND

One of the world's most striking contrasts is getting into Helsinki, Finland, after leaving Leningrad, Russia. A few short miles; just overnight by ship. The contrast can't adequately be described in words—for words can't smell. It has to be seen—and scented. It is like going from a fish market to a flower garden.

The frank fact of the matter is that, while a few rare exceptions are observable, the Russians en masse are dirty; sanitation is not for them. Not confidentially, but openly, they stink. Finland is the exact opposite.

The reason the Russians are unwashed and their aroma nauseatingly high can't be attributed solely to Lenin, Trotsky, Stalin, or the Comintern. All the years of oppression under the czars would have to be explored to explain the national disinterest in ablution. And the czars themselves, with all their gilt and all their grandeus, didn't go in for water and soap. They would rather cover an ordor with an odor, if they thought of the matter at all. Some perfume and incense were employed, history records, for the more formal occasions, but generally the fumes were preferred to the fuss. So, through the centuries, Saturday night would come and go—not to mention the other days of the week—with nary a splash. The urge to cleanliness never became a national characteristic. The proletariat just didn't learn how. Nicholas the last did install a swimming pool in the palace, but that was too late to start a fad. We suspect that Rasputin intervened and that the pool is still a virgin.

Despite the liquidation of godliness with the coming of the Bolos, there probably is more consideration of the subject of sanitation now than when royalty ruled. But it's all academic as yet, as your nose knows, if you've been there.

Hence the contrast between Leningrad and Helsinki.

And yet, out of the war and the itchy alliance Mr. Hitler entered into with the halitosis of the east, Russia now leers through smudgy eyelids on spotless Finland to the west; shiny, self-respecting, self-supporting, debt-paying Finland. And Russia may get away with another Baltic conquest because she is big, though grimy, and Finland little, though clean.

Finland was asked to send her Foreign Minister to Moscow, as Estonia and Latvia were asked. But, unlike the others, Finland has declined the invitation, has placed 140,000 troops on her border, and has served notice she will treat Russia only as an "equal party."

If she were big like Russia she might pertinently have framed some such reply as this: "Yours received and contents noted. Since the idea of a visit is yours, why not call on us? We are busy, too. But we will find time to steam you out, provide you with shave, hair cut, manicure, shampoo, and chiropodist, and then house you in a room with bath, the water from the faucets of which will afflict you with neither typhoid nor dysentery. Awaiting your reply, we remain," etc.

But because she is small, Finland has had to couch her firm refusal in diplomatic language. While declining to send her foreign minister to Moscow, she expediently has sent another envoy—one without power to trade off her sovereignty. And the Moscow radio has warned that Russia reserves the right to "act as it saw fit if Finland refused to enter into negotiations."

If what that threat implies should come to pass, it would be one of the major tragedies in all the sordid history of conquest.

[From the Washington Post of October 10, 1939]

SOVIET TROOPS MASSED NEAR FINN FRONTIER—LONDON HEARS RUSSIA HOLDS 450,000 MEN WITHIN 25 MILES

BULLETIN

LONDON, October 9.—Thirty Russian divisions, comprising about 450,000 men, have been massed around Leningrad, within 25 miles of Finland's border, it was stated tonight in a Helsinki dispatch to the Daily Telegraph. Soviet naval and air concentrations at Kronstadt, within striking distance of the Finnish coast, were also reported.

(By Lynn Heinzerling, Associated Press staff writer)

STOCKHOLM, October 9.—Northern European countries drew more closely together tonight in the face of a threat to their trade in the Baltic Sea and the sudden interest of Moscow in their most eastern member—Finland.

The Swedish Government, concerned over possible consequences of Finnish-Russian consultations, today ordered 100,000 men of its defense forces to be held in service beyond their scheduled release date.

As Dr. Juho Kusti Paasikivi, Finland's Minister in Stockholm, completed preparations for his journey to Moscow to receive Russian proposals, delegates from Norway, Sweden, and Denmark arrive in Helsinki to discuss maintaining their commerce.

FINNS SEEK SUPPORT

Reports from Moscow Sunday night said Finland was seeking diplomatic aid of both Sweden and Germany to forestall any "excessive" demands from Russia. Sweden denied receiving such a request.

(Authorized Berlin sources said Finland's relations with Russia were no German concern. Questions raised by Russian Premier-Foreign Commissar Molotoff's invitation to the Finnish Government were said to be solely "problems of neighborly relations which really do not concern Germany.")

The Finns were inclined to make a point of the fact that Dr. Paasikivi's plans called for a trip by train rather than plane. Airplanes were used by representatives of Estonia, Latvia, and Lithuania in their journeys after they were invited by the Soviet Union for conferences which resulted in Russia winning military and trade concessions.

Traveling by train, the Finnish party probably will not arrive before Wednesday morning. The Finns pointed out that they were going ahead in the meantime with their border fortifications. Finland last week called up additional reservists for extraordinary service to strengthen the national neutrality.

FIGHT WAR TRADE THREAT

The trade delegates at Helsinki were seeking a way to circumvent war dangers to commerce in the Baltic and North Seas and to maintain trade as close as possible to the normal level.

Lieutenant Colonel Dryssen, the Swedish delegate, said that "adoption of new trade routes offers considerable difficulty since it obviously is harder to transport big shipments by rail than by boat, and that is why the northern nations must get together to solve the common problem."

Observers expected no early conclusions of the Russian-Finnish conversations, as was the case of Estonia and Latvia.

Finnish officials insisted that Russia made no demands but had only extended an invitation to exchange opinions about political and economic problems, which were not named.

Foreign Minister Erkko described this as the normal procedure and added the Finns "could not but say yes."

Informed circles at Helsinki said they feared demands would be made for the establishment of Soviet bases, since earlier trade discussions between the two Governments broke up when Russia reportedly attempted to insert extraneous political matters.

"RED" SOLDIERS IN ESTONIA

HELSINKO.—Soviet troops numbering close to 25,000 began marching into Estonia tonight to occupy the strategic islands of Oesel and Dagoe and set up military garrisons under provisions of the Soviet-Estonian mutual assistance pact.

Dispatches from Tallinn reporting "red" army forces crossed the frontier from the east at nightfall said that the 25,000 troops would be installed on Estonian soil on a permanent basis, bringing Estonia under Russian domination as a military protectorate.

The arrival of Soviet troops on Estonian soil increased apprehension here as to the outcome of an invitation which Russia has extended to Finland to negotiate on political and economic matters.

Mr. PITTMAN. Mr. President, will the Senator from Connecticut yield?

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Nevada?

Mr. DANAHER. I yield to the Senator from Nevada.

Mr. PITTMAN. I merely desire to call the Senator's attention to a matter before he begins the debate, so that, if he sees fit to give any attention to it, he may do so..

Yesterday the question arose whether or not Congress, by a concurrent resolution, could put into force and effect an act of Congress. I shall not take up the time of the Senator by reading any act, but I call his attention to the fact that the so-called flexible-tariff section of the act of 1930 expressly provides that it may be put in motion "(2) upon resolution of either or both Houses of Congress." As the Senator knows, the Supreme Court of the United States sustained the constitutionality of that act; nor do I desire to go into that subject. The Court held, of course, that an act could be passed by Congress to come into effect upon the occurrence of certain events, and the act provided how those events might be determined. When the events were determined, the Executive carried out the act according to its terms. That is section 336 (a) of the flexible-tariff section of the act.

There is one other matter to which I wish to refer. If the method is legal, then the question arises as to the policy. Yesterday I called the attention of the Senator to the fact that there might be a war between two small countries in the interior of a continent which could not possibly affect us, and therefore it would be unnecessary and expensive to put into force and effect all of the machinery of this act. The Senator can conceive of other cases. He can conceive of a war between Siam and China. I take it that such a war would not affect us one way or the other in our ordinary commerce. We might even assume the case of a war between China and Japan. The Senator from Connecticut thinks a war exists there. Perhaps it does. Both sides, I believe, have denied that a war is going on. However, in our minds we might conceive that there is a war.

Mr. DANAHER. Mr. President, will the Senator permit an interruption?

Mr. PITTMAN. Certainly.

Mr. DANAHER. Does the Senator contemplate continuing at any length in pursuance of my having yielded to him?

Mr. PITTMAN. No; I thank the Senator. I wish to call attention to only one more matter, and then I shall conclude.

Under the circumstances in China and Japan, neither country having declared war, both contending that they are not at war, the President does not think that a state of war exists under the interpretation of the act. If this joint resolution is enacted, the Senator may introduce a concurrent resolution declaring that a state of war does exist between China and Japan. I am frank to say that I should vote against it, however, because I think it would be injurious to China and beneficial to Japan.

Mr. DANAHER. Mr. President, when the session closed yesterday we had under discussion the proposition that the first eight sections of the joint resolution pending before the Senate depend for their operation entirely upon an originating cause. That cause is the issuance of a proclamation, the discretion as to the issuance of which, under the joint resolution, reposes in the President of the United States.

It is an interesting observation to perceive that action under the section which purports to deal with commerce between our country and states engaged in armed conflict depends upon the issuance of that proclamation; that making the exportation of goods unlawful under section 2, subparagraph (c), depends upon the issuance of that proclamation; that travel on vessels of belligerent states depends upon its issuance; that action under the financial-transactions section, which will be the subject of further discussion, depends upon the origination of the train of mechanics through the issuance of the proclamation.

The question arose because of the fact that from section 10 on through the joint resolution, with the single exception of the repealer clause contained in section 18, every other provision of the joint resolution is the law today. It is on the books today. It is part of our Neutrality Act today; and why it is incorporated in this particular joint resolution, at a time when it is operating adequately and successfully, is a matter which has not yet been discussed. The fact remains that if the repealer section shall be passed we shall then have on our books no legislation dealing with neutrality in any way whatever; and, what is more, the return of the United States to a condition of international law will depend solely and entirely upon whether or not the President of the United States shall find, first, that a state of war exists; and, second, that the state of war involves the peace and security of the lives and property of American citizens. Unless he shall find that both concur he need not issue a proclamation.

Mr. PITTMAN. Mr. President, may I ask the Senator a question?

Mr. DANAHER. If the Senator will pardon me, I desire first to complete the thought.

Mr. President, when the draftsmen of this particular joint resolution came to consider the possibilities inherent in that situation, they interpolated additional language. To that language some question was directed yesterday; for in section 1 we read that not only the President but, in the alternative, the Congress by concurrent resolution may set in motion a finding, first, that a state of war exists, and, second, that the interests of our country are endangered, and that thereupon it shall become the duty of the President of the United States to issue a proclamation.

There was a colloquy between the Senator from Nebraska [Mr. NORRIS] and me on that point; and I agree with the Senator from Nebraska that were any such concurrent resolution passed by the Congress, the President no doubt would act. I do not believe he would refuse to act. I do, however, raise the question that in article I, section 7, of the Constitution we find it expressly provided that every such resolution shall be submitted to the President of the United States; and if the President of the United States shall fail to sign the resolution, unless we pass it by a two-thirds vote after he fails so to sign, the concurrent resolution does not become operative, and a proclamation is not required of the President.

I now yield to the Senator from Nevada.

Mr. PITTMAN. Mr. President, I ask the Senator if it is not a matter of fact that this is a purely academic discussion so far as the present war in Europe is concerned, since the President has already acted upon the matter, has already by proclamation declared our neutrality, and has already named certain states, including Great Britain, France, and Germany, as being in a state of war. Therefore, so far as the present war is concerned, the discussion is purely academic.

Mr. DANAHER. Mr. President, not only is the discussion not academic but, as the Senator from Kentucky [Mr. BARKLEY] yesterday said, we are not concerned with the war in Europe. What we are concerned with is permanent legislation. Those were his words, and the RECORD will show it. What we are concerned with is legislating the status of the United States in the event that in the future a war shall break out somewhere by which the peace and security of the United States may be jeopardized. That is what we are considering. I do not understand that we are legislating with reference to a war in Europe. I understand that we are considering the status of the United States.

Mr. PITTMAN. Mr. President——

Mr. DANAHER. I yield to the Senator.

Mr. PITTMAN. The Senator from Nevada is more interested in the effect of the war in Europe upon our peace right now than in any future war between Latvia and China.

Mr. DANAHER. I believe the Senator from Nevada, as chairman of our Committee on Foreign Relations, has aptly spoken; and his report in connection with House Joint Resolution 306 definitely shows that the real reason why he wants to repeal the arms embargo is so that this country, a neutral country, may deal with belligerents. That is clear from his report. Of course he is interested in the war in Europe. I am interested in keeping out of it.

Mr. PITTMAN. Mr. President, I cannot allow that assertion to be made without denying it. The Senator from Ne-

vada believes that today our Embargo Act is permitting us to deal with Germany, a belligerent, through Russia, Rumania, and Italy—neutrals—and that the only way to stop it is to repeal the Embargo Act.

Mr. DANAHER. I ask the Senator from Nevada if there is the slightest evidence that any one of the countries named by him is supplying arms to Germany, having bought them from us as a neutral.

Mr. PITTMAN. We have information as to the pact between Russia and Germany, under which Russia is to furnish Germany all the materials Germany wants.

Mr. DANAHER. Has the Senator seen any such pact?

Mr. PITTMAN. I have read of it in the press, and I have read the purported pact itself. The purported pact goes almost as far as an alliance.

Mr. CLARK of Idaho. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Idaho?

Mr. DANAHER. I yield.

Mr. CLARK of Idaho. Of course, the Senator from Nevada knows that during the closing years of the last war Great Britain, not unmindful of this situation, put all of the neutral countries in Europe on a quota basis, and that the British have already declared their intention of putting all neutrals, including Italy and Russia, on a quota basis now. They already have a mission to the Scandinavian countries, dealing, I think, with Sweden at this time.

The result of those negotiations no doubt will be to restrict the peacetime quota of supplies which may be bought. The British blockade did not permit, during the closing years of the last war, and, as I understand the further declared intention, will not permit during the present war, any neutral country to receive, as soon as they can begin their negotiations and gather the statistics, anything in excess of their peacetime requirements. I think that is definitely settled, although not yet completely worked out.

Mr. PITTMAN. Can the Senator satisfy his conscience by stating that we should legally permit neutral countries surrounding the belligerents, in alliance with or under their control, to receive arms, ammunition, and implements of war, when Great Britain cannot receive them legally, on the theory that Great Britain may have the physical power to prevent an unneutral law from going into effect as to Germany?

Mr. DANAHER. Mr. President, in making this brief review of the discussion of yesterday I wanted to point out for the benefit of those Senators who were necessarily detained exactly what the issue is as framed by the joint resolution here pending.

I should like to invite the specific attention of Senators to section 7 (a), which purports to deal with financial transactions. I should like to point out to Senators that section 7 (a) never is to become operative; it is to impose no limitation whatever upon the extension of credits until and unless the President shall issue the proclamation referred to in section 1. Let me read section 7 (a):

> Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities—

And so forth. In other words, until and unless there shall have been the condition precedent to the issuance of a proclamation, section 7 (a) will not operate.

Let me point out further in section 7 (b), as to which there has been no discussion whatever on this floor, not only is there not any 90-day limitation of credit or renewals, but it provides for absolutely unlimited credit to anyone who chooses to purchase.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Pennsylvania.

Mr. DAVIS. Is there anything in the joint resolution which directly or indirectly, or by inference, would determine the size or the amount of an order which could be placed?

Mr. DANAHER. Absolutely nothing.

Mr. DAVIS. Would it be possible to have orders come in of such size and magnitude that it would require about 90 days to fill them?

Mr. DANAHER. Let me say to the Senator that not only is it possible but all the millions of dollars of orders which are today in this country, placed here by belligerent nations, may under section 7 (b) be distributed to those purchasers without a limitation of any kind whatever, for the reason, let me make plain, that it is provided:

> The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

And the proclamation under the pending joint resolution may not be issued, for all we know, until January or February, or at least until a time when whatever existing orders there may be shall have been filled. Does that answer the Senator?

Mr. DAVIS. Yes. I should like to know as to who will have control of granting credit. Who will grant the credit? Will it be the State Department, will it be the President, or who will grant this credit for 90 days? It is not provided in the joint resolution.

Mr. DANAHER. I agree with the Senator that the joint resolution makes no provision as to that. But let me remind the Senator that there purports to be a penal provision based upon what is set forth in section 7 (a), that it shall thereafter be unlawful for any person within the United States to extend credit under that section. But that does not in any respect apply to all the orders now in being, or those which may be in being up to the date of the issuance of the proclamation.

Mr. DAVIS. Or limit the amount which may be involved in each order.

Mr. DANAHER. There is no limit whatever. Those administering the law can provide credit for 5 days, if they like; they can provide credit for 10 days; they can put into effect an installment-purchase plan, assuming they adopt the method of many American commercial houses. There is no limit whatever upon the extent to which credit may be granted to purchaser nations.

Does the Senate realize what we are being asked to do in that particular? Consider, for instance, the orders which have been placed by the French Government for Douglas airplanes. Consider the orders which have been placed by Great Britain for Lockheed planes. We all know that a Douglas plane crashed in California, when for the first time we learned that members of a French mission were aboard her. We know that American Lockheeds were in June of this year being put through test flights. They are under delivery or available for delivery now.

I call to the attention of my colleagues the fact that when the Senator from Missouri [Mr. CLARK] was explaining in the Senate in March the need for adopting the President's $300,000,000 airplane program, there came the testimony of General Arnold, Chief of the Army Air Corps, who testified that there were only 879 combat planes owned by the United States Army at that time. Yet we hear talk about sending our airplanes to combatants overseas. We are the ones who need the airplanes, if there be any danger of attack, which is a suggestion which I claim to be utterly fantastic.

Mr. President, it is interesting to perceive that section 7 (a) need never be invoked. It provides that the President, in his discretion, may act. He may do so if he believes it "will serve to protect the commercial or other interests of the United States." What other interests?

It also gives him, "in his discretion, and to such extent and under such regulations as he may prescribe," power to "except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions," and the like.

Mr. President, I am certain that the people of the United States have not, and I am willing to believe that there are many Members of the Senate who have not, yet realized the full implications of the language of the pending joint resolution. When they come to realize what section 1 means, when they come to realize that sections 1 to 8 depend upon

section 1 and the issuance of the proclamation, they will then, I am confident, believe that the present law is entirely adequate for our own needs in that particular, and that if there be any additional security required that is in line with the recommendations of the President in his message, then we may properly consider those recommendations.

Let us turn for the moment to what the President did tell us in his message. On September 21 he told us that among the safeguards upon which we should insist would be this, as what he called the fourth objective:

> The fourth objective is the preventing of war credits to belligerents. This can be accomplished by maintaining in force existing provisions of law.

That is what the President of the United States told us. He told us that the matter of preventing war credits to belligerents could be attained by continuing in force existing provisions of law.

I submit, Mr. President, that where we have a balanced, subsisting law, such as the law on our books today, which has been there for years, and which is operating successfully, the President is absolutely right in saying that we can be protected by existing law in those particulars.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. PITTMAN. Does the Senator realize that such existing law has been incorporated in the pending joint resolution?

Mr. DANAHER. I have already pointed out that sections 10 to 18, inclusive, with the exception of the repealer clause, are identical with what is at present on the statute books, but all those sections which were described to the country as cash and carry are not in the present law. They have come out under an assumed name.

Mr. PITTMAN. Would the Senator be satisfied with the existing law?

Mr. DANAHER. With the existing law that is on the books at this moment? Indeed, yes; and we could adjourn and go home.

Mr. PITTMAN. Without cash and carry?

Mr. DANAHER. Without cash and carry, and without changing it one jot or tittle, so that the rights of American ships, the rights of American neutrals, and all the rest, would be determined in accordance with the policy of the people of the United States, declared by them in their law in 1937.

Mr. PITTMAN. Under international law?

Mr. DANAHER. Under international law, wherever it can be said to apply. What is international law in the face of the heaviest artillery?

Mr. PITTMAN. The Senator knows that under international law we cannot prevent our ships from dealing with belligerents.

Mr. DANAHER. We have some control over what munitions may be exported. There is a right under the present law for the President to expand the list. He can name all the articles, and the words are "of like character" to those munitions already described in the proclamation on record. There is no reason why he cannot.

Mr. PITTMAN. Does the Senator want to give power to the President to say what goods can be shipped to belligerents and what cannot?

Mr. DANAHER. I personally would. I know that that was not the sense of the Senate when it adopted the law in the first place. I know that they limited it to arms, ammunition, and implements of war, and gave him the power to enlarge by proclamation the list to include goods of like character. But that has not been done in any different manner than provided by our statutes at the moment.

Mr. PITTMAN. Is the Senator satisfied in not having the provision which absolutely prohibits American vessels from carrying on commerce with belligerents, but leaving it to the discretion of the President as to what commerce they can carry on with belligerents? Is that what the Senator means?

Mr. DANAHER. I believe such a program can adequately and properly be worked out; yes.

Mr. PITTMAN. Then I thoroughly understand the Senator's position.

Mr. KING. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. KING. Perhaps I did not correctly understand my able friend. As I interpret his observations, he means that we shall have no benefit of international law; that the philosophy for which Washington and Jefferson and the other leaders of this Republic contended—that is, the right of freedom of the seas—shall be abolished; in other words, that we shall have no international law, but depend exclusively upon legislation which may project itself into the future, without any understanding of what problems and difficulties may arise out of the complex conditions of the world today. I hope the Senator does not favor, by implication at least, if not directly, the repeal of our rights under international law, and restricting us to such operations as might be determined by the President of the United States.

Mr. DANAHER. Mr. President, whatever our hopes and aspirations may be with reference to a return to international law, there are certain practicalities which we must face, and among them is the fact that we now have a law which is operating, and if we were to relax it and repeal the arms embargo we would thereupon as a neutral nation be changing our position in time of war; we would be aiding one set of belligerents, and we would be unneutral under international law or under any other concept.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Kentucky.

Mr. BARKLEY. The Senator said that under existing law the President might enlarge the list of embargoed articles which are defined as arms, ammunition, and implements of war by another proclamation, including articles of like character. Under that authority the President would not have the right to embargo the shipment of wheat.

Mr. DANAHER. That is correct.

Mr. BARKLEY. Because it is not a "like" article.

Mr. DANAHER. That is correct.

Mr. BARKLEY. And he would not have the right to embargo the shipment of clothing, or of shoes, or of typewriters, or of a thousand other things that are articles of ordinary commerce but are not in the category of arms, ammunition, and implements of war.

Mr. DANAHER. That is correct.

Mr. BARKLEY. So that the authority of the President under the present law, even though he extended the proclamation of embargo to include articles "of like character," would not be all-comprehensive and all-inclusive, as the provisions of this joint resolution are, in that they provide that no articles of any sort—arms or otherwise—shall be transported in American ships to belligerents. Is that not true?

Mr. DANAHER. No. I respectfully differ with the distinguished Senator from Kentucky.

Mr. BARKLEY. The joint resolution provides that no article of any sort can go to a belligerent in any American vessel.

Mr. DANAHER. That is correct. The joint resolution so provides.

Mr. BARKLEY. But under the present law, after the President had exercised all the authority he had, nonmilitary articles could go in American ships to belligerents.

Mr. DANAHER. I believe that is correct.

Mr. BARKLEY. And thereby be subjected to attack or destruction by any belligerent who suspected that the ship contained articles intended for an enemy, who suspected that it might contain contraband—contraband being articles declared by the belligerent to be such.

Mr. DANAHER. That is correct.

Mr. BARKLEY. So that there is a difference—a wide difference—between the all-inclusiveness of the joint resolution with respect to shipping goods to belligerents in American ships and anything that the President might do under existing law.

Mr. DANAHER. Mr. President, the Senator's error, in my opinion, lies in the premise to his argument—that is, his use and his concept of the term "all-inclusiveness"—which is the language upon which this question turns. We have no legal right, in my opinion, to change the position of the United States as a neutral nation in favor of belligerents.

Mr. BARKLEY. Regardless of that, which is a different proposition, the joint resolution is all-inclusive, is it not?

Mr. DANAHER. It includes all articles.

Mr. BARKLEY. All articles?

Mr. DANAHER. That is correct.

Mr. BARKLEY. But the President could not include all articles under present law?

Mr. DANAHER. No; that is correct.

Mr. BARKLEY. That is the point I wanted to bring out.

Mr. DANAHER. That is correct.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. Do I understand the Senator from Connecticut to believe that if we adopt the cash-and-carry plan we are thereby changing the rule in the middle of the game, yet notwithstanding that he will vote for cash and carry?

Mr. DANAHER. Mr. President, there has been no question whatever as to what I would vote for. This discussion arose because of a very splendid question posed by the chairman of our Foreign Relations Committee, the Senator from Nevada [Mr. PITTMAN]. I thereupon answered him as to what I would like. I realize that I cannot always have what I would like. I also realize that even the Senate of the United States cannot always have what it likes. I also realize that there is a very considerable number of those here who earnestly would like to explore the possibilities of the incidence of this measure, and that is what I should like to do.

Let us now go back to the matter of cash and carry, as the Senator from Illinois uses the expression. If he means by that if we were to extend the cash-and-carry provision to supply other than arms and ammunition and implements of war—in other words, retain the embargo on munitions but extend the protection that we seek to include of forbidding the shipment of supplies to belligerents in American vessels—I believe that that is possible to be done. I personally would vote for such a proposition if we could have both features in the measure. But, Mr. President, I should like very much not to have to change the present law in any particular whatever. Does that answer the Senator's question?

Mr. LUCAS. Will the Senator yield for another question?

Mr. DANAHER. I yield.

Mr. LUCAS. If I understand the position of the Senator from Connecticut, it is that if we continue the embargo on arms, ammunition, and implements of war he would then be in favor of voting for a cash-and-carry plan as to all secondary war materials?

Mr. DANAHER. That is correct.

Mr. LUCAS. Does not the Senator believe he would be voting to change the rules in the middle of the game, if he voted for a plan of that kind?

Mr. DANAHER. No; I do not, and I will explain to the Senator why.

Mr. LUCAS. Then how does the Senator justify his position that the lifting of the embargo is a change of the rules in the middle of the game?

Mr. DANAHER. I will explain that. Right down in the center of the little town where I was born and brought up there used to be a livery stable, and the boys used to sit around there at odd hours and play cards. One day I remember seeing a hand which was held by one of the players. He had an ace, a three, a six, a nine, and a king, and he showed that hand against a hand held by another player containing three aces. The man holding the first hand said he had won the hand and claimed the pot. He was immediately challenged by the other players who said, "How do you win a pot with a hand like that?" He said, "Why, it is a triple Jenkins. That hand contains three cards each of which can be divided by the figure '3.' That is a triple Jenkins. That will win the game over the other hand." So he claimed the pot, and he got it.

A little while later another player received the same kind of a hand, and he said, "I have a triple Jenkins. I win." Thereupon the first winner, who had introduced the rule, said, "Oh, no; you can't have two triple Jenkins in one game." [Laughter.]

Now, Mr. President, in answer specifically to the Senator from Illinois, who has asked a perfectly serious question—we are all in the mood for just a moment to relax, I may remark, due to the particular observation just made, I am sure—but I wish to give him, earnestly and honestly and sincerely, an answer to the question he has very properly asked. With respect to supplies which are in their nature capable, susceptible, and proper to use to feed people, to clothe people, to furnish them shoes, those which will assist in their normal living, are such supplies as are necessary to their very livelihood, whether they are a neutral or noncombatant or whether they are belligerents, I would feel that very properly the United States may say, "We will not let American ships carry those articles, but American exporters may sell them." I do not see any reason in the world why that cannot legally and properly be done, and I believe that under the rules of international law it has been definitely so decided.

In any case it definitely is the rule that we may not furnish arms, ammunition, and implements of war to one side without becoming unneutral.

Mr. President, is it not the law everywhere in the United States—it is up my way—that if someone intends to shoot another, and has a gun in his hand, but has no bullet, and a second man comes up and furnishes the bullet, and thereafter a homicide takes place, the second man is particeps criminis? He is just as guilty of homicide as the man who pulls the trigger. Is he going to say, having furnished the bullet, that he is not guilty—that he is neutral?

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. The Senator in answer to the question a moment ago told a very interesting story, but I submit that in this serious time of the history of the Nation frivolous stories do not answer questions. This seems to me an important point, and I hope I may be pardoned for pressing the Senator further, but I should like the Senator from Connecticut to advise me whether or not, in his opinion, we are changing the rules by saying in the Pittman measure to the nations across the sea, "You can have no secondary war supplies unless you come over here and lay the cash on the barrelhead, and we divest ourselves of title to that property, and you ship it on ships other than those of the United States across the Atlantic on your own responsibility."

Mr. DANAHER. Mr. President, I believe that if we were to relax our present embargo it would truly be a change of rules in the middle of the game; yes.

Mr. LUCAS. But I understood the Senator to say that if we retain the embargo on arms, ammunition, and implements of war that he would then favor a cash-and-carry plan on the secondary materials; and what I want to know is——

Mr. DANAHER. Will the Senator permit me to interrupt him right there to say that I did not say I would favor it. I do not want it. I said I would vote for it to get a measure that would retain the arms embargo. That is what I said.

Mr. LUCAS. But the Senator does not believe that whenever he voted for a measure of that kind, under which 90 percent of all of the exports that go to belligerent countries today are secondary war supplies, he would be changing the rules after the war has started.

Mr. DANAHER. I think that it is perfectly proper to feed the starving and to clothe and otherwise help the homeless and the wounded. I feel that it is entirely proper that we assist in any way humanly possible and proper.

Mr. LUCAS. Will the Senator further yield?

Mr. DANAHER. Yes; I yield to the Senator from Illinois.

Mr. LUCAS. What about the steel that goes into the fighting airplanes across the sea; and what about the copper

that goes into the shells to belligerent countries? Those are secondary war materials which under the present law can be sold and transported. They are not necessities of life.

Mr. DANAHER. Mr. President, I believe the distinction which the Senator loses sight of is that this country went on record and served notice to the world that we would not sell lethal, destructive articles to belligerents in time of war. That is where we drew the line. That is how we debated the question. That is how Congress arrived at that conclusion. I was not present and I did not vote for that measure. I had nothing to say about it; but I do know that it is now the law, that it is operating, that it is successful, that we are neutral, and that we cannot be brought into that war by selling munitions to belligerents. I know that is now the situation. I know further, Mr. President, that if we relax that safeguard, if we fail to make the condition of safety sure, if we even take a chance of being drawn into war by furnishing munitions or implements of war to one side, we shall no longer be neutral, and the chances of our getting into the war will be manifold and obvious.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from Connecticut yield to the Senator from Michigan?

Mr. DANAHER. I yield.

Mr. VANDENBERG. I think the question raised by the able Senator from Illinois [Mr. LUCAS] is a very fair one. I am not at all clear that a dogmatic answer is possible; but I should like to make this contribution to his thinking, if it be a contribution:

When the Neutrality Act was written in 1937 it included cash and carry upon every commodity other than arms, ammunition, and implements of war. It included that section up until last May, when the section expired by limitation; at which time, I may add, I moved to renew it. It seems to me a fair argument can be made that when we put the world on notice in 1937 as to what our neutrality code was to be, we told the world that we contemplated cash and carry upon commodities other than arms, ammunition, and implements of war. So there is a fair argument to be made in behalf of the proposition that we are not fundamentally changing the rules in the middle of the game when we add cash and carry upon other commodities. On that theory I am very anxious, and always have been, to add cash and carry to the embargo upon arms, ammunition, and implements of war. It seems to me that a fair case can be made for consistency under the rule which we assert.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. DANAHER. First, Mr. President, let me thank the Senator from Michigan for his contribution to our general thought.

I now yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, I have observed several times that Senators have regarded this notice as a sort of estoppel. I have repeatedly heard opponents of the pending joint resolution make some claim that the Senate should not undertake to change its position after the beginning of a war because of a notice contained in the legislation which existed before the war began. I now hear that claim qualified by the distinguished Senator from Michigan with respect to one phase of the measure. I think he is perfectly just—not only just but accurate legally—in the claim he makes that the estoppel mentioned in the case to which he refers was neutralized by another type of notice.

I ask that we consider the application of the same fair rule to the matter of notice with respect to a change in all aspects of the matter. I call the attention of the Senate and of the distinguished Senator from Connecticut to the fact that at the beginning of the first session of the 76th Congress notice was served upon the world that the United States would change the existing so-called Neutrality Act; and we went to work on it. That work was suspended before the war. This deliberative body had become practically exhausted by its labors. When we were about to take a rest, we then served notice that we were merely postponing the change. So I merely ask that we consider that "what is sauce for the goose is sauce for the gander." The so-called estoppel by notice works both ways.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Nevada.

Mr. PITTMAN. I desire to call attention to the fact that the cash-and-carry law which expired on May 1, 1939, and with respect to which the Senator from Michigan has stated that he introduced a resolution to renew it, was entirely different in its provisions with regard to transportation by American vessels from the law which is now proposed by the committee. The law as it existed, which the Senator from Michigan desired to reenact, left to the President of the United States, with the exception of arms, ammunition, and implements of war, discretion as to whether or not he should prohibit American vessels from carrying anything else to belligerents. The proposed law is mandatory, and says that it shall be unlawful for any goods or any kind of cargo, or passengers, to be carried to belligerents.

I invite the attention of the Senate to the difference between the two provisions.

Mr. DANAHER. Mr. President, I wish to point out that we not only have on the statute books at this minute a prohibition against exportation but we have section 245 (c), which reads:

> Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel to carry any arms, ammunition, or implements of war to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists.

That is now the law.

Mr. PITTMAN. That does not apply to goods other than those described as arms, ammunition, and implements of war——

Mr. DANAHER. Granted.

Mr. PITTMAN. Which are described in the act as certain peculiar manufactured articles.

Mr. DANAHER. Granted it does not apply to anything but munitions; but under another section the President has the power to say what are munitions within the purview of the existing law.

Mr. PITTMAN. He does not so far as the embargo is concerned.

Mr. DANAHER. Mr. President, I should like to call the attention of the Senator from Nevada to section 245 (a), subsection (d):

> The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

Mr. PITTMAN. Does the Senator know what those commodities are?

Mr. DANAHER. The President may define what they are.

Mr. PITTMAN. No; the act says that they are limited to the convention and the proclamation. Does the Senator know what is in the convention and proclamation?

Mr. DANAHER. No; I am reading the statute and saying that the authority is there, and that so long as the goods are of the same general character he may forbid their exportation.

Mr. PITTMAN. The President's action as to arms, ammunition, and implements of war is limited in the act to the proclamation he issued on a certain date with regard to Italy and Ethiopia. On the 2d of October I inserted in the RECORD that proclamation in connection with my remarks. If the Senator will turn to the RECORD of the 2d of October, he will see that the proclamation definitely specifies certain articles, which are guns and munitions of all descriptions. Under another portion of the munitions section for the

purpose of licensing he may describe what he pleases; but anybody is entitled to a license.

Mr. DANAHER. May I ask the Senator from Nevada a question in that particular, in view of his reference?

Mr. PITTMAN. Yes.

Mr. DANAHER. Did we not invoke an embargo against the exportation of munitions in the Italian-Ethiopian War?

Mr. PITTMAN. We did.

Mr. DANAHER. Did we not do it in the Spanish War?

Mr. PITTMAN. We did.

Mr. DANAHER. Why would we not do it in a war in which there is much greater danger of our becoming involved than there ever was in the war between Italy and Ethiopia?

Mr. PITTMAN. We have done it.

Mr. DANAHER. There is no reason why we should not do it again.

Mr. PITTMAN. We could do it if it would work fairly; but, unfortunately, it works as against one belligerent and not the other.

Mr. DANAHER. There, Mr. President, the Senator from Nevada has put his finger right on the point. It operates unfairly, he says, in favor of one belligerent and against another; so we are going to legislate, not for the United States, but for a belligerent against whom our law purports to operate unneutrally.

Mr. PITTMAN. On the contrary, we are not going to legislate at all when we find that it is unneutral.

Mr. DANAHER. Mr. President, enough has been said with reference to this particular point to illustrate that sections 1 to 8, inclusive, are going to depend solely upon the exercise by the President of his discretion as to whether or not a state of war exists which will involve the peace of the United States, or whether such action is necessary to protect the lives of our citizens, and unless the President finds that all those conditions exist, sections 1 to 8 of the joint resolution will never become operative, and we shall have no protection of any kind whatever for American ships going to belligerent ports. There will be no security.

Coming now to the matter which was referred to latterly by the Senator from Illinois [Mr. LUCAS], the so-called cash-and-carry plan, let me blast it once and for all. There is no requirement that there be a payment of even 5 cents cash. On the other hand, the provision purports to extend unlimited credits to the extent of the indebtedness which may exist on the date the President's proclamation is issued. I may observe in passing that I have no question that even the matter of renewal or adjustment of foreign nations' indebtedness arising out of the last war is excepted by section 7 (b).

Mr. AUSTIN. Mr. President, will the Senator answer a question before he takes his seat?

Mr. DANAHER. I will do my best to do so.

Mr. AUSTIN. I ask the Senator if he has considered a slight amendment which might be made to section 1, which would remove the objection which I understand he holds to that section. If a few words qualifying the words "or the Congress by concurrent resolution," so as to limit it to the action of Congress and not require an approval by the President were added, would not that satisfy the Senator?

Mr. DANAHER. Mr. President, the Senator from Vermont has asked what he thinks, I am sure, is a perfectly fair question. He feels that the nub and substance of my objection is solely that the President may not technically be required to sign, or, on the other hand, might be so required, and, therefore, that that would be an obstacle to his later conforming to the command of the Congress in a concurrent resolution. Not a bit of it. It is true that that question is there; but I believe that article I, section 7, of the Constitution requires that he sign. However, whether it is true or whether it is not, I am opposed to the officer who conducts our foreign policy being in a position to put back on the Congress the responsibility for action. He is the one who, under the Constitution, is charged with administering our foreign policy. Why should he not do it? Why should he not, as Congress required him to do in the act of 1937, have the obligation of preserving our peace and security and issuing proclamations if a state of war exists? I believe that is his duty, and I do not see any reason in the world why there should be a division of opportunity, so that in the event the President—and remember this will be permanent legislation, Mr. President; I am not talking about any present President or any present war; I am talking about permanent legislation—remember if a President in the future should be unwilling to issue a proclamation and say, "That is the business of Congress and if they want to pass a concurrent resolution it is all right with me," then it would be necessary to come back to Congress and pass a measure through the two Houses; it would be necessary to have hearings and ascertain facts under such circumstances that the secrets of the State Department would not even be available to us; in fact, in the United States Senate today we do not even know what is the objective of the foreign policy of the present President.

Mr. TYDINGS. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. I yield.

Mr. TYDINGS. Assuming that it is wrong to sell arms and munitions of war to countries that are engaged in actual war, and assuming that if the war continues it is likely to spread to countries which are now neutral, would not the logical thing be, if one believed it was wrong to sell arms and ammunition to belligerents, to sell arms and ammunition to no country at all?

Mr. DANAHER. That is a perfectly fair question. If the circumstances and the exigencies of the situation were such that our situation should then be imperiled or was likely to be imperiled, we would be in a position, I am sure, fairly, honestly, and frankly to face the question, How far are we willing to participate in a general war? We are not being given a chance now to decide that issue; we are not even being given a chance to approach and consider that issue. That is not what is before the Congress. Whether we will take sides or whether we will help, whether we will support one side, and, if we do, what will happen thereafter—is not the proposition at all.

Mr. TYDINGS. Does the Senator feel it would be wise to amend the joint resolution so as to provide that no arms and munitions may be sold to any country whatsoever, whether in peace or war?

Mr. DANAHER. If I may address myself to the Senator, in what I think would be the fullness of wisdom, Congress would recess from time to time as occasion might require and leave this proposed legislation right where it is; or, better still, having in mind the difficulties that these questions obviously raise, we would vote for the motion of the Senator from New Hampshire [Mr. TOBEY] and would recommit the joint resolution to the Foreign Relations Committee, let it be considered in all its implications, let the answer to all these problems be evolved, and let it come before the Senate in some such fashion that the peace and security of the United States would not be involved meanwhile.

Mr. TYDINGS. Mr. President, the other day in his address the Senator from North Dakota [Mr. NYE] said that he was in favor, as a general proposition, of no trade with belligerent nations; and the Senator from Michigan [Mr. VANDENBERG] said that at least the arms embargo would reduce the size of the target—I believe those were the exact words he used—so that we would be less likely to be drawn into war with the arms-embargo provision remaining than if it were repealed and arms and munitions could be supplied to foreign countries.

It seems to me if we wish to be logical we have got to predicate our opposition to the sale of arms and munitions on one of two grounds, either the moral or spiritual side or the self-defense side. My question, therefore, is addressed to the Senator from Connecticut: Are we acting upon the arms embargo on moral grounds or as a matter of keeping this country out of war?

Mr. DANAHER. Personally, I have a deep feeling that we should not consider the two grounds as being separate and apart. On moral grounds, therefore, I am very definitely in favor of a restriction on the exportation of munitions. As to the second ground, I most certainly am in favor of keeping the United States as far out of war as it is possible to do so;

and if we retain the arms embargo, at least nobody is going to shoot at us because we are supplying munitions to others.

Mr. TYDINGS. If we are going to consider the question on moral grounds, then, to be absolutely consistent, we should not sell arms and ammunition to any country at any time. Of course, it is absolutely illogical, in my opinion, when a country goes to war to withhold from it the sale of arms and ammunition but to arm it up to the day it goes to war. If it is wrong to use the arms supplied before war breaks out or during war, it is just as wrong to supply arms before the war breaks out; because, in any case, the man who is eventually killed by the shell from a cannon or a bullet from a rifle is just as dead if the munitions were supplied before the war as if they were supplied during the war. Therefore, the Senator from North Dakota impressed me the other day as being consistent when he said that he was opposed to the sale of arms and ammunition at any time; but I have heard very few advocate such a policy. Most men seem to favor the sale of arms and ammunition to neutrals but favor denying their sale to belligerents, even though the neutral of today may be at war 2 weeks from now. That does not seem to me to be consistent or just or fair or logical or humane.

Mr. BORAH. Mr. President——

Mr. DANAHER. I yield to the Senator from Idaho.

Mr. BORAH. I think there is much in what the Senator from Maryland [Mr. TYDINGS] says. The Senator from North Dakota [Mr. NYE] has been an advocate of the policy of refusing to sell arms and ammunition and implements of war to any nation at any time, and that is undoubtedly the logical position to take. In my opinion, the only reason that cannot be done, as those who are in favor of selling to belligerents know, is that we cannot possibly pass such a law; we cannot get the votes to do it. So far as I am concerned, I would be opposed to the sale of arms and munitions and implements of war at any time to any nation. I think it would be a step in the right direction for the prevention of war; and the big thing in this matter, after all, is to look forward to some steps which will help to prevent war. I should not hesitate a moment to vote in favor of preventing it by forbidding such sale to any nation.

Mr. TYDINGS. Mr. President, will the Senator from Connecticut yield?

Mr. BORAH. Just a moment. I was going to ask if, as a practical legislator, as the Senator from Maryland is, he believes it would be possible to pass such a law; and if it is not possible, is it not better to confine the embargo to those actually engaged in war than not to pass any law on the subject at all?

Mr. TYDINGS. Will the Senator from Connecticut allow me to answer the question?

Mr. DANAHER. I will be happy to have the Senator undertake to do so.

Mr. TYDINGS. I want to thank the Senator from Idaho, for two Senators now at least have taken what I think is a consistent position on the arms embargo. They are the Senator from Idaho and the Senator from North Dakota.

Mr. BORAH. Does not the Senator also include the Senator from Maryland?

Mr. TYDINGS. I was coming to that in a moment. I think that those who argue that way must go the whole length and be opposed to the sale of arms and munitions in any case. I am wondering, as a matter promoting the cause of peace, however, as a practical proposition, whether or not we would promote peace by such procedure. For example, it could be argued with a great deal of logic and with much force, that Germany would never have invaded Poland if we had never passed the present Neutrality Act. It might be argued if we had not put a restriction on the sale of arms and munitions, that the German high command would have said, "Look out! The United States is in a position to supply and, so far as we know, will supply those who can buy from her, arms and munitions and, therefore, we should not go to war." In other words, I am opposed to policemen carrying six-shooters; I hate to think they may be used some time to kill somebody; but we are all in favor of a policeman carrying a revolver, for we assume it is going to be used in the cause of peace. That is the distinction which I think pertains between those who take the extreme view that there should be no sale of arms and munitions, on the one hand, and those who question whether or not by taking that view they may be causing war which otherwise might have been prevented.

I wish to say that, basically, as an ideal, I am thoroughly in sympathy with the position of the Senator from Idaho and the Senator from North Dakota, but, as a practical matter in this realistic world, I question whether we would serve the cause of peace by keeping all the arms and munitions in this country when some nations are strong enough to arm and to precipitate war, because they know that other nations are weak and unprepared for war.

Mr. DANAHER. Mr. President, I should like, with not the slightest disrespect, to call the attention of the Senator from Maryland, and of the Senator from Idaho to the fact that the parliamentary situation is this: There is a unanimous-consent agreement to take a vote not later than 2 o'clock on the pending motion of the Senator from New Hampshire [Mr. TOBEY], under such circumstances that the time must be divided between the Senator from New Hampshire and the Senator from Nevada. I should like, therefore, to ask unanimous consent that I may retain my position and hold the floor at the conclusion of the vote on the motion of the Senator from New Hampshire.

Mr. TYDINGS. Mr. President, will the Senator yield for a moment?

Mr. DANAHER. I should like to have my request disposed of, if I may.

The PRESIDING OFFICER. The Senator from Connecticut asks unanimous consent that, at the conclusion of the vote upon the motion of the Senator from New Hampshire, he may retain the floor to resume his remarks. Is there objection?

Mr. BARKLEY. Mr. President, reserving the right to object—I am not going to object—in our efforts to arrange a program so that the debate will not lag it had been understood that the Senator from Connecticut [Mr. DANAHER] would conclude his remarks before the vote, and that immediately after the vote the Senator from New York [Mr. WAGNER] would be recognized, and following him the Senator from Missouri [Mr. CLARK], and so on. Of course, it is impossible to observe that arrangement meticulously, but if the Senator from Connecticut is permitted to take the floor after the vote, I hope he will control the length of time he occupies by controlling the number of times he yields to a colleague, which is a matter of some importance to other Senators who are waiting.

Mr. TYDINGS. Mr. President, reserving the right to object—and I am not going to object—let me say to the Senator from Connecticut that I do not want to interrupt him further, but I desire to leave this thought:

I am one of those who did not support the neutrality measure when it passed the Senate the last time, for the very reason I expressed a moment ago, namely, that idealistically all of this looks beautiful, but we are practical men living in a realistic world, and in shaping our national policy we must blend idealism with what is real for the best interests of our country. I cannot help being a little amused that being sometimes in the minority with the present administration, subsequent events have proven that sometimes the minority is not on the wrong side.

Mr. BORAH. I hope that will be true again.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut [Mr. DANAHER]? The Chair hears none, and it is so ordered.

Mr. DANAHER. I will conclude for the present, then, by yielding to the Senator from New Hampshire [Mr. TOBEY].

Mr. TOBEY obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield for the suggestion of the absence of a quorum?

Mr. TOBEY. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Reynolds
Andrews	Donahey	La Follette	Russell
Ashurst	Downey	Lee	Schwartz
Austin	Ellender	Lodge	Schwellenbach
Bailey	Frazier	Lucas	Sheppard
Bankhead	George	Lundeen	Shipstead
Barbour	Gerry	McCarran	Slattery
Barkley	Gibson	McKellar	Smathers
Bilbo	Gillette	McNary	Stewart
Borah	Green	Maloney	Taft
Bridges	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Thomas, Utah
Bulow	Hale	Minton	Tobey
Burke	Harrison	Murray	Townsend
Byrd	Hatch	Neely	Truman
Byrnes	Hayden	Norris	Tydings
Capper	Herring	Nye	Vandenberg
Caraway	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	Wheeler
Connally	Johnson, Calif.	Radcliffe	White
Danaher	Johnson, Colo.	Reed	Wiley

The PRESIDING OFFICER. Ninety-two Senators have answered to their names. A quorum is present.

The Chair lays before the Senate the motion of the Senator from New Hampshire, which will be read.

The Chief Clerk read as follows:

Mr. TOBEY submitted the following motion:

"I move that House Joint Resolution 306, Neutrality Act of 1939, be recommitted to the Committee on Foreign Relations with instructions to report to the Senate for its immediate consideration the substance of sections 1, 2, 3, 4, 13, 14, 15, 16, and 17 of the pending committee substitute as a complete new substitute for House Joint Resolution 306, and with further instructions to such committee to report to the Senate for its consideration a separate resolution containing the substance of sections 5 to 18, inclusive, of the pending committee substitute for House Joint Resolution 306 immediately after final action is completed in the Senate upon the new substitute referred to in this motion."

Mr. TOBEY. Mr. President, by agreement of the Senate yesterday it was ordered that the vote on this motion should be taken at 2 o'clock, and that prior thereto the time should be equally divided between the Senator from Nevada [Mr. PITTMAN] and the Senator from New Hampshire. Therefore, 40 minutes being the time to elapse before 2 o'clock, I yield 20 minutes to the Senator from Nevada.

Mr. PITTMAN. Mr. President, the Senator from Nevada, as chairman of the committee reporting this joint resolution after weeks of time, night and day, occupied in framing it, and sitting as chairman of the full committee that voted on each section separately, is rather put in the position of making a negative argument. Nevertheless, I shall attempt to state quite briefly my objections to the motion.

The motion to recommit the joint resolution to the Foreign Relations Committee proposes that it be recommitted—

With instructions to report to the Senate for its immediate consideration the substance of sections 1, 2, 3, 4, 13, 14, 15, 16, and 17.

I do not know what the substance is that it is desired to have us report back. I suppose it is such substance as the committee desire to report. If the joint resolution is referred back to the committee, there will again come into debate before the committee section 1 (a), providing for the proclamation of a state of war as existing between two or more foreign countries. The substance of that section has been debated quite extensively in the address of the Senator from Connecticut [Mr. DANAHER] and in colloquies with the Senator. I could conceive, possibly, that if the Senators who are generally opposed to the joint resolution, some of whom are on the committee, should see fit to discuss section 1 with the same intensity and for the same reasons that actuated the Senator from Connecticut, we might be on that section in the committee for a week.

The motion also involves the section commonly known as the cash-and-carry section. There was considerable discussion on the floor of the Senate yesterday and today, in which a number of Senators participated, with regard to that very section. If that section is referred back to the committee, and the minority of the committee desire to participate in the debate, of course they will not be obstructed by the majority of the committee in the discussion. I have never known the majority of the Foreign Relations Committee to foreclose action by the minority when they were legitimately considering a matter. It is true that the minority of the committee did not see fit, while in the committee, to offer amendments to the joint resolution which was submitted for consideration of the committee.

Some of them stated that they preferred to offer the amendments from the floor of the Senate. However, if the Senate should vote to recommit with instructions that the committee should consider the cash-and-carry proposal, and in substance report something back on it, I could conceive that that might result in quite a long discussion before the Committee on Foreign Relations; that it might involve calling in officers of the departments of the Government to testify as to facts bearing upon that matter.

We find that there are a number of important sections which would, in substance, have to be reported back, which would mean that, once recommitted to the committee, the committee would have a right to take such action as it desired.

The full committee, after 2 days' consideration, realized that the primary issue was really as to whether or not we should reenact the embargo. A majority of the committee decided that we should not reenact the embargo. That could be corrected very easily by any Senator here, if he had the votes, through offering to the pending joint resolution section 1 of the existing law with regard to the embargo on arms, ammunition, and implements of war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. BARKLEY. The object of the Senator from New Hampshire being to separate the repeal of the embargo from the other positive provisions of the joint resolution, all any Senator would have to do to get a vote on the proposal would be to move to strike out of the joint resolution the section repealing the law under which the embargo was issued; a vote could then be had upon it; and if the Senator had the required number of votes to leave the embargo in effect, there would be a refusal to repeal it.

Mr. PITTMAN. Yes; and we find that the motion provides expressly that the repeal section shall be reported back in a separate report, as to sections 5 to 18, inclusive. Section 18 is the repeal section. Section 18 repeals the existing embargo. If it is reported back separately, or with a repeal of the embargo law, we would be back before the Senate in exactly the situation in which we are now.

As the Senator from Kentucky says, if the desire is to retain the embargo law, any Senator can move on the floor that that portion of the repeal section be stricken out, and if it is stricken out the existing law will stand on the books, and there will be no need for repeal. The adoption of the motion would be an unusual practice; it would result in delay, it would result in nothing except debate in the committee, and possibly might result in the necessity of calling in representatives of the various departments of the Government to present facts.

Consider, for instance, the credit provision. It has been argued today that possibly there are large debts owed by belligerent governments to citizens of this country for arms, ammunition, and implements of war; and that those debts having been incurred prior to the issuance of a proclamation of a state of war, they could be adjusted or renewed. That is an interesting fact. I am informed that there are no such debts, and I will attempt to establish that fact later on the floor of the Senate. We might establish it in the committee after 2 or 3 days. There are a number of facts which can be established on the floor or which can be established in the committee. The difference is that there are only 23 Members of the Senate on the committee, and there are 96 Members of this body. The 73 Senators who are not present at the hearings before the committee and the debates before the committee are entitled to participate in the debate on the floor of the Senate. The question is here now.

Mr. CONNALLY. Mr. President, will the Senator from Nevada yield?

Mr. PITTMAN. I yield.

Mr. CONNALLY. Let me ask the Senator from Nevada if the purpose of the Senator from New Hampshire to get immediate action to take our ships off the seas cannot be accomplished today by a vote on the joint resolution itself, if Senators desire quick action?

Mr. PITTMAN. There is no question that that could be done. There is no question in my mind that this body is rapidly arriving at a state where the Members are ready to vote. I think every Senator is entitled to speak. So far there has not been any intense desire on the part of any Senators to speak. At least I gather that impression. The senior Senator from Oregon [Mr. McNARY], the minority leader, I think has been trying to stimulate those who desire to debate to do so, so that we can go along. I know that the leader on this side of the Chamber, the Senator from Kentucky [Mr. BARKLEY], and the Senator from Nevada have been doing that. There is a kind of a calm, lackadaisical feeling about this matter, which is quite agreeable in one sense and quite annoying in another.

I wish to call the attention of the Senator from New Hampshire to the fact that the functions of a committee of the Senate are solely advisory and largely to provide an orderly manner of accumulating facts which bear upon a question involved. The Committee on Foreign Relations of the Senate has performed its functions, in my opinion. It started during the last session holding hearings on several different kinds of resolutions, all bearing on the question now before the Senate. The committee heard the testimony of 30 or 40 witnesses, I should say, representing every possible school of thought. It was doing its duty to the Senate at that time. The information was not collected solely for the benefit of the 23 members of the committee. It was for the benefit of 96 Senators. We have performed our function. We have brought in a report disclosing the existing law, the proposed changes in existing law, and the reasons for the proposed changes as we see them. To send the joint resolution back to the committee with instructions as to how the committee should advise this body, instructing them that they should not advise it as they have advised it, that they should advise it to split the bill in two and recommend the adoption of this bill and the defeat of the other bill, when both measures deal, in substance, with exactly the same question, which is an effort to restrain our citizens to such an extent that we may avoid controversies which might lead us into the existing war, would, in my opinion, be futile.

Mr. President, I appreciate that the intention of the Senator from New Hampshire is good. If his suggestion were practical, it might accomplish something, but I submit to him that under the practice of committees, and under their functions, they are not to decide things finally. The 73 Senators not on the committee have just as much to do with the question as have the 23. We have gathered the facts and the information, we have submitted those facts and that information to the Senate, with our recommendations. The whole matter is now before the Senate, and the whole matter is subject to the vote of 96 Senators. They can, by various forms of amendment, seek to limit the proposal as they see fit to limit it.

We have before us the House joint resolution, and that is subject to any amendment the Senate may desire to make. The House joint resolution contains the embargo provision. We also have before us the proposed substitute, which has been reported, and which is subject to any amendment. Everything the Senator from New Hampshire has suggested can be accomplished on the floor of the Senate by amendment. This peculiar process of instructing a great committee, which has studied this question for years, to go back and do a certain thing and come in with a report along that line, instead of doing what they did, would simply lead to confusion in procedure and confusion in what is to be presented to this body.

SENATOR FROM KENTUCKY

Mr. BARKLEY. Mr. President, I have here the certificate of appointment by the Governor of Kentucky of the Honorable A. B. CHANDLER to be United States Senator from that State to succeed the late Senator M. M. Logan. I send the certificate to the desk and ask that it be read.

The VICE PRESIDENT. The clerk will read.

The legislative clerk read as follows:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE CHAMBER,
Frankfort, October 9, 1939.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:
Washington, D. C.

DEAR SIR: This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the constitution and laws of the Commonwealth of Kentucky, I, Keen Johnson, Governor of said Commonwealth of Kentucky, do hereby appoint the Honorable A. B. CHANDLER, of Versailles, Ky., to represent the said Commonwealth of Kentucky in the Senate of the United States until the vacancy caused by the death of the Honorable M. M. Logan shall be filled by election as provided by law.

Given under my hand and seal as Governor of the Commonwealth of Kentucky at 10:50 a. m., this, the 9th day of October, in the year of our Lord 1939, and in the one hundred and forty-eighth year of the Commonwealth.

[SEAL]
KEEN JOHNSON,
Governor, Commonwealth of Kentucky.

Countersigned:
CHAS. D. ARNETT,
Secretary of State.

The VICE PRESIDENT. The credentials of the Senator-designate will be placed on file.

Mr. BARKLEY. Mr. President, Governor CHANDLER is present and ready to take the oath of office, and I ask that the oath be now administered.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath will be administered.

Mr. CHANDLER, escorted by Mr. BARKLEY, advanced to the desk; and the oath of office prescribed by law having been administered by the Vice President, he took his seat in the Senate.

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. PITTMAN. Mr. President, I believe 5 minutes remain, or 4½ minutes, to those opposed to the motion, and I now yield to any Senator who desires to speak.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Nevada yield to the Senator from Texas?

Mr. PITTMAN. I yield to the Senator from Texas.

Mr. CONNALLY. I should like to have the attention of the Senator from New Hampshire if he is in the Chamber.

Mr. TOBEY. The Senator from New Hampshire is here.

Mr. CONNALLY. Mr. President, the Senator from New Hampshire has made a very strong appeal to the country over the radio, and also to the Senate, in favor of nearly all of the pending joint resolution. He fears, and justly fears, that our ships, which under the present embargo law may go to any nation at war and may carry any article of commerce save arms, ammunition, and implements of war, will be sunk by German submarines, and then we will be confronted with the question whether we will fight or whether we will not. Let me suggest to the Senator from New Hampshire, however, that his purpose can be accomplished by the Senate voting on the measure itself. The joint resolution does what he wants done, but his purpose is to pick out of the measure all that he wants and all that he favors, and have the Senate adopt that, and then debate what he is not in favor of for the remainder of the year or, perhaps, into the next session of Congress. The country wants action on this measure, and it wants action now. It does not want endless debate.

Let me suggest to the Senator from New Hampshire that an amendment to strike out of the joint resolution those sections which he does not favor is in order at any time. It can be voted on at any time the Senate wishes to vote on it, and there is no reason why the joint resolution should not be considered before the Senate as any other measure is considered. I grant that we should have action on the portions relating to general supplies and general commodities, and by the same token we should have action on the embargo repeal itself, because every day the embargo remains in effect America is

in fact, if not in law, unneutral. Every day we remain in this state we are aiding one of the belligerents, in spiritual disagreement, at least, with the laws of neutrality. So I suggest to the Senator that he let us proceed on this measure in regular order, and if he will persuade those of his colleagues who are against repeal to permit us a vote today, tomorrow, day after tomorrow, any time this week, we will accomplish the very desirable result which the Senator from New Hampshire has in mind and avoid a great deal of debate on the subject. I commend that suggestion to the Senator from New Hampshire.

Mr. PITTMAN. Mr. President, I ask whether any other Senator desires to debate the pending question. If not, the Senator from Nevada yields the floor to the Senator from New Hampshire [Mr. TOBEY].

Mr. TOBEY. Mr. President, as I told the Senate last Wednesday in presenting my motion, in addition to providing repeal of the arms embargo, the pending joint resolution sets up safeguards to keep American vessels out of war zones and forbids American merchant vessels from carrying goods to any of the belligerents. These safeguards are not now in our existing neutrality law. The greater part of the debate on the pending joint resolution will center upon the controversial issue of repeal of the arms embargo.

Leaders in the Senate and in the country have agreed that the causes which drew us into the last European conflict were the seizure and sinking of American merchant vessels carrying cargoes to the belligerents.

So far as protection against a repetition of those same causes at the present time is concerned, America stands in the same position which is occupied in 1917.

American merchant ships are at this moment in the midst of war zones and carrying cargoes destined for the belligerents. There is great danger that some of them will be sunk—perhaps by mistake, perhaps deliberately—tomorrow, next week, or next month.

Thus, by extensive debate by the Congress on the arms-embargo-repeal section of the bill we are holding up passage of those sections designed to keep our ships out of the danger zones.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TOBEY. I yield very briefly.

Mr. CONNALLY. The danger which the Senator from New Hampshire sees, and which he is pointing out, of the sinking of American vessels today or tomorrow is present under the existing embargo law, the repeal of which the Senator opposes, is it not?

Mr. TOBEY. I will answer that as I go along in my statement. My answer will come as I proceed with my statement. The Senator is working from an unjustified premise. I will touch upon that later.

Because of the facts to which I have called attention, I repeat, we should put first things first, and, consistent therewith, I offered the motion last Wednesday which is to be voted upon this afternoon.

The procedure I am urging will not in any way delay final vote on the embargo-on-arms provision. It merely sets up an order of procedure which calls for a vote on the emergency provisions before debate and a vote on the repeal clause, which latter can be had only at some future date, uncertain in a high degree.

Mr. President, this is our opportunity to prevent a recurrence of our experience in 1917. Whether we shall hold up passage of these safeguard provisions throughout the controversial debate on the arms-embargo-repeal clause, or whether we shall adopt my motion to make these safeguards into law at once and then proceed with debate on the arms-embargo-repeal clause, is up to this body today.

There are subtle, unseen forces working constantly to draw us into this European war. No action we can take will be more discouraging to such forces than the action which is contemplated in my motion, to take our ships out of the war zones immediately, thereby eliminating a recurrence of the causes which drew us into the World War, according to the testimony of no less an authority than the distinguished chairman of the Foreign Relations Committee of the Senate, the Senator from Nevada [Mr. PITTMAN].

There comes in our responsibility, which can be met by agreeing to my motion for getting our ships out of the war zones immediately, not weeks or months from now, as will result if we suspend action on these safeguard sections until final action is had on the embargo.

There is one argument which Senators cannot advance against my thesis. They cannot honestly charge that if my motion is adopted and our ships are withdrawn from the war zones, that action will involve us in war.

Based from our experiences in 1917, it is clear that both sides—both sides, I say—will carry on piracy in the war zones, and no neutral ship, no cargo—contraband or non-contraband—will be safe.

The greatest threat to our peace, the one happening which would do most to involve us in war, would be the sinking of our merchant ships, by either belligerent, with loss of life of American seamen.

Again I point out the definite assertion made by the chairman of the Committee on Foreign Relations that it was such events occurring early in 1917 that brought us into the World War. But right now we have no law which keeps our ships out of the war zones. The history of 1917 may repeat itself any day.

The pending joint resolution contains provisions in sections 2 and 3 which would remove these dangers, but action on these safeguard provisions should not be held up until, after weeks and perhaps months, final action is had on the entire measure containing the much more controversial arms-embargo repeal.

Every day we delay enacting into law these provisions which would take our ships out of the war zones holds not only possibilities, but probabilities, of our becoming involved.

Therein lies our responsibility. Such a dangerous situation constitutes a challenge to us to act, and to act immediately. Why delay?

I stand foursquare with the statement of the President, made at Chautauqua in 1936:

> We are not isolationists but "insulationists." We seek to insulate our Nation from any European conflagration.

And there is no better way to do it, I submit, than to take our ships out of the war zones. It was their presence in the war zones that caused our participation in the war in 1917.

And again I stand foursquare with the President in his statement, made on September 21, at the joint session of the two Houses of Congress:

> This Government must lose no time or effort to keep this Nation from being drawn into this war.

My motion squares with the hope of the President.

I also concur with Alfred E. Smith in his recent statement that there is only one way to avoid a repetition of our experience in 1917, and that is by keeping American ships and American passengers out of trade with belligerents.

The adoption of my motion today will meet each of these statements.

Let me propound the well-known advertising phrase, which is very pertinent, "Eventually—why not now?" Why not?

I wish to read into the RECORD an editorial by Bruce Bliven from the Boston Transcript of October 7, 1939. The editorial is headed "The Danger," and I quote from it, as follows:

> What is important is that, in the interest of peace, we should put an end at once to the dangerous situation that now prevails. At this moment American ships with American crews are sailing the Atlantic carrying cargoes that both sides have ruled to be contraband.
>
> Any date some of these ships may be sunk and American citizens killed. If that happens, keeping out of war will suddenly become far more difficult.
>
> The debate in Congress over repeal of the arms embargo seems likely to continue for another month; perhaps even longer. Every hour of that time increases our danger.
>
> Under these circumstances there is no reason why the question should not be split up into two bills. Pass cash and carry, on which everyone is agreed, at once. Get American ships and sailors out of danger. Then go on debating the matter of repealing the arms embargo to your heart's content.

Any Member of Congress who is unwilling to endorse this procedure is willing to gamble with American lives and with the danger of our being dragged into war.

I read a telegram from a prominent New York citizen, passed to me by a colleague today as I entered the Chamber:

NEW YORK, N. Y., *October 9, 1939.*

It occurs to me that in attempting to sabotage Senator TOBEY'S plan, the administration proves conclusively that it prefers to jeopardize American lives, ships, property, and peace during weeks or even months of debate if only it can secure repeal of arms embargo; in other words, the administration is openly sacrificing American welfare for that of certain foreign nations.

The vote we are about to take will be an acid test of sincerity of the oft-repeated desire to keep this country neutral in a war in which we can have no legitimate interest.

What will be the reasons for opposing my motion? Let me bring a few of them out into the open as they have come to my attention.

One Senator, for whom I have a very warm regard, wrote me that he was entirely in sympathy with my proposal to separate portions of the joint resolution and act immediately upon the safeguard provisions, but that he could not vote to recommit the measure to the Senate Foreign Relations Committee, of which he is a member.

Mr. President, I believe in all the traditions of this honorable body and of the Senate Committee on Foreign Relations, but I am one of those who take the broad view that the whole is greater than any part; and in this great crisis, when great danger confronts America, I would not stand on precedent on the unusual. I would cut away the underbrush of parliamentary procedure, and get down to brass tacks, and meet this matter in accordance with my motion. But, be that as it may, in my opinion it does not constitute a sound reason for opposing a principle to which a Senator agrees, a principle so vital to the peace of this Nation. As I have said, no man has a greater respect for the traditions of the Foreign Relations Committee of the Senate than have I; but I submit that at a time like this we should not stand upon a simple precedent, or even upon the dignity or feelings of any group.

Another reason which is advanced was given by a Senator, a leader opposing repeal, when he frankly said that he expected my motion to be defeated, because he expected to find many on his side voting against the motion simply because they did not want the vote to be construed as a test vote on the embargo question.

I stand aghast at a sentiment such as this, that any Member or any group of Senators, merely as an act of parliamentary or political strategy, would go on record against immediate consideration of these provisions, passage of which would take immediate steps to get our ships out of the war zones and keep us at peace.

Another reason which has been advanced is that administration leaders, those favoring repeal, will vote against the motion today, because they do not want it to pass, thereby removing safeguard provisions from the joint resolution, because, in effect, they would be a "sweetening" to secure support for the passage of the embargo feature when a vote on that question is reached.

Again I stand aghast at the fact that any Member or group of Members would play with this motion as one plays a game of badminton or shuttlecock.

I have heard from thousands of persons throughout the country. With four or five exceptions they have been wholeheartedly and sincerely behind this effort. Letters and telegrams bespeak a passion for peace and an honest desire that this motion be dealt with on its merits, devoid of partisanship or politics. The people will hold us responsible if we do not measure up to our opportunity today.

Mr. President, I deprecate the allusions made by some, charging that my motion is a clever move, a piece of strategy put forth to aid and abet some particular group or plan. None of these things is true.

The greatest menace to democracy is a clever man; he it is who brings about distrust of legislative workings. A lesser menace is the strategist who approaches every question on the basis of how to maneuver around it, working largely by indirection.

Has it come to such a pass that a Senator cannot act frankly and openly and drive straight ahead for the right, as God gives him to see the right, without such aspersions being made? There has been nothing of strategy or applied cleverness in my preparation of this motion, nor has there been any contact with any group in the preparation and offering of the motion.

I have heard the voice of the prophets over the radio and have read the headlines in the past 24 hours. "Tobey plan doomed," one says; another broadcasts over the country, "So, then, at 2 o'clock tomorrow will occur the execution of the Tobey motion."

Mr. President, it may be even as they forecast; it may be that the newspapers will say tonight and the radio will broadcast, "Tobey loses." But let me say, sir, that will be a false statement; for if the vote we are about to take goes against this motion I shall not lose! No man loses who fights for his honest convictions, who, having a vision of the safety of his countrymen, tries to keep the Nation out of war, and carries on an offensive to gain that worthy objective.

However, there are those who will lose. They will be losers who, on this important and far-reaching question, vote against the motion motivated by any second- or third-rate reason, who respond to political beckonings, or to those who would like to retain the safeguard provisions as a "sweetener" to affect the vote on repeal of the arms embargo, or those who vote against it because they feel it mixes things up on a test basis, as they oppose repeal.

There will be others who will lose, sir. Who are they? Let me tell you. They will be found in the millions of American homes—fathers and mothers, brothers and sisters, sons and daughters; those who have a prayer in their hearts, day and night in this time of confusion when the peace of the world is challenged. That prayer is, "Keep us out of war. Give us legislation by Americans and for Americans. Get our vessels out of the war zones now!"

The immediate basis of the safeguard sections removing our ships from the war zones, consistent with the warnings of Secretary Hull and to avoid again the cause of our entering the last war, as charged by the Senator from Nevada [Mr. PITTMAN], is definitely a move toward an answer to the prayer, "Keep us out of war."

Yes; these are they who will lose.

O, Mr. President, I seek to give the people of the Nation the protection they ask and rightly deserve; and the speedy passage of the sections provided for in the motion before us would accomplish this.

Why cry out, "Peace for America!" and then slam the door on a proposition which will aid in keeping us at peace?

Mr. President, the hour approaches for taking this vote. All I ask of my colleagues is that on this question, the effects of which will be so pregnant in maintaining our peace, each Member of this body shall be guided solely by the conviction of his conscience.

I plead with my colleagues today to turn a deaf ear to the beckonings and appeals of partisan leaders, a deaf ear to the calls of good fellowship and attractive personalities, a deaf ear to the claim that the motion ignores precedent, a deaf ear to the cry that someone has been overlooked or that someone's pride is injured. I realize that such things may be and often are factors in our votes on ordinary legislation, but this is an extraordinary matter, far-reaching in its influence, vital to millions of homes. In its potential value to the peace of the Nation it transcends any other matter that comes before us for our consideration. Therefore, Senators, I plead for your support in all good conscience. I honestly believe that if my motion prevails at once your support will, as time passes on, give you a just and permanent satisfaction in having, by your votes today, removed from our American homes a great threat to peace for the United States.

Mr. PITTMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Schwartz
Andrews	Donahey	Lee	Schwellenbach
Ashurst	Downey	Lodge	Sheppard
Austin	Ellender	Lucas	Shipstead
Bailey	Frazier	Lundeen	Slattery
Bankhead	George	McCarran	Smathers
Barbour	Gerry	McKellar	Stewart
Barkley	Gibson	McNary	Taft
Bilbo	Gillette	Maloney	Thomas, Okla.
Borah	Green	Mead	Thomas, Utah
Bridges	Guffey	Miller	Tobey
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Truman
Burke	Harrison	Neely	Tydings
Byrd	Hatch	Norris	Vandenberg
Byrnes	Hayden	Nye	Van Nuys
Capper	Herring	O'Mahoney	Wagner
Caraway	Hill	Overton	Walsh
Chandler	Holman	Pepper	Wheeler
Chavez	Holt	Pittman	White
Clark, Idaho	Hughes	Radcliffe	Wiley
Clark, Mo.	Johnson, Calif.	Reed	
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	

The VICE PRESIDENT. Ninety-three Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from New Hampshire [Mr. TOBEY], which will be stated by the clerk.

The Chief Clerk read as follows:

I move that House Joint Resolution 306, Neutrality Act of 1939, be recommitted to the Committee on Foreign Relations with instructions to report to the Senate for its immediate consideration the substance of sections 1, 2, 3, 4, 13, 14, 15, 16, and 17 of the pending committee substitute as a complete new substitute for House Joint Resolution 306, and with further instructions to such committee to report to the Senate for its consideration a separate resolution containing the substance of sections 5 to 18, inclusive, of the pending committee substitute for House Joint Resolution 306 immediately after final action is completed in the Senate upon the new substitute referred to in this motion.

Mr. BARKLEY. On the motion I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). On this vote I am paired with the senior Senator from Virginia [Mr. GLASS], who is detained from the Senate because of illness. I am informed that if present the Senator from Viriginia would vote "nay." If permitted to vote, I should vote "yea." Being paired with the Senator from Virginia, I withhold my vote.

Mr. WILEY (when his name was called). I have a pair with the senior Senator from South Carolina [Mr. SMITH]. I do not know how he would vote on this question, and therefore withhold my vote.

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Virginia [Mr. GLASS] is absent on account of illness. If he were present, I am advised that, as stated by the Senator from Minnesota [Mr. SHIPSTEAD], he would vote "nay."

The Senator from South Carolina [Mr. SMITH] is unavoidably detained. If present, he would vote "nay."

The Senator from Washington [Mr. BONE] is absent because of illness.

The result was announced—yeas 26, nays 65, as follows:

YEAS—26

Borah	Davis	Lodge	Tobey
Bridges	Downey	Lundeen	Townsend
Bulow	Frazier	McCarran	Vandenberg
Capper	Holman	McNary	Walsh
Clark, Idaho	Holt	Nye	Wheeler
Clark, Mo.	Johnson, Calif.	Overton	
Danaher	La Follette	Reed	

NAYS—65

Adams	Burke	Gerry	Herring
Andrews	Byrd	Gibson	Hill
Ashurst	Byrnes	Gillette	Hughes
Austin	Caraway	Green	Johnson, Colo.
Bailey	Chandler	Guffey	King
Bankhead	Chavez	Gurney	Lee
Barbour	Connally	Hale	Lucas
Barkley	Donahey	Harrison	McKellar
Bilbo	Ellender	Hatch	Maloney
Brown	George	Hayden	Mead
Miller	Pittman	Slattery	Tydings
Minton	Radcliffe	Smathers	Van Nuys
Murray	Reynolds	Stewart	Wagner
Neely	Russell	Taft	White
Norris	Schwartz	Thomas, Okla.	
O'Mahoney	Schwellenbach	Thomas, Utah	
Pepper	Sheppard	Truman	

NOT VOTING—5

Bone	Shipstead	Smith	Wiley
Glass			

So Mr. TOBEY's motion to recommit was rejected.

Mr. PITTMAN. I move to reconsider the vote by which the motion of the Senator from New Hampshire was rejected.

Mr. BARKLEY. I move to lay that motion on the table.

The VICE PRESIDENT. The question is on the motion of the Senator from Kentucky [Mr. BARKLEY] to lay on the table the motion of the Senator from Nevada [Mr. PITTMAN] to reconsider the vote by which the motion of the Senator from New Hampshire [Mr. TOBEY] was rejected.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Missouri [Mr. CLARK], and the Chair understood that he was to recognize the Senator from New York [Mr. WAGNER].

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. During the absence of the Vice President from the chair unanimous consent was given that the Senator from Connecticut [Mr. DANAHER] might conclude his speech.

The VICE PRESIDENT. The Chair did not know that.

Mr. McNARY. I am so advising the Chair.

The VICE PRESIDENT. The Chair is glad the Senator from Oregon called the fact to the Chair's attention, for, in the very beginning the Chair announced that if the Senator from Connecticut had not concluded his remarks at the end of the hour at which the vote was to be taken the Chair would feel it his duty to recognize him to continue his remarks. After the Senator from Connecticut shall have concluded his remarks it will be the object of the Chair to recognize the Senator from New York. The Senator from Connecticut is now recognized.

Mr. JOHNSON of California. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from California?

Mr. DANAHER. I yield to the Senator from California.

Mr. JOHNSON of California. I ask unanimous consent that a letter which I have received from a former Member of this body, Hiram Bingham, may be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The letter is as follows:

WASHINGTON, *October 8, 1939.*

Senator HIRAM JOHNSON,
The Capitol.

DEAR SENATOR JOHNSON: Why is it that so little has been said in the Senate debate about the effect of the proposed repeal of the arms embargo on our relations with Japan? Is attention so focused on Europe that we have forgotten Asia? Are we planning to help Japan to dominate the Pacific? Do we want to have to go to war to prevent the Pacific from becoming a Japanese lake? Are we not likely to get embroiled with Japan if we fail to treat them fairly, as neutrals, and sell them the munitions they bring cash for?

At present they are at war with China, but as war has not been declared they cannot, under international law, blockade the ports of Shanghai, Tientsin, or Hong Kong. They cannot seize vessels taking munitions to Hong Kong for sale to the Chinese. They have not declared war because under the existing Arms Embargo Act they could not then buy supplies as they have been doing on the Pacific coast.

But, if we repeal the arms embargo and adopt a cash-and-carry plan with regard to airplanes, arms, and ammunition, so as to be able to sell these necessary munitions to England and France, how can we prevent the Japanese from coming to San Francisco, Los Angeles, and Seattle with gold or silk in their hands and buying the munitions they need to crush English interests in eastern Asia and dominate the Pacific?

It is obvious that when we repeal the arms embargo the Japanese will at once formally declare that war exists in China. They can then institute a legal blockade. They can squeeze the British out of the Far East by the use of the airplanes, arms, and munitions which we sell them.

With the British Fleet busy in the Atlantic and the Mediterranean, the Japanese can dominate the sea lanes in the Pacific. Having made friends with Russia so that Stalin is even willing to put to death 300 officers of the army in Outer Mongolia for being anti-Japanese, as was reported in the New York Times last Saturday, she can probably borrow gold from Russia to add to her silk credits and help her keep our munitions factories busy making material to help her drive the British and French out of eastern Asia. Do we want to see that happen? Can we prevent it?

If we deny the Japanese the right to operate under the cash-and-carry plan, while permitting it to England and France, we shall be committing an unneutral act of vitally serious import. All international lawyers agree with Mr. George Rublee that in the sale of munitions it is the obligation of the neutral "to afford equal opportunity to each side." We cannot have one law on the Atlantic coast and another on the Pacific, unless we are willing to be embroiled with Japan.

The British have been advised by their chief authority on propaganda, Captain Rogerson, whose book has gone into a second edition, that "it would be a natural and obvious object" of their propagandists to succeed in embroiling us with Japan, "just as during the Great War they succeeded in embroiling the United States with Germany." Are we going to help them do it?

It has been reported in the press that we—that is, our Government, through Secretary Hull—asked our airplane manufacturers on the Pacific coast not to sell airplanes to the Japanese to be used in killing Chinese, and they have agreed not to do so.

But if Japan declares war on China—and possibly on Australia and New Zealand, where the climate suits them and the unoccupied land attracts them—and we have no embargo on the sale of munitions but offer to sell to all and sundry who bring the cash or credit in their hands, as is provided in the pending legislation, will you please be so good as to tell me how we are going to refuse to sell to Japan when, convoyed by an adequate number of men-of-war, her merchant ships come to our Pacific ports and offer to pay cash for large supplies of munitions?

You know the oriental mind. You have had long experience with orientals in San Francisco and California. Is it your opinion that the Japanese will be satisfied with excuses and Executive rulings when they bring the cash and ask for the goods?

They have been satisfied hitherto because they have been glad to have the administration willing to see no war in China and so to permit them to buy enough scrap iron to make all the steel they have required during the past year. They have even been willing to forego the advantages of a blockade. But do you think it will be long before they take advantage of the proposed legislation which forces our merchant ships off the routes to China, Australia, and New Zealand, which the author of the present bill so blithely says will not hurt us, monopolize that trade for themselves, and politely insist that we be genuine neutrals and sell to all comers?

As has been pointed out by Senator NORRIS and several of the keenest minds in the press gallery, it is no secret that the object of the present bill is to help Britain and France. But will it really help them to be driven out of Asia?

Russia has long had her eyes on Persia and India. With her new friend Japan, she, too, can bring her gold to our Pacific coast and buy the munitions to help drive the English out of India. Busy as they are in the Atlantic, how can the Allies, Britain and France, spare enough ships to prevent Russia as well as Japan from contributing to the rapid development of our munitions factories on the Pacific coast? As long as Russia was at odds with Japan, her fleet in far-eastern waters was large enough to keep the Japanese from dominating Pacific lanes. But now this is changed—at least for the present. Why do we want to help Russia and Japan? Can the advocates of repeal possibly contend that their bill will not help? Will it not hand over to the Japanese the carrying trade across the Pacific?

It seems obvious that our attention is so engrossed by what is going on to the east of us, and that we are so sure that England and France need what we can sell them once the embargo is repealed, that we are blind to what is going on to the west of us and what is likely to happen when we legally permit Japan and Russia to come and get that which will destroy the Allies in the Pacific.

Would those who favor repeal be willing to adopt an amendment that it shall apply only on the Atlantic and not on the Pacific?

Sincerely yours,

HIRAM BINGHAM.

Mr. DANAHER. Mr. President, there was some considerable question, which was discussed in various colloquies, with reference to the significance in the second line of section 1 of the pending joint resolution of the insertion of the words providing that the Congress, by concurrent resolution, is given alternative power with the President to find that there exists a state of war.

Because there were many interruptions with reference to the general subject matter rather than the particular subject matter, I did not then deal adequately with the subject. I should like the RECORD to show that on the 24th of November 1903, the then President pro tempore, referring to a question which had arisen on the previous day, said:

The Chair desires to call the attention of the Senate to a matter which came up in the Senate on yesterday. A concurrent resolution was under consideration and passed. The Senator from Colorado [Mr. Teller] asked the Chair if it went to the President and required his signature. The Chair replied "no." The Chair finds this article in the Constitution of the United States:

"Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

The portion quoted from the Constitution of the United States will be found in the Senate Manual at page 396.

Within the experience of the Chair in the Senate no concurrent resolution has ever been sent to the President of the United States, nor has he ever signed one. The Chair has endeavored faithfully to find out how concurrent resolutions escape the provision of the Constitution. He has not been able to succeed.

Thereupon a very considerable debate ensued. It has, I believe, been quite well established that all concurrent resolutions which partake in their result of the nature of legislative enactments must go to the President of the United States for signature. All concurrent resolutions which are declaratory of a state of fact, however, are not such as require the signature of the President.

For example, if we were to pass a concurrent resolution in the Congress advancing the date of Thanksgiving, if you choose, by a week, such a concurrent resolution would not require the signature of the President, even though I doubt not that the result might have his approval. On the other hand, if we were to say that advancing Thanksgiving 1 week should have the effect of making that day a legal holiday, and that all transactions which thereupon took place on that day should come within the inhibitions and limitations applicable to a legal holiday, we should then be passing a concurrent resolution in the nature of a legislative enactment which would require approval by the President.

In the particular pending measure, House Joint Resolution 306, we find that we are setting in motion a whole train of circumstances, without the operation of a proclamation of the President of the United States to commence which we would have no neutrality legislation whatever. It seems to me peculiarly significant that that particular phase of the joint resolution should have been introduced into the measure now pending here. I believe, therefore, that the alternative distribution of power between the President and the Congress not only is not desirable but should be stricken from the joint resolution; and that as it stands, in and of itself, if there were no other obnoxious or iniquitous features of the joint resolution, it would be sufficient to justify its rejection.

I desire the RECORD to show that a considerable discussion on the whole general subject will readily be found in the CONGRESSIONAL RECORD; and there are citations in Hinds' Precedents, volume 4, at page 329, in the chapter entitled "Approval of Bills by the President."

There has been so much misconception with reference to the sections of the joint resolution commencing at section 10 that I believe it important that we call to the attention of the Senate, and let it appear of record, that section 10 sets forth the restrictions on the use of American ports.

The joint resolution provides that—

Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port or from the jurisdiction of the United States, fuel, men, arms, ammunition, implements of war, supplies, dispatches, or information to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port or from the jurisdiction of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall

deem proper, conditioned that the vessel will not deliver the men, or any fuel, supplies, dispatches, information, or any part of the cargo, to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a).

If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously departed from a port or from the jurisdiction of the United States during such war and delivered men, fuel, supplies, dispatches, information, or any part of its cargo to a warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), he may prohibit the departure of such vessel during the duration of the war.

Mr. President, every word of section 10 which is in the pending joint resolution is law on our books today. Its reenactment is not necessary to the protection of the American public under the situation obtaining abroad. It is the law, and has been the law for years.

If we look at section 11, dealing with submarines and armed merchant vessels, we shall find that the restrictions now placed on the use of the ports and territorial waters of the United States also, without even a comma changed, without the interposition of a single phrase or the interpolation of a word, are identically restated in section 11 of the pending joint resolution.

Commencing at section 12, we find sections which deal with the National Munitions Control Board. The National Munitions Control Board has been operating for several years. Under it, exporters of munitions must register; they must get a license; they must receive a certificate of registration. The only effective change in the pending joint resolution from the law as it has been on the books for these years is a reduction in the license fee from $500 to $100. That is all it amounts to. No other change at all is made.

Subsection (d) of that particular section is reported without change.

Subsection (e) is reported without change.

Subsection (f) is reported without change.

Mr. President, certainly an effort has been made on the part of some to lead the American public to think that this joint resolution offers some new protection. Distinctly that is not the fact. There is no need whatever for the reenactment of the clause dealing with regulations. It is submitted without even the slightest jot or tittle of alteration from the present law.

The general penalty provision is identical, with the exception of the fact that the punitive period is increased from 2 to 5 years. The definitions are the same. The separability of provisions clause is the same. The appropriations provision is the same. So I submit that if this particular joint resolution were to be prepared and presented to the Senate frankly and fairly and squarely raising the one issue, which everyone expects us to meet, and which everyone expected to have the Senate consider, and if we were to leave out all this window dressing and all this camouflage, we would be able shortly and properly to come to grips in this matter.

The first eight sections include the section which has been so erroneously referred to as the cash-and-carry provision. I think I have already fully demonstrated that there is no limitation, no requirement as to the payment of even 5 cents in cash. But I want it to be perfectly clear that section 7 (b), which appears on page 22 of the pending joint resolution, is a clause which has been taken from the existing statute and interpolated at this particular point in line 12 on page 22. The existing statute sets that forth in section 245 (a), subheading (b), in title 22, "Foreign Relations and Intercourse," in section 4 of the code.

Mr. President, as that provision appears in existing law today it applies solely and entirely to those commodities which are not arms, munitions, and implements of war. It cannot possibly apply to arms, munitions, and implements of war. Therefore the interpolation of that section at this point makes a most material variation from any concept previously submitted to the Senate and to the public with reference to the pending measure, for it obviously means that without limitation of any kind whatever, up to the date the President of the United States shall, if he ever does, issue a proclamation under the proposed law, unlimited credit can be granted for the sale and exportation of munitions, the one single thing the American people, speaking through their Congress, have previously embargoed and forbidden. That is a most significant bit of legal interpretation to which I believe the attention of all should be most concretely directed.

I believe it is worthy of our most sincere and earnest study, for if we are ever to bring from this concentration of thought on a particular measure a bill which will do ample justice to the crystallization of sentiment, we must certainly correct that conception. There cannot possibly be justification for our adoption of section 7 (b), which would have the effect of nullifying every restriction of 7 (a), and run absolutely and directly counter to the provisions of the Johnson Act itself, which has been our law for several years.

I believe that on this phase of the pending debate I have concluded the thought which I had wished to lay before the Senate. There are several facts involving the principle on which I shall submit my views in due course. In a sense, I have touched upon certain phases of them in the course of the colloquies we have had here, interesting and probing and informative discussions. But the contention that the people of the United States are willing to abandon the position which their Congress has heretofore taken for them and take steps which will inevitably, in my humble judgment, lead, first, to our participation indirectly in the war, and later to our participation directly in the war, is one which I desire to see debated, first, because of our undertaking, the way the joint resolution would permit, to furnish arms, munitions, and implements of war; secondly, to extend unlimited credit for the purchase and acquisition of such arms, which today is forbidden, but under the pending joint resolution would be permitted.

In the second place, I believe we should make no change whatever in the existing law with reference to the sections under which interests have accrued, and rights, powers, and liabilities have been created. It is true the pending joint resolution would repeal, and I think it is generally realized that if it is passed as drafted it will repeal every existing neutrality law on the books today contained in the joint resolutions of 1935 and 1937. Consequently and until and unless—which is more important—unless the President shall find that there exists a state of war, and that it is necessary for us to protect our peace and to promote our security, he need not issue a proclamation. If he does not issue it, we will have no protection. The repealer will operate, taking off the books the statute under which we now are secure. If he does not issue a proclamation, there never will be set in motion the train of circumstances which it is said will lead to a degree of security as provided in the first eight sections of the joint resolution.

With these thoughts, Mr. President, I am grateful to the Senators who have participated in the discussion and assisted in extracting and exposing for considered judgment the various views we have heard discussed in my time. I am very grateful to the Senators who have assisted me. I believe sufficient has been said by me to demonstrate that the joint resolution requires more exploratory research than has heretofore been directed toward it.

The PRESIDING OFFICER (Mr. AUSTIN in the chair). The question is on the amendment proposed by the Senator from Missouri [Mr. CLARK] to the amendment of the committee to the Neutrality Act of 1939.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrd	Frazier	Holman
Andrews	Byrnes	George	Holt
Ashurst	Capper	Gerry	Hughes
Austin	Caraway	Gibson	Johnson, Calif.
Bailey	Chandler	Gillette	Johnson, Colo.
Bankhead	Chavez	Green	King
Barbour	Clark, Idaho	Guffey	La Follette
Barkley	Clark, Mo.	Gurney	Lee
Bilbo	Connally	Hale	Lodge
Borah	Danaher	Harrison	Lucas
Bridges	Davis	Hatch	Lundeen
Brown	Donahey	Hayden	McCarran
Bulow	Downey	Herring	McKellar
Burke	Ellender	Hill	McNary

Maloney	Pepper	Slattery	Vandenberg
Mead	Pittman	Smathers	Van Nuys
Miller	Radcliffe	Stewart	Wagner
Minton	Reed	Taft	Walsh
Murray	Reynolds	Thomas, Okla.	Wheeler
Neely	Russell	Thomas, Utah	White
Norris	Schwartz	Tobey	Wiley
Nye	Schwellenbach	Townsend	
O'Mahoney	Sheppard	Truman	
Overton	Shipstead	Tydings	

The PRESIDING OFFICER. Ninety-three Senators having answered to their names, a quorum is present.

Mr. WAGNER. Mr. President, the widespread discussion of neutrality legislation in recent years has centered around vital measures of national defense, defense against involvement in conflicts not of our concern. Yet deep in our hearts we prayed that our action, or omission to act, would never have to be tested against the reality of foreign war on a continental scale. The American people and the American Congress face that test today.

As we ponder the problems which it becomes our fateful duty to resolve, our minds inevitably go back to that period within our own lifetime, when America threw its resources and its manhood into the scales of a European war. That titanic effort brought victory to our arms; but the permanent peace we fought for has not been achieved. Once again large parts of Europe are standing to arms. Once again western civilization retreats before the grim and tragic business of war.

Confronted with this spectacle, the men, women, and children of this Nation speak to us with one voice and one plea—to isolate them from the danger of involvement in this or any other war. It can, it must be done.

We do not undertake that task in a period of urgent national emergency. There is no present threat to American security. Short of an attack upon the Western Hemisphere, I can foresee no challenge to our national interest which would justify our becoming involved in any conflict anywhere. I do not believe that involvement against our will is predestined or inevitable. I stand today upon the statement I made a year ago to the people of my State:

> I will never vote to send troops to Europe to fight in any war. I am unalterably opposed to our country's becoming embroiled in the rivalries and the hatreds of the European Continent. Our policy should be to go about our peaceful missions, without fear of anyone and without anyone's favor, taking sides with none and free from entanglements with all.

I daresay every Senator on this floor subscribes to that statement of America's historic foreign policy, shares that determination to keep out of other people's wars. So long as we are unanimous in that judgment, the peace and safety of America are definitely assured. So long as we are of one mind and one objective, the free discussion of sincere differences as to methods can only strengthen our purpose and light the way to its fulfillment.

After the most careful study of the legislative details which divide us, I am convinced that the changes in our neutrality law reported by the committee give the best promise of keeping America out of war and keeping war away from America.

Mr. President, I believe the solution of all the problems under discussion lies in the answer to three simple questions:

First. How much of our trade with belligerents is covered by the embargo against "arms, ammunition, and implements of war"?

Second. What risks of involvement arise from trade with the belligerents in articles which may be exported under the present law?

Third. What are materials of war?

Each of these questions is a factual question. Each of them can be answered by reference to our own experience.

The first question we want to ask ourselves, I repeat, is this: How much of our trade with belligerents is covered by the embargo against arms, ammunition, and implements of war?

The best answer to that question will be found by referring back to our trade with the belligerents in the World War. Here on my desk are the official records of the Department of Commerce summarizing our foreign trade month by month, item by item, country by country, at a time when war raged not merely on the western front but in every quarter of the globe outside the Western Hemisphere. These records disclose that, contrary to the general belief, the export of articles now embargoed was a very minor factor, indeed.

In the critical 30-month period between the outbreak of the World War and January 1917, when the announced resumption of unrestricted U-boat warfare clearly foreshadowed our intervention, we exported to the entire world almost $9,960,000,000 worth of commodities, of which $7,540,000,000 represented exports to the principal allied countries—the United Kingdom, Canada, Australia, France, Italy, Russia, and Japan. In this great volume of trade our world exports of firearms, ammunition, gunpowder, explosives, shells, airplanes, and the like amounted to about $980,000,000. If we attribute all these munitions exports to Allied orders, we find that articles on the present embargo list constituted less than 10 percent of our world exports and 13 percent of our exports to the Allies. Even if we assume, contrary to all probability, that none of our peacetime volume of exports to the Allies was devoted to war uses, and consider solely the wartime increase in exports, we find that about four out of every five dollars' worth of exports to the Allies represented articles not on the embargo list.

Mr. President, I ask unanimous consent to have printed in the RECORD at the close of my remarks tables I and II, which I have prepared, setting forth these figures in detail.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WAGNER. Mr. President, our World War trade swelled to vast proportions because of transactions not in armaments but in ordinary every-day items like machinery, wheat, iron and steel products, copper, brass, tobacco, meats, and sugar. For example, in the 30-month period I have referred to, the wartime increase in the value of our world exports of foodstuffs alone was one and a half times that of articles on the embargo list.

With the vast expansion of armament production abroad and the consequent greater need for raw or semifinished materials instead of completed implements of war, it is reasonable to suppose that the proportion of our exports to the belligerents affected by the embargo would be even smaller now than in the last war. In reality, the embargo will not diminish our export volume at all, since a prohibition against finished implements of war is very likely to result in an increase in the volume of raw and semifinished materials from which the completed implements could be readily fashioned.

This is what experience and reason tell us about the commodities to be exported to the belligerents. On the volume of this trade the arms embargo is likely to have no effect whatever.

The second factual question on which we need light is this: What risks of involvement arise from trade with the belligerents in articles which may be exported under the present law?

The record of our experience between 1914 and 1917 tells us that unrestricted trade with belligerents is fraught with peril to our neutrality and our national security. The dangers that beset American cargoes, ships, and seamen traveling in the war zones have been referred to again and again in this debate, and require no repetition by me. The press and the radio bring us daily reminders of the probable fate of any vessel of any nation which ventures near the theater of war. I do want to emphasize two facts. First, these dangers exist whether the articles transported are arms, foodstuffs, or general cargo. Second, they exist not merely in respect to any wartime increase in exports but to our normal peacetime exports as well. In the last 2 years the present belligerents consumed almost 50 percent of our peacetime exports to the whole world.

Mr. President, I ask to have printed at the close of my remarks tables III and IV, showing in detail the figures on our foreign trade in 1937 and 1938.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WAGNER. Mr. President, these circumstances present us with a clear-cut choice. If we want to engage once

more in the diplomatic protests and recriminations that marked our relations with the belligerents in the World War prior to our entry, if we propose to renew the claims we then made that complete freedom of the seas in trading with belligerents is among "the most sacred rights of our Nation and our people," then we should make no change in the Neutrality Act. But to permit that history to repeat itself is to generate the gravest menace to our national interest inherent in the present European war. Few today would insist on following any such negative program, the probable consequences of which are all too apparent within the memory of us all. To my mind, no sacrifice of commercial advantage would be too great to avoid these consequences.

The measure reported by the committee would remove these all too obvious dangers, at tremendous sacrifice to our industries and our shipping. Under its terms no American vessel could carry any passengers or goods to any belligerent, or travel through any combat areas as determined by the President. Belligerents could buy supplies in the United States only by taking title to the goods at the American seaboard, and transporting them in their own ships at their own risk.

The joint resolution does not stop with these necessary safeguards. It closes the loopholes in the present neutrality law at every other point where actual experience has been our best teacher.

By prohibiting the arming of American merchant ships traveling anywhere on the high seas, the joint resolution completely eliminates the dangers of involvement arising from any practice of "armed neutrality."

By limiting commercial credits to belligerents to 90 days without renewal, and requiring cash in case of default on a single transaction, the joint resolution removes any danger of a credit-inflated war boom such as we experienced in 1915–17. While I believe these unusually restrictive provisions adequately safeguard us against financial involvement, I suggested in committee, in order to make assurance doubly sure, that we place all transactions with belligerents on a strictly cash basis. It should be clearly realized, however, that the pending measure is the most restrictive neutrality legislation that has ever been offered in this country or in any other country. Such have been the efforts of the committee to provide absolute, strict neutrality.

Some Senators have suggested that in time these restrictions on credit will be relaxed. My answer is that if such changes are made, it will be this body that will make them. The restrictive provisions remain in the law unless the Congress of the United States modifies them. It will be our responsibility, not the Executive's.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. WAGNER. I yield.

Mr. BARKLEY. I think it ought to be pointed out that in no law thus far enacted by Congress on this subject—and, so far as I recall, in no bill introduced by any Senator on the subject—has there been any requirement for what we ordinarily term cash.

Mr. WAGNER. That is true.

Mr. BARKLEY. None of the laws has required that, and none of the bills introduced by any Senator required it. As the Senator has pointed out so forcefully, the provision in the joint resolution is restrictive with respect to credit as compared to any other law heretofore enacted or any bill heretofore introduced.

Mr. WAGNER. I stated just a moment ago that no Congress and no country that I know of has ever proposed a neutrality law so restrictive upon its own nationals as the proposed legislation.

Mr. BARKLEY. That is undoubtedly true; and it is particularly pertinent with respect to what seems to be a public misapprehension of the term "cash and carry." There has never really been any such thing.

Mr. WAGNER. That is true. Not even the strongest advocates of neutrality legislation have hitherto believed it necessary to go so far in restrictions on commercial credit. The present law puts no definite limitations on commercial credits, except the President's discretion. That is the present law, which some Senators now wish to retain unchanged. Indeed, the able members of the Senate Munitions Committee, as a result of their exhaustive investigations, introduced in 1936 a bill permitting commercial credits up to 6 months, at the discretion of the President. I refer to S. 3478, Seventy-fourth Congress, second session.

In this connection, I heard the Senator from Connecticut say that section 7 (b) does not interfere with outstanding debts. Of course, no Congress has ever attempted to do any such thing. The Johnson Act, which we were all so happy to support, and which is the law of the land, has a provision exempting "the renewal or adjustment of existing indebtedness." The present law has a similar provision. Of course, any other policy would be unthinkable under the circumstances. It would be an impairment of contracts.

Each of these changes in the present law applies without discrimination to all belligerents. It vests little, if any, discretion in the Chief Executive. Each of them is a vital step in the direction of securing lasting peace for the United States.

For a time the proponents of the arms embargo criticized this or that aspect of the proposal under discussion without putting forward a proposal of their own. We are now told, however, that they would favor the committee bill if the arms embargo were retained and all other commodities were sold on a strict cash-and-carry basis. This has the advantage of narrowing the area of disagreement; but, more important, it establishes a point of reference against which the soundness of the arms embargo can be definitely measured.

The question that naturally arises is this: If all these other changes are approved as strengthening our neutrality under international law and improving our safeguards against involvement, why should not the munitions provisions of the law be made consistent with them?

I am indeed mindful of the sincerity and earnestness with which the embargo provision has been supported by able and distinguished Senators; but I find myself unable to agree either that the arms embargo represents the moral judgment of the American people, our indispensable defense against war, or the symbol of our neutrality. In my judgment, the embargo introduces an inconsistent and arbitrary factor into our neutrality law, tending to break down public confidence in its efficacy and wisdom.

Able Senators have insisted that as a matter of broad policy America should not traffic in war materials. But if our purpose is not to supply belligerents with commodities necessary to the waging of war, we need the answer to the last of the three factual problems I posed at the outset. The decisive question is, What are materials of war?

To determine what belligerents require to carry on modern warfare, let us reexamine the purchases by belligerents in the United States during the World War. At a time when every resource was strained in a mighty effort to feed the war machine and the population behind the war machine, about 87 percent of the Allied purchases were in articles not on the present embargo list. Unless we are to assume that the Allied countries indulged in wasteful luxuries, we must agree that the 87 percent of purchases in wheat and meats, cotton and petroleum, brass and copper, tobacco and steel, were just as vitally necessary to the conduct of the war as firearms and explosives.

If we want to know what belligerents need to carry on modern warfare, let us examine some typical lists of contraband of war. Indeed, let us examine the contraband list enforced by the United States in blockading Germany during our participation in the World War. Prior to our entry various items in the British and German contraband lists, and the application of the doctrine of "continuous voyage," were the subject of diplomatic protests by the United States. But when we entered the war here were our instructions to the United States Navy commanders. I read them verbatim:

CONTRABAND LIST

The articles and materials mentioned in the following paragraphs (a), (b), (c), and (d), actually destined to territory belonging to or occupied by the enemy or to armed forces of the enemy,

and the articles and materials mentioned in the following paragraph (e) actually destined for the use of the enemy government or its armed forces, are, unless exempted by treaty, regarded as contraband:

(a) All kinds of arms, guns, ammunition, explosives, and machines for their manufacture or repair; component parts thereof; materials or ingredients used in their manufacture; articles necessary or convenient for their use.

(b) All contrivances for or means of transportation on land, in the water, or air, and machines used in their manufacture or repair; component parts thereof; materials or ingredients used in their manufacture; instruments, articles, or animals necessary or convenient for their use.

(c) All means of communication, tools, implements, instruments, equipment, maps, pictures, papers, and other articles, machines, or documents necessary or convenient for carrying on hostile operations.

(d) Coin, bullion, currency, evidences of debt; also metal, materials, dies, plates, machinery, or other articles necessary or convenient for their manufacture.

(e) All kinds of fuel, food, foodstuffs, feed, forage, and clothing, and articles and materials used in their manufacture.

This contraband list includes every possible commodity, including food; nothing, apparently, is omitted. Then follows the instructions as to destination:

PRESUMPTION AS TO DESTINATION

A destination for the use of the enemy government or its armed forces is presumed to exist if the contraband is consigned—

(a) To enemy authorities.

(b) To a port of equipment or supply of the armed forces of the enemy or other place serving as a base for such armed forces.

(c) To a contractor or agent in enemy territory who, by common knowledge, supplies articles of the kind in question to the enemy authorities.

A destination to territory belonging to or occupied by the enemy or to the armed forces of the enemy * * * is presumed to exist if the contraband is consigned "to order," "to order or assigns," or with an unnamed consignee, but, in any case, going to territory belonging to or occupied by the enemy, or to neutral territory in the vicinity thereof.

As Secretary Hull told the Senate committee in 1936:

The situation when the war ended apparently was that the rule or international law on the subject of contraband, absolute and conditional, had been merged into the one subject of contraband, absolute.

In the World War, we not only cooperated with the British fleet in keeping supplies out of Germany, but we licensed and controlled the shipment of a large number of commodities to all the neutral countries that were contiguous to Germany.

The conclusion to be drawn from these facts is obvious. Any attempt to place a particular stigma on munitions in the waging of modern war offers little comfort to those who make a habit of looking facts in the face. Modern war is not waged between small armies on a restricted battlefield. It embraces every material as well as human resource of the nations at war. In such efforts, food may be more important than munitions; raw materials, scrap iron, and fuel more urgently required than gunpowder or rifle bullets; semifinished materials more urgently required than completed instruments of war, for, while a belligerent nation may have munitions factories, it may not have the materials with which to produce munitions.

In such circumstances, the only real embargo on war materials is an embargo on all trade with the belligerents. Unless we are ready to adopt that proposal, we only obscure the real issue by placing an embargo on an insignificant and arbitrarily selected group of war materials, without even banning the very commodities from which those same materials can be readily made.

Another argument urged in one form or another for the retention of the arms embargo is that the sale of arms would tend to drag us into war. If any such danger were created by lifting the embargo, I would, of course, oppose that step. But I can find no such consequence in experience or common sense.

If, as the Senator from Idaho contends, there is danger of sabotage or attack by one belligerent to prevent the production on American soil of some types of war materials needed by its adversary and now covered by the embargo, does not the same danger exist with reference to all other types of war materials, not covered by the embargo, which its adversary needs just as badly? If such danger exists at all, which I seriously doubt, is it not present whether the embargo is retained or repealed?

If, as the Senator from Michigan insists, there is danger that cash-and-carry terms for the class of war materials now covered by the embargo will develop into credit-and-carry, is not that danger multiplied many times with reference to all the other kinds of war materials which may be exported under the present law? If such danger exists, which I seriously doubt, is it not present whether the embargo is lifted or not?

If, as the Senator from California has so eloquently and sincerely stated, there is danger of economic repercussions from wartime export business, I ask this question, Mr. President: Will those repercussions be any less severe if the arms embargo is retained, and the belligerents purchase the necessary volume of raw or semifinished materials for completion in their own plants?

The answer to all these attempts to treat arms differently from every other article of commerce comes down to this: The problems of wartime trade arise not from selling the belligerents munitions but from selling the belligerents anything. Every argument advanced as to munitions, if valid, applies with far greater force to all the other war materials not covered by the embargo, including the very materials from which munitions may be made. It is a delusion to focus all attention on certain war materials having no reasonable relation to our getting into or staying out of war. I advocate a policy that is consistent, all embracing, and in line with our own experience. We should eliminate all commerce with belligerents by placing all items of belligerent trade on a cash-and-carry basis. We should place an embargo, not upon a few arbitrarily selected commodities, but upon all American ships, seamen, and passengers whose entry into war zones may endanger our peace. We should place an embargo on the extension of credits that would give us a financial interest in the outcome of the war. And if we want to trade with belligerents at all, we should trade in all commodities they want to buy here, pay for here, and carry away without risk to our own national interests.

But we are told that, however justified or appropriate may be the repeal of the embargo, we would violate international law by repealing it now.

Mr. President, it seems apparent on the face that no such rule exists. If no changes are possible, then the constitutional authority of this Congress has been suspended by the military action of foreign states in a war not of our concern. If no changes are possible, then Congress is not free to establish the cash-and-carry policy, to keep our ships and our citizens out of combat zones; to prevent our ships from having commercial relations with belligerents. All these provisions are changes, vital changes, in the present Neutrality Act, definitely affecting the relative positions of the belligerents in the death struggle now in process. How can those who insist we cannot "change the rules in the middle of the game," when the arms embargo is under discussion, favor as they do these other important changes in the "rules of the game"?

Experts on international law deny there is any such rule. The practice of neutrals for centuries, including our own experience, proves that the so-called rule has no foundation. During the Napoleonic wars neutrality laws were passed, changed, and rechanged. In 1806 we closed all American ports to certain British goods. In 1807 we forbade all ships to leave our shores for any European port. Two years later we relaxed this sweeping embargo by prohibiting trade only with England and France. In more recent times the Spanish embargo resolution was adopted after the outbreak of the unhappy civil strife in that country. The present Neutrality Act was itself changed in 1936 during the progress of the Ethiopian war. In brief, there is no legal obstacle to change if change is desirable in our national interest.

The proposal to repeal the arms embargo was put forward by the President and the Secretary of State, and considered

by Congress during the last session, before any war had broken out, and before it could be known what countries would throw their arms or their weight into the struggle. The issue was postponed in July by a majority of the Senate Committee after the House had approved a bill lifting the embargo in part, as to implements of war. The task the Senate left unfinished then we are engaged in completing now. The repeal of the embargo is not an isolated issue now raised for the first time in order to help one belligerent or hurt another. It is only one item in a complete revision and improvement of our Neutrality Act, undertaken "for the purpose of better safeguarding our rights and interests as a neutral." As such it cannot be regarded in any quarter as an unfriendly act.

It is perfectly true that international law would sanction retention of the embargo as well as its repeal. We can adopt either course and be within our rights under international law. The choice is for us to make as a matter of domestic policy. No belligerent is in a position to complain that we choose the course followed by our own country from the administration of George Washington until very recent times, and by most of the other great nations of the world for centuries, including the present belligerents when they happened to be neutrals.

The argument that lifting the embargo would be unfair to a particular belligerent has no basis in international law. It is essential to distinguish between the entirely neutral action of the United States and the incidental effect of that action on the belligerents in a particular struggle. We seek to establish the cash-and-carry policy, to keep our ships out of war zones, to prohibit loans to belligerents, because we believe such restrictions will promote our neutrality and preserve our peace. These provisions, like the repeal of the embargo, may have varying effects on the fortunes of different belligerents. One belligerent may be hurt by lifting the embargo, another may be hurt by the strict carry provision and the prohibition against loans, and so on. But any attempt by a neutral to adapt each provision of its legislation with an eye to the particular conflict, to equalize all the geographical, military, and economic factors affecting the belligerents' positions, would be a gross intervention in the conflict and a violation of international law. Nor would it be possible for us to accomplish this if we tried, in view of the shifting balance of sympathetic alliances, the course of the war, and other factors which we can neither foresee nor control.

And so, Mr. President, I say that if we steer a neutral course by selling to belligerents on a cash-and-carry basis a huge volume of certain types of war materials, we cannot be unneutral by selling a small volume of other war materials on the same basis. On the other hand, those who argue that we must refuse to sell arms on a cash-and-carry basis because that might aid a belligerent sea power should in all consistency demand that we embargo all the rest of our exports because they likewise aid that sea power. If a belligerent has cause for objection as to the export of some war materials, it has equal if not greater cause for objection as to all other war materials. In my judgment, to treat some war materials differently from others would ultimately invite manipulation of our foreign trade with an eye to its effect on the fortunes of the war. That temptation for meddling and intervention can be avoided by a uniform cash-and-carry practice applicable without discrimination to all trade with all the warring nations.

In closing, Mr. President, I sincerely believe that the deep yearning of all America for uninterrupted peace will be fully realized through the enactment of the joint resolution under consideration. But even within the framework of that law, incidents may arise and propaganda will undoubtedly be forthcoming to disturb our peaceful pursuits and shake our neutral purpose. In the difficult times that lie ahead, increased measures for national defense and unswerving unity of national effort will keep this Nation in the path of peace. Under the experienced and inspiring leadership of a President who has proved equal to every crisis, we face calmly what the future may bring, secure in our democratic strength and confident in our national destiny.

TABLE I

United States peacetime exports, all commodities[1]

	Jan. 1–June 30, 1912	Year ending June 30, 1913	Year ending June 30, 1914	Total, 30-month period
Japan	$26,566,000	$57,597,000	$51,087,000	$135,250,000
United Kingdom	279,482,000	592,462,000	590,387,000	1,462,331,000
France	65,566,000	142,498,000	155,591,000	363,655,000
Russia	11,302,000	26,323,000	31,252,000	68,877,000
Italy	32,447,000	75,554,000	73,737,000	181,738,000
Canada	157,447,000	397,426,000	329,791,000	884,664,000
Australia (and other Far East possessions)	23,658,000	52,615,000	54,836,000	131,109,000
Total	596,468,000	1,344,475,000	1,286,681,000	3,227,624,000
Total exports to principal allies (30 months)				3,227,624,000
Total exports to all countries (30 months)				5,838,697,000

United States wartime exports, all commodities[1]

	Year ending June 30, 1915	Year ending June 30, 1916	July 1–Dec. 30, 1916	Total 30-month period
Japan	$41,312,000	$74,246,000	$58,482,000	$174,040,000
United Kingdom	901,963,000	1,520,929,000	981,091,000	3,403,983,000
France	367,275,000	624,981,000	469,550,000	1,461,806,000
Russia	59,138,000	309,262,000	277,631,000	646,031,000
Italy	183,206,000	267,558,000	182,596,000	633,360,000
Canada	283,913,000	445,913,000	322,324,000	1,052,150,000
Australia (and other Far East possessions)	52,020,000	73,830,000	44,841,000	171,691,000
Total	1,888,827,000	3,316,719,000	2,336,515,000	7,543,061,000
Total exports to principal allies (30 months)				7,543,061,000
Total exports to all countries (30 months)				9,957,839,000

[1] Re-exports are excluded.

Source: Monthly Summary of Foreign Commerce of the United States, 1912–17 (Department of Commerce).

TABLE II

United States peacetime exports of arms, ammunition, and implements of war[1]

	Jan. 1–June 30, 1912	Year ending June 30, 1913	Year ending June 30, 1914	Total: 30-month period
Firearms	$1,851,000	$3,971,000	$3,442,000	$9,264,000
Airplanes (and parts)	51,000	81,000	188,000	320,000
Explosives (including cartridges, dynamite, and gunpowder)	2,440,000	5,267,000	6,272,000	13,979,000
Total	4,342,000	9,319,000	9,902,000	23,563,000
Exports to all countries (30 months)				23,563,000

[1] Reexports are excluded. All items identified as "arms, ammunition, and implements of war" in the President proclamation of May 1, 1937, have been included.

United States wartime exports of arms, ammunition, and implements of war[1]

	Year ending June 30, 1915	Year ending June 30, 1916	July 1–Dec. 30, 1916	Total, 30-month period
Firearms	$9,475,000	$18,065,000	$30,458,000	$57,998,000
Airplanes (and parts)	1,540,000	7,000,000	946,000	9,486,000
Explosives (including cartridges, dynamite, and gunpowder)	41,476,000	467,081,000	402,635,000	911,192,000
Total	52,491,000	492,146,000	434,039,000	978,676,000
Exports to all countries (30 months)				978,676,000

[1] Reexports are excluded. All items identified as "arms, ammunition, and implements of war" in the President's proclamation of May 1, 1937, have been included.

Source: Monthly Summary of Foreign Commerce of the United States, 1912–17 (Department of Commerce).

TABLE III

United States peacetime exports to the present belligerents

	1937	1938
All countries	$3,349,167,000	$3,094,095,000
United Kingdom	536,490,000	521,124,000
Canada	509,316,000	467,662,000
France	164,528,000	133,835,000
British South Africa	88,723,000	70,065,000
Australia	73,517,000	68,823,000
Newfoundland and Labrador	39,557,000	7,677,000
British India	43,747,000	35,764,000
Poland and Danzig	26,297,000	24,696,000
New Zealand	23,881,000	23,366,000
Total, principal Allies	1,476,056,000	1,353,012,000
Germany	126,343,000	107,588,000
Czechoslovakia	13,233,000	26,493,000
Total, Greater Germany	139,576,000	134,081,000
Total, belligerents	1,615,632,000	1,487,093,000

Source: Foreign trade of the United States, Calendar Year 1938 (Department of Commerce).

TABLE IV

United States peacetime exports (by principal commodities)

	1937	1938
Machinery	$479,100,000	$486,100,000
Petroleum and products	376,400,000	388,600,000
Automobiles, parts and accessories	346,900,000	270,400,000
Cotton, unmanufactured	368,700,000	228,700,000
Iron and steel-mill products	300,100,000	184,300,000
Tobacco, unmanufactured	134,500,000	155,700,000
Chemicals and related products	139,300,000	128,900,000
Wheat, including flour	64,000,000	101,300,000
Fruits and nuts	82,200,000	99,100,000
Corn	3,900,000	94,500,000
Copper, including ore and manufactures	93,600,000	86,800,000
Aircraft, including parts and accessories	39,400,000	68,200,000
Cotton manufactures, including yarns	59,700,000	57,000,000
Coal and coke	67,400,000	55,900,000
Packing-house products	42,600,000	48,000,000
Iron and steel (advanced manufactures)	52,100,000	43,300,000
Sawmill products	53,700,000	35,700,000

Source: Foreign Trade of the United States, Calendar Year 1938 (Department of Commerce).

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment reported by the committee.

Mr. PITTMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Schwartz
Andrews	Donahey	Lee	Schwellenbach
Ashurst	Downey	Lodge	Sheppard
Austin	Ellender	Lucas	Shipstead
Bailey	Frazier	Lundeen	Slattery
Bankhead	George	McCarran	Smathers
Barbour	Gerry	McKellar	Stewart
Barkley	Gibson	McNary	Taft
Bilbo	Gillette	Maloney	Thomas, Okla.
Borah	Green	Mead	Thomas, Utah
Bridges	Guffey	Miller	Tobey
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Truman
Burke	Harrison	Neely	Tydings
Byrd	Hatch	Norris	Vandenberg
Byrnes	Hayden	Nye	Van Nuys
Capper	Herring	O'Mahoney	Wagner
Caraway	Hill	Overton	Walsh
Chandler	Holman	Pepper	Wheeler
Chavez	Holt	Pittman	White
Clark, Idaho	Hughes	Radcliffe	Wiley
Clark, Mo.	Johnson, Calif.	Reed	
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	

The PRESIDING OFFICER. Ninety-three Senators having answered to their names, a quorum is present.

Mr. BAILEY. Mr. President, I wish to be reasonably brief and, if not interrupted, I hope to come to my conclusion within 30 or 40 minutes. I also hope to avoid the spirit of debate and, so far as I may, to maintain and encourage the attitude of discussion, for the subject before us is really not one for debate so much as it is one for discussion.

Mr. President, I am thinking that we have reached the stage in which we can take a calmer view of this whole subject, and a more considerate view than we could have taken under the circumstances of our coming here, and of the excitement throughout the country, and within our own hearts.

I think I can state in advance the propositions around which my remarks will be made, as follows: First, we are all, Congress and the people, for peace. In this war or any other we desire a policy of neutrality in the interest of our peace. I shall come back to these propositions in a moment.

Second, we are unwilling to take the risks of a return to unlimited exercise of our rights under international law, but also realize that it is unwise to waive those rights. While we are imposing restrictions upon our rights, probably we are going to realize the necessity for reservations, and I intend to speak of that in the course of my discussion.

Third, we are confronted with the rule, as stated by the senior Senator from Idaho [Mr. BORAH], that there are limitations which might prevent change of our course once we establish it. Here is the rule as he stated it, and I think it is valid. The Senator from Idaho is not in the Chamber at the moment, but I will say in his absence that the presumption of validity attaches to any statement of law coming from him. These are his words:

> I do not contend that there may not be changes made upon the part of a neutral during the progress of war, but they cannot be changes which affect unequally the belligerent nations or which do not respect the interests of the belligerent nations as they prevailed at the time the original rule was established.

Mr. President, that puts us on notice that we are here framing a policy from which we may find it difficult to extricate ourselves, not only with respect to the existing war but with respect to any possible war, with respect to the possibilities of war in the Far East, for example. I shall return to discuss that point.

Fourth, we are fearful of the consequences of the existing law. It exposes both our shipping and ourselves. The American people, the President, and the Congress feel that the maintenance of the existing law would almost surely involve us. And not only so, we have reason to say, and I shall undertake to show, that the existing law is not as neutral as we could wish; that it operates unequally.

Fifth, the proposed legislation is supported as a peace measure for our present purposes, but will it operate satisfactorily in the months to come? I think I can show almost in two or three sentences the considerations which brought me to decide for the pending measure, notwithstanding some sense of its defects, which brought me to support it, and to support it wholeheartedly, and to be willing to go the whole way with those who are supporting it, because I consider that it is superior to the existing law as a peace measure and is necessary to the preservation of our peace, and that is the main objective.

I intend in the course of the discussion under this fifth head to undertake to show that we have a right to change the existing law, notwithstanding the rule laid down by the senior Senator from Idaho, and, recognizing fully the validity of that rule, that we have the right to change it on the ground of actual and of equitable notice, and on the further ground that it is unequal in operation, and that we propose to change it only with the view of restoring equality where equality does not now exist. But, as I have just now said, we cannot always maintain this attitude; we cannot always plead notice. We are now framing a policy from which it will be difficult to extricate ourselves in the event we find it necessary to our interests or important to our peace.

Permit me to say, Mr. President, that this question has given me a very great deal of concern, and I have not cared that the debate or the discussion was prolonged. I wish that while we are framing this policy we may frame one so sound and so satisfactory, so sure to make for our peace, that we will have no regrets and no motive to desire change. I may say that that is precisely the task of the Senate and the Congress—to frame a policy for the people of the United States by which they can abide and which will make for their peace.

I raise a question here for Senators to think about: How far at this juncture may we assert reservations; how far may we give notice of change? We are not the only parties

here; and, while in the first flush of the matter we may be the judges of our conduct, we are in the realm of conscience, and our appeal in the ultimate analysis is to be to the conscience of all nations and of history.

Second—and this point comes to me with unusual force, and I think this is probably one of the great inducements to my speaking at this time—as to our shipping. The legislation now before us presents a novelty in the history of nations. So far as I know, for the first time in all history, a great nation, with a large fleet and a tremendous commerce, proposes in the interest of peace, to remove its merchant fleet practically from the seven seas, at an immense sacrifice, not only to the operators and the seamen but to the nation and its commerce.

Mr. President, I am resolved to support the measure, and when the roll is called at the end, whatever it may be, I shall vote for it. But I am likewise hopeful, and I shall make some effort amongst Senators on both sides—and there ought not really to be, seriously speaking, two sides; I might rather say amongst the Senators of differing views, regardless of party and former alinements, to bring about an accord on this subject of ships, an accord which will frame a policy in the interest of peace, and at the same time not make unnecessary sacrifices of our shipping and our commerce.

Finally, I propose to say a word about the war scare, and I believe I will develop the point now instead of doing so at the end of my speech. I think throughout our land our people are unduly alarmed; probably not unwisely alarmed, but unduly alarmed. They fear that we may become involved in the war. I can understand that, and I would not chide them. Heaven knows, I would not repress in the slightest degree their desire for peace or their revulsion against war. I think both feelings are wholesome. But I do not think we should legislate, nor do I think they should demand of us that we legislate, under the impressions and the impulses of fear.

Permit me to make a little digression. Even the lower animals are too wise to act under the impulses of fear. If a man with a dog overtakes a covey of birds in the field, the birds do not respond to the impulse of fear, but remain where they are until they can collect their wits and find the best way out.

There is my little friend, the rabbit. I feel that I know him personally. I am sometimes ashamed of my course as a boy and how I pursued him. I would not destroy one now under any circumstances. As we grow older we grow kinder. He is a perfectly helpless little animal; he cannot run fast, and he cannot fight, but he has survived through the ages in spite of all the dogs, and all the men, and all the guns, because he has always known how to act in time of danger. As I said here one day in a little colloquy, when the rabbit is overtaken he squats. He sits perfectly still until he can find the best way out. Wonderful little animal! He can raise his brood year after year within a hundred yards of a pack of hounds, each one of whom would slay him and his little ones, and he does it because he is too wise to act under the impulses of fear.

Mr. President, we are not going to get into the present European war. I have been writing to the mothers who have been writing to me. I wrote to one today. She wanted to know how she could get her boy into some sort of training for aviation. I said, "Let him go on practicing law. Let him forget about aviation. He is not going to get into any war."

If Senators will let me be personal, I have two boys. I am not afraid. We are not going to get into this war. It is a European war. It is not our war. It is not a world war. There is nothing involved in it that would justify our getting into it. If we were to get into it, I should think we were the greatest pack of fools history ever recorded. I reflect that the Congress is afraid that the people will become inflamed and push Congress into war. That is our attitude. And I reflect that the people are afraid that the Congress will be seduced into the war. There is no reason for any such feeling.

Oh, there are many considerations, Mr. President, to justify us in the assurance that we are not going to get into this war. Who declares war? The Congress of the United States. There cannot be one without a declaration. I would like to have the statement go to the American people that there is not one Member of the Congress who is in favor of having our country become involved in this war.

We will have an election next year. Four hundred and thirty-five Members of the House and thirty-three Senators will come up for election. Not one of them will run on a record favoring getting the country into the European war.

Our great Republic will name a President next year, and there is no one willing to run for President of the United States on a platform of having gotten us into the war, or being ready to get us into the war.

It may be said, "It happened back yonder in 1916, but we did get in." Well, we have profited by that experience. It is not example, Senators; it is warning, and America is on guard.

In the Sunday newspapers I read that the British boys were singing, "We will hang our wash on the Siegfried line." O, Mr. President, that is all right for morale; that is all right for gaiety. They are not going to hang any wash on the Siegfried line—anybody's wash. There will be arms and bodies left on the battlefield, there will be insane men, and there will be broken hearts of a million mothers and there will be sad homes; there will be incredible horror on the Siegfried line and on the Maginot line.

Let all the nations of the world know, let Germany know, let France know, and let England know, and let our blessed United States know that we have no wash to hang, we have no hearts to hang on Siegfried lines or Maginot lines.

Mr. President, we may have our fears, we may have our revulsion and our horror—and I would not undertake to repress such feelings, because they are assets now—but when all is said and done, there is not now and there is not going to be the slightest excuse or the slightest justification for this Congress or the next Congress or the Congress after the next to make a declaration of war. There is not a question under the shining sun but can be better settled and for an infinitely less cost by the methods of peace than the methods of war.

So, Mr. President, I come back to my proposition. I said that we all—the Congress and the people—are for peace, and for neutrality in the interest of peace. I am glad to see that in that great interest this Congress has shown an entirely new aspect. There are no party divisions here. All of us realize that on the other side—as we speak of it—there are eminent men who support the existing law, and others who support the proposed legislation. For the time being, on this side the division over economic questions and the division over the party struggle have been laid aside. We may return to them in due season. None of us waives anything on account of our attitude. But on the other side and on this side there is now only one question, and that is, Under the circumstances in Europe, what is the best course in the way of neutrality for this country to pursue in the interest of our peace?

I stated as my second proposition that we are unwilling to take the risk of returning to unlimited exercise of our rights under international law. I take it Senators know what those rights are. Certainly I have not the time to expound them all today. We tried the exercise of those rights in the years prior to the World War, and we paid a bitter price for them. We have the right to send our ships and our commerce into zones of danger and of combat, but we feel that we have had enough of that.

In the existing law—I voted for it, and I have no apologies for it, no regrets about it—we undertook to establish a course of neutrality in advance of events. I voted for it, because I considered it a magnificent gesture for peace. It was, and it is. Now that we face a different situation, I see—and I hope other Senators see—that it is not the best way of peace.

That is no reproach to the authors of the law. That is no reproach to the Congress. Very rarely in my experience have we enacted a law that we could not improve in subsequent sessions. All we now propose is to correct our policy if we find

that under the existing law we are not satisfied that the peace of our people is sufficiently protected.

In the statement of my second proposition I said that we do not wish to waive our rights. That question gives me a great amount of concern. I am not on the Committee on Foreign Relations of the Senate, and probably I never shall be. Perhaps I have no right to make suggestions; but I do suggest that those in charge of the joint resolution seriously consider whether or not we can so enact this necessary legislation as to preserve at the same time our rights to the full exercise of international law if and when we may ever find it necessary to do so. I am not sure we can do it; but I am sure that when we enter upon the procedure of limiting the exercise of our rights under international law we are on dangerous ground. The existing law informs us of that fact. It has got us into a situation of which we all repent.

The senior Senator from Idaho argued with much force, and with an eloquence which always appeals to me—perhaps because he is an orator and perhaps because I love him—that we had already reached a point from which we could not extricate ourselves, and that to change the existing law amounted to intervention.

I am a little afraid that even if we should be persuaded that there is a way to extricate ourselves from the present situation, the very argument I am now making would prevent me from extricating myself at some future time. For that reason I wish us to step carefully. I wish us to proceed with all caution. I wish us to look not only at the existing situation but at all reasonably possible situations, and realize that we are framing a policy, realize that this sovereign Congress—sovereign in the lawmaking sense—does have limitations in conscience and limitations in international law, and that we may be passing an act which, in our own consciences and in the consciences of the nations of the earth, we cannot hereafter change.

In North Carolina there was a great demand upon me, when the war broke out and when the Congress was called into special session, to make a statement of my position. I inserted a little piece in the newspaper saying "I do not know. My mind is open, and I hope nobody will hurry me. This is not a matter for people to be hurried about." I took my time and reached my conclusion.

I stated that we are fearful of the consequences of the existing law. It is very clear to me that under the existing law our ships may sail the seven seas. Under the existing law our ships are today in zones of danger, by our permission and by our will. If one of them should be sunk in the next 24 hours, I would not vote for war on that account; but I should feel more like voting for war than I do today.

Let me give an illustration of that feeling. I felt very patient about the situation in the Far East. I feel more patient about it now than I once did. I did not have any thought of ever getting into that situation until the news came of the bombing and sinking of the *Panay*. I do not mind confessing that I then found my blood was beginning to boil.

That feeling is exactly what we are dealing with here. That is precisely what we have in mind. We are not afraid of the German leader, and we are not afraid of any other power on earth—and I intend to speak with the utmost respect of every one of them. This is no time for irritation. We are not afraid of any nation or any leader; but we wish to avoid those incidents by way of the sinking of American ships which aroused us in 1915 and 1916, one after another, until we found that almost the most pacific of us were ready to fight to avenge the insult to our flag, the destruction of our property, and the murder of our fellow citizens.

None of us can be sure of ourselves; every one of us here is a man of peace, but some of us cannot take the risk of an insult. We feel in our Christian moments that we might be capable of turning the other cheek, but I would not take the venture with any Senator on this floor. We have that characteristic to deal with, Senators. I do not think that at the present moment one-tenth of 1 percent of American Senators want war, either this war or any other. But we have a history; we have an experience; we intend to profit by it. We do not dare to take the risk.

I will say that the chief motive that induced me to give my allegiance to the cause of supporting the pending joint resolution was precisely the proposition to withdraw from the waters of the earth our ships, whereby there might be incidents that would arouse our people and change them from their blessed state of desire for peace into a state of contention as to our rights, and, finally, into a possible disposition to assert them, go forth in our strength, and pay the price. It would not be the price which we paid before, Mr. President. That was a great price, but in this war the price would be multiplied a thousandfold. In the World War we lost 100,000 men; Heaven only knows how many we would lose if we should become a participant in the present war. We saved our country then. We came through a glorious democracy. I do not know whether or not we would come through another war as a glorious democracy. I am no prophet; I am unwilling to take the risk.

We have a new economic situation—a new condition in our country. We went into the last war under what I conceive to be a magnificent and glorious leadership. I have always been a Woodrow Wilson man. I honored him living; I honor him dead; I will honor him so long as I live. I think it was he who said, with that magnificent idealism of his, "We go forth to make the world safe for democracy." God bless his memory.

We know now that we cannot make the world safe for democracy in this generation, but, by the eternal God, we do intend to make our country safe for democracy in all generations. That is why we wish to take our ships out of the zones of danger. That is why the existing law cannot stand. That is why there is a rising tide of opinion throughout America against the existing law.

I have another matter, by way of objection, and that is that the present law operates unequally amongst the combatant nations. I can cover my argument there by moving directly to the argument made by the senior Senator from Idaho [Mr. BORAH] upon the rule which I am accepting as valid, which I have stated once, and which I will state again:

> I do not contend—
>
> Said he—
>
> that there may not be changes made upon the part of a neutral during the progress of war, but they cannot be changes which affect unequally the belligerent nations or which do not respect the interests of belligerent nations as they prevailed at the time the original rule was established.

There has been some little controversy about the validity of that rule. One or two authorities have been quoted to the contrary. I think the rule is valid, and I think, upon a little consideration, it will be realized that it must be valid as a matter of conscience and equity and common sense. During the course of a war we cannot be making all sorts of rules with respect to what we will do without involving ourselves, without becoming interveners. We must have a policy. I will agree to that, and I will be bound by it. I am saying, however, that in this instance we are not bound by that rule or precedent. I do not wish to indulge in any special pleading on that point; but the essence of the rule is noticed.

Let us assume that a change is inequitable, as it is inequitable, because the appeal in matters of this sort is, after all, first to the conscience of the particular nation; secondly, to the conscience of the nations of the world; and, thirdly, to the conscience of history.

Notice is equity that any nation could plead against us. "You notified us you were going to do so and so, and now you are doing otherwise." My point is that notice is the heart, the essence of the equity involved. Well, we gave notice; we gave actual constructive and equitable notice.

What are the facts? Prior to the outbreak of the war now raging the House of Representatives passed a joint resolution, which is now before the Senate, changing the present law. The joint resolution came over to the Senate; the Committee on Foreign Relations considered it for some time, and had been considering the subject all through the spring

and summer. What did the Foreign Relations Committee do? It did not reject the proposed legislation. What did the Congress do? It did not reject the proposed legislation. It is a matter of record—and my witness here is the distinguished Senator from Georgia [Mr. GEORGE], who is a member of the Committee on Foreign Relations, and also the chairman of the committee, the senior Senator from Nevada [Mr. PITTMAN]—that the Committee on Foreign Relations postponed action. I am sure Senators appreciate the force of that statement. The committee did not say it would not act, but it notified the world that it had postponed action on his precise subject and had postponed action until the next session. That did not mean January next. The senior Senator from Georgia tells me that the language was written "until the next session" in view of the possibility that there would be a special session. All that happened in July or the first days of August.

In addition, the President of the United States gave notice that in the event of an outbreak of war he would call the Congress in special session to consider the very subject of our neutrality legislation.

There was notice, and within 30 days of notice given the war broke out; and within less than 30 days of the outbreak of the war—the truth of the matter is, within 17 days of the outbreak of the war—the Congress was here again, and it was the same Congress.

I do not think that in any court of conscience, I do not think that in any court of law, it would be necessary further to plead the matter of absolute as well as the matter of constructive and sufficient notice. I do not think Great Britain or France or Germany can complain on that score. We stand here with our full rights. The war was made knowing that we intended to change the law, or were contemplating a change of the law. It was made knowing that the House joint resolution was lying on the desks of the Senate, and was technically in the hands of the Committee on Foreign Relations.

I think that is sufficient. I am the judge of that so far as I am concerned. That satisfies me. I leave it to the Senators. I do not hesitate to say that if you are not satisfied you must deal with the validity and the contents of the rule laid down by the Senator from Idaho.

There is a modification of the rule, or a limitation upon the rule, to this extent: I quote the language used by the Senator, and there is no better language:

> But they cannot be changes which affect unequally the belligerent nations or which do not respect the interests of the belligerent nations as they prevailed at the time the original rule was established.

Mr. President, I contend that the proposed legislation does not affect unequally the belligerent nations, and does respect the interests of each of the belligerent nations.

I think, of course, with the best of faith, and without any capacity to foresee such a situation as has developed—for that was beyond the mind of any man—the present law is unequal; and I do not think in any court of equity or in any court of conscience it would be contended that when we found that a policy framed 2 or 3 years ago in the interests of neutrality was operating unequally we would not have the right to bring about equality.

I do not like to mention nations. I do not like to say in the Senate things which tend to irritate other nations. I frequently reflect that I never hear anything from the Parliament of Great Britain tending to irritate the feelings of the people of the United States. I do not hear anything from the Reich in Germany. I do not read of instances of persons in those parliaments getting up and attacking the Senate or the House or the President of the United States. I hear nothing from the Deputies in France. But over here we have a democracy; we are very free, and we say almost anything we please. I have never felt, however, that I had the right to do it—not that what I said would have any effect; oh, no; not that they would ever hear of it; but that I wish to treat them as I desire them to treat me. I do not wish to cultivate irritations.

But let us look at this law. It is a fact that under the existing law the German state could get arms, ammunition, and implements of war, whereas Great Britain and France could not. If that is so, to be sure, we must correct it. We did not intend that. We intended to be neutral. But do I have to say how it is so? The law says that arms, ammunition, and implements of war shall not be sold to any belligerent nation, and our ships shall not carry them under any circumstances to belligerents. That forecloses Great Britain and France. The law did not say anything whatever that would give us power to control neutral nations that had alliances. Now, hear me. Let us be fair about it.

The existing law does forbid the sale of arms, ammunition, and implements of war to neutrals for purposes of transmission to other belligerent nations. On the face of it, that looks pretty fair; but, as a matter of fact, how does it work? What jurisdiction has the Government of the United States over arms, implements of war, and ammunition put on board of a neutral ship going to a neutral nation? How could we police the world to execute our law? And what shall we say about belligerent nations that have side partners, belligerent nations that have——

Mr. CLARK of Missouri rose.

Mr. BAILEY. I will yield to the Senator in a moment. I want to finish my sentence. What shall we say with respect to nations that have mutual-assistance agreements?

Before I yield to the Senator, let me say that I have not mentioned any nations. If I had to call a witness, I believe I might call my honored friend the senior Senator from Idaho [Mr. BORAH]. He did mention two, but I think he clearly implied that he did not consider either of them neutrals. I think I could mention eight possible nations, either in the status of neutrals or actual neutrals, from any one of which, under the existing circumstances, the German leader might get arms, ammunition, and implements of war from our shores; but I cannot imagine, and I know of no nation from which Great Britain and France could.

I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, in connection with the remark just made by the Senator from North Carolina to the effect that when goods are once shipped to a neutral country we have no control of the situation, I call his attention to the fact that the Munitions Board now in existence did exercise very effective control, extremely effective control, as is shown in their own annual reports, of the transshipment to neutral countries of munitions or implements of war destined for Loyalist Spain.

In other words, they set out at least five different examples, which I propose to put in the RECORD tomorrow—I do not happen to have them here at the moment—in which they refused licenses for export because their investigation had convinced them that the goods were not destined for the use in one case of Greece, and in another case of Latvia, and in other cases of the countries to which they were consigned, but were actually intended for use by the loyalists in Spain.

Mr. President, if the Munitions Board, with its great efficiency, could protect the laws of the United States and the purposes of the laws of the United States against the export of arms to loyalist Spain, I do not see the slightest reason on earth why they could not exercise equal ability and equal energy and equal discretion in preventing the export of arms to Nazi Germany.

Mr. BAILEY. I am very grateful to the Senator from Missouri. I could very well leave the matter just as it is. I can agree to every word he said; but dealing with the little situation which existed in Spain is not comparable to dealing with the present war situation.

I do not wish to go into this matter of nations; but look at the map. Go to the Far East; go to the Mediterranean; go to northern Europe. Paint the picture for yourselves—the United States of America undertaking to police a situation of that sort.

Mr. CLARK of Idaho rose.

Mr. BAILEY. Let me say to my friend from Idaho that I am going to yield at the end of my speech. I think Senators will bear witness to the fact that in a fairly long service

here I have not refused to yield. I have always thought that when a Senator rose he ought to be ready to answer questions; but I really am not physically capable of standing on the floor much longer, and I wish to quit myself in at least good health. I will deal with the Senator at the conclusion of my remarks. I shall be glad to yield to him, but I wish to proceed with my argument because I am very especially interested in bringing to the attention of the Senate the matter of shipping.

I think I have covered the ground on the other point, so far as I intended to do so. I have come to my conclusion with a great deal of reluctance. I shall vote for the proposed legislation, and I am going to stand for it, but, frankly, with respect to our shipping it is entirely too drastic and should be reformed. I am not saying this merely for this side of the Senate, I am saying it for all sides; and I am not saying it in any partisan way. I am speaking after some experience as chairman of the Committee on Commerce, which has special jurisdiction in this matter. To my view we have not begun to comprehend the sacrifices we entail upon our merchant marine; and I wish it to be understood that I have no thought whatever of speaking for the operators. One of them came to my office a few days ago and asked me about it. I said, "There is nothing in the world doing for you." He said, "I am whipped, then." I said, "Yes; you are whipped."

No private interest whatsoever could get in between the people of the United States and the interests of their peace. It would be fatal to any private interest to undertake to do so, and I have demonstrated that to all of them. I have told them that the Congress would do right. I told them I did not want any debate or any discussion or any fight about it. I told them I had no pet measure; that they could file their briefs with me, and that if they had amendments they wished to present, they could file them with me, but that every brief and every amendment would be submitted to the Maritime Commission, so far as I was concerned, and that no action would be proposed by me without proper coordination with the committee in charge of the proposed legislation, namely, the Committee on Foreign Relations.

Mr. President, with that statement I wish to go into the matter, and I have prepared a statement of the probable consequences of the proposed legislation upon our shipping, and, by way of the shipping, upon our commerce, which I shall present, if the Senate will hear me on a matter of very great importance, but quite aside from the matter of peace; and my colleagues will understand that I am saying that every interest in the United States, every businessman, and every politician and every political party should be ready to make every sacrifice essential to the preservation of our peace. You may think it weakens you now, but you will find that in the day of need it will bring you strength from unseen sources.

Considering, first, the general effect of the joint resolution on the American merchant marine, the United States has a definite, long-established statutory national policy, now expressed in the Merchant Marine Act of 1936, on which the late Senator Copeland and I did a very great deal of work. That act provides for the development and maintenance of a merchant marine sufficient to provide shipping service on routes essential for maintaining the flow of our water-borne export and import commerce, capable of serving as a naval and military auxiliary in time of war or national emergency—and that is of the greatest importance—and owned and operated under the United States flag by citizens of the United States.

For many years the United States persistently has encouraged private capital to invest in shipping in order to secure such a merchant marine. Under the Merchant Marine Act of 1936 the United States subsidizes the construction and operation of American vessels for use in essential trade routes in competition with foreign operators. Under the subsidy contracts, operators of subsidized vessels must maintain necessary shipping services on these essential routes. Provision is made for the employment and training of American citizens as officers and seamen, and we enacted a very fine amendment along that line to the act at the recent session.

Under the act the United States has the fullest right to requisition American vessels for national-defense purposes.

Section 9 of the Shipping Act of 1916 prohibits the sale or lease of American-flag vessels to foreigners or their transfer to foreign registry except with the consent of the Maritime Commission. Under this policy the shipping industry, with the aid of the United States and under the aegis and the profound and most constructive encouragement of the present administration, led by the President, has embarked upon a program of merchant-marine development which since 1936 has made tremendous strides in attaining the objectives of the national policy.

Mr. President, I suggest that the Senate consider to what extent the restrictions of the pending joint resolution not essential to the maintenance of our peace would disrupt, curtail, and injure this great program and the ships already produced and in the water.

The American merchant marine would be placed at great disadvantage, under the proposed legislation, in competition with foreign shipping. The proposed law would remove the embargo upon the shipment of arms and munitions to belligerent countries, an embargo which affects shipping in both American and foreign vessels. The restrictions proposed in lieu thereof prohibit the shipment of all articles and materials to belligerents on American vessels, and would leave the foreign vessels, whether neutral or belligerent, free from such restrictions. It may be right, but let us see what the consequences would be. It may be necessary, but let us know what we are doing.

American shipping would be prohibited from carrying any commerce, however innocent in nature, from the United States or from any other country to any belligerent country named in the proclamation, no matter how far such belligerent might be removed from actual combat zones. American shipping is to be prohibited from proceeding into or through any combat area as defined by the President, even though trade lanes to other neutral countries are thereby blocked. It would be a sort of a quarantine of our commerce.

There is no restriction against carrying passengers, articles, or materials in American vessels from any state named in the Presidential proclamation, to the United States or to any other neutral state but this privilege is subject to the prohibition against the passage through combat areas. It is impossible to foresee or appraise the precise effects of the proposed legislation upon the American merchant marine. It will undoubtedly affect American tanker operations, but to what extent cannot now be ascertained.

Mr. President, in that connection I may say that I have called upon the Maritime Commission to file with me a full statement of all the data which, in its judgment, would inform the Senate on the economic aspects of this matter. They promised the statement by this afternoon. I hope to have it by tomorrow.

Approximately 130 American dry cargo, combination, or passenger ships of about 860,000 gross tons would likely be withdrawn from service. The lines upon which the great majority of these ships operate would be abandoned, for the time being, at any rate. We do not know for how long. We are dealing with one law; we may deal with another. I do not say as to that; I do not know. There could be one after another. We would be the unintended victims of the situation unless we so contrived the proposed legislation as to protect ourselves and extricate ourselves within the limitations of international law.

In addition to the 130 ships in foreign trade, 16 American ships, of approximately 80,000 gross tons, could no longer operate as at present.

Estimates indicate that between 165 and 170 American dry cargo, combination, or passenger ships of about 1,100,000 gross tons could continue to operate in foreign trade, much as at present, although more than half of these, in number and tonnage, would be adversely affected, some seriously.

Now, to go into the details. I have given the general statement. Let us not think of it as a sacrifice of a few operators. What would that mean as compared with the sacrifice of boys on the battlefield? That is out of the picture. Let us think of it as an unnecessary sacrifice of our commerce on the seas and the merchant marine, which we must build up as a great arm of our national defense, not so important as the Navy, but indispensable to the Navy.

Those lines which would necessarily abandon their services would be forced to reduce their organizations and release personnel. They would bear heavy out-of-pocket expense for lay-up of the vessels as well as depreciation expense, unless such vessels could be employed in some other trade. The prospects for such other employment are not encouraging in view of the large number of American ships which would be thrown out of service and made surplus.

Many of the ships are subject to mortgage indebtedness, some in large amounts. If operations ceased, there would be no revenue with which to meet mortgage interest and amortization payments. The mortgages then would be in default, and the vessels subject to foreclosure. Insofar as these mortgages are held by the United States, it would be morally questionable to foreclose them, since the default would be due to governmental action.

Some of the lines involved have entered into long-range construction agreements with the United States. If their revenues are wiped out by governmental action, obviously they will have no money for new ship construction.

If the vessels under discussion were laid up for a long period, their usefulness in case of emergency would be seriously impaired. Some plan should be developed to the end that vessels removed from service will be kept in condition for immediate operation to meet possible national defense requirements.

Thousands of American seamen would be thrown out of employment. I wish to remind the Senate that I do not say we should not throw them out of employment when it is necessary to our peace, but I say that we should not throw them out unnecessarily.

Mr. President, I wish to draw to a conclusion. I thank the Senate for hearing me. I shall conclude with just one remark. I have been talking about ships. Ships are directly related to commerce as well as to the national defense. Who would wish to pursue a policy that would unnecessarily turn our shipping, now carrying about $1,000,000,000 a year in exports and imports, over to England on the one hand, or Japan on the other? That is very specific, and I think, in such matters, we can afford to be specific. Insofar as it may be necessary in the interest of our peace, let us do it, let us pay the price. Let our Government bear its share of the burden, too. But let us not abandon our program under any circumstances. Come what may, we must build up our merchant marine.

We must build up our sea-borne commerce. At least, insofar as we can frame a policy consistent with peace and helpful to our merchant marine, we must do so. The pending legislation does not do that.

To be specific, why should we forbid an American ship to run from San Francisco to Hong Kong? There is some remote danger, to be sure, but very little. Why should we abandon our American shipping to South Africa and Australia? I will agree we cannot go into the combat zones. I will agree we cannot go into the belligerent ports. Oh, no. But I say that we are framing a policy here not for a day, and not for one law, but we are framing a policy which may last indefinitely. We must frame it with a view to the national interest, consistent with peace, and I invite the Senate, all sides and all parties, to join in that policy.

Mr. President, I believe it would be appropriate for me to close with the thought that is deep in my heart. As a Senator, I have nothing to do, I think that officially none of us have anything to do, with what is going on in Europe. But as men we have a great deal to do with it. I do not think I could be called an isolationist. I was brought up differently. I am concerned for the peace of this Nation and the peace of the world. I would not say a word that would embarrass the premiers or the governments that must deal with the delicate situation. But I believe it will be fair for me to say that I join with all the mothers in the world—in France and England and Germany and the United States—in the prayer that a way to peace may be found. I pray God that the dove of peace may be free again. May she return to the ark of the hearts of the mothers of the world with a green leaf.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. CLARK] to the amendment of the committee in the nature of a substitute.

Mr. LODGE. Mr. President, I should like to inquire of the majority leader whether he could do me the courtesy of having a recess taken at this time so that I may speak beginning tomorrow noon, inasmuch as the hour is now so late and so many Senators are absent?

Mr. BARKLEY. Mr. President, I hesitate to resist the importunity of the Senator to adjourn or recess now, but I think it should be said that at the very beginning of the debate we had an understanding that we would not assemble earlier than 12 o'clock for the time being, and would continue until 5. It was understood that we would at least do that. I do not know how long the Senator wishes to speak, but I hope he will not ask that the Senate recess before the regular time for concluding its sessions. If we were to take the action suggested, it would mean that any Senator who did not wish to start when some other Senator concluded could make the same request, and with the same force and with the same appeal. It seems to me we ought not to set the precedent. Yesterday we stayed here until nearly 6 o'clock. I should be perfectly willing to remain here to any hour in order that the Senator might finish his remarks. But I hope he will not ask that the Senate recess now.

Mr. McNARY. Mr. President, will the Senator from Massachusetts yield?

Mr. LODGE. I yield.

Mr. McNARY. Can the Senator tell us the length of time he will require?

Mr. LODGE. About 25 minutes.

Mr. BARKLEY. We can continue until the Senator finishes. I hope the Senator will proceed. I shall remain here until he concludes.

Mr. LODGE. I have no desire to delay the proceedings, Mr. President. I understand the majority leader wants to expedite matters, and I am always glad to try to cooperate with him in his program. My statement will be quite brief.

Mr. NYE. Mr. President, will the Senator yield for the purpose of suggesting the absence of a quorum?

Mr. LODGE. I think there is a goodly number of Senators present, and I do not believe it is really worth the Senator's trouble. I thank the Senator from North Dakota just the same.

The statement I plan to make is not very long, and I would appreciate it if I could make it without interruption; but let me say that I shall be only too glad to be cross-examined when I conclude.

Mr. President, it is with a good deal of diffidence that I speak following the Senator from North Carolina [Mr. BAILEY], whose eloquence in this body is proverbial. I am quite conscious of how unfavorable the comparison is to me.

The proposal confronting us in the Senate today is: Shall we or shall we not repeal the existing embargo on arms, ammunition, and implements of war? That is the only matter in serious dispute.

The question before us, therefore, while of the highest importance as a symbol of our attitude, is limited in its material effects. It would not be surprising to find, for example, that the arms embargo does not apply to more than 10 percent of our total trade. It by no means covers all arms, ammunition, and implements of war. Moreover, this question by itself will not settle the issue of war or peace for America because the answer to this question is not found in laws and executive acts but in the hearts and the minds of the American people.

This limited embargo then is the proposition we are debating. Let me at the outset pay my tribute to the manner

in which the debate has been conducted and give my assurance that I shall do nothing to take the discussion off its present high plane. Certainly this is no time to impugn anyone's motives or to be partisan. I can think of nothing more despicable than for a public official to consider political consequences in a matter involving the life and death of his fellow citizens. May I also suggest that the occasion calls for a view of the issue which is at all times practical and not legalistic, or theoretical, or doctrinaire. Let us also, as American officials charged with a primary responsibility to the American people, and no other, think always of the effect of our actions on America and not concern ourselves unduly with what others will think of what we do.

What is the argument for repeal of the embargo? As it is made to me I gather that there are a few persons who sincerely believe that repeal of the embargo will enhance and increase American neutrality. I cannot follow their argument. It is not denied, for instance, that the principal reason for repealing the embargo is to change the balance of power in the present European war. Surely if we drastically change the balance of power while this war is in progress we are committing an act which is neither neutral nor noncombatant. Obviously, if we repeal the embargo we at least make a gesture in support of the Allies, who knew this law was on the books when war began. Whatever the merits of such a gesture may be, it cannot be contended that this is neutrality.

Most of those who urge me to repeal the embargo, however, do so because they want to help England and France by safely selling them supplies, while not wanting to do so strongly enough to go the whole distance. These people are perfectly willing to abandon neutrality because of their belief that by helping England and France they will promote the peace of the United States. What are their reasons?

They say that to repeal the arms embargo will increase employment and bring some prosperity. In my view, this is dangerously short-sighted. Repeal might bring a quick temporary recovery "jag," but it would be followed finally by a deathly economic collapse.

They contend that repeal would build up the munitions industry in this country, and thereby create an asset to our own national defense. We can all agree, I think, that our national defense must be built up. We can go further and assert that if our national defense had not been neglected during the years following the World War the present situation might not exist. But we must not forget that the Army and Navy exist to preserve the United States, not to destroy it; and a munitions policy which increased our dangers of participation in war would not, in the truest sense, be an asset to the national defense. It seems better to say that we should build up our munitions industry and keep the produce of it for ourselves instead of letting it go abroad.

They further contend that repeal of the embargo will promote peace for America on the ground that if England and France "crack," we will surely enter the war; we should, therefore, help them to win in order to keep ourselves out. I submit that the chances of England and France being defeated are slim indeed. The choice seems to be between a defeat of Germany on the one hand and a stalemate on the other. I further contend, however, that even if Germany were victorious and desired to conquer the United States, she never could do so. No European power can occupy or vanquish the United States, and it is fanciful to suggest that it could. Fortunately, our national safety is not at stake.

Those who would repeal the embargo say that it is an incomplete affair, that it covers only a few munitions. That is true. It is only a small step toward preventing the growth of a large war-supported foreign trade, but it is a step. Can we doubt that the sudden growth of a large war-supported trade is a threat to our peace and lends itself to propaganda for war and profiteering? Let us not forget that the growth of such a trade in the World War was one of the factors—though not the only one—which resulted in a public sentiment which eventually impelled us into the conflict. Admitting that the World War is not a perfect guide to the present one, we should be foolish to forget its lessons. It shows us, too, that by developing such a growth we acquire a stake in the war—not necessarily a sordid, profit-seeking stake, but the far more powerful stake which comes from the fact that the war trade is supporting millions of workers and their families; that it is ultimately being paid for by paper promises instead of cash; and that eventually the only hope of salvage lies in fighting to preserve the system under which the promises were made. With this recent experience staring us in the face we should not be talking of lifting any existing restriction on war trade.

Finally, the advocates of embargo repeal base their contention on the moral ground that it is our duty to civilization to do this unneutral and non-peaceful thing. As one who could serve a moral cause with enthusiasm, and who recognizes that American history is built in large part on wars for ideals, I deny that this war has yet developed an ideal for which we should give the lives of our sons. Clearly England and France are fighting in self-defense for their homelands and for their families. These are splendid ideals. Let us hope that we, too, would fight as well if our homeland and our families were equally threatened. There is enough glory in fighting for one's country without wanting to strain all the facts in order to call it a war for civilization. They are fighting gloriously for themselves. That would be enough for me were I in their place. I cannot believe that it is not an all-sufficient and soul-satisfying pretext for them. They are not fighting our battles, and I do not believe that they wish to be told that they are.

Let me sum up. The proposal to repeal the embargo would certainly tend to augment our war trade, and to that extent to increase the risk of our getting into war. Because it would admittedly change the balance of power while the war is on, repeal would destroy our neutrality. When we deliberately take an unneutral position we may expect retaliation, and as a self-respecting people we would bitterly resent retaliation.

So long as conditions remain as they are—and, of course, they may suddenly change, as they have so often changed in the past—we should think of extending the principle of trade limitation instead of restricting it. We should do something about the 90 percent of our foreign trade which is not now limited at all. We should take steps to mitigate the dangers inherent in shipping. We should continue the Johnson Act limiting foreign loans, mindful of the fact that enforcement of this law should prevent Italy, Russia, and other neutral nations close to Germany from obtaining arms. We should, as I said earlier, develop our national defense to the end that none will provoke or molest us. We should wait to repeal the embargo until the first overt act has been committed against us. Let us then use repeal of the embargo as a weapon of military strategy and as an act of self-defense. When we have done so, let us follow it up with still more direct and effective measures. If a great and damaging overt act is committed against America, we should not only give our Allies groceries on a cash-and-carry basis; we should jump in with both feet and fight for our country and our God shoulder to shoulder with them. Not for us will be a vacillating policy called "short of war"; not for us will there exist a counsel of being half in and half out, of bringing in by the back door what we are ashamed of at the main gate; not for us a policy of "scuttle and run," of eating one's cake and having it, too, of getting all the advantages while striving to avoid all the risks. No! Once the war becomes our war, whether for economic, military, or moral grounds, let us get into it, and get really in. But until we have cause to get in, let us stay out.

Like strong men, let us not be the first to provoke. Let someone else do that. Let us not stick out our chin truculently to invite a blow. Someone will strike it, and we probably would not—and should not—stand for it.

It is for these reasons that I feel so strongly that this is the time, the place, and the opportunity to debate the question of peace or war for America. There may not be another. I greatly fear that if we take this step, the succeeding

ones will follow with the inevitability of Greek tragedy. We shall then have done what no nation in Europe has done—engaged ourselves in a war which was not our war, embarked on a crusade which was not our crusade, and plunged our people into a tragedy which was easily avoidable. In such wanton negligence I want no part. From such suicidal disregard for our heaven-sent mission in this world, may God deliver us!

Let us not forget our internal problems, which are still paramount. Our unemployment is enormous, our debts abroad have been repudiated, and our national debt is near the limit of our ability to maintain it. Only by keeping at peace can we come to grips with our internal problems as we should.

I hope the Senate will now forgive a brief personal note. The convictions which I have uttered have their roots in my childhood. I have held them tenaciously all my life and have never neglected an opportunity to expound and defend them. I was a child of 12 and happened to be in France when the World War broke. The drama, the sadness, and the suffering of that historic time were indelibly impressed on me. I have resolved that I would ever try to keep the United States out of such wars as were not truly American wars. The last war brought me to the conclusion—which I hold to this day—that to avoid these never-ending European wars the United States should be both free and strong among the nations. Because I regarded it as one of the chief guarantees of peace, I actively supported our national defense, became a member of the Organized Reserve, and was an official of the Navy League of the United States, all long before entering public life.

As a candidate for the great office of United States Senator I promised that I would follow a policy of strict neutrality. I asked opportunity for the youth of America, I remember, but not an opportunity to be killed in wars in which neither their livelihood nor their ideals were at stake. Surely a pledge made in a campaign is a pledge of honor which I am bound to carry out as best I can.

In 1937 I was one of six Members of this body to vote against the Neutrality Act. My objections were directed in part to the discretion vested in the Executive and to other provisions which I strongly felt would bind our hands in advance of the event and would make for a weak rather than a strong America.

I hope I shall be forgiven if I quote a paragraph from my own words uttered at that time:

> The plain fact is that at a time when the United States will need all its wisdom, all its self-restraint, and all its freedom of action to avert involvement in war, we will find ourselves bound and gagged by a law of our own making. And by that time, if we disliked this law and the commitments under it, it would be an excessively dangerous business to repeal or amend it. We would thus have raised an entirely unnecessary embarrassment to the intelligent conduct of our foreign relations.

Are we not now, Senators, on the horns of that very dilemma?

In a book which was published in 1932 I showed that foreign trade, whatever its advantages from an economic standpoint, was a source of danger to the peace of the United States, and that if we were single-minded about remaining at peace at any price, we would proceed at once, gradually and practically, to reduce our foreign trade, and not attempt the risk of amputating it all at the last minute on the outbreak of European war.

Mr. President, sooner or later the challenge confronts a man in public life to give everything he has to the issue confronting him and cast all other considerations to the winds. Clearly, the challenge has come to me comparatively soon. The issue is a painful one for me. It puts me in disagreement with some of my closest friends. I love democracy. I have valued British friends. I have special feeling for France, where I received part of my schooling. My sympathies go out to Poland—a God-loving country which is tragically destroyed. Moreover, I detest dictatorship and the racial intolerance, religious bigotry, and suppression of civil rights which it brings with it. Finally, my own flesh and blood is living within sound and range of the guns on the west wall.

But I cannot let my strong personal preferences influence my decision as an American official. I have no right to have in mind other goals than the peace and preservation of the United States. The fact that I have these feelings and these personal ties is no reason why young America should be made to suffer. I like the Allies. I hate Hitlerism. Above all, I love America.

Let us, as George Washington said, "establish a national character." If, in times of foreign dispute, every American sides with the country where his ancestors came from, we shall have no country at all. We ask as much patriotism here as we find on foreign shores.

We want nothing that is smug or selfish or cautious. We are willing to risk everything in a crusade—but let it be an American crusade. America, in its 150 years as a nation, has taken great strides toward creating a way of life which is different and better than any the world has ever seen. No foreign state, no foreign people, no foreign civilization has the potentiality that we have here in America. Before we embrace a foreign ideal, therefore, let us achieve our own. It is the world's best and only hope. In our faithfulness to it we best do our duty to ourselves, we best do our duty to humanity.

Mr. MINTON. Mr. President, may I ask the Senator from Massachusetts a question?

Mr. LODGE. Yes, sir.

Mr. MINTON. If we did not have the so-called neutrality law we now have, would we be acting in an unneutral manner? Would our position be one of unneutrality?

Mr. LODGE. The point I tried to make is that if we change the balance of power while the war is in progress, it is an unneutral act.

Mr. MINTON. I am aware of the point the Senator is making. I ask him, if we did not have our so-called neutrality law, would we be acting unneutrally, so to speak? Would we be in an unneutral attitude toward the belligerents?

Mr. LODGE. If we did not have our present law, it would depend on what action we were taking.

Mr. MINTON. Suppose we did not have our present law at all; then would we be in the attitude of being unneutral?

Mr. LODGE. We should be unneutral if we changed the balance of power.

Mr. MINTON. I am not talking about that. I say, suppose we did not have the present law at all; would we then be unneutral in our attitude? Would our position be anything that could be said to be unneutral?

Mr. LODGE. It depends upon what we might do.

Mr. MINTON. Suppose we did not have the law at all.

Mr. LODGE. And we did not do anything?

Mr. MINTON. Yes.

Mr. LODGE. And we stayed just where we were?

Mr. MINTON. Yes.

Mr. LODGE. Then we would not be unneutral.

Mr. MINTON. Then what is it that makes our action unneutral?

Mr. LODGE. To change the balance of power while a conflict is in progress is, to my mind, clearly an unneutral act.

Mr. MINTON. What makes the repeal of the present law a change in the balance of power?

Mr. LODGE. That is the whole reason why repeal is advocated.

Mr. MINTON. It does not change any balance of power, as I see it. Mr. Hitler has his power just the same, and Great Britain and France have their power just the same. I do not see that it changes any balance of power. Certainly if we would not be unneutral if we did not have the law at all, I cannot see why we become unneutral if we take the law away; because, as the Senator from Vermont [Mr. AUSTIN] clearly pointed out and as the Senator from North Carolina [Mr. BAILEY] clearly pointed out here today, we served notice that we were going to repeal it, and nobody could believe anything else. Therefore we have not surprised anyone; we have not taken advantage of anyone; and we certainly are not estopped by the act that we passed in 1937. So if we

would not be unneutral without the present law, I do not see how we would be unneutral if we should repeal it.

Mr. LODGE. The Senator from Indiana is one of the most brilliant Members of this body, and I may say that he never rises to speak without stimulating and enlightening me. I am sure he is not being entirely serious when he pretends that he does not realize that repeal of the embargo will help Great Britain and France, because the whole reason for repealing it is to help the side that it is supposed to be advantageous to us to help.

Mr. MINTON. I am not going to admit that repeal would help Great Britain and France. There is an advantage that Great Britain and France would have after the repeal of the act; that is true; but it is an advantage arising from the fact that they have better navies than their adversary has. They have navies that enable them to take advantage of the situation as it will then exist, but not because we have granted them any advantage by what we do. We are not taking part. We are not helping either side. Neither do we want to keep either side from helping itself; and when we repeal the embargo we only enable Great Britain to help herself.

Mr. LODGE. And thereby our action makes possible a change in the balance of power.

Mr. MINTON. Not at all. Her power is just the same.

Mr. CLARK of Missouri. Mr. President, I desire to discuss this question at considerable length. In view of the hour, and the conditions under which we have been working, I assume that it may not be the desire of the majority leader to proceed longer tonight. Therefore, recognizing the fact that I cannot take the floor tonight and hold it tomorrow, I express the hope that I may have the opportunity of being recognized when the Senate meets tomorrow.

Mr. BARKLEY. I will say to the Senator that that is entirely agreeable to me.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to have printed at this point in the RECORD several editorials relating to the subject under discussion, and portions of a letter from President Roosevelt to President Benes. I present these matters to refute the arguments advanced by the Senator from Oklahoma [Mr. THOMAS] while discussing the motion I made yesterday, and which I later withdrew.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

[Portion of an editorial by Hugh S. Johnson appearing in the Washington Daily News of October 10, 1939]

If any of these nations—and especially Britain, France, and Germany—know anything, it is that if there is no peace now there is nothing else ahead but an interminable war in which—no matter who wins—everybody loses, and these three nations stand to lose everything that they have and are.

All this is why there is a possibility of peace—perhaps the last one this side of universal ruin. It can come if the nations want it. It can be prevented only if they do so by making conditions impossible to accept.

Hardly half a month ago peace couldn't have come, because everybody felt that Hitler would use it only to get ready to repudiate another promise and take a new territorial hack at somebody. Now he would probably be good because he would have to be good. He has shackled himself more firmly by petting with Stalin than the Allies could have chained him with their utmost effort.

Doubtless the outcome of this most interesting of all recent developments will be largely influenced by our President. It is a delicate moment. There is nobody more competent to deal with this kind of deadly poker playing than Mr. Roosevelt. It is a time for fervent but absolutely silent prayer.

[From the Washington Evening Star of October 9, 1939]

PEACE BIDS BY NEUTRALS TRADITIONAL—ROOSEVELT MAY BE FORCED TO SERVE AS MEDIATOR

(By David Lawrence)

President Roosevelt will find himself compelled to offer the services of the United States Government as mediator in the European war. Any other course would be contrary to international custom and tradition and might even render him vulnerable to accusations of partiality.

Whether the British and French will accept mediation or whether they will agree to an armistice except on terms they themselves specify, is something else again. But, when either belligerent in a war indicates a desire for an armistice, it is the humane duty of neutral nations to take the initiative in proposing peace.

President Wilson, even before there was any indication from Germany, sought to mediate in the last World War and repeatedly made statements of possible peace terms in the hope of bringing about an armistice. The entire neutral world supported his efforts then and the whole world would do likewise for President Roosevelt today.

GUARANTIES MAY BE ASKED

The British and French are quite capable of deciding for themselves whether they will accept an armistice now. They may ask for certain guaranties as a prerequisite to the cessation of hostilities. The discussion of a basis for an armistice may go on for several days or weeks, pending the attainment of a formula, but the United States Government, as impartial instrumentality for the forwarding or receiving of armistice proposals, need not participate at all in discussion of the merits of the terms.

Herr Hitler has, for the moment, the upper hand; he has indicated that Germany does not want a continuance of the war. He has outlined the kind of peace he wants to see in Europe, and, while it is not to the liking of the Allies, the British and French will find it hard to justify before world opinion a summary rejection of mere discussion.

Many people in America feel that the British and French have a just cause, but American sympathy will be less pronounced if the London and Paris governments do not avail themselves of the opportunity this week to state exactly and precisely why they think the war should go on and to state their viewpoint persuasively. Certainly Herr Hitler has painted accurately the picture of what happens in a prolonged war and how no nation emerges a victor when economic ruins are surveyed.

But if Herr Hitler thinks a peace conference means surrender by Great Britain and France and that he does not have to make any concessions, then a peace conference would appear to be merely a simple means of arranging for the capitulation of the Allies. The British Prime Minister, who is expected this week to answer the Hitler speech of last week, will doubtless prescribe the conditions under which Britain and France would lay down their arms and talk. What might such conditions be?

CRUX OF ARMISTICE IDEA

First of all, the British and French may insist on a restoration of the Polish state—they can hardly do otherwise. They may ask also for a restoration of Czechoslovakia.

Second, the Allies must ask for some form of guaranty against a recurrence of the crises that have caused expensive mobilization to be ordered in defense against German coercive threats. This really is the crux of the whole armistice idea. The British might even withhold all other terms and might make a general promise to discuss everything, from a rearrangement of the colonial question to new territorial arrangements in Africa, but, above all, there must be a guaranty.

Herr Hitler, in a dramatic gesture, may offer to resign and withdraw, leaving to Marshal Goering the supreme command. He may offer disarmament as a part of a plan for a new form of collective security in Europe. But at this moment it is plain he wants to start a peace discussion. The Allies can lose nothing by falling in with these tactics because delay works to the benefit of the British and French in a military and naval sense.

Once an armistice is agreed upon, however, the chances of a resumption of hostilities might be remote, for it is just as true today as it was last August that the peoples of Britain, France, and Germany want peace and are willing to make sacrifices of pride and possession to achieve it. The whole world is rapidly coming to feel that there must be some way to bring reason to bear upon all belligerent leaders and to impress them with the realistic facts of the last war that impositions of physical force do not lead to enduring peace. Civilization yearns once more for some other means of correcting treaty injustices and creating economic opportunities as between the "have" and "have not" countries than the slaughter of innocent men, women, and children.

[From the Washington Times-Herald of October 10, 1939]

THE DRY PETER THE GREAT

For some time before Hitler invaded Poland last September 1, most people all over the world resented the fact that one man had it in his power to decide the question whether there was to be another general war. We doubt that one-tenth of 1 percent of all the people in the world wanted a war.

The European conflict has gone on now for 5 weeks and 2 days, England and France having declared war on Germany, Sunday, September 3. And there is now a large body of opinion, in neutral as well as belligerent countries, which feels that this war must be fought to a finish.

It only goes to show how flexible the human mind is not. When there is peace, most of us want peace to continue. When there is war, many, if not most of us, want the war to go on.

ULTIMATE WINNER

Those who want the war to go to a finish might well look at what Comrade Stalin is doing while Germany and the Allies are sparring on the western front. Up to September 1, Hitler was known as the "dry Napoleon" because he had achieved his conquests by negotiation and bluff. Stalin can be accurately called the dry Peter the Great, because he has done without bloodshed what it took Peter the Great 20 years' fighting to do—that is, to seize ice-free ports on the Baltic Sea. Stalin is now making passes at Fin-

land. The Finns are a brave people, but there simply are not enough of them to resist a determined Russian drive.

The war can go to a finish. The Allies can throw, say, a total of 6,000,000 men onto the western front, of whom some 2,000,000 will be killed and most of the rest wounded more or less seriously. Hitler can toss three or four or maybe more millions of German soldiers into the fight, losing a proportionate number in killed and wounded. Most of the real wealth of Europe can be destroyed.

But in the end, who will win?

The most probable winner is this same dry Peter the Great. Stalin has not renounced any territorial ambitions in Europe or in Asia. What is to prevent him from moving into British India when the fighting gets really tough in Europe? Why shouldn't he spread out all over Europe—if not by arms, by internal revolution—after Germany and the Allies have fought one another to exhaustion?

Especially what is to deter Stalin from doing these things when you consider that a cardinal tenet of communism is the belief that it is a universal religion whose blessings must be showered on all mankind?

SAVE LIVES, SAVE WEALTH

We do not know whether it is still possible for President Roosevelt, or the Pope, or Premier Mussolini, or all three of them in concert, to arrange for a peace conference in the near future.

But we are convinced that if such a thing could be brought about, and the lives of 3,000,000 to 10,000,000 young men be saved, then the engineers of such a conference would rank in history as the greatest world benefactors (with the possible exception of some inventors of the Christian era).

It seems plain to us that both sides in this war could win a better peace now than either side could win after a war fought to a finish.

[Portions of letter from President Roosevelt to President Benes dated September 26, 1938]

DEAR MR. PRESIDENT: The fabric of peace on the continent of Europe, if not throughout the rest of the world, is in immediate danger. The consequences of its rupture are incalculable. The lives of millions of men, women, and children in every country involved will most certainly be lost under circumstances of unspeakable horror.

The economic system of every country involved is certain to be shattered. The social structure of every country involved may well be completely wrecked.

The United States has no political entanglements. It is caught in no mesh of hatred. Elements of all Europe have formed its civilization.

The supreme desire of the American people is to live in peace. But in the event of a general war, they face the fact that no nation can escape some measure of the consequences of such a world catastrophe.

The traditional policy of the United States has been the furtherance of the settlement of international disputes by pacific means. It is my conviction that all people under the threat of war today pray that peace may be made before, rather than after, war.

Whatever may be the differences in the controversies at issue, and however difficult of pacific settlement they may be, I am persuaded that there is no problem so difficult or so pressing for solution that it cannot be justly solved by the resort to reason rather than by the resort to force.

And force produces no solution for the future good of humanity.

FRANKLIN DELANO ROOSEVELT.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, October 11, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 10, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our most gracious Father in heaven, again Thou hast withdrawn the curtain of night and shown us the beauty and the glory of another day. In this holy silence may we know how to wait upon Thee; here may we get a clear vision of the ideal of duty. We ask Thee for a faith that never wavers and for a hope that never grows dim. We pray that we may enjoy Thy blessings without harm and hold them without wrong. In the spirit of Him who loved the lilies of the field and the fowls of the air may our lives be reflected in love and sonship with God. As our hearts are so often sad and silent, do Thou fill them with gladsome songs of praise. In Thy manifold mercies do Thou abide with our President, our Speaker, and the Congress. Almighty God, we beseech Thee to make our country a sanctuary of peace, good will, and brotherhood, and unto Thee be eternal praises through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 384. Joint resolution to make provision for certain expenses incident to the second session of the Seventy-sixth Congress.

PERMISSION TO ADDRESS THE HOUSE

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. PITTENGER]?

There was no objection.

Mr. PITTENGER. Mr. Speaker, when Congress convened we thought we would be faced with a neutrality problem and legislation and debate in connection therewith. In the brief time we have been in session world developments have traveled fast and far.

Mr. Speaker, in the newspapers today I note this significant headline:

HELSINGFORS, FINLAND, October 9.—Russia tonight concentrated more troops along Finland's borders on the eve of conferences in Moscow on Russia's demands for military bases fronting on Finland's Baltic coast line.

I note also that Sweden has called 20,000 more reserves, and there are indications of warlike activities among the other countries affected.

Reports the last few days indicate that foreign governments are looking encouragingly along the lines of having the United States act as mediator in the World War crisis.

World events have moved forward rapidly since Congress adjourned, August 5 last. Russia has assumed a dominant position, and we are all familiar with the tragedy of Poland. It is my opinion that the suggestions from foreign sources that the United States make its services available to other nations of the world should be taken seriously. I have in mind the fate of other small nations in Europe if something along these lines is not done. Already Russian domination is in evidence in Finland, and unless the nations of the world can form a peace plan it is only a question of time until Norway, Sweden, and Denmark, as well as other small countries, are involved. I think such a development would be unfortunate, and, in my opinion, without involving the United States in a World War, every effort should be made to avoid such a catastrophe.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to proceed at this time for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I am taking this time to bring to the attention of the Members of the House of Representatives a most important and critical situation which seriously affects the city of New York, as well as every other municipality.

On December 14, 1937, the city of New York had the good fortune of having Mr. Alfred Rheinstein, a recognized authority on building construction and housing, accept from our distinguished mayor the position of director of the housing activities. Mr. Rheinstein belonged to no political group, and the New York Times said of him December 15, 1937:

His dual appointment is a wise recognition by the mayor that the work of the two agencies is of necessity interlocking. Indeed, this interrelationship is explicitly recognized in the charter provisions which direct the commissioner of housing and buildings to study housing conditions in the city, to cooperate with State and city housing authorities and with organizations engaged in the

improvement of housing conditions or in the study thereof, and to advise the city planning commission in respect to the improvement of housing conditions.

This is a job not second in importance to any in the city government, the mayor's alone excepted. Mr. Rheinstein, by practical experience as an engineer and builder, by the social conscience which has notably guided his career, and by a personality and character that have won the confidence of all who know him, is eminently fitted to tackle the work ahead. There could have been no better appointment. The public may expect under his administration full cooperation among all metropolitan agencies concerned with housing and housing standards and an amicable and fruitful relationship with the Federal Government.

Mr. Rheinstein proceeded to do his job efficiently and intelligently, and as a result of his industry the city of New York in less than 2 years has been the beneficiary of the most advanced methods in the handling of the housing and slum-clearance problem.

Recently a situation developed between our municipal officials and Mr. Nathan Straus, the Administrator of the United States Housing Authority. The situation was such that Mr. Rheinstein found it impossible to carry out his program. On October 3 Mr. Rheinstein addressed the following letter to the mayor of our city explaining his dilemma and tendering his resignation. By permission of the House, I shall now include this letter, which explains in detail the crisis which compelled his resignation.

NEW YORK CITY HOUSING AUTHORITY,
New York, N. Y., October 3, 1939.

HON. FIORELLO H. LAGUARDIA,
Mayor of the City of New York,
City Hall, New York, N. Y.

DEAR MR. MAYOR: I am enclosing herewith a copy of a telegram, dated September 29, 1939, from Nathan Straus, the United States Housing Administrator, which puts an end to our projected new housing development in the Bedford-Stuyvesant section of Brooklyn, designed to accommodate 1,750 persons.

This project is a much-needed one in a slum area in Brooklyn, and was heartily approved by him in all respects only 2 weeks before. You will note that the reason assigned by him for this amazing reversal is that the land cost of the development exceeds the arbitrary limit of $1.50 per square foot, which he has set for all the United States. In our very application, however, which he unreservedly approved, we clearly estimated the cost of land to be $1.78 per square foot. His letter of September 11, copy of which is enclosed, confirmed these agreements.

The real reason for this about-face is not land cost at all. The reason is an article which was published in the current issue of Harper's magazine, written by Henry F. Pringle and me in collaboration. That article has caused Mr. Straus again to block the housing program of New York City. I know this because he told me so himself.

Last Thursday in Washington he told me in so many words that there is no place in housing for anyone who criticizes him as I did in that article, and that not another cent will go to New York City for a new project until that is corrected.

He was, of course, emboldened to carry out this threat by your letters to him and to me dated September 27, in which you apologized for the article. The threat is now made good by his telegram destroying this Bedford-Stuyvesant program.

The housing program for this great city, the building of decent low-rent houses for our hard-working people of small incomes, the tearing down of the inhuman, unspeakable slums in which human beings have too long been compelled to live—all these are too important and sacred to be subjected to the arbitrary whim and pique of one man. You and I have on many occasions in the past withstood together his arbitrary and capricious rulings which have threatened our program in this city and the relief of unemployment in the industry. You now indicate that I can no longer count on your support in my further efforts to do a constructive job in spite of his hamstringing. There is accordingly only one course open to me. I take it with regret. Please accept my resignation as chairman of the New York City Housing Authority and as director of public housing in the city of New York at the earliest possible date.

You, above anyone else, should know the violent nature of Mr. Straus' pique at the slightest criticism. It was focused on you 2 years ago because you called one of his meetings a "star-gazing conference." As a result the entire housing program of the city was completely blocked and was wholly in suspense at the time I took office. To break that jam it was necessary to call in an outside arbitrator, who decided completely for you and me. The Administrator is now piqued again.

What is this statement which is causing the trouble? The article attempts to recognize both the strong and the weak aspects of public housing, the favorable and the unfavorable. Most of it is complimentary to U. S. H. A. and its work. The Administrator, however, is annoyed at the following observation:

"Too many subsidized housing projects in the United States either have been or will be located unscientifically on supposedly low-cost land, and the responsibility must rest in part on the U. S. H. A. Nobody denies for an instant that low cost is essential to any program. But the arbitrary ruling of Administrator Nathan Straus, of the U. S. H. A., that land shall not cost more than $1.50 a foot is short-sighted. A standard maximum price for land all over this varied country is out of the question. If safeguards are so rigid and cumbersome that they make it impossible for the authorities to function when conditions vary from the normal, an evil about as great as bad housing itself is created.

"Administrator Straus has said that New York and other large cities must bear the added cost if centrally located land cannot be obtained for $1.50. This is unfair. The Housing Act of 1937 was passed so that municipalities could solve the evil of slums without too great additional tax levies. New York and the other cities do, as a matter of fact, make material contributions. Taxes on housing projects are waived. Streets are donated."

Why withhold telling the public these facts? I believe that the whole housing movement is suffering at present because so many of us attempt to whitewash every objection, criticism, or warning. An outstanding example of that is the claim made by Mr. Straus at congressional hearings that housing projects are "self-liquidating." Such a distortion of the facts is a damaging boomerang, as the debates and the failure to pass the housing appropriation this year now show. Censoring constructive criticism and glossing over obvious difficulties are not only morally dishonest; they breed opposition and defeat for the very things they hope to attain.

On at least two prior occasions we had to overcome this arbitrary fixing of maximum land value at $1.50. We were successful then because we stood together and because the people of the city understood the situation. You backed me in the strenuous efforts I made to obtain approval of Vladeck Houses in the slums of the lower East Side, accommodating over 6,000 persons. I doubt if even the vigorous efforts of yourself and Senator WAGNER at the so-called "woodpile conference," at which Mr. Straus finally waived this limit, would have succeeded if the public had not been frankly and fully acquainted with the issue and the facts. On the same issue of land cost, he stubbornly opposed for 6 months the East Harlem project in the slums of the upper East Side of Manhattan, accommodating over 5,000 persons, and finally capitulated because you backed me up and the public realized that housing should be built where it was needed rather than merely where land was cheap.

These conflicts between the city and Mr. Straus have by no means been confined to land values. Paradoxically, the very things done over Mr. Straus's most stubborn opposition in New York City will be among the most successful achievements of his administration.

One case was Vladeck Houses, in the heart of the slums of our lower East Side. It will probably be the most perfect example in the entire United States of slum clearance and rehabilitation of a blighted neighborhood. This whole project Mr. Straus opposed for months on the ground that it should be built not in the slums but on the outskirts of the city. You and I insisted on constructing housing developments in this and other slum areas, not only because they tear down actual slum buildings but because they help to maintain real-estate and tax values in deteriorating neighborhoods and save the city the expense of new schools, fire houses, hospitals, sewers, and other services.

In the case of the Red Hook project, in Brooklyn, and the Queensbridge project, in Queens, Mr. Straus made five different rulings as to the income limits of prospective tenants and repudiated several times the decision and instructions of his own arbitrator and executive. The result was to delay the tenanting of the Red Hook and Queensbridge developments. Finally he yielded, and now tenants are rapidly filling the Red Hook buildings. There have been conflicts on these and on a myriad of other vital subjects. In all of them the other members of the New York City Housing Authority have been in complete accord with me.

It may be popular in national politics to treat New York City as if its problems were the same as those in any small town in the country. But I am chairman of the New York City Housing Authority, and it is my duty to prove that New York City has different problems from Austin, Tex., and to see that our problems are treated differently. This seems implicit in any decentralized system of administration, as housing is supposed to be. That duty I have performed. I have succeeded as long as you have given me your support. It cannot be done if you now abandon the policies you and I have stood for. I cannot subscribe for a minute to the notion that the free people of the city of New York, as represented by yourself and the members of the New York City Housing Authority, an independent body corporate and politic, have no right to disagree with those who administer Federal agencies. Any attempt by Mr. Straus arbitrarily to withhold Federal funds from New York City would be rebuked not only by New York City's own representatives in the House and Senate, but by other Members as well.

I leave the affairs of the New York City Housing Authority in excellent condition. A well-trained staff of experts of high integrity and ability is organized to carry on an increasing program. The policies adopted or initiated by the authority are businesslike and sound. The structures in these great undertakings are well designed and truly built at an exceedingly low cost.

Red Hook and Queensbridge, to cost about $26,000,000 and house 23,000 people, are substantially completed. Tenants will begin to move into Queensbridge in a couple of weeks and Red Hook is now already being rapidly filled.

Demolition has been finished and foundations well under way at Vladeck Houses and Vladeck City Houses, on the lower East Side. They will cost about $11,000,000 and house over 7,000 people.

Construction of a project in South Jamaica has been started. There the cost is estimated at $2,500,000 and the occupancy at 1,750 people.

Plans for East River Houses in East Harlem are being drawn to take care of over 5,000 people and cost $7,500,000.

If Bedford-Stuyvesant had not been killed by this latest telegram, we would have taken care of 5,000 more people, at a cost of $6,000,000. Land options had been obtained up to September 30. Architects had started drafting their plans. The potential savings in cost, time, and effort provided by those options and the preliminary plans are now lost.

Plans have been laid for many more projects.

Williamsburg, Harlem River, and First Houses, accommodating a total of 8,000 people, are being economically and harmoniously operated.

I leave a house in order.

In view of your apology to Mr. Straus, a copy of which you sent me, I feel it proper that I should send a copy of this to him likewise and also to Mr. Carmody, Administrator of the Federal Works Agency.

Yours very truly,

ALFRED RHEINSTEIN.

Mr. Speaker, to successfully carry out the slum clearance program as adopted by Congress, it is important and urgent to have complete understanding and cooperation on the part of the municipal and Federal Housing officials. Congress delegated to the U. S. H. A. the task of aiding financially and contributing useful information to communities in their slum-clearance programs. We have entrusted to the U. S. H. A. the expenditure of hundreds of millions of dollars of the taxpayers' money to be spent for this exclusive purpose. It was expected that the National Administrator would be most generous in dealing with local conditions. It is a sad commentary on the administration of a Government department when it is possible for one official, because of pique, to stop and impede the progress of the tremendous building program of the city of New York.

Unless Congress takes some official notice of this existing situation, I am afraid that the housing program of my city will suffer, in addition to the entire national housing program.

This type of construction work requires men of unusual ability and sympathetic understanding. Mr. Rheinstein and his coworkers meet that standard.

Here in Washington the officials appear to be extremely technical to the extent that they hamper, rather than help the slum-clearance program. I believe Mr. Straus can help the whole situation if he will only stop his nonsense and join with Mayor LaGuardia and the other officials and give his whole-hearted cooperation and not mere lip service.

Let us take politics out of housing. Let us make it nonpolitical, nonreligious, nonsectional. By doing this, every Member of the House will certainly be glad to work for the success of housing. The following editorial in today's New York Herald Tribune pictures the situation confronting our city:

[From the New York Herald Tribune of October 10, 1939]

THE LOSS OF MR. RHEINSTEIN

From his quoted remarks, Mr. Nathan Straus, the Federal Housing Administrator, appears to regard Mr. Alfred Rheinstein's resignation as chairman of the City Housing Authority as an incomprehensible whim, a minor matter to be lightly brushed aside. One wonders whether Mr. Straus is not underestimating the situation and if he yet realizes quite how urgently his own resignation is called for by the facts as they have so far appeared.

Not long ago Harper's published an article, of which Mr. Rheinstein was coauthor, discussing the various dangers before the public-housing program; it included certain brief but very moderate and courteous criticisms of some of Mr. Straus' policies and rulings. According to Mr. Rheinstein, Mayor LaGuardia intervened to "apologize" for this article; on the following day Mr. Straus informed Mr. Rheinstein "that there is no place in housing for anyone who criticizes him as I did in that article and that not another cent will go to New York City for a new project until that is corrected"; and on the day after, Mr. Straus telegraphically suppressed the important new Bedford-Stuyvesant project which he had already approved. Mr. Rheinstein, feeling that he had lost the mayor's support in face of these high-handed actions, sent in his resignation; when the mayor did not immediately act he forced the latter's hand by making the resignation public, and Mr. LaGuardia immediately accepted it.

Mr. Rheinstein may have been overhasty; the mayor may have been injudicious in dealing with the antipathy between the two officials. But, if the facts are in any way in accord with this account of them, Mr. Straus' usefulness as administrator of a Federal housing program, or any other kind of program is clearly and emphatically at an end.

So complete a disregard of the interests of the city, so flagrant a misuse of the money power, for which Mr. Straus is merely a trustee, to suppress criticism which he should welcome, would be inadmissible, even if Mr. Rheinstein had been a mediocre public servant. When it costs the city of New York the services of an official whose record fairly entitles him to be regarded as among the ablest housing administrators in the United States, it calls for more than airy explanations of its unimportance. Previous experiences have not given New Yorkers too high an estimate of Mr. Straus' capacities for his post. This episode will convince them that he is a disaster.

I am hopeful that after reading this editorial every Member will take an active interest in this issue and do what he can to help New York City, and every other city, by urging every person concerned in this marvelous housing undertaking to stamp out partisanship and personalities, and substitute cooperation, efficiency, and expert knowledge and ability.

For many years I have devoted myself to social problems affecting the underprivileged, and I sincerely hope that the work that has been accomplished in slum clearance will not be halted because of any mere difference of opinion.

On behalf of this House I extend to Mayor LaGuardia and his aides, as well as to Mr. Nathan Straus and his aides, a cordial invitation to sit down around the conference table and compromise their differences.

THE NEUTRALITY LAW

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mr. BLOOM. Mr. Speaker, the Foreign Affairs Committee has had compiled and printed a pamphlet in three columns which is a comparative print of the Neutrality Act, starting with the present law, which was approved on May 1, 1937, in the first column.

In the second column is the bill that passed the House, House Joint Resolution 306, and then is shown the substitute which was reported in the Senate, in the third column.

The reason for printing this pamphlet is that there has been a great deal of talk and argument with reference to the substitute, the bill as it passed the House, and the present law. Unfortunately, the committee received only 1,000 copies of this print. Members who have seen the print have asked for as many as 500 copies. If we can get only 1,000 copies and there are 435 Members in the House, you can see that each Member is entitled to only 2 copies.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield for a question?

Mr. BLOOM. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I heard announced over the radio last night that by sending to a certain radio station you can get all the copies of this pamphlet you want, and that Mr. BLOOM is furnishing them.

Mr. SCHAFER of Wisconsin. I heard that twice.

Mr. BLOOM. The gentleman from Wisconsin says he heard it twice?

Mr. AUGUST H. ANDRESEN. Yes; Fulton Lewis, Jr., announced over the radio last night that Mr. BLOOM was furnishing them.

Mr. BLOOM. Mr. Fulton Lewis, Jr., of the Mutual Broadcasting Co., ordered 15,000 copies of the print, paid for them, and is sending them throughout the country.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Then does the gentleman mean to say we can get only two copies apiece?

Mr. BLOOM. I guess I will have to say it all over again. The committee is entitled to only 1,000 copies of the print, and that is all. The gentleman from Pennsylvania [Mr. RICH] is here and can vouch for that. We are allowed to have printed only 1,000 copies. What I was going to say at the conclusion of my remarks was that if you would give the committee a sufficient amount of money to print as many copies as the Members of the House would like to have we could also arrange for that.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Pennsylvania.

Mr. RICH. Will the gentleman tell us where you are going to get the money?

Mr. BLOOM. I believe the gentleman has asked that question very often of the House.

Mr. RICH. Will the gentleman answer it?

Mr. BLOOM. Let me say to the gentleman from Pennsylvania that these prints cost about $17 a thousand. I do not know of any amount of money that can be better spent at this time than to acquaint not only the people of this country but the Members of both the Senate and the House with what the present neutrality law, the bill as it passed the House, and the substitute reported in the Senate, really are in comparison. If you wish to find out the differences between the present law, the bill as it passed the House, and the substitute reported in the Senate, the only way you can really do it is through this committee print.

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOLLES. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Wisconsin.

Mr. BOLLES. If the radio station has printed 15,000 copies of this pamphlet and they are distributed free, would it not be a wise and economical measure for the Government for the gentleman to recommend that each Member of Congress send to the radio station and get one of these publications? They are identical with the pamphlet the gentleman will have.

Mr. BLOOM. If you will write the radio station, I believe you can get a copy; there is no question of that.

Mr. BOLLES. The radio announced that the gentleman would distribute them. Why cannot we go to the gentleman's office and get them?

Mr. BLOOM. We will print as many copies as the gentleman sends in a check for.

Mr. BOLLES. I do not want to send in a check.

Mr. BLOOM. I am very sorry. Does the gentleman want me to advance the money for him? How is the gentleman going to get them otherwise.

Mr. BOLLES. Go to the radio station and get them.

Mr. BLOOM. You can get one copy from the radio station.

Mr. BOLLES. I will guarantee that I get 10.

Mr. BLOOM. They are paying for them. You are going to get one copy today through the mail. Each member will get one copy. If you want additional copies, we shall be very glad to send them to you, if the funds are supplied.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. The gentleman stated he intends to print quantities of these pamphlets, so that the Members of the Senate can have them?

Mr. BLOOM. No; not the Senate but the House.

Mr. SCHAFER of Wisconsin. Cannot the Members of the House get as many copies as the Members of the Senate?

Mr. BLOOM. We do not furnish the Senate anything.

Mr. SCHAFER of Wisconsin. Why does not the gentleman bring in a resolution providing for the printing of 500,000 copies, and appropriate the money from the Treasury to pay for them? The gentleman from Pennsylvania [Mr. RICH] tells us that the Federal Treasury is empty. I believe the Committee to Keep America Out of War will buy a few thousand copies, although it does not have much money in its treasury.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I am not sure that the matter to which I am about to refer is within the gentleman's province as chairman of the Committee on Foreign Affairs, but in connection with the question of an embargo, which was recommended by the so-called Nye committee, I tried to get the report of the Nye committee relating to the munitions industry, on which that recommendation was based, and I find that it is out of print, and is not available at the Government Printing Office. There is only one copy in the Senate library, and it is in great demand.

Mr. BLOOM. I may say to the gentlewoman that that report has nothing to do with this. This pamphlet is a comparative print. The only reason the committee has made this compilation is to try to make it easier for the Members of Congress, and also for the outside world to understand the differences between the present law, the bill as it passed the House, and the substitute reported in the Senate.

Now, the only reason I am calling your attention to this matter is to inform you that you may get one or two copies, but if you want any further copies, they will have to be furnished through a resolution authorizing the Government Printing Office to print additional copies.

Mr. LELAND M. FORD. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman.

Mr. LELAND M. FORD. Will those two copies be mailed to us or will we have to make a special request for them?

Mr. BLOOM. They will be mailed to you.

I am calling your attention to this so that you will not leave the matter to your secretary or throw the copies in the waste basket. I want everyone to read this comparative print, and for that reason I am calling your attention to the matter now. It is a very informative document and will enable the Members of the House and the press of the country to understand the exact difference between the three measures. It took quite a little time to get this up and I hope the Members will appreciate the fact that your committee is trying to give you all possible information so that you may be acquainted with what the two branches of the Congress are proposing and what the present law provides.

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, may I have unanimous consent to speak for 2 additional minutes?

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from California.

Mr. VOORHIS of California. May I say that I appreciate very much the gentleman's statement and I wish to thank the gentleman and the committee for making this comparison available. For my part I shall be very pleased to send in such money as may be required to get the number of copies that I want to use. I want to thank the gentleman and say I do not understand why there is so much fuss about the gentleman's announcement of something that is so very important at this time.

Mr. BLOOM. I thank the gentleman very much.

Mr. MOSER. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. I yield.

Mr. MOSER. Do I understand the distinguished chairman of the Foreign Affairs Committee to say that this compilation has been prepared by a committee of the House?

Mr. BLOOM. The Foreign Affairs Committee; yes.

Mr. MOSER. The Foreign Affairs Committee has made this compilation?

Mr. BLOOM. Yes.

Mr. MOSER. Is the gentleman aware of the fact that Fulton Lewis, Jr., nightly over the radio is taking credit for authorship by saying that he has compiled it?

Mr. BLOOM. The gentleman had better ask Fulton Lewis, Jr., about that.

Mr. MOSER. I have heard it night after night.

Mr. BLOOM. I can assure the gentleman——

Mr. MOSER. And the intimation is that these prints will be furnished if the applicants will furnish an addressed stamped envelope.

Mr. BLOOM. Fulton Lewis, Jr., has done a good job in trying to have this comparative print distributed, and they have paid for every copy that they have ordered. They ordered 15,000 copies, and they have given a check to the Government Printing Office for that amount. If any other

broadcaster wants to send them out, he is privileged to buy them through the Government Printing Office at the price that the Government Printing Office requires.

Mr. Fulton Lewis, Jr., has been to the committee office and has made suggestions and the first suggestion came from him. The State Department has made suggestions and other people have also made suggestions, also the Government Printing Office, but this was prepared by the Foreign Affairs Committee in the Foreign Affairs Committee offices in the Capitol.

Mr. MOSER. And he is not the author of it?

Mr. BLOOM. There is no author. How can a person be an author of three bills that are presented here, one of which is the law?

Mr. MOSER. He states that this is his comparative statement, while you say the Mutual Broadcasting System has purchased them from the Government Printing Office.

Mr. BLOOM. They purchased 15,000 copies and paid for them and the check was made payable to the Government Printing Office. On each pamphlet printed for Mr. Lewis there is printed on the outside cover, "Not Printed at Government Expense."

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. Yes.

Mr. COOLEY. When will this compilation be available to the Members?

Mr. BLOOM. They are available now.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address of my colleague the gentleman from Wisconsin [Mr. BOLLES] before the Wisconsin Bankers Association, and also an address by Harry Frease on police powers of the League of Nations.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal and the disposition of business on the Speaker's desk, I may be permitted to address the House for 35 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent that after the Journal is read tomorrow I may be allowed to proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter to the California delegation from a member of the County Board of Supervisors of Los Angeles.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial, written by myself, appearing currently in one of the nationally known monthly magazines.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a clipping from my daily home newspaper.

The SPEAKER. Is there objection?

There was no objection.

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a statement from the Agriculture Department with reference to our domestic pork producers.

The SPEAKER. Is there objection?

There was no objection.

PROPAGANDA EXPENDITURES

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The Chair has already partly promised to recognize the gentleman from Montana [Mr. THORKELSON]. However, the Chair will put the request. Is there objection to the request of the gentleman from Pennsylvania?

Mr. RICH. Mr. Speaker, I do not want to interfere with the program, because I am only trying to use up part of the time today. I do not know whether we have any other business.

The SPEAKER. The Chair has no program in connection with the proceedings of today. Is there objection to the request of the gentleman from Pennsylvania to address the House for 10 minutes?

There was no objection.

Mr. RICH. Mr. Speaker, I have asked for this time primarily because there is no program here in the House, and it presents an opportunity for one to say something relative to things that have happened on the floor of the House, which might probably be beneficial to Members of Congress. I should say they would be beneficial if they are taken to heart by the Members of the Congress and to the taxpayers back home. You know the taxpayers are people of this country who have to assume the burden, and they do not get a lot of consideration in the House of Representatives. Yesterday we had a little controversy between the gentleman from Virginia [Mr. WOODRUM] and the gentleman from New York [Mr. FISH] relative to requests made by the gentleman from New York [Mr. FISH] for what he thought was a free-will offering on the part of anyone who wanted to make such an offering, in order that the gentleman from New York [Mr. FISH] might aid and assist in keeping this Nation out of war. If the gentleman from New York [Mr. FISH] felt that he could request funds from anyone glad to support him in keeping this country out of war, I do not believe there will be any harm in anyone supporting that issue. We do not want war. The thought that ran through my mind yesterday as that statement was being made was that we, as a Congress—and I have to say "we" because I am a Member of Congress—in voting for a majority of the appropriations that were voted last session—these enormous departmental bills—have voted enormous amounts of money for the very purpose of propaganda. I might say New Deal propaganda. In practically every departmental bill we have included $50,000, $100,000, $200,000, $300,000 for propaganda. That is true of practically every appropriation bill that we passed last year, and over $13,000,000,000 worth of the taxpayers' money was appropriated. Hundreds and hundreds of thousands of dollars of the taxpayers' money we gave to the various departments for the purpose of New Deal propaganda. The man who voted for this propaganda was compelling the taxpayers to shell out in order to help whom? Why, to help the New Deal, because that is about all the propaganda is; and if you will listen to the radio, practically every day we find radio departmental programs; and if it is not propaganda for the New Deal, then I do not know what I am talking about.

The point I make is this. Is it better for someone to go out and ask the people to make a free-will offering toward something he thinks is right as propaganda or to soak the taxpayers and compel them to go into the matter of propaganda whether they want to or not; by compelling them to pay enormous taxes against their better judgment and surely against their will?

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes.

Mr. THOMAS of New Jersey. I think the gentleman from Pennsylvania is very low in his estimate of the cost of the

New Deal propaganda. I think a better estimate would be at least $100,000,000 a year, and I shall give the gentleman just two items that make up half of that $100,000,000. There is one item of $30,000,000 alone which has to do with the franking privilege of the New Deal bureaucrats, and another item of $22,000,000 has to do with the cost of the paper consumed in various kinds of pamphlets, periodicals, newspaper releases, and so on. So the gentleman will certainly be able to figure out that it cost $100,000,000 a year.

Mr. RICH. I say to the gentleman from New Jersey that I always try to keep my figures low. However, since I have been a member of the Committee on Appropriations, which committee deals in such enormous figures, it seems to me if the members of the committee know what they are talking about half the time, insofar as the great amount of appropriations, billions of dollars, is concerned, I do not think there is anyone on the committee who knows what it is all about, not even the chairman, the gentleman from Colorado [Mr. TAYLOR], and he sits right back there now; and if he knows what $13,500,000,000 of appropriations mean, and if he can tell what he is trying to do or what this Congress is trying to do in order to keep down those expenditures, then I would like to have him explain it to the Members of the House and the country at large. I call the attention of the chairman of the Committee on Appropriations to Mr. Morgenthau's statement respecting the Treasury on October 4 in which he says the deficit up to this time is $1,014,086,789.89, and that is from July 1 to October 4, 1939, at the same rate we will be over $4,000,000,000 in the red by the end of the year.

Now, Mr. Chairman of the Appropriations Committee, one of the finest men in the House, one of the oldest men in the House, you should get up here and take every chairman of the committees and sit down with them and say, "Here, now. Our income is only going to be so much. We will allocate this money to your department in accordance with the amount of money we are going to receive." Then he would do a good job. Cash and carry if you will. But instead of that, we come in and we give every department not only all they want, but we generally add and add a whole lot more to it. So that we bewilder this Congress and we bewilder the people of this country and everybody is bewildered because they do not know what it is all about. It means a wreck of Government eventually and surely.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes, sir. I am glad to yield to one of the most distinguished Members of the House of Representatives, a man whom we all love. [Applause.]

Mr. TAYLOR of Colorado. I thank the gentleman for his courteous compliment.

The gentleman from Pennsylvania is giving the country a very erroneous impression when he apparently implies that the Appropriations Committee come in and give every department not only all they want, but generally add and add a whole lot more to it, so that we bewilder this Congress and we bewilder the people of this country, and everybody is bewildered because they do not know what it is all about.

On behalf of the Appropriations Committee, I desire to say to the House and to the country that this committee scarcely ever appropriates a dollar for anything that it is not specifically authorized by law to appropriate. If, as rarely occurs, an item is offered to add to an appropriation bill an amount for something that is not specifically authorized by law, any Member of this entire House can prevent it by making an objection, because it would be subject to a point of order. So if and when there is anything in an appropriation bill that the committee is not directly authorized by Federal law to insert in the bill, the responsibility rests upon every Member of the House, as well as every member of the Appropriations Committee.

Moreover, the gentleman well knows from his long experience as a member of the Appropriations Committee that we nearly always in our committee reduce the amounts that are requested by the President and the administration. In other words, our committee reports out bills every session of Congress reducing by many millions of dollars the amounts requested by the administration officials and the Bureau of the Budget. We have 11 subcommittees, and the work of appropriating the money for the various 10 departments of our Government is divided up among those committees. Those subcommittees call the department chiefs, the bureau chiefs, and all of their accountants and assistants, and go into elaborate investigations of the money that we appropriated to them for the prior year, where and how they have expended it, and determine whether or not it was wisely expended. We decide quite largely from their activities and necessities and expenditures as to how much we should appropriate to them for the ensuing year. Every member of that committee, composed of 40 of the most distinguished Members of this House, always exercises his own judgment and his own conscience. I am extremely proud to say that there has never been any real politics in the Appropriations Committee of this House. We are thinking solely about the welfare of our Government and the taxpayers of our country. I gladly accord to the 15 Republican members of this committee the same conscientious work that is given by the 25 Democratic members. We spend days, weeks, and months on this detailed investigation to save the taxpayers' money and to make our appropriations go as far as possible. There are from 1 to 3 or 4 members of each subcommittee working practically all the time from the moment Congress convenes until the adjournment of each session. No committee of this House has ever worked harder or more conscientiously all these years than the Appropriations Committee. In fact, I say publicly, and with all due respect to this House, to the Senate, the administration, and the executive departments of this Government that the only real watchdog, the only real guardian of the Federal Treasury in our form of government, is the Appropriations Committee of the House of Representatives.

The substance of the gentleman's criticism, insofar as it is just, should be leveled against Congress and not against the Appropriations Committee. To the extent that his criticism may be partially warranted is the fact, as every Member of this House knows, that Congress constantly passes laws authorizing appropriations of money for some purpose. When those bills are questioned or criticized on the floor, the proponents of the measure always say, "This is not an appropriation; this is merely an authorization for an appropriation." Of course, whether the appropriation is ever made or not depends upon the Appropriations Committee and the further action of the House.

A great many bills are passed in that manner without anything like the consideration they should receive, and many of them should never be passed. However, as soon as a Member passes a bill authorizing an appropriation, he immediately comes to me as chairman of the Appropriations Committee and vehemently insists that the committee shall now appropriate the money because Congress has authorized it. When the members of this committee show dispcsition to question the justness or necessity for such an appropriation, the author and all of his supporters become very indignant and defiantly want to know whether we set ourselves up as being superior to the judgment of the entire Senate and House of Representatives in authorizing appropriations. When we reply that it is our duty to make only those appropriations which we deem necessary and just, in view of the condition of the Federal Treasury, we, of course, immediately get into a controversy, which is a very thankless and often embarrassing situation. We practically never appropriate any more money than we are specifically authorized to do, but there are items containing millions of dollars that have been authorized by law, for which my committee has courageously refused to appropriate money. We never receive any credit for guarding the Treasury in that way.

My committee, collectively and individually, is constantly trying to hold down the expenditures of our Government. In reality, the Appropriations Committee is a buffer between the taxpayers and the Federal Treasury of our Government, and the vehement demands from every State, city, and county in the United States for appropriations. In the early days,

when nearly all the standing committees of the House had authority to make appropriations, there was no limit to the amount they would expend. However, because the appropriations were running wild, with no check or system, the Congress of 1921, for the purpose of bringing about order and system in the expenditures of our Government and preventing utter bankruptcy, took away from all the other committees of the House the authority to appropriate money, and gave that authority to the Appropriations Committee of the House. At the same time, they created the Bureau of the Budget, authorized to make an exhaustive investigation of the necessities of every department of our Government and to make its recommendations to the President. The President and the Bureau of the Budget jointly make their recommendations to the Appropriations Committee of the House. Our committee has as its guide those recommendations, which are looked upon by the administration and the various departments of our Government as imperatively necessary. Notwithstanding that fact, the subcommittees of the Appropriations Committee hold extensive hearings, as I have said, on all those items. I say confidently that practically always we bring out a bill that is not only thoroughly considered and determined upon by a majority of the whole committee, but about 99 times out of 100, it contains millions of dollars less than is recommended by the President and the Bureau of the Budget. When it comes up on the floor of the House, every Member who did not secure as much money for his district, his State, or some department of the Government as he thinks should have been appropriated, immediately offers an amendment. The members of the committee on both sides of the House courageously and earnestly fight off those amendments. We are nearly always reasonably successful, but sometimes the House overrides us and adds numerous items to the bill. However, the House is not so much to blame in this respect as another body. When these bills go to the Senate, I do not recall, in all my nearly 20 years' experience on this committee, of any bill not being enormously increased in amounts by that body. The bill then goes to conference between the Senate and House. The House always puts up a loyal and vigorous fight to sustain the action of the House. However, the Senate is necessarily a coordinating branch of this Government and the Members of that body have a responsibility to the taxpayers, the same as we do in the House. We are always compelled to compromise more or less. When the bill is finally passed and goes to the White House, it practically always contains a larger appropriation than the House agreed to, and sometimes even much larger than the Budget and the President recommended.

Mr. RICH. Will the gentleman permit me to ask him a question there?

Mr. TAYLOR of Colorado. Certainly.

Mr. RICH. Does not the gentleman believe that since the House and Senate are increasing these appropriations over and above the Budget estimates, that the Budget officer should call in every chairman of every committee and tell them that he has so much money to appropriate, and then try to make a division of those funds? Not do as he has, for he appropriates 40 percent more than he knows he will receive.

Mr. TAYLOR of Colorado. All the Members of the House know or should know the amount of money that is available. All the members of my committee know the amount of money that is available. They all exercise their utmost and conscientious judgment in reducing expenditures, often when it is very injurious to them politically and in their home districts. The members do an enormous amount of hard work during every session, as I have said before, in trying to save money. But the truth is that while the people of the country generally shriek at us to cut down appropriations, protect the Treasury, balance the Budget, the people of practically every State, city, and county in the United States are much more vigorously and defiantly demanding appropriations. That applies to the entire United States. They say, "By all means, balance the Budget, cut down useless appropriations, but for God's sake, give us this appropriation." [Laughter.]

Mr. RICH. There is where you should come in and you should say, "Now, you who want these things, we would like to give them to you, but we cannot because we do not have the money," and you, Mr. Chairman, and the Treasury of the United States and everybody connected with it knows that we do not have it. Now, what are you going to do about it? You know you are going to wreck this Nation if you keep up what you are doing, do you not?

Mr. TAYLOR of Colorado. If our Nation is ever wrecked by expenditures, I say to you with all the earnestness I can that the fault will never be laid at the doors of the Appropriations Committee of the House. We are rendering a valiant service to our Government and to the taxpayers of our country. However, I do not admit for a second that our appropriations, as large as they are, will jeopardize the welfare or the solvency of our Government.

Mr. RICH. You surely know that. That is the trouble; you and many others think it can go on, but I say to you it must stop. It cannot go on. I herewith give you data relative to our Government spending in 10-year intervals from 1790 to date, showing the population and per capita cost; these figures were taken from the annual report of the Secretary of the Treasury and the statistical abstract.

10-year interval	Population from census	Expenditures in dollars	Per capita cost
1790	3,929,214	$4,345,424	$1.53
1800	5,308,483	11,000,069	2.07
1810	7,239,881	8,652,479	1.19
1820	9,638,543	19,421,553	2.02
1830	12,866,020	17,075,774	1.32
1840	17,069,453	29,035,815	1.70
1850	23,191,876	44,756,737	1.93
1860	31,443,321	72,411,658	2.30
1870	38,558,371	328,786,783	8.52
1880	50,155,783	301,109,391	6.02
1890	62,947,714	377,448,536	6.00
1900	75,994,575	621,395,005	8.17
1910	91,972,266	915,131,593	9.95
1920	105,710,620	6,900,697,632	65.28
1930	122,775,046	4,706,138,122	38.41
1939-40	130,000,000	[1] 13,110,000,000	[1] 100.84

[1] Appropriations authorized by 1st sess., 76th Cong., for fiscal year ending June 30, 1940.

NOTES

The per capita costs of government include the following items: Civil and miscellaneous needs, War Department, including rivers and harbors and the Panama Canal, Navy Department, expenditures for Indians, pensions, postal deficiencies, interest on public debt, public-debt retirement since 1918, and postal expenditures exclusive of postal deficiencies.

Care of Indians assumed large proportions about 1836, when expenditures mounted to $4,615,141. In 1933 the expenditures for Indians accounted for $33,378,389. Pensions began to appear in the expense account of the Government as early as 1789, the amount that year being only $175,000. In 1938 pensions took $402,779,083 in Federal funds.

Interest on the public debt was by comparison an insignificant part of the Federal expenses for many years. In 1940 the estimate for this item is $1,050,000,000, and where debt retirement has loomed large in other years, but $100,000,000 has been set up in the 1940 Budget for debt retirement. In 1938, $628,186,746 was spent by the Post Office Department, exclusive of postal deficiencies, amounting to $44,258,861. Emergency relief expenditures in 1938 amounted to $1,996,000,000. Veterans' benefits other than pensions cost $170,000,000 in 1938.

PERMISSION TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. WHITE of Idaho. Will the gentleman yield for me to submit a unanimous-consent request?

Mr. THORKELSON. I will be glad to.

EXTENSION OF REMARKS

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent that I may insert in the CONGRESSIONAL RECORD an article by William Hard.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for me to make a unanimous-consent request?

Mr. THORKELSON. I yield.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal and the conclusion of any other matters on the Speaker's table, I may be permitted to speak for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield to me?

Mr. THORKELSON. I yield.

EXPENDITURES INCIDENT TO THE SECOND SESSION OF THE SEVENTY-SIXTH CONGRESS

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 384) to make provision for certain expenses incident to the second session of the Seventy-sixth Congress, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 6, insert:
"For payment to Della Logan, widow of Hon. M. M. Logan, late a Senator from the State of Kentucky, $10,000."
Page 1, after line 6, insert:
"To pay the widow of Thomas M. Eaton, late a Representative from the State of California, $10,000.
"To pay the widow of Thomas S. McMillan, late a Representative from the State of South Carolina, $10,000.
"The two foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were agreed to.

EXTENSION OF REMARKS

Mr. HAWKS. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. HAWKS. I ask unanimous consent that I may extend my remarks to include an editorial, America, appearing in the Saturday Evening Post of this last week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANALYSIS OF THE NEUTRALITY ACT

Mr. THORKELSON. Mr. Speaker, I have asked for this time to speak to the House about the Neutrality Act, House Joint Resolution 306. Let me say in the beginning that I am opposed to the Neutrality Act itself, but I am not opposed to neutrality. The only part of the act that we can enact into legislation is the embargo clause. It is a physical impossibility for us to enact a neutrality act such as is written here and enforce the act without involving ourselves in war.

In the first section of the act power is granted to the President to proclaim when a state of war exists. I shall divide section 1 (a) into three parts: The first part sets forth a plausible excuse for the enactment of the legislation, that is, when a state of war is found to exist between foreign states. The middle part of the paragraph sets forth the presumed reason for the act, which is to preserve peace, to promote security, and to protect the lives of our people. It is not necessary, however, to wait for acts of that sort, or to wait at all to secure peace, to promote security, and to protect the lives of our people. That does not depend at all upon whether they have war in South America, or war in Europe, because these worthy objects are at all times the duty of Congress and of the Government itself—yes, to do these very things, preserve peace, promote security, and to protect the lives of its people. Why is it used in this particular legislation? It is a subtle wording employed in all subversive legislation, in order to get public support, and for arguments on the floor of the House. The old "sympathetic appeal," if you please. It is used for one purpose alone, and that is to supply some reason for the enactment and the transfer of this power from the Congress to the President of the United States. If I opposed this bill, word would go out that I was against neutrality, that I did not believe in neutrality, that I did not believe in peace, that I did not believe in national security, that I did not believe in protecting the lives of the people of the United States. In this very House Members who support the bill would ask: Does not the gentleman from Montana believe in peace? Does he not believe in promoting security? Does he not believe in protecting the lives of our people?

This language is put in the first section of the act as a club to be used from without to stop those who oppose the act, and to be used within the House as a weapon by those who support the act; and I say again in passing that you will find this kind of language in all subversive legislation that has been before this House in the last 6 or 7 years.

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. GEYER of California. Does the gentleman also believe that they might accuse him of being sympathetic with the German Bund, or something else subversive said also?

Mr. THORKELSON. That is exactly what I refer to. It is employed for that purpose.

The actual intent of this paragraph is to give the President power to declare when a state of war exists in a foreign country. That is the purpose of the act, and the premise of the act is what I mentioned.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. VOORHIS of California. The bill as now drawn, I understand, also gives Congress the power to declare when a state of war exists.

Does it not read, "That if the President or the Congress shall find that a state of war exists"?

Mr. THORKELSON. Yes. I call the gentleman's attention to this fact, however, that Congress cannot be convened each and every time there might be a war in some outlying part of the world; and for this reason, of course, it will be the President who will make these declarations. Congress cannot be convened every 2 weeks because they may have a family fight in Europe or war in some other place.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. SCHAFER of Wisconsin. How is it, then, if only the President and Congress have those powers, that our Under Secretary of State, Mr. Sumner Welles, at an assembly of 21 South American dictatorship countries, formulated and projected a neutrality policy for America including the 300-mile neutral zone around the Americas?

Mr. THORKELSON. I may say to the gentleman from Wisconsin that I will have something to say on that shortly. I expect to have some discussion with the State Department in respect to this bill.

In section 2 of the bill this power is given to the President. After the President issues a proclamation declaring that a state of war exists it then becomes unlawful for any American vessel to leave the United States, to leave the ports of our country bound for any port of any nation the President has declared to be at war. What happens? Our merchant marine would be tied up at our seaports. Should he declare that a state of war existed between Great Britain and some other country it must be borne in mind that British possessions are to be found all over the world and are not confined to that little group of English islands in the north Atlantic. When the President declares that a state of war exists which involves England as one of the parties it means that every piece of land over which the British flag flies is likewise involved; it means that Canada is involved, Australia, New Zealand, the Solomon Islands, the Shetland Islands, and all the South African republics under British control; it means all of them. The result is that our ships would be tied up at our seaports so far as ocean commerce with the British Empire is concerned.

Under paragraph (b) of section (c) the President has the power to levy a fine on any officer of a ship or any officer

of a corporation or company to the extent of $50,000, and also punish by imprisonment for 5 years any violation of this section of the act. This in itself is a tremendous power because almost anything may come up. It would be exercised through the President's appointees. It is a coercive weapon such as should not exist in this Republic where the people reserve to themselves the right to do business without interference from the Federal Government.

In section C of this same act, after having issued this proclamation, it is provided that it shall be unlawful thereafter to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any State named in such proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national, which, of course, means one individual.

What does that mean? It means that any foreign ship, after the title in all this merchandise has been transferred to some individual outside the United States, can come into our ports and carry these cargoes out of our ports while our ships are tied up at the docks. That is what the act means. That is what you are doing when you pass it.

Section D deals with insurance.

In section F an exception is made, because that section provides as follows:

> The provisions of subsection (a) of this section shall not apply to transportation by American vessels on or over lakes, rivers, and inland waters bordering on the United States or to transportation by aircraft on or over land bordering on the United States.

Mr. Speaker, that is in conflict with section 2 of this same bill, because that section provides:

> Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any State named in such proclamation.

Under section (f) an exception is made to this declaration so that we may trade with Canada by way of the Great Lakes or with Mexico if there happens to be any water in the Rio Grande.

What right has Congress to enact legislation concerned with the right of the United States to do business with Canada when that nation is at war? That is not a neutral act. It is a belligerent act on our part, and if the President persists in enforcing it, and if the Lakes were not in the position they are, a ship that carried merchandise from the United States to Canada would be subject to attack and could be sunk, destroyed, or captured as a prize.

Yet that is not the worst feature of this bill. Section (g) excludes an area known as the Western Hemisphere, south of 30° north latitude, and that extends from the meridian of Greenwich to the one hundred and eightieth meridian. That is the Western Hemisphere.

What right have we by legislation to declare war zones in these areas? It indirectly designates other areas that we may say are neutral or not in war zones, and we therefore allow our ships to sail in those areas with cargo and passengers. These vessels may carry cargo to Venezuela. They may carry cargo to any republic in South America. They may carry cargo to Australia. Some of those are possessions and properties of England. Yet we provide by legislation that our ships may carry cargo to all those places. That is clearly an unneutral act because the Congress of the United States has no right to set aside an area and call it safe and then issue clearance papers to our own ships to travel serenely to a particular port in that area. It might happen that in the middle of the route our ship may be held up by some enemy patrol. The officers of the ship are questioned and if it is found that that ship is going to an enemy port, it may be sunk. We say then that is an act of war, but it is not an act of war. It is within the right of powers at war to sink all ships that carry cargoes to their enemies. Yet we have designated peace zones indirectly by declaration of war zones.

We have set the Pacific Ocean aside and in effect have stated that our ships may carry merchandise to the islands, properties, and colonies in the Pacific, many of which belong to Great Britain and France, both of which powers are now at war. It should be seen clearly by every one that we have no right by legislation to enact a law of this sort which declares neutral zones throughout the world. We should not, under these circumstances, issue clearance papers to our own ships and allow them to travel in these areas because they are liable to be taken as a prize or sunk if the enemy has no port to which it may conduct or convoy such prize.

Mr. SOUTH. Will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Texas.

Mr. SOUTH. Under the law as it is now written, is there any danger that American ships undertaking to carry commodities to belligerent nations will be sunk and that war might follow? Is it not the purpose of the cash-and-carry provision now under discussion to eliminate that danger?

Mr. THORKELSON. May I say to the gentleman that the cash-and-carry provision really has nothing to do with the Neutrality Act itself. The whole thing is rather confusing. Neutrality is one thing. It means what? Two fellows are fighting out here in the hall. If I want to remain neutral I will stay in this room and let them fight it out. That is neutrality. If I go out into the hall and give advice to one or the other, I am not neutral any longer. I may even become involved in the fight itself. That is all neutrality means and there is no law required for that.

Let me take up the cash-and-carry plan since the gentleman mentioned it. As a Nation we have a perfect right to enact legislation to control the articles we may sell. It is not a prerogative that is used only when nations are in a state of war. We may when we are at peace enact legislation providing that we will not sell ammunition, we will not sell cotton, or we will not sell wheat to foreign countries. That is within our right and such legislation is perfectly proper.

According to international law, any nation may come to our ports and put money on the counter and buy whatever it pleases. That is not a breach of neutrality.

It is recognized by all nations that they have the right to do that, but we have no right to extend credit to such nations. That is a breach of neutrality. In other words, we have no right to finance the war for any power. However, as long as they can pay for the goods they want we need no law to cover the situation. There is no Neutrality Act or any legislation required for that, because under international law we can sell to anyone.

As I said when I began, I am opposed to the Neutrality Act itself, because it cannot be enforced. That is the point I wish to bring to your attention at this time.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. The gentleman has made a deep study of the pending legislation. Is it not a fact that the Bloom-Baruch bill, which is now being considered at the other end of the Capitol, is not a cash-and-carry bill, as the propaganda in the press indicates, but is a credit-and-carry proposal?

Mr. THORKELSON. I wish to say to the gentleman from Wisconsin that nearly all bills of that sort are for one purpose alone, and that is to extend credit to the nation the administration in power favors, whatever that administration may be; whether it be this administration or some other one makes no difference.

Mr. SCHAFER of Wisconsin. Is it not perpetrating a fraud on the American people to propagandize a bill like the Bloom-Baruch credit-and-carry war-promotion bill as a cash-and-carry measure? In view of the fact that the foreign countries which the New Deal is now aiming to help owe the American taxpayers' Treasury more than $13,000,000,000, is not this false propaganda particularly vicious?

Mr. THORKELSON. I do not deny the criminal liability in the bill; as a matter of fact, I am not very much concerned about it, although I believe that all those who try to defraud and deceive the people ought to be prosecuted criminally.

To continue, if we send our ships into a neutral zone, what can we expect? This was clearly brought out in the papers

a few days ago, when the Pan American Congress set aside an area up to 300 miles south of Cape Horn, then on each side of South America, and up on each side of North America to Canada, and declared it a neutral zone—a sort of Monroe Doctrine in the air, I guess. Then England said what? England said that if the United States Navy attempts to enforce neutrality in this zone or set it aside as a safety band it will mean war for the United States and nothing else. This means that neither Great Britain nor any other nation is going to allow this Nation or any other nation to set aside a provisional safety zone for its own shipping. Do not forget this: When you adopt legislation that empowers this Government to set aside such zones, you must support that legislation with the United States Navy. When you do that, this Nation is at war. This is the purpose of the Neutrality Act and nothing else, and do not forget it. Do not be fooled.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Texas.

Mr. SOUTH. The gentleman does not fear that the United States will become involved in war with Great Britain at any time soon, does he?

Mr. THORKELSON. I wish to say to the gentleman that I have less respect for Great Britain than for any nation in Europe or in the world.

Mr. SOUTH. That was not the question.

Mr. THORKELSON. She has taken advantage of every nation in the world, and that is a historical fact. She grabs everything and she gives nothing, and she has done that to us.

Mr. SOUTH. But the gentleman did not answer the question. Does the gentleman fear that the United States will become involved in war with Great Britain as a result of this proposed neutrality legislation or anything else in the near future?

Mr. THORKELSON. I will say "yes." If we insist on declaring a neutral zone and if we send the Navy to support such neutral zones, it will involve us in war, for Great Britain will not recognize such designation of zones any more than other nations. Do not hesitate for a moment to think that Great Britain would not assert her rights according to international law if the question came up. She is no greater friend of ours than any other European power.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Washington.

Mr. LEAVY. Is there anything in the neutrality bill that we passed in the House at the last session or in the measure now being considered over in the other House that in any way makes reference to the zones the gentleman is now discussing? If there is, I wish the gentleman would point it out.

Mr. THORKELSON. Yes. This legislation states that the President has the power to proclaim war zones. That is true, is it not? All right. When he declares the establishment of war zones, we assume that the areas not so declared are open for transportation. That is what this legislation means and nothing else. We did not declare such zones in the Neutrality Act of 1935 as has been declared in the present act.

Let me call the gentleman's attention to the fact that in this territory which is set aside, I presume, as a zone in which American shipping may sail, there are a number of British possessions, and all these possessions are in a state of war, because they all fly the British flag. If we send our shipping to those ports our ships may be attacked, captured, or destroyed by the enemy. This is not causus belli so far as the United States is concerned because United States ships with cargoes and passengers, or United States citizens traveling on belligerent ships to nations at war do so at their own risk. Please understand, our citizens have a perfect right to be on such ships, but when they insist on such rights they must accept the consequences.

Mr. LEAVY. Is not the gentleman confusing the danger zones with the zones set up by the Pan-American Congress the other day?

Mr. THORKELSON. The gentleman is not confused about anything about which he is talking.

Mr. LEAVY. I know, the gentleman is never confused.

Mr. THORKELSON. I am very glad the gentleman admits that. I hope the gentleman will always concede that point.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. The gentleman has made an illuminating statement about his opinion of Great Britain as the one country in Europe he dislikes the most. I wonder if the gentleman would add to his statement by expressing the reasons he thinks more of Soviet Russia and Nazi Germany than he does of Great Britain. Will the gentleman explain that to us?

Mr. HOFFMAN. Just a minute. Will the gentleman yield?

Mr. THORKELSON. I will be very glad to yield to the gentleman.

Mr. HOFFMAN. Where does the gentleman who just asked the question get the authority for any such assumption as that?

Mr. THORKELSON. That is all right.

Mr. COFFEE of Washington. The gentleman said he disliked England most of any country in Europe.

Mr. THORKELSON. I said England has done little for the United States, and I respect her less than any other nation in Europe.

[Here the gavel fell.]

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to proceed for 15 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I would like to answer the question that is pending first.

There is a particular group of people at large today that are more or less in line with and support the subversive movement now going on in the United States—and when any person adheres to facts and deals with fundamental principles of this Government, and when he supports those principles that were handed down to us by the Founding Fathers of this Republic, or when he opposes the powers that are now constantly and insidiously destroying this Republic, he is then called a Nazi by the Communists, he is called an anti-Semite by the Communists, and he is called a Fascist by the Communists. That is a shield that the Communists use. Many of them do not know what "Nazi" means.

Nazi is the National Socialist Party of Germany, and I have opposed that particular party in many of my speeches here in the House, because I class socialism and communism exactly alike. If the gentleman who asked me the question will refer to my articles he will find my definite stand against socialism and communism. He will find also that there is not a power in Europe today, with the possible exception of Holland, that is not socialistic, and the gentleman may be further informed that I have no more toleration for one of those countries than I have for another. I refer to Great Britain because she has always taken and never given anything; because we helped her in the war, and she did not honor her war debts. The fact that I refer to Great Britain does not mean that I particularly prefer any other European power.

Mr. COFFEE of Washington. I thank the gentleman.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Is it not a fact that the present Premier of France, the French dictator, Daladier, was the right-hand man under the Blum Socialist and Communist government in France, which had an offensive and

defensive alliance with the Communists in Moscow? Up to about 30 days ago England was trying her very best to make it a triple offensive and defensive alliance between England, France, and Moscow. This happened prior to the purge of Finkelstein, the former "big shot" in Moscow who calls himself Litvinoff.

Mr. THORKELSON. I do not know to just what the gentleman refers; whether he refers to Blum, of France, or the gentleman who is a Member of the House.

Mr. SCHAFER of Wisconsin. I refer to the former head of the Socialist- and Communist-controlled French Government—B-l-u-m. [Laughter.] Mr. Blum, as the gentleman well knows, was the head of the Socialist-Communist government which had control of France a few years ago, and the present French dictator, Mr. Daladier, was his right-hand man.

Mr. THORKELSON. Yes; I know that.

Mr. SCHAFER of Wisconsin. Yes; the present Premier and dictator of France, Mr. Daladier, was the right-hand man in the Socialist-Communist government of Blum, which had an offensive and defensive alliance with Moscow, and that was prior to 30 days ago and before Finkelstein, alias Litvinoff, was purged in Moscow.

Mr. THORKELSON. I am really not so much concerned with the affairs or the officials in foreign governments and I really do not care so much for what this gentleman, Mr. Blum, stands or for what he does not stand, but I can say this: Our Neutrality Act was enacted in 1935; the President said he was sorry he had signed it and he was sorry that the Congress had enacted this legislation. It was enacted in 1935 to help the so-called Loyalist Government in Spain, at a time when it had begun its attempt to destroy the prevailing Spanish Government. In 1937, if you please, to prove what I have said, Congress adopted another resolution that denied the transportation of war materials to Spain. Spain was mentioned in the resolution itself; and let me inform you that if we provide neutrality legislation for every power in the world we will then have about 328 neutrality acts.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Yes.

Mr. LEAVY. The gentleman has given the House the benefit of his views in reference to Great Britain and discussed it at some length. Would he give the House the benefit of his views with reference to France, and state whether he makes a distinction between France and Great Britain in this present international trouble?

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. Well, first, let the gentleman answer my question.

Mr. H. CARL ANDERSEN. This is in relation to the gentleman's question. In reference to the original subject under discussion, will the gentleman answer the question, please?

Mr. THORKELSON. Yes.

Mr. H. CARL ANDERSEN. I believe we are getting sidetracked from the main issue. The gentleman referred to the Panama Conference. Would the gentleman tell me under what authority the President of the United States, through Mr. Welles, undertakes to bind this country and mark out those 300-mile zones? Where is the authority to declare such a zone?

Mr. THORKELSON. The President has no authority to enter into negotiations in respect to any such zones. It is entirely within the prerogatives of the Congress itself to enter into agreements. The Senate may support a treaty in conjunction with the President, but he has no power himself to negotiate any act of that kind. That is not all. The Congress of the United States has no power to make any regulation outside of the 3-mile limit. It does not make any difference how powerful you may think this country is, the ocean outside of the 3-mile limit, under international law, is the common navigation area for the shipping of the world. We have no right to enact, and cannot enforce any legislation outside the 3-mile limit without meeting objections from other powers.

Mr. LEAVY. Mr. Speaker, the gentleman had not gotten to my last question when he was interrupted by the question of the gentleman from Minnesota. I wish the gentleman would answer that question, and give us the benefit of his views.

Mr. THORKELSON. Will the gentleman repeat the question?

Mr. LEAVY. It is whether or not the gentleman makes any distinction between Great Britain and France in this present trouble, or does he place France in a class by itself?

Mr. THORKELSON. I shall try to answer the question. I do not place any nation in a class by itself. As far as France is concerned, I grant that all people in the world have a right to live in some place. I grant that no power, no matter how large it may be, has the right to divide the property of any foreign country and say that the people of that country must live within that small, confined area. It is not within the power of any one, it is not just. This was done in 1919, in February and April, when they drew up the peace treaty at Versailles, and later at Vienna. The people certainly have a right to their homes. What right had Great Britain, what right had Orlando, Wilson, or Lloyd George, the big four, who sat there, to draw a peace treaty that crucified the Central Powers of Europe? France has a right to live, just exactly as we have. Germany also has a right to live the same as the others.

Hungary has a right to live and regain possession of the former Kingdom of Hungary, which was divided by the peace conference. I say to the gentleman that the Central European Powers have always been in a state of unrest, but in spite of that have been able to adjust their own difficulties. It is not our business to step in and divide those countries, partition them, to suit our own convenience, because that is their property, and they have a right at least to regulate their own affairs.

Self-regulation is an inherent right, and that is the right of France. But France has been no more honorable with the United States than Great Britain as to meeting her obligations to us. So there is little difference in my estimation of the two countries in this respect.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. SOUTH. The gentleman made reference a while ago to the Neutrality Act, so-called, enacted in 1935, which the President of the United States sponsored. Does the gentleman think that was a wise law to have been enacted at that time?

Mr. THORKELSON. I say "No." It is a very unwise law, which should not have been enacted. What is the purpose of it? Here we say we are not concerned with European wars; we do not want to fight in Europe; we do not want to join any nation in Europe. We admit it. The people do not want to get into war. Why should we have legislation to say, "Hold me back so I will not go into war?" Neutrality simply means we will attend to our own business, but the Neutrality Act is a potential declaration of war if we attempt to enforce it.

Mr. SOUTH. Now, having passed an unwise law, as the gentleman says we did, and with which I fully agree, does it not now become the duty and responsibility of Congress to repeal that unwise law?

Mr. THORKELSON. Absolutely. You are 100-percent right. That is exactly what we ought to do. We ought to repeal the Neutrality Act, for if the President attempts to enforce the powers given to him in that act this Nation will become involved in war. A distinction must be made between the Neutrality Act and neutrality. The Neutrality Act is equal to a declaration of war. Neutrality assures us peace. The embargo clause is added to the Neutrality Act as a safety measure, for it restricts the actual power granted to the President in the Neutrality Act. We must not change the embargo clause at this time, for it is accepted by nations at war as our declaration of neutrality. The danger of the Neutrality Act

is in the act itself; that gives the President power to declare war zones, regulate traffic, assess fines, and take charge of the whole war machine. The embargo clause is to counteract and restrict this unwarrantable power given to the President. No confusion should exist in the mind of anyone as to neutrality, for that is not a part of the Neutrality Act.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. CRAWFORD. Now, let us take that proposition for just a moment. Suppose Japan declares war against English Hong Kong and the Dutch East Indies, and the Philippine Islands become involved in that declaration, and those waters are declared war zones, war areas, then what is our situation?

Mr. THORKELSON. If Japan declared war on Hong Kong, did you say?

Mr. CRAWFORD. British Hong Kong and the Dutch East Indies.

Mr. THORKELSON. And the Malay Peninsula?

Mr. CRAWFORD. And the Philippine Islands became involved in the situation and the Philippine ocean area——

Mr. THORKELSON. Let me ask the gentleman this question: Who would declare that war zone?

Mr. CRAWFORD. It is immaterial for the purposes of my question. If our ships are to be kept out of the war zone, it is immaterial to me who makes the declaration. I want to know how you would handle the situation.

Mr. THORKELSON. If Japan declared war on Hong Kong or the Dutch East Indies, such declaration would involve the British and Dutch Empires. The Philippine Islands, in their position, would be in a potential war zone. However, neutral nations trading with the Philippine Islands would not be affected by such declaration of war zones, providing they did not trade with the nations at war.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CLASON] may address the House for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXPORT OF SPECIFIED PRODUCTS OF UNITED STATES MERCHANDISE

Mr. CLASON. Mr. Speaker, in order to secure accurate information concerning the effect of the mandatory embargo provision in the existing Neutrality Act upon American exports I requested the Department of Commerce to furnish me with figures taken from their records. They have complied with my request insofar as it has been possible for them to do so inasmuch as their statistics are based on a set-up which does not correspond exactly with the terms of the embargo law.

The tables furnished by the Department cover all exports from the United States to the various countries of the world, to neutrals as well as belligerents. During the war years of 1914 to 1918 practically all of the embargoed goods went to belligerent countries, and mostly to the Allies. In other years a much larger percentage of the total exports of such goods went to countries other than those which were belligerents in the World War.

In the year 1917, while our total domestic exports exceeded $6,200,000,000, the value of exports to the Allies was more nearly $4,200,000,000. For that reason, in figuring the percentage of specified products which would now be covered by the mandatory embargo provision of the present law, the percentage of such exports to the allied countries as compared with the total exports to such countries should be increased about 50 percent, as our Allies received practically all of these products during the important war years of 1916, 1917, and 1918.

It is interesting to note that in 1910, only 4 years before the World War started, the products which would now be covered by our mandatory embargo law amounted to only four-tenths of 1 percent of the total export business of the United States, much of which went to South and Central America.

At its peak in 1917 the value of such products represented 17.279 percent of our total world trade and about 25 percent of our trade with our Allies.

The tables furnished to me by the Department of Commerce are as follows:

Exports of specified products[1] of United States merchandise, 1910–39

[Value in thousands of dollars]

Years	Total domestic exports	Firearms	Cartridges	Gunpowder	Other explosives	Gasoline tractors	Automobiles		Airplanes and parts	Acids	Locomotives	
							Commercial	Passenger			Electric	Steam
1910[2]	1,710,084	2,374	2,522	250	945	----------	(3)	(3)	(3)	466	(3)	2,405
1911	2,013,549	2,916	2,667	209	820	----------	(3)	(3)	(3)	380	(3)	3,954
1912	2,170,320	3,358	2,295	557	812	4,427	(3)	(3)	106	436	89	3,298
1913	2,428,506	3,972	2,657	378	816	5,177	1,737	24,276	108	354	274	6,443
1914	2,329,084	3,442	3,522	247	916	1,416	1,182	25,393	226	483	437	3,692
1915	2,716,178	9,475	17,714	5,092	17,746	983	39,141	21,114	1,541	3,128	324	2,116
1916	4,272,178	18,065	37,083	173,736	252,605	3,726	56,806	40,660	7,002	24,708	452	12,666
1917	6,227,164	95,470	65,109	330,665	403,528	10,541	42,344	48,613	4,135	55,687	563	18,243
1918	5,838,652	49,159	13,672	257,191	98,036	23,995	31,874	45,331	9,084	45,034	161	35,890
1919[4]	7,749,816	14,346	16,412	5,991	6,987	20,029	35,385	73,650	3,465	5,543	836	28,581
1933	1,647,220	1,330	738	69	933	3,919	20,113	32,100	9,179	731	194	230
1936	2,418,969	2,569	998	77	1,733	28,750	54,960	103,705	23,142	1,441	543	523
1937	3,298,929	2,784	1,607	101	2,701	52,859	100,377	135,683	39,404	1,717	800	1,317
1938	3,057,169	3,870	1,302	70	2,600	51,421	72,182	100,866	68,209	1,404	752	3,261
1939[5]	1,872,383	1,319	545	60	1,914	32,658	51,392	62,730	70,187	1,078	261	835
PERCENT OF TOTAL EXPORTS												
1910		0.1	0.1	0.01	0.06	----------	----------	----------	----------	0.03	----------	0.1
1911		.1	.1	.01	.04	----------	----------	----------	----------	.02	----------	.2
1912		.2	.1	.03	.04	0.2	----------	----------	0.005	.02	0.004	.2
1913		.2	.1	.02	.03	.2	0.07	1.0	.004	.01	.01	.3
1914		.1	.2	.01	.04	.06	.05	1.1	.01	.02	.02	.2
1915		.3	.7	.2	.7	.04	1.4	.8	.06	.1	.01	.08
1916		.4	.9	4.1	5.9	.1	1.3	1.0	.2	.6	.01	.3
1917		1.5	1.0	5.3	6.5	.2	.7	.8	.07	.9	.009	.3
1918		.8	.2	4.4	1.7	.4	.5	.8	.2	.8	.003	.6
1919		.2	.2	.03	.09	.3	.5	1.0	.04	.07	.01	.4
1933		.03	.04	.004	.03	.2	1.2	1.9	.6	.04	.01	.01
1936		.1	.04	.003	.07	1.2	2.3	4.3	1.0	.06	.02	.02
1937		.8	.05	.003	.08	1.6	3.0	4.1	1.2	.05	.02	.04
1938		.1	.04	.002	.09	1.7	2.4	3.3	2.2	.05	.02	.1
1939		.07	.03	.003	.1	1.7	2.7	3.4	3.7	.06	.01	.04

[1] These classifications have been selected on the basis that they contain articles subject to the embargo in the Neutrality Act. These classifications, however, also cover articles not included in the President's proclamation of Sept. 5, 1939.

[2] Figures for years 1910 to 1918, inclusive, are on fiscal-year basis (ending June 30).

[3] Not shown separately.

[4] Figures for years 1919 to 1939, inclusive, are on calendar-year basis.

[5] Figures for 1939 represent the first 8 months.

Prepared on Sept. 26 by Division of Foreign Trade Statistics, Bureau of Foreign and Domestic Commerce.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. CLASON. Mr. Speaker, I ask unanimous consent, at this time, to extend my remarks in the RECORD, and include therein a table of statistics furnished me by the Department of Commerce.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT

Mr. THOMASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, Wednesday, October 11, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. MALONEY introduced a bill (H. R. 7578) to authorize the acquisition of land for cemeterial purposes in the vicinity of New Orleans, La., which was referred to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. COLE of New York introduced a bill (H. R. 7579) granting a pension to Flora Latimore, which was referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5667. By Mr. BOLLES: Petition of Polish-American citizens of Racine, Wis., supporting President Roosevelt's neutrality program; to the Committee on Foreign Affairs.

5668. By Mr. GILLIE: Petition of 1,000 citizens of Fort Wayne, Ind., urging Congress to retain the embargo on arms and munitions and maintain a policy of strict neutrality; to the Committee on Foreign Affairs.

5669. Also, resolution of the Fort Wayne Junior Chamber of Commerce, urging Congress not to repeal the existing embargo on the sale of arms and munitions to belligerent nations; to the Committee on Foreign Affairs.

5670. Also, petition of Elsie M. Justus and other members of the Waynedale Methodist Church, Waynedale, Ind., urging Congress to retain the embargo on arms and munitions; to the Committee on Foreign Affairs.

5671. By Mr. THOMAS of New Jersey: Concurrent resolution adopted by the State Legislature of New Jersey, memorializing the Congress of the United States to enact appropriate legislation to prevent profiteering in foodstuffs and commodities; to the Committee on Agriculture.

5672. By the SPEAKER: Petition of the Workers' Alliance of San Francisco, Local W. 483, by Neil Stewart, petitioning consideration of their resolution with reference to the Works Progress Administration Work Relief Act; to the Committee on Appropriations.

SENATE

WEDNESDAY, OCTOBER 11, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, Holy Ghost, Sanctifier of the Faithful, visit, we pray Thee, this Nation, our President, Vice President, the Members of the Congress, and all others in authority, with Thy love and favor; enlighten their minds more and more with the light of the everlasting gospel; graft in their hearts a love of the truth; increase in them true religion; nourish them with all goodness; and of Thy great mercy, keep them therein, O Blessed Spirit, whom, with the Father and the Son together, we worship and glorify as one God, world without end. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, October 10, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Reynolds
Andrews	Donahey	La Follette	Russell
Austin	Downey	Lee	Schwartz
Bailey	Ellender	Lodge	Schwellenbach
Bankhead	Frazier	Lucas	Sheppard
Barbour	George	Lundeen	Shipstead
Barkley	Gerry	McCarran	Slattery
Bilbo	Gibson	McKellar	Smathers
Borah	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Truman
Capper	Hatch	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Wheeler
Clark, Mo.	Hughes	Pittman	White
Connally	Johnson, Calif.	Radcliffe	Wiley
Danaher	Johnson, Colo.	Reed	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Virginia [Mr. BYRD] and the Senator from Arizona [Mr. HAYDEN] are members of the committee to attend the convention of the American Association of State Highway Officials in Richmond, Va., and are therefore necessarily absent.

The Senator from Arkansas [Mr. MILLER], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 384) to make provision for certain expenses incident to the second session of the Seventy-sixth Congress.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 384) to make provision for certain expenses incident to the second session of the Seventy-sixth Congress, and it was signed by the Vice President.

DISCUSSION OF NEUTRALITY BY SENATORS NYE AND PITTMAN AND A PANEL OF OTHER SENATORS

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD a radio discussion of neutrality by Senators PITTMAN and NYE and a panel consisting of Senators CONNALLY, DANAHER, LUNDEEN, and VAN NUYS on October 1, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR OVERTON ON PENDING NEUTRALITY LEGISLATION

[Mr. NYE asked and obtained leave to have printed in the RECORD a radio address on the pending neutrality legislation delivered by Senator OVERTON on October 8, 1939, which appears in the Appendix.]

ADDRESS BY HON. J. EDGAR HOOVER ON PROBLEMS OF LAW ENFORCEMENT

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address on problems of law enforcement delivered by Hon. J. Edgar Hoover, Director, Federal Bureau of Investigation, before the annual convention of the International Association of Chiefs of Police in San Francisco, Calif., on October 10, 1939, which appears in the Appendix.]

ADDRESS BY JAMES W. RYAN, ESQ., ON REPEAL OF PRESENT NEUTRALITY ACT

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address in favor of repealing the present Neutrality Act delivered by James W. Ryan, Esq., of the New York Bar, in debate with Prof. Philip C. Jessup at Columbia University Law School on October 10, 1939, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

The VICE PRESIDENT. Last evening before the Senate took a recess the Senator from Missouri [Mr. CLARK] stated that he hoped to secure recognition this morning for the purpose of addressing the Senate on the pending measure. The Chair recognizes the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, as to the gravity and the importance of the questions presented for discussion and consideration by the momentous issues involved in the pending legislation, I agree entirely with the eloquent expressions of the eminent Senators of all persuasions of thought who have preceded me in this debate.

With all that these distinguished statesmen have said as to the necessity for conducting this debate upon the high plane of disinterested, dispassionate, hard-headed discussion, with an eye single to the welfare of the Nation as a whole, I am in wholehearted accord. To approach the discussion of issues of such transcendent importance in any other spirit and from any other standpoint would be utterly unthinkable. I rejoice in the hope that that spirit which has been manifest in the debate up to this time may be continued until the final determination of the issue.

And, Mr. President, I am certain that there will not be any dispute from any quarter of this body, comprising as it does the constitutional representatives of the 48 States, as to a complete adjournment of politics in connection with this grave question, if, indeed, such a suggestion had ever been necessary. It may be universally assumed, as I assume, that every Senator who sits in this Chamber and every Representative who sits in the Chamber at the southern end of the Capitol is actuated under his solemn oath of office by the same high patriotic motives, without any suggestion of partisanship, factionalism, personal interest, or personal animus. It is upon that basis that this debate has proceeded thus far, and it is upon this basis that it should continue to the end, no matter what that end may be. Only a peculiar mental obfuscation upon the part of a few of the "kept" columnists and some of the propagandist editorial writers of some of our metropolitan newspapers could have given rise to the suggestion that a Republican who happens to agree with the President upon such a great nonpartisan issue as the repeal of the arms embargo is a noble, altruistic, partiotic American statesman who has forever foresworn political considerations, while a Democrat who, sworn upon his own oath as an officer of the Government and a servant of his people, still conscientiously adheres to the views vehemently expressed as lately as 3 years ago by the President of the United States, the Secretary of State, and the chairman of the Senate Committee on Foreign Relations, is playing politics, is a factionalist or a partisan. Precisely the same observation applies to those Senators and Representatives—Republicans as to our domestic affairs and policies—who are unable under their own oaths of office to agree with the wisdom of the repeal of the arms embargo as a matter of international policy.

The fact is, Mr. President—and I challenge any Senator to rise in his place to contradict the statement—that the question of our neutrality policy, with the arms embargo as its heart and soul, has never been in any degree whatever either a partisan or a factional or even a political question. In importance it transcends all party, political, and factional lines. In its present application it cuts directly across all party, factional, or political lines. There has never been any necessity for adjourning politics with regard to neutrality legislation, because there has never been any politics in it, except insofar as the suggestion has been injected into it by those who were opposed to any efficient neutrality policy.

If, on the other hand, Mr. President, the suggestion for an adjournment of politics means, as many editorial writers have assumed, that we, as Senators and Representatives, are to forego our convictions as to the best policies for the safety and well-being of this Natica, should forswear the obligation to our Nation and our constituents which we solemnly assumed when we were sworn into office, should yield to any man or any set of men, no matter how wise or how powerful, our careful and prayerful judgment as to the best means of insuring the safety of the Republic and the perpetuity of our institutions, then I utterly and emphatically repudiate any such doctrine.

It involves no lack of respect for the President of the United States, no criticism of those of our colleagues who adhere to a contrary view, for those of us who believe that the repeal of the mandatory arms embargo is the first step to war to rise in our places as United States Senators and give reason for the faith which is within us. If we did less, we should fail in the plain duty imposed upon us by the Constitution of the United States. If we did less, we should be unworthy of the high trust placed in us by our constituents.

We can best exemplify democracy to the world by demonstrating that in this last citadel of real democracy there is still one forum—the Congress of the United States—where free men, representatives elected by free people, and responsible only to those people, can freely discuss their views for the well-being of our own Republic. For myself, Mr. President, let me say that I hold myself directly responsible and accountable, as I have always held myself, to the people of Missouri, who honored me twice by electing me to this body. If I am alive, I shall be ready on the due date punctually and without fail to appear before the people of Missouri, and give account of my stewardship, and to abide cheerfully by their judgment of it. In the meantime, it seems to me that my plain obligation under my oath of office is to use my very best judgment, my own individual judgment, as to what is the best interests of the Nation.

This obligation, to my mind, Mr. President, is enhanced rather than diminished by the fact that we are facing the determination of our national policy in the face of a grave international situation. Agreeing entirely with the proposition, that in such a situation the views of the President of the United States—any President of the United States, and particularly one enjoying to so remarkable an extent the confidence and affection of the American people—are entitled to most deferential consideration, I nevertheless assert that it is precisely in such situations that the greatest necessity arises for the exercise of the constitutional process of consultation and cooperation between the President and the Congress. Holding the conviction to which I adhere that the repeal of the arms embargo is a first step in the path which leads to war, a step to which I am utterly opposed, I should think myself a poltroon and a coward if I allowed any consideration to prevent me from rising in my place and expressing my view. When our feet have been set upon the path that leads to war, when successive demands are made and acceded to under the whip and spur of emergency, it may be too late to discuss dispassionately questions of policy. Commitments made, even clandestinely, without authority of law, form matters of national policy which cannot be retreated from without national disgrace. We found that in the last war, although we did not learn the full details until 20 years after the war.

To my mind, Mr. President, now is the time for every Senator to speak, or forever after hold his peace. Later, when we go through the successive steps which will be asked

of us of extending loans and credits, of permitting entry to our ports of armed merchantmen, of submitting to increasing partiality as to the violation of our neutral rights, and we are finally asked to agree to a declaration of war, followed by conscription of boys from 18 years and up, and, under whip and spur, by the Army's industrial mobilization plan, which frankly and openly means dictatorship, it will be too late for dispassionate debate. Anyone who then opposes the Fascist plans of the war party will forthwith be branded a "slacker" or a "traitor."

Now is the time for us to consider the path which we are to pursue, to decide upon the guideposts which we are to follow. Now, by the grace of God, we still have that opportunity. With the development of the next situation it may be too late. Therefore, I insist that, irrespective of any party or personal consideration, now is the time for every Member of this body who entertains any real convictions as to our admitted and avowed common purpose of keeping the Nation out of war to stand in his place and declare himself.

Mr. President, I wish as well as I may to make four points today. First, I propose to challenge the secret assumption behind the repeal proposal that it is to our national interest to take sides in the European conflict, and that it is really very clever of us to find this apparently innocuous way of taking sides without telling the people what we are doing. There has been a great deal of dissimulation in the press and various other places as to the purposes of the repeal of the arms embargo. It was only on yesterday that the Senator from Vermont [Mr. AUSTIN] had the courage and the manhood to come forward and frankly disclose the purpose of the repeal of the arms embargo when he said that he was going to vote for it because it was an effective means of aiding Great Britain and France—an expression which breathes the very spirit of unneutrality, the essence of unneutrality, contrary to the whole theory of the Neutrality Act.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I am very glad to yield to the Senator from Vermont.

Mr. AUSTIN. I am sure the distinguished Senator from Missouri does not intend to ignore the real spirit, if not the letter, of that statement, made and accurately published yesterday.

That spirit and letter was national defense; and I would not permit a restatement of it in such a manner and with such emphasis as to change its meaning, for of course the purpose and the grand objective is peace—peace for America primarily, and ultimately, if possible, peace for the world—to which objective it has always appeared to me to be necessary that the United States do all things for her self-defense.

We started to do that at the beginning of the Seventy-sixth Congress, and we have continued in that course ever since, both in the Military Affairs Committee and in the Foreign Relations Committee. That is my position. It is for national defense that I have said that we should speed up the victory of the Allies, because the very last thing in the world that America as a nation will do is to put her sons and daughters in battle. Certainly I do not believe that America will ever send her sons and daughters across the sea to participate in armed conflict; belligerency is the very last thing the United States will engage in, even as a matter of national defense; but, in the meantime, my sincere view is that we shall protect the institutions and the peace of the United States by affording access—the easiest access that is feasible—to the Allies for all the resources that we have, short of sons and daughters.

Mr. CLARK of Missouri. Mr. President, I certainly do not wish to do the Senator from Vermont any injustice. I hold in my hand a United Press dispatch of yesterday under the headline, "Senator AUSTIN says 'United States should help Allies win,'" which I shall be glad to insert in the RECORD. The Senator says it is an accurate report of his views and of what he said, and I ask unanimous consent that I may insert this article in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of October 10, 1939]

SENATOR AUSTIN SAYS UNITED STATES SHOULD HELP ALLIES WIN

Senator WARREN R. AUSTIN (Republican, Vermont) said today he is supporting President Roosevelt's neutrality program because he believes removal of the arms embargo will help Great Britain and France win the war.

He admitted his attitude was "a selfish one," but said he felt the pending bill should be described as a national defense act rather than neutrality legislation.

Referring to the proposed repeal of the embargo, allowing any nation to purchase arms and munitions here on a take-title-and-carry basis, he said: "In order to protect the interest of the United States, we are making it possible for Britain and France to obtain resources to speed up their triumph in the war."

Senator AUSTIN said he feared a victory for Germany would threaten American institutions and, for that reason, contended his was "a patriotic attitude from the citizen's viewpoint."

FIRST ADMISSION

Senator AUSTIN's statement was the first admission by a Senator supporting the administration that the pending bill would aid the Allies. Isolationists charge that repeal of the embargo would give Britain and France the advantage by virtue of their superior navies. Proponents of repeal, however, charge that the present embargo gives the advantage to Germany because, they claim, Germany doesn't need to buy arms here.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I will yield in a moment. I intend to refer later in detail to the proposition which he has enunciated, which is to the effect that the French and the British are fighting our battles. I intend to express views in entire dissent to those of the Senator from Vermont, because if I believed that the French and the British were fighting our battles I think it would be national stultification for us not to go in frankly as their ally, instead of dealing with them on terms of hucksters of arms and munitions. As I have stated, I intend to return to that later, and I do not wish to take it up at this particular time in my remarks. I now yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, I thank the Senator from Missouri. I have no intention of debating with him about this matter. I merely wanted to state that the version of the interview which was printed, and which he has asked to have inserted in the RECORD, is not a complete statement.

Mr. CLARK of Missouri. I shall be glad to insert the Senator's complete statement, if he desires.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of October 10, 1939]

NEUTRALITY BILL STYLED ACT OF SELF-DEFENSE BY AUSTIN—VERMONT SENATOR SAYS UNITED STATES MUST DO "EVERYTHING TO HASTEN ALLIES' VICTORY"

Senator AUSTIN, Republican, of Vermont, described the administration neutrality bill today as "an act of self-defense, because it is designed to aid Great Britain and France."

"We must do everything we can to hasten the victory of the Allies," he told reporters. "We do not need to ask whether this bill is neutral. We only need to know that it's an act of self-defense.

"In order to protect our interests, we must make it possible for Great Britain and France to get supplies. That may be regarded as selfishness on our part, but at the same time it can be patriotic."

Senator AUSTIN, assistant minority leader, is one of half a dozen Republican Senators supporting the administration measure. It would repeal the embargo on arms sales to warring countries, which would have to pay cash (or get 90-day credits) for all American purchases. These would have to be transported in foreign ships.

VOTE ON TOBEY PLAN TODAY

Senator AUSTIN expressed his views shortly before the Senate began the sixth day of neutrality debate. The Chamber agreed to vote at 2 p. m. on a motion by Senator TOBEY, Republican, of New Hampshire, to divide the bill into two parts.

Mr. CLARK of Missouri. Mr. President, in the second place, I propose to show that the contention echoed by repeal spokesmen here on the floor, that we cannot have both the embargo and the cash and carry, is, on the record, a gigantic piece of public foolery. That the men who are for the embargo now have been the ones who have fought on this floor for a strict cash and carry.

Third, I wish to point out briefly five weaknesses in the proposed cash and carry which make it a sieve instead of a

fortress for our peace and security, and to ask the country to wake up to the fact that it is being offered not only something which is no alternative to the embargo but is far from being the stone wall it is advertised to be. Now they call it cash and carry. A few days ago they called it cash and carry. It has already degenerated into credit and carry. Very soon it will be crash and carry, and I fear very much that before we get through it will be clash and carry—carry the debts forever.

Finally, I wish to make a proposal that this Congress do not adjourn before it has established a joint committee of representative leaders of the various schools of thought on foreign policy in the Senate and House, to be joined by administration representatives from the State, Commerce, Justice, and Treasury Departments, for permanent consultation on this Nation's acts and policies, to meet the emergencies of the war in Europe. It is my plan that this committee sit regularly, not only when Congress is out of session but when it is in session, and that all the war emergency measures to be undertaken to meet the acts of other nations, whether growing out of belligerent acts in Latin American waters or out of British cornering of the wool and tin and rubber markets, be discussed by the administration with these leaders of Congress. I shall revert to this later.

Mr. President, it is an open secret in the Senate that there are many in and out of the Senate who believe that we should choose sides in the war. It is no extraordinary coincidence that these men favor repeal of the embargo. They think it means a safe choosing of sides without, perhaps, too much danger to our peace. As one Senator said over the radio the other night, they want to blow Hitler off the earth without getting into the war. All this is an open secret to the Senate. It is, however, not generally realized by the people of the country that such a repeal of the embargo is actually a quiet process of taking sides in the war.

I wish to challenge as openly and effectively as I can the secret assumption that it is to our best national interest to choose sides in this war. I do not think that it is to our national advantage to choose sides. I wish to challenge also the idea that it is clever of those who wish to choose sides not to take the American people into their confidence and tell them what they are doing in this particular way. There seems to be an idea that if we do not talk about why we are doing this the repeal will have no effect on the will of the American people to stay out of war.

Let me state briefly why I do not think it is to the national interest of our great Nation to orient its policy toward partisanship among the old and new empires pushing each other around on the European Continent.

It is primarily because I have in my head and in my heart a dream of America, a great and lofty belief in the future of our America, which I do not wish to see gassed to death on ancient everlasting battlefields in a quarrel about lands and power unworthy of being the death place of American ideals. I do not wish to see our boys come back home not only wracked with wounds but shocked and poisoned by the revolutionary excesses which every expert and student expects to signal the end of this war—if it should be a long war.

I do not think America should be partisan in this war, because I do not think we need either the help of the British Navy or the French Army to defend this Nation or this hemisphere. I think there would be less damage to the hopes of our young men, to their belief in our Nation, to their respect for us as their advisors, if we did not peddle our blood in return for military help which, in the first place, might never be given us; in the second place, might, under the changed techniques of modern warfare, be of no use to us; and, third, which, in order to have at our disposal, obligates us to fight in Europe or around the world whenever either the British Navy or the French Army or the far-flung colonial empires of either France or England are endangered.

Further, I do not believe that we should orient the fortune of America into the old, old age-long quarrels of Europe, because I think that if we once get over there again we will never get our boys back. Many of them will die, of course. I think of that fact solemnly. Many of them will come home but will wish they had died, a fact I think of more solemnly. I think also of the fact that at the end of another long war no administration that got us into it could face the people without attempting some huge world-reforming organization, of which American soldiers, policing all the defeated nations, would be an integral part. I see this very certainly as one of the explicit implications of partisanship in this war, and I point out again that in view of such a consequence the debate on partisanship, or upon any course which has the implication, as one of its ultimate consequences, of our choosing sides, should be open, before the eyes of all our citizens, so that all the people of this Nation may understand what is going on and whither we are tending.

I wish to point out to the men who consider the wealth of this Nation one of its important assets, likely to suffer confiscation and repudiation at the end of a long war in which we take part, that the cost of the last war was around $60,000,000,000, that the cost of another war would almost certainly be greater, and that we could put into the Atlantic, if need be, a naval fleet, if such a fleet still proves to have value, or an airplane fleet that would most assuredly prevent all military attack on this continent from Europe, for a slight fraction of that $60,000,000,000, and possibly for as little as four or five billion dollars.

But the repudiation of the national debt, the confiscation of private property, are only incidents consequent to partisanship. Even more important is the end of the democracy in this country for which good men fought and died before 1776 and valiantly and persistently thereafter. I see every reason to fear that, once we have become partisan, we would shift over into a planned military dictatorship and stay there for decades.

I do not fear any nation when I speak against our being partisan. I do not fear that Germany or Italy or Russia will treat us differently than it will treat other neutrals, or when our partisanship has led to more and more open and avowed aid, that they will treat us differently than other belligerents—after we become a belligerent.

That is not my fear at all. My fear is that we will ourselves be the victim of our own aberration. Once we believe the siren song that one side is our friend, is fighting our battle, so to speak, then our own noble impulses of loyalty, our own fine eagerness for action, will take us into the slaughter.

This point I wish to make very clear: We cannot be halfway this and halfway that when America's national interest is concerned. If we are misled as to what that interest is, if we are convinced by the men who now are urging the first step in partisanship, then we, because of that one mistake of judgment, that one hasty yielding to years of propaganda by our own leaders, will do the rest, and we will be undone. We will brush aside the distinction now being made that there is a difference between sending our arms in return for gold and giving those arms free. We will brush that aside as the proponents of repeal are now brushing aside the distinction between arms and materials of war. Then, having gone that far, we will brush aside the distinction that there is any difference between giving them arms and sending our own boys over there to use those arms. Our nobleness of spirit, our willingness to sacrifice, our indifference to fine distinctions, our indifference to human life and to debt will sweep us away. We ourselves will make ourselves the victims of an illusion. I do not mean that we will not have help. We will be cheered on by various sources that do not yet see that the end of a long war will end liberty in America as well as end private property and end tolerance.

The time to check partisanship is now, when the first step is being taken. It is my fervent belief that our future will be greater than Europe's past; that it will be far grander than Europe's future. There is a vast continent here for us to help make great and free and prosperous. The partisanship that will surely lead us into a European war will

be a blind alley, an abyss, a dead-end, from which it may take us threescore years to return to the opportunities that are our own, to the young, friendly, and able nations of this hemisphere.

Mr. President, I have said before that the cash-and-carry proposal now before us still leaves so many holes that it is far more like a sieve through which war blood can burst than a fortress for our peace and security. I expect later in this debate to propose several amendments to it. Let me simply summarize now: First, the lack of a prohibition against our treatment of armed belligerent merchant vessels as belligerent naval vessels in our ports is a hole big enough to pour through a whole World War; second, the credit provision is no tower of strength; third, the permitted transshipment of contraband from neutrals to belligerents is a hole made now which the present law did not have; fourth, the discretionary war zones are a hole; fifth, the unlimited war boom allowed by the joint resolution is a hole as big as the German siege guns blew into the Belgian fortresses in 1914.

Later in this debate I shall return to the discussion of these holes. Let me say at this moment that I do not think this sieve is good enough to be offered to the American people as even a false alternative to the arms embargo. We must have both, and both must be foolproof and holeproof.

Mr. President, with these general observations I desire to proceed to a more detailed consideration of the Pittman substitute for the Bloom measure, which is itself a substitute for the Pittman law of 1937, now on the statute books, which was an extension of the Pittman law of 1936, which was an extension and amplification of the Pittman law of 1935. I always love and respect the great ability and the high character of the distinguished Senator from Nevada [Mr. PITTMAN], the chairman of the Committee on Foreign Relations. I admire his great facility for discourse and the great agility of mind which enables him to meet himself coming back and permits him to shake hands with himself across the illimitable and bloody chasms which separate the various acts which he has introduced and which have borne and are destined to bear his name. It is an agonizing experience for many of us to oppose the PITTMAN of 1939 when we remember with what zest we marched full panoplied to the fray under the gallant leadership of that great chief, the PITTMAN of 1935, the PITTMAN of 1936, the PITTMAN of 1937.

But, Mr. President, before proceeding to a discussion of the merits of the pending committee substitute for the Bloom joint resolution, it is most important that certain illusions and delusions as to the issues involved should be dissipated. A mere statement and brief examination of these false contentions should be sufficient to set them forever at rest.

The impression has been sedulously created—and has found credence in many quarters where ordinary intelligence should have raised an impregnable barrier against it—that there is a conflict between the retention of a mandatory arms embargo and the restoration of a bona fide cash-and-carry plan, or the addition of any of the further safeguards proposed by the present committee substitute. Nothing could possibly be further from the truth. It is the greatest hoax ever attempted on the American people since the alleged discovery of the North Pole by Dr. Cook.

Equally preposterous is the attempt to make it appear that those who favor the retention of the arms embargo are opposed to the restoration of the cash and carry or to any other feature which has been, or may be, proposed for the purpose of strengthening and further safeguarding our neutrality law. No one has ever claimed, so far as I know, that the Neutrality Act now on the statute books is perfect. On the contrary, most of us who have been active in the successive struggles for real neutrality have constantly urged further provisions for tightening the law and strenthening its mandatory provisions. Many of us, myself included, voted against the conference report on the existing law because the conferees had greatly weakened the mandatory provisions of the cash-and-carry section of the act as it had passed the Senate.

My colleagues and I, who since 1935 have been fighting to place and keep upon the statute books of the land a neutrality law designed to keep this country out of war, have been the recipients of a tribute from our honored colleague the senior Senator from Nevada [Mr. PITTMAN]. In proposing his substitute joint resolution, in his speech on last Monday, he makes much of the fact that what he proposes is mandatory and is designed to keep American ships out of war trade. By his emphasis on these points he implies that he is responding to widespread expression of what the people want. He contends that the resolution he proposes does not repeal our neutrality legislation. He makes that point, I am sure, because repeal of the embargo provision is, in the minds of many persons, abandonment of the vital principle of the neutrality law; and he knows that the American people would not stand for that, as was evidenced by the popular reaction against the President's suggestion of a repeal of the Neutrality Act and a reliance upon so-called international law.

The Senator from Nevada declares that the carry provision is the "strongest provision" in the proposed law; and he adds: "It is new and it is mandatory."

Mr. President, I appreciate the compliment paid my colleagues and me by the Senator from Nevada when he so recognizes the desirability and validity of the mandatory feature that he makes it his principal point to cite it as a compelling reason for support of his proposal. I am touched when he unequivocally states that so important is the carry section that it is the strongest provision of his proposed law, because the carry idea has been consistently sponsored for the past 4 years by the group of Senators who today stand staunchly for retaining the arms embargo—that faithful band which from the beginning has consistently opposed all efforts to enact a law which would place in the hands of any President the discretion and power to throw our might on the side of one belligerent or group of belligerents in a war.

The idea is not new. It did not originate with the Senator from Nevada or the White House. It originated with members of the group now demanding retention of the arms embargo.

The Senator from Nevada, in his radio address of September 27, makes much of the fact that his proposed measure does not leave discretionary power in the hands of the President. In speaking of the old law, he says:

> It will be observed from a consideration of that language that absolute discretion was vested in the President as to whether he should permit our American ships to carry all kinds of articles and materials to a belligerent country, except arms, ammunition, and implements of war. He could permit our vessels to carry to belligerents scrap iron, steel, every kind of metal, oil, gasoline, cotton, and every other kind of raw material, because such materials are not described in existing law under the definition of arms, ammunition, and implements of war. These last-named articles were all described as contraband of war by the belligerents during the World War; that is, they were described as articles that would aid their enemy in the conduct of war and that, therefore, under international law, they could be confiscated or destroyed.

Then the Senator from Nevada goes on to say that the contraband lists already issued by Great Britain and Germany are so comprehensive that they include raw materials that the President now has the power to permit our vessels to carry to belligerents. The Senator points out that there is good reason to believe that the German Government "intends to pursue the same policy with regard to the submarining of neutral merchant vessels engaged in commerce with their enemy."

This being the case, the Senator brings in his carry provision as a safeguard against our being drawn into war through interference with our shipping. We must have his carry provision enacted into law, he says, because although he knows President Roosevelt "would not permit American vessels to be destroyed with the consequent loss of the lives of our American seamen if carrying of any goods to belligerents would develop such results," still no one can know, says the Senator, "what may be the sentiments, the prejudices, the

soundness of judgment of future Presidents." So he says we must adopt his new and mandatory carry provision first.

Mr. President, I entirely agree with the Senator's idea of the necessity for a mandatory provision. That idea is not new. Two years ago my colleagues and I were saying the same thing. As far back as 4 years ago, in Senate Joint Resolutions 99, 100, and 120—Seventy-fourth Congress, first session—we asked for restrictions on travel, an embargo on loans and credits, and a trade-at-your-own-risk law, plus the arms embargo.

Two years ago we asked for a cash-and-carry law that would be mandatory, a law whose application could not be left to the sentiments, the prejudices, the judgment of whoever occupied the White House, no matter who he might be. Some of us voted against the conference report because the cash-and-carry provision was discretionary rather than mandatory.

A mandatory cash-and-carry law did not have a chance then because the power of the occupant of the White House to use his own sentiments, prejudices, judgments in determining how and when restrictions on war trade should be applied was being zealously guarded at both ends of the Capitol. A mandatory neutrality law was impossible because at that time the discretion which the Senator from Nevada [Mr. PITTMAN] now characterizes as so vast and dangerous that it is unnecessary and unwise, was considered both necessary and wise by the very Senators who are now leading the fight for the Pittman measure of 1939.

By this time it is clear that the American people do not want any goods under American title to be shipped in American bottoms, because they know that when there is war in Europe, to all intents and purposes practically the entire ocean becomes a war zone; the broad stretches of the whole Atlantic, almost from New York to Cherbourg, become the theater of submarine warfare. The American people in their simplicity—which, thank God, is much more dependable as a guide than the sophistication that is all trimmed up in the legalistic ribbons and furbelows known as neutral rights—believe that the American citizen who dies for ostrich feathers is just as dead as the one who dies for dear old copper.

The attempt being made in pro-embargo-repeal quarters to circulate the idea that the choice now is cash and carry or the arms embargo, and that one must be for the one or the other, is disingenuous, to say the least—at least as disingenuous as the hoax of the "Cardiff giant" or that of Barnum's white elephant. I am for both provisions, and have been for both steadily since 1935. So have my colleagues who have fought for neutrality legislation since 1935. We are for the arms embargo, plus mandatory cash-and-carry provisions, plus keeping Americans off belligerent ships, plus a prohibition against allowing armed merchantmen, which are belligerent ships of war, to come into our ports as peaceful vessels. I am for all of those things, as those who have sat in this body from 1935 until today well know.

Practically every administration speech since this special session of Congress convened on September 21 has been an attempt completely to divorce those who advocate retaining the arms embargo from the carry provision. It is not actually said, but it is implied, that those of us who want to keep the arms embargo are not in favor of the carry provision. It is implied that those of us who stand for holding fast to the arms embargo are so blind that we cannot see the necessity for restricting shipments of materials other than munitions if we are to stay out of war.

The Senator from Nevada said over the radio the other night:

> It is urged by the proponents of the Embargo Act that to sell arms, ammunition, and implements of war to belligerents is engaging in mass murder. Aren't we equally engaging in mass murder in Japan today by permitting to be shipped to Japan gasoline that runs their airplanes and scrap iron out of which they make their bombs with which to destroy the innocent population of China? Can anyone logically contend that oil and gasoline are not equally instruments of war with powder and other high explosives? And yet there is no prohibition against the export to any country, belligerent or not, of gasoline and scrap iron—in fact, of all the raw materials that I have named.

Mr. President, why is there not some restriction on shipments of materials to the Far East? I will tell you why. Not only did the President completely disregard the neutrality law with regard to the Far East and refuse to apply it, but administration forces failed to interest themselves 4 years ago, when it was proposed by myself and others, with the passage of legislation—Senate Joint Resolution 120, Seventy-fourth Congress, first session—to restrict sale and shipment on American boats of materials other than munitions.

The President, in his message to Congress on September 21, also implied that those who want to keep the arms embargo are not for a strong carry provision.

He said:

> Let us be factual and recognize that a belligerent nation often needs wheat and lard and cotton for the survival of its population, just as much as it needs antiaircraft guns and antisubmarine depth charges. Let those who seek to retain the present embargo position be wholly consistent and seek new legislation to cut off cloth and copper and meat and wheat and a thousand other articles from all of the nations at war.

Mr. President, I refuse to wear the garment of short-sightedness with which the administration is seeking to clothe those of us who do not agree that the arms embargo should be lifted. I say that we were the first to urge congressional action to lessen the danger of our involvement in war through shipping goods to belligerents in American bottoms. We have never considered the arms embargo adequate without the carry provision.

In ordinary times I should not bother to remind the Senator from Nevada, and those with him who are seeking to remove the arms ban from the present neutrality law, that someone else worked for a mandatory cash-and-carry law before he put his stamp of approval on the idea.

But these are not ordinary times. What we decide in this Congress will be of such importance that it may make the difference between America staying out of war and America getting into war. It may make the difference between happiness and misery for millions of our fellow citizens.

So, when I see an attempt to beguile the American people into the belief that it is an "either or" proposition—either a strong carry law or the arms embargo, that the two are incompatible—and when I see that by so doing there is an attempt to throw over the embargo provision which we know from experience is an absolutely necessary safeguard if we are going to erect adequate bulwarks against involvement in war, I cannot keep silent. I must lift my voice in protest against any efforts on the part of anyone to enact a policy that in any degree increases our chances of getting into war.

Let us look at the record and see who initiated a demand for real cash-and-carry legislation.

So far as I can recall, the first bills on the subject were those introduced by the Senator from North Dakota [Mr. NYE] and myself in the spring of 1935. On April 9, 1935, we introduced Senate Joint Resolution 100 to prohibit the extension of credits and the issuance of foreign loans to belligerents. That was the first measure introduced to establish the principle of cash on the barrel head and to put an end to the unholy system of World War days when we poured out loans and credits.

We also introduced on May 7, 1935, Senate Joint Resolution 120 to prohibit the export of arms and munitions of war to belligerents and to provide that articles declared to be conditional or unconditional contraband by any belligerent government shipped from the United States shall be shipped solely at the risk of the shipper or of a foreign government. It was provided in that resolution that after export from the United States "no American citizen, firm, partnership, or corporation shall retain any right, title, or interest in any such article of contraband."

That was the beginning of the attempt to see that goods shipped from the United States were shorn of their American connection so that American citizens need not have their emotions stirred to the point of demanding redress if the goods were sunk or captured. That was the introduction of the idea of trading at your own risk, the beginning of the carry idea.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BROWN in the chair). Does the Senator from Missouri yield to the Senator from Montana?

Mr. CLARK of Missouri. I yield.

Mr. WHEELER. I am not sure whether or not the Senator requested not to be interrupted?

Mr. CLARK of Missouri. I am very glad to yield to have the Senator interrupt me.

Mr. WHEELER. As I understood, a moment ago the Senator said that he or someone else proposed to offer amendments to the pending joint resolution so that the present embargo could be maintained, and we could also have cash and carry for things that did not come under the present embargo?

Mr. CLARK of Missouri. That is entirely correct.

Mr. WHEELER. I am very glad to hear the Senator say that, because I have just had occasion to travel from one end of the country to the other, and the impression seems to prevail among a great many people that if we do not enact the pending measure, and have to go back to the present law, they can ship anything they want to under the present law.

Mr. CLARK of Missouri. I said before the Senator from Montana entered the Chamber that the attempt to make it appear that it is an "either or" proposition, that there is anything incompatible or antagonistic between the retention of the arms embargo and the insertion of a bona fide cash-and-carry provision, which the pending joint resolution does not contain, is the greatest hoax ever attempted to be perpetrated on the American people since the alleged discovery of the North Pole by the late Dr. Cook.

Mr. WHEELER. I am very thankful to the Senator, because there is no question at all that the sentiment has been created in the country that we have either got to take the pending measure or we have got to let our citizens ship anything they want in American bottoms.

Mr. CLARK of Missouri. I thank the Senator, and I will say to him that for that reason, at the risk of being very tedious, I am taking the trouble to go into detail into the history of the arms embargo and the cash-and-carry idea, to show that, so far as being incompatible, the two are essential, vital parts of a neutral program and that both should be included in the law, and those who have consistently struggled for neutrality legislation from the very beginning have always favored not only the arms embargo but cash and carry, and have also believed that each is incomplete and inadequate without the other.

Mr. President, from the time of the introduction of those resolutions in speeches and in writing we worked for adoption of that principle.

Writing in Harper's Magazine for December 1935, I said:

> Why shall we contend for embargoes upon contraband articles as well and prohibition of loans and credits to belligerents? Because it takes these two items to complete any sort of workable neutrality program. If we are in earnest about neutrality, we may as well plan to be neutral.

Speaking at Carnegie Hall in New York City on May 27, 1935, I outlined the new neutrality legislation introduced by the Senator from North Dakota [Mr. NYE] and myself in the Senate and by Representative Maverick, of Texas, in the House as containing four vital provisions:

First. A complete embargo on the shipment of all arms and ammunition and other war material to all belligerents in time of war.

Second. A similar automatic embargo on all loans and credits to the warring nations for the purchase of war materials or other contraband.

Third. A law forbidding the granting of passports to American citizens traveling in war zones or on belligerent ships.

Fourth. A law requiring that anyone who exports any article declared to be contraband of war by any belligerent country shall do so at his own risk or at the risk of the foreign government or foreign purchaser.

This neutrality program, which was outlined in 1935, was, it is obvious, a cash-and-carry program.

Two Washington columnists who are now loudly maintaining that the arms embargo and a cash-and-carry provision are incompatible and antagonistic said in their column on July 25, 1935, in speaking of the resolution the Senator from North Dakota [Mr. NYE] and I had introduced:

> The heart of this act is that war commerce be put on a cash-and-carry basis. In other words, belligerents trading with the United States would have to take delivery of their goods at their own risk.

The Senator from North Dakota, speaking in Chattanooga, Tenn., on July 1, 1935, made a strong declaration for a ban on the issuance of loans and credits to any country at war.

An Associated Press dispatch from Washington of August 20, 1935, said that the threatened filibuster against the President's "must" program that did not originally include neutrality legislation would pave the way for proposals from the Munitions Committee Senators "that will serve notice that Americans traveling on ships of belligerents will do so at their own risk."

The Senator from North Dakota in August 1935 addressed a letter to Senator PITTMAN in which he called attention to the imperative necessity for prohibiting loans and credits to belligerents.

An Associated Press dispatch from Chicago on September 26, 1935, reported an interview with the Senator from North Dakota regarding the neutrality program he was sponsoring and pointed out that this proposal to put—

> foreign buyers on a "pay cash and take goods away at your own risk" basis, would preclude the United States from being drawn into war by the sinking of ships or any other interference by warring nations with American goods intended for countries at war.

Again, in an Associated Press dispatch from Cedar Falls, Iowa, on October 3, 1935, the Senator from North Dakota is reported as saying:

> It is fair to assume that enough people in this country are developing and will voice so firm a determination to stay out of another foreign war as will result in January action by Congress strengthening our neutrality policy to the extent of forbidding American loans and credits to nations engaged in war, of inaugurating a cash-and-carry policy that will forbid use of the American flag in undertaking delivery of contraband to nations at war, and of making permanent the existing provision on neutrality providing for mandatory rather than permissive enforcement of embargoes against munitions sales.

I am thus quoting in detail to demonstrate the fact that the cash-and-carry idea from the very beginning has been associated with the group which the President today admonishes to—

> be wholly consistent and seek new legislation to cut off cloth and copper and meat and wheat and a thousand other articles from all of the nations at war.

Were the President and the Senator from Nevada in 1935 supporting neutrality legislation that even vaguely hinted at cash and carry? They were not. Not only did the administration in its proposed measure say nothing about prohibiting loans and credits or about demanding that shipment of materials be made at the risk of the owner or of a foreign government but the arms embargo provision was completely discretionary, leaving it to the President to decide what nations should be affected by our embargo—not all nations at war. So much for the 1935 concern of the administration for a law that was mandatory and embodies the cash-and-carry principle.

As enacted, the 1935 law prohibited the sale of munitions to nations at war when a state of war was declared by the President to exist; prohibited American vessels from carrying munitions destined for belligerents; and gave the President power to prohibit travel by American citizens on the vessels of belligerents, and control over the use of our ports by the submarines of a foreign nation in wartime. The law also provided for the establishment of a Munitions Control Board in the State Department, setting up machinery for giving the Government licensing power over exports of arms, ammunition, and implements of war. The Board, which was continued in subsequent legislation, is required to publish an annual report of all licenses issued. I propose to amend the provisions relative to this Board by adding two Members of the Senate and two Members of the House of Representatives.

What happened in 1936?

By the time Congress convened in January 1936, public opinion had expressed itself even more clearly in favor of strong neutrality legislation, so the administration bill moved over in some respects to meet the position of the group that spoke for the position of the people.

The Senator from Nevada [Mr. PITTMAN] in the Senate and Representative McReynolds in the House introduced the administration measures. The Senator from North Dakota [Mr. NYE] and I presented in the Senate a bill in behalf of the mandatory group, and Representative Maverick introduced a similar measure in the House.

This time the administration bill, as well as our bill, provided for a mandatory embargo on arms, ammunition, and implements of war, although ours was more mandatory, in that the embargo was to be applied automatically upon the outbreak of war, while the administration measure called for its application "upon the outbreak or during the progress of war."

When it came to trade in essential war materials, which in 1935 we had attempted to have restricted by providing that the shipper or receiver assume all risk, both the administration bill and ours recommended that shipments be restricted to a quota based on a previous average. The administration bill gave the President discretion to determine the period of years for "average" shipments, while our bill specified that the average be computed from shipments during the 5-year period preceding the outbreak of war. In some other respects our bill was stronger in this section than the administration bill.

Our bill had a real "carry" provision in section IV, in which American vessels were expressly prohibited from carrying arms, ammunition, or implements of war or any essential war materials in excess of quota to or for the use of belligerent states. The administration bill gave the President discretion to forbid American vessels to carry essential war materials, and empowered him to revoke his prohibition at any time.

Our provision that American vessels be prohibited from traversing waters adjacent to a belligerent state "which are also actually within the zone of belligerent operations" was not touched upon in the administration bill.

Our provision that "export by sea" of any article or commodity which can be reached only by traversing zones of belligerent operations should be "solely at the risk of a foreign government or national thereof" was watered down in the administration measure to a grant to the President of discretionary power to require that American citizens "assume the risk of commercial transactions with the governments or nationals of belligerent countries."

Mr. DOWNEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from California?

Mr. CLARK of Missouri. I yield.

Mr. DOWNEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Missouri yield for that purpose?

Mr. CLARK of Missouri. Yes; I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	Hill	Neely
Andrews	Connally	Holman	Norris
Austin	Danaher	Holt	Nye
Bailey	Davis	Hughes	O'Mahoney
Bankhead	Donahey	Johnson, Calif.	Overton
Barbour	Downey	Johnson, Colo.	Pepper
Barkley	Ellender	King	Pittman
Bilbo	Frazier	La Follette	Radcliffe
Borah	George	Lee	Reed
Bridges	Gerry	Lodge	Reynolds
Brown	Gibson	Lucas	Russell
Bulow	Gillette	Lundeen	Schwartz
Burke	Green	McCarran	Schwellenbach
Byrnes	Guffey	McKellar	Sheppard
Capper	Gurney	McNary	Shipstead
Caraway	Hale	Maloney	Slattery
Chandler	Harrison	Mead	Smathers
Chavez	Hatch	Minton	Stewart
Clark, Idaho	Herring	Murray	Taft
Thomas, Okla.	Truman	Van Nuys	White
Thomas, Utah	Tydings	Wagner	Wiley
Townsend	Vandenberg	Wheeler	

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. CLARK of Missouri. Mr. President, when the absence of a quorum was suggested I was discussing the differences between the administration Neutrality Act of 1936 and the joint resolution introduced by the Senator from North Dakota [Mr. NYE] and myself on behalf of the mandatory group. I will continue with the comparison.

Where our joint resolution automatically prohibited travel by American citizens on belligerent vessels or other vessels traversing zones of belligerent operations, the administration bill required only that no American citizen should travel on any belligerent vessel "except at his own risk."

The provisions prohibiting sale of securities issued by belligerents were substantially the same in both measures.

As for credits, our measure required that the President prohibit the extension of commercial credits under authority of section V of the act of October 6, 1917. The administration measure permitted the President to exempt ordinary commercial credits and short-time obligations "of a character customarily used" in current commercial business.

The remainder of the provisions were similar on both bills.

It is clear that in proposing a neutrality measure in 1936 the administration was making some concession to the great demand for a mandatory law, and for a time it seemed that it would respond to the appeal of logic in working for some kind of cash-and-carry feature. But at the last minute the administration threw overboard the proposed bill, and the all-important question of controlling the export of war materials in addition to munitions was left untouched. The tremendous boom in American exports of scrap iron and steel, copper, gasoline, and other necessary secondary materials of war during 1936, 1937, and 1938, when the nations of the world, especially Japan, were stocking their shelves with war supplies, is adequate proof that the question should have been settled at the time of the 1936 revision of the neutrality legislation.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. PITTMAN. I realize that the Senator has a prepared speech which it will take him some time to deliver, and I do not desire to interrupt him now——

Mr. CLARK of Missouri. I am very glad to have the Senator interrupt at any time.

Mr. PITTMAN. I merely wish to say that whenever I have an opportunity I will state to the Senate some of the mistakes I think the Senator has made. I realize he does not make many mistakes.

Mr. CLARK of Missouri. I will listen with great interest to the exposition of the Senator from Nevada of my mistakes and will endeavor to the best of my ability to defend the propositions which I have stated.

Mr. PITTMAN. Of course, I know the Senator will not be offended at me if I suggest that he is human and can make mistakes.

Mr. CLARK of Missouri. Not in the least. I shall be very glad to be corrected by the Senator from Nevada at any time.

Mr. PITTMAN. To call attention to just one of the many mistakes the Senator has made, with regard to travel on vessels under the 1937 law, I understood the Senator to say——

Mr. CLARK of Missouri. I have not as yet come to a discussion of the act of 1937. I am still discussing the act of 1936. I shall come to the act of 1937 in a moment, if the Senator will possess himself in patience.

Mr. PITTMAN. I thought the Senator said people travel at their own risk, under the act of 1937.

Mr. CLARK of Missouri. No; I have not come to that act.

Mr. PITTMAN. I did not know the act of 1935 had anything to do with that point.

Mr. CLARK of Missouri. I know it did not.

Mr. PITTMAN. Oh, the Senator is talking about what he intended to have enacted.

Mr. CLARK of Missouri. I am comparing in every instance the measures as they were proposed by the mandatory group and as they were subsequently enacted.

Mr. PITTMAN. What I intended to do would take up too much time at the moment. When I will not be interfering with other speakers who are scheduled to address the Senate, I shall call attention to a few mistakes the Senator has made, both as to the bill he himself introduced, and as to the amendments for which he voted and the bills for which he voted; but there will be plenty of time for that.

Mr. CLARK of Missouri. I will listen to the Senator with very great interest. If he can correct any errors of mine, I shall be glad to acknowledge them.

As finally approved the 1936 revision continued the provisions of the 1935 law and added to them a ban on the extension of loans or credits to belligerent nations. It also provided that the law should not apply to an American republic or republics engaged in war against a non-American state or states, provided that the American republic is not cooperating with a non-American state or states in such war. The 1936 law was also temporary legislation and expired on May 1, 1937.

We now come to the present law, enacted in 1937. I shall not take the time of the Senate to go through the 1937 law section by section and compare what the administration asked for and what we asked for. Suffice it to say that the 1937 law, in addition to imposing a mandatory embargo upon munitions and loans and credits and prohibition on American ships carrying arms to belligerents, prohibited travel by American citizens on belligerent vessels, prohibited the arming of American merchant vessels, and gave the President discretionary power to require the transfer of title in all or any goods shipped to belligerents, provided such provision applies to all nations engaged in war. The President was given power to list goods other than arms which American ships might not carry to belligerents. Over our objection these two discretionary provisions for control of trade were adopted for a 2-year period only. The law also gave the President power to restrict the use of our ports in wartime by foreign armed merchant vessels as well as submarines. The law applied to civil strife in the same general manner as in the case of international war. The exception of the American republics from the working of the act was continued with the same provisions as in the 1936 law.

There were grave omissions in that law, gaps so serious that to the very end of the debate some of us fought to close those gaps and voted against the conference report because we did not succeed. The bill provided no control over a wartime trade boom; it depended on Presidential discretion for transfer of ownership in goods shipped to belligerents; there was no assurance that American shipping would be kept out of war zones, because it was left up to the President.

Immediately after the inadequate measure was enacted into law, the Senator from North Dakota [Mr. NYE], the Senator from Washington [Mr. BONE], the Senator from Michigan [Mr. VANDENBERG], and myself introduced Senate bill 2370, amending the law to make the carry section mandatory instead of permissive. The legislation we proposed would have had the effect of requiring transfer of title in goods shipped to belligerents and keeping American ships from carrying cargoes to or for use of belligerents. But the administration at that time did not want a mandatory carry section and our bill went by the board.

When it came to 1939, with the discretionary section expiring, under which the President at his own will might ban American vessels from carrying such materials in addition to any arms, ammunition, and implements of war as he might name, and might prohibit their export until all American title or interest were transferred, the Senator from Nevada [Mr. PITTMAN] again introduced a measure, as did the Senator from North Dakota [Mr. NYE], the Senator from Washington [Mr. BONE], and I. The Senator from Michigan [Mr. VANDENBERG] introduced a separate resolution for continuing the cash-and-carry provision. Representative BLOOM's bill represented the point of view of the discretionary group in the House and was generally considered to be the administration bill.

The resolution of the Senator from Nevada [Mr. PITTMAN] ignored completely a specific ban on arms and munitions. Instead he chose to rely entirely on a cash—with modifications—and carry measure, thus leaving the way open for a repetition of the one-sided arms trade which helped involve us in 1917.

Instead of asking for a complete ban on loans and credits, he preferred to exempt normal short-term commercial credits at the President's discretion.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. PITTMAN. Was the Senator from Missouri opposed to that section in the original act?

Mr. CLARK of Missouri. I voted for the original act.

Mr. PITTMAN. The original act contains a proviso that the President may permit short-term credits.

Mr. CLARK of Missouri. I am perfectly aware of that. I was not in favor of that.

Mr. PITTMAN. The Senator voted for the measure.

Mr. CLARK of Missouri. I voted for the bill. I voted against the conference report.

Mr. PITTMAN. Did the Senator offer any amendment to strike out that proviso?

Mr. CLARK of Missouri. I did not.

Mr. PITTMAN. Does not that proviso grant the President discretion to permit short-term credits?

Mr. CLARK of Missouri. There is no question about that. I just stated that in the measure which the Senator from Washington [Mr. BONE], the Senator from North Dakota [Mr. NYE], and I introduced no such authority was granted.

Mr. PITTMAN. The Senator did not offer any amendment on the floor to strike out the proviso?

Mr. CLARK of Missouri. No.

Mr. President, our measure, if adopted, would have been a much stronger safeguard against involvement in war. Not only did we call for absolute prohibition of the transportation of any articles to belligerents on American ships, and not only did we demand that all American title and interest be given up before any article could be exported, provisions for which the Pittman bill provided, but we also included a flat prohibition on the export of arms, ammunition, and implements of war to belligerents. And we did not exempt even normal short-term credits.

But if I object to the Pittman 1939 measure as being inadequate in comparison with the bill my colleagues and I introduced in the Senate, the House measure, put before that august body by Representative BLOOM, the distinguished chairman of the Foreign Affairs committee, was a travesty.

Mr. President, I thought the original impulse for a neutrality law was to keep the country out of war, but that impulse was completely lost sight of in the so-called Bloom bill.

Mr. FRAZIER. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. CLARK of Missouri. I yield.

Mr. FRAZIER. The Senator spoke of the original bill introduced by the chairman of the Committee on Foreign Affairs in the House, Representative BLOOM. Was not that commonly understood to be the administration bill?

Mr. CLARK of Missouri. It was generally so understood and so called. Representative BLOOM introduced the bill, and his name was attached to it, but it was generally understood and considered as the administration bill.

Mr. President, in that measure, all previous restrictions on the sale of arms and war materials to belligerent nations were lifted. American ships were not banned from carrying materials to belligerents. The only protection against our involvement in war, through war trade, was a provision requiring transfer of title in all goods shipped to belligerents, and a provision giving the President discretionary power to designate areas of combat operations where our citizens and vessels may go only under limitations prescribed by him.

This, Mr. President, was the resolution for which the administration went down the line after 4 years of Nationwide discussion and debate. This was the way the administration answered the cry of millions of Americans to take every possible safeguard to keep us out of war. So zealous was the administration to put that measure through the House that certain supporters tried to get a favorable committee vote for a rule which would have barred any amendment of it when it was brought up for consideration on the House floor. Luckily, the move was defeated, and it is now a matter of history how the arms embargo—with modifications—was kept in the House measure in spite of all attempts to abandon it.

Mr. President, I have trespassed upon the time of the Senate to sketch briefly the history of neutrality legislation in Congress since 1935 because I want to call attention to certain points which are so obvious it should be unnecessary to specify them.

The present law is as mandatory as it is because a group of Senators who passionately believe in real neutrality fought for it when the administration forces were doing everything in their power to retain discretion for the occupant of the White House. What mandatory features there are in the neutrality law today are the result of the indefatigable efforts of these men—not of the administration.

The fact that the Senator from Nevada today appeals for this proposed law on the ground that it is mandatory indicates how well we have done our work.

The whole emphasis of the administration spokesmen has been to have a law enacted which would give the President discretion to favor one side or the other in a dispute. It has only recently been turned in the direction of a mandatory law.

On August 23, 1935, Representative McReynolds put the case for discretionary legislation. He said in the House:

> I do not approve of the mandatory provision of this bill, I am frank to say. I introduced a bill on August 17 which would give the President discretion * * *. The President of the United States has a greater responsibility to prevent war and to sustain peace than any of you, and I am always willing to leave it to that office * * * when you put a mandatory provision in you absolutely destroy this country's efforts for peace, and you know it.

When Senators read the eloquent appeal of the Senator from Nevada for support of his measure on the ground that the carry feature is new, I ask them to look back over the history of neutrality legislation I have outlined for them today. I ask them to remember that as early as 1935 the mandatory group was asking for a trade-at-your-own-risk provision.

And remember that as late as the spring of 1939 the administration was strenuously trying to put through the Bloom bill, which ignored the necessity for a strong carry section.

I should like to point out to the Senate that the mandatory group is willing and anxious to go all the way in setting up safeguards against involvement in war, while the group for which the Senator from Nevada speaks will not go more than halfway.

Mr. PITTMAN. Mr. President, will the Senator again yield?

Mr. CLARK of Missouri. I yield.

Mr. PITTMAN. Does the Senator contend that "trade at your own risk" is the same as making it unlawful to trade at all?

Mr. CLARK of Missouri. By no means.

Mr. PITTMAN. Does the Senator consider it mandatory to say that a person may trade at his own risk?

Mr. CLARK of Missouri. No; I do not say that at all.

Mr. PITTMAN. I understood the Senator to say that the provision he referred to with respect to "trading at your own risk" was mandatory.

Mr. CLARK of Missouri. To which provision does the Senator refer?

Mr. PITTMAN. To the sentence the Senator just read; the "trade at your own risk" provision.

Mr. CLARK of Missouri. Mr. President, there is no question about that.

Mr. PITTMAN. That is the provision the Senator had in his measure.

Mr. CLARK of Missouri. Mr. President, I do not contend that the "trade at your own risk" provision in the 1935 proposal was precisely the same as the present cash-and-carry proposal, but it is certainly the genesis for and the thing which led to the whole development of the cash-and-carry theory as afterward proposed by the same group in 1936.

Mr. PITTMAN. But I contend that "trading at your own risk" is not the same thing as a law making it unlawful to trade at all.

Mr. CLARK of Missouri. Mr. President, as I understand, there has never been any suggestion to make it unlawful to trade at all, except in regard to arms, ammunition, and implements of war. Neither the cash and carry, or the credit and carry, or the "trade at your own risk," which is essentially in the same category, has ever had anything to do with making it unlawful to trade at all.

Mr. PITTMAN. What does the Senator refer to as "trade at your own risk"? I understand that is the suggestion the Senator and some of his group made——

Mr. CLARK of Missouri. In 1935.

Mr. PITTMAN. What does he mean by "trade at your own risk"?

Mr. CLARK of Missouri. Trade in anything with the belligerents.

Mr. PITTMAN. Now the Senator says we should not trade except by conveying title.

Mr. CLARK of Missouri. That is simply a development of the same proposal.

Mr. PITTMAN. And now the Senator says that we cannot use an American ship at all to trade with nations.

Mr. CLARK of Missouri. Those were all successive developments. We originally urged the prohibition of trade in American bottoms. It was not actually included in any of the provisions of the 1935 and 1936 laws. Nevertheless, it was very much in controversy and discussion.

Mr. PITTMAN. The Senator voted for the 1937 act, did he not?

Mr. CLARK of Missouri. I voted for all such measures except the conference report on the 1937 act.

Mr. PITTMAN. And the Senator has explained why he did not vote for that report.

Mr. CLARK of Missouri. Yes; I have explained why.

Mr. PITTMAN. That was by reason of the House putting in one provision that we did not have in the Senate measure.

Mr. CLARK of Missouri. Mr. President, it was by reason of the fact that the House and the conference report had, to a very large extent, emasculated the cash-and-carry provision by making it discretionary rather than mandatory, as I stated in my remarks against the conference report.

Mr. PITTMAN. Yes; and yet the Senator knows what that amendment was. It dealt only with subsection (a). The Senator voted for an amendment offered by the Senator from Michigan [Mr. VANDENBERG], to strike out subsections (a), (c), and (d) and leave in subsection (b); and subsection (b) made it discretionary with the President as to whether or not he should include goods other than arms, ammunition, and implements of war.

Mr. CLARK of Missouri. Mr. President, my position on the conference report was the same as was indicated by the Senator from Nevada himself, except that he voted for it and I voted against it. The Senator from Nevada stated that he had taken a position in the conference in which he had strongly adhered to the Senate provision, which was of a stronger mandatory character, but had been overwhelmed in conference, and had voted for the conference report. I took the position that the conference report weakened the measure and made it a very dangerous proposition. I therefore voted against it.

Mr. PITTMAN. I realize that fact. The Senator from Missouri voted for the measure, and the Senator from Idaho [Mr. BORAH] voted against it.

Mr. CLARK of Missouri. That is correct.

Mr. PITTMAN. Then the House put in the discretionary clause to which the Senator from Missouri objected, and the

Senator from Missouri voted against the conference report, although the Senator from Idaho [Mr. BORAH] voted for it.

Mr. CLARK of Missouri. That is entirely correct.

Mr. PITTMAN. The RECORD at that time will disclose that that was the only amendment which was offered by any of the Senator's group.

Mr. CLARK of Missouri. I have not in mind the amendment to which the Senator refers. I read the debates on the conference report only yesterday. I am very certain what my position was on it, and I shall be very glad to have the Senator from Nevada refer to it at any time.

Mr. PITTMAN. Some time would be required to call attention to the various votes. I will say to the Senator that so far as I now know he had only one objection which I remember, and that is the one about which we are talking.

Mr. CLARK of Missouri. That was what I stated so very emphatically in my remarks.

Mr. PITTMAN. I shall bring out all the facts when I have time.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. WHEELER. I know that the Senator is very familiar with what took place in the House with reference to the Bloom measure. As I understand, the Bloom measure in the House, which was an administration measure, contained a provision that—

> Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms or ammunition from any place in the United States to any belligerent states named in such proclamation.

Is that correct?

Mr. CLARK of Missouri. Mr. President, that provision was inserted in the measure in the debate in the House after a very strenuous fight and over the last-ditch opposition of Representative BLOOM and the supporters of the so-called Bloom joint resolution as it was reported from the committee. After the efforts of the proponents of the original Bloom measure to adopt a gag rule shutting off any amendment had been defeated, and the joint resolution was brought into the House under the general rules of the House and open to amendment, the amendment which the Senator has just read, which was offered by Representative VORYS of Ohio, was adopted following a very desperate fight which restored that much of the provisions of the existing law to the Bloom resolution, and that provision was in the joint resolution as it came from the House to the Senate, but not as it was reported from the committee to the House.

Mr. WHEELER. So, as a matter of fact, what the Foreign Relations Committee of the Senate has done is to take out the provision which passed the House.

Mr. CLARK of Missouri. Yes; that is entirely true.

Mr. President, we are asked by those who are attempting to repeal the arms embargo, Why do we need to ban arms exports if we are to have a strong carry provision? I will tell you why we must keep the arms embargo. In the first place, it keeps us from engaging in the bloody, unholy, immoral business of being an arsenal for death-dealing weapons, or dealing in instruments of death. Furthermore, Mr. President, it is necessary to keep the arms embargo to all belligerents, because the armaments trade is the one trade which depends most on war for profits. It is the one trade most calculated to bring about unhealthy, unwholesome, costly inflation, with all its attendant evils. We must keep the arms embargo, because we adopted the embargo on arms to all belligerents in 1935 and reenacted it in 1936 and 1937 as our national policy, as a strong protective measure to insure our peace; because we said we would not again become the arms arsenal for any nation or group of nations; because we did not want to permit the growth of a vested interest in the arms trade which would inevitably endanger the determination of the country to keep out of foreign war.

I submit that the strongest protection for our people against involvement in war will be afforded by a strong cash-and-carry law in addition to the absolute ban on the sale or shipment of arms, ammunition, and implements of war. To these carry provisions should, of course, be added the other measure of protection to which I have previously referred.

Why be satisfied with anything less? Why is not the administration working to give the people the strongest possible protection against war?

We are either for taking every possible precaution against our involvement or we are against it. We cannot be halfway, because the minute we make a slight concession on the side of involvement, the minute we open the dikes even a fraction of an inch, we allow a trickle of forces that inevitably increases in volume until it becomes a raging torrent, battering down every safeguard we have erected.

Knowing that, I wonder if the President is trying to bargain with the Congress and the people. In his speech on the opening day of this special session of Congress he said:

> With the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

What does he mean? Is he saying in effect that he, as President, is not willing to use his influence for the adoption of the strongest legislative bulwarks against war that can be evolved? Is he not saying, "You will have to take your choice between a cash-and-carry law and the arms embargo; you cannot have both"?

Why can we not have both? We need both if we are to stay out of war. We must take our ships out of war trade; we must see that no American has any interest whatever in materials en route to belligerents; we must withhold loans and credits from any belligerent, no matter how sympathetic we may be; we must refuse to be a base of supplies for any belligerent for arms, ammunition, and implements of war. We must close our ports to the armed merchantmen of belligerent nations. We must keep our citizens off belligerent ships. To this end I and those who believe as I do pledge our utmost endeavors to keep America out of war.

Mr. President, our present neutrality law, imperfect as it admittedly is, was the result of a general recognition of the direful consequences which had followed in the train of the policy of tragic futility which had finally caused us to be dragged into the last war. It was by general agreement an effort to take steps in advance to keep this country out of war, at a time when no suggestion of partiality could be charged against us, at a time when we could act without reference to any particular situation, because none then existed.

Let me emphasize the fact that the suggestion which has recently been made that our law was designed to prevent wars in Europe, and therefore that it has failed of its purpose, is buncombe pure and undefiled. No conception could have been more fantastic than that a domestic law of the United States could or would exercise a determinative effect upon power politics in Europe. No responsible spokesman ever made any such preposterous claim for the Neutrality Act. That act was a pronouncement of domestic policy for the government of our own citizens.

That act in its successive stages was enacted with one single purpose, universally understood throughout the country and repeatedly expressed by all connected with its enactment, from the President down. The purpose was this: That if, in spite of our ardent wishes for the maintenance of peace, war should unhappily break out abroad, we should have a law which would take immediate effect to safeguard us from drifting into that war as we did into the last war.

The present law was passed not in contemplation of a situation in which our good offices or our good example or our good wishes could possibly prevent war abroad, but in full contemplation of a situation in which, despite our wishes and despite anything we could do, war had again developed in the age-old game of power politics between any groups of belligerents. Precisely such a situation as the law was originally passed to deal with has now arisen.

Now, we hear from many quarters, including the highest, much talk about the ancient precepts of the law of nations, and many suggestions as to reliance on general international law.

But the enactment of the Neutrality Act was based upon the general recognition that international law had never had any

really binding effect upon any belligerent which chose to disregard it, and that, such as it was, it had practically disappeared during the World War. That was undoubtedly the basis of the Neutrality Act with the arms-embargo provision as its heart.

In appearing before the Foreign Relations Committee of the Senate in January 1936, in behalf of the administration's bill, which became the Pittman bill of 1936, Secretary Hull said:

In the first place, the laws that gave us rights to the freedom of the seas were largely ignored during the war. They are rather quiescent now.

And again Secretary Hull said:

Now, it did not look wise or reasonable for us to announce a policy that a neutral nation shall supply belligerents with the materials which they say are indispensable to the prosecution of the war, under penalty of not being exactly neutral.

To us that seemed absurd and we said so. We could not see how a neutral could deliberately help to feed the fires and flames of war by delivering the essentials right straight to the belligerents, helping not only to carry on war but to prolong it indefinitely; and nobody knows much better than we that every day that war is prolonged the danger of the war spreading would be increased, with increased dangers to us of being involved.

And again the Secretary said:

Senator BORAH, today, in any war we do not have stable international law and order with respect to neutral rights.

And the Secretary pointed out the reason for the act, which included the arms embargo:

* * * We were seeking here to point out the purely negative way in which we would approach a war situation as a government acting separately, independently, and on its own initiative. The idea was to indicate that as a policy we think that any neutral nation is justified, unless it is to become a partner in the war, in refraining from aiding, directly, either belligerent in carrying on and in prolonging the war, for the reason that every day the war goes on the danger of our being drawn into it is increased, and the risk of spreading into a broader war is increased, and correspondingly the danger of our being drawn into it is again increased.

Apparently the Secretary in 1936 did not approve of aiding one set of belligerents "by measures short of war" about which we now hear so much.

In the same testimony, on the same measure, Assistant Secretary of State Moore backed up his chief in support of the Pittman bill of 1936. Testifying before the Committee on Foreign Relations, he said:

I do not see how you can expect to keep out of war if you are going to place your reliance on international law. Lord Salisbury said once, in a cynical way, "International law is what this or that writer says it is * * *."

That is the situation at present. Laying aside international law as a means of protection, as something to which we ineffectively resort when we have some grievance and are trying to keep out of hostilities, we are endeavoring to enact domestic legislation here which will save us possibly, conceivably, from being drawn into a war.

Secretary Hull further said:

Our view was that from the standpoint of keeping out of the war, no nation has a right to go out and get into a war, no matter who is responsible for it, and then turn around to a friendly neutral and demand of it that it be furnished with the necessary war supplies to carry on the war under penalty of being unneutral.

The Secretary approved the arms embargo in the act of 1935 in the following words:

If that is true it must have some bearing on the action of Congress last August in enacting the Neutrality Act, which presumably was based upon the view that for this Nation largely to become the base of military supplies for any belligerent or belligerents would have a tendency to create an unneutral atmosphere and ultimately help to contribute to drag us into the war. We would therefore tighten up our neutrality by embargoing any shipment of any finished arms, ammunitions, and implements of war to any belligerent.

Secretary Hull said that in appearing in support of the Pittman bill of 1936.

Assistant Secretary Moore stated the true aim of the Neutrality Act when he said:

It is inescapable when you enact legislation that you may strike one adversary harder than you do the other. That is inescapable. But that is our right if we think it protects our real neutrality; that is to say, if it tends to keep us out of the conflict.

It was to that end that the arms-embargo provision was included in the acts of 1935, 1936, and 1937.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I gladly yield.

Mr. WHEELER. How does the Senator now account for the change of mind on the part of the distinguished gentleman to whom he has referred?

Mr. CLARK of Missouri. I am unable to answer that question. I am certain that the status of international law has not changed in the slightest degree for the better since as recently as 2 or 3 years ago Secretary Hull, Assistant Secretary Moore, and Legal Advisor Hackworth, of the State Department, and my friend the distinguished Senator from Nevada [Mr. PITTMAN] all thought international law was played out.

The Senator from Nevada [Mr. PITTMAN] in an address at the University of Nevada May 8, 1937, in defending the Pittman Act of 1937, truthfully said:

They proclaim that we should rely upon international law—

About which we now hear so much—

They proclaim that we should rely upon international law. Well, there is no such thing as international law. * * * We will have our own restraining laws during war. We relied upon international law prior to the World War, and it was our undoing.

Most eloquent of all the expressions in connection with the Pittman Act of 1936, with its arms-embargo provision, was in the magnificent speech of President Roosevelt at Chautauqua, N. Y., on August 14, 1936, when he was appearing before the American people as a candidate for reelection and discussing the issues upon which he sought their favor. I have heretofore quoted that speech in this body and elsewhere, as have others. I expect to quote it again from time to time. To my mind, it cannot be quoted too often. I wish that every American might read it every day. In that great speech the President said:

It is clear that our present policy and the measures passed by the Congress would, in the event of a war on some other continent, reduce war profits which would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster. It was the prospect of war profits that made our farmers in the West plow up prairie land that should never have been plowed, but should have been left for grazing cattle. Today we are reaping the harvest of those war profits in the dust storms which have devastated those war-plowed areas.

It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.

Nevertheless—

Said the President—

if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fools' gold—would attempt to break down or evade our neutrality.

That condition which the President predicted 3 years ago has actually come to pass in the United States of America today under the pressure for the repeal of the arms embargo. Certainly nobody would deny that that prophecy has come true.

The President continued:

They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work.

I recurred in thought to that noble statement as I listened to the message of the President on September 21, with the emphasis that he himself placed upon the exportation of arms as a profit motive be considered by the American people.

The President continued:

They tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

That is what we are hearing today over the radio and in the newspapers and in public bodies in this country. The President continued:

It would be hard to resist that clamor.

None of us would deny that it has become hard to resist it.

The President continued:

It would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

If we face the choice of profits or peace, the Nation will answer, must answer, "We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

With that wise and experienced man who is our Secretary of State, whose statesmanship has met with such wide approval, I have thought and worked long and hard on the problem of keeping the United States at peace. But all the wisdom of America is not to be found in the White House or in the Department of State; we need the meditation, the prayer, and the positive support of the people of America who go along with us in seeking peace.

No matter how well we are supported by neutrality legislation, we must remember that no laws can be provided to cover every contingency, for it is impossible to imagine how every future event may shape itself. In spite of every possible forethought, international relations involve of necessity a vast uncharted area. In that area safe sailing will depend on the knowledge and the experience and the wisdom of those who direct our foreign policy. Peace will depend on their day-to-day decisions.

At this late date, with the wisdom which is so easy after the event and so difficult before the event, we find it possible to trace the tragic series of small decisions which led Europe into the Great War of 1914 and eventually engulfed us and many other nations.

It was with such considerations in mind that the Congress had in 1935 and 1936 enacted the first two Pittman measures containing the arms embargo. It was with such considerations in mind that the Congress in 1937 passed and the President signed the Pittman measure of 1937, containing both the arms embargo and the cash-and-carry provision, not as alternative or antagonistic provisions, but as parts of a harmonious whole.

Now, Mr. President, we suddenly encounter the suggestion that the provisions of our existing neutrality law must be repealed because it is itself contrary to international law, which we were advised by our greatest experts 3 years ago has passed out of existence. In the majority report of the Senate committee, in a passage notable and memorable because of the condensation of so many errors within so narrow a space, it is said:

The committee is of the opinion that the United States cannot maintain its neutrality so long as such embargo provisions remain upon our statute books. It is contrary to the accepted precepts of international law which prescribe that any belligerent may purchase any articles or materials in any neutral country. Belligerents as well as neutrals have relied from time immemorial upon this law. It has for hundreds of years been recognized by both belligerents and neutrals to govern their conduct toward each other, and is today so recognized by the governments of the world with the exception of the United States.

The assertion that an arms embargo is contrary to the accepted precepts of international law which prescribe that any belligerent may purchase any articles or materials in any neutral country is simply not borne out by the facts.

Many leading authorities on international law have expressly repudiated any such doctrine. I shall quote from only a few.

Prof. Edward S. Corwin, of Princeton University, in a letter to the New York Times of October 2, 1939, in writing of the President's message, furnishes at the same time complete refutation of the committee's statement. I shall quote at this time but the one paragraph bearing upon the committee's contention as to international law, but I ask unanimous consent that Professor Corwin's letter may be printed in full in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. CLARK of Missouri. Apropos of the committee's view of international law, I quote the following from Dr. Corwin:

The fact is that the foregoing argument rests on a mistaken assumption, namely, that neutrals are under a positive obligation to trade with belligerents. The international law to which the President constantly appeals knows no such rule. That law merely permits neutrals to trade with belligerents, subject to the hazards to which the rules concerning contraband and blockade give rise; it no more requires neutrals to sell to belligerents than it requires them to produce for belligerents. The President's argument subjects neutral interests to an utterly unheard-of servitude in favor of belligerents, and at the same time quite gratuitously presents the naval powers with a grievance made up out of whole cloth.

This concise statement of the law by a recognized authority is backed up by pronouncements of the most eminent international lawyers of the country.

Said John Bassett Moore:

There are already various countries which in accordance with their laws impose such a ban (arms embargo against all belligerents). This is entirely proper under international law.—Letter to Representative FISH, March 27, 1933.

Said Prof. P. C. Jessup, of Columbia University, another very eminent authority on international law:

There is nothing novel in a neutral assuming the duty, not imposed by international law, of prohibiting its nationals from engaging in the contraband trade. (American Journal of International Law, October 1935.)

Said Prof. E. M. Borchard, of Yale University, another very eminent authority:

The free and unrestricted supply of arms to all belligerents by neutral citizens is not illegal. * * * On the other hand, some countries * * * have by statute prohibited the export of arms in time of war. (American Journal of International Law, April 1933.)

Judge Manley O. Hudson, of the World Court, formerly professor of international law at Harvard University, and Professor Jessup, in a joint article, said:

National practice * * * has not been consistent. * * * A neutral cannot be charged with illegal conduct if it forbids under local penalties the traffic in contraband. (American Journal of International Law Supplement, July 1939.)

These authorities show that the Senate committee's majority report takes a position which is novel and unwarranted under the international law, for which they profess so much respect.

The committee's statement also ignores the record of what neutral countries have actually done in time of war. Listed below are no less than 44 countries which have at one time or another laid embargoes during the course of a war in their own national interest, and to protect their own neutrality. These embargoes show that the United States is taking a position which, under international law and actual precedent, it has every right to take.

The Neutrality Act is not an abnormal departure from the usual practice of neutrality. It is not contrary to the normal practice followed by all other states to embargo arms, ammunition, and implements of war. There is no absolute right under international law, or any other law, to carry on a munitions trade.

In fact, neutral prohibition of the export of arms and ammunition has a long history. In the sixteenth and seventeenth centuries countries often made treaties promising not to export arms to each others' enemies. Later they frequently laid embargoes. The list of embargoes by neutral countries includes Austria-Hungary, Belgium, Brazil, Bremen, Canada, Chile, China, Colombia, Costa Rica, Czechoslovakia, Denmark, El Salvador, Finland, France, Great Britain, Hamburg, Hanover, Honduras, Italy, Japan, Liberia, Lubeck, Mecklenburg-Schwerin, the Netherlands, Norway, Oldenburg, Panama, Papal States, Paraguay, Peru, Portugal, Prussia, Russia, Sardinia, Spain, Sweden, Switzerland, Tuscany, two Sicilies, United States, Uruguay, Venezuela, Venice, and Yugoslavia—American Journal of International Law, section 2, volume 33, No. 3.

With certain countries it was a settled policy during the nineteenth century to prohibit the export of arms and ammunition. These countries include Austria-Hungary, Brazil, Chile, China, Colombia, Denmark, the Netherlands, Norway, and Sweden—American Journal of International Law, section 2, volume 33, No. 3.

Faced with such a list, how can anyone say that our arms embargo constitutes an abnormal departure from the usual practice of neutrality? Some of the most determined and successful neutrals—Denmark, Norway, and Sweden—have followed this course from the days of the armed neutrality of our own Revolutionary War.

In the World War many neutral nations embargoed arms and munitions. These included Brazil, China, Denmark, Italy, the Netherlands, Norway, Spain, and Sweden—United States, Foreign Relations, 1915, Supplement 804. Of these, all except Italy and Spain were following a practice that was common or customary with them. The nations that were practically in the combat area, such as the Scandinavians and the Dutch, who were vulnerable to attack or pressure by both Great Britain and Germany, had, of course, a special incentive to lay an embargo in order to forestall belligerent interference. Those embargoes undoubtedly helped to keep them at peace when all their neighbors were at war. Though the United States in 1914 and 1915 refused to lay an embargo, President Wilson became so exasperated with the Allies in the summer of 1916 that he seriously considered a retaliatory embargo upon exports—Munitions Investigation, Exhibit No. 2536. Even the United States, then, has not always considered an embargo an abnormal departure from the usual practice of neutrality; and some other countries, whose success as neutrals we may well envy, have followed the practice of embargoing arms and munitions of war.

Leading authorities, like John Bassett Moore, Philip C. Jessup, Edwin M. Borchard, Manley O. Hudson, and Edward S. Corwin, as we have seen, declare that it is entirely proper for nations to prohibit the export of arms. The Harvard Research on Neutrality, the latest publication in the field, goes even further and lends weight to the proposition that in the future it may become a neutral duty to prohibit such export. See article 11, A. J. I. L., section 2, volume 33, No. 3.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at the conclusion of my remarks certain extracts from the report to which I have just referred, and also a letter dated September 20, 1939, which appeared in the New York Times, written jointly by Professor Jessup and Prof. Charles Cheney Hyde, of Columbia University.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit B.)

Mr. CLARK of Missouri. Furthermore, Mr. President, let us always remember that there is no absolute right under international law to ship munitions. A neutral government is of course forbidden to do it, and if a neutral individual engages in such a contraband trade, he does so without the protection of his government. His goods may be seized at sea and condemned at any time by a belligerent. As John Bassett Moore points out in International Law and Some Current Illusions, the contraband trade is not lawful in international law, since it is punishable by confiscation. (Op. Cit. 41–47.)

The present arms embargo was a piece of national legislation with the purpose, as Secretary Hull declared in 1936, of keeping us out of war. As we have seen, it was not concerned with international law, for international law has nothing to do with arms, ammunition, or implements of war until they are shipped out of a neutral country. So long as goods are within our jurisdiction they are not the subjects of international law. If we refuse to sell to all nations, no nation can complain that we are interfering with its rights.

As a matter of fact, Mr. President, all of us who participated in the enactment of the legislation will recall, and the recorded expressions of some of the leading actors bear witness, that in all of the discussions of the 1935, 1936, and 1937 neutrality acts, the arms-embargo section was almost unanimously assumed to be desirable, and because of that almost universal approval the arms-embargo provision was less discussed and less controversial than any other section of the bill. Nearly all of those who opposed or questioned other sections gave wholehearted support to the arms embargo.

To this effect we have the authoritative testimony of the Senator from Nevada, the chairman of the committee, when in the issue of the magazine Today, under date of February 1, 1936, in an article entitled, "Let's Not Wait for Peace," in discussing his proposed neutrality bill of 1936 (S. 3474) he wrote:

I have had the opportunity to read some severe criticisms of the proposed act. In none of these criticisms have I discovered any opposition to the embargo upon arms, ammunition, and implements of war. In fact, most of these critics approve such embargo.

Mr. WHEELER. Mr. President, I have been interested to find whence the demand is coming, in view of the statement just mentioned, for the repeal of the arms embargo. I have not been able to find any demand coming from the people. I have seen the demand in some of the articles of the columnists and in some newspapers, but I have failed to find among the rank and file of the people, among the farmers, the merchants, or any other class, any demand for repeal, and I was wondering whence it came.

Mr. CLARK of Missouri. Mr. President, my observation and experience have been precisely the same as those of the Senator. I have observed the demand either coming from the newspapers, or from a few altruists who are sincerely of the opinion that we should engage on the side of certain belligerents; and the demand from the President of the United States.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield gladly.

Mr. DOWNEY. For the sake of the record, I should like to add this comment, that at least four out of five of the communications from California are against the sale of war materials to Europe. It may very well be that there is some propaganda which produces those letters against lifting the embargo, but what is interesting to me is that the number of letters or communications asking that the embargo be lifted is almost negligible. In other words, in the last month there have been almost no telegrams or letters coming in asking that such action be taken, and of those which do come I suppose four out of five are traceable to two or three great industries in California which would profit by the war, or certain minority groups whose interests in Europe are particularly affected. Outside of that, the communications from California for lifting of the embargo are almost nonexistent.

Mr. CLARK of Missouri. I agree with what the Senator has said, and I will say to him that my experience has been precisely the same as his. To demonstrate that, I took all the letters and all the postal cards and all the telegrams I received, piled them on two or three tables in my office, and told the newspapermen and all others that they were at perfect liberty to go in and look through them for themselves, and to quote any of them, so long as they did not quote the name or address of a man who had written a letter, because I did not think that was fair to those who wrote the letters.

Mr. WHEELER. Mr. President, will the Senator yield again?

Mr. CLARK of Missouri. I yield.

Mr. WHEELER. I have received a few letters from persons who say to me that they want the embargo repealed because they want to see this country go in and help England and France; they feel we ought to get into the war in order to save the British Empire. My sympathies are with England and with France, but I do not want our country to get into war in order to save the British Empire, and I do not think it is necessary.

I came in contact with some British subjects who live just across the border from Montana who were urging and insisting that we should repeal the embargo, but I have failed to find any laboring people who realize that if there should be war they would have to do the fighting asking for the repeal of the embargo law.

Mr. LUNDEEN and Mr. BURKE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. CLARK of Missouri. I yield first to the Senator from Minnesota.

Mr. LUNDEEN. If the Senator will permit, I can testify concerning the volume of correspondence along the line of the remarks of the Senator from Missouri on that subject.

Mr. President, this thought occurs to me: The distinguished Senator from Missouri is delivering an able and learned argu-

ment, presenting the reasons why we should maintain the embargo on arms, ammunition, and implements of war; but how can anyone, no matter how able and learned his argument may be, satisfy those who maintain that we must help Great Britain and France? That simply cannot be done.

Mr. CLARK of Missouri. Mr. President, I do not expect to be able to convince Senators or others who adhere to that view. I yield now to the Senator from Nebraska.

Mr. BURKE. Mr. President, I was interested in the comment of the Senator from Montana that he had heard of no demand by labor that the arms embargo be repealed. Did the newspapers of the country report incorrectly the action of the American Federation of Labor, which met during the past week at Cincinnati, in which meeting there was a very definite demand expressed for the repeal of the arms embargo?

Mr. WHEELER. Mr. President, will the Senator from Missouri yield to me to answer the Senator from Nebraska?

Mr. CLARK of Missouri. I yield.

Mr. WHEELER. I saw an article in which it appeared that the C. I. O. stated yesterday that they were going to support the President, and they made the statement because they did not know anything about the matter. I appreciate that some of the labor leaders of this country who are dominated by some of those connected with the administration will do anything they want them to do, but I am speaking of the rank and file of the laboring men of the Nation, and I say that, whether they are of the C. I. O. or the American Federation of Labor, or to whatever group they may belong, they have made no demand for the repeal of the embargo; and if the Senator will consult the rank and file of the laboring people he will find that they are unalterably opposed to our taking a single step that will lead down the road to war.

Mr. BURKE. Of course, we all agree——

Mr. CLARK of Missouri. Mr. President, I do not wish to be discourteous to the Senator from Nebraska. At the same time, I do not want him to make a speech in my time, because I have quite a lengthy speech to make, and have been on the floor now for two hours and a half. The Senator from Nebraska is to follow me, I understand, at the conclusion of my remarks, and he can make his speech in his own time.

Mr. BURKE. Will the Senator yield for a question?

Mr. CLARK of Missouri. I will yield; but I am anxious to proceed with my own argument, rather than have a collateral argument between the Senator from Nebraska and the Senator from Montana.

Mr. BURKE. Will the Senator yield to me to comment on the statement of the Senator from Montana to the effect that there is no demand from labor for repeal?

Mr. CLARK of Missouri. The Senator can answer the Senator from Montana in his own time; I do not desire to have him make a speech in my time.

Mr. BURKE. If the Senator declines to yield——

Mr. CLARK of Missouri. I do decline now, because the Senator from Nebraska has notified me that he will take the floor in his own time as scon as I conclude, and he can make his argument in his own time.

Mr. BURKE. Very well.

Mr. CLARK of Missouri. I desire to proceed with the quotation from the article in the magazine Today, an article written by the Senator from Nevada [Mr. PITTMAN], in which he further said:

> It is charged that the bill aids the strong and penalizes the weak. Any exports to belligerent countries during a war must have this effect. The belligerent, or belligerents, having control of the seas will prevent any exports reaching the belligerents weaker upon the sea. How do we injure the weaker, therefore, by permitting fewer exports to all of the belligerents? We sympathize with the weak, but it is better for us that they suffer than that our citizens be dragged into war unnecessarily. We are seeking primarily to keep our citizens out of war, and in this effort we cannot be deterred by the effect of our domestic action upon any belligerent.

I contrast this with the explanation of the pending joint resolution given by the Senator from Nevada a few days ago. He concluded his article:

> The act provides that we must treat all belligerents alike. Nothing could be more neutral.

My distinguished friend the Senator from Texas [Mr. CONNALLY] acquiesced in this view in a colloquy with Judge Hackworth, the legal adviser of the State Department.

Mr. DOWNEY. Mr. President, would the Senator object to my suggesting the absence of a quorum?

Mr. CLARK of Missouri. If the Senator will wait until I conclude reading this colloquy, I shall be very glad to have him do so.

At page 293 of the hearings before the Foreign Relations Committee on the Pittman bill of 1936, we find this interesting conversation:

> Mr. HACKWORTH. Senator, if you see two men fighting in the street and you have a store nearby, and in that store you are selling firearms, you are not taking a part in that fight if you refuse to sell your firearms to those men who are fighting.
>
> Senator CONNALLY. We have agreed on that. Everyone is in favor of cutting off the exportation of firearms.
>
> Mr. HACKWORTH. Yes.
>
> Senator CONNALLY. That is recognized to be just and proper.

To the same effect was the expression of the splendid and able senior Senator from Georgia [Mr. GEORGE]. At page 130 of those 1936 hearings the following colloquy took place:

> The CHAIRMAN. Knowing that arms, ammunition, and implements of war are going to the power that controls the seas, as they did during the World War, you would not object to restricting the exportation to a belligerent of arms, ammunition, and implements of war, do you?
>
> Senator GEORGE. No. I think that stands on a somewhat different footing.

These are simply evidences of the well-nigh universal chorus of approval which accompanied the enactment of the mandatory arms-embargo provision.

I shall be glad now to yield to the Senator from California.

Mr. DOWNEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUCAS in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reed
Andrews	Davis	King	Reynolds
Austin	Donahey	La Follette	Russell
Bailey	Downey	Lee	Schwartz
Bankhead	Ellender	Lodge	Schwellenbach
Barbour	Frazier	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gerry	McCarran	Slattery
Borah	Gibson	McKellar	Smathers
Bridges	Gillette	McNary.	Stewart
Brown	Green	Maloney	Taft
Bulow	Guffey	Mead	Thomas, Okla.
Burke	Gurney	Minton	Thomas, Utah
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Truman
Capper	Hatch	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Wheeler
Clark, Mo.	Hughes	Pittman	White
Connally	Johnson, Calif.	Radcliffe	Wiley

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. CLARK of Missouri. Mr. President, the heart of this controversy is the question whether or not the mandatory arms embargo shall be repealed in an effort to help Great Britain and France, or whether we shall adhere to the policy three times solemnly enacted by Congress and approved by the President of protecting the interests of our own Nation by remaining austerely aloof from the quarrels of other countries, no matter where the essential sympathies of our people may lie in such quarrels.

On the one side is the proposition that we shall adhere to the rules which we deliberately and dispassionately set up without reference to any particular situation for the prevention of our own involvement in any foreign entanglements. On the other side is the proposition that out of sympathy with the Empires of Great Britain and France—for empires they both are when their imperial colonial possessions are considered—we shall violate our own neutrality policy, and change the rules while the game is in progress for the unneutral purpose of aiding one set of belligerents as against another.

On the one hand are those who believe that we can "eat our cake and keep it too," that we can actively aid Great Britain and France by measures short of war, and still avoid ultimate participation in the struggle. On the other side are those of us who believe that the relaxation of our policy of strict neutrality by the repeal of the arms embargo, and the establishment of the United States as a reservoir for slaughterhouse weapons is only the first step which must inevitably lead to war.

Let us be frank. We, who sit in this body, certainly owe that much to the American people whose most sacred interests we are passing upon today. Let us face the issue fairly and frankly as to where our duty and where our interest and where our obligation to our own institutions and our own posterity actually lie.

There are, in this country, perfectly honorable and patriotic men and women who conceive that our interests are so inextricably interwoven with those of Great Britain and France and Poland that we should step forward openly and frankly as a partner and ally. They agreed with the blunt declaration made only a few weeks ago, by Foreign Minister George Bonnet of France, that it is the duty of the United States to come forward boldly and announce that in the event of war we would be found fighting with all our men and all our resources on the side of Great Britain, France, and Poland. Now that the catastrophe of war has occurred, they would have the United States proceed without delay to take its place in the struggle on the side of those Allies. With regard to neutrality, they echo with enthusiasm the frank and candid words of the able and erudite Senator from Utah [Mr. THOMAS], one of the authors of the committee substitute, when he said, in a recent radio address:

> Let us give up this dream of impartiality, therefore of neutrality. It is better to take sides and fight.

With such a view I am in passionate disagreement, and I believe that the American people when they completely understand the issue will be in overwhelming disagreement. But, Mr. President, while I violently and completely dissent from the judgment, I respect such opinions when openly and candidly expressed.

Mr. President, if I believed for one moment that "the American frontier is on the Rhine," or that the "American frontier is the Maginot line," or that "our first line of defense is the British Navy"; if I believed for one moment, sir, that the British and French are fighting our battle, that they are in effect defending our shores from foreign attack, that their unhappy and persistent pursuit of the game of power politics in Europe makes them the guardians of the safety of the United States; then, as an American Senator and an American citizen, I would scorn the idea of casting a vote for either the arms embargo, or the cash and carry, or the credit and carry, or any other scheme which would make us a huckster of munitions and vital supplies to the saviors who were fighting our battles to preserve our liberties. Tragic as the choice would be to me, if I entertained any such belief, I would unhesitatingly vote for a declaration of war, and I would do so with the full knowledge that the initial requests for supplies would soon be followed by demands for loans and credits, and then by demands for our manpower, the "men over 18"—as the War Department draft scheme puts it—the lads with the bayonets, the boys to man the heavy guns, to fly the new planes on foreign fields—the oncoming boys who are the heart and hope of America. If I believed that the safety of this Nation or the safety of our institutions was involved in this power struggle in Europe, if I believed that Britain and France were fighting to protect us, I would regard the cash and carry or the credit and carry as no more honorable than hiring a substitute for military service. I would regard it as a national stultification, a national infamy. In such a case I would vote for war and be glad myself to march again and to see my boys march as they became old enough. I would vote for war even though I knew full well that such a declaration would put in pawn here at home the dearest of our liberties; that under such schemes as the Army mobilization plan and such agencies as the Morgan-controlled National Resources Board, now temporarily suspended, a dictatorship with totalitarian powers would immediately be set up in this country; and that the rights which had been put in pawn might never be redeemed.

But, Mr. President, I entertain no such view. I adhere to the opinion that the greatest service the United States can possibly render to democracy in the world is to preserve democracy in the United States of America. I not only do not believe that it is our duty, but I think it would be suicidal for us to undertake—not only this year, but every 25 or 30 years—to protect the world-flung colonial empires of France and Great Britain.

At the outbreak of the World War the great Woodrow Wilson said:

> The United States must be neutral in fact as well as in name during these days that are to try men's souls. We must be impartial in thought as well as in action. * * *

President Roosevelt has truly said that this is impossible, as was proved in the World War. Americans will always have their sympathies, and no law or proclamation will prevent them from entertaining them; but wise laws may prevent us from involvement in alien struggles.

For myself I abhor the hideous conceptions of nazi-ism, fascism, and communism—all ideas utterly alien and repugnant to our whole scheme of government and decency and life. I abhor Hitler. I abhor his bestial treatment of the Jews and his brutal and inhuman treatment of the Christians of Germany—that nation where valiant battles for religious toleration were once waged on so many fields. I despise Hitler and all his bestial ilk. But I despise little less those Tory statesmen of Great Britain and France who by their ruthless policies in disregarding the provisions of the Versailles Treaty as to their own disarmament, and by their economic oppression of Germany, deliberately broke down the liberal government established in Germany under the Weimar Constitution—a constitution in many respects more liberal than our own—and threw Germany into the arms of the unspeakable Hitler. That liberalism in Germany failed, that the efforts of even such moderate liberals but great constructive statesmen as Streseman and Bruening were overwhelmed, and that Germany was thrown into the arms of Hitler and his gang of thugs and bandits, is a responsibility which must rest upon that group of callous, cold-hearted statesmen who controlled the destinies of France and Great Britain and of all their Balkan and eastern European allies—the heroes of Munich, the partners and accomplices of Hitler and Mussolini in the rape of Czechoslovakia, the only bona fide democracy in Europe.

Mr. REED. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. REED. I do not want the able Senator from Missouri to leave that point without asking him a question.

Mr. CLARK of Missouri. I shall be glad to have the Senator ask me a question.

Mr. REED. As I gather from the Senator's remarks, he does not believe that the present war in Europe is a war between democracies and dictatorships, but is a war over the balance of power in Europe. Is not that correct?

Mr. CLARK of Missouri. I think it is like every other war that has been fought in Europe in the past 200 years. It is a fight over power politics and boundaries.

Mr. REED. I wish to say to the Senator from Missouri that if that is his opinion as to the basis of the present war in Europe, I am in entire agreement with him.

Mr. CLARK of Missouri. I think the whole history of modern times demonstrates that to be a fact.

Besides those who openly favor the proposition of "taking sides and fighting," as the Senator from Utah [Mr. THOMAS] put it, there is another group in the country which takes the position that our involvement in the struggle is ultimately inevitable, and that we should now resign ourselves to that end and prepare for the submersion of our whole economic system and our institutions of government in that sea of blood.

This position is utterly unsound, because it is based upon wholly false premises in its assumption that there is no way in which the United States can stay out of the struggle, even if it wants to do so and is willing to make the necessary sacrifice to do so.

More dangerous, because more subtle and more appealing to many persons, is the view that we may or may not be able to stay out of the war, but that in the meantime we should pursue a mercenary course, make every penny we can out of the conflict, indulge in "measures short of war," and let nature take its course.

This way leads to spurious prosperity, to sudden illusory fortunes, to enormous profits to the munition makers and warmongers, to speculative riches, and to all that dread aftermath of enormous taxes, black depression, and impairment in governmental processes and civil liberties which followed in the train of the last war.

Mr. President, the tear-rusted, bloodstained gold that we got from the munitions trade in the last war has never been anything but a curse to us. The inflation and depression which followed, the present depression and situation of the United States following that inflation and depression, with millions of Americans out of employment, with $14,000,000,000 owed us from abroad that we shall never get, and the serious impairment of our political and governmental processes as a result of that war, bear witness to that fact.

Moreover, Mr. President, that course leads as surely to war as if we were today to declare war and range ourselves upon the side of one set of belligerents on Europe's far-flung battle line, which would probably in the long run be a cheaper and more honorable course than pursuing our mad search of war profits until the inflation of munitions production had brought about a financial and economic situation which dragged us in, as happened in the last war.

As against these various views is the position of that great body of our people who desire to stay out of war, who are willing to make some sacrifices of profits in order to stay out, and who will not, I am persuaded, be misled or seduced by the propaganda for taking us into the conflict which is already in full sweep.

I believe the overwhelming majority of our people desire to stay out of war. I believe we can stay out of war if we understand what we are doing and are willing to pay the price for peace. That price involves the loss of temporary profits in the sale of the instruments of death; but it will be far, far cheaper in the long run than our involvement in war.

Mr. President, during the last war it was strongly contended by Great Britain and her Allies that for a power to change its neutrality laws after the war had started was in itself a breach of neutrality—indeed, an unneutral act. Our Government completely, emphatically, and repeatedly endorsed that position as to international law. In a letter to the German Ambassador in April 1915 the American Government stated its position:

> This Government holds, as I believe your excellency is aware and it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its action.

Later President Wilson, in commenting on a demand from Austria-Hungary that we check our munitions trade in the interest of strict neutrality, wrote to Secretary Lansing that we—

> are absolutely unanswerable in our position that these things cannot be done while a war is in progress and against the parties to it.

Mr. FRAZIER. Mr. President——

Mr. CLARK of Missouri. I will yield in a moment. Mr. President, it has been suggested in this debate that there is an inconsistency in the position which we take that to repeal the arms embargo would be an unneutral act as a change of the rules "while the game is in progress" and being willing at the same time to support the cash and carry and certain other provisions of the joint resolution. There is no inconsistency at all, because, as is abundantly shown in the citations from Professor Jessup, Professor Hyde, and some of the others, which I have obtained permission to print in the RECORD, the rule has always been that, while a nation cannot, after war has developed, change its position as to neutrality in the way of relaxing its neutrality provisions, it always has a right to pass additional safeguards for tightening and strengthening its neutrality policy to keep itself out of war. Cash and carry and the other provisions which we have announced we were willing to support are in the interest of strengthening and tightening our neutrality policy, while the repeal of the arms embargo would be precisely in the other direction.

Mr. LODGE. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from Massachusetts.

Mr. LODGE. Is it not fair to say that the important thing is not whether the rules are changed in the middle of the game, but whether something is done which changes the balance of power?

Mr. CLARK of Missouri. That is unquestionably true.

Mr. FRAZIER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. CLARK of Missouri. I yield.

Mr. FRAZIER. I was very much interested in what the Senator said about the attitude of our Government during the World War on the particular question of the change of the rules, and that the Congress itself rejected a proposal of that kind and refused to adopt it because it would change the rules at the time. On the other hand, we are now asked to change the rules, and we are told at the same time by the same people that there is no danger of getting into war. In the World War they refused to change the rules and got into the war, and now they ask us to change the rules and yet tell us there is no danger of getting into war.

Mr. CLARK of Missouri. I call the Senator's attention to the fact—which is, perhaps, a complete answer to the anomaly to which he has just referred—that in the World War Great Britain objected to our changing the rules, and said it would be an unneutral act, whereas now Great Britain wants us to change the rules and says it would not be an unneutral act.

Mr. President, I rejoiced, in common with the overwhelming majority of the American people, in the explicit declarations of the President in his message of September 21 in anouncing his rigid determination to prevent the United States from being drawn into the conflict abroad. Those of us who most strongly disagree with the method proposed by the President, namely, the repeal of the arms embargo, are most ardent in support of his announced position of keeping this Nation from the war. We will support that determination in every possible way.

But, Mr. President, I cannot view without grave misgiving some of the things of a warlike nature which have already taken place at a time when we do not even have a serious diplomatic dispute with any other nation in the world.

In the first place, the proclamation of the President, which has been widely heralded as a proclamation of limited national emergency, is no such thing. Upon careful scrutiny it will bear no such interpretation. It contains no such limitations. It is a proclamation of national emergency without any limitations whatever. Under it the President can exercise all the powers of a national emergency which he can exercise without specific authority of Congress. The only limitation is the limitation voluntarily placed by the President upon himself in his discussion with newspapermen, when he stated that he only intended to use a portion of those powers at this time.

The exercise of some of those powers under Executive order has not been precisely reassuring. One of the first was an order nullifying the civil-service laws and regulations of the United States with regard to all matters connected with "preparedness or neutrality," terms so broad that they might be construed to cover almost any governmental activity.

Far more important and far more disquieting is the Executive order transferring control of the Panama Canal Zone from the Governor of the Canal Zone to the Army. The Executive order recites that it is done pursuant to authority vested in the President by section 8 of the Canal Zone Code. But an examination of that section of the statute shows that it vests authority in the President only when there is a state of war in which the United States is engaged or when war is imminent.

The Executive order, therefore, amounts to a certificate by the President either that a state of war exists in which we are engaged or that war is imminent. It may be, Mr. President, that it is desirable or necessary to transfer control of the zone from the Governor, who is a brigadier general in the Regular Army, to the Army commander in the zone who is a major general. If so, I dare assert that a resolution giving such authority to the President could have been passed by unanimous consent through both Houses in a single day. I merely point out that to accomplish that purpose by Executive order, with the necessity of finding that war is imminent, cannot be reassuring to our people.

Far more dangerous because far more calculated to alarm and inflame our people—and perhaps deliberately intended for that purpose—are the irresponsible statements and actions of certain officials who only by reason of their position carry a certain weight of authority. An example was the speech on yesterday by Assistant Secretary of War Louis Johnson in which he sought to inflame the people as to the safety of our own shores by comparing our situation to that of Poland. In my judgment, no more idiotic, moronic, unpatriotic remark has ever been made by a man in a high public position. To compare the situation of the United States, located between Canada and Mexico, with 3,000 miles of ocean between us and any possible adversary on one side and 7,000 miles of sea between us and any possible adversary on the other, and with a superb Navy and a magnificent air force, with the situation of Poland, caught in a nutcracker, surrounded on three sides by Germany and the other side by Russia, is an attempt to alarm and excite our people which, to my mind, is beneath contempt.

This is the same Louis Johnson, who has been flying around the country in an Army plane for the past several years preaching the inevitability of war and the certainty of our being drawn in, and drawing horrific pictures with grisly prophecies of our own shores being invaded and our own land being laid waste.

This is the same Louis Johnson who recently, without any apparent authority of law, set up a War Resources Board, stacked its personnel with Morgan-Du Pont-controlled members, and publicly announced that as soon as we entered into war, under authority of an act which has never been passed by the Congress, the War Resources Board would become the War Resources Administration, and its chairman, the head of the Steel Trust, would become the virtual economic and industrial dictator—except for price fixing, which was to be handled by another similar committee. To be sure, after the affiliations of the personnel of the War Industries Board were exposed, the President announced that they would soon conclude their labors and be disbanded, but Louis Johnson is still in office and the Board has not been disbanded.

This is the same Louis Johnson who furnished an office in the War Department to Leo M. Cherne to write a book called Adjusting Your Business to War, and then wrote a foreword in terms of fulsome adulation to that work.

I was able to obtain the loan of a copy of this book, although it was not written for the perusal of such as I. This book describes in detail the Fascist plans contemplated by the War Department in the event of war, including drafting of manpower, regimentation of industry, restriction of the rights of labor, relaxation of the laws with regard to women and child labor, censorship, and many other subjects. To be sure, the President stated that the book had no administration approval, but Louis Johnson is still in office and the authenticity of the book as to the provisions of the Army mobilization plan has not been questioned.

No less reprehensible, in my opinion, is the effort of the War Department to make the Nation war-minded by preparations for the draft. Already—when we have no quarrel with any nation in the world—with no authority of law whatever, officials are going about the country training draft boards for the purpose of conscripting the youth of our land for military service.

Mr. President, I say it is a shameful thing when, without the authority of Congress, plans are already far under way for drafting boys 18 years old who have not even had the poor privilege of voting for those who pass the laws and determine the policies which would send them to the shambles.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Montana.

Mr. WHEELER. The Senator made a statement with reference to draft boards. What is the Senator's authority for that statement?

Mr. CLARK of Missouri. The matter appeared in all the public press. One meeting is to be held this week, I believe, in Chicago. Another is to be held in New Orleans. According to the War Department release, meetings are to be held all over the country, in which draft boards are to be directed and trained, and local boards are to be appointed and are to proceed as soon as the necessary legislation can be passed to put them into effect. Mr. President, I say it is a shameful thing, because it can have no other purpose than inflaming the people and making them war-minded.

Mr. BURKE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. CLARK of Missouri. I yield to the Senator.

Mr. BURKE. I am very much interested in the statement just made by the Senator that plans are completed for the formation of draft boards and all the machinery necessary to put a draft law into effect. I read the newspapers with extreme care and I have seen nothing of that kind. Will the Senator be a little more explicit?

Mr. CLARK of Missouri. Mr. President, I saw the statement in a War Department release. I do not happen to have it with me, but I shall be glad to supply it to the Senator. It is a War Department release, as I recall, on Monday of this week. I cut it out of the Washington Post. It contained a full account of the proceedings of these draft boards.

Mr. BURKE. I shall be very glad to see any release of that kind. Meanwhile, pending that, I shall retain in my own mind very great and open doubt as to whether any such plans have been made.

Mr. CLARK of Missouri. That is usually the condition of the Senator from Nebraska, I have observed. [Laughter.]

Mr. CLARK of Missouri subsequently said: Mr. President, in view of the question raised during my remarks by the Senator from Nebraska [Mr. BURKE] as to the War Department's plan for training and drilling draft boards, I ask unanimous consent that there be inserted in the RECORD at the conclusion of my remarks an article appearing in the Washington Post of Thursday, October 5, headed:

Draft Boards To Lay Plans for M Day. Army-Navy Selective Service Committee Sets Four Conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURKE. I shall be very glad to read the article.

Mr. CLARK of Missouri. I commend it to the Senator's open mind.

Mr. BURKE. Is it just a newspaper story? I thought it was an official release.

Mr. CLARK of Missouri. I understand the Post vouches for it as being based on official information.

Mr. BURKE. I will examine it.

(See exhibit C.)

Mr. CLARK of Missouri. Mr. President, I have said from beginning to end of this debate, and I repeat, that my interest in this whole subject is the interest of the people of the United States. Whatever may be my sympathies with regard to this

war, my sympathies are far more with the people of the United States, who would have to pay the price if we should get into the war. While my sympathies and my interests are, first and last, those of the people of the United States, I am persuaded that a selfish interest in the people of the United States is by no means incompatible or inconsistent with the best interests of the people of the world. I say that, so far as the belligerents and the combatants themselves are concerned, the greatest aid we can render to them is by staying out of the war ourselves, preserving our resources, preserving our man power, and preserving our own institutions. I say that when the present war ends—and it will almost inevitably be a war of exhaustion—we can do a great deal more for the rehabilitation of the world with our resources and our free institutions if we are able to go to the belligerent nations and help them to rehabilitate themselves than if, in the meantime, we have been dragged into the war, our own manpower has been exhausted, our own wealth has been dissipated, and we come out of it, like the other belligerents, exhausted from the struggle. I believe the interests of the countries which are now belligerent nations, as well as the interests of the United States, require us to attend to our own business and stay out of the war.

Mr. President, in conclusion let me say that in certain quarters there has been for some time an effort to use the term "isolationist" as a term of opprobrium applied to those of us who oppose the emasculation of the Neutrality Act, and are determined to exhaust every possible effort to keep this Nation out of war. So far as I am concerned, I use that term—which is intended as a term of opprobrium—as a badge of honor. If the attitude of the United States staying at home and attending to its own business is isolationism, then George Washington was an isolationist; Thomas Jefferson was an isolationist; the Adamses, Madison, Monroe, Andrew Jackson, the men who made this country great, were isolationists. If that means isolationism, President Roosevelt was an isolationist in his great speech at Chautauqua, N. Y., in 1936, although he specifically denied it when he said, "We are not isolationists except in the sense that we want to isolate this country completely from war." As a matter of fact, Mr. President, the term "insulation" would be a much apter description of our position. We want to insulate this country from being set afire by the conflagration abroad. But, no matter what the motive of the application of that term, I am certain that those of us who adhere to that position accept it and wear it as a badge of honor.

For myself, Mr. President, in the past few years, on hundreds of stumps in Missouri and outside Missouri, I have pledged myself that I would never vote to send American boys abroad to die in foreign quarrels that did not concern us. Today, with world catastrophe once more upon us, I renew that pledge. So far as I am concerned, I will never, never, never vote to send American boys abroad to die in other peoples' quarrels, or take any step or cast any vote which in my judgment contributes to that end.

Mr. President, if that be isolationism, anybody—anybody, high or low—is welcome to make the most of it.

EXHIBIT A

[Corwin's letter to New York Times]

OCTOBER 2, 1939.

In going before Congress to urge repeal of the arms embargo the President undertook an unaccustomed role for him—that of opponent of legal change, of champion of ancient wont and use. The novelty of the part perhaps accounts for his rather unsatisfying performance of it. Mr. Roosevelt asserts in his opening sentence that the embargo "impairs the peaceful relations of the United States with foreign nations"; and he later adds his "deep and unalterable conviction * * * that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today."

In support of neither assertion nor conviction, however, does he adduce any proof of either factual or logical nature except a reference to "years of experience as a worker in international peace" most of which must have antedated his original approval of the embargo.

He finds to be sure the distinction which the embargo provision sets up between completed implements of war and the materials out of which they are made an "artificial" one and he challenges "those who seek to retain the present embargo position" to "be wholly consistent and seek legislation to cut off cloth and copper and meat and wheat and a thousand other articles from all of the nations at war."

CONSISTENCY QUESTIONED

But obviously the fact that this distinction is "artificial" would not necessarily make it a source of danger to our relations with other countries, while the appeal to consistency is an argument which can be worked both ways. Mr. Roosevelt himself would have to admit that it is "artificial" to distinguish between one who makes a gun and puts it into the hands of another in the certain knowledge that it will be used by that other against a third person, and on the other hand one who fires a gun himself at said third person. Yet this is precisely the distinction on which neutral status pivots. Would Mr. Roosevelt abandon this "artificial" distinction in the present instance?

The fact is, of course, that most legal distinctions are artificial, otherwise the law would not have had to intervene to set them up. And the distinction which the President attacks is derived from the very international law which he so much praises, and to which he is so anxious to return. What is more, he himself adopts it at the end, when he urges the retention of the present "license system covering import and export of arms, ammunition, and implements of war," and the present ban on the shipment of these to belligerent countries on American vessels. Of the latter he says, "This provision should not be disturbed."

THE JEFFERSON PARALLEL

Mr. Roosevelt also endeavors to bolster his case by an appeal to history. He seeks to affix to the present embargo the odium which Jefferson's embargo incurred some 130 years ago. Referring to our struggle to keep out of the Napoleonic wars, he says:

"We acted for some years under the so-called Embargo and Nonintercourse Acts. That policy turned out to be a disastrous failure—first, because it brought our own Nation close to ruin, and second, because it was the major cause of bringing us into active participation in European wars in our own War of 1812. It is merely reciting history to recall to you that one of the results of the policy of embargo and nonintercourse was the burning in 1814 of part of this Capitol in which we are assembled."

Coming from the present leader of the Democratic Party, this attack on the principal and most obstinately persisted-in policy of the party's founder seems an argument of desperation. At least, it will come as news to most students of American history that Jefferson's embargo brought on the War of 1812.

Another argument the President phrased thus: "From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there, when we could give employment to thousands by doing it here? Incidentally, and again from the material point of view, by such employment we automatically aid our own national defense."

ARGUMENT IS CRITICIZED

The argument is both irrelevant to the main issue and unconvincing in itself. The Congress has recently appropriated some billions of dollars toward this country's rearmament. Is their expenditure to be postponed in order that we may supply the warring European countries with arms, or are the two things to proceed concomitantly? If the latter, we shall have on our hands at the end of hostilities a vastly overdeveloped munitions industry, just as we did at the end of the World War, and a second economic collapse of more or less serious character. It is true that this danger would be somewhat mitigated by adoption of the cash-and-carry plan, although that is entirely without sanction from international law.

Finally, the President advances the following argument: "Repeal of the embargo and a return to international law are the crux of this issue. The enactment of the embargo provisions did more than merely reverse our traditional policy. It had the effect of putting land powers on the same footing as naval powers, so far as sea-borne commerce was concerned. A land power which threatened war could thus feel assured in advance that any prospective sea-power antagonist would be weakened through denial of its ancient right to buy anything anywhere.

"This, 4 years ago, gave a definite advantage to one belligerent as against another, not through his own strength or geographic position, but through an affirmative act of ours. Removal of the embargo is merely reverting to the sounder international practice, and pursuing in time of war as in the time of peace our ordinary trade policies. This will be liked by some and disliked by others, depending on the view they take on the present war, but that is not the issue. The step I recommend is to put this country on the solid footing of real and traditional neutrality."

There is some confusion of statements, possibly of thought, here. "Four years ago," when the embargo was enacted, there were no belligerents; it was a period of peace, at any rate as respects the land and naval powers to whom the President refers. Can it be conceded, then, that the United States is not free to revise its trade policies in time of peace, whatever the repercussions may be upon the opposed interest of future belligerents? Certainly no such concession can be made unless international law requires it.

The fact is that the foregoing argument rests on a mistaken assumption, namely, that neutrals are under a positive obligation to trade with belligerents. The international law to which the President constantly appeals knows no such rule. That law merely permits neutrals to trade with belligerents, subject to the hazards to which the rules concerning contraband and blockade give rise; it no more requires neutrals to sell to belligerents than it requires

them to produce for belligerents. The President's argument subjects neutral interests to an utterly unheard-of servitude in favor of belligerents, and at the same time quite gratuitously presents the naval powers with a grievance made up out of whole cloth.

There may be plenty of sound arguments for the repeal of the arms embargo. If so, the President has been singularly unsuccessful in discovering them. The address to Congress does not make out a case for its main proposal, and shows a disturbing lack of clarity on the part of the administration as to its own guiding intention.

EDWARD S. CORWIN.

PRINCETON, N. J., *September 29, 1939.*

EXHIBIT B

In a clear and concise letter of September 20, 1939, to the New York Times, written jointly by Professor Jessup and by Prof. Charles Cheney Hyde, also of Columbia University, these eminent international lawyers write:

"The Congress about to convene will be called upon to make a momentous decision—whether it shall remove the existing embargo on munitions of war to belligerent countries. The issue is not merely one of policy, it is rather one of law. To put it differently, the Congress must first consider and decide whether any legal duty rests upon the United States as a neutral not to remove the embargo. The decision on this point needs to be taken before any other can be intelligently or wisely reached.

"The situation confronting the United States today is sharply different from that of a month ago, before the war broke out. While peace reigned no international obstacle hindered Congress from legislating as it might see fit. With the outbreak of war, however, the situation changed overnight. The United States found itself, and still finds itself, as a neutral burdened with a number of well-recognized duties toward all of the warring states. These duties it is not free to alter according to its convenience or preference. The fact that these duties are owed to a belligerent with whose policies it has no sympathy does not change the duties; it merely makes it extremely hard for the Nation to keep its balance and to be guided by its head rather than its heart."

Professors Jessup and Hyde go on to indicate what the neutral duties of the United States are in this situation:

"What are the outstanding duties which the United States as a neutral must respect? Here are a few. Its Government must remain strictly impartial, whatever be the feelings of the people; it must not itself furnish aid to any belligerent; it must not take sides in the war; it must not directly or indirectly assist a favored belligerent at the expense of its foe.

"It is true that international law does not normally oblige a neutral state to prevent its citizens from exporting munitions of war from its territory. Yet the freedom from such an obligation vanishes when once the government of the neutral has itself undertaken, as by its statutory law enacted in time of peace, to forbid exportations to belligerents and has made the matter of exportation one of government control. Thereafter, when war ensues, it requires affirmative governmental action to permit exportations of previously forbidden articles from neutral territory.

"Hence, relaxation of embargoes after the outbreak of war may in fact and in law amount to governmental participation in the conflict. This is obvious if or when the reason for removing a particular embargo is to aid the cause of one or more of the fighting states which will vastly profit from such action because of their command of the seas. In such a situation the neutral purveyor becomes the special support or prop of the favored belligerent, and the government as well as the people of the neutral becomes in reality a participant in the conflict. Such conduct is, under such circumstances, unneutral and is contemptuous of the legal duty which the law of nations imposes upon every neutral sovereign."

They point out that repeal of the arms embargo at this time gives England and France a distinct advantage over their enemy and, in fact, makes the United States the ally of England and France. Their letter states:

"To be more precise, if the Congress, in order to strengthen the sinews of France and England, removes the present embargo so as to enable those powers to gain a distinct advantage over their enemy, the United States makes itself in fact the ally of those who secure its sustenance. But, more than that, such conduct is illegal as well as unneutral, and may, if resorted to, place the Nation in a most embarrassing and even hypocritical position when it undertakes to assert its neutral rights which Secretary Hull recently announced we had not abandoned.

"The precise ground of objection would be that our Government, having in time of peace asserted control over and forbidden the exportations of munitions in wars which might ensue, cannot relax its grip without affirmative congressional action, and that such relaxation being the direct expression of a notorious desire to help a particular cause constitutes a governmental taking of sides which is unneutral and illegal.

"Thus these two factors—the governmental control already achieved by an act of Congress and a governmental desire to relax that control so as to help France and England—would combine to produce a result that the opposing belligerent, Germany, would pounce upon to establish the unneutral aspect of embargo-removing legislation. These factors would render inept and unconvincing the contention that when or if Congress removed an embargo which the United States was not obliged to impose, no legal duty to any belligerent is involved, provided every state engaged in war enjoys equal freedom to help itself to American resources."

Taking up the argument that the United States is free to lift the embargo now while war is in progress, provided that it allows every belligerent to buy munitions here, these well-known scholars point out:

"The answer is that the manipulation of American governmental control already established through a statutory embargo, with the deliberate design of aiding a particular group of warring powers by an effort that takes cognizance of their relative supremacy at sea, is a deliberate taking of sides which marks intervention in the conflict. Such intervention is not impartial in spirit, and it is not abstention from participation in the war. It is, on the contrary, a specious form of interposition sought to be disguised under a cloak of professed equality of treatment of the opposing contenders. Yet the real character of such conduct shines out like a lighthouse in the fog.

"It is not here sought or necessary to press the contention that neutral contributions of munitions of war to belligerent states tend to bring the contributor into the conflict and to make it the enemy of that belligerent which suffers a distinct detriment from its conduct. At the moment that is a matter of secondary importance. The question of the hour is whether the United States is today, with its present neutrality law on the books, free under the law of nations to remove embargoes in order to help the enemies of Germany. It is believed that the United States has not been free since September 3.

"If this conclusion is correct, what would be the consequences of American unneutral participation in the war as against Germany? It is perhaps unnecessary to consider how Germany as an offended belligerent would seek to vindicate its rights. It may merely be recalled that as a result of Washington's and Jefferson's frank recognition of neutral duties we paid England about $143,000 for our breaches of neutral duty in the 1790's, and that in 1873 England paid the United States $15,500,000 for English breaches of neutral duty during the American Civil War.

"It is not suggested, however, that our national action should be determined on the basis of fear that we should be liable to pay a bill for damages, no matter how large. It is rather suggested that the United States today, as in the time of President Washington, should be guided by a decent respect for its obligations under international law.

"Within the past 2 years American governmental utterances, embracing those of our faithful and high-minded Secretary of State, have deplored the lawlessness of some other countries and their contempt for the precepts of international law. Such denunciations lose their influence and confidence if the integrity of the Nation is impaired."

Professors Jessup and Hyde appeal in the final paragraph of their letter for an honest consideration of the issue at stake:

"A country such as our own needs today, when its Congress is summoned for a particular purpose, to consider honestly, resolutely, and fearlessly the question whether it can modify its law in order to assist one set of belligerents whose cause it favors without becoming a deliberate violator of the law of nations. Unless it can answer that question affirmatively in the best of faith and in the light of law and practice it cannot at this time relax its embargoes without besmirching its character as an advocate of international justice.

"The United States is free to enter the war as a belligerent if it decides so to do. We express no opinion on the wisdom of such a choice, but if the sympathies and conviction of all its people demand that course of action, it will be taken; let it then be taken boldly and frankly. But if the sober judgment of the American people is that our duty and our interest require that we be neutral, let us follow that course with equal honesty and with respect for that international law of which we pride ourselves on being the champion." (New York Times, September 21, 1939.)

EXHIBIT C

DRAFT BOARDS TO LAY PLANS FOR M DAY—ARMY-NAVY SELECTIVE SERVICE COMMITTEE SETS FOUR CONFERENCES

Members of the Army-Navy selective-service committee will meet in Chicago Monday for a 2-week conference with State draft committees on plans for the mobilization of manpower in the event of war.

Officials said the meeting was the first of four to be held in the next 6 months to perfect draft plans and train committees of Army and Navy Reservists in the establishment of local draft boards in an emergency. A similar conference will be held in New Orleans in February, another here in April, and the last in May.

The latest selective-service plan, officials said, follows rather closely the system in effect during the World War. Principal differences lie in the administration of the draft and the ages to be called. National and local civilian boards will handle the job, instead of the Army.

While the first draft will call all men between 21 and 30, as in 1917, the second will include those 18 to 21, younger men than those ordered up 22 years ago. The third draft, as in the World War, calls all men 18 to 45 years of age. Exemptions for physical disability and dependency will follow the 1917 practice, while in any future war, many more waivers will be granted to skilled workers and executives in key industries.

These provisions are not now law, but in case of an emergency, it is expected that legislation setting up such a draft would be rushed through Congress.

Mr. BURKE obtained the floor.

Mr. BARKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reed
Andrews	Davis	King	Reynolds
Austin	Donahey	La Follette	Russell
Bailey	Downey	Lee	Schwartz
Bankhead	Ellender	Lodge	Schwellenbach
Barbour	Frazier	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gerry	McCarran	Slattery
Borah	Gibson	McKellar	Smathers
Bridges	Gillette	McNary	Stewart
Brown	Green	Maloney	Taft
Bulow	Guffey	Mead	Thomas, Okla.
Burke	Gurney	Minton	Thomas, Utah
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Truman
Capper	Hatch	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Wheeler
Clark, Mo.	Hughes	Pittman	White
Connally	Johnson, Calif.	Radcliffe	Wiley

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. BURKE. Mr. President, in what I have to say today on the extremely important question now under discussion I wish to make it clear at the very outset that I am expressing only my personal views. No other person in or out of Congress can properly be charged with the slightest responsibility for any statements that I shall make. If there be those who disapprove of what I have to say, or, approving, question the wisdom of saying it in this place and at this time, I offer in justification only the obligation that all men owe to speak the truth as God gives them to see the truth. That which I am about to say is born of a sincere conviction that it is the truth and that no good end will be served by closing our eyes to the realities of the situation which confronts us.

To me it seems that the proper definition of a neutral is that he is one who stands apart and permits no act of his to give material aid, support, or favor of any kind to either party to a controversy. Apply that test and it becomes clear at once that the law which we seek to amend does not place us in the position of a neutral. As long as it remains on the statute books we cannot properly be called neutral, for admittedly the present law does greatly favor one belligerent. By the same token, the pending proposal in the nature of a substitute, considering all of the circumstances under which it must operate when enacted, is in no real sense a neutrality measure. I do not say this in criticism of the Pittman joint resolution. I approve it, but not in the belief that it is a move toward scrupulous neutrality. May I say at once that the time has come when it is imperative that we in this country apply ourselves to a task of far greater importance than the impossible effort to maintain a strictly neutral position. The clear duty of this Congress is to legislate for the safety and the security of America. Neutrality has its importance, but only as it affects the larger problem—the welfare of our common country. To be faithful to the trust imposed in us we must disregard the sentimental pleas of well-meaning people who have not had the opportunity to consider the subject in all of its aspects; we must reject organized clamor, lay aside preconceived notions, and, with firm hearts, steel ourselves to whatever action and sacrifices may be necessary to protect the fundamental rights of America.

There is a time for compromise, for yielding, for appeasement, if you will. That hour is past. We need a rebaptism in the faith and the courage of our fathers. It is all very well to say that we love peace and hate war. We can all subscribe to that without any reservation whatever. I will go as far as anyone to promote the former and prevent the latter. But we may as well recognize that we live in a world wherein, unfortunately, force is still the only language that many understand. Until that condition can be corrected, it will be best for us to master that language. Only harm can result if the erroneous impression is permitted to be spread abroad and at home that America has no rights which it cherishes so deeply that it will fight to the last drop rather than surrender them.

For example—and for example only—it must have shocked many, as it has shocked me, to have it argued from the public rostrum, and even here on the floor of the Senate, as one reason why we should not take a certain course of action that it might offend a particular foreign nation whose spies and saboteurs within our borders would then be instructed to dynamite our mills and factories.

There is only one proper answer to that kind of a suggestion. It is the answer given by Ambassador Gerard to the warning of a high official of a foreign power then, as now, engaged in war. The warning was: Two million men in the United States owe such allegiance to the land of their birth that unless our country pursued a certain course of action these men would not respect the property or the lives of our citizens. The answer: We have 2,000,000 lampposts to take care of just such false Americans.

Mr. President, I propose to lay down three propositions which seem to me to be incontrovertible. I have indicated what they are. First, the present act does not operate in a neutral manner. To replace it with the pending substitute would not be in accord with strict neutrality. Since we cannot, then, be scrupulously neutral in either event, and even if that were possible, it should be our single purpose to follow that course of action, regardless of anyone's conception of strict neutrality, which appears most beneficial to the United States—most likely to keep us out of war, as the Senator from Missouri so urgently pleaded a few moments ago; most conducive to an early and lasting peace among the warring nations; most certain to preserve this country as one place where there may be the fullest development of democratic processes. We proceed, then, to enlarge upon these three propositions:

First. The arms-embargo provision of our so-called Neutrality Act clearly favors one of the belligerents in the war that is now raging in Europe. By hampering the Allies in their prosecution of that war the arms embargo favors Germany to the certain extent of prolonging the war for many months, if not years. It favors Germany to what seems to many the probable extent of enabling Germany to bring about a stalemate, with most of the objectives won for which Hitler began the war. It favors Germany to the possible extent, some feel, of enabling it to emerge victorious from that war.

If these premises are well taken—and I am very sure that they cannot be successfully disputed—how can anyone read neutrality into the present law? Of course, it may be said that, admitting all that is claimed as to the operation of our law, what business is it of ours how our law affects other countries or who wins the European war? My views on that question will be unfolded as I proceed. The point I make now is that every day of inaction means that we are permitting an unneutral act to remain in force. What a hoax has been perpetrated upon so many thousands of well-meaning citizens all over this land who have been induced by demagogues to wire or write their representatives in Washington to "Save our Neutrality Act"; "Make no change in our neutrality law"; "Oppose repeal of the arms embargo and keep neutral"! All this in face of the fact that the Neutrality Act is anything but neutral. Whatever else may be said in favor of those who thus present their demands, the action they urge is not that of a neutral.

Mr. President, I would respect the sincerity, however much I would have to question the good sense, of the individual who would implore me to keep this law intact because he hates England, because he mistrusts France, because he wants to hamper them both in every way possible, or because he approves of Hitlerism and wishes it given a free hand in all of Europe. The point I make is that a law which in operation is prejudicial to Britain and France and favorable to the spread of Hitlerism ought not to be defended in the name of neutrality.

For myself, I see no justification on any ground for permitting a law to stand that favors Hitlerism.

Mr. McKELLAR. Mr. President will the Senator yield?

Mr. BURKE. I yield.

Mr. McKELLAR. I wish to ask a question purely for information. Has any other nation in the world at this time an embargo law?

Mr. BURKE. I have been advised that certain of the Scandinavian countries either have or are considering the imposition of an embargo on arms, and that during the World War some of those nations did have such an embargo. They were caught right in the midst of the war, and for their own protection and because they were weak and helpless, they thought their interests would be served by an embargo. I think if such an embargo on arms from Denmark and some other countries is not now in force that in all likelihood it will be if the war continues. The manufacture of arms and munitions and implements of war in those countries is comparatively minor, but they do supply other essentials of war, such as coal and minerals of various kinds, and so far as I know no embargo has been placed on any of those other essentials of war.

Mr. McKELLAR. Mr. President, the reason I asked the question is that I read somewhere—I do not now recall where—the broad statement made that no other nation except the United States at this time had an effective embargo.

Mr. BURKE. I doubt whether that is correct. But the instances on the other side are minor, and I could not be certain that any of them have as yet actually been put into effect.

Mr. President, I have been saying with respect to the law which we have on the statute books, this embargo on the sale to belligerents of arms, ammunition, and implements of war, that whatever else may be said in favor of the way it is operating, it should not be defended on the ground of neutrality, because it is indisputably of immense and immeasurable value to one of the belligerents in this war, and I was proceeding to say that, altogether aside from the question of the measure being vulnerable on the ground of its lack of carrying out the true principles of neutrality, I can see no reason whatever, on any ground, why this country should want to favor the things that we know as Hitlerism.

Mr. President, must we close our ears to his broken promises? Must we shut our eyes to the fate of one after another of the independent nations of Europe that stood in his path to power and chanced to be not strong enough to resist his advances? Must we blot from our memory his record of religious persecutions? Of racial atrocities? Of the suppression of individual freedom?

Is there in America anyone who doubts that Hitlerism, which is now spreading over Europe, means just what I have described? On the point of religious persecution let me quote from the reliable London Catholic Herald of December 31, 1937:

> His Holiness has referred in very serious terms to Germany, stating that things must be called by their real names. "We wish to speak," said the pope, "of the very sad fact of persecution in Germany, because we want to give things their proper name. In Germany there is a religious persecution. It is being said, and has been said for a long time, that that is not true. We know, however, that it is a persecution, and a grave one. Seldom there has been a persecution which was so serious, so terrible, so painful, and so sad in its deepest consequences. It is a persecution where neither the use of violence nor the pressure of menaces nor the deceptions of cunning and lie are missing."

In determining whether we want to continue a law which favors Hitlerism, we can properly consider the attitude and conduct of those who direct that movement toward minority groups, particularly the Jews. The story of recent and repeated atrocities is so fresh in our minds that further proof is unnecessary. I give only this brief statement from an outstanding American citizen whose sources of information are complete and whose veracity is above question. He said:

> The sufferings of the Jews in Germany have been so horrible, so terrifying, so diabolical that no man of sensibility would even dare make a public recital of them.

It will be said that, greatly as we deplore the intolerable organized and government-sponsored persecution of racial and religious minorities, much as we regret the suppression of individual freedom and the overrunning of independent small nations, nevertheless we ought not to indulge in recrimination over internal policies of other nations regarding which we have no rightful concern. Even if it were true—which I deny, and the falsity whereof I will demonstrate—that the question of the rights of minorities in other lands to life, liberty, and property is so much a matter of internal policy that we ought to refrain from expression of our moral indignation when those rights are persistently flouted, it would still be proper for each of us to to weigh those facts in determining whether we want to continue in force a law of our own which is of tremendous aid to the very governing authorities clearly guilty of such atrocious conduct.

Moreover, it is my contention that traditional American policy does not require us to pursue a course of silence in the face of barbaric outrages systematically perpetrated upon helpless minorities anywhere on earth. Never in the history of this country has there been any hesitation to denounce such persecutions and atrocities. A deaf ear has always been turned in this country to the plea that to speak out under such circumstances, to give voice to our moral indignation, might involve us in the domestic policy of some other nation.

I give the Senate these words of John Quincy Adams in the early days of this Republic. Said he:

> This principle that a whole nation has a right to do whatever it pleases cannot in any sense be admitted as true. The eternal and immutable laws of justice and of morality are paramount to all human legislation. If, therefore, a majority thus constituted are bound by no law, human or divine, and have no other rule but their sovereign will and pleasure to direct them, what possible security can any citizen of the nation have for the protection of his inalienable rights?

A compatriot of Adams, in answering that question, referred to the spiritual ties which bind all men together—ties not woven by human policy nor subject to being cut asunder by statesmen. He declared that those are mistaken who take the position that "a nation has no right to interfere morally with other nations." Every community, he said, is responsible to other communities for its laws and conduct; "not responsible in the sense of being liable to physical punishment and force, but in the sense of just exposure and reprobation and scorn." That is a moral control which nations have the right, nay, are bound to exercise over others, for "the chief wall of defense round property and life" is not the judgment of courts but the moral judgment of individuals and of states.

Nearly 60 years ago the world was shocked by the terrible persecutions of Jews in Russia. Mass meetings of protest were held throughout this country. The call for such a gathering in New York was issued by a group of distinguished citizens, including ex-President Grant. The meeting was called to order by the mayor of New York City, who said:

> In the name of freedom of thought, of religious liberty, I feel that we are called upon to protest against the tyrannical illiberality of a government which permits the persecution of an entire people for the simple reason that they are of a peculiar race and peculiar faith.

On that occasion an address was delivered by former Secretary of State William M. Evarts, in the course of which he declared:

> But it is said, "Do not nations correspond only through governments, and are not governments clothed with complete authority within the territories over which they rule, and are they not jealous of any intimations or suggestions made by friendly governments, however close their amity may be?" Well, gentlemen, the time has gone when kings, couriers, and ships of war were the only messengers between nations, and when state proclamations and announcements of ambassadors were the only messages that passed between nation and nation. * * * Nations now speak directly to nations, under no constraint or formality, and under no difficulty of making themselves understood.

In the early days of the present century this country was similarly aroused. A true expression of the traditional American policy was eloquently set forth by a great American statesman, former President Grover Cleveland. I quote this brief excerpt:

> This demonstration—

Speaking of a great mass meeting in New York City—

furnishes cheering and reassuring evidence that our American sympathy for the oppressed and abused, wherever they may be, our American love of humanity, and our attachment to justice and right, are still active and unimpaired. * * * Our people, when their sympathies are touched, when their humane instincts are challenged, and when their hatred of oppression is aroused, are not afraid to speak; and in such circumstances it is not their habit to smother or cautiously soften their words. * * * Let the people of the United States, gathered together in such assemblages as this in every part of the land, fearlessly speak to the civilized world, protesting against every pretense of civilization that permits medieval persecution, against every bigoted creed that forbids religious toleration and freedom of conscience, against all false enlightenment that excuses hatred and cruelty toward any race of men, and against all spurious forms of government protection that withhold from any human being the right to live in safety and toil in peace.

On all these occasions it was recognized that we were powerless to prevent by force a continuation of the persecutions. The American policy has been that it is our right and our solemn duty vigorously to protest such outrages, and that in so doing we will aid in developing a moral sense of indignation that the guilty nations dare not long ignore. It has always been urged by the offending country that no outsiders have any right to interfere with its internal affairs. The world has been asked to believe that when any country undertakes a program of persecution and the infliction of atrocities as the outgrowth of prejudice against race or religion, the inhabitants of other lands should do nothing, say nothing, but recognize and treat the situation as purely domestic. It has been said that protests, if made, might be considered unfriendly acts, and might lead to serious consequences. Americans have ever been ready to run that risk. The American policy was never better stated than by a great American patriot of the State of Massachusetts, who used these words:

I claim the right of pleading the cause of the oppressed, whether he suffers in this country or another. I utterly deny that people can screen themselves behind their nationality from the moral judgment of the world. Because they form themselves into a state, and forbid within bounds a single voice to rise in behalf of the injured, because they crush the weak under the forms of law, do they thereby put a seal on the lips of foreigners? Do they disarm the moral sentiment of other nations? Is this among the rights of sovereignty, that a people, however criminal, shall stand unreproved? * * * If, in the opinion of the civilized world, or of any portion of it, we of this Commonwealth are robbing men of their dearest rights and treading them in the dust, let the wrong be proclaimed far and wide. * * * If the oppressed are muzzled here, let the lips of the free elsewhere give voice to their wrongs.

After one more example to show the true American policy, I must proceed with the matters more or less directly concerned. When Daniel Webster was a Member of this body he declared, in a speech at Boston:

We have all had our sympathies enlisted in the Hungarian effort for liberty. We have all wept at its failure. Despotic power from abroad intervened to suppress the hope of free government in Hungary. * * * Gentlemen, there is something on earth greater than arbitrary or despotic power, and that is the aroused indignation of the civilized world. If the Emperor of Russia shall so violate international law as to seize these Hungarians—

Referring, of course, to Kossuth and his colleagues—

and execute them, he will stand as a criminal factor in the view of the public law of the world. The whole world will be the tribunal to try him and he must abide its judgment.

Webster later, officially, set forth the views of this Government on the same matter, he having in the meantime become Secretary of State. He said:

While performing with strict and exact fidelity all their neutral duties, nothing will deter either the Government or the people of the United States from exercising at their own discretion the rights belonging to them as an independent nation, and of forming and expressing their own opinions, freely and at all times, upon the great political events which may transpire among the civilized nations of the earth.

Mr. GILLETTE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. RUSSELL in the chair). Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. BURKE. I very gladly yield to the Senator from Iowa.

Mr. GILLETTE. The Senator has just very cogently given expression to sentiments which I believe are shared with him by most Americans, and has bolstered his arguments, which needed no bolstering, with quotations. I am wondering if the Senator shares with the rest of the American people the same type of abhorrence with reference to the treatment of the Chinese people by the Japanese.

Mr. BURKE. I do, fully and completely; and I am now and have been and will continue to be ready to join in any movement participated in by the Senator from Iowa that may express our abhorrence of the treatment of the Chinese, and our determination to remedy it so far as it lies within our power.

Mr. GILLETTE. Mr. President, will the Senator yield further?

Mr. BURKE. I yield.

Mr. GILLETTE. I was sure, Mr. President, that the Senator would express exactly that sentiment, which does him credit. He has just given expression to the thought that our present neutrality law has become particularly unneutral in its effect, favoring the German nation as against France and England. I am wondering whether he has in mind the fact that the enactment of the present proposal, if it is given effect by proclamation, will operate to the strangulation of China and any possibility of success she may have in the present war over there.

Mr. BURKE. Mr. President, I have not given attention to that question; and I should be very greatly distressed if that should prove to be so. Without varying in any way my statement in reference to my regard for the Chinese, and my hope that they may be able to retain their integrity as a nation, I still say that the main danger to the world at present lies in another sector, in the spread of nazi-ism and communism; and I am not going to be diverted from my attention to that problem by the troubles of other peoples anywhere else in the world, however much I may sympathize with them.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BURKE. I yield.

Mr. WHEELER. Of course, the Senator realizes what the Nazis have done to the Jews in Germany; and we all share his horror at such treatment.

Mr. BURKE. Also the Catholics.

Mr. WHEELER. Yes; but the Nazi treatment of Catholics is nothing compared with what they have done to the Jews.

Mr. BURKE. That is correct.

Mr. WHEELER. Let me call the Senator's attention to the fact that over the years the Jews have been persecuted more in Poland than in any other country in the world.

Mr. BURKE. Does the Senator from Montana offer that as a justification for wiping Poland off the map?

Mr. WHEELER. No; I do not offer it as a justification for wiping Poland off the map; but when we are talking about persecution and about grabbing land, Poland has done her share, and Poland has persecuted the Jews as much as, if not more than has any other nation in the world.

I am not justifying anything Mr. Hitler has done. I despise Mr. Hitler and Hitlerism as much as does the Senator from Nebraska. However, I am not a German; I am not a Frenchman; I am not an Irishman. First of all, I am an American citizen; and I want to do everything I can to keep this country out of war and to keep democracy safe in the United States of America.

Mr. BURKE. I thank the Senator very much for that contribution. I hope before I shall have concluded he will see that at least I am striving for exactly the same end, and that, although we may differ as to the best way of accomplishment, we are working toward exactly the same goal.

Mr. WHEELER. So far as I have heard Senators express their opinions, I think we are all trying to work to the same end. I must say I was shocked when the Senator from Missouri called my attention to a statement supposedly made by a Senator, saying that we ought to get into this war. I have been shocked since returning to Washington to find some men in the departments saying that we ought to get into it and ought to make this a short war. I say that the man who says we ought to get into this war and make it a short war or a long war is not worthy of the name "American."

Mr. BURKE. I will say to the Senator from Montana, as I attempted to say to the Senator from Missouri, that if he has any evidence that anyone in an official position in this Government is taking steps preparing us for getting into war he ought to disclose the facts with more definiteness than by the mere expression "some men in the departments." I was here before the Senator from Montana returned to Washington and was about the departments and everywhere that I could go, and I saw no evidence whatever of such a condition.

I would not want to pass over without reference to it, although I shall discuss it later on, the Senator's statement about the shortness of the duration of the war. I agree with him fully that we ought not to go into the war in order to shorten it, but I think it is also indisputably true that the shorter the war in Europe is the less chance there is we will get into it, and that every day that is cut off from the duration of that war means just that much less chance for conditions to develop that might force the sentiment of this country to such a point that even unwilling Senators would say we must go to war. We never can go, we never will go to war, of course, unless the sentiment of the country is in favor of our doing so. However, I propose to discuss that a little later on.

I am glad also for the interruption by the Senator from Montana in his reference to Poland because it gives me opportunity to restate that the only purpose I had in mind in referring to religious and racial persecutions in Germany was, not to draw any contrast between Germany and Poland or any other country, but to call attention to the fact that we have on our statute books now, unwittingly, a law which confers a tremendous and immeasurable benefit upon Germany. I called attention to these persecutions and atrocities as an additional reason why we ought to wipe off our statute books any provision that affords material help in time of war to a nation or to the rulers of a nation guilty of the acts that are properly charged and proven against Hitler and Hitlerism.

Mr. WHEELER. Mr. President, if I may interrupt the Senator again——

Mr. BURKE. I yield.

Mr. WHEELER. As I said a while ago, I deplore what was done to the Jews in Germany; but there is to the south a country that persecuted the Catholics far more than they have been persecuted in almost any other country in my generation. No one, however, at that time was saying that, because of that situation we ought to go to war with Mexico or, if there was any such person in the United States he was immediately silenced.

Mr. BURKE. I am not saying now or have I said at any time that we ought to go to war against Germany because of religious and racial persecutions, but I say that if the Senator from Montana was in the United States Senate when the religious persecutions were taking place in Mexico and he did not then rise and, with flaming eloquence, denounce those persecutions, and do his part to arouse the moral indignation of this country and our Government against those responsible for those persecutions, he did not fully measure up to the great responsibilities of his office as he normally does.

Mr. WHEELER. Let me say to the Senator that I think every right-thinking Member of the Senate did deplore what was going on in Mexico, but certainly there was not the slightest indication or suggestion on the part of anyone, either in the Congress of the United States or any of the departments, or from the heads of the Government, that we ought to go to war because of those wrongs.

Mr. BURKE. Oh, no. I emphasize again that I do not say we ought to go to war because of what is happening in Germany. I take it for granted that during the time the troubles referred to were rife in Mexico no one called attention to the fact that we had a statute that was of particular benefit and aid to Mexico in enabling it to proceed in its unholy course of conduct, and that there was no debate in the Senate as to whether we should repeal that statute or continue it in force. That is the only point that I bring up in connection with the matter of religious and racial persecutions in Germany. I have quoted from the very highest authorities as to the Catholic persecutions and the persecution of the Jews. We all know that they exist. Every sensible person, it seems to me, must admit that the arms embargo, in view of conditions that exist in Europe today, is of immeasurable value to Germany in carrying on its conflict. I cannot see why we should hesitate a moment to wipe it off our statute books, even if we cannot go any further than that in our condemnation of the things that Hitlerism has been doing.

It has been the view of American statesmen that we cannot afford to stand idly by while such wrongs are being perpetrated. Our own safety, if nothing else, demands that we express our moral indignation, that we denounce such outrages wherever they show themselves, that we summon the guilty rulers before the bar of public world opinion where they may be held up to the scorn and condemnation of all right-thinking people. Thus only can we make our contribution to the great cause of curbing the evil of racial and religious persecution. It must be clear—and this may be repetition—that whatever we may see fit to do in the way of voicing our condemnation of the acts of persecution and other offenses which have made the term "Hitlerism" odious throughout the civilized world, at least we are under no obligation, in the name of neutrality, to leave on our statute books an arms embargo which is of material aid to him in carrying on the activities which so seriously offend our sense of right—an embargo so favorable to any nation bent on aggression and so detrimental to all others anxious to walk in the paths of peace.

Mr. President, a year ago I visited Germany. I was tremendously impressed with the German people and with the evidences of progress and stability that appeared on every hand. The people I there saw and associated with—there were not included any political leaders or military chieftains—were apparently of the same sturdy stock—clear-eyed, clean-living—as the immigrants who have come from that land in other days in such great number to make their homes in America. I refer to the German immigrants whose toil and genius have contributed so much to the rapid development of this New World. It is not flattery to repeat that of all the races that have mingled in this melting pot that we call the United States, none can justly claim precedence in quality or strength to the German. We have no more patriotic, peace-loving, industrious citizens than these millions of German stock. It is natural and right that they should have a deep and abiding love and affection for the old Germany, their ancestral home. I am confident that they will be found to be as nearly unanimous as any other cross-section of our citizens in their opposition to Nazi excesses, to persecutions based on race and religion, to suppression of freedom of conscience and of personal liberty. From Von Steuben in our Revolutionary struggle, who deservedly stands with Lafayette as a foreign friend of American liberty, down through the noble Carl Schurz to the present time, none will question the marvelous contribution to freedom, culture, art, science, and religion with which Germans have enriched American soil. We have no superior farmers, at least in the section of the country in which I live, no more reliable businessmen; none who have furnished greater inspiration in the field of music, art, letters, and the learned professions. But conditions inside Nazi Germany, however concealed or glossed over there, must be faced and dealt with by American citizens of German ancestry, as well as by all other citizens, as a menace not only to Europe but to our own country and to the very foundations of religion and hence of civilization itself.

On the occasion of my visit to the homeland of these citizens of German blood, I could see ample reason for them to take pride in the country of their fathers. When I returned and expressed that appreciation of what I had seen and experienced, it was at the expense of being accused of defending Hitlerism, the bad along with the good. Unjust as that accusation was, it would be equally unfair today to hold in suspicion our fellow citizens with German blood in their veins. They can—and I am persuaded the vast majority of

them do—distinguish between the German people and the things imposed in the name of Hitlerism. Let no one doubt that the day will come when Germans themselves will take matters into their own hands; when they will put an end to a regime which subordinates the individual to the state, which sanctions religious and racial persecutions, denies God, and recognizes no law but the law of force.

I repeat the first proposition upon which this debate turns. The arms embargo favors Hitlerism. Because I do not approve of what is embodied in that term, the term "Hitlerism," I urge repeal of the embargo. No rule of neutrality requires me to support a domestic law which operates to strengthen a foreign cause which seems to me inimical to all that is just and true and of good repute.

But it is said—and this matter has been fully discussed—that, since war is now under way in Europe, it is not fair to change our own law. There are two answers to that suggestion. In the first place, as has been repeatedly pointed out, all parties were put on notice long before the war started that the arms embargo would be repealed at the first session of Congress if the votes could be secured—and there has never been any real question on that score. It should be noted in passing that there are some who are opposed to repeal who must rely upon other grounds than that war is now under way; for it was their certain assurance that there would be no war that prevented repeal before the actual outbreak occurred.

But there is a second answer to the claim that it is now too late to change our own law. That claim is founded on something resembling the doctrine of estoppel, familiar to all lawyers, and, incidentally, discussed on the floor yesterday by the very able senior Senator from Vermont [Mr. AUSTIN]. That doctrine is, of course, that if you lead another to change his position to his detriment, the circumstances may be such as to estop you from doing what you would otherwise have a perfect right to do. So—and this is the effect of the argument urged—it is in effect suggested that Congress is now estopped to repeal the arms embargo. It was enacted when there was no war in Europe. Hitler had a right to take the operation of that law into account in making up his mind whether he would start a war. He decided, considering our arms embargo and everything else he had to take into consideration, that it was safe for him to do so. So the war began. If we repeal the embargo now, he will suffer the detriment of having arms, ammunition, and implements of war made available to his enemies, and so the well-recognized doctrine of estoppel may be brought into force.

There is no logic or sense to this argument that the outbreak of the war has any bearing upon our right to repeal the embargo, other than lies in the supposition that except for his reliance upon that embargo Hitler might not have run the risk of invading Poland, devastating its cities, and raining wholesale death upon Polish men, women, and children. With our embargo remaining in force, he might have figured that he could crush Britain and France, if they came to Poland's defense, before they would be able to build up their own supplies of arms, ammunition, and implements of war. He knew his own strength, and he knew equally well the unpreparedness of those who might be his enemies.

So, relying, no doubt in part, and perhaps in very heavy part, upon our arms embargo, Hitler crossed the Polish border on his mission of death and destruction. For us now to repeal our embargo—this is the effect of the argument offered—and open the way for his intended victims to arm for their own protection, and to attack and eventually crush him, is not fair. We should be estopped.

The answer is simple. If we foolishly passed a law which encourages aggression such as we have witnessed in the past month, we cannot act too promptly in repealing it. No one had any right to count upon the arms embargo being permitted to stand after its evil consequences were once realized—the premium it offers to an aggressor willing to devote all the energies of his people in preparation for a swift attack while others are following the paths of peace, the handicap it imposes upon every people with a love of peace who refrain as long as possible from entering the mad race to arms. There is no merit, I say, to the argument that, having passed a vicious law, we must wait until it has wrought to the full its evil consequences before we dare to consider repeal. The matter of surprise to me is that there should be any to rise in defense of a continuation of the embargo.

The first proposition I have outlined is that retention of the arms embargo favors Hitler. I conclude from that statement, which I think cannot be disputed, that we should be unwilling to retain a law which has that effect. Certainly a law which vitally benefits the belligerent solely responsible for commencing a war ought not to be defended on the ground of neutrality.

Second. The second proposition appears equally incontrovertible. Repeal of the arms embargo is difficult to defend on the basis of neutrality, for repeal will certainly favor Great Britain and France. It will favor them at least to the extent of making it possible for them to shorten the duration of the war. It will favor them to the extent of rendering unlikely an inconclusive outcome of the war, with the consequent certainty of an early recurrence. Repeal of the embargo will go far toward insuring victory for the European democracies. There should follow such a victory a just and equitable peace, with the erection of a permanent ban on the spreading by force of totalitarianism over unwilling peoples.

It may be said, I realize, that the embargo as it stands today, is neutral because under it all belligerents are treated alike. None can secure from us completely fabricated arms, ammunition, and implements of war. But it is a mere play on words to say that because the present arms embargo treats all belligerents alike and does not let any of them buy anything from us, therefore it is neutral. Everyone in his heart knows that in reality the entire benefit of this policy inures to one belligerent, and the entire detriment to those on the other side. Moreover, emphasis has already been given to the futility of attempting to discriminate between the raw material, the partly fabricated article, and the completed product. As modern warfare is conducted, it is meaningless to attempt any distinction between classes of goods.

This point was effectively made by Secretary Hull to the committees of Congress last May. He testified—and I should like here to quote two or three sentences from his statement to the committee:

> Modern warfare is no longer warfare between armed forces only; it is warfare between nations in every phase of their national life. Lists of contraband are no longer limited to arms and ammunition and closely related commodities. They include not only those items which contribute toward making warfare possible but almost every item useful in the life of the enemy nation. A nation at war is no less anxious to keep cotton or petroleum, or, indeed, any useful product, from reaching an enemy nation than it is to keep guns and airplanes from reaching the enemy's armed forces. I doubt whether we can help ourselves to keep out of war by an attempt on our part to distinguish between categories of exports.

Further, the point has been made that while under the embargo we refuse to sell arms directly to a belligerent, there is no feasible method by which we can be sure that shipments to neutrals—real or self-styled—will not find their way into enemy hands. As long as the embargo stands, we must not permit any of the prohibited articles to reach Canada, a belligerent. But since Italy and Russia are, by their own contention at least, in the class of neutrals, shipments of arms may be freely made to them. What happens thereafter we have little possibility of checking.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Florida?

Mr. BURKE. I yield to the Senator from Florida.

Mr. PEPPER. Before the Senator passes from the very fine point which I thought he intended elaborating, does he care to express an opinion as to whether it was the absence and shortage of wheat, or of arms and ammunition, which contributed the more to the eventual defeat of Germany in the World War?

Mr. BURKE. My own opinion on that subject is very clear—I do not know how authentic it is—that it was the

absence of food supplies that brought the German people themselves, a great many of whom I have no doubt never did believe in the war, to realize the lack of wisdom and the futility of continuing to support what their leaders had forced them into. In direct answer to the question of the Senator from Florida, I will say that it was the lack of wheat, as fully as the lack of bullets, that ended the World War.

Likewise, from the other standpoint, it may be argued that repeal of the embargo, with substitution of cash and carry, treats all belligerents alike, and is, therefore, in accord with the principle of neutrality. So far as we are concerned, any belligerent may, when the substitute joint resolution is enacted, come with its own vessels, with cash in hand, and buy anything we have for sale. Title will pass on our shores after payment in full, the present little flurry about 90-day commercial credits having in the meanwhile been satisfactorily worked out, of course.

But this argument, also, is sham. Everyone knows that the belligerents do not have the same capacity to cross the seas, pay for their purchases, and carry them away in their own vessels. Repeal of the arms embargo will, therefore, not operate equally. To defend repeal upon that ground alone does not carry conviction.

For myself, I have crossed that bridge. I speak no more of repeal of the arms embargo as an expression of strict neutrality, for it is not that. It checks the belligerent who now has a great advantage, takes that advantage away, and checks the belligerent which I, speaking for myself personally, want checked. It favors the belligerents that I want favored, by giving them the chance of coming here with their ships and buying our goods. However, I base my defense of repeal not on these preferences. We should repeal the arms embargo and adopt the other provisions of the substitute, with some minor modifications, because such action will greatly further the best interests of the United States. That brings me to my third and final proposition.

Third. Enactment of the Pittman substitute, with its repeal of the arms embargo, establishment of cash and carry on all goods sold to belligerents, and the imposition of reasonable restrictions on American shipping, will further the best interests of our country. There are many reasons why this is so. I shall now set forth a few of them.

First, this policy gives the largest measure of assurance attainable that we will not become involved in the war.

There is no doubt of the overwhelming desire of Americans to remain out of war. I respect the views of all who differ from me as to the best method of accomplishing that end. At the same time, I resent the statement or implication by anyone that those with whom they do not agree are trying to take us into war. As matters stand today, there is not the remotest possibility that we will ever send another American expeditionary force to Europe. Certainly no person of sense wants to do that or desires that this country should take any direct part in the war that is now under way or in any foreign war.

It is whispered that the President is consciously moving in the direction of war, that Secretary Hull is favorable to such a course, that some Senators and others are willing that such action should follow. That is calumny of the basest sort.

Mr. MINTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Indiana?

Mr. BURKE. I yield.

Mr. MINTON. The Senator from Nebraska has heard it charged on the floor of the Senate this afternoon that some Senators are advocating such a course, and that officials in the departments are likewise advocating it. Does the Senator from Nebraska know of any Senators who are advocating such a course in this country?

Mr. BURKE. I do not know of a single Senator, Representative, or anyone connected with the executive department or any other department of the Government who advocates in any way that this country should enter the war. I would say, to be entirely frank, that I have heard some discussion to the effect that conditions might at some time become so bad in Europe, or in other parts of the world, that, for our own protection, we might have to engage in war; but not a single person in the Senate or outside of it, connected with the Government, have I heard express the slightest wish or thought that this country should be, or is in any present danger of being, drawn into the war. I thank the Senator for his interruption.

Mr. President, we are justified in proceeding on the assumption that Congress, the Chief Executive, all of our people, are united in a common purpose to protect the safety and integrity of our country and keep us out of war. How is the pending measure adapted to secure that result?

First, by going to extreme lengths in keeping American ships, American citizens, and American goods out of danger zones. This proposition has been so thoroughly discussed that I shall not repeat the arguments. Certainly the pending measure affords the greatest insurance against involvement in war that any nation in the history of the world has undertaken. But, it will be said, we can do all of that with respect to everything except arms, and leave the embargo in force on arms. The difficulty of distinguishing between classes of goods has been pointed out. It is a meaningless and futile distinction as war is conducted today. It would lead to endless complications. In fact, so great are the difficulties that careful study of the matter leads me to the conclusion that it would be far better to impose a complete embargo upon all trade with belligerents than differentiate between different classes of goods and say, "These particular goods are under an embargo. We will not let them get into your hands. These other goods over here you can buy and pay for and take title to them in this country"; then in between a great mass of goods, requiring every day and every hour some official of the Government to determine whether they come in the one class or the other, with constant trouble and difficulty—so great trouble that, far better than adopt the suggestion now offered by those who, in the first place, hoping to defeat the arms embargo without any concession now come forward and say, "We can have cash-and-carry provisions and everything else just so you leave the arms embargo." Rather than do that, I think we will avoid trouble by putting a complete embargo on everything so far as belligerents are concerned.

We all recognize that if we imposed such a complete embargo it would disrupt our entire economy, and that there are other objections to it.

So we support the sensible, clear, easily enforced substitute of applying the cash-and-carry formula to all sales to all belligerents.

Second, repeal of the arms embargo will shorten the war. I have no doubt that in the end the democracies will prevail in their struggle against the totalitarian powers, whatever action we take. But without repeal it may easily be a long-drawn-out war, costly in human life and in the destruction of the accumulated values of centuries of effort. Moreover, the longer the war lasts the greater the danger of our involvement. Every day that the war is shortened means just that much less possibility of our participation.

It has been said here by opponents of repeal that the action which it is proposed to take will be interpreted abroad as casting our lot with the Allies. No doubt it will be so interpreted within the limits which we lay down, but I say that the effect will be a far earlier peace than could otherwise be secured. Not only will it hearten the democracies of Europe, not only will it be a clear demonstration to the Nazi and communistic powers that they have more to contend against than they had anticipated, but it will strengthen the courage and the hope of all neutral nations of Europe and the world that this country does not propose under the name of neutrality to permit a law to stand on its books which is so greatly favoring the aggressor nations in this struggle in Europe.

Our sympathies, our moral support, our material help within the restrictions imposed, everything that we can do short of supplying men and money, should be done on the side of the Allies as the most helpful means of bringing an early termination of the war with a just and lasting peace.

Repeal of the arms embargo is vital to our national defense. We have the benefit of two oceans. But in this day an expanse of water does not begin to afford the protection it did in former times. Although we have spent enormous sums on our Navy, we are far from having adequate strength to cover both oceans. It will require years of time and a further and continuous vast expenditure to build up our defenses on water to the point where we can feel secure. Meanwhile, we have no cause for alarm while the Navy of Great Britain remains intact. By submarine and air there is today a serious threat to the continuation of the supremacy of England on the sea. Our own national defense, our continued security, require that Great Britain retain its position of leadership. This argument does not require for its support that there be any love of the British Empire or any purpose to help keep it intact. It may be based on thoroughly selfish grounds. It calls only for a comparison of our security and the integrity of the Western Hemisphere with England dominant on the seas or with England reduced to subservience and a Nazi-Communist alliance ruling the Atlantic.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Florida?

Mr. BURKE. I yield.

Mr. PEPPER. I will ask the Senator this question: If Great Britain were to begin to embrace the same doctrine and the same philosophy and begin to adopt the same course that the German Nation has followed under Hitlerism, would not the Senator from Nebraska be saying exactly the same thing about the British Empire that he is now saying about Hitlerism?

Mr. BURKE. I would, most certainly, and I am very sure that the Senator from Florida would be standing there right by my side and helping me to say it effectively. We certainly would take that attitude.

Mr. President, if no other reason existed, I would favor repeal of the arms embargo in order to make doubly sure that the British Navy will continue to stand between us and forces in Europe that I do not trust or respect.

There is a second way in which repeal will aid our national defense. The belligerents that will come to us to purchase arms, ammunition, and implements of war—to pay for them and carry them away in their own vessels and at their own risk—will not receive the only or the chief benefit from that transaction. We will be enabled thereby so to enlarge and develop our facilities for the production of those items essential to our national defense, within proper rules and regulations prohibiting excessive profits and making impossible the development of a boom in munitions manufacture, the collapse of which would cause trouble, that we can make our country impregnable in the air, on land, and at least so long as the British Navy remains intact, on the sea.

Failure to repeal the embargo now would mean that we have determined upon a permanent national policy of that character. It would be notice to every country on earth committed to aggression and war as a means of attaining desired objectives that their prospective victims could never purchase weapons of defense from us. It would be notice to every country that prefers peace that it must arm itself completely, because the moment an aggressor sets foot upon its soil nothing could be purchased from us with which to defend itself from attack.

There is much idle talk and foolish sentiment about the immorality of the traffic in arms, and of our participation in guilt if we place weapons in the hands of others which they may use with deadly effect. That all depends upon whose hands it is in which we place the weapons and the purpose for which they are to be used. If we arm a murderer certainly we are parties to any crime he may commit. If we arm an officer of the law to defend our homes and our loved ones we are acting in accordance with the highest principles of morality. If we were to help to arm an aggressor nation and were to refuse to aid with arms the intended victim, then our guilt would, indeed, be great. If by selling arms to nations that are risking everything in the cause, we can aid in the struggle to restrain and hold within bounds the spread of nazi-ism and communism, then I am willing to share whatever guilt anyone may choose to say is involved in such a course.

Mr. President, on that point, as to the sentiments expressed with regard to the "immorality" of repealing the embargo on arms, ammunition, and implements of war, I have a letter from my home State of Nebraska which I should like to read, as well as my answer:

DEAR SENATOR BURKE: * * * This world, after all, is not so large. Suppose that, for the sake of illustration, we think of the farmers of some certain community as representing the nations of the earth.

We will represent three of these farmers by the letters A, B, and C. Now suppose that farmers A and B have a heated dispute concerning a line fence. After the argument farmer A drives over to neighbor C, where he tells about his trouble and offers him a good price for his shotgun and some shells with which he intends to kill neighbor B. Farmer C replies, "It's a deal if you will pay me the cash." Farmer A also makes a purchase of some kerosene with which to set fire to neighbor B's house and he buys some poison to put in candy to give to neighbor B's children because he does not like their father.

We do not do things halfway in Nebraska; we go the whole way. [Laughter.]

After farmer A drives out of C's yard farmer B comes in and tells neighbor C that farmer A and his family should be wiped off of the face of the earth. He offers and pays farmer C a good price for his 30-30 rifle, some shells, kerosene, and what was left of the poison.

Now, Senator BURKE, can you feature a single individual in the entire State of Nebraska outside of an insane asylum who, knowing what his neighbors intended to use this equipment for, would willingly sell it to them? It seems to me, Senator, that this is just exactly the kind of a person that you are making out of the United States of America if you permit the arms embargo to be lifted.

I have jotted down here the answer I made:

We take your characters, farmers A, B, and C. Farmer A, as the result of economic distress, ill health, perverseness of human nature, or whatever the cause may be, becomes demented. He meets farmer B and tells him that the next day at noon he is going to farmer B's house, fully armed, and with a few hoodlums to help him, that he and his associates are going to kill farmer B, assault his wife and daughter, and burn his house and barn. Farmer B tells farmer C that he has followed the paths of peace, that he has no arms, neither rifle, shotgun, or pistol. That he knows farmer A is supplied with all the things necessary to carry out his dire threat. Farmer B pleads with farmer C to sell him for cash, or loan him, the arms with which to defend himself, his loved ones, and his property.

My dear Mr. ———, can you feature a single citizen in Nebraska outside of an insane asylum who would not willingly furnish farmer B the means of defending the things that are dearest in life to him? Do you think farmer C would be deterred from so doing because of the probability that farmer A would consider his act unneutral?

Mr. President, it seems to me there is no merit whatever in either illustration, and by the same token there is a complete lack of merit in all the loose talk that is indulged about the crime of placing instruments of death in the hands of another people; a crime to give the means of defense to a people who are defending their liberties, defending the lives of themselves and their families and their property, everything they hold dear. I say it is anything but a crime.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BURKE. I yield.

Mr. BARKLEY. If we are to base the discussion of the question of the arms embargo or the sale of arms on the ground of immorality—that is, that it is immoral to permit the sale of such arms—can it be said that it is any more immoral to sell arms than it is to buy arms, because one who buys them is in all likelihood the first who will use them?

Mr. BURKE. He is certainly tarred with the same stick.

Mr. BARKLEY. And if our Nation were attacked by an aggressor, in which case we needed to buy arms from some other nation in order to defend ourselves, is there a Senator or any other American citizen who would take the position that it would be immoral for the United States to buy arms wherever we could find them? And does the fact that we do not need them and that we are powerful have any effect whatever upon the question of the morality or the immorality of the transaction?

Mr. BURKE. I think the Senator's point is well taken. I think it would be possible for us to go one step further and say that if it is immoral to sell arms, it is certainly, as the

Senator says, immoral to buy them. Why is it not equally immoral, perhaps even more so, to make arms, to make any death-dealing weapons of any kind? And yet is there a Senator who has not voted at every session of Congress enormous appropriations for the very purpose of making instruments of death—these terrible things that we must not permit to come into the hands of people defending their liberties?

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. BURKE. I yield.

Mr. ADAMS. In respect to the inquiry whether there is immorality in the sale of death-dealing implements, it would seem to me that it is fully as immoral to sell them in times of peace as in times of war; and I may add that if it was immoral to sell munitions on the 3d of September, it was immoral to sell them on the 1st of September. In other words, under the present situation it was proper for us to sell munitions to Poland when they were not needed, and immoral to sell them to Poland when she was invaded.

Mr. BURKE. Certainly. The Senator from Colorado is absolutely correct.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BURKE. I yield to the Senator from Indiana.

Mr. MINTON. The Senator has been interrupted so many times I hesitate to interrupt him but shall do so once more. I know how difficult it is to make an analogy that fits all questions on all fours. The Senator has been making an able statement with respect to what may be called unneutrality on the part of our country. I wonder if an illustration would not depict the so-called unneutrality in our position, an illustration of men engaged in mortal combat, which has been used by the Senator from Nebraska and by others in the debate. Suppose two men were in mortal combat, and one of them was armed and he drew his weapon and started in pursuit of the other man. Suppose the other man started to retreat and retreated near where the Senator was sitting; that a weapon of the Senator's was near; and that in defense of his life the man being pursued reached for the Senator's weapon, but before he could grasp it the Senator pulled it away and said, "No; you cannot defend yourself with my weapon."

Mr. BURKE. I wish the Senator would select someone else to pull the weapon away, because I certainly would not do so.

Mr. MINTON. Is not that the way our so-called Neutrality Act operates? Nations are engaged in mortal combat. One of them is well prepared for the fight, and is pursuing its enemy, who comes to our shores and reaches for a weapon. Under the embargo we say, "No; you cannot fight back with our weapons."

Mr. BURKE. I think the illustration is very apt, and brings out the complete fallacy in the argument which has been offered on the other side.

Mr. President, no further argument by me is required to make my position clear.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. BURKE. I yield.

Mr. McKELLAR. The Senator has been interrupted so often that I dislike to interrupt him again; but in reference to the immorality or the morality feature, I happen to recall, being a member of the Appropriations Committee of the Senate, that this year Congress has appropriated more than $1,000,000,000 for the purpose of killing people in war, if necessary. We have appropriated for the Army and Navy more than $1,000,000,000 for the purpose of killing people.

Mr. BURKE. Possibly there is no immorality about it if we make it completely selfish.

Mr. McKELLAR. If it is completely selfish, there is no immorality; but if we sell the arms or materials to other nations, it is immoral. I do not see the distinction.

Mr. BURKE. I thank the Senator.

Mr. President, I hate war and everything connected with it. I long for the day when universal peace will prevail, and will strive unceasingly to hasten the coming of that day. I am opposed to nazi-ism and communism, and am fully convinced that the future well-being of the world, including that of America, requires that a curb be placed upon those false philosophies.

I find that a law for which I voted, in the fond hope that it would aid in preserving peace, now affords comfort and strength to the enemies of peace. Therefore, I urge repeal of that unneutral act. I do not contend that by so doing, by taking away benefits which our law unwittingly gives to one belligerent and conferring them upon the other, we are acting in the role of neutrality. As matters have developed, it is impossible for us to be neutral. If we do nothing, we favor one side. If we take the proposed action, we favor the other.

Under those circumstances, we should determine what course will more likely advance the security and the integrity of our own country. What course will bring peace more quickly? What course will be best adapted to keep us from involvement in the war? What course will aid our national defense most surely as the greatest assurance that we shall never be called upon to use force to defend our rights? I find that all of these desirable ends can best be attained by the immediate repeal of the arms embargo, strict adherence to cash and carry, and the imposition of whatever restrictions may be necessary so that American ships, American citizens, and American goods will not be exposed to unnecessary danger. I therefore give my hearty support to the Pittman measure, which is built upon that solid foundation.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BURKE. I yield to the Senator from Connecticut.

Mr. DANAHER. I thank the Senator from Nebraska. I have sat here most interested, listening to the very frank statement of the position of the Senator from Nebraska, and have been unwilling to interrupt. However, I wish the Senator would be kind enough to point out wherein in the joint resolution he finds the section which he describes as requiring a cash-and-carry policy.

Mr. BURKE. Is the Senator directing my attention to the 90-day commercial transaction clause?

Mr. DANAHER. No. I ask wherein, in any feature of the joint resolution, the Senator from Nebraska finds a cash-and-carry provision.

Mr. BURKE. In reference to all the provisions?

Mr. DANAHER. In reference to the fact that, as the Senator concluded, he said he was in favor of the strict cash-and-carry provisions of the Pittman measure. I ask, Where are they?

Mr. BURKE. Without having the joint resolution before me, I cannot refer to the exact provisions; but I will direct the Senator's attention to them. He has read them word for word. Does not the joint resolution provide for the passage of title to goods in this country sold to belligerents?

Mr. DANAHER. It does.

Mr. BURKE. What does that involve?

Mr. DANAHER. I want to know if the Senator was basing his remarks with respect to cash and carry on section 2 (c), which appears on page 16, which is the provision which has to do with the passage of title.

Mr. BURKE. That is certainly one of the provisions. If the Senator will tell me what he has in mind, I am sure the Senator from Nevada [Mr. PITTMAN] can answer the question.

Mr. DANAHER. I shall be very happy if I may have the answer from the Senator from Navada.

Mr. BURKE. I yield for that purpose.

Mr. PITTMAN. Mr. President, section 2, subsection (c), provides for the transfer of title to foreigners. There is no question there with regard to the financial transaction. However, turning to section 7 (a), we find the financial transactions referred to. Section 7 (a) is the existing law. It states that—

> Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of

any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person.

That is the existing law, and has been the law since 1937.

Mr. CONNALLY. The 90-day provision was not in the old law.

Mr. PITTMAN. Just one moment. That provision was adopted, as the Senator from Michigan has boasted, by a vote of 63 to 6. But that was not all of the law for which Senators, including the Senator from Michigan and the Senator from Missouri [Mr. CLARK], voted. Here is the rest of the law:

Provided, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions.

That is the end of the existing law. That is the law today, because there is no law to take its place. That provision was adopted by a vote of 63 to 6. It is the law today. Does the Senator wish to know what law is proposed?

Mr. DANAHER. I wish to know to what provisions the Senator from Nebraska referred as those dealing with the cash-and-carry clause. We come now, I take it, specifically——

Mr. BURKE. Mr. President, I yielded for a question, but I think that is a discussion which could very well go on at some other time. I therefore withdraw my yielding, and now surrender the floor.

Mr. PITTMAN. Mr. President, I am very sorry. I thought the Senator had finished.

Mr. WHITE obtained the floor.

Mr. DANAHER. Mr. President, may I have it noted in the RECORD that the question propounded by me has not been answered? The Senator from Nebraska having yielded to the Senator from Nevada for the purpose of answering the question, I had assumed, of course, that we were still discussing the matter in the time of the Senator from Nebraska.

Mr. PITTMAN. Mr. President, I thought the Senator from Nebraska had concluded, or I should not have thought of interrupting him.

Mr. DANAHER. I thought the Senator from Nebraska had turned the question over to the Senator from Nevada for an answer, which is yet in process.

Mr. BARKLEY. Mr. President, will the Senator from Maine yield to me for a moment?

Mr. WHITE. I yield.

Mr. BARKLEY. The Senator from Connecticut rose and asked the Senator from Nebraska to yield for a question, which the Senator did before yielding the floor. While holding the floor, the Senator from Nebraska suggested that the answer to the question could be more appropriately made by the Senator from Nevada, continuing to hold the floor; but, inasmuch as the matter developed into a discussion of some length, the Senator from Nebraska withdrew from the floor.

Mr. WHITE. Mr. President, I purpose to speak at this time upon only two phases of the problem before the Senate, to voice my great concern as to the effects of the pending measure upon these two aspects of the general subject. I have given anxious thought to them; and though what I say may be in the form of affirmative statement, I beg Senators to believe, and I especially beg the chairman of the Foreign Relations Committee of the Senate to believe, that I am voicing questions which disturb me, questions to which I hope I shall, at an appropriate time, receive satisfying answers.

I have been influenced in my decision as to the pending bill in its present draft, first, by a passionate desire to keep our country from war; second, by a fervent hope that Britain and France will prevail in their righteous cause. The latter hope, however, is wholly subservient to my dominant yearning that America shall continue to enjoy peace.

Our people, I believe, almost as one hope for French victory because of our country's traditional friendship of a century and a half with this sister republic. Many of our people wish for British victory because of blood, of language, of history and tradition, because of our common law and the common political ideals of America and of England. They see in the law and life of England, in a degree found in no other power in Europe, loyalty to those liberties which we enjoy. All Americans, I hope and believe, regard Hitlerism as a denial of every political principal to which we are attached. They fear that the triumph of Hitlerism must threaten freedom of men everywhere, and the perpetuity of those political institutions that are our American glory.

I share these sentiments. I would have America sympathetic with the purposes for which Britain and France have gone to battle, but I would not have our United States involved in European politics; I would not send our youth to war in alien lands; and we may best assure these American interests and the hopes of our people by making certain that no acts or defaults of ours contribute to the enemies of our beliefs.

Mr. President, of the 531 Members of the present Congress, if my checking is correct, but 41 were serving in the Sixty-fifth Congress at the time the state of war was declared to exist between this country and the Imperial German Government. Of this number, 19 only are now Members of the Senate of the United States. I am one of this small group. In 1917 I cast my vote for war. All the years that have passed have not lifted from me the shadows of that vote, of the ghastly tragedy and the pitiful futility of that war. No man, unless one of those who actively participated in and experienced the horrors of that conflict, can hate war more than do I, can be more painfully anxious than am I to find and to follow that course which will spare us like days of sacrifice and suffering.

I oppose the joint resolution before us in its pending form because it does not, in my view, contribute to these hopes so near my heart. Its enactment and its administration may well prejudice the cause of the peoples of the world; and it puts in jeopardy, in greater degree than present law, the peace of the United States.

How does it adversely affect the democracies of Europe? Present law forbids the exportation to belligerents of arms, ammunition, and implements of war. It does not interfere with the movement to belligerents in either foreign or American vessels of a thousand and one other things of civilian and military usefulness. It is at most a limited embargo. What do we propose in its stead? A law of greater restriction upon exports to the Allies.

We authorize, in the letter of the legislation now under consideration, the shipment of arms, ammunition, and implements of war if carried in foreign ships, if title has first passed, and if cash is paid. We offer in reality but a narrowly limited and a temporary relaxation of the existing embargo; for if this war is prolonged—and the cause of liberty cannot shortly prevail against the organized resources of autocracy—this source of strength to the Allies will speedily wane. Their credits in this country will be soon exhausted; for those now existent must meet not alone the cost of munitions but the cost of all other essential supplies upon which the civilian populations and the armies of France and Britain must rely. They cannot pay in goods, for they cannot in wartime produce them. They could not transport them to us if goods desired by us were produced by them. They cannot pay in gold, for this would mean the further depletion of their already exhausted stocks, and would lead to dangerous inflation. They cannot pay in services. They cannot, in truth, long pay at all in cash or with present credits. We must, therefore, soon cease to be the source of their supply of munitions and of all other necessities. This denial of credits, all considered, is an added restriction upon the movement of essential commodities to Britain and France.

Next to be noted in the consideration of this problam is the prohibition in the pending bill against American ships entering combat areas. These danger areas will embrace the waters around neutral nations. They will include the waters around Spain, Portugal, Belgium, Holland, Denmark, Finland, Norway, and Sweden. The ports of every nation now neutral, within a thousand miles of Britain, will be

closed to our ships, and the possibility will be gone of articles and materials of whatever kind reaching France and Britain by indirect water routes from America. So, while by this provision of law we shall cut Britain and France from the aid they might receive under present law, Germany will continue to avail herself by land, as she is now arranging to do, of the vast resources of Russia and Central Europe. In substantial measure we close the seas, its sole avenue of trade, to Britain, while land routes continue open to Germany. This constitutes a further portentous difficulty to be faced and overcome by Britain and France.

Then, Mr. President, to complete the strangulation of these two nations, it is proposed to prohibit American ships from carrying to them directly any articles or materials whatsoever. By present law our vessels may transport all articles and materials except arms, ammunition, and implements of war; they may carry a multitude of other things which combatants and noncombatants alike must have. We now are to deny this right of purchase and transportation.

What must the result be? It must be a still further restriction of opportunity, a further denial of supplies to the Allies, France and Britain.

In the last war Britain had more ships than she has today, yet she and her Allies, with the aid of all the neutral maritime nations of the world, could not then meet the problem of transportation of vital supplies. With the withdrawal of many foreign ships, we saw our docks and warehouses, the terminals of our great ports, and freight cars stretching for miles into the interior filled to overflowing with the products of the farms, the forests, the mines, and the factories of America, and we saw moved to the markets of the world only those things which belligerents were able and willing to take.

With no American ships in the foreign trade, and with foreign vessels not freely available, the rate on cotton consigned to Liverpool mounted from 35 cents per 100 pounds to $11, on wheat from 8 cents to $1.36 per bushel, on flour from 10 cents to $1 per hundredweight, and general cargo rates moved to 10 times their normal figure. Today 213 American ships, of more than 1,438,000 tons, are in the service of belligerent ports, and we are now asked through the pending measure to remove them therefrom and to deprive the democracies of their services and of the supplies essential to their success now carried by these vessels.

The want of American ships in the last war and the inability of the Allies to adequately meet their transportation needs were the immediate occasion of our vast shipbuilding program of war days, during which we constructed approximately 2,500 ships, of ten and one-quarter million tons, and at a cost of three and one-half billion dollars.

The senior Senator from New York [Mr. WAGNER] yesterday stated to the Senate that in the 30 months between the outbreak of the World War and January 1917 less than 10 percent of American exports to the then Allies were armaments covered by our present embargo law, the law which it is proposed to repeal. It follows, then, that 90 percent of these enormous exports were articles and materials which, under our existing law, American vessels could legally transport. There is no suggestion that these proportions have changed or would undergo change in the future.

We have, then, the proposition to substitute for this present situation the right in foreign ships to carry 10 percent of arms, ammunition, and implements of war, and the denial to American ships of the right to transport either this 10 percent or the 90 percent of legitimate commerce. And we call that lifting an embargo. If we take from the service of belligerent ports this approximate million and one-half tons of American vessels now sailing to them, Britain and France will again face and will feel even more acutely those shortages which tried their souls a quarter of a century ago. Today Britain and France need these American ships infinitely more than they needed them in the days of the World War.

If we in America wish to announce to the world that we are withdrawing our ships in order to lessen our risks, we shall be offering a reason, if not a justification, for our course; but when we offer the legislation before us with the avowed purpose of repealing the present embargo, with the expressed intent of withdrawing present alleged transportation advantage from Germany, and of making available to the sea powers the advantage which is their natural right because of their geographical location on the sea, we are indulging in pretense which does violence to the facts of the situation.

Mr. President, I think it should be the privilege of the distinguished senior Senator from North Carolina [Mr. BAILEY], chairman of the Commerce Committee of this body, to first discuss, as fully as he wishes, the effects of the pending measure upon the Americant merchant marine and upon the efforts of the Congress in behalf thereof. I yield my inclination to express my views thereon to his first right and to his surpassing ability. I avail myself of this opportunity only to express my conviction that in this proposed legislation we are depriving American business and agriculture of their export market; we are preventing our people from receiving those import necessities which come in American bottoms from belligerent ports and from neutral nations as well, all with resulting disruption of our domestic economy; we are adopting a policy which, if persisted in, must keep from the Allies their life-giving supplies, a policy which in time must prove their undoing.

Mr. President, I am not advised as to the origin of this abject proposal of surrender of American rights, this cruel withdrawal of the opportunity of Britain and France to obtain sustaining supplies. I only know that it is not urged in the public recommendations of our Secretary of State; that there is not authority for it, so far as I am aware, in any public statement, written or oral, of the President. I cannot bring myself to make contribution to such consequences.

The second reason for my opposition to the pending measure as now drafted is my conviction that it violates our neutrality and, in its enactment, is a greater threat to our peace than there can be in present law.

Today we are a neutral nation. By statute passed in days of peace we restricted the rights of our nationals and we announced to the world our rule of conduct in the event of war. We now propose, war existing, to alter both the rights of our own people and these world relationships as well. Authorities disagree as to the right of a neutral nation to do the latter. I believe the weight of American and British authority is that such action in such circumstances constitutes a breach of neutrality.

I pass over that controversial question without argument, but with the observation that I cannot accept as valid the suggestion now made that the introduction in the Congress of legislation designed to modify the previously existing world relationships is authoritative notice of a purpose to change these relationships, and that thereby they are changed. The intent of the Congress is found in its completed acts, not in the abortive purpose of some Members of the Congress. As the record stands, one branch of the Congress passed a bill including an embargo and the other branch failed to act at all. Never before has it been insisted that the refusal or the failure, as you please, to act in one session, was notice of an intent to act in any particular manner or to act at all in a later session. The only logical conclusion to be drawn from the inaction of last July is that there were not then available the necessary votes to bring action. This is the only notice given to the world.

Mr. President, I believe that all writers and students agree that impartiality is the very heart of neutrality. Partiality is a contradiction of neutrality. When a statute speaks in terms of partiality and when partiality follows from its application, there is no neutrality. We have before us a measure which forbids an American ship to carry any articles or materials whatsoever to belligerent states, but with the express exception that American vessels may transport anything and everything to Canada, one of the belligerents. This exception is partial in its terms as between the belligerent nations. It is partial in its purpose. It will be partial in its effects. It assures sympathy and material aid

to one of the belligerents. The only justification urged in its behalf is that there is no risk to us involved in such a statute and in the action authorized.

Mr. President, the absence of risk to a nation in its course of action is not the touchstone of neutrality. If we enact the proposed legislation as now written, we make cause with a single belligerent. We justify the charge that we have become a participant in the conflict. I should have greater respect for our position if we frankly declared that to be our purpose. I cannot, however, believe that to be respect for neutrality or the path to a more assured peace.

Mr. President, the pending joint resolution professes to repeal an existing embargo law. It does so in the letter, but in its substance it imposes more onerous restrictions upon our ancient rights of free shipment, and militates directly against belligerents wholly dependent upon sea transportation, those belligerents to whom America's sympathy goes out. It makes pretense of respect for our neutral obligations, but it is unneutral in that it gives aid to one belligerent and denies like aid to all other belligerents. It makes no contribution to our peace that is not overbalanced by this provocation of partiality and participation in behalf of a single belligerent. It speaks in terms of cowardly abandonment of rights, a surrender without precedent in our national life.

Mr. President, for all these reasons I am constrained to vote against the proposed legislation in its present form. My final action will depend upon the final form of the joint resolution.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until tomorrow, Thursday, October 12, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 11, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most merciful God, as Thy children, we supplicate a Father's blessing. Like streams of water in a dry and thirsty land, so have been Thy benedictions. To Thee we lift our grateful hearts, for Thou are not far from us at any time; may we set them before Thee to be chastened. Enable us, dear Lord, to apply our days unto wisdom, for we know how the fortunes of life change. Melody of song becomes the voice of lamentation; falling tears take the place of happy laughter; the strong become ill; and the joy of life is turned to aching grief. O Divine One, help us not to be cast down, for as our day is so shall our strength be. Oh, may the vision never fade nor the inner light fail. Spread Thy covering wings around till all our hardships cease. In the blessed name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committe had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 384. Joint resolution to make provision for certain expenses incident to the second session of the Seventy-sixth Congress.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval a joint resolution of the House of the following title:

H. J. Res. 384. Joint resolution to make provision for certain expenses incident to the second session of the Seventy-sixth Congress.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GORE. Mr. Speaker, on last evening a speech was delivered in New York City before the Foreign Trade Convention by my fellow townsman and distinguished predecessor, the Honorable Cordell Hull, Secretary of State, which is so typical, in its wisdom and in its unswerving devotion to a sincere conviction, of that eminent southern gentleman, who has no peer in statesmanship in the world today, that I ask leave to extend my remarks and to include it therein.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GORE. Mr. Hull's speech is as follows:

NEW PROBLEMS IN OUR COMMERCIAL AND FINANCIAL RELATIONS WITH OTHER NATIONS

Less than a year ago, when I had the pleasure of addressing the last National Foreign Trade Convention, the minds of all of us were preoccupied with the ominous increase of tension among nations in several parts of the earth, which was fast darkening the world horizon. We were all acutely conscious of the imperative need of doing everything possible to decrease international tension and to strengthen the forces of peace.

Unfortunately, these efforts failed. For nearly 6 weeks now, the red flames of war have been raging in the heart of the European Continent. No one can tell how much of what mankind holds most precious will be destroyed before the conflagration subsides, nor what remnants of foundations upon which to rebuild civilization and progress will remain.

In this new situation our first and most sacred task is to keep our country secure and at peace. Toward the accomplishment of that task, our Government is devoting every ounce of energy and vigilance. We are happy that the other American republics are equally determined, together with us, to ward off war from the shores of the Western Hemisphere.

It is my firm belief that we will succeed in this endeavor, and that our nations will not be engulfed in the catastrophe of war. Yet, even though we remain at peace, we cannot escape the far-reaching consequences of a widespread major war.

Within the lifetime of most of us a great war was fought. Its fearful effects and repercussions are indelibly impressed upon our memories. Its disastrous aftermath is still before us in sharp relief.

We have witnessed the stupendous difficulties involved in restoring the order of peace out of the chaos of war, and the price which mankind must pay for failure to give proper direction to efforts of reconstruction after a period of protracted hostilities. The most striking feature of the two decades which elapsed between the outbreak of the present war in Europe and the termination of the last, was the widespread and appalling disregard of those fundamentals in the relations among nations upon which alone the work of reconstruction could successfully be carried out.

In no phase of life was this failure to recognize fundamental conditions and requirements more pronounced than in the field of international economic relations. Only through vigorous and healthy trade was it possible for the nations of the world to utilize to the utmost the natural resources of our globe and the unceasing progress of modern science and technology for the purpose of making good the destruction wrought by the war and of laying the foundations for the future advancement of the human race. Instead, by entering upon the road of narrow nationalism, by building up a constantly extending network of trade restrictions, by forcing trade away from the channels of natural advantage, the nations of the world not only failed to correct the profound maladjustments bequeathed by the war, but created new and even more profound dislocations.

These maladjustments and dislocations were in large measure responsible for the unprecedented economic crisis which struck the world with the impact of a hurricane at the end of the 1920's. And even then, instead of reversing the direction of their policies, most nations merely intensified their suicidal movement toward narrow economic nationalism.

The inevitable consequence was that world production was held back, purchasing power within and among nations was impaired, and the human race was forced to subsist on a level of material welfare far below that which was practicable and feasible on the basis of an intelligent organization of international economic relations. Narrow economic nationalism contributed greatly, in recent years, to a weakening of social stability within nations, and to a growing deterioration of morality in international relations. Out of these conditions sprang the roots of the present armed conflict.

As we now enter upon a new period of widespread war, to be followed, sooner or later, by a new period of reconstruction, we should constantly keep before us the lessons of the sad experience of the past quarter of a century. In the economic field, two sets of problems confront us today. The first involves the conduct of our commercial and general economic relations with other nations during the war itself. The second relates to the task of preparation for the reconstruction effort after the termination of hostilities.

In dealing with the first of these two sets of problems, it is necessary to distinguish between three areas: The belligerent nations, the neutral nations outside the Western Hemisphere, and the American nations. In each case, there are certain consequences which we have no choice but to accept, and certain considerations which should guide our policy and action.

Our trade and general economic relations with the belligerents must, of necessity, be governed by two primary factors: The vital requirements of our position as a neutral, and the exigencies of the war situation. The first of these factors imposes upon us, as our wisest and safest course, nonparticipation in the conflict, and an impartial attitude toward the two groups of antagonists. Such a course of true neutrality leaves us entirely free to trade in all commodities with both sides, within such limitations as may be legitimately introduced by the belligerents under the rules of war, and within the further limitations of whatever measures we may wisely choose to adopt for the purpose of eliminating or reducing the risk of danger to our nationals, goods, and ships. The second factor has already caused, and will cause increasingly in the future, substantial changes in the direction and composition of our trade with the nations at war.

From the very outset of the present war, the belligerents have begun to subject their foreign trade to rigorous government controls, which have already far surpassed in comprehensiveness and thoroughness the regulations put into force during the earlier period of the last war. The drastic restriction by the belligerents of imports unessential to the prosecution of hostilities, and their concentration on imports needed for war will place before our exporting industries serious problems of adjustment. Whether the net result of these factors will be an increase or a decrease of our total exports to Europe, no one can tell at this moment. Whatever the result, it will be determined by conditions over which we have little or no control.

Additional limitations on our export trade will, no doubt, arise if we decide to adopt, as a prudent national policy, a course of action under which our ships will be kept out of the zones of danger; under which no loans for belligerent governments will be permitted; and under which, no commodities purchased by the belligerents will be permitted to be exported before title to them shall have been transferred to the foreign buyers. Here the decision is within our power. We can, if we so wish, abstain from these self-imposed restrictions, but if we do so, it must be with a clear realization that we shall thus expose ourselves to the risk of dangerous incidents which will increase the possibility of our being drawn into the European conflict. The executive branch of the government is convinced that such inconveniences or losses as may result from this voluntary curtailment of our freedom of action in trade relations constitute, from the viewpoint of the national interest, a worthwhile sacrifice for the enhanced security of our Nation, and for the greater certainty of our remaining at peace.

On the side of imports which we normally receive from what are now belligerent nations, the war will also impose upon us a certain amount of difficulty, resulting from wartime controls of trade. In this respect, our Government is prepared to do its utmost to remove or reduce unnecessary hardships for our business interests, whether growing out of measures of policing trade or out of undue price exactions.

As regards our trade with other neutral nations outside the Western Hemisphere, our endeavor will be to maintain it as nearly as possible on a normal basis. Here our greatest difficulties will arise out of various measures of control adopted by the belligerents as they affect certain neutral countries of Europe. And here again, it will be our policy to steer a balanced course between the greatest practicable protection of our commercial interests and the avoidance of imprudent risks.

In the Western Hemisphere, we are bound to our sister republics by close ties of inter-American friendship and solidarity. Not only are we all partners in the vital enterprise of keeping our 21 nations secure, but we share equally in a common determination to place our economic interrelations upon the soundest possible basis of mutual benefit.

The other 20 American republics are confronted, in varying degrees, with much the same problems of adjustment to the war in Europe as those with which our country is faced. In order to enable all of us, by concerted and cooperative action, to cushion, as much as possible, the impact of the extraordinary conditions imposed upon us by the European war, our nations took an important step, at the Panama conference, toward creating necessary machinery for this purpose. The Inter-American, Financial and Economic Advisory Committee, which is to begin its functioning in Washington within a few weeks, is designed to furnish a means of discussion and action with respect to problems of trade, finance, and other phases of economic relations and activity which press for solution within and among our nations. The first meeting of representatives of the national treasuries, scheduled to meet in Guatemala next month in pursuance of an important decision adopted by the Lima conference of last year, is another step in the same direction.

Some of the American countries face difficulties arising out of loss of European markets for some of their staple exports. Some are confronted with inability to receive normal imports from accustomed sources of supply. Some are face to face with financial or monetary problems of a pressing emergency character. We shall all benefit in proportion as our nations succeed, by cooperative effort, in easing or solving these problems and difficulties.

So far I have dealt with questions of Government policy and action. That, of course, is only a part of the story. It is true that under conditions of increased Government control of trade and of economic life in general, which are characteristic of wartime periods, the significance of Government action increases in proportion. But even so, in a country such as ours, private enterprise, represented by groups like the one here assembled, continues to be the mainspring of economic activity. In the difficult days which lie ahead, just as in more normal times, your initiative, your energy, your ingenuity, your understanding of the broad problems comprising the national interest, and your willingness to act on that understanding will be among the decisive factors in determining the degree to which we shall be able to maintain our national well-being in a world harassed by war.

So much for our immediate problems. We all know how difficult and how pressing they are. But in our search for their most effective solutions let us not forget for one moment those broader and more far-reaching objectives which we must keep constantly before us if the human race is not again to doom itself, all too soon, to reaping a whirlwind of its own sowing.

Wars come to an end, and with their ending begins the even more difficult work of reconstruction. If the sad story of the last two decades is not to repeat itself at the conclusion of the present war, there must be kept alive somewhere in the world a clear understanding of the failures of the recent past and of the dangers for the future if these failures are reenacted.

I have already indicated that one of the most disastrous shortcomings of the period following the World War was the nature of the commercial policies pursued by the nations of the world. Fortunately, side by side with the forces which were pushing nations in the direction of increasing trade restriction and trade diversion, there were also operative in the world forces which were working in the opposite direction.

During the past 5 years our country has taken a position of leadership in an effort to promote the material well-being of our Nation and of every nation through the establishment and strengthening of sound and healthy international economic relations. By inaugurating and vigorously implementing our reciprocal trade agreements program we have sought to bring about an abandonment throughout the world of trade policies which had resulted in excessive restriction of commerce, in an artificial diversion of trade, and thus in acute economic distress. We have sought to place our commerce with the rest of the world upon a basis of reasonable regulation and nondiscriminatory treatment, in order to give business enterprise the greatest possible scope for profitable operation in foreign trade—to the advantage of business and to the benefit of the Nation as a whole.

Today, as a result of the war in Europe, some of the tendencies in the methods of trade regulation which we and other nations have sought to combat in recent years have become greatly intensified. That is an inescapable consequence of the war situation. But it does not mean that these disruptive tendencies must necessarily become permanently established in international commercial relations after the end of the war.

To believe that this would be likely to happen would be to abandon ourselves to hasty counsels of despair. The experience of the period immediately following the last war and, even more, the experience of recent years have demonstrated the destructive nature of such practices as embargoes, quotas, exchange controls, unreasonably high tariffs, and various other means of regimenting and forcing trade. These practices may have their place in time of war, when the central objective is the creation of the instrumentalities of armed force at no matter what sacrifice of human welfare. There is no place for them in time of peace, when the desired objective is the promotion of the well-being of individuals and of nations, for which a healthy functioning and expansion of international commerce is an indispensable prerequisite.

If, after the termination of this war, commercial policies characteristic of extreme economic nationalism should become dominant, then mankind would enter upon an indefinite period of alternating economic conflicts and armed warfare—until the best attainments of civilization and progress will have been destroyed. I cannot believe that this is the fate in store for the world. I, for one, hold fast to the conviction that, however grave have been the errors of the recent decades, however much suffering and destruction may lie ahead in the immediate future, there is, in all nations, sufficient strength of will and sufficient clarity of vision to enable mankind to profit by the costly lessons of the past and to build upon a sounder foundation than heretofore.

There is much that our country can do toward that end. We must retain unimpaired our firm belief that only through enduring peace, based on international law and morality, and founded upon sound international economic relations, can the human race continue to advance. We must cooperate to the greatest possible extent with our sister republics of the Americas and with all other nations to keep this conviction alive and to maintain the basic principles of international good faith, world order under law, and constructive economic effort.

In the economic field the guiding lines of the policies which we should pursue are clear. Nothing that has happened has weakened in any way the validity of the basic ideals which have underlain our commercial policy in recent years. The type of international economic relations which we have sought to establish through our reciprocal-trade agreements has been amply proven by experience to be the only effective means of enabling the process of international trade to perform fully its function as a powerful instrument for the promotion of economic welfare and for the strengthening of the foundations of enduring peace.

For the immediate future we must continue our efforts to maintain and expand our trade program within such temporary limitations as may be dictated by the exigencies of wartime conditions. We are, in fact, engaged today in important trade-agreement negotiations, notably with the American nations. We shall neglect no opportunity, wherever it may present itself, to expand the area of our negotiations. We must not be diverted from this essential purpose by the acts or utterances of those who, intentionally or unintentionally, seek to mislead the public mind into the belief that our efforts have been rendered powerless by the unhappy circumstances of today.

When the war is over, we must stand ready to redouble our efforts in the direction of economic progress. As the process of post-war reconstruction begins, the task of restoring international trade relations on a sound basis will be even more difficult than it has been heretofore. But it will be even more imperatively necessary if, after the setbacks and prostrations of recent decades, mankind is to resume its upward climb.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter I have received from General Pershing.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, President Roosevelt has proclaimed today as General Casimir Pulaski Day to honor the memory of that great hero and patriot of Poland. I ask unanimous consent to extend my own remarks in the RECORD on that subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in theRECORD and to include therein a letter from Col. E. M. House to Hon. David Lloyd George.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a broadcast made by myself last evening.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks on Count Casimir Pulaski, the Polish patriot.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BYRON asked and was given permission to extend his own remarks in the RECORD.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an open letter written by me to the Gallup poll.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter and list I received from the secretary of the Southern Council on International Relations in regard to neutrality.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Wisconsin [Mr. BOLLES] for 10 minutes under the special order of the House heretofore made.

LEAVE TO ADDRESS THE HOUSE

Mr. BOLLES. Mr. Speaker, I come not to bury Caesar but to praise him.

On Monday, Mr. Speaker, a great Member of this House, great in his influence and admired by every new Member here, particularly on the Republican side, passed from the Chamber with shock and sorrow registered by all those new Members. White-plumed Henry of Navarre had tripped in his own stirrup and been unhorsed.

When I came here to take a seat in Congress I had an idea that no matter what party had elected a Member, he was equal in every way, so far as rights, privileges, and standing were concerned, with all others. I have never blindly followed partisanship here or elsewhere.

I pay tribute here to the kind consideration given to new Members by the Speaker of this House. I think the old tradition that a new Member should be seen and not heard has been broken down by this attitude of the Speaker, and in the name of these new Members I thank him.

But to return to my mutton. I say here that I was shocked Monday when the gentleman from Virginia, whom we have loved and supported, went out of character. I would like to ask that gentleman a question. Who wrote that speech? Did he write it or was it handed to him from the pen of the smear professor of the dirt-spreaders cult of the Raskob committee? It smelled like that. If that is so, if that speech was a handout, used under political pressure, I can forgive it. If it was his own, I can only think of those lines:

To crook the pregnant hinges of the knee that thrift may follow fawning.

Mr. Speaker, I think also of the double character in Ingoldsby Legends where:

The prince-bishop uttered a curse and a prayer,
Which his double capacity hit to a nicety.
His lay-brother half induced him to swear,
While his Episcopal moiety said "Benedicite."

Mr. Speaker, I have some things here I would like to have put in the RECORD in their entirety.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. BOLLES]?

Mr. THOMASON. Mr. Speaker, reserving the right to object, what is it the gentleman wants to put in the RECORD?

Mr. BOLLES. This entire thing.

Mr. THOMASON. The gentleman wants to put all of that in the RECORD?

Mr. BOLLES. Yes; sure.

Mr. THOMASON. Mr. Speaker, I think under the circumstances we will have to object.

Mr. BOLLES. I knew it would storm you down. What are you going to do about it?

Mr. BULWINKLE. Mr. Speaker, I object.

Mr. BOLLES. Mr. Speaker, I have before me, and it ought to go in the RECORD, the documentary evidence of the work of 442 paid servants of the United States Government who are on the pay roll at anywhere from $3,000 to $6,000 a year. One of them gets $7,200 a year. That is all right. They are just newspapermen, friends of mine, and belong to the same Masonic order of newspapermen that I do. They all write this stuff. They want a job. They want the pay check and everything else.

This is yesterday's bunch of junk right here.

Mr. HOFFMAN. About how many pounds?

Mr. BOLLES. I did not weigh this. The only scale I have is the scale of justice, and it does not weigh this kind of junk. Now, then, I have for a number of days collected this outburst of political effluvia, born in the pornographic mind of political prostitutes, which seeks to tell the cockeyed public of the United States of America.

Mr. ANDERSON of Missouri. Will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Missouri.

Mr. ANDERSON of Missouri. Are not most of those Hoover hold-overs?

Mr. BOLLES. Oh, no. These are brand new new dealers. I will show you this. There is not one single man here who is a Hoover hold-over.

Mr. HOOK. Will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Michigan.

Mr. HOOK. How about Chairman Fahey, of the Home Owners' Loan Corporation?

Mr. BOLLES. He has not a single word in here. They are too busy foreclosing mortgages on home owners' loans.

Mr. HOOK. He happens to be a Hoover hold-over.

Mr. BOLLES. That is all right. He has not anything in here.

Mr. HOOK. Probably the gentleman left out the Hoover hold-overs.

Mr BOLLES. No. The gentleman is probably wrong, as usual.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. It may be that Mr. Fahey is a Hoover hold-over, but he must have turned New Deal or else the New Deal control of the Home Owners' Loan Corporation would not have selected him as Chairman.

Mr. BOLLES. He is too busy foreclosing home owners' loan mortgages.

Mr. HOOK. Will the gentleman yield?

Mr. BOLLES. I refuse to yield.

Mr. HOFFMAN. Will the gentleman yield?

Mr. BOLLES. I yield.

Mr. HOFFMAN. The administration must have some competent men to help them, must it not? That is probably why they keep Fahey.

Mr. BOLLES. I should suppose that occasionally they might pick out somebody who had both mental attitude and working capacity as well as ones who may be appointed from purely political considerations.

Mr. HOFFMAN. That is to help get the work done. After all, there is some work down there.

Mr. BOLLES. They tell me that in my home district I will have the appointment of census enumerators, because the people I appoint will have a sufficient amount of capacity to make such enumerations. They could not find anybody else in the district who would.

Mr. HOOK. Will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Michigan.

Mr. HOOK. I want to recall to the gentleman's attention that it was under Chairman Fahey that the attorney was appointed who sent out those franked letters all over the United States that he did not have any business doing.

Mr. BOLLES. He did not put pressure on the whole of the United States of America to raise millions for a birthday ball, though.

Mr. HOOK. But the money that was raised for the birthday ball went for a good purpose.

Mr. BOLLES. Oh, sit down. I am sorry to libel Michigan.

These publications are paid for by the United States Government. There is absolutely no way by which anybody can get anything out of this National Capital in the mail for any purpose to help him unless he pays for it out of his own pocket outside of the rules and regulations that dominate our privileges here.

It is perfectly proper. The only thing I regret is that I am not on that committee which the gentleman from New York, HAMILTON FISH, heads. They did not think I amounted to enough to invite me to be on it, so I am not on it, but I wish I were.

The whole people of America stand here right now at home desiring only one thing, that the United States of America do not enter a war. Every time I hear about this war proposition I can see marching up and down in the trenches the face of my dead son, who was one of the victims of the last war.

Mr. ANDERSON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. BOLLES. No. I can see that face. What do you have to say?

Mr. ANDERSON of Missouri. The gentleman has a lot of sympathy for the men that march in war. Did the gentleman march in the Spanish war, or the last war, or the Civil War?

Mr. BOLLES. No. I would have liked to have been in the Civil War.

Mr. ANDERSON of Missouri. What about the World War?

Mr. BOLLES. I will put my record up against that of the gentleman from Missouri.

[Here the gavel fell.]

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BOLLES. Just a minute. I have this boy from Missouri on my neck.

There was a shavetail lieutenant examining me, and he said that I had a bum eye and I could not go to war. Well, I can see farther than the gentleman from Missouri.

I yield now to the gentleman from Pennsylvania.

Mr. RICH. With reference to legislation that will keep us out of war, may I say that the American people are more interested in the fact that we are kept out of war rather than in what legislation we may pass in order to meet that end?

Mr. BOLLES. Yes.

Now, to return to my mutton, I wish to say here definitely that I deprecate the attitude of any Member of this House who would stand here and disparage the character or question the motives of any Member of this House, particularly when he is so vulnerable in the matters of which he was speaking. I do not like it. I hope it will never occur again. I hope this House will remember that. I am going to forget. I love this gentleman from Virginia. I have worked with him and fought with him and helped him in the investigation he is making, but when he comes here and talks about a man raising a few dollars to send out literature concerning peace, whether it be from his own office or from some other office. what does it matter, when the Government of the United States, with an army of 442 servants, paying them about $240,000, can write and print and send out this kind of stuff, which every newspaper editor of the United States gives a three-way play—desk to open to wastebasket. The wastebaskets of every newspaper office of the United States have had to be enlarged and have additions built on them. I know; I sit there myself and handle this stuff. Nobody prints this; it is junk. But it does get into the hands of a few people who believe it because it is a Government document.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Pennsylvania.

Mr. RICH. Are not the taxpayers of the country paying for the various agencies that are set up in every department of the Government for the purpose of sending out this literature?

Mr. BOLLES. Oh, of course; but there is no such animal as the taxpayer any more. He is just the "forgotten man," except on the 15th day of March.

Mr. RICH. Did not the Congress at its last session make appropriations of hundreds of thousands of dollars compelling the taxpayers, whether they wanted to or not, to pay to put out all that junk?

Mr. BOLLES. Yes. Does the gentleman know how much that amounts to? I want to bring out these figures here. It will amount to $240,000 or more each year.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Michigan.

Mr. MICHENER. Do I understand that all of this material, piled 2 or 3 feet high on the table beside the gentleman, is material that has been sent to the newspapers as propaganda?

Mr. BOLLES. Here is a bunch right here; here is another bunch right here. This is the bunch that came over yesterday. These are the bunches over a period of a week. I wanted to put them all in the RECORD, I may say to the gentleman from Michigan.

Mr. MICHENER. That might break the Government, although the people should have the facts. I would have to object to that because the volume is so enormous it would cost too much. But what I want to inquire about is, has the gentleman offered a resolution that the Congress investigate this mass of propaganda that is going out from the departments as Government literature?

Mr. BOLLES. No; I have not, but I thought I would.

Mr. MICHENER. Does not the gentleman think it would be a pretty good thing to do, because if what the gentleman says is true and this vast amount of material is being sent out by these four hundred and how many——

Mr. BOLLES. Four hundred and thirty-two.

Mr. MICHENER. Four hundred and thirty-two propagandists.

Mr. BOLLES. Paid servants.

Mr. MICHENER. No; they are paid propagandists in the several departments. I use these words advisedly because that is their purpose, to propagandize their several departments, to sell this New Deal philosophy to the people. They are paid by the taxpayers. Why does not the gentleman introduce a resolution and let us have an investigation that is worth while? If the Government is employing 432 expert propagandists or ghost writers to load up the newspapers and, in a subtle way, influence the uninformed, the truth should be made available. If these activities are good, we ought to know about them and the country ought to know about them. What protection has the people if no opportunity is given to explain or expose propaganda put out by agencies of the administration?

Mr. BOLLES. I intended to prepare a resolution, I may say to the gentleman, to bring in with this pile of junk, and I shall do so when it is in order.

[Here the gavel fell.]

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I believe the gentleman will find that when the appropriations bills and the bills authorizing appropriations come before the House there is in them language to the effect that a certain amount of money may be used for this specific purpose.

Mr. BOLLES. Absolutely.

Mr. CRAWFORD. If this is true, I do not see any object in asking for an investigation. We can eliminate items of that kind from the appropriation bills if we are willing to do so, and I am willing to do so.

Mr. BOLLES. Oh, no. A lot of this stuff is buried under a brush heap where the smell of the skunk is not noticeable.

Mr. CRAWFORD. Perhaps I am in error in saying we could eliminate all of it, but we could eliminate a large amount of it.

Mr. BOLLES. Yes; we could, but you do not do it.

Mr. CRAWFORD. That is correct, we do not do it.

Mr. BOLLES. No. You sit here and vote for it day after day.

Mr. CRAWFORD. No, I do not.

[Here the gavel fell.]

The SPEAKER. Under the previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; if it is not taken out of my time.

The SPEAKER. The gentleman declines to yield.

Mr. HOFFMAN. Mr. Speaker, for a few moments permit me to call to the attention of the few who are here in the House today the manner in which our national-defense program is being menaced by the C. I. O. and the Communists.

While the President reports hostile submarines off our shores; while Germany warns us that the *Iroquois* is to be destroyed; while Great Britain denies our right to establish a neutral zone as advocated by the Americas; while Stalin joins hands with Hitler and apparently prepares to turn loose the "red" menace upon all civilization, we here in America sleep on, blind to the very real danger of the "reds," who, day after day, strike at the very foundation of our Government, at our national defense.

We are all familiar with the fact that in most industries—industries which are essential to a successful national defense, to say nothing of the carrying on of a foreign war into which only the most earnest, patriotic efforts of this Congress can prevent us becoming involved; industries such as coal, steel, motors, and oil, John L. Lewis—his C. I. O. has obtained a strangle hold—is in a position where, if war comes, and under the present plans for a selective draft, men in essential industries such as those enumerated will be left at home while other loyal citizens are sent to foreign lands, this Government can be successfully destroyed.

Right here at home there is plenty of trouble if we want to look for it or if we want to see it when it appears on the front pages of the newspapers.

Here is a situation to which your attention is called and to which we may all give serious thought and then act. The last Congress appropriated millions of dollars for national defense. We authorized the construction not only of additional battleships and the purchase of munitions of war of all kinds, but we gave instructions and we appropriated the money for the building of millions of dollars' worth of airplanes. We did this on the theory that these airplanes are necessary immediately to our national defense. We did not authorize those airplanes, we did not appropriate the money to build them to send across the water so they might be used in a war over in the other hemisphere.

The War Department and the Navy Department entered into contracts for the construction of those planes. Among the contracts entered into by the War Department was one with the Bohn Aluminum & Brass Corporation, of Detroit, which has several plants. This contract was for the making of bearings which are to be used in motors.

On the 29th day of August an affiliate of the C. I. O. called a strike at the Bohn plant. This strike was not called for the purpose of getting shorter hours or higher wages. It was called to force every man who worked in the plants of this corporation to pay dues to this particular union.

The bargaining agent for the employees for this company was a C. I. O. affiliate. That organization made a demand upon the company for a closed or preferential shop; that is, that all employees be required to pay dues in order to work. Look at this proposition as it is. Here is a great factory, employing thousands of men, engaging in manufacturing bearings which are absolutely necessary if this Nation is to be prepared to defend itself on land and sea. Here is a union organization which on the 29th day of August 1939 closed that great factory engaged on Government work and demanded that no one work therein until he agreed to pay tribute to it.

Follow them and see where we get if we permit that kind of thing to continue. Under the plan of the President, announced not so very long ago through the public press, when the draft law is put into force one of the last groups to be taken will be those engaged in essential industries, and those essential industries are coal, steel, motors, and oil. So, if the C. I. O. can get control over all the men, as it proposes to do or as it proposed to do in this particular strike, who enter those industries, then they are the last to be called in case of war; and who goes to fight the war? Those who do not belong to these organizations will be called first.

Here is what the C. I. O. did in this particular strike, which began on the 29th of August and continued until day before yesterday—Monday, the 9th day of October. They tied up those factories engaged in the manufacture of bearings which went into motors which the Army and Navy needed for national defense. There is no question about it. Stalin himself could have taken no course to more effectively hamper, to have obtained control over the production of articles which are necessary for American defense, than did this union. Here is a labor organization which demands that in order to aid our country in preparing for its defense all men must acknowledge allegiance to it.

Here you have in America an organization which reaches out its hand and stops the wheels in the factories which are producing those things that are essential to our national defense, and we sit here and do nothing about it, and the administration does nothing about it.

Turn now to the situation as it applied to the Navy. The Navy had a contract for the construction of a bearing which went into a motor which was necessary for the production of a special type of airplane which the Navy deemed essential for our national defense. The bearing could not be obtained from any other company. The Bohn Aluminum & Brass Corporation had on hand a large number of these bearings. It had in its possession the plans and specifications which belonged to the Navy and the possession of which was necessary if the bearings were to be manufactured; and then the C. I. O. affiliate—and there is no doubt but that the C. I. O. is shot through and through with communistic ideas and that it employs communistic methods—threw a picket line around this plant and for 41 calendar days held up the production and delivery of bearings which the United States Army and Navy needed, and by force prevented the delivery to the Navy of parts which are absolutely necessary to make the planes that protect our country. What do you think of that kind of a situation? I go one step further, and I am making these statements on my responsibility as a Member of this House. When the Navy of the United States demanded of this union that it withdraw its pickets, and that these parts be delivered so they could be put into the Navy planes, the union refused. How do you like that? It is not treason, because we are not engaged in war, but it is a criminal conspiracy to overthrow or to prevent the activities of this Government, and to do it by force. In the words of Chief Justice Marshall, it was "a conspiracy to subvert by force the Government of our country." And the man at the head of that strike was Frankensteen. This strike and its results were called to the attention of the Labor Department, and the officials of the company were called down here and they were told by the War Department that the production and delivery of these parts was necessary, and that the strike must be ended. But did the Government call down the representative of the union? If it did the union representative did not come. Oh, no. Frankensteen, sitting in Detroit, called up the Labor Department and told them what the union wanted. And the strike was settled. How do you like that? Who is running this Government, and what is the sense of sitting here and voting millions of dollars to produce planes and to manufacture munitions of war when all the time overhanging us is this red hand controlled by Russia, which says, on occasion, as it did one day not in the distant past, and as it will some day not in the distant future, but as it did from the 29th day of August to the 9th day of October—41 calendar days—"you may not fill that order"; holding in its grasp the manufacture and production and delivery of parts esential to our national defense. What happens to Frankensteen? Is he prosecuted? Oh, no. Frankensteen was the man appointed by Governor Murphy to distribute relief in the State of Michigan, and today Attorney General Murphy does not see Frankensteen, or his hand in this criminal conspiracy. Now, I ask you, Where is our manhood, where is our courage, where is our patriotism, our loyalty to our system of government, when we submit to such a situation as this? How much longer are we going to let John L. Lewis and his C. I. O., the Communists within its ranks, tell us and the President of the United States who can and who cannot work and when and where this Government of ours is to obtain delivery of articles upon which our national defense depends? Take that question home with you and come back tomorrow or later in the week or next week, if you cannot before find the answer, and then declare that no longer will we submit to these Communists who get their orders from Moscow, to the C. I. O. which conceives itself to be above the law, to be more powerful than the Government itself. How long are we going to sit here and stand for this sort of a proposition? I will drop into the basket tomorrow a bill to make it a criminal offense to prevent or interfere with the manufacture of necessary Government implements or munitions of war; and I shall drop into the basket also a resolution, privileged, calling on the Secretary of the Navy and the Secretary of War to tell us the facts; and you gentlemen then can read the official record and see how much of my statement is true. Then, if you want, you can sit here day after day and let this red menace that comes from across the sea interfere with our national defense if you desire, but you will never be able to say that you were not advised of the danger. [Applause.]

The SPEAKER. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. LYNDON B. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief editorial from the Baltimore Sun.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to proceed for 30 minutes at the conclusion of the remarks of the gentleman from Pennsylvania.

The SPEAKER. The gentleman from Montana asks unanimous consent that at the conclusion of the remarks of the gentleman from Pennsylvania [Mr. RICH] he may address the House for 30 minutes. Is there objection?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

NUMBER OF STRIKES SINCE 1928

Mr. RICH. Mr. Speaker, we have just heard the gentleman from Michigan [Mr. HOFFMAN] tell us what has happened in the way of strikes in this country, and especially at a time when it is very imperative if this country wants to be put on a proper defense basis, in order that it may protect its shores and its people in case of any eventuality. I do not believe that the Congress or the American people want this country to be put in a position where it cannot have adequate defense. On the other hand, I do not believe that citizens of the country want to have any larger Army nor any larger Navy nor any larger air force than is necessary for that particular purpose—adequate national defense. So that when we are trying to get our country on a footing where we may have adequate defense it seems that it is the wrong thing for anyone in the country, if they are good, sound, honest American citizens, to strike in order that we may not accomplish that end. I think it perfectly right for labor organizations to use the strike method to secure justice for the worker insofar as they do not interfere with the normal operation of our Government; but I call attention at this time to the great number of strikes that have occurred in this country since 1928, and I think this information is of sufficient value to make Members realize what is going on because of the war that we are now having between the A. F. of L. and the C. I. O. Certainly one of those organizations must be wrong. There is something that is wrong that will permit labor that is striking for the benefit of the individual workman to do things that are not only contrary to the welfare of the workers of the country but are contrary to the principles involved in trying to take care of our Nation and our national defense.

In 1928 we had 604 strikes. In 1929, 921 strikes. In 1930, 637 strikes. In 1931, 810 strikes. In 1932, 841 strikes. There is an average of about 760 strikes per year during the years 1929 to 1932.

But let us see what happened beginning in 1933. Since the New Deal has operated our Government, in 1933 we had 1,695 strikes—more than double what we had on the average in the 5 preceding years. In 1934 we had 1,856 strikes in this country. In 1935 we had 2,014. Just note how they are increasing yearly from 1933. In 1936 we had 2,172 strikes in this country. In 1937 it jumped to 4,740 strikes. Think of it—6 times as many as we had in the previous 5 years before

this administration came into power. Are strikes a symbol of success? If so, then this administration is successful in that respect.

In 1938 we had 2,772 strikes. From 1928 to 1932 there was a total of 3,812 strikes in this country. From 1933 to 1939 we had 15,247 strikes in this country—over 450 percent increase in the number of strikes over the last 5 years preceding this administration's coming into power.

Does it not seem as if there was something wrong? Is it possible that labor is being benefited by this great number of strikes, when there are the number of workers involved in these various lay-offs? Labor loses, manufacturers lose, capital loses, and the country loses.

I want to insert in the RECORD the number of man-days that were lost during those strikes and the workers involved. It certainly will convince the Members of Congress, and certainly ought to convince labor, that the method the labor unions are pursuing at the present time must be wrong.

Strikes in United States, 1928–38

Year	Number of strikes	Number of workers involved	Number of man-days idle
1928	604	314,210	12,631,863
1929	921	288,572	5,351,540
1930	637	182,975	3,316,808
1931	810	341,817	6,893,244
1932	841	324,210	10,502,033
1933	1,695	1,168,272	16,872,128
1934	1,856	1,466,695	19,872,128
1935	2,014	1,117,213	15,456,337
1936	2,172	788,648	13,901,956
1937	4,740	1,860,621	28,424,857
1938	2,772	688,376	9,148,273

Bureau of Labor Statistics, Apr. 10, 1939.

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. GEYER of California. Would not the gentleman like to discuss for a few moments the decrease in the number of strikes after the time when the Supreme Court passed upon a certain bill? Do you not think it would give a different bearing if the gentleman would give us those figures?

Mr. RICH. If I had those figures I assure you I would be glad to give them to you. I, however, do not have them. But I want to say to the gentleman that there is something wrong in Denmark. There is something wrong in America when there are the number of strikes which we have now. If you pick up the morning Post or the morning Times-Herald, you will see listed a number of strikes in the city of Washington. Look at the New York Times of this morning and see the number of strikes going on there. Pick up any paper you want to in this Nation and see what is happening. Strikes, strikes, strikes all over. You will see that notwithstanding a decision of the Supreme Court, this country is being overburdened with strikes. This country is being overinfluenced by radicals—men who come here from Russia; men who have come here from foreign countries, who have "isms" in their souls. It is time we took the "isms" out of all those fellows except Americanism, or else let us send them back over the ocean where they belong. [Applause.]

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. CRAWFORD. In the study which the gentleman has given to this presentation he is now making, what, in his opinion, is the primary cause of that tremendous increase in the number of strikes in the latter period as compared with the prior period?

Mr. RICH. My own personal opinion is the fact that we have so many radicals in this country who do not care a rap for the men they are trying to work for in the labor unions. They do not care a tinker's hoot for the manufacturers of this country. They do not care a rap for this country of ours. All they want to do is pull down ten, fifteen, or twenty-five thousand dollars a year salaries, and they want to do everything that the Russian Government would like to have them do. They are the fellows who are responsible, in my judgment, for these strikes. The sooner the Dies Committee lines them up and we load them on a boat and send them overseas, the better we will be off. I hope I have the privilege of going down there to help load them on.

That is one reason I would like to see American boats used now for transporting radical aliens, because I would not want to contaminate any foreign vessels taking them across the ocean. But I think we have enough red-blooded Americans in this country who will load them on and man the ships and take them over the ocean to some place and dump them on some island perhaps. I think perhaps the best place would be to take them down to the South Sea Islands where there are no inhabitants and leave them there. We might send them a little food to keep them from starving to death, but there they could have any kind of government they wanted. They could do anything they chose, so long as they did not kill each other. If they happened to want to take that method of eradicating themselves, that would be all right with me. [Laughter.]

Mr. CRAWFORD. Will the gentleman yield for one further question?

Mr. RICH. I yield to my distinguished colleague from Michigan.

Mr. CRAWFORD. The gentleman is an experienced manufacturer. I have made a pretty close study of the wage structure in my own district. Is it not true in the gentleman's district—and I will say it is true in my district—that during this latter period which has been described wages have materially increased?

Mr. RICH. That is a fact.

Mr. CRAWFORD. And the wage increases have occurred without being forced into operation by any law which the Congress has passed. In the gentleman's opinion, have the strikes been the result of the workers being dissatisfied, primarily, with the wages they received, or are they primarily the result of these agitators, non-Americans, to whom the gentleman has referred?

Mr. RICH. It is primarily the result of those agitators. American labor today is desirous and anxious to work. The American manufacturer today is doing everything he can to try to help his employees. The American manufacturer realizes that the most valuable asset he has in his business is the work that is produced by American workmen. It is more vital to the businessman than buildings and machinery. It is more vital to business than capital. Capital and labor are indispensible to business.

It would be impossible to get along without them. This is the first consideration. Manufacturers want happy, contented employees, for a manufacturer knows when they are in that frame of mind he is able to produce products such as he could not otherwise produce.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield for a few brief questions?

Mr. RICH. Certainly. I yield to my friend from Wisconsin.

Mr. SCHAFER of Wisconsin. Is not this alien-directed wave of strike terrorism unfair to more than 12,000,000 of our people who are unemployed, who want jobs and cannot find them?

Mr. RICH. Absolutely. If the gentleman would investigate the real causes of the strikes, he would agree with me that it is imperative that we change some of the laws that have been put on the statute books—the Wagner Act and the set-up of the N. L. R. B. The fact is that American laborers are compelled by these radical labor leaders to quit their jobs when they do not want to.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 3 additional minutes.

The SPEAKER pro tempore (Mr. ROBERTSON). Without objection, it is so ordered.

There was no objection.

Mr. SCHAFER of Wisconsin. Is it not a fact that most of these strikes the gentleman mentions, strikes that have been destroying jobs, were instigated by professional agitators and

racketeers, perhaps many of whom never had on a pair of overalls in their lives, and who take a position that a working man or woman shall not earn their bread in the sweat of their brow unless their labor is sold by said professionals?

Mr. RICH. The great majority of these strikes have been brought about by radical communistic labor agitators.

Mr. SCHAFER of Wisconsin. And when the gentleman makes arrangements to load these alien professional racketeer labor-union agitators on that boat I hope he will reserve first-class passage on the first boat for that alien Communist British subject, Harry Bridges, who has been trying to destroy our American merchant marine, which is an essential arm of our national defense. Bridges is a subject of Great Britain who came to America from Australia. Since the country of his allegiance is now engaged in war, Bridges, an experienced guerrilla warfare leader, would render exceptional service to his King.

Mr. RICH. I may say to the gentleman from Wisconsin that this boat should be big enough to put all men on who do not believe in the American form of government, the American Constitution, and the American way of living. I think it ought to be big enough to put them all on, because we have no place in America for anybody who does not believe in these principles. Put all on that boat who cannot look up to the American flag and say: "That is my flag; that is the flag that flies over my country; I want to protect that flag." If he will not get on the boat voluntarily, I want to see the proper authorities take hold of him and put him on. And you and I will be glad to help them—with force, power, bayonets, guns, or fists, if necessary.

Mr. HAWKS. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. HAWKS. Is it not a fact that the principle of collective bargaining is absolutely all right, but that the difficulty and danger comes from the leadership of the unions under collective bargaining? Is not that destroying the whole labor program in this country?

Mr. RICH. The gentleman is absolutely right. The principle of collective bargaining is the proper mode of procedure in labor-employer relations. Labor should be allowed to get together to try to settle their differences with their employers. They should be allowed to sit down and talk to their employers, but under the National Labor Relations Act if an employee goes to his employer and tries to talk to him in reference to his employment and his difficulties, right away the National Labor Relations Board steps up and says to the employer: "Because you have talked to that individual, this case will be thrown out." That is un-American in principle.

If ever we needed a law changed, it is the National Labor Relations Act and the Wagner Act. President Roosevelt said the Neutrality Act was wrong but that he signed it. He wants it changed. Let the President remember also that he signed the order setting up the National Labor Relations Board and the Wagner Act, and they are just as bad as the Neutrality Act. Why does he not recommend a change? I shall be pleased to help him and support him in trying to change all of them.

[Here the gavel fell.]

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 1 minute. I wish to ask him a question.

Mr. RICH. Mr. Speaker, inasmuch as we have plenty of time I ask unanimous consent that my time may be extended for a minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTENGER. My question may not be exactly in point, but I should like to ask the gentleman if he does not believe that while the House is marking time and the Senate debating a bill it would be well for Congress to take up uncompleted legislation? By this I mean legislative matters that were not reached in the first session of the Seventy-sixth Congress. I call the gentleman's attention to the fact that there are a number of important bills that were not reached in the last session of Congress prior to its adjournment on August 5; for instance, the amendment to the W. P. A. Relief Act of 1940 and a lot of other bills.

Mr. RICH. The gentleman is absolutely right. We have been here now for 3 weeks but we have not done a thing.

The House of Representatives has passed only one bill, giving us our mileage, paying the Members of Congress for coming here, sitting around, and doing nothing. We could be changing some of these laws that have been enacted during the last 5 or 6 years that are wrong, laws that are doing more damage and more to hinder the orderly pursuit of government than anything else possibly could. I think the gentleman is right. We should be here considering this legislation and changing these laws so that we can make this country what we would all like to have it—a better America; a better place to live; a happy and contented people. I hope we will preserve our form of government, our Constitution, and our flag.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. VREELAND. I ask unanimous consent to extend my own remarks in the RECORD and to include two radio speeches on the dedication of Seton Hall College.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. VREELAND]?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Montana [Mr. THORKELSON] for 30 minutes.

Mr. THORKELSON. Mr. Speaker, in my discourse of yesterday I deviated from my subject a little. I referred to Great Britain and the propaganda that has been carried on by that Government for a number of years, and the propaganda that is now going on in the daily papers, as well as in many magazines. I have a magazine here in which there is an article entitled "Military Alliance with England," by Lord Beaverbrook.

Mr. Speaker, I ask unanimous consent to include this article in connection with my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

Mr. THOMASON. Mr. Speaker, reserving the right to object, how long is the article?

Mr. THORKELSON. Eight columns in this magazine.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, is that the Lord Beaverbrook, the British publisher, who had dinner at the White House the other day?

Mr. THORKELSON. I believe it is.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

The article referred to follows:

[From the American Mercury of August 1939]

A MILITARY ALLIANCE WITH ENGLAND

(By Lord Beaverbrook)

The United States and Great Britain will, I believe, enter into a military and naval alliance in the course of time. They will make such an alliance because they must do so. There is no alternative for these two nations but to find security for the future in the companionship of one another.

In some quarters in Britain it is believed that the United States will not have the alliance. And there is, accordingly, a reluctant tendency to put this ideal of closer relations in the category of admirable but unattainable objects. This regretful conviction is, in my view, profoundly mistaken. Perhaps the people of the United States take the view that Britain's liabilities are too big and her assets not big enough. If this were an accurate estimate of the situation of Britain, then, of course, it would be a reasonable attitude to adopt. No one could quarrel with it. The matter would be at an end. But it is not accurate. Indeed, it is totally wrong. Britain would bring very substantial assets to any joint account that the two nations might enter on. And, if we are to have a true picture of the situation between the two countries, we must not leave the liabilities of the United States out of the reckoning. Make no mistake; those liabilities are great indeed, and you do not escape from them by withdrawing from the Philippines. On balance, I believe the surplus of assets is to be found on the side of the British Empire.

There is, to begin with, the very great burden you have incurred under the Monroe Doctrine, to defend all the independent states of the American Continent against the aggression of a foreign power. This is a heavy responsibility. It may seem that an at-

tack on any South American country by a foreign state is a very remote contingency. But are you so sure that it is? For instance, we have seen Italians in the Argentine determining the policy of that republic to the League of Nations. Will the Italians go further? We live in an age of hungry and ambitious powers whose governments are not subject to the same democratic checks upon reckless adventure as exist in the United States and in Britain.

But another liability is, of course, much more immediate and obvious, the peril in the Pacific. The threat of the Japanese Fleet, with, behind it, the threat of the Japanese Army. There is no need to indulge in scaremongering on this subject. It would be as foolish as it would be wicked. But the simple fact is that in the Japanese Empire we have a proud and ambitious race, fanatically devoted to a national ideal, courageous in battle, and highly equipped for war. This oriental race of splendid qualities has shown itself in recent years swift and ruthless in action, patient and resolute in carrying out a program of expansion. For the moment, its activities are directed to the continent of Asia. But there are necessities which cannot be fulfilled in China. The Japanese seek an outlet for their population. They cannot find it in China, already overcrowded, or in Manchuria, where the climate is unsuitable to their people. Where will they find it? They must look out, across the Pacific Ocean. And what do they see as they look toward the rising sun, the symbol of their national flag? The beautiful seaboard of California.

It may be said that the Japanese will look rather to Australia. But an invasion of Australia would be a military enterprise fraught with immense perils. The tropical archipelago which separates Japan from Australia would be infested with mines, with submarines, and with other destructive craft. Japanese communications would be intolerably harassed. And besides, the British naval base at Singapore, with the Indian Ocean behind it, would provide Britain with the necessary authority, so long as we did not abandon our naval domination.

An attack by the Japanese on the Pacific coast of the United States would certainly have to deal with a serious obstacle in Hawaii, although an attack on Pearl Harbor would not compare in danger with an assault on Singapore. And whereas a landing on the north coast of Australia would be a landing on an undeveloped tropical territory with a small population and separated by deserts from the centers of Australian life, a landing in California would not present such problems. California, moreover, has something which the Japanese want very badly and which they would not find in Australia—oil.

So far as the Pacific is concerned, then, it seems that the United States carries heavier liabilities than the British Empire. But there are other things to be borne in mind. Britain has assets of a positive character. She has the biggest merchant fleet in the world, valuable in itself and with an additional potential value as a source of splendid seamen in time of war. Her navy—on paper equal to the Navy of the United States—is in all probability more powerful in fact. Her air force is reported to be of the highest efficiency and is expanding swiftly at the present time—some say at the rate of more than a squadron a week. There are in the British Empire immense resources of raw materials and of industrial power, sufficient to equip for a war of modern character her millions of white people who, though peaceful, are not without courage.

If there were closer relations between the two nations, if there were an understanding, Britain would not come empty-handed into the association. Indeed, it is obvious that she could contribute something of the highest value to the security of the United States, an undertaking to protect the Atlantic seaboard of your country with her fleet. If America could concentrate her whole Navy in the Pacific with the knowledge that her front door was barred and bolted by battleships flying the British flag, that would be a matter of great comfort to the American people in a moment of stress. And Britain has the resources, the ships, and the naval stations to confer this benefit.

II

It is quite true that there are liabilities as well as assets on the British balance sheet. One of these is of a serious character. As an island lying off the coast of the European Continent, Britain has for centuries taken an interest in the affairs of the European peoples. We have fought in their wars, believing that our own safety was involved in the fortunes of one side or another in the conflict. It has for long been a basic doctrine of British policy that the mouth of the River Scheldt must not be in the hands of a great power. And so slow are statesmen in awakening to changed circumstances that some of them still fail to realize that the policy which was suitable for an island kingdom is quite out of place for an empire which spans the globe and contains vast dominions populated by vigorous and growing peoples.

Americans may argue that closer relations with Britain involve the danger of entanglement in European wars. It is well understood that this would be too high a price to pay for the British association. For this reason those who desire most earnestly to advance toward an understanding with America are most determined and persistent in urging a policy of isolation upon Britain, a policy of detachment from European quarrels.

It is remarkable how slow a nation is to learn by bitter experience, how readily it forgets painful lessons. The Crimean War, so painful in its memories for the British people, sprang out of a situation similar to that with which we recently have had to deal in the war between Italy and Ethiopia. In that case the British Government egged on the Turks to defy the power of Russia. Left to their own devices, the Turks would have submitted to the Russians in the trifling dispute which arose over the possession of the holy places in Palestine. But with the might of Britain behind them, they chose to resist. In the end there came war, not only upon Turkey but upon Britain also—a long, weary, bloody war on which the nation looked with gloomy horror.

Yet there is no doubt about it; the Crimean War was, in the beginning, a popular war. The people favored it. A section of the newspapers demanded it. The mood of the people was expressed at a dinner held in the Reform Club when Admiral Sir Charles Napier, commander of a British fleet about to leave for the Baltic, said in public that he expected he would be able to declare war against Russia when he reached there. The audience greeted this with cheers and shouts of "Good old Charlie!" And when John Bright opposed the war he was looked upon as a base man guilty of unpatriotic actions.

We have not got so far as that on this occasion. But we have had an English archbishop telling us that it may be necessary to have another great and horrible war to establish the efficacy of the League of Nations. "This generation or the next will probably have to be sacrificed," said the distinguished ecclesiastic.

But there is good reason to suppose that this is a passing mood of the people, not a fixed attitude. It has sprung up swiftly during days of excitement, and generous, although misguided, emotion. The cause of "Little Abyssinia" appealed very much as the cause of the Cuban rebels did to the people of the United States 40 years ago. And these storms of passion rarely, if ever, have an influence in shaping permanent policy. The mood changes too swiftly. Certainly the change in viewpoint is very marked compared with the situation we had in 1922. At that time I was able to take part in a movement which brought down the Prime Minister, Mr. Lloyd George, and destroyed his government. And what was the charge against him? What was the crime he had committed in the eyes of the public? Simply that he had threatened to use military sanctions against the Turks for an offense against a peace treaty, and therefore against the League, every bit as glaring as the Italian invasion of Ethiopia.

The growing strength of the isolation sentiment in the country will be sufficient to defeat any attempt to saddle Britain with a fixed commitment to take part in war on the continent of Europe. And, if there is any movement in the direction of the United States—a movement for which the American people can give the signal—it would inevitably be accompanied by a decision to turn away from Europe.

III

I have tried to establish my belief that in such close relations of the two peoples the balance of advantage would not be all on the one side. It would be an equal association of risks and benefits. By uniting our resources we both gain a measure of security such as we can hardly hope to attain by any other means. Indeed, if we cannot work together, if we must conduct separately our preparations for defense in this troubled world, then, of course, there will be an expenditure on arms, a concentration on military affairs, which our peoples would find irksome and maybe intolerable. We are peaceable-minded folk; we wish to be left to mind our own business and contribute to the welfare of ourselves and our fellows. We hate war. We detest the compulsion and regimentation which is a characteristic of militarist societies. These things are alien to both of us.

Yet we face this situation. The dictator-ruled states are powerful and warlike, openly ambitious and predatory; they use a monopoly of information and the press in order to shape the minds of their populations and prepare the war spirit. And therefore the democracies, standing alone, may have to choose between imitating the methods and emulating the armaments of the dictatorships or, on the other hand, going down to defeat.

Is there any way out of this dilemma which faces us? Indeed there is. The way out of the dilemma is an association of the two great democracies, children respectively of the Puritan revolution and the American Revolution, which would offer us the prospect of security without the loss of the civilian freedom which we cherish, and which would enable us to look on the threatening ambitions of other nations without weighting ourselves down with a load of armaments.

And certainly this conception of closer relations does not rest on self-interest alone. It is based on the belief that there are bonds between the two peoples closer and stronger than those between any two free nations on earth. It is the presence of these bonds which argue most persuasively for the association and which would be the surest guarantee of its success. We spring from the same racial stock. We speak the same language. We cherish the same religious ideas. If there are differences between the creeds and rites found in one country, these differences are repeated in the other. And, having inherited a common stock of traditions, we pursue the same ideals in politics, morals, and social life. Our life, as peoples, consists in the protection, the strengthening, and the spreading of those ideals. And the fact that we hold them in common offers us a reasonable confidence that a real basis of cooperation exists between us. Already it can be said the relations between us are not conceived on the usual pattern of mutual distrust and envy which exists between two foreign nations. We are agreed at least in declaring that war between us is impossible. And this is not a mere commonplace. There are 3,000 miles of undefended common frontier to give it reality.

I do not deny that there have been in the past misunderstandings between our two peoples, sometimes of a serious character; but on no occasion for many generations have these misunderstandings given rise, in the most pressing circumstances, to the

fear of war between our nations. It is true that President Cleveland, in 1896, made use of the old, time-honored expedient of twisting the lion's tail over a boundary dispute in Venezuela. But what was the result? His political opponents at once charged him with attempting to make political capital at the expense of the national interests. Most of his supporters refused to follow him in such expedients. The New York and other newspapers condemned him out of hand. Ministers of the gospel over the length and breadth of the land advised the President to pursue the paths of peace. But if fight he must, the preachers took the view that the cause of Armenia might be of more interest to the American people than boundary disputes in Venezuela. And, while jingoes sang the words of the national anthem, a cartoon which had given the public in an earlier campaign a representation of Mr. Cleveland joining in the demonstration with a variation of the sentiment by singing "My Country, 'Tis of Me!" was widely reproduced.

Only a few years had passed when Admiral Dewey, moving to the attack on Manila and pursued by German naval forces, was protected by British warships under the command of Captain Chichester. These British ships, ready for action, deliberately sailed into the path of the oncoming Germans, thus forming a rear guard for the advancing American squadron.

Those pages in history are, I regret to say, not well known nor widely read on either side of the Atlantic. Nor is it realized in Britain or the United States that at the time of the War of Independence, the American cause was more popular in the city of London than in the city of New York, and that the American insurgents got support of more value in the House of Commons at Westminster than in the Congress sitting in Philadelphia.

IV

That is the story of the past. What of the days to come?

The issues are graver now than they used to be. War brings with it not the danger of defeat, indemnity, loss of territory, but the possibility of complete devastation, destruction—it may be, the wiping out of whole populations. That is what we have to face. If science has made war so much more deadly and damaging, we should adjust our policies to the new situation. We should, if possible, double our insurance. And what better guaranty of the safety of ourselves and our children could we have than a broad understanding between our two nations, a resolve to walk in companionship?

In that association we should be unassailable, for no possible coalition of hostile nations could equal our strength. We should be free from external quarrels, since we do not harbor aggressive designs in any quarter of the globe. We should follow the rightful purposes of our peoples, free from the obsession of war and able to devote ourselves to beneficial projects. We should be an example to the whole world of the advantages of a determined policy of peace. And in this we should realize, as we can do in no other way, the highest ideals of those Christian peoples, the United States and the British Empire.

These are some of the benefits which will flow from closer relations between the two Nations, sundered for more than a hundred years, and now, I believe, destined to be reunited in a community of interest and of purpose.

Mr. THORKELSON. Mr. Speaker, the reason I propose this request is because the claims in this article are falsehoods. What is set forth in the article did not in reality happen.

I wish to take you back 41 years, when the American Fleet was anchored in Hong Kong Bay, just before declaration of the Spanish-American War. Just before that there were certain of our ships in the harbor of Hong Kong, which I shall name.

Let the record show that for several weeks prior to the breaking out of the Spanish-American War in 1898 the Asiatic squadron of the United States Navy, consisting of the cruisers *Olympia, Raleigh, Boston, Charleston,* and *Baltimore,* and the gunboats *Concord, Monocacy,* and *Petrel,* the supply vessel *Zafiro,* the colliers *Brutus, Nashan,* and *Nero,* the monitors *Monadnock* and *Monterey,* the transports *City of Pekin* and *Sidney,* and the revenue cutter *McCulloch,* had been lying in the habor of Hong Kong, China, then under the colonial control of the British. Commodore George Dewey was in command of this squadron. Almost immediately after the declaration of war by the Congress a colonial proclamation of neutrality was issued and Dewey was given 24 hours' notice to put to sea by the British. Dewey repaired with his fleet to Mirs Bay, near Hong Kong, took on coal and supplies from his tenders, and proceeded to Manila. What he accomplished there is a matter of history. This fairy tale of the British admiral sailing in to protect Dewey against attack by the German naval vessels at Manila is just another example of the intensive British propaganda now being used in this country to get us into a military alliance with Great Britain and into the next World War when it really gets under way.

I recall that because I marched with the boys to the Army when we volunteered for that war. The German Fleet was in Manila Bay when Dewey arrived. The English squadron did not intercept the German squadron. When Lord Beaverbrook makes that statement he lies, and I do not like to use that word. I do not care whether he is British or not; that is immaterial; it is the statements that he makes to which I object. Great Britain "funks" on most her promises, yet today this country is filled and overloaded with British propaganda. The headquarters for this propaganda is in London. It is propaganda of the "invisible government." Some day I may have to name those boys so that you will know them, but I am not going to do it now. At any rate, let me say that it is very foolish for the American people to pay any attention to the propaganda that constantly appears in the press, because it has no other purpose in view except to raise our feeling against Central European Powers. The power behind this propaganda machine—the "invisible government"—is particularly desirous of our forming an alliance with England.

In London there is an organization called the British Israel Organization, founded upon the legend of the 10 lost tribes of Israel. There is a paper published by the Anglo-Saxon Federation of America, called Destiny, which is purely a propaganda publication, under the auspices of those who propose a world government. Its purpose is to fool the American people. So do not believe all that you read in this magazine.

Several days ago I addressed a letter to the State Department, asking questions with regard to the rights of neutrals and the rights of nations at war. I shall now read these questions into the RECORD. The letter is as follows:

MY DEAR MR. SECRETARY: In line with my telephone conversation today and the kind invitation of Mr. Savage to propose in writing such questions as were not clear to me, I am acting upon that suggestion and request the State Department's reply to the following questions:

1. When Germany, England, and France, or other nations have declared war, does not such declaration include all colonies, territories, or landed surface flying the flag of such nations at war?

The following answers are all my own:

The answer is, "Yes."

2. Who determines the right of blockade?

Nations at war.

3. Who determines the extent of the blockade?

Nations at war.

4. Is it within the right of nations at war to lay down a blockade on the colonies and territories of its enemy?

The answer is, "Yes."

5. Who names the contraband, nations at war, or neutrals?

The answer is, "Nations at war."

6. Is a neutral ship carrying contraband cargo to nations at war or to their colonies considered as a blockade runner?

Yes.

7. Are neutral ships with contraband cargo to nations at war subject to seizure?

Yes.

8a. Isn't a neutral ship with contraband cargo to nations at war subject to seizure after leaving the 3-mile limit of the neutral port until she reaches her destination?

The answer is again "Yes."

b. Are not all neutral ships, with or without cargo (except Red Cross), when bound to nations at war, subject to seizure by the enemy?

The answer is, "Yes."

9. Isn't a neutral ship with a contraband cargo continually in a zone of attack throughout the whole route and subject to interception until she reaches her destination, providing such ports are located in nations and territories engaged in war?

The answer to that question is, "Yes."

10. Assuming that four ships leave the port of New York, each of them with a contraband cargo, one bound to England, one bound to Germany, one bound to an English possession in the Pacific, and one bound to a German possession in the Pacific; assuming further that each of these ships is overhauled by an enemy patrol, isn't it true that each of them will be considered a prize of war, and disposed of accordingly?

The answer is, "Yes."

11. Isn't it true that war zones and patrolled zones are equally dangerous to neutral shipping carrying contraband cargo to the power at war? And that the danger to property and life is exactly the same when intercepted by enemy patrol?

The answer is, "Yes."

12. Isn't it true that the rights of all neutrals outside their own ocean limits, whether it be 3 or 12 miles, are exactly the same, and that one power has no greater right than another neutral power to establish potential safety zones for their own ships by declaring war zones?

The answer to that question is, "Yes."

The next question in this letter is this:

13. When a neutral nation has proclaimed a war zone, to what extent may such nation employ its own navy for the protection of such shipping to territories or possessions of nations at war?

None; it cannot use its own navy to protect such a zone without getting into trouble.

14. If neutral ships are cleared with contraband cargo to the possessions and territories of nations at war, and are captured by an enemy patrol, is such act causus belli for the neutral nation that owns the ship?

No, indeed, it is not, because a neutral nation which undertakes to clear its ships with a contraband cargo to nations at war, it follows when such ship is overtaken by an enemy patrol it may be commandeered and the ship seized or else it may be sunk if it cannot be convoyed to port.

15. (a) Isn't it short of an act of war for a neutral to proclaim war zones, and, by indirection, suggest neutral zones and clear its own shipping with contraband cargo to enemy possessions located in assumed safety zones?

It is practically an act of war if you attempt to enforce such a provision.

(b) If a neutral, having declared such war zones, and, by indirection, neutral zones, decides to back up such declaration, isn't the ultimate result going to be war with such powers as refuse to be regimented and ordered about by a neutral nation?

The answer is "Yes."

I propounded these questions because they are intimately concerned with the act we are now considering.

We have no right, of course, to pass any legislation in this House that operates beyond the 3-mile limit of the United States, and that principle holds good for all the other nations in the world, because the 3-mile limit is conceded and accepted among nations throughout the world. There has been some discussion of a 12-mile limit, and there was a discussion of a hundred-mile limit during prohibition time, but that is no longer important.

Here is another thing we must bear in mind: Much has been said in the past 2 days about submarines being off our coast somewhere. Any submarine has a perfect right to be outside of the 3-mile limit. You cannot stop them. They may even come into a harbor, but they must leave the harbor within 24 hours or be interned for the remainder of the war.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I shall be very pleased to yield to the gentleman.

Mr. SCHAFER of Wisconsin. Under the plan which Under Secretary Welles proposed to the South American dictatorship countries, a 300-mile neutral zone is to be established off the coast of the Americas, and our American Navy is to patrol said zone. Would not the establishment of such a 300-mile zone prohibit cash-and-carry or credit-and-carry shipments of all kinds because the belligerent nations have armed the ships of their merchant marines, and if they come within the 300-mile Welles neutral zone they are subject to extermination by our American Navy, if the 300-mile zone of neutrality means what Welles has said it means?

Mr. THORKELSON. Well, I may tell the gentleman from Wisconsin that the question is rather complicated——

Mr. SCHAFER of Wisconsin. I will make it somewhat simpler——

Mr. THORKELSON. Let me answer the question first, please, because I would rather do that.

The British have a perfect right to arm their merchantmen, and a neutral has no right to say whether or not she should arm them. The British nation may arm its own merchant ships, but when they do arm such a vessel it becomes a war vessel. So when a British merchant ship that is armed comes into an American port, it can only remain in that port for 24 hours, or else it will be treated exactly the same as any other war vessel.

Mr. SCHAFER of Wisconsin. That is the point; and if America adopts the Welles program of a 300-mile neutral zone, then no ship of any belligerent or peaceful nation could come within that zone and carry arms, munitions, implements of war, or war supplies.

Mr. THORKELSON. I am just wondering how it would work out. Of course, Great Britain has expressed an opinion on that, and she has said that if the United States Navy attempted to enforce any provision of that sort, or any such declaration, it would mean war for the United States and nothing else.

I now want to call your attention to another point in this connection. Suppose they set aside a 300-mile zone for merchant ships. These ships make about 8 knots an hour, and it would take them quite a long while to travel through that zone. It would be tantamount to operating within the 3-mile limit. It would take them several days to reach port in a 300-mile zone. Assuming that the 300-mile zone is equal to the 3-mile zone and the distance traveled is under 300 miles in 24 hours, such ship would be theoretically interned before it reached port. The conferences which draft such legislation take too much for granted. Our Federal Government should learn to run the United States first before trying to dictate to the world, and then we will get along much better.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I will be pleased to yield to the gentleman.

Mr. CRAWFORD. I wish to ask three or four questions in sequence. First, does the gentleman understand that the 21-nation agreement which was agreed upon at Panama is now in operation?

Mr. THORKELSON. I did not know that it is in operation, but if it is, it is very unfortunate for us, because if this agreement is now in operation, it will not be recognized by other nations; and we are in quite a dilemma if we attempt to enforce it. What does it mean? There is not one South American Republic that has a navy worth anything, and it means that the United States would have to protect all of South America and all of the Central American Republics because they do not have an adequate navy for such enforcement or protection.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Yes.

Mr. SHAFER of Michigan. Let me add this to the gentleman's statement. Is it not true that in these zones 16 of the possessions are British?

Mr. THORKELSON. I could not say as to that, I could not give the exact number. Of course there is quite a number in the Caribbean Sea, and British Honduras, and a lot of other British possessions.

Mr. SHAFER of Michigan. There are 16 different British possessions and I can give the gentleman the names if he desires.

Mr. THORKELSON. I shall ask the gentleman to place them in the RECORD.

Mr. SHAFER of Michigan. And does the gentleman not know that there are grave potentialities in this guardianship over these 16 British possessions?

Mr. THORKELSON. In reply to the gentleman I say that there is grave potentiality in such guardianship. If we attempt to enforce it, it will mean war for the United States. It is also going to mean war if we pass this neutrality law which gives the President power he should not have. He cannot enforce it, nor can the Navy. It is all right to agree on an

embargo. That is legal. Nothing can prevent us from doing that, but we cannot without inviting danger enact any legislation that will compel other powers to accept our opinion, because we have no jurisdiction beyond the 3-mile limit. If we attempt to enforce such legislation it means war for the United States and that is all there is to it.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Yes.

Mr. CRAWFORD. I think the gentleman misunderstood me a while ago. I did not mean to say that this agreement is in effect. What I ask is this: Has the gentleman's research work in connection with this subject brought him to the conclusion that this agreement in respect to the 300-mile zone proposition is now in operation? I am seeking information. Does the gentleman understand that it is now in operation?

Mr. THORKELSON. All I know is what I see in the newspapers, that a tentative agreement had been reached by those nations represented at the Panama conference. It was a proposition to set aside a 300-mile zone up and down the east and west coasts of North and South America, to be termed a "safety band."

Mr. CRAWFORD. And if, according to your understanding, it is not now in operation, what step must be taken, in the gentleman's opinion, to make the agreement effective insofar as the United States is concerned?

Mr. THORKELSON. The agreement naturally will have to come up before the Senate and before the Congress. It cannot be negotiated by the President of the United States without any consultation with Congress.

Mr. CRAWFORD. If the agreement is confirmed by the Senate or otherwise and put into operation, will that, in the gentleman's opinion, constitute a precedent in international law?

Mr. THORKELSON. Yes; it will; because it will be a declaration of war if the Senate should agree to that.

Mr. CRAWFORD. If this agreement is consummated and put into operation, will that, in the gentleman's opinion, be an arbitrary extension of international law?

Mr. THORKELSON. It will be; certainly; but it will not be agreed to by other nations.

Mr. CRAWFORD. And if these things occur, in the gentleman's opinion, would that type of procedure conflict with the debates which are now being carried on in the Senate, by those who propose to repeal the embargo provisions, to the extent that it conflicts with international law?

Mr. THORKELSON. It does not conform to international law at all. It is an arbitrary attitude on the part of the administration to attempt to enact such legislation and suicidal to attempt to enforce. The Senate is now debating upon the repeal of the embargo clause. Why? Because the embargo clause ties the hands of the President and acts as a brake upon the power that is given to him by the Congress. If the embargo is repealed, then he will be at liberty to do what the act declares, and he can proceed on his own authority to declare these war zones, and, indirectly, if you please, safety zones, which is similar to the "safety bands" to which the gentleman from Michigan [Mr. CRAWFORD] made reference. When the President proclaims safety zones by indirectly declaring war zones it does not differ from the "safety bands" or safety zones discussed at the Pan American Conference.

Mr. CRAWFORD. Will the gentleman yield further?

Mr. THORKELSON. I yield.

Mr. CRAWFORD. I want to refer to the question I raised yesterday and to the article which has been inserted in the RECORD. If it is true that our Navy Department has, within the last few weeks, sent certain naval officials to England to sit down around the table with the English naval authorities and discuss and work out the details of the procedure that is to be followed by the British Navy and the American Navy during the next 2, 4, 6, 8, or 10 months, depending upon developments, and if those plans call for the shifting to Asiatic waters of a large portion of the American Navy, so that we may proceed as best we can under those adverse circumstances to protect British interests and American interests and French interests in Asiatic waters, including the Malay Straits, the Dutch possessions, and all that territory, then what position will we be in, with the Neutrality Act on the books setting forth that the President shall not permit our merchant ships to enter war zones, in the event a war zone is declared in Asiatic waters by Japan or otherwise?

Mr. GEYER of California. Mr. Speaker, will the gentleman yield for just a moment?

Mr. CRAWFORD. Excuse me just a moment. I submitted this question in much less detail yesterday and the gentleman's time expired and he did not have a chance to answer my question. If he will, I will appreciate very much his giving his opinion on that situation which is now in the making.

Mr. GEYER of California. Will the gentleman yield before he answers that question on this very point?

Mr. THORKELSON. Will the gentleman mind waiting just a moment?

Mr. GEYER of California. I would like to ask one question in regard to the question which the gentleman from Michigan asked.

Mr. THORKELSON. Very well.

Mr. GEYER of California. I am wondering if the gentleman from Michigan is fair when he says what he himself knows to be supposition—that certain things are being done by our Navy Department. I am wondering if that thing in itself is not doing the thing which we all deplore, perhaps stirring up distrust in our Nation, which at the present time certainly needs something besides that.

Mr. CRAWFORD. Will the gentleman yield?

Mr. THORKELSON. I will be glad to yield to the gentleman.

Mr. CRAWFORD. Insofar as my questions on this floor are concerned, I will take care of those myself. If the gentleman who has just spoken will refer to the President's speech of September 3, he will find where the President said that "we have the news," and if the gentleman will yield to me for the purpose, I will read an excerpt from the President's statement.

Mr. THORKELSON. I will be glad to yield.

Mr. CRAWFORD. There will be more to follow on this, I may advise the gentleman.

The President said:

> It is, of course, impossible to predict the future. I have my constant stream of information from American representatives and other sources throughout the world, as you, the people of this country, are receiving news through your radios and your newspapers at every hour of the day. You are subject to no censorship of news, and I want to add that your Government has no information which it has any thought of withholding from you. I myself cannot and do not prophesy the course of events abroad, and the reason is that because I have, of necessity, such a complete picture of what is going on in every part of the world I do not dare to do so, and the other reason is that I think it is honest for me to be honest with the people of the United States. I hope the United States will keep out of this war. I believe that it will, and I give you assurances that every effort of your Government will be directed toward that end.

Now, I have the "news" the President refers to. I have rumors. I have propaganda. Sometimes I get a little of the "news behind the news." My question is based on some of the news behind the news, and I have a distinct right to put it in here. I think the gentleman is entirely out of order in making the insinuation which he did, and I will take future time to take care of it if he wants to proceed with it further.

Now, will the gentleman please go back to the question to which I referred?

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. No; I will not yield at this time.

Mr. GEYER of California. You will not yield for me to answer him?

Mr. THORKELSON. No. You can answer him in your own time. I want to say that the United States Government has no right to send our officers to Great Britain to arrange plans for aid or help to Great Britain, particularly at this time, because Great Britain is now at war. In doing that, it is equal to a declaration of war. It is causus belli as far as the German Government is concerned. The President or an

administration performing an act of that sort is liable, if Congress so decides, to meet a charge of treason, because any administration that deliberately enters into negotiations with a nation at war and arranges to assist that particular nation, without the authority of Congress, is committing an enemy act, and he adheres to the enemy.

Article III, section 3, of the Constitution reads:

> Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort.

[Here the gavel fell.]

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. The gentleman from Montana asks unanimous consent to proceed for 5 additional minutes. Is there objection?

Mr. MASSINGALE. Mr. Speaker, for the present I shall have to object. I may not object later.

The SPEAKER pro tempore. Does the gentleman from Oklahoma object?

Mr. MASSINGALE. For the present; yes.

The SPEAKER pro tempore. Objection is heard.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

ADJOURNMENT

Mr. THOMASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Thursday, October 12, 1939, at 12 o'clock noon.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 7580. A bill for the relief of Mary Savage; to the Committee on Foreign Affairs.

By Mr. KELLER:

H. R. 7581. A bill to admit Henry Hans Jacob Gummasson permanently to the United States; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5673. By Mr. DONDERO: Petition of sundry citizens of Birmingham, Mich., asking that our Neutrality Act be preserved as it now stands, and urging that it be not repealed or modified; to the Committee on Foreign Affairs.

5674. Also, resolution of the Detroit Postal Employees' Legislative Council, of Detroit, Mich., asking that proper action be taken to regulate and stabilize the price of food during the present war crisis; to the Committee on Agriculture.

5675. By Mr. JOHNSON of Illinois: Petition of Mrs. E. A. Tarbox and 16 other citizens of Rock Island City, Ill., protesting against selling to warring nations and loaning to belligerents; to the Committee on Foreign Affairs.

5676. Also, petition of C. J. Klingeviel and 23 other citizens of Rock Island County, Ill., opposing any change or repeal of present Neutrality Act; to the Committee on Foreign Affairs.

5677. Also, petition of Iris Newland and 23 other citizens of Colchester, Ill., to keep the neutrality law intact and to keep America out of war; to the Committee on Foreign Affairs.

5678. Also, petition of Dr. T. H. Marsh, minister, and 150 women members of First Baptist Church of Moline, Ill., to keep America out of war and opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5679. Also, petition of 500 members of Parent Teachers Association Council, of East Moline, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5680. Also, petition of Mrs. J. F. Strombeck and 26 other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to belligerent nations; to the Committee on Foreign Affairs.

5681. Also, petition of Mrs. Eric Sten and 32 other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5682. Also, petition of Mrs. W. R. Mullinix and 22 other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5683. Also, petition of Mrs. W. H. Exline and 12 signers of a petition, to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5684. Also, petition of Elizabeth Ridenour and 18 signers of Rock Island County, Ill., to keep America out of war and not to sell to belligerent nations; to the Committee on Foreign Affairs.

5685. Also, petition of Mrs. Raymond B. Johnson and 13 signers of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5686. Also, petition of Mrs. N. W. Johnson and 23 signers of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5687. Also, petition of Letty M. Henry and six signers of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5688. Also, petition of Mrs. Sigurd Johansen and 13 signers of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5689. Also, petition of Pastor C. G. Engdahl and 25 signers of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5690. Also, petition of Alice Swanson and 38 other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5691. Also, petition of Mrs. H. M. Park and 20 other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5692. Also, petition of Frances Wehman and 53 other citizens of Rock Island County, Ill., to keep America out of war and against selling anything to belligerent nations; to the Committee on Foreign Affairs.

5693. Also, petition of Mrs. L. B. Neighbour and 34 other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5694. Also, petition of Mrs. H. L. Pressel and 23 other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5695. Also, petition of Mrs. Luther McChesney and one other citizen of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5696. Also, petition of Mrs. E. O. Reynolds and seven other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5697. Also, petition of Mrs. A. H. Beitel and seven other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to belligerent nations; to the Committee on Foreign Affairs.

5698. Also, petition of Ruth Lowe and 13 other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to belligerent nations; to the Committee on Foreign Affairs.

5699. Also, petition of Mr. and Mrs. H. L. Sandberg and 30 other signers of Rock Island County, Ill., to keep America out of war and not sell anything to belligerent nations; to the Committee on Foreign Affairs.

5700. Also, petition of Mrs. Emil Slahey and 29 other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to warring nations; to the Committee on Foreign Affairs.

5701. Also, petition of Mrs. Earl Sebree and 11 other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to belligerent nations; to the Committee on Foreign Affairs.

5702. Also, petition of Mrs. Howard W. Gordon and 10 other citizens of Rock Island County, Ill., to keep America out of war, and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5703. Also, petition of Florence Hankins and nine other citizens of Rock Island County, Ill., to keep America out of war, and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5704. Also, petition of Mrs. James C. Valley and 14 other citizens of Rock Island County, Ill., protesting against revising the Neutrality Act; to Committee on Foreign Affairs.

5705. Also, petition of Ethel Heister and 2,700 members of the Illinois Federation of Women's Clubs, urging Congress to keep our country at peace, and vote against arms embargo; to the Committee on Foreign Affairs.

5706. Also, petition of S. M. Merrill and 14 other citizens of Carthage, Ill., protesting against repeal of the Neutrality Act as a whole or in part; to the Committee on Foreign Affairs.

5707. Also, petition of E. M. McDaniel and 24 other citizens of Plymouth, Ill., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5708. Also, petition of R. B. Lourie and 104 employees of John Deere Plow Co., of Moline, Ill., opposing our entry into any foreign war under any pretext, also suggesting that our Government take delivery of military supplies now under order of United States firms and should not be delivered to belligerent nations; to the Committee on Foreign Affairs.

5709. Also, petition of Albert A. Teske and 45 other citizens of Rock Island County, Ill., urging the retaining of the arms embargo and to keep America out of war; to the Committee on Foreign Affairs.

5710. Also, petition of Elizabeth Holmes and 25 other citizens of Rock Island County, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5711. Also, petition of Ralph De Porter and 51 other citizens of Rock Island County, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5712. Also, petition of Bess Gill and six other citizens of Macomb, Ill., to keep America out of war and to retain the neutrality law; to the Committee on Foreign Affairs.

5713. Also, petition of R. Evans and 55 other citizens of Rock Island County, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5714. Also, petition of C. B. Parmelee and 31 other citizens of Rock Island County, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5715. Also, petition of Louis P. Reddig and six other citizens of Rock Island County, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5716. Also, petition of Cleone Wadman and 12 other citizens of Rock Island County, Ill., to keep America out of war and not to sell anything to belligerent nations; to the Committee on Foreign Affairs.

5717. Also, petition of G. E. Rigg and 82 other citizens of Macomb, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5718. Also, petition of Frank Haws and 120 employees of the Western Stoneware Co., of Monmouth, Ill., urging retaining of present Neutrality Act as written, without amendments or repeal; to the Committee on Foreign Affairs.

5719. Also, petition of Mrs. Franklin Johnson and 19 other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to belligerent nations; to the Committee on Foreign Affairs.

5720. Also, petition of D. P. Nolan and nine other citizens of Galesburg, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5721. Also, petition of Mrs. R. J. McKee and 18 other citizens of Rock Island County, Ill., to keep America out of war; to the Committee on Foreign Affairs.

5722. By Mr. KINZER: Petition of 200 citizens of Lancaster County, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5723. By Mr. LESINSKI: Petition of the Wyandotte Council of Clubs, representing over 5,000 members, favoring the repeal of the arms embargo to permit sales on a cash-and-carry basis in accordance with the President's plan; to the Committee on Foreign Affairs.

5724. Also, petition of Telesfor Sokolowski and other citizens of Wyandotte, Mich., urging the lifting of the arms embargo; to the Committee on Foreign Affairs.

5725. Also, petition of Dr. F. A. Pawlowski and other residents of the Sixteenth Congressional District, Detroit, Mich., urging the repeal of the embargo; to the Committee on Foreign Affairs.

5726. Also, petition of the Polish-American Citizens Club, requesting support of President Roosevelt's plan to lifting the arms embargo; to the Committee on Foreign Affairs.

5727. By Mr. RUTHERFORD: Petition of residents of Bradford County, Pa., protesting against the repeal or revision of the Neutrality Act; to the Committee on Foreign Affairs.

5728. Also, petition of sundry residents of Wayne County, Pa., protesting against the repeal or revision of the Neutrality Act; to the Committee on Foreign Affairs.

5729. By Mr. SCHIFFLER: Petition of Gertrude K. Kirsch, secretary, and Mrs. Paul Gregory, grand regent, Catholic Daughters of America, Court Carroll, No. 299, Wheeling, W. Va., urging no change in the present neutrality law; to the Committee on Foreign Affairs.

5730. Also, petition of Mrs. John Besso and other citizens of Triadelphia, W. Va., urging no change in the present neutrality law; to the Committee on Foreign Affairs.

5731. Also, petition of Verne Monroe, chairman, committee of the Cameron First Methodist Church, of Cameron, W. Va., urging no change in the present neutrality law; to the Committee on Foreign Affairs.

5732. Also, petition of Donato Dittarelli, of Follansbee, W. Va., and 110 other citizens, urging that we keep the arms embargo, oppose the cash-and-carry, and keep America out of war; to the Committee on Foreign Affairs.

5733. Also, Petition of Donald Habig and 50 citizens of Wheeling, W. V., urging that we use our influence and employ all means at our disposal to keep America out of war and free from foreign entanglements; to the Committee on Foreign Affairs.

SENATE

THURSDAY, OCTOBER 12, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Very Reverend Noble Cilley Powell, dean of the Cathedral of Saints Peter and Paul, Washington, D. C., offered the following prayer:

O Father Almighty, of whose righteous will all things are and were created: Thou hast gathered the peoples of this land into a great nation and set before them a noble heritage. Do Thou deepen and strengthen the roots of our life in everlasting righteousness. Make us equal to the solemn trusts committed to our hands, reverent and grateful in the enjoyment and exercise of our freedom, just in the use of our power, wise and generous in our every relation one with another.

May Thy especial blessing rest upon these, Thy servants, laboring for the welfare of Thy people in days of restlessness and self-will. May no cloud of passion dim the light of Thy truth before their eyes. May no prejudice close their minds to Thy wisdom, and may knowledge of Thee be the stability of their consultations. Grant that, their trust being fixed in Thee, they may be guided by Thy strong hand to lead this Nation into the way of that peace which passeth all understanding. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, October 11, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Mead	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Truman
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	Nye	Vandenberg
Caraway	Herring	O'Mahoney	Van Nuys
Chandler	Hill	Overton	Wagner
Chavez	Holman	Pepper	Wheeler
Clark, Idaho	Holt	Pittman	White
Clark, Mo.	Hughes	Radcliffe	Wiley
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arkansas [Mr. MILLER], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 2984. A bill authorizing the transfer of title of the Hayward Indian School to the State of Wisconsin; and

S. 2985. A bill authorizing the transfer of title of the Tomah Indian School to the State of Wisconsin; to the Committee on Indian Affairs.

ADDRESS BY SENATOR KING ON PENDING NEUTRALITY LEGISLATION

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD a radio address entitled "The Embargo Provisions of the Act of 1937 Should be Repealed," delivered by Senator King on October 11, 1939, which appears in the Appendix.]

STATEMENT BY SENATOR BAILEY ON EFFECT OF PENDING NEUTRALITY LEGISLATION ON THE MERCHANT MARINE

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD a statement as to the effect of the pending neutrality legislation on the merchant marine, prepared by Senator BAILEY, which appears in the Appendix.]

EFFECT ON MERCHANT MARINE OF PENDING NEUTRALITY LEGISLATION

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article from the New York Herald Tribune of October 12, 1939, by Mark Sullivan, entitled "Death Blow to Merchant Marine Seen in Proposed Neutrality Bill," and also an editorial from the same newspaper under the heading "Sacrificing American Shipping," which appear in the Appendix.]

REPORTS OF CIVIL AERONAUTICS AUTHORITY AND MARITIME COMMISSION ON PENDING NEUTRALITY LEGISLATION

[Mr. BAILEY asked and obtained leave to have printed in the RECORD reports of the Civil Aeronautics Authority and the Maritime Commission on pending neutrality legislation, which appear in the Appendix.]

ADDRESS BY REV. EDWARD L. CURRAN ON THE CRUSADE FOR PEACE

[Mr. JOHNSON of California asked and obtained leave to have printed in the RECORD a radio address on the Crusade for Peace, delivered by Rev. Edward Lodge Curran, Ph. D., on October 7, 1939, which appears in the Appendix.]

ADDRESS BY RT. REV. MSGR. JOHN O'GRADY ON NEUTRALITY PROBLEMS

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address delivered by Rt. Rev. Msgr. John O'Grady, secretary of the National Conference of Catholic Charities, before the Nebraska Conference for Social Work at Omaha, Nebr., October 10, 1939, which appears in the Appendix.]

SECRETARY OF WAR WOODRING AND ASSISTANT SECRETARY JOHNSON

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the Army and Navy Journal of the issue of September 30, 1939, with regard to differences of opinion between Secretary of War Woodring and Assistant Secretary of War Johnson, which appears in the Appendix.]

ADDRESS BY GOVERNOR AIKEN, OF VERMONT, AT FAIRFIELD, ILL.

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an address delivered by Hon. George E. Aiken, Governor of Vermont, before the Lincoln Club of Wayne County at Fairfield, Ill., October 6, 1939, which appears in the Appendix.]

EDITORIAL FROM MANCHESTER GUARDIAN WEEKLY ON THE FORCES AGAINST HITLER

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an editorial from the Manchester (England) Guardian Weekly of September 15, 1939, entitled "The Forces Against Hitler," which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. BULOW. Mr. President, I desire to make a brief statement, and shall not detain the Senate very long. I wish to give my reasons for the vote I intend to cast on the pending measure. My reasons may be a little different from those of others; at least, some of them I have not heard expressed by other Members of the Senate.

When this extraordinary session of the Congress was called, the country understood that it was called for the purpose of passing a neutrality bill, a bill that pointed the way to peace; that would enable us to keep out of foreign entanglements, and out of war. That was the purpose which the country understood. Personally, let me say, I abhor war, and I would have this country make almost any sacrifices that would keep us out of war; at least, such sacrifices as would not involve the principles of this Republic, and the things that have made it a great Nation. I will never vote for a declaration of war except in defense of our national welfare, or to repel invasion against the sovereignty of this country, so that we may run our own affairs as we see fit. I will never vote to send another American boy to a foreign battlefield to settle disputes between other nations, in which our national sovereignty is not concerned.

Also, let me say that, personally, I am opposed to this country dealing in war materials. I am opposed to this country selling materials which can be used only for war purposes to any other nation on the face of the earth, either in wartime or in peace, either on a cash-and-carry basis, or any other kind of a basis. I am opposed to having Uncle Sam engaged in peddling powder and guns to be used by mad people for the purpose of destroying human lives. I cannot subscribe to the theory advanced by those who contend that a repeal of the arms embargo will protect the peace of this

country better than if the embargo is not repealed. I cannot agree to the thought that our selling powder and guns to a war-mad world will keep us out of war better than if we do not do so. The theory proposed by the proponents of this joint resolution is that it will do so.

Our differences here upon the floor of the Senate resolve themselves down to a fairly simple proposition. Are our chances of staying out of war better if we sell instruments of warfare to warring nations, or are our chances better if we refuse to sell powder and guns to war-mad fighting peoples? Boiled down, that is about all there is to our differences; and, as I see the matter, if we really want to stay out of war there is but one answer. If two of my neighbors get into a fist fight, and both of them are mad, if I want to sit on the fence and not get into that fight I am not going to take any chances of involvement in their contest by slipping either of them a dagger. It seems to me the same rule that applies to scraps between neighbors applies to nations, but on a larger scale.

UNITED STATES MUST STAY "OUT"

When this session first convened there was expressed almost universally a desire to keep this country out of war; and I think that is the desire of every Member of this body. We have no controversy upon that matter. Our only differences are as to the method we shall employ to bring about that result. Early in the debate that was the expression from everyone—that we had a high purpose to keep the country out of war. As the debate has proceeded, especially yesterday and the day before, that purpose has broadened out to some extent, and it will broaden out at the debate continues. It will be contended, no doubt, that the best thing we can do for our own protection is to repeal the arms embargo and furnish war equipment to the so-called Allies so that the conflict in Europe may be speedily terminated.

When we were called into session it was the idea of the people of the country, at any rate, that it would be our purpose to remain strictly neutral, to take no sides in the conflict, but to pay attention to our protection and the preservation of our great Republic. Now, as we drift onward in the debate it seems to me we are broadening that purpose; and I am wondering, after all, if the main reason why we want to repeal the arms embargo is not so much that we want to remain neutral, but we see an opportunity to make a profit for some of our citizens if we repeal the embargo.

HAS "PROFIT MOTIVE" CHANGED SOME MINDS?

We are not an aggressor nation. We are not a nation that is striving for more power; but we want to get in on the profit. It is contended by some that, as arms are going to be sold to the warring nations, we might as well get in and reap our share of the profit. Some contend that if we do not do so our munitions factories may move to Canada and we may lose them here.

If we can justify our selling guns to mad fighting men because someone else is going to do it if we do not, we can justify every crime under the sun. Somebody is going to rob a bank today; and, because somebody is going to do that, let us get in on it and get our share! Somebody is going to commit murder today, and because somebody else is going to do that, let us commit murder, too!

I am afraid that not all the reasons for the repeal of the Embargo Act are to keep us out of war, but that one of the main and compelling reasons for the repeal of the arms embargo is to fix matters so that we can make a profit out of war. We want to get in on the game. While other people are fighting for power and aggression, we want to get in on the profits. Let us be honest with ourselves and say that we are going to sell powder and guns, not in order to keep us out of the war but in order to make a profit. We condemn a war for aggression; we condemn a war for power; but we want to get in on the scrap so that we can make a profit. Banish the element of profit, and there would not be much of an effort in this country to repeal the arms embargo.

Who passed the Arms Embargo Act? We did. I voted for it. When it was passed we boasted about it, and pointed to it with pardonable pride as a great achievement of the New Deal. We boasted that the New Deal had passed a law that pointed the way to peace in the world. We were not going to sell any more powder and bullets and guns to mad, fighting people. We were going to do our part to end war. Were we sincere, and did we mean what we said, when we said we were not going to sell any more guns to fighting nations while the fight was going on? Or did we pass that act just to camouflage our true position, when now, at the first opportunity we have to make profits out of war, we do not want to be handicapped by that act, and want to repeal it? We want our profit by trafficking in instruments that can be used only to deal death and destruction to other human beings. We want to sell guns to make a profit, even if it bathes the earth in mothers' tears. We want to sell guns to make our profit, even if it causes the rivers of Europe to flow crimson to the sea, tinted in human blood. The making of profit is our game.

Mr. BURKE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. BULOW. I yield.

Mr. BURKE. Does the Senator from South Dakota mean to say that it is his belief that some, or all, of his colleagues on the floor of the Senate who are strongly in favor of repeal of the arms embargo are actuated by the motive of permitting some Americans engaged in the manufacture of arms, ammunition, and implements of war to make a profit, or is it others outside of the Senate who take the position to which he is referring?

Mr. BULOW. I will say to the Senator from Nebraska that in the remarks I make it is not my intention to cast any reflection upon the motives of any Senator. I reach my own conclusions on these problems, and I extend the right to every other Senator to reach his conclusions in such a method as to him may seem best. I think that I stated it was contended by some—and it is contended by some—that we should get our share of the trade, world trade, and all of that.

Mr. BURKE. Mr. President, will the Senator yield for just one further question or statement?

Mr. BULOW. I yield.

Mr. BURKE. I have not heard any Member of this body who is in favor of repeal of the arms embargo express at any time anything to indicate that it was his desire to have the arms embargo repealed in order that those who are engaged in the manufacture of munitions may make a profit, and I wondered whether the Senator from South Dakota had information about the attitude of any of our colleagues which had not been called to my attention, because I have been very firmly convinced that every Senator opposed to the arms embargo and favoring repeal had other reasons for taking his position than the desire to have profits made by anyone in this country.

Mr. BULOW. Mr. President, probably the Senator from Nebraska has not talked with all of the Senators. I have conferred with some of them, and some of them have advanced that thought to me; but I shall not give the Senator from Nebraska any information as to the conversations I have had with any other Senator. After all, as it seems to me, whether or not any Senators take such a position, there are some people in this country—I have received letters expressing the thought from citizens of my State—who believe that we ought to get our share of the trade; that inasmuch as the war is going on anyway we should not abandon our trade with the warring nations. That is common talk among the people. I venture to state—not referring to any Senator here or any Senator who is not here—that there are people in this country who are interested in reaping a profit out of war trade. It is idle to close our eyes to that fact.

There are others who urge the repeal of the embargo because they think, and honestly so, no doubt, that we should take sides and help France and England, and if it were repealed we could furnish aid to those two nations. The proposition I desire to submit is that if we decide to do that,

well and good; but that is not neutrality. The distinguished Senator from Nebraska argued at length yesterday about the horrors of Hitlerism, and it was his contention, if I remember correctly, that we should furnish war materials to France and England so that Hitlerism might be destroyed. Perhaps that is what we ought to do; but that is not neutrality.

Mr. BURKE. Mr. President, will the Senator yield at that point?

Mr. BULOW. I yield.

Mr. BURKE. In order that my position may be correctly stated, as it was essentially by the Senator but not with entire accuracy, let me say that my position is that the present Neutrality Act is not an act of neutrality; that it is distinctly and wholly and immeasurably in favor of Hitler and the things for which he stands, and that our plain duty is to repeal the arms embargo conferring those very great and unneutral benefits. But I did proceed to say that when we repeal it and make the sale of arms and munitions for cash, and to be carried in foreign vessels, available to who will come and buy them, I look at the realities and say that, of course, we know that there is a difference in the nations as to their ability to come in their own vessels and pay for the goods; and therefore the substitute is not neutral either.

If I may say a word further, I respect the Senator's opinion that we ought to have neutrality legislation. We cannot have under the present situation. If we do nothing, an unneutral act remains which benefits one side. If we make the suggested change, that is also unneutral, because it makes benefits available to the other side. In my judgment, the Senator is discussing an ideal condition which will not exist whether we do nothing or do what it is proposed that we do.

IS IT "UNNEUTRAL" TO REFUSE TO SELL ARMS TO ANYONE

Mr. BULOW. Mr. President, the Senator from Nebraska says that our present act is unneutral, and that if we repealed it our action would be unneutral. I agree with him in that statement. Perhaps the present law is unneutral; but is it any more unneutral for us to refuse to sell arms to any warring people than it is to sell to all of them? Of course, it would be impossible by any legislation we might enact to bring about an ideal situation such as the Senator from Nebraska and I both want. That is humanly impossible.

Mr. President, the question is resolved down to this: The people of the United States want to remain neutral; they do not desire to get into the war now raging in Europe; they are going to remain neutral; there is no doubt about that in my mind. So the question is, Can we better keep out of the war if we sell arms and other materials which will enable the warring nations to continue the war, or can we better stay out of it if we refuse to sell?

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BULOW. I yield.

Mr. WHEELER. The Senator from Nebraska yesterday and again today spoke of idealism, as did also the Senator from South Dakota. Perhaps I am too idealistic, but I cannot conceive that the American people, in their idealism, desire to put guns and powder and bombs into the hands of any people with which to kill others. That is the issue so far as I am concerned. Yesterday the Senator from Nebraska spoke of what grand people the German people are, and said that they are among the finest citizens. Their boys are just as lovely, just as fine, as are American boys. They have been among our best citizens. So far as I am concerned, I do not believe that the American people have sunk so low in their idealism that they want to have bombs placed in the hands of any people with which to kill others; they do not want to have their boys "hang their wash on the Siegfried line," and they do not want to see the bodies of their boys hung on the Siegfried line.

Mr. BULOW. Mr. President, I thank the Senator from Montana for that contribution. He expresses my own ideas exactly, though in much better language than I could employ. It seems to me we would protect the peace of this country better if we refused to deal in arms and munitions of warfare. It seems to me there can be no argument upon that point.

I fully realize that the sympathies of the American people are with the Allies. That, no doubt, is true. But we are considering a neutrality act. That is what we call it, but the fact of the matter is, when we get right down to rock bottom facts, when we get right down to a gnat's heel, that we want to pass a neutrality bill that will help France and England. Now, it is all very well for us as individuals to express our sympathies, but when our Government speaks, it must speak, "if we want to remain neutral," in neutral tones, and if it does not so speak, then this is not a neutral measure. The views of the Government cannot be camouflaged. You and I, Mr. President, may "kid" ourselves by saying that we want to keep our good right hand neutral and keep it where everyone can see it, and use our powerful left in the fight to help out France and England and not let our right hand know what our left is doing, but we, as a government, cannot go half-and-half. As a government, we must be one way or the other. We can stay out of this war if we want to, or we can get in if we want to, but there is no middle ground; there is no half way haven. We must go whole hog or none.

The people of this country want to stay out, and they are going to stay out. The voice of the American people is the voice of this Republic, and their voice is never employed in camouflage or in deceptive words to conceal real thought. The composite mind of American citizenship is always right. When the American people reach a conclusion based upon proper information, that conclusion is never wrong. The American people are never again going to fight upon a European battlefield in a cause that is not their own, and they are not going to respond to the idle dreams of men who may feel that they have a call to adjust the politics of the world. The voice of the American people is the voice of neutrality, absolute neutrality. It speaks for America and frowns upon any ambitions for world power. The American people expect us to pass a neutrality bill that will not link us to either side in the European conflict, though I realize that there are a few of our people who feel and actually believe that, for the safety of our country, we should immediately join England and France and go over and help them defeat Hitler before they themselves are defeated, which might, it is said, compel us to fight Hitler alone.

HITLER WILL NOT MENACE UNITED STATES

Mr. President, I have no fear that Hitler will ever attack us if we do not attack him. He has said he would not do so. He has said that he had no desire for world conquest. He has said that his only ambition was to restore the German people under the German Reich. He has said that he desired only that territory whose citizenship was predominantly German and taken away from the Reich during the World War. Oh, but some Senators may say: "His word is no good. We cannot rely upon him. We cannot trust him." Perhaps that is so; perhaps we cannot trust him; but what are we going to do about it now?

What is the best thing for us to do about it now? Two roads are open to us. One is to take a chance on his word being good, and prepare ourselves to meet him when he comes over here if his promise is not good, and the other is to throw this neutrality legislation into the waste basket, join France and England and go over there and help them track Hitler down and hang him to a sour apple tree. It may be that Hitler ought to be hung.

In my State in an early day we used to hang horse thieves, but our old timers tell me that they had to catch a horse thief before they could hang him; they had to get their hands on him; and we have not got our hands on Hitler. We would have to kill off several million Germans before we could get our hands on him. As it looks now, we probably would also have to kill about 10,000,000 Russians before they would let us hang him. We would not do that job in 1 day or in 2. Before we would get our hands on Hitler to hang him we would sacrifice several million of our own good American boys, who are worth more to us than all of Europe, and then when we got all of that done we might find that Hitler

had died a natural death; after we went to all that trouble we might be deprived of the pleasure of hanging him to a sour apple tree. I myself am not going over there and attempt to do that, and I am not going to vote for any legislation that will start any American boy down the road that I myself would not travel. I would rather take a chance on Hitler's word—bad though it is—than to take a chance on sacrificing a million American boys for the pleasure of hanging Mr. Hitler on any kind of a tree.

Mr. REYNOLDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from North Carolina?

Mr. BULOW. I yield.

Mr. REYNOLDS. I wish to take this opportunity to say that I have listened with a great deal of interest particularly to two points that have been made by the able Senator from South Dakota. He has just brought to the attention of the Members of this body the suggestion that some would have us hang Hitler to a "sour apple tree," and in so doing necessarily we would have to go to war and no doubt bring about the destruction of the lives of millions of sons of American mothers. I want to say to the Senator from South Dakota that before we attempt to destroy Hitler and Stalin, and nazi-ism and communism, over there we had better destroy nazi-ism and fascism and communism in the United States of America. That is our duty. [Applause in the galleries.]

The PRESIDING OFFICER. The Chair desires to admonish the occupants of the galleries that under the rules of the Senate no demonstrations are permissible. If persisted in it will be the duty of the Sergeant at Arms and his assistants to remove from the galleries those persons who offend against the rules.

Mr. REYNOLDS. Mr. President, the Senator from South Dakota has just very properly and most forcibly stated that what the great American people want is neutrality. I wish to make the observation that the American people want the kind of neutrality that I want. What sort of neutrality is that? I will define it. The only kind of neutrality I want is a neutrality that will benefit the American people, and I do not care a tinker's damn whether it benefits anybody else in the world. I want a neutrality that is going to benefit the United States of America, let the chips fall where they may. If they injure or help someone, I care not. I am interested only in voting to provide that sort of neutrality that will be of benefit and protection to the American people with a view to keeping us out of war. I thank the Senator. [Manifestations of applause in the galleries.]

Mr. BULOW. I thank the Senator from North Carolina for his valuable contribution.

The PRESIDING OFFICER. The Chair again admonishes the galleries that it is impossible to hear the speakers when there is noise or demonstrations in the galleries, and that demonstrations of approval or disapproval are prohibited by the rules.

Mr. BULOW. Mr. President, let me ask Senators not to interrupt me further. Let me make my own speech in my own way. Senators will all have a chance to speak. I like to hear my friend the Senator from North Carolina talk, but I do not want him to do so in my time. I am not going to detain the Senate very long.

I was discussing the realism which we would be facing if we joined hands with France and England. Hitler is not going to live forever. As I have said, after we had sacrificed the lives of perhaps 10,000,000 men, and when we finally caught up with and got our hands on Hitler, we might find that he had died a natural death, and that we had had all our trouble for nothing, and, as the Senator from North Dakota [Mr. NYE] joins in, nobody to hang.

What is the use of becoming excited and trying to do a thing which, in the due course of time, will happen of itself and will solve the question?

The Senator from North Carolina [Mr. REYNOLDS] talks about communism and the danger that we may face from it. So far as I am concerned, if the people of Russia want to live under a Communistic form of government, let them do so; that is their business. If the people of Italy want to live under a Fascist government, that is their business. If the people of Germany want to live under Hitler, let them do so until they get tired of it. In due course of time that great people will revolt and throw off the yoke of Hitlerism. Anyway, that is their business—not ours.

Let us not take any chances of wrecking the peace of our own good land by joining war-mad nations in an attempt to destroy something which will destroy itself if left alone. The cannons of war will soon cease booming if we refuse to furnish the cannons. If we furnish the cannons and powder to carry on the fight, those cannons will soon have to be fired by our men. Let us not take the chance. Mr. President, war is hell; let us not furnish the fuel for that hell. Let us not repeal the embargo on arms now when half the world is war mad, and by so doing hasten our own Armageddon.

There are other things in the newly proposed neutrality legislation which should be given serious consideration before being enacted into law. In the proposed legislation we are giving up one of the boasted traditions of our country—the freedom of the seas. Many persons think we ought not to do that but should maintain our rights and preserve our traditions. I am perfectly willing to stay off of the sea when a storm is raging. I have driven an automobile many times when I had the right-of-way and knew I had the right-of-way, but I yielded to the other fellow to keep myself from going to the graveyard. For myself, I would rather be a live coward on land than to be a dead hero in Davy Jones' locker.

NO CREDIT—"CASH ON THE BARREL HEAD"

There is another provision in the proposed law which is subject to controversy. When the special session was called the press flooded the country with the news that Congress was going to be asked to pass a new neutrality bill embodying the cash-and-carry principle. Many of our people are for cash and carry. I myself am strongly for cash and carry if material that can be used only for war purposes is eliminated. But the measure reported from the committee and apparently sponsored by the administration is not a cash-and-carry measure at all. It provides that title shall pass from the seller to the purchaser before the goods are loaded for shipment and that the seller shall have no further interest in the goods, but that the purchasers may have 90 days in which to pay. That is not cash at all. The country understands that cash and carry means cash "on the barrel head," to be paid in advance before title passes and before the purchaser can carry away the goods. It is argued that 90 days is the customary trade credit and is the same as cash; but if we sell goods to the warring nations on a 90-day credit, pass title to them, and they take the goods away and forget to pay us at the end of 90 days, how are we going to get our cash? We are going to confront the same situation which faced us during the last war. We then loaned foreign nations money to buy our goods and then sold them goods on credit. They got our money, they got our goods, and then forgot about the credit. When we asked them to pay they called our dear old Uncle Sam a Shylock and thumbed their noses at us. What they did before they will do again if we are foolish enough to give them another chance. However, let me say that if the repeal of the arms embargo is eliminated, I will go along with almost any kind of a neutrality measure upon which a majority can agree; but I am unalterably opposed to committing my country to the peddling of implements of war which can be used only for the purpose of enabling other people to kill one another. It has been said that in the World War we placed the dollar sign upon the flag and that it ought to be removed; but we are keeping it there by repeal of the arms embargo to further our desire to make a profit. Why do the proponents of the measure object to a separation and a separate vote upon the different neutrality proposals? If the administration would permit a separation of the cash and carry, the other provisions could be disposed of in short order and we could then take ample time to debate the repeal of the arms embargo, the only feature of the neutrality proposal which is in real controversy. The arms embargo is not tied in with the cash-and-carry proposal and is not tied in

with the freedom-of-the-sea proposal. They are separate and distinct; and it is not at all necessary for us to repeal the Arms Embargo Act in order to pass a cash-and-carry act.

OUR SOLDIERS WOULD WIN WAR—OUR STATESMEN LOSE TREATY

Some question the motive of the President. I assume that his motives are what he says they are. I assume that when he calls Congress into special session to repeal the Arms Embargo Act he believes that he can better protect the peace of the country in that way than under the handicap of an arms embargo. I do not question his motives; but I am fearful that he will make the same mistake other men have made—that he will not be able to confine his ambitions to the peace of this country. I am fearful that if given the absolute power to shape the destiny of this Nation as he sees fit, without legislative restrictions, he may also feel that he has a call to settle the peace of Europe. I am fearful of the effort he might make in an enthusiastic idealistic ambition to enter the turmoil in Europe and again commit our country to the attempt to go over there, enter into their quarrels, and try to settle their borderline disputes, over which nations and peoples have battled for centuries. We all remember that a former great President of this country made a noble effort to patch up a just and lasting peace in that war-rocked continent. From that former experience we should have learned a valuable lesson. Within the memory of all of us here our armies marched under the European sky and fought a great war in an effort to end all war and perpetuate democracy. We thought by our sacrifice in money and men and human suffering that we had accomplished something along that line. We thought that we had played our part in establishing peace in Europe for many years; and yet today the first generation that was born after Armistice Day is facing its Armageddon. We cannot settle the wars of Europe, and I am not in favor of voting any power to any President, no matter who he may be, to undertake that impossible task. I realize that there are those who feel that in order to protect our own Republic we should go to the aid of the so-called democracies now and stop Hitler before he attacks us. I do not entertain that fear. But I do entertain a fear that if we should go over there and help England and France kill off Hitler and Hitlerism, we should make it possible for them to write another peace treaty at the sacrifice of another million men of our country. Even though our President should again go over there with the best of intentions and sit in at the council tables, the so-called democracies of Europe would write the treaty; and they are not our kind of democracy. They would write another Treaty of Versailles, which 20 years from now would give birth to another Hitler, and history would repeat itself. If we should go in, our soldiers would win the war, but our statesmen would lose the treaty.

EVENTUALLY POLISH YOUTH WILL RESTORE POLAND

Some persons say that we ought to go over there and help France and England restore Poland. No marching armies of all the world are going to restore Poland—not the Poland that was born at Versailles. All the vengeance that the armies of the world could wreak upon Hitler would never restore Warsaw to its former glory. Poland is crushed; Poland for the time being is gone; but this is not the first time that Poland has been wiped off the face of the map and, in due course of time, Poland will rise from its defeat as she has risen many times before. The Republic of Poland will not be restored by the lords of England or the generals of France. Poland will be rebuilt by the youth of Poland—by men and women through whose veins courses the blood of noble sires who have written a glorious history for the Polish people during the centuries. Warsaw, their beloved city, is in ruins. That city will not be rebuilt by either France or England. Polish youth, true to the traditions of their people, will see to it that the memory of those who fell at Warsaw be not forgotten. Polish youth will see to it that the deeds of heroism and valor of their people during the inferno, the 20 days of hell, will be perpetuated in story and in song to generations yet unborn. Yes, Warsaw is in ruins. The marching armies of all the world will never restore those ruins. But that city will be rebuilt. In due course of time, Polish youth, upon the ashes of its ruins, upon the sacred dust of their dead, will build a more beautiful Warsaw, and from the citadels of the rebuilt city there will again float the Polish flag. The Polish flag will float over Warsaw and its people long after Hitler shall have perished from the earth.

What I am interested in is that there shall not be further such tragedies as that of Poland because of our giving encouragement to any of the warring nations. If we repeal the arms embargo and say to France and England, "You can buy from us all the guns and ammunition you want," it is my opinion that we shall be rendering a distinct disservice to the people of England and France. I firmly believe that if the embargo were not repealed and if we should now say to France and England, "We will not help you in this war," that would end the war. France and England would patch up a peace with Hitler. In my humble opinion, France and England, in a way, are responsible for the destruction of Poland.

Had it not been for the assurances that they gave to Poland, Poland would have patched up a peace with Hitler; the people of Danzig, who were German and formerly belonged to the German Reich, would have gone back to Germany and the remainder of Poland would be on the map today. At least that is my opinion. Because Warsaw has been destroyed, because Poland has been destroyed, is that any reason why we should give aid and comfort in bringing about the same kind of tragedies for other countries and for other peoples? The destruction of Poland is tragic, but let us not aid in the extension of that kind of tragedy. Let us not furnish guns and ammunition to aid anyone to bring about like tragedies. The war in Europe will soon end if we refuse to furnish war equipment to either side and assure the world of our absolute neutrality. If England and France understand that to be our position, a peace will soon be negotiated and a world-wide involvement in war will be avoided. No man knows what the end of another World War would bring. Let us avoid it as long as we can. The element of time is a great fixer of things.

KEEP OUT OF EUROPE'S "POWER POLITICS"

The war in Europe is not being fought to sustain any principles in which we are interested. It is not a war for human liberties. It is not a war such as we would fight to sustain the American citizenship of this country. Wars in Europe are wars for power, wars of aggression.

It is said that Hitler ought not to do the things he is doing. I agree to that. But he is doing them; and what are we going to do about it? As I see it, if we did not promise aid, help, and comfort to France and England, they would patch up the best kind of peace they could and then, in a little while Hitler and Stalin would have each other by the throat. However, they are going to remain in the same bed so long as they have a common enemy to fight.

As I see it, England and France will make a serious mistake if they do not accept Hitler's peace proposal as the basis of an armistice and work out with him the best treaty they can. A poor treaty is better than a good war. It may not be to their liking, but let them do the best they can and save millions of human lives from destruction. No matter how long the war goes on, eventually armistice day will come. Some day a treaty will be written; and there is no sense in having hell upon earth for years, causing untold misery, want, and suffering, and sacrificing 10,000,000 men upon the altar of war, for the sole purpose of determining who is to write the treaty. The chances are that, no matter who writes it, it would be about the same kind of a treaty, fixing border lines and exacting tribute. Aggression and power politics will be the cardinal principles written into that treaty whether it is written now or 10 years from now. It will patch up a peace for a time, and then there will be new aggressions, further grasping for power, hell will again break loose, and history will repeat itself. Let us not take any steps that will lead us into such a maelstrom.

Oh, some Senators may say that England cannot now pay any attention to Hitler's proposals without losing prestige and

humiliating its leaders. If I were an Englishman I would rather have the leaders of my country humiliated than to have my country destroyed. I would rather have my leaders "eat crow," and loads of it, than to bring war misery to my people and sacrifice the lives of millions of the best men in England in an effort to back up the bluff of my leaders. Let a few leaders "eat crow"; it will not hurt them. New leaders can easily be obtained, but after a relentless war machine has destroyed the manhood and womanhood of a country they can never be restored. Such a country will then have no need of leaders.

If I were an Englishman I would bend every effort to save the Empire of England and its people from death and destruction, even if my leaders had to "eat crow."

Mr. President, as I have said, the overwhelming majority of our people want to stay out of the European conflict. There are only a few who want to get us in, and who contend that we cannot live alone. We are only a young nation. A century and a half spans our national life. During that brief space of time our people have built the greatest republic on the face of the earth. Our citizenship is a composite citizenship of all the world. Our people come from everywhere. Our citizenship is built from the muscle, the bone, the sinew, and the blood of every nationality, of every race and creed, all harmonized into one. We have accomplished our splendid achievement by attending strictly to our own affairs and minding our own business in our attempt to make citizenship in this Republic the most prized under the shining sun. We succeeded in that attempt without getting into any foreign entanglements. During all of our national life the nations of Europe have conducted almost constant warfare, not wars to establish principles laid down in our Declaration of Independence, which gave birth to this Republic, but wars of aggression for more ruling power, the same kind of wars in which they are engaged today. Until about a quarter of a century ago nobody in this country ever advanced the doctrine that we had grown so big that we could no longer survive unless we dabbled into the politics and wars of Europe. Twenty-five years ago we broke away from the traditions that had made us a great and mighty people and followed the advice of those who had visions of expanding our power to other lands, visions of imperialism, visions of power, visions of telling other nations what to do, visions of telling other people how to live, visions of making the United States a world power in the galaxy of nations. We drafted more than 2,000,000 men, and had more than a million volunteers. We raised a mighty army and sent more than a million men across the sea to fight on foreign soil in disputes which were not of our concern. Many thousands of the best men of America died fighting on foreign soil, and sleep forever in a land that is not their home, not to perpetuate any of the things that made America great, not in defense of the rights and liberties of American citizenship, but because someone had a dream of world power, a dream that America must become responsible for world destiny and assume guardianship of other people. A World War was fought. Armistice Day came; a peace was written, and everything was settled by those who dreamed of world power. Now 20 years after everything was settled, the same old war in which the people of Europe have been engaged off and on for more than a thousand years is raging again with renewed fury. We did not settle anything in the World War. Many thousand American boys sacrificed their lives in vain. Let us avoid making the same mistake twice. Let us never again send the boys who wore the khaki, or their sons, to defend our flag in places where it has no business—in European border disputes. If the people of Europe want to fight, let them fight to their hearts content, but let us not encourage that fight by selling them powder and guns with which to carry on the fight.

Some of my Democratic friends have taken me to task for not going along with my President in his effort to repeal the arms embargo. I have not supported all the New Deal proposals, but I have supported most of them.

I ask again, Who passed the Arms Embargo Act? The Congress did. I voted for it, as I have said as did most other Senators. I think it was one of the outstanding achievements of the New Deal. I remember in the campaign of 1936 I made many speeches in my State boasting about the accomplishments of the New Deal. The greatest of all those boasts was that the New Deal had placed an embargo upon death-dealing instruments and had pointed the road to peace in the world.

I repeat, I voted for that Arms Embargo Act. I was for it then; I am for it today; I will be for it tomorrow; I will be for it the next day. I have not deserted my administration; my administration has deserted me. I have not changed my mind, and I am not persuaded by the eloquent reply that the distinguished chairman of the Foreign Relations Committee [Mr. PITTMAN] made the other day to the senior Senator from Louisiana [Mr. OVERTON] when he stated he had changed his mind. Upon mature study and investigation he had found that the embargo would not work, that it had not prevented the war in Europe nor in China; therefore it was no good. That statement recalled to my mind the story of the Chinaman who had reached the conclusion that a foghorn on a boat was no good. He said, "Bells jingle, whistle blow, foghorn toot; fog still come. Foghorn no good." [Laughter.] We in this country have imposed an embargo on our citizens against carrying concealed weapons. Some men violate it every day. Every State in the Union has an embargo against murder; yet murders are committed every day. Would the distinguished chairman of the Foreign Relations Committee, in charge of the passage of the repeal of the arms embargo, because it does not work and has not prevented war, contend that the law against carrying concealed weapons and the laws against murder should be repealed as of no value because they have not prevented pistol toting and have not prevented murder? There never was a law written that is not sometimes violated. Violations of the law do not make the law bad. Our arms embargo did not cause the war in China nor the war in Europe. Those wars were started in spite of our arms embargo. A repeal of the arms embargo will not stop either of those wars, but will add to their intensity if we furnish belligerents with powder and bullets to carry on the fight. The question is, Will we serve the people of the world better by selling powder and bullets to fighting peoples, or will we serve that peace better by refusing to peddle arms?

Mr. PITTMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Nevada?

Mr. BULOW. I yield.

Mr. PITTMAN. The Senator from South Dakota has referred to a statement made by the Senator from Nevada in a colloquy. I think the Senator from South Dakota will admit that I stated time and again that I spoke for and voted for the embargo because I expected it would accomplish a great deal of good, but I came to the conclusion that it was not a deterrent to war; I came to the conclusion that it affected a very small part of the instruments through which mass murder is committed in war. I know well enough that the Senator would not vote to put all implements and materials useful in waging war on the embargo list; at least if he would he would have very few supporters. Indeed, I have discovered that the law not only is a failure but that it is a fraud.

A further reason for my position is that the law is intended to apply equally to all belligerents; no one will deny that; yet today no one can successfully contend that it keeps arms and ammunition away from Great Britain because England is an island and has no adjacent friends that are neutral, while, on the other hand, arms and ammunition produced in the United States can reach Germany through Russia, Rumania, and Italy, for the law does not apply to those countries that are supposed to be neutral. The act is absolutely unneutral as it stands, and if we shall wipe it off the books we will not have an unneutral law.

Mr. BULOW. Mr. President, I am not going to get into any colloquy with the Senator from Nevada. All I can say is that I was with him when he was for the present Neutrality Act when he was younger than he now is. I think he used better judgment in his youth than he does when he reaches old age. [Laughter.]

PEDDLING POWDER IS UN-AMERICAN AND WRONG

Mr. PITTMAN. Mr. President, I am always glad to have the opinion of the Senator, but I am inclined to think that only 24 out of the 96 of this body agree with him.

Mr. BULOW. That will be all right. If I shall be standing alone, I will stand upon the proposition I have submitted. I believe that when Uncle Sam goes into the business of selling powder and guns to mad, fighting peoples, when he becomes a peddler of arms, he is engaging in a business that is un-American and a business that is wrong. That is where I stand, if I stand alone; and I do not care whether there are 26 or 40 or any other number whose views may coincide with mine.

To preserve the peace of our country, my administration contends that we should now repeal the arms embargo and sell guns and ammunition to fighting nations to be used for human destruction. It is contended that if we become a peddler of bullets, powder, and guns to other people, by so doing it will make America safe for peace. I cannot subscribe to that doctrine. The Congress enacted the Arms Embargo Act, which was signed by the President, committing this country to a policy of neutrality. It became the law of this land that when other nations went to war we would take no sides in their conflict, and would prevent Uncle Sam from peddling instruments of warfare to either side. It is now proposed that we must repeal that act and permit Uncle Sam to peddle powder and guns to bloodthirsty people in order that we may remain at peace. It is contended that we must repeal the arms embargo and return to international law in order to safeguard our destiny of peace.

What is this international law to which we are to return? No one knows, except that it is founded upon the doctrine that might makes right. It is supposed to have been evolved during the march of the ages as empires, monarchies, kingdoms, republics, and dictatorships have played their part in civilization's march from Eden to the present day. During all of that time the hand of might is the only hand that has ever penned international law, and the hand of might has never hesitated to erase existing international law when the exigency required and it had the power so to do. No international law has ever established liberty or safeguarded the peace and liberty of any people during the ruthless march of a mighty war machine. War obeys no law but the law of might, and only conquerors interpret and dictate international compacts.

We have said in our arms embargo that we will furnish no instruments of warfare to anyone engaged in a fight. Our people are committed to the policy of neutrality. Most of our people believe that we should attend strictly to our own business and not take sides or mix into the quarrels between other nations. Our people do not believe in the settlement of disputes by killing one another. Our people believe that all disputes can be adjusted around the council table, and we believe in living up to every obligation that we make. Why should we become involved in either side of a quarrel between nations who have no respect for treaty obligations? We are now asked to discard our good intentions of staying out of other peoples' quarrels. We are now asked to throw the Arms Embargo Act into the waste basket. We are now asked to make commitments for our people from a neutral to an unneutral position. We are now told that the peace of our people will be best safeguarded if we erase from our statute books these laws which we have written and commit the destiny of our people to the so-called safeguards of international law which only conquerors and dictators write.

REPEAL OF EMBARGO IS FIRST STEP TO WAR

Mr. President, if we repeal the Embargo Act it is our first step to war, and will be followed by other steps in quick succession that inevitably lead to participation on European battlefields. Within the memory of every one of us here we have had one sad and costly experience in our attempt to settle European boundary disputes and have learned to our sorrow that that cannot be done. Let us not take any steps that will lead to our making the same mistake twice. For more than a thousand years the people of Europe have been fighting over boundary lines and probably in another thousand years will be carrying on the same kind of battles, and there is not anything that we can do about it. Let the people of Europe handle their own affairs. It is their fight. If they want to continue to scrap, let them do so, but let us stay out. Let us remain neutral. Let us take the safe course and not furnish fighting material to either side.

I do not know who it was that said our first line of defense is in Europe, but I do not subscribe to that doctrine. Let us mind our own business; let us attend to our own affairs. Let us remain neutral and not mix in other peoples' quarrels. Let us not furnish either side with shot and shell and agitate the fight. If we just take care of our own household, we are going to be reasonably safe; at least we have better assurances than if we again attempt to make the entire world safe for democracy.

I have stated why I am opposed to the repeal of the arms embargo. I have spoken much longer than I intended to and I apologize to the Senate. I desire to conclude.

There is being spread over the country some propaganda which may cause some excitement and fear.

Let us not become unduly alarmed by seeing too many imaginary things that may disturb the night and sometimes even the day. I hope that our people will not become disturbed, become jittery and frightened by rumors and reports that are flooding the country, even though the reports emanate from high places. Let us remember the rumors and reports that preceded the World War, most of which were not true. Let us also remember that one of the frailties of humankind is that we sometimes see things that are not there; sometimes under certain conditions we see white elephants and sometimes they are pink. Sometimes on land we see a mighty mirrored picture that we know is not there and sometimes at sea we see a great sea monster that is not there. Sometimes we see submarines where no submarine has ever been before. What submarine was it? Why that we did not notice.

Yesterday upon the stair
I saw a man who was not there.
He was not there again today;
I wish to God he'd go away.

[Laughter.]

Let us not take for granted everything that we hear, or everything we think we see, until assured of facts.

Let us not get jittery and alarmed for fear that Hitler is coming over here and haul down the Stars and Stripes, the emblem of a free people, and raise in its stead the swastika flag. That time will never come. Let us not cross that Rubicon until the time comes; and if perchance it should come, let us be prepared to fight that battle in our own defense and in our own right, but let us not speed that day nor invite that conflict by pulling someone else's chestnuts out of the fire. Our first duty, our supreme duty, is to our own country—to perpetuate upon the face of this earth the scheme of human government first enunciated to humankind in that immortal document that gave birth to this Nation. That document was formed and shaped and fashioned by the culmination of ideas and ideals brought to the American Continent by refugees from almost every country on the face of the earth—refugees who sought shelter in an unknown wilderness in order to escape from the same kind of tyrannies that exist in European countries today. Our foremost duty is to protect and preserve our American heritage, the ideals of human government which the founding fathers sought to perpetuate for all time in our constitutional form of government, having for its cardinal keystone not aggression, not world power, not dictatorship, but freedom of thought, expression, and action. Liberty for its citizenship in the United States is a greater heritage than that possessed by any other citizen in all the world. The ideals of American citizenship will never be conquered by any kind of marching armies under the flag of any kind of isms incompatible with the ideals of our citizenship.

Let us learn a lesson from the pages of history. During the march of the human race many men have appeared upon the scene of action and for a brief time have terrorized the world. Just a little more than 100 years ago Napoleon Bonaparte was the Hitler of his day, and he held the whole world

in fear. Yet in due course of time Napoleon Bonaparte died a natural death on a lonely island, without supporters and without friends. No one man or no race of men ever conquered the earth and kept it conquered. Let us not become excited about Hitlerism or about Hitler coming to this country. He will never come. I am not disturbed about that.

LET'S KEEP OUR NOSE OUT OF EUROPE'S AFFAIRS

I do not know what the fate of Hitler will be, but I do know that he will not live forever. I know that nazi-ism will not conquer the earth. I know that if we "keep our shirts on," keep our feet on the ground, keep our nose out of Europe's business, take no sides in their quarrel, let them live under such isms as they desire, let them adjust their boundary lines as they see fit, get the hankering for world power out of our systems, forget about our desires to assume guardianship of other peoples, take care of the business of America, and let Europe run its own affairs; if we do that, I know that Hitler will never hoist the swastika flag on the dome of our Capitol, or over our people.

Mr. CHAVEZ obtained the floor.

Mr. MALONEY. Mr. President, will the Senator yield to me?

Mr. CHAVEZ. I yield.

Mr. MALONEY. I observe the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Connecticut for the purpose of suggesting the absence of a quorum?

Mr. CHAVEZ. I do.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Mead	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Truman
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	Nye	Vandenberg
Caraway	Herring	O'Mahoney	Van Nuys
Chandler	Hill	Overton	Wagner
Chavez	Holman	Pepper	Wheeler
Clark, Idaho	Holt	Pittman	White
Clark, Mo.	Hughes	Radcliffe	Wiley
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present.

Mr. CHAVEZ. Mr. President, for some time the Senate has been discussing House Joint Resolution 306. It is my belief that the debates on the pending legislation will go down in history as most important. No more fateful question has ever been discussed in these historic Halls. The country has been impressed with the patriotism and sincerity of purpose of the Senate. I have been an attentive listener since the inception of the discussion, and am fully convinced that it is the desire, the ardent desire of each and every Member of this body to keep this country out of war and to remain at peace with other nations.

The pending legislation is very portentous. The results of what we do may have beneficial effects or may bring dire consequences to the Nation. So, Mr. President, in my opinion, the question should and must receive ample discussion—thorough discussion—impartial discussion—before the Senate passes judgment on such a serious matter.

With the adjournment of politics came the realization that on an issue so momentous as war or peace this deliberative body could not afford to rush its legislation, especially in view of the limited opportunity in the House for analysis or debate.

It is my purpose today to discuss only the phase of the debate on which the whole country and this body are agreed, and that is peace. At a later date I shall go more in detail into the different phases of the bill, including the repeal of the arms embargo and the cash-and-carry clauses.

Among the people of our country, as in the Houses of Congress, there is a definite feeling that the United States must remain at peace. While my colleagues differ as to the means whereby this is to be accomplished, I have heard no expression contrary to the seemingly overwhelming desire to keep the United States out of war. Certainly the experiences gleaned from the last European episode would reinforce the determination of our fellow citizens to remain aloof from the burdens and expense resulting from participation in a struggle which we have neither created nor fostered.

At the very outset it is necessary that we define the concept of peace. So many people have professed a firm desire for peace that I believe it essential to state what we actually have in mind when we use that expression, which certainly has a well-nigh universal appeal. Peace in its broadest sense means the avoidance of armed conflict—conflict resulting in death, destruction, and the tremendous increase in expenditure that today confronts Europe.

To pursue the policy of peace necessitates the elimination from this question of a number of imponderables, as for example, hatreds, sympathies, emotions, and the mingled feelings which complicate and obscure clear thinking on the matter. Regardless of the forces at work, such as sentiment, power politics, ism-hatreds, ours must be the realization that we live and hope to continue to live in the Western Hemisphere at peace, whether with Europe or Asia.

I have heard the argument advanced that we are no longer able to live in an atmosphere of detachment from Europe's problems. Yet, what does history teach us in this regard? For some 400 years England, separated from the continent of Europe by the English Channel, a body of water only 22 miles wide, has been able to withdraw at will from the internal affairs of the mainland, remaining secure in her insularity from exterior invasion or aggression. Of course, the British Fleet contributed much to this aloofness, but there is nothing to prevent this country from having a navy second to none. I for one feel annoyed at times when I hear the expression that we have to depend upon the British Navy for our peace. How much more fortunate are we in our geographical situation when it is considered that not a mere 22 miles of water, but an ocean of 3,000 miles, helps us to maintain a strategical impregnability.

In comparison with the matter of keeping the United States out of war and the good will of all in maintaining peace, the matter of our neutrality assumes only a relative significance. Let us trace briefly the background of our traditional neutrality. From the very moment when the United States emerged as an independent State in the community of nations, neutrality has been a traditional part of our national policy, and I understood when this extraordinary session was called that we were to consider a neutrality measure. To create and maintain a system of effective and absolute neutrality toward all belligerents has been one of the great contributions of the United States to the body of relatively indefinite rules and regulations described as "international law." Not only has this been a policy, but a tradition, grounded in usage and supported by the weight of opinion of our greatest statesmen, beginning with the Father of his Country and continuing throughout our entire national existence. In the 13-year period from the proclamation of the Declaration of Independence to the establishment of our Government under the Constitution, the United States entered into some 14 treaties; in each case the basic purpose was to lessen the tragic results of war and to establish our status as a neutral. This is especially true of the treaties with France, Great Britain, Morocco, the Netherlands, Prussia, and Sweden.

When our Republic was first established, the most immediate problem of external order was the determination of a policy to be followed in the event of a general European war. This problem was fully as significant as many of the difficulties confronting the United States at home. For more than 1,000 years Europe has been a battleground where the major powers ceased fighting only long enough to create new,

and sometimes startling, alliances based on considerations, not of humanity, not of respect for the rights of the lesser powers, but on force—described by my distinguished colleague the senior Senator from Idaho [Mr. BORAH] as "power politics." Europe's past is not reassuring as to any real likelihood of the reversal of practices motivated by forces which are fundamentally no different.

Respites in this long-protracted conflict in Europe generally served merely to prepare, by making new alliances, building armaments, equipping and training military forces for the next war. In these contests for political and economic supremacy our newly founded Republic had and still has little actual interest, in spite of the fact that many of its inhabitants were but lately removed from the warring countries. There was, however, a real determination to maintain peace at home, for the realization existed that intervention was bound to have disastrous effects upon the ship of state. Fortunately at that time the man at the wheel, a farsighted helmsman, thoroughly understood the nature of the perils of intervention—the Scylla and Charybdis of ancient origin of the European balance of power. Even greater were the difficulties confronting the pilot then steering his intricate course than those which exist now. But he had the will to peace and he did succeed. And we should be thankful that the chief of state today entertains similar desires for peace. In his speech to the Congress at the opening of this historic debate he said that the Members of the Senate and of the House of Representatives, and the members of the executive branch of the Government, including himself and his associates "personally and officially, are equally and without reservation in favor of such measures as will protect the neutrality, the safety, and the integrity of our country, and at the same time keep us out of war."

Although individual citizens of the United States had a personal interest, and possibly a sympathetic attachment growing out of their national origins, the Government had a firm desire to work out the political and economic destinies of this country in an atmosphere of peace—the only way in which that work could be successful. The goal of our founders was complete neutrality—an attitude of strict and scrupulous impartiality toward all belligerents.

Hardly had the new Government undertaken its essential functions when its most strenuous efforts had to be exerted in the maintenance of this neutrality. Powerful pressure came from all sides to impair official impartiality. Revolution in France had led to war. Naturally, when faced with a coalition of Austria, Great Britain, the Netherlands, Prussia, and Sardinia, France turned to the United States, the country with which it had made a treaty of alliance on February 6, 1778, the only one of its kind we have ever made. We all must remember the activities of citizen Edmond Genêt in behalf of France, but I hope my colleagues will also remember the stern determination of George Washington and his advisers to refrain from engaging in a conflict which might readily have made Valley Forge a useless sacrifice. Although the American people sympathized deeply with the liberal character of the French Revolution and greeted Genêt enthusiastically, our Government maintained its strict determination to remain impartial. It was known that Genêt planned to commission American merchantmen as privateers against the British vessels, and that it was intended to establish prize courts in American ports in order to condemn captured British merchantmen. But our Government moved quickly and efficiently. There was no time for ambiguities and dubious pronouncements. Washington acted, and acted with quick decision. On April 22, 1793, the now classic proclamation, the very foundation of our neutrality, announced that the United States should, "with sincerity and good faith, adopt a continued friendly and impartial attitude toward the belligerent powers."

In spite of the powerful pro-French feeling of a majority of the American people, and a rather natural animosity toward Britain, in view of the recent and bitter revolution, the American Government made every effort, even to the extent of infuriating the French, who, quite logically, had expected our assistance, in view of our treaty obligations of 1778, to preserve a strict and uncompromising neutrality. Thomas Jefferson, personally pro-French, nevertheless developed a practical theory of the obligations of neutrality which has served as a model of impartiality. Two cardinal concepts formed the basis of this official impartiality:

(1) The complete sovereignty of the Nation within its own territorial domain (including the 3-mile limit of the marginal seas); (2) the obligation of impartiality towards all belligerents—

That is internal sovereignty and external impartiality.

Since it was—

the right of every nation to prohibit acts of sovereignty—

It was also—

the duty of a neutral nation to prohibit such as would assist one of the warring powers. No succor should be given to either, unless stipulated by treaty, in arms, or anything else directly serving for war.

This position was taken by the United States, and was so vigorously supported that W. E. Hall, the well-known British authority on international law, states:

The policy of the United States in 1793 sets an epoch in the development of the usages of neutrality.

I must emphasize the fact that this position was taken in the face of the sympathies of most Americans, who were entirely in accord with what they believed to be the supreme effort of the French people to introduce the blessing of American liberty and democracy to a decadent, king-infested reactionary Europe.

The Neutrality Act adopted by Congress in 1794 made effective this high concept of neutrality. Although originally of limited duration, the act was extended and somewhat modified in 1817—to meet the requirements of the wars of independence engaged in by the American colonies of Spain—and then restated by the statute of 1818. A year later the British Government saw fit to enact similar legislation, and other states soon followed suit. Thus a fixed concept of neutrality arose in the community of nations—internal sovereignty and external impartiality.

From the close of the Napoleonic wars, finally terminated by the Treaty of Vienna of November 20, 1815, to the outbreak of the World War, there were no major conflicts involving large-scale maritime operations—except the Civil War, wherein, of course, neutrality was the status adopted by the European powers, and the Russo-Japanese conflict. Therefore, few serious problems of neutrality confronted the United States during the nineteenth century, but at all times our country adhered to its policy of absolute neutrality as a precautionary measure to safeguard—what? Not someone else's concept of our international prestige, but our own domestic tranquility. International conferences dealing with problems of international law conducted during the nineteenth and twentieth centuries saw the United States consistently striving to incorporate the system of neutrality in the multilateral treaties that emerged therefrom.

Let us evaluate the result of our departures from this traditional policy of neutrality. When, in 1914, the customary power politics in Europe broke the bonds of peace, and Europe was again converted into a shambles, our people were firmly resolved to remain aloof. Throughout 1914, Mr. Wilson still insisted on maintaining neutrality. The year 1915 saw no definite relaxation of this policy. What was the scene at the Democratic National Convention in 1916? I address myself to my colleagues on the Democratic side of the aisle for the purpose of this question. The greatest ovations were given to speakers who stressed "peace" as the real objective of our Government and its administration. Among my distinguished colleagues, I see the following who attended that classic, never-to-be-forgotten occasion, and I obtained this list from the official report of the proceedings of the Democratic National Convention: Senator ALVA B. ADAMS, of Colorado; Senator THEODORE G. BILBO, of Mississippi; Senator PETER G. GERRY, of Rhode Island; Senator CARTER GLASS, of Virginia; Senator THEODORE FRANCIS GREEN, of Rhode Island; Senator KEY PITTMAN, of Nevada; and Senator DAVID I. WALSH, of Massachusetts. I am sure they have not forgotten. During the campaign that followed I rode 40 miles on horseback,

partly through a blinding snowstorm, to a small hamlet in New Mexico to tell the people that "he kept us out of war."

Clinching the argument that our people were opposed to war, we observe the effect of this proclamation in swinging a closely contested election to Mr. Wilson.

Meanwhile, behind the scenes, pressure politics and propaganda were working with quiet but efficient consistency. Profits and propaganda, the twin brothers of greed, and a wanton disregard of the rights of the forgotten man, did their work effectively, silently, but surely. Mr. Wilson, with all of his sympathy and earnestness of purpose to "keep us out of war," could not stem the tide. Five months after the election, in spite of what the people thought or wanted, we were at war. Mr. Bryan, with his lofty idealism, his providential gift of oratory, resigned rather than be a party to the slaughter.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. PITTMAN. The Senator mentioned the fact that I was at the convention in 1916, and all he said about the slogan at the convention, as I remember, is true. I rise only to say that I beg leave to disagree with the Senator in regard to the causes that led us into the war. I do not think the munitions makers had anything to do with it. I do not think debts had anything to do with it. I know they did not influence me in my vote. In my opening address in the Senate on the present debate I quoted extensively from a long speech made by the Senator from Idaho [Mr. BORAH], who has no particular sympathy for munitions makers, in which he stated that we did not enter the war for any selfish purposes, but solely by reason of the illegal destruction of the lives of our citizens on the high seas.

Mr. CHAVEZ. I am sure the Senator from Nevada means every word he says, but I will follow my plan of thought. I know there are many thousands of people in this country who actually believe down in their hearts that there are insidious agencies which are trying to get us into war.

My colleagues, I have but one purpose—that is to warn you of what, despite the best of good intentions, may come to us, unless we be eternally vigilant and on our guard against the forces that would undo us. Is there any reason to believe that these forces of pressure politics and propaganda are not again at their insidious work? Do we not realize that channels for the dissemination of propaganda are hard at work fostering, furthering, and supporting the cause—not of the United States and our peace, but of foreign governments and their war? The President has well said that we must be on our guard. Do our fellow countrymen realize the grave exigencies of the situation? I doubt it. We are told to remain neutral and to remain at peace. But are we permitted to remain neutral in the face of propaganda blasts that cause the wisest of men to be discouraged and the most determined of men to be shaken?

What were the steps that brought us into the last war? To review these is to acknowledge the fact that an analysis of the past is a prerequisite to a sound view of the future, for history is but a mirror of past events in which the future is seen reflected by those who are willing to see. What, then, has been our experience with departures from neutrality? In every instance we have seen ourselves plunged headlong into a conflict that could have been avoided.

Our foreign adventure in 1812 served no possibly useful purpose other than to give us our national anthem and forever to drive away a foreign power from continental United States. The war itself was immediately attributable to a departure from our theretofore consistent policy of scrupulous impartiality.

In 1898 we undertook a "crusade" to liberate the "oppressed" populations of the Spanish West Indies and other far-flung possessions of the Spanish Empire. Prior to the war came the crusade; after the war, the bitter realization that journalistic propaganda in a veritable circulation race founded on fiction of the most lurid, imaginative variety and the interests of skilled manipulators was the real cause. What has been our past experience? Crusade first; then count the reckoning amidst the sobering influences of that dawn called peace. The readiness of many statesmen to take a hand and the crusading spirit which is so universally present in all people makes double the effectiveness of skillful propaganda and, to these clever propagandists, the crusading instinct is the basis of all successful effort. Certainly no one can accuse us of aught but generous impulses, sometimes carried to the point of prodigality. And what an awakening we had after the last war.

There, too, I must dwell a moment. Senators, our last crusade was in the interests of democracy, a principle we cherish and hold dear, but did we achieve it? Had we, perhaps then the cost might have been justified to the American taxpayer who paid and still pays. We wanted no tangible advantages; we fought only to reestablish peace on a firm and enduring democratic basis. Was it achieved? The answer lies before us—3,000 miles away, the eternally recurring conflict again rears its ugly head amidst the ruins of what some of my distinguished colleagues have been pleased to call "democracy." Have we any assurance that similar steps are not now being projected by the perfidious forces working behind the scenes, lurking in the shadows and denounced by President Wilson when he pronounced himself in favor of "open covenants openly arrived at"? Must our people be kept in the dark? Or, worse still, propagandized into a state of national hysteria? That path, trodden once before, does not lead to peace. Are we to follow it again? Must we repeat our former mistakes, or can we learn a lesson from our most recent history? How long must we endure the impact of an unconscionable desire for gain and the swiftly mounting tide of filthy, vicious, anti-American propaganda?

Let us remember that we are Americans first and last, thank God. Our forefathers, in establishing this country and its democracy, shook from their feet the blood-trampled dust of Europe—primarily to escape from racial hatreds, the undying animosities, the ever-recurring conflicts, and the utter inability of peace to survive on that continent. And now we, their descendants—should we betray their trust and return to that graveyard where lie buried the ashes of hope, ambition, and idealism? "No" is the answer that I hear echoing from the voices of our fellow citizens. We have all received ample evidence of this widespread conviction.

Must I emphasize the horrendous costs of our last venturesome excursion into the maze of European politics? A brief moment will suffice. In lives lost, we were relatively fortunate in comparison with the European countries. We lost a total of 100,000, of whom 50,000 were killed in action and an additional 50,000 died of service-connected wounds and disabilities, but the European powers lost a total of 8,000,000 men after more than 4 years of fighting. It will be remembered that our participation lasted but 19 months, and that at the end of a war which had virtually exhausted the enemy. Suppose that we were to enter upon a protracted period of hostilities—would we escape so lightly? The history of the last war tells us otherwise. Twenty-five percent of those who participated were either killed or, even worse, hopelessly maimed or crippled. If our participation involved 10,000,000 men for a possible period of 4 years, could we not expect to lose two and a half million of our citizens? I can visualize the anguish and the pain that these losses will bring to the mothers, the widows, and the orphans left by these deaths. Is this preposterous? Of late we have been told by such an eminent authority as my distinguished colleague, the senior Senator from Nevada [Mr. PITTMAN] that this Congress would never consider the appropriation of funds for the purpose of sending our boys overseas. We were told much the same thing prior to our entry into the last war. Did our resolution hold firm? The record speaks for itself. In 19 short months more than 2,000,000 of the same boys who were not to have been sent went over.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. Certainly.

Mr. PITTMAN. I do not think we were told that in that way. I think President Woodrow Wilson was constantly stating that he was going to do all he could to keep us out of war, and I think he did. If it had not been for the proclamation by Germany in February 1917 of unlimited

submarine activities, followed by the destruction of 6 vessels in 3 weeks with the loss of 63 lives, I do not think we would have gotten into the war. However, I wish to invite the attention of the Senator—and I think he will agree with me—to the fact that at that time we were existing exclusively under international law, and we insisted on certain rights of our vessels on the high seas. We contended that those rights were violated; and all the debates on the adoption of the war resolution are along the same line, namely, that our patience at the violation of international law, resulting in loss of life of our citizens, was exhausted.

Does not the Senator see a difference in our present attitude? In 1935 we passed simply the embargo. In 1937 we adopted the cash-and-carry amendment, and we placed restrictions on credit. We now have a law to restrain our citizens. I think we have gone further than we have ever gone before; in fact, further than any country has ever gone before.

Mr. CHAVEZ. I agree with the Senator. I think the embargo law is a good one.

Mr. PITTMAN. We are now saying that no American vessel may carry anything to a belligerent nation. I understand there is some complaint in the atmosphere about that proposal, but that is the underlying principle. That is the reason why I do not think the example of having been led into war before—and we were led into it by standing for international law—is going to govern us. I am just as confident as is the Senator that no destruction or loss of property can ever drive this Congress to appropriate money to send soldiers abroad.

Mr. CHAVEZ. I feel sure the Senator feels the way he speaks.

Have we reason to believe that history will not repeat itself? Perhaps we have forgotten that we were preparing to send many more to follow those who remained permanently in Flanders graves. I say this in view of the fact that 24,021,000 men were registered under the Draft Act. Of these, almost 5,000,000 were actually in the Army, Navy, or Marine Corps. Had the war continued, it is safe to say that many more of our troops would have seen service at the front.

What were our material costs? Our wartime expenditures were $2,000,000,000 a month. In actual cash outlay this meant $38,000,000,000 for the 19 months of our participation. This does not include the vexing question of the war debts, now apparently overlooked—and, I may add, conveniently so—nor the indirect costs immediately attributable to such factors as the increasing cost of living, enhanced freight and insurance rates, and the extraordinary depletion of our natural resources. Of course, I have said nothing about the depression, the seemingly inevitable consequence of every one of our wars, foreign or domestic. Were we to total all of these direct and indirect costs to our taxpayers, the sum total would indeed reach staggering proportions of astronomical magnitude.

Again, turning to future possibilities, is it unreasonable to suppose that a comparable expenditure will be necessitated in the event that our hopes of peace are shattered by the incautious and imprudent counsels of those who are blind to the eventualities—by those who refuse to heed?

Mr. President, my discourse is founded on the belief that we must have peace. To reinforce that thesis I have been compelled to discuss the consequences and cost of war. Lives lost, moneys spent, economic and moral values destroyed—that is not the entire picture. Should a protracted struggle ensue, and should we be drawn in, will our political system weather another shock of such colossal magnitude? Have other governments in other times and other climes been uniformly successful in maintaining their stability at the conclusion of a war, albeit victorious? It is not inconceivable that the national debt, now close to $50,000,000,000, may become so enormous that no government confronted with the inevitable depression following a war and the destruction of moral values, the widespread unemployment, and the inescapable problem of rehabilitating millions of ex-soldiers, could survive the impact of this shock to our economic system.

Let those who scoff at my words remember well the prophetic insight of my distinguished colleague, whom we all love and admire, the senior Senator from Nebraska [Mr. NORRIS], who, while we were tottering on the precipice of international catastrophe, said on April 4, 1917:

> We are taking a step today that is fraught with untold danger. We are going into war upon the command of gold. We are going to run the risk of sacrificing millions of our countrymen's lives in order that other countrymen may coin their lifeblood into money. And even if we do not cross the Atlantic and go into the trenches, we are going to pile up a debt that the toiling masses that shall come many generations after us will have to pay. Unborn millions will bend their backs in toil in order to pay for the terrible step we are now about to take. We are about to do the bidding of wealth's terrible mandate. By our act we will make millions of our countrymen suffer, and the consequences of it may well be that millions of our brethren must shed their lifeblood, millions of brokenhearted women must weep, millions of children must suffer with cold, and millions of babes must die from hunger, and all because we want to preserve the commercial right of American citizens to deliver munitions of war to belligerent nations.

I think that is what the Senator from Nevada was referring to as protecting our rights under international law. Many of our citizens wanted to have the United States free to sell war munitions.

Mr. PITTMAN. Of course, they were free to do so prior to our entry into the World War. Our vessels had no restraint on them. They delivered anything they could to belligerents, subject to being seized. Some of them were sunk.

Mr. CHAVEZ. I believe that is what the Senator from Nebraska had in mind when he delivered this speech—that there was a desire "to preserve the commercial right of American citizens to deliver munitions of war to belligerent nations."

Further quoting from the speech of the Senator from Nebraska:

> I know that I am powerless to stop it. I know that this war madness has taken possession of the financial and political powers of our country. I know that nothing I can say will stay the blow that is soon to fall. I feel that we are committing a sin against humanity and against our countrymen. I would like to say to this war god, "You shall not coin into gold the lifeblood of my brethren." I would like to prevent this terrible catastrophe from falling upon my people. I would be willing to surrender my own life if I could cause this awful cup to pass. I charge no man here with a wrong motive, but it seems to me that this war craze has robbed us of our judgment.

I believe what we need in this country now is the patience and judgment which the Senator from South Dakota [Mr. BULOW] so well described a few moments ago.

The Senator from Nebraska continued:

> I wish we might delay our action until reason could again be enthroned in the brain of man. I feel that we are about to put the dollar sign upon the American flag.

If anyone cares to read a wonderful speech, I suggest that he turn to volume 55, part 1, page 214, of the proceedings of the Sixty-fifth Congress and read the speech delivered by the Senator from Nebraska [Mr. NORRIS].

I do not suggest that at this time we are hovering on the brink of intervention. No; it is for that very reason that I raise my voice in protest against any and all action that might bring upon us a war we do not want, a war we do not need, a war we can avoid.

The latter part of my distinguished colleague's speech gives him the right to stand with Cassandra, the prophetess of ancient Troy, who predicted with tragic accuracy the fatal consequences of a blind refusal to adhere to her advice; for certainly, in the light of the events that followed our participation in the World War, we cannot doubt the utter accuracy of my distinguished colleague's predictions. Let us this time guard ourselves against a repetition of the steps that lead to catastrophe. War mongers, profit seekers, and propagandists surround us, even as in 1914. Must we again fall an easy prey to the sweet strains of Circe, to the lure of false prophets, in matters so interminably devastating in their ultimate consequences? Is this the democratic way? Or do we subscribe honestly and fearlessly to the principle that the greatest good for the greatest number is the underlying principle of the American democracy?

I feel that every vote cast, whether for or against the pending joint resolution, will be motivated by only one desire—that of peace for our fellow citizens, a steadfast adherence to the determination to keep us out of war, a war we do not want and do not need, a war we can avoid.

As for me Mr. President, solemnly and with reverence, I shall cast my vote for what I think will keep us out of war and against the repeal of the embargo. [Manifestations of applause in the galleries.]

Mr. LA FOLLETTE obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator from Wisconsin yield to me for a moment?

The PRESIDING OFFICER (Mr. GEORGE in the chair). Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. I yield.

Mr. VANDENBERG. Former President Hoover made an interesting suggestion this week regarding the pending embargo problem. He proposes that the category of arms, ammunition, and implements of war be split and that we cease forever to furnish any nation with those implements which are used to destroy civilian populations. If the present embargo is to be struck down, and if war munitions are to be sold on a cash basis, it may be well for us to explore the humane question whether we do not wish, at least, to forego an American bargain counter which sells the implements of mass death for the women and children of the earth.

I ask unanimous consent that Mr. Hoover's statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

In response to requests for advice upon the neutrality bill from several Senators, Congressmen, and others, I have today sent them the following memorandum:

The debate on the arms embargo shows the deep conviction of most able men on the opposing sides that either repeal or no repeal leads to most serious dangers of involving us in this war.

It seems to me there is an alternative course which has moorings in established American policies, in American principles, and in American morals. Such alternative course appears to me to lessen the dangers which the present alternatives of repeal or no repeal present.

Ever since the World War an increasing part of the method of war is to intimidate or to attack the civil population from the air. This is indeed the greatest advance of aggressive methods against the independence of nations in the last century. After war itself this threat of destruction of open cities and this killing of women and children is the greatest step to barbarism of a thousand years. And this is no emotional expression. We have seen it in horrible action in China, Spain, Ethiopia, and Poland.

The American Government and the American people have frequently sought to stop these practices. In June 1932 I laid before the World Disarmament Conference, among other recommendations, the proposal that the weapons which can be and are used to attack civil populations should be abolished. That included bombing planes, their ammunition, poison gas, and submarines. That idea was approved by 41 nations and declined by 8 others.

In May 1933 President Roosevelt included the abolition of these weapons among other proposals made on that occasion.

There is a moral question here that reaches to the heart of American instinct for decency. Bombing planes, their ammunition, and poison gas cannot be seriously claimed to be weapons by which nations defend themselves or their independence. They are weapons of aggression and barbarism. It will be said that they are defense weapons when used to destroy the enemy's sources of supplies. But it is nonsense to say that is their sole purpose. Their major purpose in fact is also to terrify or kill civilians. That is what happened in the past 5 years, and the black-outs and the evacuation of children from cities all over Europe is indication of this future purpose and this terrorization.

I cannot bring myself to believe that the United States should ever sell this kind of weapon to anybody at any time anywhere, whether they be neutrals or countries at war. I have no sympathy with the killing of women and children of any race, no matter what the ultimate objective may be.

And I do not like to think of the day when bombing planes, engaged in the killing of women and children, on both or either side in this war, will be identified as the product of American manufacture. Whichever country it may be, the news will be transmitted to the American people that this killing has been done with the products of American industry.

Equally important, and from exactly the same reasoning, I am convinced that we should permit nations to buy from us the instruments by which they can defend themselves from such barbarities. We should therefore permit the sale of pursuit airplanes, light observation planes, antiaircraft guns, and any other instruments of defense against attacks on civilians.

Equally I do not like to think of the time when civilian populations will have been attacked and we have deprived them of the weapons by which they could have defended their women and children from such barbarities. Should aerial catastrophe come to either side, we will see a national regret that we had either contributed to it or failed to aid in its prevention. And that is exactly the kind of explosive emotion that might lead us to enter into war.

This proposal is specifically on the one hand to prohibit the sale to anybody at any time, whether neutrals or combatants, of these weapons of attack on civilians, that is bombing planes, their ammunition, poison gas, and submarines, and on the other hand to make free the sale of pursuit planes, light observation planes, antiaircraft guns, and their ammunition, and any other instruments of defense against attacks on civilians.

I know someone will split hairs on this differentiation between arms, but it is less difficult than many borderlines in the present bill.

This basis of action seems to me to meet many of the difficulties and dangers enunciated by both the opponents and supporters of the embargo. Its application can be tested by exploration of the major arguments put forward on each side.

The advocates of retention of the embargo are convinced that shipment of arms in war supports war itself; that in repealing the embargo at this time we are taking sides in this war; that we are joining in European power politics; that it is one more step in a program the sum of which leads us toward war; that we are contributing the weapons of mass murder; that it would inflate American industry, with consequences in profiteering and the creation of industrial and financial pressure groups interested in going deeper into war; that the after-war collapse and unemployment would be increased by this inflated industry.

The advocates of repeal are convinced that the embargo in war favors aggressive nations who have armed in advance; that it today arbitrarily favors Germany by depriving Great Britain and France; that it even allows Germany supplies from us through neutrals; that the jeopardy to Great Britain and France by Nazi ascendency in Europe will be increased by the embargo; that this jeopardy may be reflected to us; that we lose in preparedness by depriving ourselves of this expansion of our arms manufacturing capacity; that our unemployed will be deprived of jobs they would otherwise have.

It is not my purpose in reciting these views to argue with these beliefs, but only to point out the deep conviction of most able men that dangers do exist either way which lead us nearer to war.

I do not claim that this alternative proposal answers every argument on either side of this question. It does avoid the extreme objections and dangers of either repeal or no repeal.

We would not be participating in mass murder. On the contrary, we would be contributing to prevent it.

We would not be building up an excessive munitions industry, with its profiting from war and with its inevitable collapse in dislocation and increased unemployment. We would not be building up out of weapons themselves a consequential manufacturing or finance interest in our country, which could be an added nucleus for agitation that we go deeper and deeper into the war.

The proposal largely meets the distrust that the repeal of the embargo is but another step in the program of joining the United States in this war. We would not be throwing the weight of our arms manufacture into European power politics; we would be throwing it toward greater humanity in the world and less destructive war. We would not be showing partiality to either side. The practical results of the program are of service to the British and French people. It contributes to the protection of their women and children and civilians generally. It contributes to saving the destruction of their cities and their sources of supplies from the air. That is today their greatest danger. And, likewise, it protects German women and children and their sources of supplies and cities from bombing by planes of our manufacture. If it is not the intention of either the Allies or the Germans to so use these weapons against civilians and homes, then neither of them can complain of our refusing to sell them and neither side can complain of our sale of defensive arms against them.

It seems to me for the foregoing reasons the plan eliminates the claims of unneutral action made against either withholding or selling arms. Furthermore, it is consonant with long declared national policies of the United States in respect to this sort of arms. It is not based on action for or against nations who may be at war, as it would apply at all times against neutrals as well as combatants, before and after war occurs.

By such action America would be again raising a standard against barbaric action. By prohibiting the sale of these weapons of attack on civilians and permitting the sale of these weapons of defense of civilians we are not stepping deeper into this war but stepping away from pitfalls that may lead into it.

The proposal keeps both our conscience and our neutrality right. With its foundations in morals and humanity, it is surer ground for America than foundations in international politics.

With some tightening of provisions as to cash and the danger zones, the other parts of the bill are in my view constructive.

Mr. NYE. I suggest the absence of a quorum.

Mr. LA FOLLETTE. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Mead	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Truman
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	Nye	Vandenberg
Caraway	Herring	O'Mahoney	Van Nuys
Chandler	Hill	Overton	Wagner
Chavez	Holman	Pepper	Wheeler
Clark, Idaho	Holt	Pittman	White
Clark, Mo.	Hughes	Radcliffe	Wiley
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present.

Mr. LA FOLLETTE. Mr. President, I regard the issues presented in this legislation as of vital importance to the future of this Republic. I intend to discuss these issues at some length, but I shall first state them briefly:

Repeal of the embargo, in the present circumstances, and the sale of arms, ammunition, and implements of war is a significant step toward participation in the European war.

The several discretionary loopholes in the pending joint resolution are sufficient to allow for incidents which may lead us into war.

It is not in the best interest of American democracy to gamble everything of value which we possess in return for some temporary profits together with a permanent participation in a post-war chaos most certain to be revolutionary in character.

The proposed repeal of the arms embargo is not being undertaken in a vacuum. It is being proposed amid a set of circumstances, foreign and domestic, which cannot be ignored. The repeal itself cannot be considered as a naked issue removed from those circumstances. It must be examined in their glaring light. Truth has many faces.

DISTINCTION BETWEEN ARMS AND RAW MATERIALS

Before discussing some of these aspects I wish to speak of the distinction between sending abroad manufactured arms and sending the raw materials which may be there manufactured into arms. It is an important distinction, although far from being the real point at issue in this debate. The distinction itself is important because the country whose people are killed and wounded by our weapons will hate us. They will justly suspect us of a greedy motive in their death and maiming. The identification of their misery with the airplanes which bomb them or with the shot and shell made in America will be quick and lasting.

Just as during our Civil War the soldiers of the North and their families did not soon forgive or trust the English who had sold cartridges and ammunition to the southern troops, so the various partisans in the Spanish War are going to hate the Germans and Italians and Russians for years to come for injuries done them by the airplanes made in those countries.

People do not seem to attach an equal hatred to supplies of raw material, however logical it might be for them to do so. During the last war, for example, English merchants sent to the Scandinavian countries many raw materials which were immediately exported to Germany, as Admiral Consett tells in his Triumph of Unarmed Forces. They were not hated for that or penalized in any way, even by their own people or their own military authorities.

A week before this war began English merchants, according to the New York Times of August 22, 1939, sold Germany, on spot or immediate delivery, some 10,000 tons of copper and another 10,000 tons of rubber. However, the English people, the ultimate victims of these invaluable war materials, manifested no indignation. If arms had been sold, however, just before the war broke out, or after, the sellers of the arms no doubt would have been severely punished.

During the World War the German people felt strongly and protested about our profit motive in their being killed. But they did not in any way protest the shipment of raw materials to England, except to say it seemed only fair that they also be able to buy food from us as freely as England and France.

If we are interested in being considered by all the peoples of the world as a great force for peace, this distinction between arms and raw materials is important. It is vital, too, if we wish to maintain our potential position as a future arbiter to whom they can turn—one who has not, in their minds, sullied his hands or warped his mind with the money that comes from traffic in the instrumentalities of death.

DIFFERENCE BETWEEN ARMS AND RAW MATERIALS IMPORTANT IN PEACE EFFORTS

The sale of arms, for peculiar psychological reasons, having to do with killing and dying and being maimed, then, is different from the sale of raw materials. It is a distinction I do not wish to overemphasize, but it is a distinction vital to any peace efforts our Government might have an opportunity in the future to make. Some Senators may not consider it an important traffic, or one having an important bearing on our official foreign policy and our unofficial foreign economic policy; nevertheless, distinguished British and American authorities disagree with them completely and utterly. But if we are not interested in being considered a great force for peace, if we are, for example, expecting sometime later to go beyond the shipment of arms to the shipment of men to use those arms, this distinction, of course, is of much less importance.

It seems to me the comment made by the President in his message on this point is quite "artificial," as pointed out by Prof. Edward B. Corwin, the head of the department of government at Princeton University.

I may digress long enough to say that I remember when another historic controversy and debate were proceeding in this Chamber over the question whether or not the administration's bill to alter and modify the numerical set-up of the Supreme Court of the United States, Mr. Corwin was relied upon as a very distinguished and eminent authority to support those of us who were supporting that proposal. He wrote an article which appeared in the New York Times of October 2, 1939, a portion of which I shall now read. It had been my intention to have the entire article printed in the RECORD, but the Senator from Missouri [Mr. CLARK], in his able address of yesterday, anticipated me in that regard. Mr. Corwin stated in the article which appeared in the New York Times:

> In going before Congress to urge the repeal of the arms embargo the President undertook an unaccustomed role for him—that of opponent of legal change, of champion of ancient wont and use. The novelty of the part perhaps accounts for his rather unsatisfying performance of it. Mr. Roosevelt asserts in his opening sentence that the embargo "impairs the peaceful relations of the United States with foreign nations"; and he later adds his "deep and unalterable conviction * * * that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today."
>
> In support of neither assertion nor conviction, however, does he adduce any proof of either factual or logical nature, except a reference to "years of experience as a worker in international peace," most of which must have antedated his original approval of the embargo.
>
> He finds, to be sure, the distinction which the embargo provision sets up between completed implements of war and the materials out of which they are made as an artificial one, and he challenges "those who seek to retain the present embargo position" to "be wholly consistent and seek legislation to cut off cloth and copper and meat and wheat and a thousand other articles from all of the nations at war."
>
> But obviously the fact that this distinction is artificial would not necessarily make it a source of danger to our relations with other countries, while the appeal to consistency is an argument which can be worked both ways.
>
> Mr. Roosevelt himself would have to admit that it is "artificial" to distinguish between one who makes a gun and puts it into the hands of another in the certain knowledge that it will be used by that other against a third person, and on the other hand one who fires a gun himself at said third person. Yet this is precisely the distinction on which neutral status pivots. Would Mr. Roosevelt abandon this "artificial" distinction in the present instance?
>
> The fact is, of course, that most legal distinctions are artificial, otherwise the law would not have had to intervene to set them up.

And the distinction which the President attacks is derived from the very international law which he so much praises, and to which he is so anxious to return. What is more, he himself adopts it at the end when he urges the retention of the present "license system covering import and export of arms, ammunition, and implements of war," and the present ban on the shipment of these to belligerent countries on American vessels. Of the latter he says, "This provision should not be disturbed." * * *

The distinction between unmanufactured arms and manufactured arms seems artificial and thin at present to some advocates of repeal. Later on, however, the same reasoning may easily persuade them there is little or no distinction between furnishing arms to others to use against their enemies and firing these deadly weapons, guns, and gas at the enemy. A jury of reasonable men in a murder trial finds only a degree of difference between a man who hands another man a gun with which to kill and the man who is handed the gun and shoots it to kill. The sentence may be heavier for one defendant than the other, but both will be found guilty.

Furthermore, the distinction between arms and other raw materials which has been scorned in this debate by some advocates of repeal of the arms embargo is, as Professor Corwin points out, rooted in the very international law to which the President wants us to go back. That group of conventions and customs known as international law draws at all points a distinction between the two.

ARMS TRAFFIC IMPORTANT IN LAST WAR

An examination of the diplomatic correspondence during the last war will also show that the arms traffic was the particular topic which constantly recurred in the dispatches of our own officials from London, when they were reporting on the reprisals the British Government might take against us in case we chose effectively to strengthen our neutrality. It was the cutting off of munitions orders which Ambassador Page emphasized when he reported on January 25, 1916:

I believe it is true that the British Government have been constructing extra munitions works in England and Canada, which can on short notice be manned and used to make as many munitions as the United States now supplies. * * * If necessary (I hear that), orders placed in the United States could now be stopped within a month without diminishing the total supply. If no merchantmen may carry a defensive gun into an American port (this) change may precipitate a cutting off of American orders, not from any wish to cut them off but from fear that other embarrassing acts may follow (Policy of the United States Toward Maritime Commerce, vol. II, p. 449, Doc. No. 161).

Thus the lever to be used to force us to keep a pro-Ally neutrality policy was clearly munitions.

Again, when we were vainly trying to obtain from the English some of our supposed rights to ship to neutrals, Ambassador Page cabled that—

They quietly laugh at our effort to regulate sea warfare under new conditions by what they consider lawyers' disquisition out of textbooks. They (receive) them with courtesy, pay no further attention to them, proceed to settle our shipping disputes with an effort at generosity, and quadruple their orders from us of war materials.

It was not food that was spoken of as a lever, it was not raw materials, but war materials.

In this connection it is well to remember that between 1915 and 1917, 22.4 percent, or $1,464,762,000, of our trade with England was in munitions, and that 14.7 percent, or $322,379,000, was with France. By the time we got into the war we had shipped the two nations nearly $2,000,000,000 of munitions. And this does not include the exports to Russia.

There were others beside the English who thought the munitions traffic was important. Ambassador Page's brother, Robert N. Page, a Representative in Congress from North Carolina, resigned his seat because he could not support his party's indifference to neutrality. In resigning he wrote:

Jesus Christ never uttered a more profound truth than when he declared, "Where your treasure is, there will your heart be also." The loan of $500,000,000 to England by American capitalists, to say nothing of the profits of the munitions manufacturers, has destroyed the semblance even of neutrality in the United States and will probably lead us into war.

Mr. President, I am also impressed by the deliberate statement of President Wilson's official biographer, Ray Stannard Baker, author of eight volumes on the wartime President, a great admirer of his, and a man of well-known integrity himself. After studying all the official and intimate papers and documents of the period for 15 years, he wrote:

* * * by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our cause was lost.

While Britain diplomacy maneuvered with skill to involve American industry and finance in the munitions traffic, it is certain that American business needed no cumpulsion to take war orders. (Baker, R. S., Woodrow Wilson, Life and Letters, Neutrality 1914–15, p. 181.)

Two more items in addition to those cited prove the importance of this traffic during the last war. Our Department of Commerce was called upon in October 1916 to tell the Department of State whether it was not possible to find some weapon by which we could force the English to observe our claims as to neutral rights. They said the weapon lay in the munitions embargo. They thought munitions were important. They also said, after the war had gone on for 2 years, that the weapon had been dulled from lack of use. I quote:

We have suffered the effect of (British) embargoes and Orders in Council for a long period under protest but without retaliation. The restrictions are no more hurtful now than a year and a half ago. But the weapon then in our hands, an embargo on munitions and supplies, has been dulled (Foreign Relations, 1916 Supplement, p. 476).

ARMS TRAFFIC IMPORTANT TO BANKERS IN LAST WAR

The bankers for the British Government, the House of Morgan, considered the munitions traffic so important that to force its continuance they were apparently even willing to stop borrowing money for the Allies in the United States. They were willing to take such a drastic step, although both personally and financially they desperately wanted the Allies to win, as indicated by their testimony before a Senate committee. They saw no difference between the best interests of the Allies and the best interest of the United States (Munitions Committee Report 944, pt. 6, p. 42). In late 1916 the British tried to get out of contracts they had made with Connecticut rifle companies for $194,000,000. The big banks had money in the companies. The companies were in arrears on delivery, and the Morgans were told to cancel $55,000,000 worth of the orders.

Now, $55,000,000 may be small potatoes to the statesmen who think, and have so expressed themselves in this debate, that the arms traffic is not important; but the very thought of losing $55,000,000 in orders practically caused the Morgans to desert the British cause. All the British interference with our mails, all the blacklisting of American citizens, all the diversion of our shipments had not caused the Morgans to bring any pressure to bear on their principals, the British Government. But when this order for munitions, for rifles, was in danger of cancelation, J. P. Morgan went to see the King. He saw the Prime Minister and many others. The Morgans knew the British did not need these rifles. What they needed was machine guns. They knew the rifle companies had not fulfilled their part of the contract. But, nevertheless, in the name of "important and influential interests," the bankers told the British that they would not be able to float any more loans for them over here unless the British paid for the rifles. The bankers got the money for the rifles. Cutting off British loans would then have been a great blow to England, but the bankers were willing to turn against the King for the sake of such traffic in the instruments of death.

REPEAL MAY CRIPPLE OUR REARMAMENT PROGRAM

The record, prior to our entry into the last war, proves, however, that this traffic was considered important on all sides. The sequel of this story, with a different result, came when we went to war and wanted our own Army rifle, the Springfield. We could not get them in the proper quantity because all the Connecticut rifle companies were tooled up to make the English Lee-Enfields, which our Army people considered inferior. This experience will most likely be repeated today if the embargo is repealed. When we ourselves need

arms, our factories will be tooled to produce foreign types of arms and munitions. We may find our plane plants tooled to make airplanes a year or two old instead of the most modern type. In short, repeal of the arms embargo may mean a crippling of our own national-defense program.

Press reports state that the aircraft factories even today would be unable to fill large orders from our Government, they are so loaded with foreign orders awaiting the vote on this measure. They seem to think with assurance it will turn our factories over to them. I think the sponsors of the repeal proposal might secure for us sworn official statements as to when the planes authorized for our own national defense, during the past two sessions, will be completed.

I desire to have printed in the RECORD an article from the Wall Street Journal of September 8, 1939, which indicates that already our own governmental airplane orders are being shunted to one side.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. MINTON. Did I understand the Senator from Wisconsin to say that our airplane orders are being shunted aside?

Mr. LA FOLLETTE. I am able to answer the Senator only by the article to which I referred, which appeared in the Wall Street Journal of September 8, and which reads:

Active interest is being shown by foreign-government purchasing agents regarding placement of additional aircraft orders in this country. It is indicated that new business substantially larger than any yet received is in prospect if the ban against export of airplanes to belligerent countries is removed.

Those American companies with uncompleted foreign orders have been asked to continue production even though shipments are not now permitted. The planes, engines, and propellers will be stored, it is understood, pending possible change in the Neutrality Act.

In addition to prospective orders from France and Great Britain, the industry also is considering possibility of increased business from two other sources, deliveries to which would not be affected by the current Neutrality Act. They are: (1) Nonbelligerent countries; and (2) the United States air forces.

Neutral foreign countries, it is pointed out, are likely customers inasmuch as they may see fit to increase their air forces as a protective measure while the European war is in progress. The Scandinavian and Latin American countries, Turkey and Holland are the most apparent customers in this category.

UNITED STATES COURSE UNCERTAIN

Course of action to be taken by the United States toward further increases in military air forces as a result of outbreak of hostilities in Europe is not yet clear. Reports in Washington, however, indicate possibility that the next session of Congress will be asked for an additional appropriation with which to increase the number of Air Corps planes up to the 6,000 authorized. Current procurement program will provide for around 5,500, it is estimated.

Speed in manufacturing and delivery is a highly essential factor in war contracts. For this reason there is basis for belief that aircraft plant facilities will of necessity be augmented in the event that substantial new orders materialize.

Backlog of unfilled orders for 13 major units in the industry now approximates $327,700,000, which compares with estimated productive capacity of around $470,000,000 annually with present plant facilities. To reach this maximum output, however, considerable time would be required by some companies in order to build up personnel and tool up for capacity production. It is probable that current backlog represents nearly capacity output for the industry over the next 10 or 11 months at least.

Indicated maximum productive capacity is at the rate of a little over $39,000,000 a month. This compares with current deliveries of between $15,000,000 and $18,000,000 a month. By the end of this year, however, output is expected to reach $25,000,000 a month and should continue to increase thereafter.

Current backlog is composed of, roughly, $80,000,000 of unfilled foreign orders, a small amount of commercial business, while the greater portion represents orders for the United States Army and Navy. Army contracts under the new aircraft expansion program specify delivery by June 30, 1941. It is apparent, then, that work on these orders cannot be delayed much in preference to foreign orders without endangering fulfillment of contractual delivery date and causing the liquidated-damages clause of the contract to apply. In view of these factors, it is apparent there will be need for additional productive facilities in event that prospective new business becomes an actuality.

Then follows a table breaking down the totals according to the 13 most important companies, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated backlog of 13 major companies on September 1, 1939, compare as follows:

Backlog

	Sept. 1, 1939	Jan. 1, 1939
Allison	$17,500,000	$500,000
Aviation Manufacturing Corporation	8,000,000	
Bell	4,700,000	3,675,000
Boeing	21,000,000	14,900,000
Consolidated	17,000,000	2,796,881
Curtiss-Wright	47,000,000	31,000,000
Douglas	45,000,000	23,000,000
Grumman	4,600,000	3,500,000
Lockheed	32,000,000	30,000,000
Martin	53,000,000	13,903,000
North American Aviation	33,000,000	10,914,529
Seversky	1,900,000	
United Aircraft	43,000,000	17,464,000
Total	327,700,000	151,653,410

Mr. MINTON. Mr. President, possibly the article would warrant the Senator in making the deduction he drew or in reaching the conclusion he arrived at, although I have my doubts about it. Let me say to the Senator that last spring, when we were considering the question of foreign orders for airplanes in our country, those in charge of our airplane program, both civilians and Army officers, assured the Military Affairs Committee that our orders would not be shunted aside for foreign orders but would rather be preferred.

Mr. LA FOLLETTE. Mr. President——

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. I recall the matter referred to by the Senator from Indiana, who at the time was a member of the Military Affairs Committee, as I was. The testimony before that committee was that the War Department protested against the sale of planes to the French and other governments on the very ground that it would delay our own military program. It is true that after the President had issued an Executive order requiring the sale of planes to the French, War Department officials did say they hoped that the increased stepping-up of production would not delay our program; but that was the very basis upon which General Craig and the Secretary of War protested against the sale of planes to France.

Mr. MINTON. Mr. President, we do not want to get into any argument involving our recollection about these matters. I think the record will speak for itself. However, my recollection does not bear out the recollection of the Senator from Missouri at all. My recollection is that General Craig and the other Army officers who objected to the sale of planes objected because they had adopted a certain policy which they had written out in a little pamphlet that we all saw, and the sale of planes was in contravention of the particular policy declared in their little pamphlet. It was not because they thought our airplane program was going to be delayed or hampered or hindered in the slightest. I distinctly remember myself asking the question of General Arnold as to whether or not the sale of any airplanes to France or Britain, as was proposed at that time, would hamper or delay our program at all. He said it would not but would probably expedite it.

Mr. CLARK of Missouri. That was after the protest of the War Department officials had been overruled by the President of the United States and they had been instructed to submit the planes for sale to the French.

Mr. MINTON. I do not care about that phase of it. It was still General Arnold's judgment as a professional soldier and as a man charged with the air defense of this country that the program would not be delayed or hampered or in any manner postponed by the sale of these planes; but, on the contrary, he said the program probably would be expedited.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I shall be glad to yield to the Senator from Kentucky.

Mr. BARKLEY. I shall take only a moment.

Regardless of what happened last spring with reference to the sale of airplanes to France, or the controversy that we

thrashed out here in the spring on that subject, as I understand, the question now is, Whether or not the manufacture of our own airplanes, or the preparation of our own country under our program, is being put aside because of orders which have been given by France or England. The Senator quotes an article from the Wall Street Journal of September 8, I believe, to prove his point.

Does not the Senator think the best evidence of whether or not the statement in the Wall Street Journal is true would be information obtained from the War Department or the Navy Department? I wonder if the Senator has consulted the War Department or the Navy Department to determine whether or not the statement in the Wall Street, Journal is accurate.

Mr. LA FOLLETTE. Mr. President, I have not officially consulted anyone in the War Department or the Navy Department. However, I think the question I have raised is very important. Furthermore, it seems perfectly obvious to me that one of two things must happen if we repeal the arms embargo. Either Great Britain and France, for whom repeal is being put through the Congress, will be unable to secure the airplanes and the arms, ammunition, and other implements of war which our Ambassadors at the Court of St. James and in Paris have said are so essential to their success, or our plants will be tooled up and backlogged with their orders to the detriment of our rearmament program.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I am not in position to quote anybody officially; but I think I can say, Mr. President, without the breach of any confidence, that the complacency with which some Senators on the Military Affairs Committee view the effect upon our own rearmament program of the repeal of the arms embargo is not shared by all those who have the responsibility for its execution.

I yield to the Senator from Massachusetts.

Mr. LODGE. Does not the question boil down to this: If our factories make munitions and sell them to Europe, then Europe has the munitions; whereas if they make the munitions and we keep them, then we have the munitions? No expert opinion is necessary to clarify that point.

Mr. LA FOLLETTE. That point seems to me perfectly clear. It also seems to me clear that either our present plant capacity will be tremendously expanded and tooled up to produce foreign types of arms, ammunition, and implements of war, or our present productive capacity will be retooled in order to supply them, assuming that they are to obtain any effective amount of materials.

Mr. MINTON and Mr. LUCAS addressed the chair.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield, and, if so, to whom?

Mr. LA FOLLETTE. I yield to the Senator from Indiana.

Mr. MINTON. Mr. President, does not the Senator from Wisconsin think the latter suggestion and the latter response to the inquiry of the Senator from Massachusetts is what is likely to happen; that is, that our plants will become tooled up and will be going well and will be in a position to produce a great quantity of munitions?

Mr. LA FOLLETTE. Yes; we shall be in just the same situation in which we were previously in connection with rifles. The factories will be tooled up for the Lee-Enfield, or the present foreign model of the Lee-Enfield. They will be tooled up for specified types of machine guns, or whatever else foreign buyers may purchase. They buy on their own specifications.

Mr. MINTON. The question of tooling or retooling a plant is not a matter involving a very long process.

Mr. LA FOLLETTE. The Senator is absolutely mistaken on that point. The testimony shows that in the last war it was a matter of great embarrassment to our own armament program.

Mr. MINTON. Factories will have their organizations well built up; and that is the important thing. They will have trained men to operate the machines. Whether they operate machine A or machine B is not so important. They will have an organization which can operate either one; and that is tremendously important.

Mr. LA FOLLETTE. Mr. President, the testimony does not bear out the Senator in that regard.

Mr. MINTON. What testimony?

Mr. LA FOLLETTE. The testimony before the Munitions Committee.

Mr. MINTON. The testimony before the Military Affairs Committee bears me out.

Mr. LA FOLLETTE. Very well.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. LUCAS. Do I correctly understand the position of the Senator from Wisconsin to be that the administration is for the repeal of the arms embargo in order that we may weaken our national defense to the extent we benefit England and France?

Mr. LA FOLLETTE. Mr. President, I made no such statement as that. The RECORD will show that I made no such statement. I should much prefer to make my own considered and deliberate statements than to have the Senator from Illinois attempt to rephrase them for me. I said that the arms embargo was being put through the Congress for the purpose of making arms, ammunition, and implements of war available to France and Britain; and I stand by that statement. I am now about to discuss the question further, if the Senator from Illinois can find it possible to restrain himself.

Mr. LUCAS. I shall be delighted to restrain myself, if the Senator from Wisconsin will go further and explain the statement he made a moment ago, as I understood him, that in his opinion the repeal of the arms embargo would weaken our national defense.

Mr. LA FOLLETTE. Mr. President, I made no such statement.

Mr. LUCAS. I apologize to the Senator.

Mr. LA FOLLETTE. I raised the question, Mr. President, as to the effect of the repeal of the arms embargo upon our own rearmament and national-defense program. I could go no further in my statement than I have already gone; but on my own responsibility as a Senator I make the statement that I am not the only person who is concerned about it, and that there are others better qualified on this subject than I am who are concerned about it.

Mr. LUCAS. I am very sorry I misunderstood the Senator.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. LA FOLLETTE. Certainly.

Mr. PEPPER. I was wondering whether or not the able Senator from Wisconsin, in expressing the fear to which he has given utterance, had taken into consideration the safeguards against the sort of thing he fears which are contained in the provisions of the joint resolution, beginning on page 26, providing for the control of the shipment of arms, ammunition, and implements of war through and by a National Munitions Control Board.

Mr. LA FOLLETTE. Yes, Mr. President; I have taken that matter into consideration.

Mr. PEPPER. If I may finish the question, I shall have only one further question to ask the Senator. I was wondering particularly whether or not the Senator was aware that the Munitions Control Board may promulgate such rules and regulations relative to the enforcement of the law as it deems proper; that licenses must be procured by those who would export arms, ammunition, and implements of war, which would, of course, include airplanes; and, furthermore, that in subparagraph (h) of the National Munitions Control Board provision of the joint resolution there is the requirement that the Munitions Control Board shall report to the Congress on January 1 and July 1 of each year, giving, as the joint resolution itself provides on page 29, "such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war." If all those data must be submitted to the Congress every 6 months by the Board, in addition to the rules and regulations which the Board itself may promulgate, does not the Senator think that

Congress and the Board together could adequately protect the resources of this country?

Mr. LA FOLLETTE. I hope so, Mr. President, but I still raise the question. I think it is one that may well be considered. I have no detailed information regarding it, and I do not want to overemphasize it. I merely mention it as one of the considerations which I think past experience would warrant us in fully exploring.

ARMS EMBARGO A SYMBOL

Mr. President, I am impressed by the fact that many people in official life in Washington justify the repeal of the arms embargo privately on the ground that our national interest requires a policy which will assure victory for Great Britain and France in this European war. This is the only real justification they give for repeal of the arms embargo. They do not argue that repeal makes for better neutrality, or that repeal is demanded by the principles of international law. They argue that we must take sides, to see one group of belligerents win. But once we take sides since war is declared, knowing we are taking sides, repeal can only be interpreted at home and abroad as an official act taken by our Government for the purpose of partial participation in the European war.

The arms embargo, therefore, has, to people who know what is involved, become a symbol. It will be a symbol to the munitions manufacturers, and to many other suppliers of war materials. They will grow from a small group to a great vested interest in an aggressive belligerent foreign policy, in very short order. The repeal of the embargo is a symbol of a definite move toward intervention in the European conflict which is now raging.

My reaction to the thinking of many men in the administration is not a unique one. It is shared by several of the outstanding Washington observers. Mr. Ludwell Denny, writing in the Washington News on October 2, commented:

> In general, those who have rallied to him (i. e., to the President) on this issue, including his political enemies, think the Allies are America's first line of defense and that we should help the Allies now with arms so we will not have to help them later with men.
>
> But isolationists, including many New Dealers, and including those who are morally against all war, and those who see in war nothing but ultimate material disaster, economic and social, to winner and loser alike, and those who see no possible threat to this country from a war-weary Germany even if she finally defeated Britain and France, think that the President's road is the road to war, particularly under a President who advocated "quarantine the aggressor." So they fight him now. * * *

Another acute observer, Mr. Raymond Clapper, points out to the public what, I think, we all know well enough ourselves, that the major issue is that of taking sides. In the Washington Daily News of October 4 he wrote:

> For reasons of state an official pretense is maintained as to the purpose of the arms-embargo repeal. But it does not seem in the public interest that private citizens should avoid looking the facts straight in the eye.
>
> The real purpose of repealing the arms embargo is to supply finished war materials—particularly airplanes—to the British and French. That is the end which motivates the White House and the State Department and it is the unspoken objective of which every Senator is conscious.
>
> * * * * * *
>
> Nothing is to be gained by deceiving American public opinion concerning this point. To say that real neutrality requires repeal of the arms embargo is pretense, for our purpose actually is to give a break to the Allied side. To control that "international law," that neat phrase which can be used to cover anything a nation wishes to do, requires repeal of the embargo is again playing with words. We can properly excuse officials and Senators, all occupying responsible positions, for insisting upon these polite fictions. Governments cannot always be frank. But the people are entitled to know what the real situation is. * * *

In the issue of the Washington Evening Star of Friday, October 6, 1939, under the title "Washington Observations," we find an article entitled "Excellent Opportunity Goes Begging for Great Speech on Real Reasons for Arms Ban Repeal." I do not know whether that would have been written had the junior Senator from Nebraska [Mr. BURKE] spoken before it was published. The article as written by Frederic William Wile is as follows:

> There have now been half a dozen eloquent Senate speeches on the neutrality bill—by PITTMAN, CONNALLY, and SCHWELLENBACH, for; and BORAH, VANDENBERG, and NYE, against—but there seems to be a conspiracy of silence, except for occasional innuendoes from the opposition as to what all the shooting is really about. What's the use of mincing words, dodging issues, or pussyfooting at such an hour? Why doesn't some Senator, preferably a supporter of embargo repeal, rise in his place and boldly utter the underlying, unadulterated truth? What is that truth? So far as I know, it has never been so frankly, fearlessly, or fully told in any quarter as it was by my gifted colleague, Arthur Krock, Washington correspondent of the New York Times. Writing on September 6, Krock said that the object of embargo repeal is to help the Allies, that the actual reason why the administration wants the embargo removed is because it deprives, in this instance, Great Britain and France, of 10 percent of the war-making materials which would help them defeat Germany. Krock added that "there has been little official concealment that this is the real reason for the unsuccessful attempt in Congress in July to eliminate the arms ban. It is the actual, rather than the technical, reason which animates the opposition."
>
> There is waiting in the United States Senate, at this hour, an opportunity for a speech that will ring down the ages, perhaps like Edmund Burke's address on the American Colonies in the British Parliament, or, to go modern, like William Jennings Bryan's cross-of-gold epic at Chicago. I mean a speech that will not use language as a vehicle for concealing thought, but which will tell the plain truth about this neutrality business, as Arthur Krock did, strip it of its irrational and irrelevant technicalities, and put it to the American people in terms of burning simplicity. * * *

The widespread apprehension, Mr. President, that the reasons given by many for repeal of the embargo are not the actual reasons is a factor which cannot be eliminated from the circumstances surrounding the action it is proposed our Government should take—reversing its established neutrality policy—at this critical juncture in the affairs of the human race.

There are several reasons, in my opinion, for this apprehension. The administration's domestic policies have not been wholly successful. There were many causes for the partial failure of the administration's domestic program. Some of them were beyond its control. Congress had its share in the depression which began again in 1937. But the end result, for which the voters will generally hold the administration responsible, has not been wholly successful.

There is a great temptation for people weary of the struggle against the domestic economic crisis to find escape in the war crisis in Europe. It is evident on every hand that our complex problems here at home are being relegated to the limbo of forgotten things. The press, the radio, periodicals, and statements from Government officials all reflect the universal absorption in the war abroad. Unemployment, farm prices, mortgage foreclosures, idle capital, idle plant capacity are no longer topics of chief concern to those who are charged with the responsibility of steering this great democracy through the economic crisis produced by our participation in the last World War. There are ominous suggestions that a war boom would help to solve our problems. Even the President's message on the neutrality issue was not free from this taint. In this direction—and I measure my words—lies disaster for America. In large measure the problems we face today and those that we have been struggling with since 1920 are traceable to our last mad adventure in Europe and the distortion of our entire economic life produced by the World War.

I, for one, Mr. President, repudiate the idea that we cannot solve our problems here at home without resort to the stimulus to business brought about by the wholesale slaughter of human beings in Europe.

ADMINISTRATION'S FOREIGN POLICY SINCE 1937

Another circumstance which cannot be sheared away from the atmosphere and debate concerning this proposal to repeal the embargo is the fairly clear course of the administration's foreign policy from the President's famous Chicago speech in the fall of 1937 to the present day.

I wish to point out that the neutrality bills introduced from 1935 to date, with administration approval and sponsorship, have been full of discretionary loopholes. They left the President a large opportunity to throw the weight of this, the most powerful nation on earth, behind favored belligerents. The Executive, not the Congress, was to be the ultimate arbiter of war. Yet, paradoxically, when the people asked for some opportunity to vote before the Nation went to war

overseas, it was the President who upheld the right of Congress as against the people. Secretary Hull reminded us that we were a representative form of government. So the people were excluded from any share in deciding whether their sons should die in Europe or in Asia.

It is hard to reconcile the loosely discretionary legislation sponsored by the administration from 1935 on, which would take power from Congress and give it to the President, and the administration's opposition to the war referendum on the ground that Congress and not the people should alone have power to declare an overseas war.

The reconciliation, however, becomes easier when we look over the Executive foreign policy from 1936 to date and see that the administration has ardently sought power to select the aggressor and to favor one belligerent as against another. This record must have its bearing on the full implications of repeal of the arms embargo. No doubt many who favor it because they favor our participation to aid one group of belligerents honestly believe this will be enough to assure them victory. Therefore they can truthfully say they think it will keep our country out of actual war. But what if arms, ammunition, and implements of war are not enough to achieve that end? Then, as certain as can be, these same people will be urging further measures to secure a victory for one group of belligerents. The logic of that chain of reasoning and events is inescapable.

It was only a short year after the Democratic platform of 1936 was endorsed by the voters, by the largest majority ever given to a platform in the history of this Republic, that the President went to Chicago and made his famous quarantine speech. The 1936 platform—if it is not out of keeping to mention the document——

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from California.

Mr. DOWNEY. The Senator refers to the platform of the Democratic Party, I take it?

Mr. LA FOLLETTE. I am referring to the Democratic platform—the last platform upon which the Democratic Party received any mandate from the voters of the United States. The 1936 platform promised that "we shall continue to observe a true neutrality in the disputes of others." The people were for that by the millions. Incidentally the platform committee of the Democratic Party seemed to believe then that it was actually possible for a nation to be drawn, by political commitments, international banking, or private trading, into any war which may develop anywhere. The people were against that. If these were not actual possibilities, but were ghosts, phantoms of the imagination, the platform was unworthy of the distinguished Members of Congress who sponsored it. If these were actual possibilities, how can the distinguished Members of Congress of the Democratic Party who sponsored the language in the 1936 Democratic platform try to laugh them out of existence on the floor today?

Mr. President, I desire briefly to summarize the events of this foreign policy, and the change in it between the Chautauqua speech of 1936, the "quarantine" speech in Chicago in 1937, and the present time.

In August 1937 war broke out in Asia. The administration did not obey what I think was the clear intent of the neutrality law, and embargo arms, although State Department officials had promised congressional committees that the President would not use the new discretionary language of the new act to avoid imposing embargoes. In October 1937 the President delivered his Chicago "quarantine" speech, which was featured by our interventionist press, as well as by the British and French press, as a move in support of England and France. In November 1937, this Government sent Norman Davis to Brussels to discuss joint action with England and France concerning Japan. In that month we began a policy of lining up with them publicly by parallel notes and protests to Japan, issued simultaneously. In China our gunboats were ordered to escort tankers carrying war materials—oil—right through the battle zones. The *Panay* was bombed in the process of escorting Standard Oil tankers into these battle zones. An attempt was made to rouse the Nation to a warlike fever over this incident.

On January 6, 1938, the administration successfully ended a week of frantic pressure on the Members of the House of Representatives to secure their disapproval of the war referendum, generally admitted to be a brake on our participation in foreign wars. In February 1938, with great world-wide fanfare, we sent three of our cruisers to Singapore, a gesture understood throughout the Orient and the world as connoting further parallel action with England. Then in January 1938 a supernavy bill was introduced after the Navy officials had testified in the preceding month that without it they were able to defend this Nation. In February 1938 we continued our parallel action with England and France in further notes to Japan. We sent the head of our Navy War Plans Division to London under an alias to discuss joint naval action with the British. As a result of this revelation, the Senator from California [Mr. JOHNSON] in February 1938 asked the State Department if we had an alliance with Great Britain. He was informed that we did not have. Secretary Hull argued in February 1938 in defense of parallel action. In February 1938 a second administration bill to put the Nation under dictatorship in time of war was introduced in the House of Representatives by Chairman MAY, of the Military Affairs Committee. In March of that year Secretary Hull again defended parallel action. He argued that his conception of international law justified his claim of a right to protect American citizens, even in war zones. In June 1938 he was denouncing isolation. In June 1938 he also tried to undo the harm done by the noninvocation of the Neutrality Act in Asia by persuading American airplane manufacturers not to sell to Japan. In August 1938 Secretary Roper deplored that some people would lose money by our being neutral.

In September 1938 we obligingly gave British and French diplomacy moral support in breaking their covenants with Czechoslovakia by special appeals to Hitler and Mussolini. In November 1938, there were more parallel notes about our trading rights on the Yangtze River. In November 1938 our Ambassador to Germany was recalled, and simultaneously a new defense program was announced. In his message of January 1939, the President advocated action against aggressors, expressing his belief that such action, although partisan, could stop short of war. The chairman of our Foreign Relations Committee, the distinguished senior Senator from Nevada [Mr. PITTMAN], joined this partisanship by announcing to the press that the American people hated the rulers of certain nations, which he named. The January 1939 crash of one of our latest airplane models with a secret French representative in it brought a conference of the Senate Military Affairs Committee with the President, and the account, widely disseminated, concerning our borders being abroad. In February 1939 the chairman of the Senate Foreign Relations Committee proposed the idea that only an equal balancing of military power could prevent war from coming to our shores. In May 1939, we had more joint naval action with France and England in regard to Amoy, and Secretary Hull began to advocate repeal of the arms embargo. On June 30, 1939, the House, by a vote of 214 to 173, rejected the administration's request for repeal of the arms embargo.

At Chicago the President in effect called for collective action by all the democracies against Germany, Italy, and Japan; a speech hailed by every interventionist in the United States.

Commenting on the administration's foreign policy, Dr. Charles A. Beard, the dean of American historians, writes (Harpers, September 1939):

> Now President Roosevelt's foreign policy is clear as daylight. He proposes to collaborate actively with Great Britain and France in their everlasting wrangle with Germany, Italy, and Japan. He wants to wring from Congress the power to throw the whole weight of the United States on the side of Great Britain and France in negotiations, and in war if they manage to bungle the game. That using means short of war would, it is highly probable, lead the United States into full war must be evident to all who take thought about such tactics.

He adds:

From the point of view of the interest of the United States as a continental nation in this hemisphere, the Roosevelt policy is, in my opinion, quixotic and dangerous.

I do not see how anyone can vote to repeal the arms embargo without considering the whole tenor and significance of the Executive's foreign policy during the last 2 years.

LOOPHOLES IN COMMITTEE'S JOINT RESOLUTION

I have stated that the second major question before us was whether the wide-open loopholes in the present bill, taken together with the circumstances I have cited before, including the Executive's foreign policy, did not demonstrate that the repeal of the arms embargo was a step toward our involvement in the European war.

There is no restriction, for example, in the bill on the growth of a war boom. Such restrictions were included in the administration and the opposition bills of 1936, only now to be forgotten. I call your attention to an editorial on the subject in the Scripps-Howard papers of October 2. It reads:

WE'LL NEED A PARACHUTE

One thing we know is that wars always end. Another thing is that governments long engaged in war run out of money.

These things are important to remember—whether we lift the embargo and also sell arms, ammunition, and implements of war, or whether we keep the embargo and confine our exports to the nonlethal classifications, such as food and clothing and raw materials, and whether we operate on a basis of cash and carry or credit and carry. For, in any event, we shall be inviting a business boom based on a volume of exports which cannot be maintained—a boom which will collapse the minute peace comes or our customers exhaust their ability to buy.

Our economic system has been subjected in the last quarter century to about as many artificial booms and tragic busts as one generation of Americans should be willing to endure. A limitation of wartime exports to peacetime averages would in a measure protect our people from the economic shocks of a war that is not ours.

As embodied in an administration neutrality measure proposed to Congress in January 1936, the Hull normal-quota plan would have excepted food, clothing, and medical supplies. Perhaps for humane reasons some exceptions should be made—surely medical supplies should be excepted. But since the result desired is to prevent somebody else's war from taking our economy on another perilous loop-the-loop, the fewer the exceptions the better.

Anyway, to fail to give consideration to some such plan would be like starting out on an airplane ride without giving thought to taking along a parachute when we know we are going to need it.

If one wants an example of the way our financial interests, the interests of all who have saved a little money, are being tied up to Europe, one has only to look each day at the financial columns of the newspapers. Everyone who has put his money into bonds has suffered the drop in the bond market, if he has to convert his bonds into cash. As for the stock market, the idea of peace is now as much of a scare as the idea of more legislation was a year ago. I read the first sentence of Financial Markets in the New York Times for October 4, 1939, and the headline over it.

FINANCIAL MARKETS—NEW PEACE SCARE FURTHER WEAKENS PRICES, BUT SOME STOCKS RESIST—TREASURY HIGHER

The outlook for a continuation of the European war received its greatest setback yesterday through the medium of Prime Minister Chamberlain's address to the House of Commons, and as a result the stock market lost further ground. Although the volume of business increased slightly, prices were not shaded so much as on Monday, but the pattern of the trading on the stock exchange remained about the same. Early declines among the "war brides" there ranged up to three points, but they were reduced at the close to approximately two points.

I give notice that at the proper moment I intend, in order to protect the American economy from a war-boom distortion and perhaps a fateful collapse, to propose an amendment to the present bill to quota our trade so that we ourselves will not be drained of valuable and necessary products in return for a sterile metal which we cannot use and do not need. I want to prevent us from having segments of American industry standing on the steps of post-war Congresses with blue babies of overcapacity in their arms asking us to take wealth we will no longer have, to pump into their veins. The last war resulted in tariff subsidies to our overcapacitated industries, which through the years have run into billions. A score of major industries secured subsidies from us through tax remissions, through outright grants—as in agriculture—or indirectly through relief grants to take care of the people they no longer could employ themselves.

It has taken us a score of years and billions of dollars, and yet our present productive capacity is in a condition of unbalance as the result of the last war.

Now, it is suggested in some quarters, some of them the highest, that we inflate that capacity now and undertake another war boom. But the only thing that can use up the excess capacity created by a war boom is still another war boom. This is madness from a business point of view. From the point of view of democracy and of loading impossible burdens on the democratic state, it may prove to be a form of suicide by degrees.

The joint resolution leaves it to the discretion of the President to pick and choose combat zones from which our own ships will be barred. By the same token, the places not designated as war zones are places where our ships will go, regardless of the unsettled condition of the rights of neutrals to trade with other neutrals, or with belligerents. Presumably we will there contend vigorously for our right to such trade.

The joint resolution does not treat armed belligerent merchantmen as the naval vessels of belligerents. It thereby opens the way for our again becoming involved in an armed merchantmen-submarine controversy as we did in the last war. That was so destructive of our peace and security then. It will be again. We came out of the last war with our officials admitting that we should have treated such armed merchantmen as naval vessels. Yet now, by leaving the discretionary provisions of section 11 in the joint resolution, we are beginning the same mistake afresh. This is a loophole large enough to let a war through all by itself.

Mr. PITTMAN. Mr. President, let me ask the Senator, Does he mean to say that the joint resolution does not contain a prohibition against arming our vessels engaging in foreign trade?

Mr. LA FOLLETTE. No; I am talking about the arming of merchantmen of other nations.

Mr. PITTMAN. Is that not provided for in the same law?

Mr. LA FOLLETTE. I do not think that is any answer. The Senator continues, saying "Is not that what you did in 1937?" or "Is that not what you did in 1936?" He has found some embarrasment in trying to explain what he did in 1937 and 1935. Anyone could embarrass me by asking me how I voted on many measures since this administration came into power. [Laughter.] I have voted for propositions which I knew were inadequate to meet the situation, which I knew were doomed to failure, because I was placed in such a position that I had to choose between those propositions, imperfect though I believed them to be, and the "do nothing" policy of the reactionary Republicans.

Now, Mr. President, so far as the neutrality legislation is concerned, unfortunately, I have never been in a position where I represented a majority of the Senate and could write my own ticket; but one will examine my record in vain to find a single instance where I have not consistently, on every occasion and every vote, sought to make the neutrality legislation mandatory, and sought to build upon the solid rock of the tragic experience through which we passed from 1914 to 1918.

The Senator from Nevada has quite rightfully pointed out here on numerous occasions that he was a Member of this august body and that he went through that experience. Mr. President, I went through it too, only vicariously.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Not at the moment.

Mr. President, I stood over there right opposite the chair in which Mr. Howard Foster sits now when my father rose in his place in the Senate in an effort to secure recognition in the closing hours of the filibuster against the armed-ship bill. I felt—I saw—the tenseness of that occasion. I knew the rumors which had been going through the cloakroom all night long. I knew that certain Senators on this floor were armed. I saw the rush that started toward my father when he rose in his place in this Chamber. I know, Mr. President, how tense men's emotions can become when issues that arouse the

deepest passions of mankind are stirred. Therefore, I shudder when I see the casual manner in which this subject has for the most part been debated.

I have the greatest respect for men in this Chamber or elsewhere who disagree with the position which my conviction leads me to take; but I say that now, during the course of the debate upon this measure, is the time to discuss the fundamental, the momentous decisions that are in the balance, not later on, when incidents and propaganda have aroused passions beyond the point of calm and deliberate consideration and decision.

Mr. President, returning to the question of the loopholes in the measure, I see no reason to agree to the suggestion of the Senator from Nevada that merely because we might have made a mistake, or the majority of the Congress made a mistake, in 1937, Congress should repeal the law when it is called back in extraordinary session to consider neutrality legislation.

Mr. President, the departure of the *Aquitania* the other day, with her guns still mounted, is evidence that we may be well on the way to a repetition of the sharp controversy which contributed much to our being dragged into the last war.

The joint resolution allows our ships to be sent into the midst of one of the most raging controversies of the time, to neutral ports with contraband cargoes which can be transshipped to belligerents. The section of the bill which lapsed May 1, 1939, provided that such contraband could not be reshipped to belligerents. This measure leaves that out. Even the joint resolution of the Senator from Nevada [Mr. PITTMAN] of July 5, 1939, provided against such shipment to belligerents "directly or indirectly." The pending measure leaves this wide open.

Under international law as it stood in 1909 we could not claim the right to ship to neutrals contraband which might be transshipped to a belligerent. We cannot claim it now, for after the war no nation, so far as I am aware, recognized that right. Yet in this measure, by obvious omission, we are conspicuously permitting our ships, carrying contraband for transshipment to belligerents, to go into areas where neither belligerent recognizes our rights to carry such contraband which may in turn be shipped beyond the neutral port.

Suppose we sent an American ship with copper to Spain, a neutral. Under the present status of law a German submarine would have the right to examine the ship's papers; and if it found that the cargo was intended for France, a belligerent, to sink the ship, after allowing the crew to take to the lifeboats and assuring their safety.

During the World War the English constantly captured the vessels of neutrals headed for neutral ports, with contraband goods they thought might be transshipped to Germany. Any number of such incidents could take place because of the omissions in the committee's bill.

Another loophole is the credit provision, which is intensified by the operations of the stabilization fund. There is no cash and carry when the cash is not cash but a 90-day credit. It would involve an enormous amount of real noninterventionist policing to prevent 90-day credit from becoming a renewable credit, a loan, the very thing it is claimed the bill prevents.

This weakness is seen by Senators on the other side of the embargo question. We are not the only ones who see it.

Mr. President, General Johnson in a newspaper article argues against this 90-day-credit provision as useless and dangerous. I ask unanimous consent to have General Johnson's article printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. MINTON in the chair). Without objection, it is so ordered.

The article is as follows:

This provision for a 90-day-credit clause, jimmied into the Pittman Act at the last minute, is a puzzle. If the argument for it is, as it seems to be, that it does not make much difference, anyway, then why put it in? The cash-and-carry plan at the outset was: "You pay cash on the barrel head. The goods are yours. You can take them across the seas in your own way but not on American ships."

As this column has repeatedly insisted, it was not a "neutrality" plan at all. It was, first, a surrender of American rights on the high seas and in world trade in the hope that, if we don't have to defend them we won't run so much risk of getting into war. Second: It was a plan to prevent our taking any financial stake in any war by granting credits to either side.

But this 90-day-credit clause torpedoes the spirit if not the letter of the whole idea. In the first place, if we ship goods on credit—even for 90 days—what becomes of another clause in the law that all "right, title, and interest" must be out of any American citizen before such goods can go to sea? Doesn't a selier have an interest in goods sold on credit and still in transit? It may not be a right, title, or technical lien, but it certainly is some interest and that 90 days will cover the only period of real danger, the sea voyage. Another clause in the proposed bill exempts insurance on such goods from being considered a "right, title, or interest." There is a proposal that the United States itself undertake marine insurance.

If goods are sold on even short-term credit and the creditor insures property, especially if he insured it with the Government, we could have a case here where the Government itself has an interest in goods exposed to sinking at sea. What does this "90 day credit" business mean, anyway? I think it unlikely, but it might mean very large contracts negotiated now, goods to be shipped as ordered, but no payments to be made on, say, a couple of billion dollars' worth of goods until 90 days after each particular shipment; that is, during the entire time they are at sea. The purpose of the spot-cash plan was solely to prevent the building up of any large American interest of the financial stake of either side in the war. The kind of contract just suggested is also unlikely, but it shows just one among many kinds of things that might be done through the 90-day clause to frustrate the intent of the no-credit provision of the bill.

One argument for lifting the arms embargo and for this credit clause is that our sales of munitions abroad will build up a big arms industry here which we ourselves may later need. Isn't that buying a tremendous stake in the war? We should build up a sufficient arms industry for our needs and do it fast. But if we get our prosperity and a large slice of our industry geared to the needs of a big European war plus our own needs, we shall have prepared the ground for an even greater American industrial collapse when the sale of arms stops, and we shall have made our prosperity more and more dependent on the continuance of war.

Of great importance along that line is the fact that the French and British have only between two and three billions that they can convert to pay here in cash—for munitions and everything else. If we build up an industry and a business rate based on their early rates of cash spending, what are we going to do when they reach the botton of the till?—collapse our business or grant unlimited credit? That's exactly the situation that pulled us in in 1917. (Washington Daily News, October 2, 1939.)

Mr. LA FOLLETTE. Mr. President, I call attention particularly to the last paragraph, where he argues against a war boom as well as against the credit provision.

Each one of these little holes in the dike of our neutral security may look small at the moment. But we must remember we will have an enormous pressure of war orders and war business against the dike, opening the holes wider and wider.

This measure must be built on the rock of past experience, without holes or crevasses. It must be strong enough not only to withstand the most able propaganda in the world, but all the concentrated interest in making money that this Nation can put together. We cannot build this law by guess and by gosh and with a prayer it will not break down, no matter how full of holes it may be. We have to build it as foolproof as humanly possible.

THE PEOPLE PAY THE COSTS OF WAR

A repeal vote on the embargo will be taken by the interventionists in this country as a vote of confidence in their effort to get us into the war, and it will be so interpreted in England and France as well as by the speculative element in the stock market.

So we come to the major question of whether we can really gain anything out of that war or whether we simply lose our shirt, our faith in men, our ideals, and our liberty.

I am unalterably opposed to our entering this war.

It is not Members of Congress, not speculators in "war baby" stocks who will pay for this war in the first instance. It is the plain, ordinary people of the Nation who will pay in both blood and treasure. They paid last time. The world has not changed. They will pay again.

Through 1938 the cash costs of the World War to the Federal Government was $47,247,000,000, not including the allied war debt, which we now know will never be paid to us. This amounts with interest to date to $12,211,838,406, making a grand total of $59,458,838,406, which the war has cost us to date, and we are not through paying for it yet.

Yet those enormous figures do not tell half the story. We must add to them most of our bills since 1929. The after-effects of the World War, in loss of markets abroad, in the dislocation and wartime overexpansion of some of our major industries, cotton textiles, lumber, coal, agriculture, finally took their toll on the Nation's economic life. Their deflation, after causing suffering to their own workers throughout the 1920's, and bankruptcy to the men engaged in managing them, caused the collapse of the Nation's purchasing power. They, and other industries, were, after the war, the little holes in the dikes of our prosperity, which grew and grew until they were large enough to drain out our economic life, exactly, as I fear, the loopholes in the committee's measure and the repeal of the arms embargo, if it is consummated, will ultimately grow large enough to drain off our human life.

WAR KILLS DEMOCRACY AT HOME

We know that elections have been suspended both in England and France, the two supposedly democratic strongholds of Europe. There is government in those countries today by decree. Before long it may be by military decree.

War kills democracy. Men cannot speak, think, talk, or write freely. They no longer can participate freely as free citizens of a free state. They are subjects. They are objects to be handled by the war machine. There may be no free radio discussion. Newspapers which speak a kind word for peace, if they speak it vigorously, may find that they cannot get the necessary priorities in newsprint and ink; or perhaps their reporters, editors, and compositors will all suddenly be needed in active war service.

The last war did democracy in this country no good at all. It did human kindliness, neighborliness, and tolerance no good. Yet the atmosphere of those war and post-war days was a different world atmosphere from what we shall have next time, I fear. Next time our effort will have to be much harder, for the war may be much longer. I believe it requires no stretch of the imagination, Mr. President, to say that if we became involved in this war we could well fear the day when Federal elections might be suspended in the United States, as elections have been suspended in France and England, "for the duration of the war."

THE MOBILIZATION BILLS

If we enter the war our own democracy will be the first casualty. Then we shall inevitably have a dictatorship such as we have never seen before. In the very nature of modern war's psychology labor will be virtually conscripted, and collective bargaining made a mockery or abrogated altogether. Workers in the next war may be confronted with a choice of starving or working where, when, and under what conditions they are ordered to work. The power which a state exercises during modern war for cutting off food and shelter from those who choose to change occupations has already been described to a congressional committee, the Committee on War Policies—see Mr. Bernard M. Baruch's testimony, hearings, page 44, cited in Munitions Report 944, part 4, pages 48–49. In Mr. Baruch's words, the lack of freedom of the worker during the war is described as follows:

> The Government can say that if a man be called and found unfit for military service but fit for other work in the essential lists [of industries] he must so employ himself or be cut off from rations, transportation, fuel, and supplies.

Is there any difference between such a man and a convict in a chain gang, or a slave, or the loyal subject of a Fascist state in wartime?

Farmers would have their prices fixed. Business would be put in a strait jacket. The pressure against war profiteers would be strong. Even before the war in Europe 50 Senators put their names to a bill limiting all individual incomes to $20,000 and all corporation profits to 5 percent. If we were to become involved in war I doubt if a single businessman in America would have more freedom than a businessman in Germany today. He would be regulated and regimented by a military bureaucracy.

In this connection I wish to call attention to one sentence from a dispatch from Amsterdam as to what neutral businessmen expect to have happen to them. These are not the businessmen of the belligerent nations. These are neutrals. The article, from the New York Times of October 2, 1939, is as follows:

EUROPEANS SEE CONFISCATION OF PROFITS OWING TO GOVERNMENT DEMANDS ABOVE 1914

> AMSTERDAM, October 1.—Neutral European markets, after an initial restricted buoyancy in shares and weakness in bonds, gradually have become aware of the fact that the war influence now is not comparable to that in 1914, because the present huge government requirements on top of already enormous indebtedness will compel the governments to confiscate most extra profits.
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> Moreover, although the possibility of a long war theoretically would force up armament and other shares, there is an increasing conviction that the destruction of capital goods would reach unprecedented dimensions, while British taxation measures foreshadow a terrific impoverishment leading to a heavy fall in private consumption for a long series of years.

We know what powers the President had in the last war. They are mild compared to the powers which may be given to a President in the course of a war in the future.

In the last war he had powers to commandeer factories, procure ships and war materials, assume control of the transportation system, requisition and fix the price of supplies for the Army, prescribe regulations concerning marketing, control the price of wheat and coal, reorganize the governmental machinery, and many others. Under the Espionage Act of June 15, 1917, and the Trading With the Enemy Act of October 6, 1917, the President was given wide powers regarding censorship of communications. Many of these powers are still on the statute books. For example, the President's declaration of September 8, 1939, of a national emergency, was done under that old Espionage Act of 1917—passed 22 years ago, during the war.

Charles Beard, discussing the growth of Presidential war powers, writes:

> Even more extensive, if possible, was the high prerogative exercised by President Wilson in prosecuting the war against the Central Empires. By act after act Congress conferred upon him almost unlimited authority over the economic resources and manpower of the Nation. It prescribed general principles and left their interpretation and application to him. Even the bureaus, offices, and other civil agencies already in existence could be changed or abolished as he saw fit; subject to his discretion and leadership drastic control over the expression of opinion—the most drastic in our history—was established by the Sedition Act of 1918.
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> * * * * * * *
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> Acting on a special message sent to Congress in January 1938 the Committee on Military Affairs of the House of Representatives reported favorably a mobilization bill which had long been under discussion. In effect the bill was designed to confer upon the President in time of war or other national emergency what would amount to dictatorial powers over industry, agriculture, services, and property. * * * The circumstances of the affair indicated * * * that in case of war or other national emergency, Congress would probably confer upon the President practically unconditional power over all citizens and their property and the right to use them at his will and pleasure as long as the emergency lasted. Judging by the precedents set during the World War, the Supreme Court would not interfere on behalf of personal liberties. (Beard, Charles, American Government and Politics, 8th ed., pp. 160–161.)

Also, since the last war the President has been given a number of tremendously far-reaching powers. Under the Federal Communications Act he has the power, in war or national emergency, to close any radio station or take it over for the use of the Government. Under the Merchant Marine Act of 1936 the Maritime Commission may requisition merchant vessels during any national emergency declared by the President. Under the section of the 1917 Trading With the Enemy Act, which was amended and incorporated in the Emergency Banking Act of March 9, 1923, the President has very wide powers over the Nation's fiscal and credit transactions "during time of war or during any other period of national emergency declared by the President." The proposed Hill-Sheppard bill, which has not yet been enacted because of the widespread opposition to it from all over the country, would give the President virtually dictatorial powers over the Nation's industrial life in time of war.

DICTATORSHIP MAY BECOME PERMANENT

I think it is a deadly serious matter to start taking sides in the European war, because once we have acted as a Government to take sides the pressure to involve us in actual war will be terrific.

One of the reasons why I take the matter so seriously is that all the logic of war and the psychology of a people who have suffered from war lead to the conclusion that a wartime dictatorship in the United States will not evaporate into thin air after the war is over. There is grave danger that if we become involved in this war, after it is over our system of government may be drastically altered. There is every reason to fear that we may have dictatorship in America.

I see no victory coming to any one out of the European war. Democracy will not have been saved. Democracy means freedom, it means liberty under the law, for free men to speak, for citizens to differ and yet live together peacefully in spite of their differences. Every nation involved in the European war will have had dictatorship during that war. Each state will have become a superstate. Each half-ounce of refuse will have been converted to war use. The feeble arms of the aged, like the tender hands of the children, will have been pressed into some war use. No adult man or woman will be able to do anything, go anywhere, let alone say anything without the authorization of the state, without papers and stamps and passes and permits.

It seems most unlikely that states like these, totalitarian all of them, will suddenly change back to free economies, with free political systems. A free economy will not and cannot take any nation through chaos. If this war begins in earnest, England, France, Germany, will be in chaos after it is over, with their manpower decimated, their capital, their producing units in ruins, their remaining children sick from hunger. No government could suddenly say it would take no responsibility for its people in such a situation. The government which said that and looked complacently upon the subsequent disorganization would have a revolution on its hands so fast that it could not flee the country.

Nor do I foresee any rapid return to civil liberties, to the free participation of free citizens in public debate, discussion, and decision. No government will be able to tolerate the growth of free activities and revolutionary groups in its midst. And the men who have finished with a few years of war, who themselves have suffered from all the modern gases and weapons, and then seen their own loved ones, far behind the lines, bombed to death, are not likely, I venture to say, suddenly to revert to being pacific citizens. Show me an American veteran, Mr. President, who was overseas in 1917 and 1918 and who saw combat service at the front, and I will show you a man who cannot and who will not discuss what he went through. They are more likely to be radicalized as no body of men in this world were ever radicalized before. The Russians who were called upon to fight in the last war, almost with their bare hands and without guns, against the machine guns and modern equipment of their enemy, the Germans, and who saw their families starve and die behind the lines, will seem like conservatives by comparison.

Mr. President, I think it important that we search out the possible developments in Europe, because it seems clear to me that if we participate in this war we will not have established democracy; we will simply have exchanged one totalitarian government for another in the defeated countries, and have been unable to prevent the establishment or continuance of totalitarian governments in what were once democracies.

In addition we will find that revolutions in Europe do not mean a stable Europe. We will not only have failed to save democracy but law and order may well have been permanently suspended.

In such a situation plausible arguments would be made to continue our wartime dictatorship. Those political parties and persons responsible for our getting into the war, if we should get into it, would then hesitate to restore full democratic rights to the people, lest in wrath, disillusionment, and suffering the people would punish those they blamed for their misery and their dead.

WHAT IS OUR REAL NATIONAL INTEREST?

The repeal of the arms embargo, if it should be consummated, would be the first official choosing of sides that would have congressional assent. I see nothing in the contention that we can keep out of the war by going into it a little. That is probably the craziest of all illusions which can beset us. But where does our national interest in this war really lie? In going in? Or in staying completely out?

Is it credulous to accept the propaganda that we are, or can be, menaced by invasions from abroad?

In this connection I wish to quote briefly from the economist John T. Flynn in his column in the Washington Daily News of October 4, 1939:

PLAIN ECONOMICS

There is a general feeling that somewhere brooding over this Nation lurks that terrible monster propaganda—propaganda which will get us into the war.

To be prepared against this propaganda is our only hope of escape. Everybody, therefore, is all set for the flood which will descend upon us from England and France.

But what will be the nature of this propaganda? What do the European powers have to produce in our minds in order to make us willing to go to war?

At once it is apparent to the propagandist setting out to trap us that he must (1) create in us the fear that if Germany—and now Russia—is victorious, they will come over here and attack us; (2) create in our minds a horror of German ruthlessness that will deepen and emotionalize our sympathies for the Allies; and (3) play upon our pride in the event that our interests become affected.

1. The first of these is already at work. But it is not proceeding from Europe. Every man who is frank with himself must admit that no foreigner could have done so good a job on this as our own Government has done. For 3 years—and particularly in the last year—the Government has lost no opportunity to persuade us that we are in grave danger—that Germany and her allies might turn their hungry eyes to our vast resources and those of South America.

How Germany and her allies could send an army to this hemisphere—from 3,000 to 5,000 miles from their bases—to conquer this country or South America, they never say. Every military authority knows and will admit that this is utterly impossible. Yet the Government keeps on terrifying us with this bogey. This is the propaganda we have most to fear.

The idea that a war-exhausted Europe could muster strength to attack this continent or this hemisphere, and to bring across the hundreds of transports and supply ships to do it, is simply preposterous. This war may possibly teach us that we need not throw two or five billion dollars more to our avid shipbuilding companies for vessels which may be useful only to tow up the river to New Orleans.

This war may even teach us that the British fleet is no longer able to protect the commerce coming to the British Isles, that airplanes alone can destroy both commerce and the historic blockading functions of a fleet. Recent events have, for the first time, challenged the assumption that because we think the British fleet might be valuable to us on some occasion we must therefore fight for the British Empire every time it gets into difficulty. It is a very open question whether it is to our best national interest to fight whenever the Empire is in trouble; for it may be in trouble, in serious trouble, from now on steadily. Most certainly it will be in trouble in case events should prove the inefficiency of the fleet to protect the commerce within its dominions and colonies.

Those who advocate the repeal of the arms embargo on the ground that our national interest requires a victory for Great Britain and France predicate their arguments on what seems to me a whole series of false ideas, including that of an armed attack on our shores, the immutable importance of the British Fleet in connection with such an attack, and the pleasant hope that a little patched-up liberal and democratic procedure will solve all Europe's ills. I think we should proceed to question, during the next days, each and every one of those interventionist assumptions, for they end up with a conclusion that our national interest is involved in this war in Europe and that we must get into it, the sooner the better.

First, can we assume that at the end of this war England and France will be dominating southeastern Europe? They have had 20 years to unite and accomplish this purpose but they have not done so. Was it because Czech, Polish, Hungarian, and Rumanian agricultural products were in competition with Canadian products? Was it because their foodstuffs were in competition with Australia's? Is there any reason to suppose that after all the slaughter southeastern Europe will be in any different situation than before?

But if England and France are not to dominate southeastern Europe at the end of the war, if that is not one of their objectives, is it to our national interest, let alone theirs, to fight for the war aims of independent eastern European nations? It was not our decision suddenly, 3 months ago, to guarantee the frontiers of Poland. It was theirs, suddenly arrived at. Does our national interest lie in seconding and duplicating this guaranty?

Another question: Is it in our national interest to insist upon the complete destruction of the present political system in Germany? England and France have, for the moment at least, so far as we know, pledged themselves to that war aim. Do they go on from there, I ask, and pledge a complete destruction of the Russian system, and later perhaps of the Italian system, and of the Japanese system—all of them more or less completely totalitarian? Do we find it in our national interest blindly to follow them, to go about the world forcing their system upon every nation?

And suppose England and France change their ideas, as they might well do, and decide that what they want is to strengthen Germany at the expense of Russia: Is it to our national interest to decide that, in spite of their change of mind, we will still fight "to the finish of the form of government and the party organization in Germany"—in Mr. Churchill's words?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. The Senator undoubtedly has noticed the fact, which appears in the public press of today, that while the Prime Minister of Great Britain was in the very act of making a speech to the House of Commons stating that it would be a national stultification and a dishonor to Great Britain to make peace with Germany because of Germany's attack on Poland, Great Britain was making a trade pact with Russia, which also almost simultaneously had made an attack on Poland. The two items appear in the very same editions of the press.

Mr. LA FOLLETTE. I very much appreciate the Senator's interruption. He has anticipated me. I was just about to mention that fact.

Mr. CLARK of Missouri. I am sorry I anticipated the Senator's statement.

Mr. LA FOLLETTE. That is all right. I am glad to have the Senator's suggestion.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I will yield to the Senator from Florida in just a moment.

Mr. President, I desire to read a clipping from the Washington Post of this morning:

LONDON, October 11.—The British Government began today to repair its relations with Soviet Russia, strained by the Russo-German dismemberment of Poland, by reaching an agreement for the exchange of Russian timber for British rubber and tin.

Although no details of the agreement were disclosed, neutral observers expressed the opinion that this evidence of a rapprochement between London and Moscow constituted a "diplomatic setback for Hitler, following the strategic defeat involved in Russia's swift domination of smaller Baltic states."

Mr. President, I am not criticizing in any way, directly or indirectly, anything which may have been done by Great Britain; but since the interventionist theory and philosophy proceeds upon the premise that our national interest is involved, it seems to me that we should give serious consideration to the fluxing situation in Europe, and to the strange occurrences from day to day. If we start playing the game of power politics 3,000 miles away, by remote control, when the rules of the game and the partners are being changed every few days, it seems to me we are in a fair way to lose all the things which we hold dear.

I am raising these questions because I think they are pertinent to the issue. I hope they will be thoroughly debated and discussed as time goes on, so that we may have a fundamental decision upon a fundamentally important issue.

I now yield with pleasure to the Senator from Florida.

Mr. PEPPER. Mr. President, I was about to ask the Senator if he construed the action of Great Britain in buying supplies from Russia as necessarily amounting to an approval of what Russia did in Poland.

Mr. LA FOLLETTE. No; I do not put any construction on it. I will let the Senator from Florida, and every other Senator, put their own construction on it. I do say, however, that under the situation prevailing—as the Senator from Missouri [Mr. CLARK] suggested, and as I intended to suggest—in one breath the Chamberlain government says that it cannot consider any peace offer because of what Germany did to Poland; and on the same day, or the night before, it signs a trade pact and brings about a rapprochement with the Russian government, which gobbled up as large a slice of Poland as Germany ever did, or a larger slice.

Mr. PEPPER. Mr. President, will the Senator yield for one other question?

Mr. LA FOLLETTE. I yield; certainly. I am happy to yield.

Mr. PEPPER. I ask the Senator whether the territory which the Russians occupied in Poland is territory which was awarded to Poland by the Versailles Treaty, or whether it is territory which the Poles captured from the Russians after the Versailles Treaty?

Mr. LA FOLLETTE. Mr. President, from my standpoint, I do not think that makes one featherweight's difference so far as the aggression is concerned, so far as seizing the territory which once belonged to Poland is concerned. If the Senator can find a defense on that basis, he may take it to the jury; but, so far as I am concerned, it seems to me there is not any real distinction.

Mr. PEPPER. Mr. President, the Senator perhaps will allow me to make this statement: Although I have no disposition to be an apologist for Great Britain—I think "perfidious Albion" has established herself in the annals of history in many instances—I can understand that Great Britain might be a party, as she was, to the Versailles Treaty and to the guaranty of the territorial integrity of a Poland established by the Versailles Treaty when she might not have obligations to help Poland retain territory that Poland by her own aggression took from some other country after the Versailles Treaty.

Mr. LA FOLLETTE. Mr. President, I am not criticizing anybody. I am raising these questions because I think they are involved in the ultimate decision of the matter before us. All I say to the Senator from Florida is that I hope the razor does not slip when he splits that hair. [Laughter.]

Another question is: Is it so necessary for us to have the British Empire preserved that we should, and must, be willing to defend it whenever and on whatever terms it chooses to fight? Underlying that is the corollary question of whether the destruction of the British Empire is involved in this war, or whether what is involved is simply the British intent to destroy the German form of government, and to establish in its place some government which will leave British trade and British interests in southeastern Europe untroubled?

I think we might well say that it is far preferable to us to have the British Empire left untouched, but that it is not so necessary for us as to make us fight every few years for that end. We are belittling our own strength when we accept the assumption that we are suddenly rendered helpless without the British Empire, the British Fleet, or the French Army. I have too great confidence in the power and the destiny of this Nation to believe that its fate is dependent upon the fate of the British Empire, the British Fleet, or the French Army. The contrary is so true that if and when the Empire ever starts disintegrating, we are likely to find ourselves urged to extend, and incidentally to weaken, our lines of influence and defense by an agitation to take Australia and New Zealand under our protection.

I seriously question the interventionists' major assumption in this war, that because we are dependent on her navy we must be irrevocably committed to the vagaries of British foreign policy, under all the changing circumstances of the present world. It is preferable for us to have as neighbors

satisfied nations, but it is not so necessary as to make us fight a costly overseas war every 20 years for that purpose.

THE POST-WAR RECORD OF BRITAIN AND FRANCE

I am as much opposed to dictatorship of every kind and description, foreign or domestic, as is any living man, and my record will show that I have done my share to preserve civil liberties and maintain democracy. Therefore I challenge a major assumption of the interventionists that these nations—England and France, subject to the pressures of their own problems, their own alliances, their own provincial governing classes—are trustworthy partners for us either in our own national defense or in any grandiose schemes which may later develop for reforming the world.

I do not remember any historic occasion on which the British Cabinet sat down and asked itself the question, What can we do for the good of the United States? I am not objecting, I am not complaining, I am simply stating what seems obvious enough—that the British interests, scattered around Asia Minor, southeastern Europe, Africa, Australia, and Asia, are enough to keep that cabinet busy with more important worries. We are not in their first line of worries. But those nations which have, in the past years, chosen to be honored by British attentions, have suffered some betrayals to which we should not shut our eyes, betrayals which should remind us of Versailles, and the way our noble 14 points were accepted only to be torpedoed and sunk after we had paid our money and put more than 2,000,000 men in the field. I refer particularly to the violation of the tacit pledge not to turn the World War into a land-grabbing expedition, and to the millions of square miles England took in spite of that pledge.

What is the post-war record of the alleged democracies which the interventionists now ask us to support? After the defeat and disaster of the World War, democracy might have flowered in Germany if the British and French Governments had given some encouragement to the democratic forces which were eager to make their country into a strong and vigorous republic. Democracy, however, could not live in a defeated, demoralized, economically impoverished nation.

The Treaty of Versailles, the reparations, the French invasion of the Ruhr, the refusal to permit an Austro-German customs union, the refusal to disarm, none of these was calculated to strengthen a democratic Germany which would live at peace with its European neighbors. The French post-war policy of military alliances, blocs, ententes, of financial domination of Europe, was aimed to keep Germany weak while France became the dominant power on the Continent. It was a suicidal policy. It provided Hitler and the other Nazi demogagoues with plenty of ammunition, which they used unscrupulously but effectively to arouse and unite behind them a large part of the German people. The job of welding Europe into an economically integrated Europe was not done by France and Britain after the last war. Without that the facade of peace erected in the League of Nations proved a hollow shell.

The post-war peace machinery received a severe blow when Japan marched into Manchuria in 1931. Secretary of State Henry L. Stimson turned to England for cooperation in attempting to restrain the Japanese aggression. But the British Government was not interested. Sir John Simon stated instead that:

> * * * in the Far East * * * British interests are summed up in the words, "Peace and trade." We do not seek to secure trade through the boycott of other people * * *. (Parliamentary Debates, House of Commons, 5th series, February 22, 1932, p. 182.)

In his book, The Far Eastern Crisis, Secretary Stimson has revealed that the United States was willing to consider more drastic steps against Japan than mere moral condemnation of her actions in China, if the British Government had been willing to cooperate with us. But it was not. (Stimson, pp. 99 et seq. and 161 et seq. N. Y. 1936.)

I need hardly remind you of the fiasco of sanctions in the Italo-Ethiopian war, or of the Hoare-Laval agreement made by the respective British and French foreign ministers to buy off Italy with a large slice of Ethiopia. The British retreat from oil sanctions which by general agreement would have hurt Italy more than anything else was the end of the story. Our own Government had in the fall of 1935 given all possible indication of its desire to stop or delay the oil shipments of American companies to Italy. Italy proceeded to conquer Ethiopia with a minimum of outside interference from the mild sanctions England and France saw fit to impose. Their own games of power politics were far more important to them than support and strengthening of the peace machinery of the League of Nations to which they were both, in theory, attached and committed.

And what of Spain? The British and French hid behind the futile nonintervention committee sitting in London, while Germany and Italy openly supplied arms and men to Franco. And our administration rushed through an arms embargo with breakneck speed, early in January 1937, because the President and the administration leaders insisted we had to have that arms embargo immediately to protect and safeguard our peace. They expressed the fear that the civil war might develop into an international conflict and the arms embargo was vital, they said, to protect us from involvement.

In the light of what the President and the administration leaders say now about the same embargo, it is perfectly obvious that their insistence on the ban on arms to Spain in 1937 was in fact an attempt to cooperate with England and France. But the British and French Governments made no effort to enforce their policy which was allegedly to keep supplies of arms and munitions from reaching either side in Spain.

Not in Manchuria, nor Ethiopia, not in Spain, or in post-war Europe did the British and French Governments, whose democracy we are expected to support, show the slightest interest in carrying out the tenets of democracy. Then came Munich. Then democratic Czechoslovakia, pledged protection by France, was betrayed by them into Hitler's clutches.

In this connection, I recall the words of Jerome Frank, now Chairman of the S. E. C. and the author of a book entitled "Save America First," which interventionist leaders might do well to read. He was speaking of the peculiar upper-class government of England and the peculiar form of government they think of as democracy. He said—page 150:

> It is little more than an insular regard for certain liberties and institutions which we, in common with them, hold dear. It is not a world program; it is not even an agenda which would involve aid to us if our democracy were attacked. English democracy is, and always has been, primarily a code for Englishmen.

He goes on—page 161:

> What right has any American to suggest that when Downing Street, on its own and without consulting us, determines on a foreign policy, we must fight a war that results from that policy?

OUR GREAT OPPORTUNITY FOR SERVICE

Mr. President, I am firmly convinced that our great opportunity for service to the cause of civilization is to stay out of this war, to stay all the way out of the war. Thus we can preserve in this hemisphere a haven of sanity in a world where madness now prevails. We can then concentrate on our own problems and prove that democracy can work in a modern economic environment. When the war is over we will then indeed be in a position to give the world succor and leadership. We will have kept the lamp of democracy and tolerance alight. We will have demonstrated the soundness of our way of life. War-weary and disillusioned people will see in our example the way to rehabilitate civilization in their own lands.

But if we become involved we will be in no position to help anyone, not even ourselves. For we will suffer the same economic collapse which will be abroad in every nation that engages in this war. We will have snuffed out democracy. Intolerance and hate will be rampant in the country, and a staggering debt will be piled on top of the forty billions now owed by our Government.

But if we want to stay out of war in Europe—and I know most of us do—we must not take steps that will take us into the war. It is one thing for you and me to take sides in our capacity as private citizens; it is a far different thing when our Government takes sides.

In other words, we cannot have our cake and eat it, too. We either make up our minds to stay out of this war in Europe, or by a series of steps we will ultimately find ourselves in it.

It is perfectly clear that if we repeal the arms embargo after the war has started, it will be regarded abroad as an official act of our Government to take sides in this war. In Great Britain and France they will hail it as they would a great military victory.

They will say in so many words that we are coming in. In Germany it will be equally clear that we have taken sides against them. The Senator from Indiana [Mr. VAN NUYS] was frank about it over the radio when he said in effect that what the advocates of repeal were trying to do was to find a way to wipe Hitler off the face of the earth without our country getting involved in war. But this cannot be done with any certainty. If arms, ammunition, and implements of war on a limited credit-and-carry basis are not enough, then long-term credit will next be provided. The Johnson Act, passed to prevent nations owing us ten billions since the last war from floating any more loans until they pay up, will be repealed. If this is not enough, the same arguments which are now being made for repeal of the arms embargo will be made for our sending troops abroad.

A CONSTRUCTIVE ALTERNATIVE TO INTERVENTION

Those of us who are opposed to repeal of the arms embargo, and equally opposed to a false and dangerous war boom, must propose a constructive alternative. We must have some other way of using the strength, energy, and ideals of this Nation instead of letting them be shot or drained away in the trenches of western Europe or Asia Minor or Asia, wherever the battles of this mysterious war take place.

In place of this dangerous war boom, in place of this little flier into partnership which is proposed by repeal of the embargo, I urge a sound boom, a solid prosperity, a foreign policy which will last us through the years because it expresses our real national interest. I propose that we build, not only on this continent but in this hemisphere, an economy which will give us the stimulus we need for prosperity, which will utilize the energies and resources of our dynamic people. It alone can maintain this whole hemisphere on a rising level of life, and allow us all together, the great nations of the south as well as ourselves, to fend off the Fascist attacks which may come with persistent unemployment and disillusioning wars.

We can do this. We not only stand a chance of succeeding in doing it, but we have a certainty of succeeding in it. It is different from searching for America's future among the 400 years "of encrusted blood lusts" and hatreds of Europe.

We have the strength to do it.

We have practically a free-trade area within our own boundaries. We are not bothered with the necessity of paying a high tariff if we ship goods more than a few miles to the East from the West. We do not need to enter a life and death struggle to preserve a vital life line to feed our people, or clothe or house them, or to get raw materials to keep the machinery in our factories humming.

We have in the United States about 6 percent of the population of the world and about 6 percent of the land area, omitting Alaska. But note this—our production and our resources go far beyond 6 percent. According to Stuart Chase—the New Western Front, pages 56–59:

We move 43 percent of the world's freight, produce nearly 40 percent of the world's raw materials for industry, generate half of the world's horsepower, and 35 percent of its electric power. We produce 34 percent of the coal, 62 percent of the petroleum. We are strong in the "big four" metals—iron ore, copper, lead, zinc. We make more than a third of the world's pig iron and steel. Incidentally we have 30 huge mills for the new continuous process of making steel sheet and strip. No other nation has more than one.

We grow half the world's corn. We have half the world's telephones. In New York City alone there are as many telephones as in Russia, India, China, Poland, and Czechoslovakia combined. We have four-fifths of the world's automobiles, two-thirds of the trucks and busses, more than half the radio sets. We consume two-thirds of the world's rubber and silk goods; produce 90 percent of the world's moving pictures.

Comparing our economy with that of Europe (outside of Russia), and with Russia, we find many significant figures. Out of 36 vitally important items, we lead or tie in 21 items. Europe leads or ties in 14 items; Russia in only 3. Both Europe and Russia have more arable land than we have, but we are far out in front in the production of energy and in industrial raw materials. Europe leads both the United States and Russia in food and fiber production. This is natural, because she has so many more people to feed. To grow food on the land, you must feed the crops themselves certain substances, including potash. Europe has a big lead in the production of potash, but recently we have discovered deposits of 100,000,000 tons in New Mexico, most of it on Government land. We need not worry about this mineral. Russia has large unworked deposits of various raw materials, especially in Siberia, but it is evident that Russia has a long pull ahead before her people can enter the industrial class of the other two continental groups.

The tremendous thing is the fact that the United States, one Nation, is more powerful industrially than Great Britain, France, Germany, and Italy combined, with 23 other nations thrown in for good measure.

Of 26 important items of production listed by Mr. Chase in comparison with the five Great Powers—Great Britain, Germany, France, Italy, and Japan—the United States leads in production of everything but potash, sugar, and silk. From the industrial point of view we are so far ahead that we surpass all five of them together. So much for production.

As for resources, according to Mr. Chase—Stuart Chase, The New Western Front, p. 61:

The United States is well equipped with most resources, especially arable land, coal, water power, and sulphur. It is short of mercury, and far short of tin, nickel, manganese, and chromite. It raises no rubber or coffee.

If North America is taken as a unit, the inventory is even stronger. Manganese and chromite are still short, but supplies exist and could be further developed, especially in Cuba.

If the Western Hemisphere is taken as a unit, rubber is the only major shortage. Brazil, where rubber was first found, still grows some and could produce enough for the West, given capital and improved technical methods. Bolivian tin may or may not be adequate for all western needs.

* * * Comparing the resources of the United States with those of the five Great Powers one by one—Great Britain, Germany, France, Italy, and Japan—we find a condition similar to that noted earlier in current production. There is no real comparison. The shortages of the Great Powers are pathetic. Germany, for instance, out of the 23 materials listed, shows "nothing" in 7, "way short" in 3, "short" in 8. Her resource budget is out of the "red" in only 5 materials. She has substantial surpluses in coal and potash alone. With Austria she gained a little iron and water power, a trace of petroleum, and 7,000,000 people to feed.

Mr. Chase tells us it has been estimated that a nation needs 2.5 acres of arable land for every man, woman, and child in order to produce adequate food and fiber crops for a high living standard. On this basis the United States is 2½ times better off than Europe in its ratio of population to arable land.

Almost any way you look at it—

Says Mr. Chase—

from the economic point of view the United States is far, far in the lead. Russia, the other great continental nation, still trails to the rear. Behind Russia, in resource strength if not in production, trail the Great Powers—England, Germany, France, Italy, and Japan. Bundle all six of them together, and we can match their resources." We could more than hold our own against the British Empire itself. In event of war, we have oil in a dozen home States. England must send ships down the Bay of Biscay, past submarines, airplanes, mines in the Mediterranean to pipe lines in the Near East—3,000 miles to reach the nearest oil supply (from Our New Western Front, Stuart Chase, p. 62).

WE CAN HAVE AN INVULNERABLE HEMISPHERE

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. LUNDEEN. At that point I should like to say just briefly, if the able Senator will permit me, that the Senator might well add that we have the largest army of "world savers" in the world, the largest number of international meddlers extant I have ever heard of in the history of any country, and if we allow these foreign-minded sentimentalists to continue their brain-storming around they will ruin all these great American resources the Senator has so ably enumerated and they are well on their way now. One more World War, and our intervention therein, I will say to the distinguished senior Senator from Wisconsin, may well bring chaos and anarchy to our marvelous America. I am much impressed with the clear and able address of the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I cannot wholly agree with the Senator. I will say at the outset that I have a great respect and will continue to have, for all those who disagree with the position that I feel constrained by the logic of my own thinking to take. But I want to take advantage once more of the opportunity to urge in my feeble way that the debate upon this momentous issue turn upon the fundamental problems that are at stake, for, as I see it, this is no dilettante, amateur thing which we are undertaking. This is for keeps, Mr. President, and everything we have and everything we hold dear, everything that this country stands for turns in the balance of our ultimate decisions in this international crisis.

Mr. President, I hope the Senate will debate these issues. So far as I am concerned I shall extend to everyone of my colleagues, as I have always tried to do, and I think successfully, in the 14 years I have been a Member of the Senate, credit for the same sincerity of purpose, the same patriotic ideals which I have had and strive to maintain for myself.

Make no mistake about it, we can have an invulnerable hemisphere. No nation or group of nations can successfully attack it if we but provide the necessary army, navy, and the bases needed for their efficient operation. This policy requires that we do not permit strategic islands to fall into hostile hands. It means that we interpret the Monroe Doctrine to include the prohibition of penetration of foreign nations through propaganda or otherwise in this hemisphere. The great body of expert opinion on national defense agrees that we can make this hemisphere safe against all comers.

But this policy must be clearly to the national interests of the Latin American nations as well, if fascism is not to take root there and spread branches across the seas.

Our policy has, until recently, reeked with exploitation, and the defaulted loans, which were in many cases forced on the pre-depression governments, tell the story of the failure of that policy.

Now, with the collapse of European trade with South America because of the war, we have a new set of opportunities, but a new set of responsibilities as well.

Our fundamental objective should be the reenforcement by economic action of the political independence of the Western Hemisphere so that the governments may retain their territorial integrity and their liberty. Economic action to obtain this objective should be of a kind that would insure a rising standard of living from the Arctic Circle to Cape Horn. The rising standard of living, north and south, should be the great objective rather than the old-time policy of exploiting and draining off wealth.

Our financial assistance for this purpose would make possible an increased demand for American exports, incidentally helping us to secure full employment at home.

I recognize that the difficulties of our trade with Latin America have centered around the fact that she produces raw materials and agricultural products. I do not favor our capital going down there for the further development of those materials, of which both they and we have enough. I make exceptions of the development of rubber and tin, materials of which we can both use more. But, in general, I propose that we concentrate our investment down there on making goods which Latin America can use, which will raise their standards of living definitely, and utilize some of their resources now being exported. Furniture, clothing, and construction materials can be made from their own resources. Some roads and public utilities would raise the standard of living. Only in such ways can the Latin-American nations be made sufficiently strong economically so that they will not be dependent on the fluctuating prices in the world markets or subservient to the bargaining power of industrial nations.

I am not recommending a policy of rash, quick loaning to buy favors. But I do think we can adjust the past debts with Latin-America much as we adjusted our internal debts when the banks went under. We can wisely, and with great foresight and consideration of our own national interest, utilize part of our already large oversupply of idle gold, not only to make direct investments, but even to provide local credit facilities through stabilization of their banking systems. I am sure the growth in trade coming in the immediate future will of itself ease their exchange restrictions and make further trade possible.

A study of the problem has been made recently by Plan Age. It concludes with the following words—pages 234–235, September 1938:

> Before the Western Hemisphere can be regarded as adequately strong for the purpose of resisting aggression, it will be necessary to overcome the inefficiencies found in the chronic unemployment of resources, both of labor and materials. These inefficiencies are primarily financial in character, and are, in part, due to the failure to formulate new methods and to adjust to new conditions. The appearance of war has now broken down some of the resistances of inertia, and economic measures which have hitherto been considered too drastic for application in the cause of raising standards of life may be introduced for the purpose of achieving economic solidarity in the Western Hemisphere. Latin-America's problem of unstable prices for raw materials and our problem of unemployment are interrelated at many points. By adopting measures which will give full employment here, we can extend trade advantages to Latin-America superior to those which Germany was giving.
>
> Now that the threat to the security and liberties of all peace-loving nations has been made so abundantly clear, nothing should be allowed to stand in the way of making the Western Hemisphere as strong as possible. If the effort to achieve economic collaboration is to be taken seriously, and if democratic principles of living are to be established as so incontestably superior to any other system that no country will willingly continue to put up with anything else, it is essential that every opportunity of cooperation should be fully explored. Attempts to secure exclusive advantages should be replaced, as a matter of principle, by mutual advantage, which is basic to any fair system of trade. Such a system of trade is, of course, but a contribution to that genuine cooperation which arises from the creation of a community of interests not only among governments, but also among people themselves.
>
> In the next few months decisions will probably be taken by democratic leaders in the economic as well as the political sphere which may well determine the destinies not only of the present generation but also of other generations to come. No single measure is ever likely to govern; it is the combination and interaction of a number of measures which normally determine the ultimate course of events. Clear thinking on the subject of the ultimate aims of economic policy is essential if we are to avoid the mistakes of the first war period in assembling together a ramshackle collection of expedients and calling it a policy. It seems more than ever vital at the present time, when whatever action is possible must be taken quickly, to retain a clear picture of the ends which we have in view so that the measures adopted are not self-contradictory, but are capable of being knit in the course of time into a coherent whole.

It is in this Western Hemisphere that we can use our pioneer energies, our wealth, the hopes of our young, the unspent energy of our people to build the greatest economy that the world has ever seen.

This is, I repeat, the constructive, the statesmanlike alternative to a policy of partisanship and adventuring in Europe's perpetual quarrels with their self-interested ramifications throughout the seven seas.

OUR PATRIOTIC COURSE IS CLEAR

Our patriotic course is clear. It is to stay out of Europe and the Far East, which would drain our blood, our manhood, and our wealth forever. It is to concentrate on making democracy function here in the last great industrial nation which has a chance of making it function in the modern machine world. It is to preserve our civil liberties and the American concept of life. It is to be ready to aid and assist a stricken world when both victor and vanquished have collapsed. It is to be ready, in cooperation with the nations of Latin America, to defend the American continent and to provide the national defenses and bases necessary for that purpose.

We should keep the embargo on arms and enact all the other features of the pending measure designed to reduce incidents likely to lead to war. We should limit the trade in other commodities to a strict cash-and-carry basis, not credit and carry. We should restrict this trade so as to protect our resource base and not permit an uncontrolled wartime commerce to develop which will help to drag us into war in Europe or in the Far East and will distort our whole economy. We have a great opportunity to build up an intercontinental economy in this hemisphere. We can provide an army and navy to defend it for a fraction of the cost of our involvement in war abroad. We do not have to accept as the solution of our problems the employment resulting from trade produced

by slaughter and destruction of human beings on another continent.

We can utilize our idle manpower, productive capacity, and idle capital to restore our natural-resource base; to rehabilitate and conserve our human resources; to develop our Nation and this great and rich hemisphere. Here is a program that will give us a dynamic America, and restore that equality of economic opportunity that characterized the development of our own physical frontier. Here is a program which gives this generation "a rendezvous with destiny" in this hemisphere instead of with death in some other.

I put this program up against the program of taking sides; against the program of selling arms; against the program of intervention in a long, weary war, which will probably end abroad in revolution, and, if we become involved, may end here in dictatorship.

(Manifestations of applause in the galleries.)

ORDER OF BUSINESS

Mr. BARKLEY. Mr. President, for the information of Senators I wish to announce that it is our purpose to hold a session on Saturday. In that connection, I wish to express the hope that during the remainder of this week we may very largely complete what we may term the general debate on this measure. Up to this time no specific consideration has been given to amendments which are pending or which may be offered. Therefore, I am asking that Senators who still intend to address the Senate on the general subject of the legislation be prepared to do so without delay.

I think all sides can agree that thus far the debate has gone forward on a high level. It has been very largely pertinent. No effort has been made in any way to hamper any Senator who desired to discuss the measure; but I think we may feel that the time is rapidly approaching when we ought to complete the general discussion and get down to specific proposals in the joint resolution or amendments which may be offered to it. I therefore ask Senators on both sides of the question who still intend to speak to prepare to do so without delay, so that we may not be called upon to lay the bill before the Senate for amendment before we have completed the general discussion, or to adjourn or recess because some Senator is not quite ready to speak.

Mr. President, I offer these suggestions in a spirit of cooperation, and I ask Senators to contribute all the cooperation they can accord in following out this program.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. Will the Senator please explain what he meant when he said he hoped we might not be called upon to lay the bill before the Senate for amendments before we have completed the general discussion?

Mr. BARKLEY. When any Senator finishes an address and no other Senator addresses the Chair to obtain the floor, it is the duty of the Chair to lay the joint resolution before the Senate for amendment. Of course, that will be done. What I am undertaking to do is to bring about the completion as early as possible of general debate on the measure itself, in which we have engaged for the past 2 weeks.

Mr. DANAHER. I thank the Senator.

RECESS

Mr. BARKLEY. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Friday, October 13, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 12, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou, O Lord, hast not forsaken them that seek Thee; arise and let not man prevail; let the nations be judged in Thy sight. Mankind sees dimly as the flame of humanity burns low and the clouds still trail the earth. Almighty God, bid the strong and courageous rise and demonstrate the priceless human values in the life of nations and men. O Saviour Divine, Thy timely aid impart; lead us to Thy holy hill that we may be wisely and faithfully guided. As we meet life's challenges without fear, brighten the dawn of a golden day of a happier humanity in a world of peace. Clothe our land with a strong adventurous faith which in the past has sustained us a godly people and spare us from the ruinous delusions which are sweeping across the world. In the dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER. Mr. Speaker, I ask unanimous consent that on Tuesday next after the disposition of business on the Speaker's desk I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. Miller]?

There was no objection.

STRIKE AT BOHN ALUMINUM & BRASS CORPORATION

Mr. HOFFMAN. Mr. Speaker, I send two privileged resolutions to the Clerk's desk which I ask to have read.

The SPEAKER. The Clerk will report the first resolution for the information of the House.

The Clerk read as follows:

House Resolution 313

Whereas it has been charged on the floor of the House by a Member on his responsibility as a Member, that a strike was called at the Bohn Aluminum & Brass Corporation, located at Detroit, Mich., on the 29th day of August 1939, and that such strike continued until the morning of the 9th day of October 1939, a period of 41 calendar days; and

Whereas it was further stated that said corporation against which said strike was called had contracts with the War Department for the manufacture of certain articles which were essential in the construction of motors which were needed to carry out the President's rearmament program of 1939; and

Whereas it was further charged that said strike was called for the purpose, among others, of forcing the corporation to enter into a contract with the C. I. O. affiliate for a "closed" or "preferential" shop; that is, a shop where all employees pay dues to a particular union; and

Whereas it was further charged that said strike interfered with the activities of the War Department in its efforts to carry on its national defense program: Now, therefore, be it

Resolved, That the Secretary of War report to the Clerk of the House—

(a) Whether the War Department did have a contract with said corporation.

(b) Whether a strike which interfered, or which would interfere, with the activities of the War Department occurred.

(c) How long such strike continued.

(d) What, if any, representations were made by the War Department to the union or its representatives looking toward the ending of said strike.

(e) What, if any, representations were made by the Department to the union or its representatives looking toward the settlement of the strike.

The SPEAKER. Does the gentleman from Michigan [Mr. HOFFMAN] offer this as a privileged resolution?

Mr. HOFFMAN. Yes; I think so.

The SPEAKER. On what basis does the gentleman offer it as a privileged resolution?

Mr. HOFFMAN. I offer it as a resolution of inquiry.

Mr. THOMASON. Mr. Speaker, if it is not a privileged resolution I shall object to its consideration at this time and ask that it be referred to the proper committee.

The SPEAKER. The gentleman from Texas [Mr. THOMASON] makes the point of order that it is not a privileged resolution under the rules of the House.

After hearing the resolution read, the Chair is of the opinion that it is merely a resolution of inquiry and not privileged for consideration at this time. It will therefore take its usual course by being referred to a committee for consideration.

Mr. HOFFMAN. And the same with the second one?

The SPEAKER. Yes.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. There are other special orders pending. The Chair will recognize the gentleman later.

Mr. HOFFMAN. I make the request to address the House for 5 minutes at the conclusion of the other special orders.

The SPEAKER. The gentleman from Michigan asks unanimous consent that at the conclusion of the other special orders for the day he may be permitted to address the House for 5 minutes. Is there objection?

There was no objection.

DEMONSTRATION OF AUTOMATIC PICK-UP AND DELIVERY OF AIR MAIL

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to speak for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I appreciate the courtesy of the gentleman from Texas, who is to speak, and the courtesy of the Members, in permitting me to make an announcement at this time relative to an air-mail demonstration that will take place this afternoon on the Mall near where the Mellon Art Gallery is being erected. If the House is not in session later today I feel those who have not seen the operation will be keenly interested and much impressed by viewing it. I believe this demonstration of the automatic pick-up and delivery device is something that will be of real importance, and one of the high spots at the convention of the postmasters, who are in session here from all sections of this country. Those who witness this demonstration will have the opportunity to see the air-mail pick-up and delivery device in practical operation. The invention is going to bring air mail to the smaller towns of the Nation. You will see the plane come swooping over the uprights and deliver and pick up the mail in one automatic operation without the plane actually landing. The plane flies at about 90 miles an hour while performing the operation.

There are 58 cities that have been brought into this program in the last few months. Congress provided the funds for the Post Office Department to carry on this experimental service for 1 year. It took the United States Government more than 25 years to include 200 cities in our air-mail system. All American Aviation, Inc., holds the present contract for the service in West Virginia, Pennsylvania, Ohio, and Delaware. The inventor of this device, Dr. L. S. Adams, sits in the gallery as I make these remarks. He has made a real contribution to the spreading of the air-mail system in this country. I believe in the 5 months this service has been in operation that it has demonstrated its usefulness beyond peradventure of doubt. I am delighted to learn that the Post Office Department will recommend its continuance and perhaps its extension. The Members of this House who aided in passing the legislation and all who made it possible, I feel, are due a debt of gratitude. The day is not far distant when a much larger share of our mail will be transported by air. We can and will see a feeder program developed by which the air-mail pick-up and delivery device will combine its usefulness in a system that will include passengers and express. From such lines we will feed business into the great trunk lines of the air that fly large ships between centers of population. We are on the verge of a new era in this matter of transportation of mail and passengers. [Applause.]

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address on President Lincoln delivered by the Honorable T. A. Dicus, chairman of the Indiana Highway Commission.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

HEARINGS HELD BY COMMITTEE ON FOREIGN RELATIONS OF THE SENATE

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably (H. Rept. No. 1472) a resolution and ask for its immediate consideration.

The Clerk read as follows:

Senate Concurrent Resolution 30

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before said committee during the Seventy-fourth Congress, second session, on the bill (S. 3474) relating to neutrality.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD on a resolution I introduced this morning having to do with the proper observance of the four hundred and fiftieth anniversary of the discovery of America, which occurred in 1492.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I have placed a bill in the hopper today to prepare for the proper commemoration of the four hundred and fiftieth anniversary of the discovery of America by Christopher Columbus. To those of us who believe that the peace of the world must rest with fairer outlets of commerce and trade this transcendent achievement of the man who dared the danger of the trackless ocean must be the acme of man's individual bravery and fortitude. The great migrations of man prior to his time had been by land. He took to the sea, plunged into areas from whose bourn no man had ever returned and gave us the New World.

Remember that the first European ship to even cross the Equator was not until 1471, and none had sailed to the east coast of Asia until 1517. Even the mighty Achillean endeavor of Colonel Lindbergh was an attempt to bracket two known continents. This man was venturing into a limitless void, uncharted and unknown.

Europe had paid scant attention to the brave and successful voyages of the Greenland area, but the urge for trade avenues was not the stimulus of these. That is perhaps why they occurred and passed on without the solemn visible imprints of Columbus' work.

Daniel Webster has caught the picture better than most men in his poignant pen picture of the event itself in his Bunker Hill Monument speech:

> We do not read even of the discovery of this continent without feeling something of a personal interest in the event; without being reminded how much it has affected our own fortunes and our own existence. It would be still more unnatural for us, therefore, than for others to contemplate with unaffected minds that interesting. I may say that most touching and pathetic, scene when the great discoverer of America stood on the deck of his shattered bark, the shades of night falling on the sea, yet no man sleeping; tossed on the billows of an unknown ocean, yet the stronger billows of alternate hope and despair tossing his own troubled thoughts; extending forward his harrassed frame, straining westward his anxious and eager eyes, till Heaven at last granted him a moment of rapture and ecstasy in blessing his vision with the sight of the unknown world.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Gazette and Daily of York, Pa.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, for the purpose of making a parliamentary inquiry, may I say I notice that in yesterday's RECORD of the proceedings of the House there was inserted a speech by Secretary Hull, and later on other matter that was not offered on the floor of the House was inserted. My inquiry is if this is in accordance with the understanding we had some time ago. I am asking for information solely.

The SPEAKER. As the Chair understands the agreement made at an earlier part of the session, where there is no actual business being transacted in the House, such an extension would not violate the agreement.

Mr. HOFFMAN. Then that would apply until, say, the 1st of November?

The SPEAKER. It would apply until some regular legislative business is on the program of the House.

Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THOMASON. Mr. Speaker, my colleague the gentleman from Texas [Mr. LUTHER A. JOHNSON] has received unanimous consent to address the House for 20 minutes today. In order that he may not be interrupted—subject, of course, to the approval of any other Member who is to follow the gentleman from Texas—I ask unanimous consent that his time may be extended to 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 3 calendar days in which to extend their own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

HEARINGS BEFORE THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE

Mr. KRAMER. Mr. Speaker, I heard the resolution that was just read with reference to the printing of copies of the hearings before the Senate Committee on Foreign Relations. I believe this same resolution was brought up in the House a few days ago, at which time I objected to its consideration unless Members of the House were given an opportunity to have copies of these hearings. I thought the number of copies had been increased to 5,000, which was my request at that time. I ask unanimous consent to return to that resolution for further consideration, in order that I may offer an amendment increasing the amount.

The SPEAKER. The Chair would request the gentleman to withhold his request until the chairman of the Committee on Printing is present. I see that the gentleman is not in the Chamber at the moment. The Chair will be pleased to recognize the gentleman later.

EXTENSION OF REMARKS

Mr. THOMASON. Mr. Speaker, my colleague the gentleman from Texas [Mr. PATMAN] is unavoidably absent today. At his request I ask unanimous consent that he be permitted to extend his own remarks in the RECORD and to include therein the summary and conclusions of the Federal Trade Commission in its motor car industry inquiry.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech delivered by the distinguished head of the F. B. I., J. Edgar Hoover, in San Francisco.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an article by John P. Flynn, appearing in the Washington Daily News of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Under a previous order of the House, the gentleman from Texas [Mr. LUTHER A. JOHNSON] is recognized for 30 minutes.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Mr. Speaker, in the announcement I made very hastily a few moments ago in order to conserve time, I failed to mention the hour at which the demonstration will be held. Through the kindness again of the gentleman from Texas, I am now able to say that the demonstration will take place at 2:30 this afternoon. In the event the House is not in session at that hour I hope that those especially who have not seen the operation in question will be present for this demonstration, in order that they may see the application of this pick-up and delivery device.

NEUTRALITY LEGISLATION

Mr. LUTHER A. JOHNSON. Mr. Speaker, this special session of Congress called by the President of the United States to enact legislation to prevent our involvement in the existing European war is fraught with importance to the American people. No subject is, or could be of more vital interest to every man, woman, and child in the United States than this.

It is not strange therefore that we should be receiving many letters. Many of them are helpful, inspiring, constructive in thought, and breathing a spirit of patriotism and prayer that wisdom may guide the Congress in passing legislation best designed to promote and preserve peace in our own land regardless of the magnitude or the duration of the war in other countries.

Others come from individuals and organizations whose letters disclose a lack of knowledge, and a misunderstanding and misconception of existing law and the need and necessity for a revision of our neutrality law. Let me illustrate by quoting from some of these:

Vote against repealing the present neutrality law.
Vote against all efforts to alter present neutrality law.
Vote to keep the present neutrality law and keep us out of war.
Do all in your power to prevent any change in the neutrality law as it now stands. Do not change it in any particular.

These sentences are quoted from many letters or postcards received by me, many of them printed, and all expressed in the same identical language. The persons whose names are signed to those printed letters and postcards did not know, but the organization which sent them out to be signed did know, or should have known, these facts: First, that no legislation is pending or, rather, being considered by this Congress to repeal the neutrality law.

Second. That we have only a partial neutrality law in effect at this time. That for the reason that on May 1 a major portion of our neutrality law expired and is now no longer in force or effect. That we now have no law, such as we did have prior to May 1, regulating the sale and shipment of commodities other than arms and ammunition and implements of war to countries at war, and that we have no law now, such as we did have prior to May 1, by which American ships could be regulated and prohibited from carrying goods to nations at war.

For Congress to be told by those undertaking to instruct us how to legislate upon this important subject that we should make no change in existing law, that Congress should not amend or revise the neutrality law, but leave it as it now stands; with these glaring omissions regulating our ships and the sale of commodities other than arms to belligerent nations, reveals that the propagandists who printed those cards to be signed were either ignorant of existing law or indifferent to the fate of America in time of war. Our entry into the last World War did not arise from the sale of arms, ammunition, and implements of war, but from the sinking of our ships, causing the death of our citizens and the seizure and confiscation of property upon the high seas of our people,

and the law as it now stands makes no provision to prevent a repetition of these happenings.

Twenty-six American merchant ships on 26 different dates, ranging from January 28, 1915, to March 19, 1917, were either sunk or attacked by Germany before our entry into the World War, and the cargoes on most of them were foodstuffs, cotton, oil, timber, flax, wheat, rice. In only one instance did the cargo consist of war supplies.

Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point as a part of my remarks a list of these 26 incidents as compiled by the Congressional Library.

The SPEAKER pro tempore (Mr. SHEPPARD). Is there objection to the request of the gentleman from Texas?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, does the gentleman include in this list the ships that were sunk by British and French mines?

Mr. LUTHER A. JOHNSON. I stated that I have had listed 26 incidents where the Germans sank our ships by means of their submarines. I do not mention any other such incidents.

Mr. SCHAFER of Wisconsin. Until the gentleman includes in this list the more than 26 ships that were sunk by British and French mines, which is more of our American shipping than the submarines sank, I shall object.

Mr. THOMASON. Mr. Speaker, I believe it is an unusual situation when a Member who has the floor cannot insert in his remarks what he wishes to and later include additional matters. The gentleman from Wisconsin has the privilege of objecting, of course, but I am sure there would be no objection to this material being inserted.

The SPEAKER pro tempore. Under the rules of the House that procedure is possible, of course.

Mr. THOMASON. I hope the gentleman will not object.

Mr. LUTHER A. JOHNSON. In order to save time I withdraw the request, Mr. Speaker. I will not take time to read this list now, but I will say that I have a complete list, compiled by the Congressional Library, of the 26 ships that were sunk by the German Government during the World War. On this list appear the dates and the names of the ships. It is interesting to note that the cargoes and commodities which were carried in only one of the instances furnished me consisted of war materials. These ships were carrying cargoes of materials other than what are known as strictly war materials.

If Germany, in the World War, submarined and sunk our ships, do we not know that she will do so again? The present war started only a few weeks ago, and already she has begun to sink the vessels of neutral nations. Ships from Norway, Denmark, and Sweden, loaded not with arms, ammunition, and implements of war, but with wheat, butter, flax, and other nonmilitary commodities, have been sunk; and almost daily we read where some ship was sunk by a German submarine. Surely Norway, Sweden, and Denmark are all neutral nations and their ships are sunk merely because they are carrying goods to nations at war with Germany. If we permit our ships to carry cargoes of any kind to the countries at war, they will suffer the same fate.

It is proposed in the pending legislation to prohibit American ships from carrying cargo of any kind to nations at war. We now have no such law, and yet we are receiving letters demanding that we make no change in the present law and in that way keep us out of war. If the present partial neutrality law is not changed or amended, the United States is certain to be in this war, and that within a very short time.

President Roosevelt is to be commended for acting promptly on the outbreak of war in Europe by calling Congress into special session to pass an adequate and a complete neutrality law to safeguard in every way our interests and to prevent our involvement in the war. It is not the fault of President Roosevelt and Secretary Hull that such legislation was not passed at the last session of Congress. If Congress had passed such a bill at the last session of the Congress, there would have been no necessity for this session of Congress and there is a possibility that there might not be any war at this time in Europe.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now, please.

Congress was urged to do so both by the President and the Secretary of State, but the opponents of the legislation said that we had plenty of time, that war was not imminent, that the January session of Congress would be time enough to take up the question of revising our neutrality legislation, and some of the leaders in that fight, at the White House in conference with the President and Secretary Hull, when Secretary Hull advised them that the information which he had and that which all of the American diplomats in Europe had indicated that war was near, said to Secretary Hull that they had their own private information and that there would be no war and they seemed to think they knew more about any threatened outbreak of war than our own State Department, which had its information from official sources and other news-gathering sources.

Some of these opponents charge that the President is trying to get us into war because he is suggesting changes in the present partial and wholly inadequate neutrality law. This is in line with the charge made by the same gentlemen at the last session of Congress when President Roosevelt was trying to have legislation passed. When he talked about war being imminent and need for neutrality legislation they called him a warmonger, and stated that he was simply stirring up strife and that there was no likelihood of any war. Now, when war has broken out and he tries to get legislation to keep us out of war, they say he is simply doing that, not to keep us out of war, but to get us into war.

Mr. THORKELSON. Mr. Speaker, will the gentleman yield for a question?

Mr. LUTHER A. JOHNSON. Not now.

Mr. Speaker, I think a subject of this importance is of far greater significance than any political issue that could be involved. I think that no man or set of men should try, by reason of their prejudice against the President of the United States or because of their partisanship, to confuse an issue of this magnitude in this critical hour.

The resolution now being considered is an improvement over that portion of the neutrality law that expired on May 1 and in my judgment should be less objectionable and be more effective in keeping us out of war.

Let me make a comparison and see whether you agree with me or not. To those who have been opposing this legislation because it vested discretionary power in the President's hands, let me point out to you that section 2 of the act of 1937, which expired on May 1 of this year, left it discretionary with the President.

There were two provisions of that section—subsection (a) and subsection (b). Subsection (a) provided that when the President of the United States thought that the peace of our country demanded it or that it was necessary to keep us out of war, he could prohibit American ships from carrying cargo other than arms, ammunition, and implements of war, if he so decreed, and that he should list the articles that our own ships should be prohibited from carrying to belligerent nations, in addition to arms, ammunition, and implements of war.

Subsection (b) provided that if the President, after finding that a state of war existed, believed that, in addition to the prohibition against arms, ammunition, and implements of war, that it might be necessary to preserve our peace and prevent our involvement, that he could prohibit Americans from selling goods of any kind that he might enumerate that were to go to foreign countries and belligerent countries until the title to all of those goods had been transferred before their shipment.

It will be observed that in both of these instances in regulating the cargo of American ships and also in putting into effect what is commonly called the cash-and-carry principle, the discretion was with the President, but under the proposed legislation, or the legislation now pending and being debated in the Senate, it is not discretionary. The bill automatically provides that when the President finds that a state of war

exists American ships shall be prohibited not only from carrying arms, ammunition, and implements of war but from carrying cargoes of any kind to any belligerent nation. It is not required that the President shall find the need for such restrictions, as was the case in the law which expired, but the pending bill provides that no goods shall be shipped to any belligerent nation until the title to all of those goods shall have been transferred on our own shores before they leave, so that, if the ship is sunk or the goods are lost, no American citizen will suffer any loss or have any claim in the matter, but the loss will be that alone of the foreign countries who bought and paid for the goods.

They talk about the ocean being our defense. It is a barrier and a measure of defense, but it is also the cause of our involvement in European wars, because every foreign war in which we have been a participant, save only the War with Mexico, has arisen due to some incident occurring on the ocean. What we are trying to do in this legislation is to remove the causes by which our citizens may lose their lives, their goods, or their property, so that we can keep out of the war. But they say that this legislation is bad, because it repeals the arms embargo. It does. It repeals the arms embargo and treats all commodities alike. It treats all countries alike. We agree to sell to all countries—to England, to France, to Germany, to Italy, to Russia, to Norway, to Sweden, to little Denmark, to Finland, and all those countries on the same terms and under the same terms and conditions; that is that they transport their own goods and deliver them themselves. We have no interest in it, and our ships shall not carry such goods, and our people shall have no interest in the goods while they are being transported on the high seas. This is the so-called cash-and-carry plan. It was first suggested many years ago by—at least the first person I ever heard suggest it was the lamented Will Rogers, who was not only a great philosopher but one who possessed an abundance of sound common sense. The opponents of the legislation say you must not repeal the arms embargo, because if you do it will get us into war; but I have yet to hear any of those who make this assertion give a satisfactory reason why the repeal of the arms embargo will get us into war.

Those who think that an arms embargo alone to belligerent nations will keep us out of war, have not given thoughtful consideration to this subject. I assert, Mr. Speaker, that the retention of the arms embargo will not keep us out of war, and its repeal will not get us into war. If countries regarded only arms, ammunition, and implements of war as contraband, then there might be some logic in saying that they must be embargoed and treated differently from other commodities. Contraband, as we all know, consists of goods a neutral nation is prohibited by law from furnishing to either belligerent nation, and if a neutral nation ships articles designated as contraband, the right of search and seizure and confiscation rests with the belligerent. What is contraband? Under the old-time definition, contraband was defined as arms, implements of war, and navy supplies. That was absolute contraband. Then there was a conditional contraband, but in time of war we have learned that law does not determine or rather control what is contraband. The nations at war make up their own lists of what they say is contraband, and if they have the power to enforce it, you must treat it as the law of the land. During the World War the countries engaged in that conflict had lists of articles of contraband which covered practically every commodity, and I have before me a statement which I secured from the State Department, issued by our State Department, reproducing what was furnished our State Department by the British Government on September 13, 1939, listing what they denominated as contraband in the present war, and I also have a statement issued by our own State Department on September 19 giving a list of articles and commodities that the German Government has said they will regard as contraband. It is not limited in either particular to arms and ammunition and implements of war. They cover almost every commodity; they cover all food, all clothing; they cover the things that go into clothing; they cover tobacco. Cotton, oil, gasoline, wheat, wool, and many other commodities are included under the definitions listed as contraband.

Mr. POAGE. Why not put them in the RECORD?

Mr. LUTHER A. JOHNSON. Very well. Mr. Speaker, I ask unanimous consent to insert in the RECORD the statements made as to what constitutes contraband by Germany and also the British Government; and will ask that they be inserted at the conclusion of my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LUTHER A. JOHNSON. If the warring nations do not treat arms, ammunition, and implements of war differently from other commodities, but assert the right to seize and sink ships carrying all such commodities, whether they be arms or not, why should our Government place them in a different category? To prohibit the sale of arms to warring nations and permit the sale of other commodities to warring nations without restriction, as is proposed by those who are fighting this legislation, is not only illogical and inconsistent, but is calculated to get us into war. Some think that the arms embargo is the heart of our neutrality law. In this they are in error. I think I should know something about the history of this legislation, because I have been a member of the committee that brought out the various bills on neutrality and a member of the subcommittee that wrote the first bill in 1935 and also the act of 1937, and I assert that the purpose of that legislation as shown by the debate was this: That we were seeking to remove all causes which might arise to cause our country to become involved in war with foreign governments that might be at war.

In one of the speeches I made in this House on neutrality several years ago I took the position that the arms-embargo feature of itself would not remove irritating causes provocative of war, but that it was to discourage other nations from going into war. It was to set an example to other countries which we hoped they would follow, and thereby prevent war; but instead of discouraging them it has encouraged the arming of dictator nations. I believe that instead of helping preserve the peace of the world it has helped to promote war. It is not the sale of commodities but the transportation and delivery upon the ocean that gets us into war. The arms embargo will not tend to keep this country out of war. The repeal of the arms embargo is not an unneutral act, because when we do repeal it we conform to international law, which gives us that right, which permits all nations to sell arms and commodities of all kinds to belligerent nations, and no one can claim that international law is unneutral, and the exercise of our right thereunder cannot be charged as being unneutral.

Mr. THORKELSON. Will the gentleman yield for a question?

Mr. LUTHER A. JOHNSON. Not now.

An embargo on arms during a foreign war and allowing other war materials to go to a belligerent would inevitably benefit countries that are well equipped with supplies of arms and manufacturing facilities and injure countries that rely on other markets for arms and ammunition.

Another reason why the arms embargo should be repealed is because we have found difficulty in its enforcement. It has not worked out in a practical way. We have tried it. We have had it for 5 years, and only twice has it been invoked. Once in the Italian-Ethiopian War and again in the Spanish Civil War. Those are the only two times we have tested it. A representative of the State Department testified before our committee that its enforcement caused much concern and much difficulty, even in those two minor wars. Why? Because it provides "You shall not ship arms, ammunition and implements of war to belligerent nations or to neutral nations for reshipment to belligerent nations." It is always difficult to find out whether a shipment that is going to a neutral nation is to be reshipped to a belligerent or not. There was much difficulty, even in those two minor wars. How much more difficulty would we have in a major war, and how likely would it be in the enforcement of our arms embargo, that we might be charged with being

unneutral in its enforcement. Suppose we allow shipments to go to a neutral nation. The other belligerent says, "You should have known that it was intended for another belligerent. You are not acting neutral." It would be most difficult to determine when shipments to neutrals were not ultimately destined for belligerents. It is best, therefore, to treat all commodities alike, and require transfer of title of all goods in this country before they are shipped. The enforcement of such a law would be easier, and no ground would exist for a charge of unneutrality in its enforcement.

But some who were opposed to the repeal of the embargo at the last session, before the European war began, claim now that it cannot be changed now, since war has already begun. Every country has the right to change its own domestic laws at any time, whether in peacetime or wartime, provided it treats all countries alike; and the proposed law makes no discrimination, but treats every country on the same basis. If we do not have the right to repeal the arms-embargo feature of the neutrality law, we have no right to change the neutrality law in any respect. If we cannot take that provision out, we cannot add anything to it. We cannot take anything from it. If it is unneutral to repeal the arms embargo because it will hurt Germany, it will be unneutral to restrict our ships from carrying goods to England and France, because it will hurt them. If that proposition is sound that you cannot repeal it because it will hurt one side, then we are handcuffed. We are in a strait jacket. War has broken out. We are helpless. We must not change our laws because some country says, "You are hurting us." That is perfectly illogical and indefensible.

I have a statement made by Secretary Hull upon the question of our right to change our neutrality law after war has begun, and I ask unanimous consent to include it in my remarks.

The SPEAKER pro tempore (Mr. SHEPPARD). Without objection, it is so ordered.

There was no objection.

Secretary Hull's statement follows:

SECRETARY HULL'S STATEMENT

SEPTEMBER 21, 1939.

At the press conference at the Department of State today the Secretary of State made the following statement:

"In my testimony during the hearings before the Senate Committee on Foreign Relations in the early part of 1936 I made as clear a statement on that point (change in Neutrality Act through lifting the arms embargo following the outbreak of war) as I could, namely, that most of the progress made in the development of the law of neutrality has been made by acts or steps taken during war. It is common knowledge that belligerents change their rules, practices, methods, and policies in various directions during the progress of hostilities. The law of neutrality has been developed in the direction of recognizing greater rights in the neutral than he was formerly able to assert. If neutrals were required to determine upon their policy in advance of war and in advance of conditions which they cannot possibly foresee, and to hold rigidly to that policy throughout the war, while the belligerents are adopting such new policies as they may see fit to adopt, regardless of their damaging effect upon neutrals, determination of the rights and duties of neutrals and belligerents would be left primarily in the hands of the belligerents. This is not in accord with my understanding of the basic principles of the law of neutrality. It harks back to the days when belligerents regarded neutrals as friends or enemies, depending upon whether they were willing to do the bidding of the belligerent.

"I think that you will find from a careful analysis of the underlying principles of the law of neutrality that this Nation, or any neutral nation, has a right during a war to change its national policies whenever experience shows the necessity for such change for the protection of its interests and safety. I do not mean to be understood as saying that such action may be taken at the behest or in the interest of one of the contending belligerents, it being understood, of course, that any measures taken shall apply impartially to all belligerents.

"In advocating repeal of the embargo provisions of the so-called Neutrality Act, we are endeavoring to return to a more rational position and one that is more in keeping with real neutrality under international law. The question whether such proposed action is unneutral should not, in my judgment, be a matter of serious debate. There has never in our time been more widespread publicity and notice in advance of the outbreak of war of a change in our policy than there has in this instance. This Government has given notice for well-nigh a year—at least since the first of the present year—that such a change of policy was in contemplation. Numerous bills were introduced in Congress, long hearings were held in both Houses, and it was generally understood when Congress adjourned that this subject would be on the agenda when it again convened. The President gave notice through a public statement, which would hardly be supposed to have escaped the attention of all governments and people, that if war should occur he would reconvene the Congress for the purpose of renewing consideration by it of the neutrality legislation that was pending as unfinished business when Congress adjourned."

Mr. THORKELSON. May I ask the gentleman if he will insert that in the RECORD, because I would like to answer it?

Mr. LUTHER A. JOHNSON. Yes. I have already received that permission. I will be glad to answer any questions now.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman.

Mr. VORYS of Ohio. I listened with great interest to the splendid speech which the gentleman has been making.

Mr. LUTHER A. JOHNSON. I thank the gentleman.

Mr. VORYS of Ohio. But, as I understand it, the gentleman feels that the great danger is to our shipping and that what we call the carry law is the important part of our neutrality?

Mr. LUTHER A. JOHNSON. One of the important parts, I would say to the gentleman, will be the transfer of title, because our goods might be on neutral ships and the ships sunk.

Mr. VORYS of Ohio. Last summer when an attempt was made to write the "carry" provision back into the law it was hopelessly defeated on this floor, was it not?

Mr. LUTHER A. JOHNSON. Yes; but the gentleman remembers quite well that I offered an amendment to put it into the law, because I realized that that was a weakness of our law. I made a speech from this very Well and offered my amendment to regulate our own ships, and the gentleman recalls the result.

Mr. VORYS of Ohio. I recall that the gentleman's colleagues on his own side did not support him.

Mr. LUTHER A. JOHNSON. Let me say some of my colleagues on both sides of the aisle who differed with me then now think I am right. [Applause.]

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield for one further question?

Mr. LUTHER A. JOHNSON. Yes.

Mr. VORYS of Ohio. The gentleman is doubtless aware that neither the President nor the Secretary of State has yet approved the restoration of the "carry" provision to our law.

Mr. LUTHER A. JOHNSON. I have not been advised as to that, but I will say that if this Congress is going to function as it was intended, then we shall make our own laws without dictation.

Mr. BLOOM. Mr. Speaker, will the gentleman yield right at that point?

Mr. LUTHER A. JOHNSON. Yes.

Mr. BLOOM. They have not disapproved of it.

Mr. LUTHER A. JOHNSON. I have seen no disapproval of it, and it is my understanding that the President will approve the bill now being debated in the Senate if it passes Congress.

[Here the gavel fell.]

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Texas may be extended for 3 minutes.

Mr. THOMASON. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 10 minutes, because my friend is making a very informative speech, and he is the ranking member on the Foreign Affairs Committee.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARRY. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. BARRY. The gentleman has said that the arms embargo is unneutral. Neutrality is defined as refraining from interference in a contest. Will the gentleman tell me how the present arms embargo is unneutral?

Mr. LUTHER A. JOHNSON. I shall be pleased to answer that question, for it is a fair question. What I mean to say

is that the effect of the arms-embargo provision of the Neutrality Act is unneutral. We have the right, of course, as I said, to pass any kind of law. The effect of the present law is unneutral. Let me answer the gentleman a little further. That is a phase of the proposition that I did not discuss. I think it is unneutral to the smaller countries, especially since international law gives them the right to buy arms. When we give notice in advance that we are not going to sell arms in time of war that is an inducement to aggressor nations to attack defenseless and unarmed countries, knowing that they cannot secure arms with which to defend themselves, and it seems to me it puts the smaller countries at a distinct disadvantage.

Mr. BARRY. Can the gentleman tell me when we ever had a foreign policy of seeing that one side was as well armed as the other, or equally well armed? Since when has it become our duty to see that one side to a conflict is not better equipped than the other?

Mr. LUTHER A. JOHNSON. The gentleman misunderstood my position. Let me answer the question, because there is evidently a misconception on the part of the gentleman.

I do not say that it is our duty in considering a neutrality policy to so write the law that it will equalize the armories and armaments of all countries. You cannot do that because the nations themselves determine their own equalities before we pass the law; but I do say that we have the right under international law to treat all countries alike. The way the present law has worked out has been unneutral and unfair in encouraging attacks by dictators on unarmed countries.

Mr. BARRY. Will not the gentleman admit that while in theory we say to both sides: "You can have arms and ammunition," that actually we are only going to sell to one side?

Mr. LUTHER A. JOHNSON. I would not say that; the gentleman cannot say that, because that is not the fact. The German submarine campaign may become very effective, they may become victorious; we do not know.

While today the repeal may help one group of countries, tomorrow it may help another, since the fortunes of war change sometimes overnight, and no one can foretell who may dominate the sea a year from now. But under the proposed law we offer to sell to all countries alike who come to our shores and get commodities of every kind and pay for them and make their own delivery.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. POAGE. Is it not a fact that the United States has always taken the lead of all nations in the world in asking for universal, or nearly universal, disarmament? Does not the policy we are now pursuing discourage the very thing we have long advocated? Does not the gentleman's policy reward the nation that refused to disarm and penalize the nation that disarmed, the nation that did the very thing the United States asked?

Mr. LUTHER A. JOHNSON. The gentleman has stated that point better than I could, and I thoroughly agree with what he has said.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. CURTIS. The gentleman stated that a number of neutral ships had been sunk, some not carrying arms or munitions of war.

Mr. LUTHER A. JOHNSON. That is true.

Mr. CURTIS. Is not the fact that none of the ships of the United States has been sunk up to date the best evidence in the world that our neutrality is being respected?

Mr. LUTHER A. JOHNSON. No. I think that is due to the fact that the participants are waiting to see what we are going to do in Congress. [Applause.] After Congress has adjourned, I do not know what will happen. We will know then how far they respect our neutrality. The present war has only been in progress a few weeks and has not yet reached an intensive stage, and because American ships have not yet been sunk is no assurance that such will not be done. The *Athenia*, British passenger liner, was sunk several weeks ago, and many citizens of the United States and a party of young ladies from Texas were among the passengers.

Mr. CURTIS. Just one more question.

Mr. LUTHER A. JOHNSON. Yes.

Mr. CURTIS. Does the gentleman subscribe to the doctrine that to repeal the arms embargo would assist France and England? Or does the gentleman support repeal because he believes it will establish our neutrality to a greater degree?

Mr. LUTHER A. JOHNSON. I believe that it should be repealed because it is fairer to all countries, it is easier and more practical to enforce and events connected with the enforcement under international law would be less liable to charges of unneutrality than enforcement of the present Neutrality Act. Furthermore, we would be following the custom of international law as we always did up to 1935.

Mr. MILLER. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Connecticut.

Mr. MILLER. I will not make any speech. Although I have enjoyed the gentleman's presentation, I disagree with some parts of what he said. I am sure that as a member of the Foreign Affairs Committee the gentleman would not want the RECORD to show there is no proposal before the Congress to repeal the existing neutrality law.

Mr. LUTHER A. JOHNSON. I said there is none being considered.

Mr. MILLER. It is being considered on the other side.

Mr. LUTHER A. JOHNSON. It has not been reported out over here.

Mr. MILLER. The gentleman said "the Congress." The Senate is a part of the Congress.

Mr. LUTHER A. JOHNSON. A resolution has been introduced to repeal the entire Neutrality Act, but has never been reported out by a committee or considered by either the Senate or House. The legislation considered in both bodies is, not to repeal the Neutrality Act, but to amend it.

Mr. MILLER. Another question. The gentleman seems to assume that those who write and ask him not to change the law are ignorant of the law.

Mr. LUTHER A. JOHNSON. Not all of them. I said some of them are.

Mr. MILLER. I think the gentleman will agree with me, that there is a school of thought in this country, and I disagree with that thought, which feels that we are wrong in putting a restriction on our shipping.

Mr. LUTHER A. JOHNSON. I think the gentleman is right. I have had letters written by writers whose views I am glad to have. What I was seeking to do was to point out that group of objectors who do not seem to realize what the situation is and who say that we do not need any change at all.

Mr. MILLER. The gentleman did not mean to infer that those who took that position were ignorant?

Mr. LUTHER A. JOHNSON. No; I did not mean any such inference.

Mr. MILLER. They may be honest in their convictions.

Mr. LUTHER A. JOHNSON. Although I doubt very much the wisdom of those who believe that retaining the arms embargo is going to keep us out of war, I respect their honesty and sincerity and accord them the same right to their opinion which I claim for myself.

Mr. MILLER. I will say that there are many honest citizens who believe that the existing law is better than the proposal to restrict all of our commerce and keep our nationals and ships out of Europe.

Mr. LUTHER A. JOHNSON. Of course, I think they are wrong.

Mr. MILLER. I think they are wrong, too, but I think they are honest.

Mr. LUTHER A. JOHNSON. I have not questioned their honesty, but I do not think they have thought as much about it as the gentleman and I.

Mr. THORKELSON. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Montana.

Mr. THORKELSON. Did I understand the gentleman to say that the sinking of ships and cargoes was the cause of war?

Mr. LUTHER A. JOHNSON. It played a big part.

Mr. THORKELSON. Is that what started the war between England, France, and Germany?

Mr. LUTHER A. JOHNSON. I am not discussing the cause of the war between foreign countries now, but am concerned with and am discussing legislation to prevent our involvement.

Mr. THORKELSON. Who is responsible for sending our ships out so that they will be sunk?

Mr. LUTHER A. JOHNSON. What I am trying to do is to regulate them so that they will not be sunk.

Mr. THORKELSON. Why, they have been sent out with their cargoes and the cargoes they carried was the reason for their sinking.

Mr. LUTHER A. JOHNSON. Is the gentleman talking about those incidents I mentioned during the World War?

Mr. THORKELSON. The gentleman stated awhile ago that we might get into the war because some of our ships may be sunk.

Now, why are our ships on the ocean with cargoes and liable to be sunk? They are cleared from our ports, are they not?

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Texas?

Mr. ZIMMERMAN. Reserving the right to object, Mr. Speaker, I understand that the gentleman has asked for this time in order to make a speech, not to be "ganged" by Members engaging in a colloquy that has gone on for about 5 minutes. I believe the gentleman should have an opportunity to make his speech. I certainly hope the gentleman will be given an opportunity to do that if the time is extended, and I shall not object, Mr. Speaker.

Mr. MICHENER. Reserving the right to object, Mr. Speaker, the gentleman from Missouri evidently has not been in the Hall. The gentleman occupying the floor has concluded his speech and has asked for questions. Now we are seeking an opportunity to ask him the questions which he has invited.

Mr. ZIMMERMAN. I thought I was here when he took the floor. With all due respect to the gentleman from Michigan, I believe I am capable of understanding what goes on on this floor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas that he be permitted to proceed for 5 additional minutes?

There was no objection.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from California.

Mr. HINSHAW. I very much appreciate the gentleman's statement and concur in his belief that the sinking of American vessels was largely the cause of our going into the war. I want to find an answer to a question, in connection with the bill under consideration by the other body at the moment, that is confusing to me.

Mr. LUTHER A. JOHNSON. I do not know whether I can answer it but I shall be pleased to try.

Mr. HINSHAW. Section 2 provides that no American vessel shall carry anything to a nation named in the proclamation. Section 3 provides that we shall not export anything until all right, title, and interest thereto shall have been transferred to some foreign nation. Is there anything in that bill that the gentleman knows of that will prevent the American people from selling goods to a foreign country, then having title to these goods transferred to a foreign nation, and shipping them on an American ship to a neutral port for transfer to these foreign nations? The gentleman knows the present law provides that they shall not ship the goods directly or indirectly.

Mr. LUTHER A. JOHNSON. Yes; that is with regard to arms and ammunition.

Mr. HINSHAW. Yes; but there is no such clause in the proposed law that I can find.

Mr. LUTHER A. JOHNSON. I do not know. There may be some merit in the gentleman's suggestion. In other words, the idea is that there might be some evasion by shipment to a neutral nation for reshipment to a belligerent.

Mr. HINSHAW. The gentleman is correct, such as when it is going to England it could be shipped to Ireland, or going to Germany it could be shipped to Holland.

Mr. LUTHER A. JOHNSON. I shall be pleased to look into that question and give it consideration. But as I have already pointed out, enforcement of the clause prohibiting shipment to neutral nations for reshipment to belligerent nations has been most difficult to enforce.

Mr. HINSHAW. I thank the gentleman.

Mr. EATON. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from New Jersey.

Mr. EATON. I am profoundly interested in the happiness of our great President. Under the bill that is now pending in the Senate, how is the President going to get to Campobello Island? The President cannot get there on an American ship without incurring the penalty of going to jail, and he cannot get there on a foreign ship because he is the President of the United States. Do we have to have him here all the time?

Mr. LUTHER A. JOHNSON. I think the gentleman is asking a facetious question.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman has stated that it is his view that we should return to international law.

Mr. LUTHER A. JOHNSON. No; I did not say that. I beg the gentleman's pardon. I did not say we should return to international law.

Mr. MICHENER. What is the gentleman's position on that?

Mr. LUTHER A. JOHNSON. There is a school of thought that we should repeal all neutrality legislation and stand on international law. I am opposed to this. We tried it during the World War. I simply asserted on the question of the arms embargo that international law permitted it, and by repealing the embargo we were therefore following international law, which gives that right, and no one could charge that we were unneutral in so doing.

Mr. MICHENER. Yes. Now we are clear that the gentleman feels that a return to international law as such is dangerous, and that he therefore advocates not a return to international law but specific neutrality legislation. Does not the gentleman recognize that this is the position in the Senate, and that the Senate bill is absolutely opposed to the President's suggestion that we should return to international law; and further, that the debate in the Senate and the attitude of the leaders on the Committee on Foreign Relations is such that it will be impossible for this country to return to international law as such, within at least a generation?

Mr. LUTHER A. JOHNSON. I may say to the gentleman that an amendment was offered when the neutrality legislation was before the House to return to international law. I voted against it and spoke against it. I believe we must have some legislation curbing the rights of our people. While it may deny certain rights we have under the law, yet I believe there should be some limitation restricting the rights of our people so as to keep us out of war.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Texas.

Mr. SOUTH. The gentleman has made a very able address.

Mr. LUTHER A. JOHNSON. I thank the gentleman.

Mr. SOUTH. As I understand the gentleman's position, in addition to what he has said in reply to the question, he favors the adoption of the pending resolution, not only because he believes it is more neutral but because he believes

it is the best way to prevent this country's becoming involved in the conflict now going on abroad.

Mr. LUTHER A. JOHNSON. The gentleman is exactly right.

Mr. SOUTH. If the gentleman will permit, may I ask him further if it is not true that the position this country is now attempting to maintain sets it in a class by itself as far as other important world powers are concerned; that is, no other world power is now attempting to enforce an embargo similar to the one in force in this country at this time?

Mr. LUTHER A. JOHNSON. It is my understanding that no other major country has general legislation or permanent legislation making such restrictions, and I doubt if any country has ever had.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Alabama.

Mr. PATRICK. I want to ask the gentleman if there is anything to this analysis of how this thing works out. A maker of munitions of war may be prevented from marketing them when made and manufactured at home, but cannot munitions still be shipped on the high seas to warring nations right now in our ships under the present embargo law?

Mr. LUTHER A. JOHNSON. They certainly can, and that is the reason I want the law changed.

Mr. PATRICK. It is done every day.

Mr. LUTHER A. JOHNSON. I misunderstood the gentleman—not to warring nations, but to neutral nations.

Mr. PATRICK. They are getting the materials or the makings now.

Mr. LUTHER A. JOHNSON. Yes; certainly.

Mr. PATRICK. Are they going to order from us, to begin with, if they have the makings themselves?

Mr. LUTHER A. JOHNSON. The gentleman is right about that. And, furthermore, there is no moral difference in selling arms and the materials from which they are made.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Nebraska.

The SPEAKER pro tempore (Mr. COOPER). The gentleman has one-half minute remaining.

Mr. LUTHER A. JOHNSON. I yield to the gentleman.

Mr. COFFEE of Nebraska. In the event the arms embargo is repealed, does not the gentleman fear that sabotage and dynamiting of our munitions plants in this country will occur?

Mr. LUTHER A. JOHNSON. Well, we are liable to have sabotage regardless of that fact. There are charges of sabotage on some of our vessels now, including one of our battleships. I do not think because we repeal that law it is going to prevent or encourage sabotage. I think it will go on anyway while the war is on.

Mr. COFFEE of Nebraska. May I ask the gentleman a further question? In the event this is repealed, does not the gentleman feel that the full force of the submarine campaign will be directed at the commerce leaving our shores, regardless of whether the commerce leaves in our own vessels or not?

Mr. LUTHER A. JOHNSON. Of course, a submarine campaign will be waged probably against all ships, but should not be against ours, if we are not carrying goods to belligerent nations.

[Here the gavel fell.]

APPENDIX

DEPARTMENT OF STATE,
September 19, 1939.

The American chargé d'affaires in Berlin, Mr. Alexander Kirk, has reported to the Department of State that two amendments have been issued to the Prize Law Code which increase the articles and materials to be considered as absolute and conditional contraband by the German Government. The Government of the Reich has enacted and promulgated the following law:

"ARTICLE 1

"The following articles and materials will be regarded as contraband (absolute contraband) if they are destined for enemy territory or the enemy forces:

"One. Arms of all kinds, their component parts and their accessories.

"Two. Ammunition and parts thereof, bombs, torpedoes, mines, and other types of projectiles; appliances to be used for the shooting or dropping of these projectiles; powder and explosives, including detonators and igniting materials.

"Three. Warships of all kinds, their component parts and their accessories.

"Four. Military aircraft of all kinds, their component parts, and their accessories; airplane engines.

"Five. Tanks, armored cars, and armored trains; armor plate of all kinds.

"Six. Chemical substances for military purposes; appliances and machines used for shooting or spreading them.

"Seven. Articles of military clothing and equipment.

"Eight. Means of communication, signaling and military illumination, and their component parts.

"Nine. Means of transportation and their component parts.

"Ten. Fuels and heating substances of all kinds, lubricating oils.

"Eleven. Gold, silver, means of payment, evidences of indebtedness.

"Twelve. Apparatus, tools, machines, and materials for the manufacture or for the utilization of the articles and products named in numbers 1 to 11.

"ARTICLE 2

"Article 1 of this law becomes article 22 paragraph 1 of the Prize Law Code.

"This law becomes effective on its promulgation."

The Government of the Reich on September 12, 1939, made an announcement relating to conditional contraband which read in part:

"The following is accordingly announced:

"The following articles and materials will be regarded as contraband (conditional contraband) subject to the conditions of article 24 of the Prize Law Code of August 28, 1939 (Reichsgesetzblatt, pt. 1, p. 1585):

"Foodstuffs (including live animals), beverages, and tobacco, and the like, fodder and clothing; articles and materials used for their preparation or manufacture.

"This announcement becomes effective on September 14, 1939."

DEPARTMENT OF STATE,
September 13, 1939.

The Department of State has been informed by the British Ambassador that a proclamation has been issued in London specifying the articles to be treated as contraband of war by His Majesty's Government, and that these articles are as follows:

"SCHEDULE I—ABSOLUTE CONTRABAND

"(a) All kinds of arms, ammunition, explosives, chemicals, or appliances suitable for use in chemical warfare and machines for their manufacture or repair; component parts thereof; articles necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(b) Fuel of all kinds; all contrivances for, or means of, transportation on land, in the water or air, and machines used in their manufacture or repair; component parts therof; instruments, articles, or animals necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(c) All means of communication, tools, implements, instruments, equipment, maps, pictures, papers, and other articles, machines, or documents necessary or convenient for carrying on hostile operations; articles necessary or convenient for their manufacture or use.

"(d) Coin, bullion, currency, evidences of debt; also metal, materials, dies, plates, machinery, or other articles necessary or convenient for their manufacture.

"SCHEDULE II—CONDITIONAL CONTRABAND

"(e) All kinds of foods, foodstuffs, feed, forage, and clothing and articles and materials used in their production."

EXTENSION OF REMARKS

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article in the issue of Central Constructor of October 3 on P. W. A. and the special session.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHAFER of Wisconsin and Mr. CASE of South Dakota rose.

The SPEAKER pro tempore. The Chair will announce that under a previous order of the House the gentleman from Ohio [Mr. SMITH] is entitled to recognition at this time.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. SMITH of Ohio. I yield.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 10 minutes after the gentleman from Ohio [Mr. SMITH] concludes his remarks.

The SPEAKER pro tempore. The Chair will call the gentleman's attention to the fact that after the gentleman from Ohio concludes there is another special order of 5 minutes of the gentleman from Michigan.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that I may be permitted to follow the last speaker who is scheduled for today and address the House for 10 minutes.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that he may proceed for 10 minutes at the conclusion of the special order of the gentleman from Michigan [Mr. HOFFMAN]. Is there objection?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes following the gentleman from Wisconsin [Mr. SCHAFER].

The SPEAKER pro tempore. The gentleman from Montana asks unanimous consent to proceed for 10 minutes at the conclusion of the remarks of the gentleman from Wisconsin [Mr. SCHAFER]. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. The gentleman from Ohio is entitled to the floor.

Mr. HOFFMAN. Mr. Speaker, will the gentleman from Ohio yield?

Mr. SMITH of Ohio. Yes.

Mr. HOFFMAN. Mr. Speaker, may we be advised of the request made by the gentleman from the Third Michigan District?

The SPEAKER pro tempore. The gentleman from Michigan secured unanimous consent to revise and extend his own remarks.

Mr. HOFFMAN. His own remarks?

EXTENSION OF REMARKS

Mr. HORTON. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. SMITH of Ohio. I yield.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an editorial appearing in the Saturday Evening Post of today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. CASE of South Dakota. I wonder if the gentleman would yield to me to read one or two sentences found in a speech by the gentleman from Texas [Mr. LUTHER A. JOHNSON], made 2 or 3 years ago, on the subject on which he addressed the House this morning?

Mr. SMITH of Ohio. I yield.

Mr. CASE of South Dakota. On the 16th of March, during the debate on the passage of the Neutrality Act which is now a law, the gentleman from Texas [Mr. LUTHER A. JOHNSON], who has just spoken, made a very persuasive speech, fully as persuasive at that time as the speech was today, in which he said:

> It would seem that by now the nations of the earth would have learned that war does not pay. We have learned it in America, but in Europe and the Orient the dark clouds of war are again threatening and menacing the peace of the world.
>
> Having learned our lesson we are determined to set our house in order so that when the storm breaks we shall be prepared to safeguard as best we can our peace and prevent our involvement if possible. If other nations elect to kill and destroy we shall refuse to be dragged into the conflict. And, furthermore, we will prevent our country or our citizens from selling or furnishing to nations engaged in war arms, ammunition, or implements of war, and this bill does just that. This provision is mandatory and applies to all warring nations. We say to the nations of the earth that we are against war and will not become parties to it or aid and abet in it by furnishing the means or implements of destruction.
>
> This is permanent legislation and the wars of the future will differ in duration, intensity, and location.

And the gentleman went on to say that this was not merely to prevent our involvement in war, but was also to act as a deterrent to war.

INTERNATIONAL CUSTOM CONDEMNS THE SALE OF MUNITIONS OF WAR BY NEUTRAL NATIONS TO BELLIGERENTS

Mr. SMITH of Ohio. Mr. Speaker, the discussion which is to follow is based almost entirely on a two-volume work published by the Carnegie Endowment for International Peace entitled "A Collection of Neutrality Laws, Regulations, and Treaties of Various Countries," in the form of an advance copy.

The two great pillars upon which the proponents for the repeal of the arms embargo rest their arguments are: First, that the prohibition of the sale of war materials to belligerents by private citizens is a departure from our traditional policy of neutrality as laid down by Washington; second, that we have departed from international law. This course, they contend, serves not to keep us out of war but to get us into war.

Let us examine their claims and see what there is to substantiate them. When this is done, I believe we shall find no historical basis to sustain their position. I have been unable to find any evidence to indicate that the unrestricted sale by private persons of munitions of war to belligerents was at any time an essential part of our neutrality policy.

Nor can I find any evidence to indicate that our arms embargo departs in the least from the international law and custom as it exists today.

On the contrary, there is an abundance of proof to show that our arms embargo is not in disharmony with the principles of neutrality as laid down by Washington and practiced since his time until 1917, and that it is in complete harmony with the more advanced principles of neutrality throughout the world.

The first Embargo Act passed in the United States was that of May 22, 1794. It provided for the prohibition of export of arms and ammunition for a period of 1 year.

June 14, 1797, substantially the same arms-embargo provision as that contained in the 1794 act was made into law for a "limited time * * * for encouraging the importation thereof."

Again, April 1798, the same provision was reenacted into law "for 1 year from and after the present session of Congress."

During the administrations of Washington, Adams, and Jefferson several embargo acts were passed, some embargoing shipments of arms and ammunition and some restricting all commercial intercourse.

I shall not discuss the significance of these acts except to mention that they were intended to combat the depredations the English and French were carrying on against our trade and also to keep our Nation out of foreign wars.

Certain it is they were not a leading cause of the War of 1812, as has been alleged.

March 10, 1838, an act was passed covering a period of 2 years forbidding the exportation of arms where there was

reason to believe such might be used in a war within the territory or district or people conterminous with the United States.

April 22, 1898, there was passed a joint resolution to prohibit the export of coal or other material used in war from any seaport of the United States, which provided:

> The President is hereby authorized, in his discretion * * * to prohibit the export of coal or other material used in war from any seaport of the United States. * * *

This resolution was amended March 14, 1912, which provided:

> Whenever the President shall find that in any American country conditions of domestic violence exist which are promoted by the use of arms or munitions of war procured from the United States, and shall make proclamation thereof, it shall be unlawful to export except under such limitations * * * any arms or munitions of war. * * *

This resolution was extended and reenacted January 31, 1922. It is important to note that the law of 1898 remained on the statute books until 1912. Here was a period of 14 years when we had a law that permitted a complete embargo on arms to belligerents. The language of that act was far more embracing in its scope than that of the present embargo law.

May 28, 1934, a joint resolution was passed prohibiting the sale of arms to Bolivia and Paraguay in their conflict over the Chaco.

Then came the successive Embargo Acts of 1935, 1936, and 1937. Also the act and proclamations against selling arms to Spain in 1937, and the sanctions—though this word might be objectionable to some—against Italy in 1935.

In addition, it should be mentioned the proclamations that were issued against exports of arms to China in 1922 and Cuba in 1924.

True, the McKinley Arms Embargo Act of 1898 was discretionary, rarely invoked, and then only in a limited way, as was the case with the Dominican Republic in 1905 and Mexico in 1919 and 1921. It may be argued that the act of 1898 was not passed as a neutrality measure, but the fact that it could have been so used places it in the classification of our neutrality legislation. The effect upon the sale of arms is the same regardless of the purpose for which an embargo is placed.

It must also be remembered that President Grant, in his neutrality proclamation during the Franco-Prussian War, issued an order prohibiting our ships from carrying arms and munitions and other contraband of war to the belligerents.

Including the recent 5 years that we have had the arms and munitions embargo and the period from 1898 to 1912, we have had a fairly complete arms embargo for nearly 20 years. Over a period of an additional 24 years we have had what may be called a selective arms embargo, such as that against China in 1922. To which add the several years that the embargoes of Washington and Jefferson were in effect, and it is seen that in all we have had an arms and munitions embargo of some sort and in some degree for about one-third of the life of our Nation.

Those who favor the lifting of the arms embargo, and who base so much of their argument on our historic neutrality policy, should be a little more explicit. They should tell us what they mean when they say this policy has been to permit individual citizens, while our Nation is neutral, to freely sell arms to belligerents, and in what respects this practice has been an essential part of our neutrality policy. Surely a foreign policy that is as vital to the welfare of our Nation as it is claimed the free sale of arms to belligerents is, should have received more attention and care than apparently has been manifested by some of our statesmen in times gone by. Does it not appear from the serious interruptions and suspensions that this policy has suffered it may after all not have the intrinsic merit we have been led to believe it has? Certainly, when the statutes themselves provide for the prohibition of the export of munitions of war, as heretofore shown, there must be doubt as to the validity of their argument.

Just how can Washington's policy of neutrality be linked up with the program of the repealists? Where or when did he ever do anything, say anything, or even remotely hint at anything to indicate that the refusal of our Nation to permit our citizens to sell war supplies to a belligerent would jeopardize our neutrality?

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. CASE of South Dakota. I think the gentleman is making an interesting and informative address. I wonder if he has given attention, in speaking of the Hague Convention in 1907, to the section in regard to naval category. If I remember correctly, there is a section in that which, despite the section which the gentleman has just quoted, provides specifically that neutrals shall take care that no ship shall depart from their jurisdiction that may be utilized in any way by a belligerent to engage in hostile operations against a nation with whom the nation permitting the departure is at peace. So that in that instance the Hague Convention puts a ban on the delivery or permitting the delivery of battleships or vessels to belligerents.

Mr. SMITH of Ohio. I am very glad to have that contribution.

Mr. THORKELSON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Mr. THORKELSON. I understand the gentleman has made considerable research into this matter. Let me ask the gentleman this question. Has the gentleman found in that research any previous occasion when any neutral nation enacted into legislation rules or laws establishing zones on the ocean, such as from parallel 30 south in the Pacific Ocean, and giving the neutral nation a right by law to trade with a belligerent and carry war material? Has the gentleman found any such thing in his research?

Mr. SMITH of Ohio. In answer to the question of the gentleman, I would say that I have not made any study of that particular question.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Miss SUMNER of Illinois. Has the gentleman in his interesting study of the history of this legislation reached the same conclusion that I have—that this law is a law today largely as a result of the activities of the Nye committee investigating the activities in lobbying of the munitions industry, which disclosed that there was lobbying which prevented the enactment of embargo legislation during the 1920's and lobbying against the so-called activities of Hoover and his "cookie pushers" in the disarmament conference in Geneva; and that those disclosures so shocked the Nation that this legislation was the result of a united public opinion?

Mr. SMITH of Ohio. I thank the gentlewoman for her contribution.

It appears to me, therefore, that the advocates for repeal, in basing their claims upon the policy of neutrality of Washington, as well as that practiced since his time, or up to 1917, fail altogether in supplying any proof for their contention.

Now, let us see what so-called international law says about the rights and duties of neutrals with respect to selling arms to belligerents. Formally it has said very little. Article 7 of the Hague Convention of 1907 reads:

> A neutral power is not bound to prevent the export or transit, for the use of either belligerent, of arms, ammunition, or, in general, of anything which could be of use to any army or fleet.

Note particularly it says "the neutral power is not bound to prevent," and so forth. We shall later return to this point.

Much, however, has been done by the nations to develop the principle of embargoing munitions of war to belligerents as an instrument of neutrality. There has developed in the last century and a half an immense body of international custom of embargoing war material to nations at war. This has

evolved entirely from the great service this restriction renders to the cause of neutrality.

In the war between France and England in 1803, the Austrian monarch issued a decree—

forbidding all our subjects, who are navigators and merchants, to transport, for the powers at war, * * * cannons, mortars, or arquebuses, pistols, bombs, grenades, bullets, guns, gunflints, fuzes, powder, saltpeter, sulfur, pikes, swords, sword belts, cartridge boxes, saddles, and bridles.

When the Crimean War in 1854 broke out, Austria issued orders prohibiting her merchantmen from carrying contraband of war, and also forbidding the export of arms and ammunition over the Austrian frontier to the Russian and Ottoman States.

As a neutral again in 1870, during the Franco-Prussian War, she issued a complete arms embargo. The decree read as follows:

It is forbidden to supply those powers with articles which, according to the general law of nations, * * * are contraband.

Brazil in 1914 prohibited the exportation of arms and ammunition of war to Bolivia and Paraguay in 1933 in the Chaco dispute; to Spain and Chile in their war in 1866; to the belligerents in the Spanish-American War.

Great Britain passed the Customs and Consolidation Act, 1853, wherein it is—

declared and enacted as follows:
The following goods may, by proclamation or order of council, be prohibited either to be exported or carried coastwise: Arms, ammunition, and gunpowder, military and naval stores, and any articles which Her Majesty shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food by man.

Under this act it was decreed in 1861 to prohibit the exportation of "all gunpowder, saltpeter, nitrate of soda and brimstone, arms, ammunition, military stores, lead."

In 1931 she issued an order prohibiting the exportation of weapons and munitions of war of practically every description. In 1937 the chemicals that can be used in warfare were added to the list.

In the war between Austria and France and Sardinia, in 1859, England forbade her subjects carrying contraband to the belligerents.

In her neutrality proclamation in the Civil War in 1861 England prohibited her subjects from "carrying arms, military stores * * * or contraband of war," and repeated the same during the Franco-Prussian War.

As far back as 1825 Britain, by order of council, prohibited the exportation of munitions. In that order is mentioned a long list of the articles that come under the decree.

She placed an embargo on arms to Spain in 1936. She prohibited her ships from carrying war materials to Uruguay and Paraguay and Brazil during their hostilities in 1865; and to Russia and Japan during their conflict in 1904.

Denmark in a royal order regulating the conduct and defining the obligations of merchants and marines in time of war between maritime powers, May 4, 1803, said:

Since according to the generally accepted principles the subjects of a neutral power cannot be permitted to transport in their vessels goods that would be considered contraband of war, if they were destined for the ports of a belligerent power or if they belonged to its subjects.

The following articles were decreed to be contraband:

Cannons, mortars, arms of all kinds, pistols, bombs, grenades, bullets, balls, guns, gunflints, fuzes, powder, saltpeter, sulfur, breastplates, pikes, swords, swordbelts, cartridge boxes, saddles, and bridles.

Denmark has issued numerous proclamations of a similar nature—in the Russo-Turkish War in 1877; in the Russo-Japanese War in 1904; in the Franco-Prussian War in 1870; in the Spanish-American War in 1898; in the World War in 1915; and in a number of other wars.

Germany, in 1854, at the outbreak of the Crimean War, embargoed all war supplies to belligerent powers. She issued another decree forbidding her maritime merchants to supply any articles of contraband to the belligerents in 1781; another forbidding the export of arms to Russia in 1920.

Japan prohibited Japanese vessels from carrying arms or munitions of war to the hostile parties in the Franco-Prussian War.

The Netherlands passed an act in 1914 which provided:

In case of war or threat of war, we shall have power to prohibit altogether or to restrict the exportation of necessary commodities.

Exportation of arms, ammunition, and so forth, to belligerents was forbidden in the Spanish-American War.

The Netherlands prohibited exportation of arms and munitions during the Franco-Prussian War. She issued similar decrees in the Spanish-American War, World War, Russo-Turkish War in 1877, Russo-Japanese War, Italo-Turkish War in 1911. She forbade carrying of contraband to belligerents in the Crimean War, which the decree said was in "contravention to the obligations imposed on neutral powers by international law to export ammunition by sea."

Norway, in the Royal Ordinance of May 4, 1803, said:

According to the principles generally agreed upon, the subjects of neutral governments are not permitted to have goods on board which are considered as contraband of war destined for or belonging to the belligerent powers or their subjects—

The articles considered as contraband of war are then specified—

nor shall it be lawful for the owner or master of any vessel to let it be used for transport of * * * arms or ammunition of any description.

In the Crimean War, Franco-Prussian War, Russo-Turkish War, and Russo-Japanese War, Norway placed similar restrictions. The sale of every article of contraband was forbidden in the Franco-Prussian War.

Spain during our Civil War prohibited the "transportation of effects of war for belligerents." She did the same in 1870 during the Franco-Prussian War.

The SPEAKER pro tempore (Mr. COOPER). The time of the gentleman from Ohio has expired.

Mr. LUDLOW. Mr. Speaker, in view of the fact that the gentleman from Ohio [Mr. SMITH] is making a notable contribution to the discussion of neutrality, for which I think the Congress and the country owe him a debt of gratitude, I ask unanimous consent that his time be extended for 10 minutes.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that the time of the gentleman from Ohio be extended for 10 minutes. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Sweden in a decree in 1800 stated:

Swedish ships destined for ports of a belligerent power must, with the utmost care and under the severest penalties, avoid carrying contraband—

The same then defines a long list of contraband articles.

In 1804 she issued a regulatory order, as follows:

All our subjects in general are forbidden, under the strictest accountability and inevitable penalties for violators, to engage in contraband trade with the subjects of any of the belligerent powers; and it is likewise forbidden, under similar accountability and penalties, the commanders of our warships and the captains of Swedish merchant ships bound for a port belonging to or subject to either of the nations at war, to load, to have, or to conceal on board any contraband of war; and in order to avoid any ambiguity or misunderstanding as to what is properly to be considered contraband of this nature, we declare that nothing but the following goods shall be included under this head: Cannons, mortars, firearms, pistols, bombs, grenades, bullets of all kinds, guns, gunflints, fuzes, powder, saltpeter, sulphur, breastplates, pikes, swords, sword belts, cartridge boxes, saddles, and bridles.

In a Notification of Principle of Neutrality, in the Crimean War in 1854, she issued the following:

SEC. 5. All kinds of goods, even such as belong to belligerents, may be carried in Swedish ships as neutral, except contraband of war; by which are understood, cannons, mortars, all kinds of arms, bombs, grenades, balls, flints, linstocks, gunpowder, saltpeter, sulfur, cuirasses, pikes, belts, car-touch-boxes, saddles, bridles, and all other manufactures (tillverkningar) immediately applicable to warlike purposes.

SEC. 6. Swedish sea captains are forbidden to carry articles contraband of war, for any belligerent power.

SEC. 7. Vessels belonging to belligerents may bring into, or take away from Swedish harbors, any and every kind of goods, provided they are permitted by the tariff, and always excepting such as are contraband of war.

In 1904 she issued an order prohibiting her ships carrying contraband.

In 1933 and 1935 she issued a decree forbidding the exportation of arms and ammunition.

A proclamation was issued in the Sardinian War in 1859 prohibiting Swedish ships from carrying contraband.

Switzerland by an ordinance, August 4, 1914, forbade exportation of arms and munitions, and all military material.

In 1859 Switzerland, under article 90, section 9, of the Federal Constitution and the decree of the Federal Assembly of May 5, 1859, prohibited exportation of munitions of all kinds across the Swiss-Italian border.

Under the same authority, in 1866, exportation of war material to belligerents was forbidden.

In 1870 the Swiss Government reminded its citizens that the exportation of arms to belligerents was forbidden by law.

Belgium in 1870 prohibited exports of all war materials to the belligerents.

I have given you some of the important laws and decrees of most of the states relating to the prohibition by a neutral nation of the sale, exportation, and transportation of material used for war purposes to belligerents.

This work of Deak and Jessup, from which I have taken all the material for this discussion, shows there are more than 160 such acts and ordinances that have been put into operation in the last 150 years. The thing that strikes one most forcibly in studying this work, is the preponderance of evidence that the nations of the world are generally agreed to the absolute need of an arms embargo as one of the first requisites of strict neutrality. Indeed, I think it may now be safely stated that one of the prime essentials of self-preservation of any nation is the complete prohibition of the sale of muntions of war to belligerents. The Baltic states and Switzerland have, in my opinion, firmly and conclusively demonstrated this principle. How long could any one of them stay neutral if it sold implements of war to one or both belligerents? Hardly overnight.

On September 28, 1939, there appeared in the Washington Star a news item, which stated:

Scandinavian and Baltic States barred war materials to belligerents.

"Let us return to international law," say those who urge repeal of the arms embargo, and rest their case there.

Just what international law or custom do the proponents of repeal refer to? Whose international custom is it to which they would have us appeal for our rights to sell munitions of war to belligerents?

Is it the international law of Norway, Sweden, Denmark, Belgium, the Netherlands, and Switzerland, who, as neutrals for many years, have more and more made it a practice to prohibit the sale of arms to belligerents? Even the belligerents have come to respect this custom, and concede that it is the natural right of those neutral nations to prohibit the sale of arms to them. Is it this recognition that the repealists appeal to to substantiate their claim that international custom sanctions the sale of arms by a neutral to belligerents?

Mr. HARE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. HARE. I have listened with a great deal of interest to the gentleman's historical references, but I obtained a different viewpoint from that which the gentleman is now expressing, from the quotations. I got the idea that the laws referred to by the various countries were prohibiting exportation of munitions of war to warring nations by their own ships, and no reference was being made to the sale of those commodities to belligerent nations. Is there not a distinction to be made between a law prohibiting exportation by ships of a country and one prohibiting the sale of munitions to a belligerent nation?

Mr. SMITH of Ohio. Where the word "exportation" is used without reference to ships, I think it means the exportation of all armaments by any means.

Mr. HARE. I obtained the impression from a reading of those quotations, to which you have referred, that they referred to the exportation of those munitions of war by ships of those neutral nations, and not prohibiting the sale.

Mr. SMITH of Ohio. The gentleman did not listen very well to my dissertation, because it is stated plainly "the embargoing of arms."

Mr. HARE. The embargoing of arms by the ships of that nation, but not placing an embargo on the sale.

Mr. SMITH of Ohio. I did not say that, and the text will show I did not say that, and this work does not say that, and it does not exist.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I will be glad to yield to the gentleman.

Mr. VORYS of Ohio. Is it not true that our Embargo Act uses the words that "it shall be unlawful to export or attempt to export," and those words in themselves are sufficient to prevent sale at all to belligerents?

Mr. SMITH of Ohio. That is true.

Mr. HARE. I am trying to bring out whether there is a distinction or difference between passing a law preventing exportation and one prohibiting sale. If we export, that means that we take the initiative and take the liability and responsibility of delivery, but a law against the sale would have an entirely different meaning.

Mr. SMITH of Ohio. There are many instances where that difference is stated in this work.

Mr. HARE. I did not mean to create an argument, but I just wanted to see if the gentleman from Ohio obtained the same viewpoint that I did from a reading of his quotations.

Mr. SMITH of Ohio. You may have it both ways, because there are acts which apply both ways.

Mr. HARE. I thank the gentleman very much.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. CRAWFORD. Do I understand those two volumes from which the gentleman is quoting were prepared by the Rockefeller Institute for International Peace?

Mr. SMITH of Ohio. This is an advance copy of A Collection of Neutrality Laws, Regulations, and Treaties of Various Countries, edited by Francis Deak and Philip C. Jessup, research in international law under the auspices of the faculty of the Harvard Law School, published by the Carnegie Endowment for International Peace.

Mr. CRAWFORD. Does the gentleman think that that great force for peace would prepare a study of that kind simply for the purpose of indicating that shipowners could not carry implements of war? Would they go to the expense and cut down their own dignity by putting out such a study, in your opinion?

Mr. SMITH of Ohio. I do not believe so.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I shall be glad to yield to the gentleman.

Mr. SOUTH. The gentleman's discourse is indeed very interesting. However, I am not sure whether it is conducive to the opinion that embargo legislation has been a success. I wonder if it does not indicate the contrary. More than 200 laws of various types have been referred to by the gentleman, and yet today, after having had embargo and having repealed it or having permitted it to expire, as was done in those different cases, the gentleman cannot today tell us of one important world power that undertakes now to enforce the kind of embargo that we have in this country, can he?

Mr. SMITH of Ohio. I can name more than one.

Mr. SOUTH. Important world powers.

Mr. SMITH of Ohio. Belgium, Holland, Switzerland, Norway, and Denmark.

Mr. SOUTH. Of course I said "important world powers."

Mr. SMITH of Ohio. The gentleman does not consider those important world powers?

Mr. SOUTH. Well, does not the fact that so many nations have tried and abandoned the law, suggest to the gentleman that perhaps after all it has not been a success, and, therefore, the nations that have tried it have abandoned it?

Mr. SMITH of Ohio. I know of no nation that has tried it and abandoned it.

Mr. SOUTH. Have we not done that ourselves?

Mr. SMITH of Ohio. Except the United States of America; or tried to abandon it.

Mr. SOUTH. Well, the gentleman named England and various states that had embargoes at different times.

Mr. SMITH of Ohio. But they have not considered it a failure, nor have they repealed their embargo laws.

Mr. SOUTH. Well, do they have it now?

Mr. SMITH of Ohio. Yes.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that the gentleman have 5 additional minutes. He is making a very important statement.

The SPEAKER pro tempore. The Chair invites attention to the fact that there are several other special orders.

Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. THORKELSON. Will the gentleman yield for a question?

Mr. SMITH of Ohio. I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. I just wanted to point out in connection with these laws and their enforcement the fact that Norway and Sweden have had peace for at least 100 years; and I challenge any man to point to any two countries where they have done more along the lines of social legislation for their people than these two countries. You cannot find anywhere in the world anything in the nature of legislation that tends to lift the people to a higher level, a higher standard of living, than you will find in these countries. The reason for this is that they have enforced their neutrality, they have been at peace for 100 years and where most nations have spent their money in war these two countries have spent theirs in improving the standard of living of their peoples.

Mr. SMITH of Ohio. I thank the gentleman for his contribution. The neutrals themselves outside the Scandinavian states and Switzerland, even the big ones, the bully ones have come to fully recognize and respect the custom and the right of the former to prohibit the sale of munitions as an instrument for maintaining neutrality for their self-preservation. Is it this recognition and respect they refer to as the international law that proscribes our arms embargo? We have seen that many, many arms embargo acts and ordinances have been passed and put into operation during the last century and a half by nearly all the nations of the world as neutrals. We know of no serious challenge by any nation or group of nations to the right of any one of the numerous countries that have placed prohibitions on the sale of arms as an instrument of neutrality. Is it this complete and universally recognized right that the proponents for the repeal call international law, and that gives sanction to their claims?

Certainly the great body of custom of neutral nations to prohibit the sale of munitions of war to belligerents, and the universal recognition by all the nations and even the belligerents themselves, of the right of resorting to such prohibition, settles at least one practical question for us now, namely, that we as a neutral, have the unchallengeable right to the use of the arms embargo as a means of neutrality to preserve our own interests. To deny this is to deny our right to sovereignty.

The only question that remains is whether there exists real justification for us as a neutral nation, to sell armaments to the belligerents.

I mentioned some time back article 7 of the Hague Convention of 1907. I shall read it again—

> A neutral power is not bound to prevent the export or transit, for the use of either belligerent, of arms, ammunition, or, in general, of anything which could be of use to any army or fleet.

Does that sound like a recognition of any right?

> A neutral power is not bound to prohibit—

Is it possible to put any other construction upon this phrase than that while it is not prohibited for a neutral power to sell arms to belligerents there is just enough wrong about it that it should not be done?

We have not forgotten the story about the Hessian soldiers England brought over here to fight us in the Revolutionary War. All of our children have ever since been taught the horror of nations hiring out, for money, their soldiers to fight other people's wars. Yet we should be reminded that this was at that time a common practice. In Neutrality and Peace, by Nicolos Politis, we read:

> So matters stood during the seventeenth and eighteenth centuries. Henry IV permitted whole regiments of his army to go into the service of the United Provinces. In 1630 Charles I of England, entirely at peace with the Emperor, allowed the Marquis of Hamilton to put a body of 6,000 men at the disposal of Gustavus Adolphus, for use in his expedition into Germany. He even furnished him with important pecuniary subsidies. The court of Vienna protested to London, but not very insistently, because, since they were tolerated equally in behalf of both adversaries, levies of troops were not considered as acts contrary to neutrality.
>
> Such was the general practice of that period. It is explained by the character of the wars of the sixteenth and seventeenth centuries which did not favor the development of neutral duties.

The entire world has long ago placed its final stamp of condemnation upon this barbaric practice. I am certain the same fate awaits what is still left of the practice of neutrals selling arms to belligerents.

Though most unpleasant to admit, it appears to me our country is trailing far in the rear in the march of the nations toward peace through the prohibition of the sale of armaments of war to belligerents. Whatever may have been our past policy, in the light of the growing sentiment throughout the world, we are forced to concede the incompatability of true neutrality and the sale of war supplies to nations engaged in conflict. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. COOPER). Under the previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

LABOR LEGISLATION AND PREPAREDNESS

Mr. HOFFMAN. Mr. Speaker, it seems idle to some of us to debate this question of neutrality if the press gives an accurate account of what happened in the other Chamber of the Capitol yesterday. The headlines of the Washington Post carry the information that Senators BURKE and WHITE demand that we aid the Allies—whoever they may be—as a matter of duty. Here is the headline: "BURKE, WHITE urge open aid to Allies as United States duty." If that be an accurate statement of what the Senators urge, it would seem that the mask is off, and while we are not in the war today we may expect to be next week or perhaps a little later.

We all know that the President is preparing for war, whatever may be his intentions about putting us into it. We all know that the plan for a draft—a skeleton plan at least—has been outlined. We all know that plans for the mobilization of industry and war resources have been drawn. This being true, it would seem as though, if we were going into war, whether we wish to go in or stay out, we should back up the President's program. It would be better if he would come out and tell us flatly and frankly whether we are going in or whether we are going to stay out. If he has such a plan, and we know he has—that is, I mean a plan of preparedness—why should we not do something to prevent interference with that plan? As was stated yesterday on the floor, we have appropriated millions of dollars—yes, billions of dollars—to get ready. The morning papers carry the information that up in Detroit some 55,000 men are out of work because of strikes in the Chrysler plants. The morning papers carry the information that over in Kenosha, Wis., although the company has agreed to put into effect the demand for an increase in wages, plants are closed. The morning papers carry the information that the National Labor Relations Board has ordered a hearing in the packing industry, at Armour's in Chicago. Although motor plants may be making automobiles and trucks at present we know that motor, bearing-production plants, and the meat industry are essential industries and that we must have them

operating at full capacity if we are adequately to prepare for any war that is coming or even if we are to help, as Senator BURKE and Senator WHITE stated yesterday, if we are to help our Allies—although, of course, most of us did not know until today that we had any Allies. I had supposed from the debate that has taken place over in the Senate that we were neutral and that we were trying to maintain our neutrality. Apparently, however, if Senator CLARK was right in what he stated yesterday when he referred to a speech made by Mr. Johnson, of the War Department, we are already committed to a war.

The point is that if we are to back up the President in this program of preparedness, if we are to back him up in this plan of assisting these Allies of ours, why should we let industry be stopped even for a day, even for a moment, by these unions? Why should we refuse here and now to take up and amend the Wagner law? Have you heard about that before? That is the thing that is causing the trouble. That is the thing which, according to the American Federation of Labor, enables the C. I. O. to close these plants. Now, listen! Eighteen times the President of the United States has called on John L. Lewis to do something to make peace in the ranks of labor. If the President is going to help Great Britain and France, has he been helping Lewis to disrupt the labor organizations? Is that what he has been at the last few years? If he has not, then why cannot that law be amended?

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. You will all recall that some of us in the last session wanted to bring that Wagner law out and have it amended. You all recall how the A. F. of L. in the hearings before the Senate committee and the House committee condemned the Labor Board because of its partisan activity. You all know that industry, the manufacturers, the men who must produce, the men who must pay the wages, said that that law was unfair.

They proved that the law was unfair. That law provided penalties against the employers. It provided for no penalties against labor racketeers or labor organizers who were inspired by and used the methods of Communists. All this being true, and the A. F. of L., industry at large, and 70 percent of the people themselves, as shown by the polls, being in favor of amendment of that law, and within the past week having John L. Lewis' statement that the Board is partisan, biased, and prejudiced, if they are all agreed that the operation of the Board is improper, its activities are all wrong, that it is making trouble, that the law needs amendment, what reason is there to refuse longer in this special session to bring out the resolution and take care of the situation?

The papers tell us today that Madam Perkins last night sent a mediator up there to Detroit. I may say that Michigan is the heart of this industry which manufactures motorcars, trucks, and bearings. You stop that heart through these communistic labor organizations, or organizations which belong to the C. I. O., and what do we have? Why do we permit that?

Mr. CRAWFORD. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I think the RECORD will show that the great mass of products which are expected to be shipped from this country to the Allies, to which the gentleman has referred, will necessarily consist of two primary parts—first, parts for airplanes; and, second, parts for automobiles, trucks, or motorized equipment. If the automobile industry and the airplane industry of Detroit and Greater Michigan, we will say, is to be thus interfered with, what chance have we in this country to prepare ourselves for such defense as we may have to put up, to say nothing about furnishing supplies to the Allies after the new neutrality bill has been put into operation?

Mr. HOFFMAN. The manufacturer of airplanes and the manufacturer of trucks and motors to be used by the Army depend absolutely upon the operation of these bearing plants. There is no question about that.

Mr. CRAWFORD. And that is the industrial zone to which the gentleman has referred where the strikes are now in operation?

Mr. HOFFMAN. Yes.

Mr. CRAWFORD. This is in time of war. The Government has full cognizance of the fact that the whole procedure is being prevented from operating by these strikes?

Mr. HOFFMAN. There is no question about this statement: The picket line around the Bohn Aluminum & Brass Corporation prevented the delivery of the Navy's own castings to them, and, as I pointed out, they manufacture the bearings for a special type of airplane.

Mr. CRAWFORD. After they had been processed and made ready for shipment?

Mr. HOFFMAN. After they were all ready for delivery. Mind you, that plant was on strike for 41 days. Those bearings were all ready to go into the motors which were ready to be put into this special type of airplane. You will get this information officially in a few days in answer to the resolution I offered today; yet the executive department of the Government, the Labor Department, is not taking effective steps to prevent deliveries being delayed or to prevent strikes being called. We sit here and let that go on.

Now, suppose we get into this war and you have relatives, sons, or brothers across the sea whose lives and safety depend on an airplane or depend upon some of these motortrucks or some of this mechanized artillery. Suppose they are relying on those for their protection or for the winning of the war. They turn to us and say, "Why do you fellows stay there and let those things go on as they are going?" I am sure there are men right on the floor who know from their own experience in the last war how their safety overseas was endangered because of the failure of the people at home to get materials—guns, ammunition, supplies—which they needed.

Mr. HAWKS. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Wisconsin.

Mr. HAWKS. What has this racketeer Lewis got on the administration that it does not do something about the matter?

Mr. HOFFMAN. I am not one of the inner council of the administration. The gentleman might ask Hugh Johnson or Ray Clapper.

Mr. MICHENER. It has been suggested that somebody supped at the labor table.

Mr. HOFFMAN. Yes. I think that was a statement made by Mr. Lewis. He called attention to the fact that he should get a return for the $470,000 campaign contribution—that he ought to get something substantial.

Mr. WOODRUFF of Michigan. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. I was one of those in France during the late unpleasantness and I was there for many months. I was there during the months when the men in the trenches, Mr. Speaker, were eagerly looking day after day for some evidence that would show that the hundreds of millions of dollars which had been spent in this country for aircraft had been properly spent. That sum amounted to more than $700,000,000, and we did not put a single fighting plane on the front. My organization went overseas armed with inferior rifles. Our artillery regiments were armed with French 75's and British guns, largely.

I may say from my personal experience in the Spanish-American War, when I went into action with my regiment at Santiago, we were pitted against high-powered smokeless rifles in the hands of the enemy. We Americans went into action with the same model rifle that was used by the veterans of the Civil War at the close of that war. The caliber of the bullets was about as large as the end of your little finger. We used black powder and every time we fired a shot a cloud of smoke showed exactly where we were.

Today even our Regular Army is not equipped with the most efficient arms. We have not enough modern rifles to arm our Regular service, to say nothing of the National Guard, the Reserves, and troops we must have in time of trouble.

Mr. Speaker, it seems to me that the time has come that the Congress take some action to see to it that our soldiers are properly equipped, if we are about to go into war, which very many people high in the service of the United States think we are headed for at the present time, I agree with the gentleman from Michigan it is about time the Congress take some action that will put an end to the things he has repeatedly called to the attention of the House. [Applause.]

Mr. HOFFMAN. There you have it. We ought to learn a few things from the experiences of the past. We ought to draw a few lessons from our experiences in the other war. The gentleman who has just spoken and who served so honorably in the wars he mentioned has told you what happened in those wars. I have no doubt that there are other men sitting here who can tell you the same story. If these fellows who are on the picket lines simply because they want to compel all workers to join their organizations, and who hold up the delivery of parts essential for the preparation of our national defense, are not traitors, I ask you, what are they? Are we to sit here and fail to authorize someone to go up there and take them by the neck and shake the shoes and the shirts off and the teeth out of their heads? [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that on Wednesday next, October 18, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

EXTENSION OF REMARKS

Mr. FRIES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial which appeared in the Washington Times-Herald on Sunday, October 8, dealing with our war hysteria and our economic and social problems.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD twice, including in one extension an editorial from the Chattanooga Times of October 10 and in the other an article from the Chattanooga News of October 7.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein three short editorials from the Gaelic American on the subject of neutrality.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Wisconsin [Mr. SCHAFER] is recognized for 10 minutes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I requested this time in order to ask the distinguished New Deal leader, a member of the Committee on Foreign Affairs, the gentleman from Texas [Mr. JOHNSON], who addressed the House this afternoon, a few questions.

Our distinguished colleague [Mr. JOHNSON] admitted that the Congress was called into session to consider neutrality legislation. Notwithstanding this fact, the House has been adjourning from day to day and the New Deal administration has not seen fit to bring their latest neutrality legislation before the House for full consideration, debate, and amendment. The Members of the House have as much responsibility with reference to this legislation as have the Members of the Senate.

I believe that in order to expedite action on this highly important and controversial legislation, the House should stop adjourning for 3 and 4 days at a time and end these 1- and 2-hour sessions when we do convene. The New Deal administration should make arrangements to bring their Bloom-Baruch credit-and-carry war-promotion bill, which has been clothed in the robes of neutrality, on the floor of the House for consideration, discussion, amendment, and a vote. I feel confident that the House will then be able to make a real neutrality bill out of it.

I particularly wanted to ask our distinguished colleague the gentleman from Texas [Mr. JOHNSON], who spoke today, what he thought about the recent unneutral warlike utterances, promises, and pledges of our New Deal Under Secretary of State Sumner Welles. The gentleman from Texas [Mr. JOHNSON] correctly stated that the Congress of the United States, the Senate and the House, the duly elected representative body of the American people, who will have to fight and suffer and die and pay if we are dragged into this new World War in Europe, was called into session to consider and enact neutrality legislation.

Notwithstanding this fact, we observe in the headlines of the papers that our multimillionaire New Deal Under Secretary of State, Mr. Sumner Welles, at an assembly in Panama of the representatives of 21 South, Central, and North American nations, most of which are ruled by dictators, announced alleged neutrality policies for the United States which are in conflict with international law and the existing law of the United States. Mr. Welles, without authority of law, proposed a program of a 300-mile neutral zone around the Americas, put the approval of our country on his proposal, and promised that our American Navy would patrol the zone. Mr. Welles also fails to realize that Uncle Sam's Treasury is almost bankrupt. In order to obtain support for his proposal Mr. Welles, without authority of law, promised that Uncle Sam, in addition to patrolling the Welles 300-mile zone, would play Santa Claus in a big way to these dictatorships, most of which now owe, and have refused to pay, a total of almost $2,000,000,000 to American investors whose hard-earned dollars were used to purchase securities issued by these debt-defaulting countries and their political subdivisions. Mr. Welles said:

> I am authorized to state that the United States Government wishes to cooperate with all other American republics in such efforts of each to develop the resources of its country along sound economic and noncompetitive lines. When desired it will assist in making credit available to them through the services and facilities of its privately owned banking system as well as its Government-owned agencies when the latter have funds available for such purposes.

I yield now for any New Deal leader to point out under what provisions of existing law the New Deal Under Secretary of State, Mr. Welles, has authority to go to Panama, to a conference of 21 nations, most of which are dictatorships, and promise that our American Navy will patrol a 300-mile Welles neutral zone around the entire continents of North and South America, the Canadian seacoast excepted. I yield now and pause. I hear no reply.

I now yield for any responsible New Deal leader to point out a provision of law under which our multimillionaire, sword-rattling Under Secretary of State, Mr. Welles, has authority to go to Panama and promise these 21 nations that Uncle Sam will open up the doors of the Federal Treasury and pour millions of dollars out to nations which are now in default to American investors to the extent of almost $2,000,000,000. I yield now and pause for information. I hear no reply.

Mr. Speaker, our multimillionaire New Deal Under Secretary of State is truly a great liberal, as most ardent new dealers claim to be. Yes; a great liberal—liberal with other people's money.

Mr. Welles is not only liberal with public funds which our American taxpayers must sweat and toil to produce but he is also exceedingly liberal when he promises foreign debt-defaulting nations that savings of our American people, which are in our privately owned banking system, will be handed to them.

Mr. Speaker, while I am on the floor I want to state that I am going to oppose to my last breath the enactment of the Sol Bloom-Barney Baruch credit-and-carry war-promotion

bill which the New Deal has clothed in robes of neutrality. Why is the country told that this bill is a cash-and-carry measure when, in fact, the so-called cash-and-carry provision is a credit-and-carry one. The New Deal is certainly not playing fair with the American people in propagandizing their Sol Bloom-Barney Baruch credit-and-carry war-promotion bill as a cash-and-carry neutrality program.

Do the Members of Congress realize that the foreign governments which are now engaged in war owe our Government more than $11,000,000,000, most of which was handed to them during the last World War Democratic administration? Yes; many billions, even after the armistice. As one Member of this Congress, I shall continue to oppose Uncle Sam's financing, aiding, or abetting wars of foreign nations and supplying them with the sinews of war under a cash and carry, credit and carry, or any other system.

Only a few years ago a number of our foreign debt-defaulting nations were calling Uncle Sam "Uncle Santa Claus" and "Uncle Shylock." Now that they have their hands out again asking for help, they would lead us to believe that they think that Uncle Sam is a grand old man.

According to the press releases, these debtor nations have more assets in the United States than their liabilities to our almost-bankrupt Federal Treasury. The New Deal handed most of these assets to them. Do you remember when the New Deal forced American citizens to turn in all their gold to the Federal Treasury on the basis of $20.67 an ounce or go to the jailhouse for 5 years? Then, after our American citizens turned in their gold at $20.67 an ounce, the New Deal imported from foreign countries over $10,800,000,000 worth of gold at $35 an ounce. Most of this gold was imported from countries which have refused to even pay one penny interest on the billions of dollars which they owe to Uncle Sam.

This New Deal hand-out of many billions of dollars represents a large part of the so-called cash which our foreign debt-defaulting nations intend to use if we furnish them munitions, arms, implements of war, and other war supplies under a cash-and-carry or a credit-and-carry fake neutrality act.

Our foreign debt-defaulting, welshing nations owe our almost bankrupt Federal taxpayers' Treasury billions of dollars. The debt defaulters who owe the most cannot find 1 penny to even pay the interest on these debts resulting from their last World War, although they have billions of dollars to carry on another conflict, which, no matter who wins, will destroy civilization.

Mr. Speaker, on March 1, 1939, according to our Treasury statistics, foreign nations which are now engaged in war owed the Government of the United States more than $11,000,000,000.

Mr. Speaker, I have here a report from the Secretary of the Treasury which indicates that Great Britain, on March 1, 1939, owed the American taxpayers' Treasury $5,419,388,374.72; this debt consisting of $4,368,060,000 of principal and $1,051,388,374.72 of interest.

On March 1, 1939, Soviet Russia owed the United States $385,372,179.65, consisting of $192,601,297.37 principal and $192,770,882.28 accrued interest.

France owed the United States, on March 1, 1939, $4,160,824,820.69, consisting of $3,863,650,000 principal and $297,174,820.69 accrued interest.

On March 1, 1939, Germany owed the United States $1,251,417,749.70, which consisted of $1,225,023,750 principal and $26,393,999.70 interest.

On March 1, 1939, Italy owed the United States $2,022,745,422.62, consisting of $2,004,900,000 principal and $17,845,422.62 interest.

Mr. Speaker, in view of our national debt, which is now more than $40,000,000,000, in addition to many more billions of obligations which Uncle Sam has guaranteed, is it not time that Uncle Sam moves to collect the billions of dollars which foreign governments owe him instead of continuing to play Santa Claus to them, as he has under the New Deal, and as proposed in the pending war-promotion bill, which has been dressed up as a neutrality measure?

Mr. Speaker, since our foreign debtor nations have the cash to finance new wars, they should be called upon to use it to repay the billions which they owe our almost bankrupt Federal Treasury and which they carried from America during and after their last World War, when another Democrat-liberal administration was in power. You and I know what a Democrat-liberal is—liberal with other people's money, even though the second, third, fourth, and fifth generations have to sweat and toil to produce it. Uncle Sam should make a demand that our foreign debt-defaulting nations pay their honest debts to him. If they do not, we should follow the advice of Andrew Jackson, that great Democratic President, and foreclose on their holdings and the holdings of their nationals, and collect as the New Deal is collecting from distressed American citizens who, through no fault of their own, are unable to meet their tax, home-loan, farm-loan, and other payments due our Government.

Let us have a moratorium on the New Deal foreclosures on the homes and farms of our distressed American farmers and home owners, and let the New Deal devote its foreclosure-collection energies and activities to collecting the many billions of dollars which foreign nations owe our almost bankrupt Federal Treasury and refuse to even pay one penny interest on.

Mr. Speaker, with reference to another vital question discussed by the gentleman from Michigan [Mr. HOFFMAN] on yesterday and today, I would suggest that the gentleman from Michigan [Mr. HOFFMAN] ask the Dies committee to investigate Mr. Frankensteen and the activities of his organization, which the gentleman called to the attention of the House.

I hold in my hand this morning's Washington Post, where we find these headlines:

"Soviet spies in Army, Navy," says Krivitsky.

Then the article goes on to state:

A slight, graying man of 40, who claimed he was head of the Soviet military intelligence service in western Europe 2 years ago, testified before the Dies committee yesterday in an aura of mystery and the glare of spotlights. * * *

The witness, who said he began life in the Ukraine as Samuel Ginsberg, but took the name Krivitsky in 1919, whispered his testimony to an interpreter. He appeared, however, to understand most of the committee's questions before they were translated. * * *

One of his assignments, he said, was to go to Germany in 1923 "to organize the German revolution and prepare the manpower for the German 'red' army." Finally, in 1937, he broke with Stalin, after the purge of "all the elements which would have been the basis for the democratization of the country." * * *

Speaking under the eyes of movie cameramen and news photographers, a score of Congressmen and newspapermen, and nearly 100 other spectators, Krivitsky warned that "it must be assumed" that the U. S. S. R. has spies in the American Army and Navy."

He said he had no first-hand knowledge of the situation, "but I have no doubt the machinery is as good as it was in Europe."

Mr. Speaker, an alien Communist big shot, Samuel Ginsberg, alias Walter G. Krivitsky, said he had no knowledge, but still we find headlines on the first page of today's Washington Post reading:

Soviet Spies in Army, Navy, says Krivitsky.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHAFER of Wisconsin. Now, as one Member of Congress, I want to know how and why Samuel Ginsberg, alias Walter G. Krivitsky, who, on his own admission before the committee yesterday, testified that he was a "big shot" and leader in the Ogpu secret police of Moscow up to 2 years ago and for a period of 17 years, is in America today. Talk about deporting the alien Communist British subject, Harry Bridges, who has been trying to destroy our American merchant marine because he is a Communist.

We now find here an alien Communist who, by his own admission, was a leader of the Ogpu, Communist secret police of Moscow, for 17 years, posing as one who has the best interests of America at heart while admitting that for 17 years he was a "big shot" member of the Ogpu

band of murderers, the purge organization of the bloody "red" Communist butchers from Moscow, while they were doing everything they could to destroy our American constitutional democracy.

I respectfully suggest that our colleague the gentleman from Michigan [Mr. HOFFMAN] should request the Dies committee to investigate Mr. Frankensteen and his C. I. O. and find out why the materials which are essential to our national defense cannot be produced as the Congress intended they should be produced.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes; I yield.

Mr. HOFFMAN. There is no need of an investigation of Frankensteen. Frankensteen was appointed by Governor Murphy as the man in Michigan to distribute relief up there among the Communists. That is his record.

Mr. SCHAFER of Wisconsin. I will say in answer to that that the gentleman indicated a terrible condition exists with reference to our national defense.

Mr. HOFFMAN. Sure; Frankensteen——

Mr. SCHAFER of Wisconsin. Just a minute. In view of the existing conflict in Europe, the Government of the United States should not permit Frankensteen and his gang to interfere with our national defense, as the gentleman indicated they have been doing. I stand foursquare for an adequate national defense, although I am opposed to going into foreign lands and fighting other nations' wars. I pray that we are not dragged into another European war, and I shall vote against it; but if my country, through its legal representatives under the Constitution, should declare war, I intend to resign my seat in the Halls of Congress and again follow Old Glory—the red, white, and blue—and the principles of government for which she stands. [Applause.]

Mr. Speaker, I protest against allowing Mr. Frankensteen and his C. I. O. to stick a dagger into the back of my country's national-defense program.

Mr. HOFFMAN. And that is what he is doing.

Mr. SCHAFER of Wisconsin. I think it is far more important for the Dies committee to investigate Mr. Frankensteen and his Communist associates than to glorify an alien leader of the secret Ogpu Communist Moscow tribe of bloody red butchers, who admitted that he was a main cog in the machine for 17 years while it was trying to destroy our democracy.

Mr. Speaker, alien Communists are prohibited from coming to America and are subject to deportation under our immigration laws. I ask the New Deal to explain how, when, and why this Communist leader was permitted entry.

Mr. THORKELSON. And does the gentleman know that in the C. I. O. headquarters there is a man to be found named Polokoff, who was also connected with the Russian secret police?

Mr. SCHAFER of Wisconsin. Certainly. I can let you know of many who the New Deal has allowed to run wild in America.

Mr. HOFFMAN. There is no reason why Mr. Murphy as Attorney General should prosecute Frankensteen for subversive activities.

Mr. SCHAFER of Wisconsin. I believe in giving every man an opportunity. Let us not criticize Mr. Murphy until he has been requested to act and he fails to do so.

Mr. HOFFMAN. He would have it if he is put on trial.

Mr. SCHAFER of Wisconsin. I respectfully differ with my colleague. I suggest that he submit his facts to the Dies committee and ask for a complete public investigation and at the same time submit those facts to Mr. Attorney General Murphy and give him an opportunity to act.

Mr. HOFFMAN. Would not the gentleman rather have him brought before a jury than have an investigation?

Mr. SCHAFER of Wisconsin. An investigation perhaps would develop evidence which would be of great benefit to a grand jury and a trial jury.

Mr. HOFFMAN. But you have the evidence from the Navy Department itself, and what more does the gentleman want? Why not give him the works now?

Mr. SCHAFER of Wisconsin. I believe that it is more important to bring Frankensteen and Lewis and their Communist associates before the Dies committee for investigation in view of what the gentleman has said.

I believe that would be better than bringing an alien Communist who admits that he was for 17 years a "big shot" in the Communist secret police in Moscow, and who, according to his own testimony, during those 17 years was active in the movement to replace the governments in Germany, America, and other lands with a communistic soviet system of autocracy. Mr. Speaker, I say let us get alien Communist Samuel Ginsberg, alias Krivitsky, out of the country without delay. He has no legal right to be here. He should be shipped back to Moscow on the first boat, and his alien Communist pal Bridges should be shipped back to England on the next. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired. Under special order heretofore entered, the gentleman from Montana [Mr. THORKELSON] is recognized for 10 minutes.

Mr. THORKELSON. Mr. Speaker, first I compliment the gentleman from Ohio [Mr. SMITH] on the very able discourse delivered before the House today. He dealt with facts in regard to neutrality. He stated facts in contradistinction to other statements made before this House. We must remember that Holland, Denmark, Sweden, Norway, Finland, Switzerland, Lichtenstein, all have been neutral for a long, long time while there have been wars going on in Europe, for they have not engaged in the transportation of war materials or contraband with nations at war. The only part of the present Neutrality Act which is now up for consideration that we can enforce is the embargo clause. If we attempt to enforce the power given to the President in the act in declaring war zones, neutral zones, and many other regulations in respect to foreign shipping, it will involve us in war. So, then, what should be repealed in the Neutrality Act is the power given to the President, and what should remain in the act is the embargo clause. We will then have a neutrality act; but as it is in its present form, it is practically equal to a general declaration of war. Please do not get confused about that.

Now, with respect to travel on the ocean, there is nothing in the law of nations that prevents one nation from selling any commodity to any other nation. As a matter of fact, as the gentleman who preceded me said, you are not bound to that particular part of international law.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. HOUSTON. Is there any provision in law whereby the administration, without an act of Congress, or any individual in the administration, has a right to obligate our Government to sell materials or any equipment that we may have, as a government, to a foreign nation?

Mr. THORKELSON. There is absolutely none.

Mr. HOUSTON. They could do that?

Mr. THORKELSON. The Government cannot sell war equipment to nations at war without becoming a partner with such foreign nation in its war.

Mr. HOUSTON. I have heard rumors, as everyone has during these high-tension moments, that the French Government is dickering today, trying to get the planes for which we have let contracts during this year as soon as they are completed. Have they a right to do that?

Mr. THORKELSON. No; we have no right to do that.

Mr. HOUSTON. Has the Government or the administration a right to do that, or any individual or department of the Government?

Mr. THORKELSON. By an act of Congress we can sell it; yes; certainly. But if we sell material of that sort—war material—it is an unneutral act, and we are subjecting ourselves to war. That is all.

Mr. HOUSTON. I understand these rumors are going around even before this act is repealed.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. CRAWFORD. I think the gentleman from Kansas [Mr. HOUSTON] has raised a very important question at this particular moment. Suppose manufacturer A holds a con-

tract with the United States Government to manufacture 50 war planes of a certain description, and before those planes are delivered the embargo law is repealed and it becomes in order for our nationals to sell goods of that type to belligerent countries, as I understand the gentleman from Kansas [Mr. HOUSTON], his question was this, Cannot Manufacturer A, under those conditions, be permitted, by consent of the United States Government, to accept deferred delivery of planes, let those planes, manufactured on Government order, be delivered to the French Government, if the French Government wants immediate delivery, as against the United States Government taking deferred delivery?

Mr. HOUSTON. That is exactly the situation.

Mr. CRAWFORD. If I understand the situation, that very thing could be done at this moment if the embargo law were repealed.

Mr. HOUSTON. That is correct, but what I am getting at is the dickering is going on before the repeal of the Embargo Act.

Mr. CRAWFORD. As an experienced manufacturer, I would say that is the way we play the game, often getting one customer to allow for deferred shipment and giving another quicker delivery.

Mr. HOUSTON. That was brought out by the gentleman from Michigan [Mr. HOFFMAN] that we should be prepared, because there is a rumor going around that we will be in this war. If we are going to turn over those planes, which really take about 10 months to deliver, it will be 2 years before we have any planes of our own, and we will be unprepared.

Mr. THORKELSON. Of course, we should not sell airplanes. We might need them here. It is a poor policy to sell equipment that we may need in an emergency.

The question has been raised, What might happen after repeal of the arms embargo? After such repeal, a private industry may sell to anyone that can buy its merchandise, but it is the duty of the Federal Government not to issue clearance on contraband cargo to nations at war. If the Federal Government has deferred its order, and by such extension allowed a private industry to sell material to a nation at war, the Government itself becomes involved in such transaction and commits an unneutral act that may lead us into war.

Mr. CRAWFORD. Will the gentleman yield further right there?

Mr. THORKELSON. Yes; I yield.

Mr. CRAWFORD. Manufacturer A has not yet delivered the planes to the Government, although the Government placed an order for those planes, and those planes have been built according to Government specifications, but title to the planes has not yet passed to the Government of the United States. The Government of the United States simply defers taking delivery, and new production is put into operation, and the first production goes to the French Government, sold by the manufacturer, and the American Government does not enter into the sale or transfer of title. In that case do I understand the gentleman to say it would be an unneutral act, and that the Government of the United States would become involved?

Mr. THORKELSON. Yes. The fact that the United States Government releases its order for the convenience of a foreign power at war is an unneutral act in itself, because it shows collusion.

Mr. HOUSTON. But where would it leave us, with the planes turned over to the French?

Mr. CRAWFORD. It leaves us without the equipment.

Mr. HOUSTON. Right where we were, exactly.

Mr. THORKELSON. Of course, they can sell them. There is nothing to stop them selling them. But the release of delivery is prima facie evidence of collusion and aid to one power at war.

Mr. HOUSTON. But look where it leaves us.

Mr. MICHENER. Well, if the gentleman will yield——

Mr. THORKELSON. I yield.

Mr. MICHENER. I do not agree at all with the gentleman from Michigan [Mr. CRAWFORD], who says that would not be an unneutral act. Morally, and from every other standpoint, it would be an unneutral act.

Technically, as a matter of law, our Government probably could escape the charge of being unneutral, but for all purposes of neutrality, for all purposes of morality, there would not be any question about it. Our country would be unneutral.

Mr. CRAWFORD. Will the gentleman yield? I do not want to be misunderstood.

Mr. THORKELSON. I yield.

Mr. CRAWFORD. I call the attention of the gentleman from Michigan [Mr. MICHENER] to the fact I said "in the absence of an embargo." I was assuming that the embargo is repealed.

Mr. MICHENER. I think that the Federal Government cannot sell war material to any nation, as a Federal Government, in peacetime. That is not one of the functions of the Government. If the Government does a thing like that it must do it by subterfuge. It must do it by immoral means.

Mr. CRAWFORD. I agree with that.

Mr. THORKELSON. I will reply to that in the following manner——

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield on that?

Mr. THORKELSON. Let me reply to the gentleman's statement. The Federal Government has no right to engage in private business in the first place. The Federal Government is not in complete control of private business in this country yet, but I think it may be after a while if Congress lets it go on. Under the Constitution, private business has reserved the right to itself to conduct its own affairs without Federal interference, and may for that reason sell commodities it manufactures. If Congress adopts an embargo act which prohibits the sale of contraband articles, private industry is then prohibited from selling such articles to powers at war. The Federal Government has no constitutional right to engage in competition with private business or industry in sale of any material except obsolete equipment, and certainly it has no right whatsoever to aid or abet in the sale of war material to any nation at war.

It is within our right to impose an embargo clause any time we please, and it should meet with no objection from foreign nations.

Self-preservation is the first law of nature, and we are strictly within our rights to refuse to sell commodities that we may need for our own protection, against the very power to which we sell it.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent that on Monday next after the reading of the Journal and any other special orders that may have been entered I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ADJOURNMENT

Mr. THOMASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Friday, October 13, 1939, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JARMAN: Committee on Printing. Senate Concurrent Resolution 30. Concurrent resolution authorizing the printing of additional copies of the hearings held before the Committee on Foreign Relations of the Senate during the Seventy-fourth Congress, second session, on the bill (S. 3474) relating to neutrality (Rept. No. 1472). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOFFMAN:

H. R. 7582. A bill to define, to prevent, and to punish interference with interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. SHANLEY:

H. J. Res. 390. Joint resolution requesting the President to appoint a committee to prepare suitable ceremonies and celebration for the four hundred and fiftieth anniversary on October 12, 1942, of the discovery of America by Christopher Columbus; to the Committee on Foreign Affairs.

By Mr. HOFFMAN:

H. Res. 313. Resolution requesting certain information from the Secretary of War; to the Committee on Military Affairs.

H. Res. 314. Resolution requesting certain information from the Secretary of the Navy; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Ohio:

H. R. 7583. A bill granting a pension to Esta M. McArthur; to the Committee on Pensions.

By Mr. LUCE:

H. R. 7584. A bill for the relief of Horace Lothrop Ham; to the Committee on Naval Affairs.

By Mr. ROBSION of Kentucky:

H. R. 7585. A bill granting a pension to Mollie Messer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5734. By Mr. ASHBROOK: Petition of T. R. Aten and nine others, of North Olmsted, Ohio, opposing the repeal of the existing neutrality law; to the Committee on Foreign Affairs.

5735. By Mr. GILLIE: Petition of Elsie R. Smith and 70 other residents of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5736. Also, petition of Mr. and Mrs. Glen Wilson and sundry citizens of Angola, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5737. Also, petition of Bernadette Kaade and 100 other citizens of Fort Wayne, Ind., urging retention of the embargo on arms and munitions; to the Committee on Foreign Affairs.

5738. By Mr. SHAFER of Michigan: Petition of Donald M. Bivens and 600 citizens of Battle Creek, Mich., opposing any effort to repeal the arms embargo or amend the present neutrality law; to the Committee on Foreign Affairs.

5739. Also, resolution of Kalamazoo Chamber of Commerce, Kalamazoo, Mich., urging the Congress of the United States to beware of all entanglements and hysteria that might lead the country into war; to the Committee on Foreign Affairs.

5740. Also, petition of 30 members of the Men's Adult Bible Class, Bethany Reformed Church, Kalamazoo, Mich., opposing any change in the neutrality law, particularly opposing the cash-and-carry plan; to the Committee on Foreign Affairs.

5741. Also, petition of Jerry VanderVeen and 40 citizens of Kalamazoo, Mich., opposing repeal of the arms embargo in the neutrality law; to the Committee on Foreign Affairs.

5742. Also, petition of L. G. Wichert, of Hillsdale, Mich., and 11 other citizens of Hillsdale, Mich., opposing the repeal of the arms embargo and the cash-and-carry provisions of the neutrality bill; to the Committee on Foreign Affairs.

5743. Also, petition of G. S. Feller and 23 citizens of Coldwater, Mich., requesting that the present Neutrality Act be kept in force; to the Committee on Foreign Affairs.

5744. Also, petition of John Bernard and 99 other citizens of Grand Ledge, Mich., opposing any change in the present neutrality law; to the Committee on Foreign Affairs.

5745. Also, petition of Mrs. Hary Kimball and 39 citizens of Kalamazoo, Mich., protesting against any change in the present neutrality law and the participation of America in the European conflict; to the Committee on Foreign Affairs.

5746. Also, petition of R. J. Beaton and 17 citizens of Kalamazoo, Mich., to keep the United States out of war and in opposition to any change in the neutrality law; to the Committee on Foreign Affairs.

5747. Also, petition of William Hodges and 12 citizens of Marshall, Mich., opposing any change in the neutrality law of the United States; to the Committee on Foreign Affairs.

SENATE

FRIDAY, OCTOBER 13, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Father of infinite power and love, with hearts responsive and enlightened minds we thank Thee for Thy might so mighty and Thy love so true. Give us the calm, high courage needful in these days of grievous stress, courage that shall be born of thankfulness for all Thy blessings vouchsafed to our beloved America. Help us to realize that our happiness is not merely the gift of Thy bestowal, but that it must be achieved, lived for, worked for, if we would bring it into the highest, holiest fellowships of life, into home and family, where children's laughter makes the house a garden, fragrant with the atmosphere of joy and hope and love.

And, as Thou hast not dealt more tenderly with any nation, make us humble, that we may better serve Thee with quickened hearts that find Thee everywhere; and help us to bring the nations back into the fold of Thy most loving care. We ask it for the sake of our Lord and Saviour, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Thursday, October 12, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Schwartz
Andrews	Donahey	La Follette	Schwellenbach
Austin	Downey	Lodge	Sheppard
Bailey	Ellender	Lucas	Shipstead
Bankhead	Frazier	Lundeen	Slattery
Barkley	George	McCarran	Smathers
Bilbo	Gerry	McKellar	Stewart
Borah	Gibson	McNary	Taft
Bridges	Gillette	Maloney	Thomas, Okla.
Brown	Green	Mead	Thomas, Utah
Bulow	Guffey	Minton	Townsend
Burke	Gurney	Murray	Truman
Byrd	Hale	Norris	Tydings
Byrnes	Harrison	Nye	Vandenberg
Capper	Hatch	O'Mahoney	Van Nuys
Caraway	Hayden	Overton	Wagner
Chandler	Herring	Pepper	Wheeler
Chavez	Hill	Pittman	White
Clark, Idaho	Holman	Radcliffe	Wiley
Clark, Mo.	Holt	Reed	
Connally	Johnson, Calif.	Reynolds	
Danaher	Johnson, Colo.	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Arkansas [Mr. MILLER], the Senator from West Virginia [Mr. NEELY], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is necessarily absent.

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present.

TRIBUTE TO THE LATE SENATOR LOGAN

The VICE PRESIDENT laid before the Senate resolutions of the one hundred and fourth annual session of the Grand Lodge of Kentucky, Independent Order of Odd Fellows, at Prestonsburg, Ky., unanimously adopted as a tribute to the memory of Hon. M. M. Logan, late a Senator from the State of Kentucky, which were ordered to lie on the table.

CLAIMS OF THE CHEROKEE INDIANS

The VICE PRESIDENT laid before the Senate a letter from Robert L. Owen, Esq., attorney of record, transmitting the petition of the Eastern and Western Cherokees praying for the enactment of the bill (S. 2952) authorizing the Court of Claims to adjudicate and render judgment on certain claims of the Cherokee Indians, and for other purposes, which, with the accompanying papers, was referred to the Committee on Indian Affairs.

INVESTMENT TRUSTS AND INVESTMENT COMPANIES

The VICE PRESIDENT laid before the Senate a letter from the chairman of the Securities and Exchange Commission, transmitting, pursuant to law, chapter III of part 3 of the Commission's over-all report on the study of investment trusts and investment companies—abuses and deficiencies of the organization and operation of investment trusts and investment companies, chapter III, problems in connection with the distribution and repurchase of shares of open-end and closed-end management investment trusts and investment companies—which, with the accompanying report, was referred to the Committee on Interstate Commerce.

PETITION AND MEMORIAL

The VICE PRESIDENT laid before the Senate a resolution adopted by the convention of the American Federation of Teachers at Buffalo, N. Y., favoring the enactment of legislation to restore prevailing wages on all W. P. A. projects, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution of the South Bend (Ind.) Civic Planning Association, protesting against any action or program which might entangle the United States in a foreign war and lead to American troops being sent overseas, which was ordered to lie on the table.

FUNERAL EXPENSES OF THE LATE SENATOR LOGAN

Mr. BARKLEY submitted the following resolution (S. Res. 192), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. M. M. Logan, late a Senator from the State of Kentucky, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 30), as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before said committee during the Seventy-fourth Congress, second session, on the bill (S. 3474) relating to neutrality.

ADDRESS BY THE PRESIDENT TO POSTMASTERS ON OCTOBER 11, 1939

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD an address delivered by the President of the United States to postmasters on October 11, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR LUCAS ON PENDING NEUTRALITY LEGISLATION

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address, delivered on October 12, 1939, by Senator LUCAS, on the pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY POSTMASTER GENERAL FARLEY TO NATIONAL ASSOCIATION OF POSTMASTERS

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD an address delivered by Postmaster General Farley before the thirty-ninth annual convention of the National Association of Postmasters at Washington, D. C., October 12, 1939, which appears in the Appendix.]

ADDRESS BY W. K. JACKSON ON "AMERICAN SHIPPING IN WARTIME"

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address on the subject of American shipping in wartime, delivered by W. K. Jackson, vice president of the United Fruit Co., before the National Foreign Trade Convention at New York City, October 11, 1939, which appears in the Appendix.]

ARTICLE BY JAMES G. STAHLMAN RELATIVE TO PREPAREDNESS

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD an article by James G. Stahlman, published in the Nashville Banner of October 6, 1939, relative to preparedness, which appears in the Appendix.]

ARTICLES BY HARLAN MILLER ON "ROOSEVELT ON FOREIGN AFFAIRS"

[Mr. HILL asked and obtained leave to have printed in the RECORD two articles by Harlan Miller entitled "Roosevelt on Foreign Affairs," published in the Washington Post of October 12 and 13, 1939, which appear in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. TAFT. Mr. President, the Neutrality Act, to which we are today considering amendments, never was a neutrality act. It should have been called "an act to keep the United States out of war." We could be neutral, and we have been neutral in many wars, without any of the provisions of the so-called Neutrality Act. But the authors of the act felt, and the authors of the present amendments feel, that the adoption of certain domestic policies with relation to our own citizens and our own trade are more likely to keep the United States from becoming involved in war. Long before the European war began, I repeatedly stated my belief that we could stay out of that war if we were determined to stay out, regardless of the provisions of any neutrality act and regardless of any amendments to the Neutrality Act.

AMERICANS DETERMINED TO STAY OUT OF WAR

I have been greatly encouraged since returning to Washington, because it is clear to me that 95 percent of the people of the United States are determined to stay out of any European war, and that we will stay out regardless of what we do about the Neutrality Act. It is said that in spite of a desire to stay out of the World War, we were ultimately drawn in. But we were not drawn in for nearly 2½ years, and there did not exist at that time anything like the experience with modern war, the disillusionment regarding Europe, and the fierce determination to stay out which exists in this country today.

Nevertheless, the American people are an emotional people. The screaming headlines of the newspapers and appeals on the radio try to play on those emotions. The more firmly their present determination is based on sound logic rather than emotion, the more certain are the people to hold to their determination to stay out. And so now is an appropriate time to consider the soundness of the reasons for staying out of war and of the reasons urged for entering it. Personally I believe we should stay out of this war under almost any circumstances that I can think of, but I do not want to state that simply as a conclusion; I want to give the reasons why I think that we should be determined and should remain determined to stay out of Europe.

REASONS FOR STAYING OUT OF WAR

In the first place, Europe's quarrels are everlasting. If we admit at all that we should take an active interest, we will be involved in perpetual war. In Europe there is a welter of races so confused that boundaries cannot be drawn without leaving minorities which are a perpetual source of friction. National animosities are traditional and bitter. America enjoys a fortunate position of isolation—selfishly

fortunate, if you please—and in this country the different races have learned to live together in peace.

In George Washington's Farewell Address there is one statement which had no particular relation to what was going on then but which had a universal application and still has. He said:

> Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns.

We do not even understand European problems. Our supposed foreign experts, I believe, frequently do not know what is really going on in Europe even on the surface, certainly not what is happening in the chancelories of Europe. I have little sympathy with those who assume to judge all European statesmen, who criticize so-called power politics in Europe, who say, in effect, "a plague on both your houses," and imply that there is no choice between different nations. There is just as much right and wrong in European quarrels as in any other quarrels, and it is difficult for us to be certain which nation is right and which nation is wrong. When I see the freedom of independent nations like Czechoslovakia and Poland destroyed my sympathies are naturally aroused against nazi-ism and communism; but certainly our sympathies with one side or another give no assurance that we are right and certainly constitute no reason for plunging our people into the horrors of modern warfare, and keeping them in it for all time to come until civilization itself shall be destroyed.

WAR WOULD ENDANGER DEMOCRACY

It is said that we should take part because the democracies are fighting the dictatorships. We may sympathize with the democracies because of their form of government, but war will not preserve them. The World War was fought to save democracy and it resulted in the creation of more dictatorships than had been created for a hundred years. The English and French Governments may be Fascist or Communist when this war is over, for nothing is so destructive of democratic government as war. It is obvious that if we are ever to have peace, we cannot concern ourselves about the forms of government which other countries have. We cannot even persuade them to change those forms of government. Certainly we cannot go to war for that purpose.

Nothing would be so destructive of democratic government in the United States as war. By the declaration of war, vast powers are conferred on the Executive. He may take over the railroads, the telephone and telegraph lines, the radio, the public utilities, and all industrial plants. He may destroy the whole American system of free enterprise. He may practically nullify local self-government and the independence of the States. In the World War the powers which then existed were only partially exercised, and the whole attitude of the Government was directed toward maintaining normal relationships, and was sympathetic to restoring the system of individual initiative and democratic government the moment the war was over. The present administration has been inspired by a desire to regulate all business and industry and agriculture. Those who control the present Government apparently believe in a planned economy under Government control. A war policy of confiscation dominated by that philosophy would create a completely socialized form of life, from which we might and probably never could return to the liberty and freedom heretofore regarded as characteristic of America. No. The best service to democracy we can perform is to show that we can maintain a democratic form of government even in an emergency. We can set an example for the world by showing that the democratic form of government brings more peace and happiness to its people than any other. In the end, such an example is bound to be followed, as it was followed in the nineteenth century by so many countries.

WE NEED NOT FEAR INVASION

The other argument for war that is urged more strongly now is based on the fear that if Hitler defeats France and England he will sweep on over the United States. I believe that fear is based on an illusion. Herbert Hoover recently showed that Hitler is most unlikely to win, whether or not he can be defeated. Even if he should win, he would hardly be free to attack the United States. No dictator has ever dominated Europe for long. He is inevitably involved in countless difficulties on that continent. France and England won the World War, but Germany has been a thorn in their side for 20 years. The problem of dealing with the other peoples of Europe, even though they are defeated, is one which will absorb the energy of any victor. Furthermore, no one wins a modern war. The victor is only a shade less exhausted than the vanquished.

There seems to be no reason why Hitler should pick a quarrel with the most powerful nation in the world when he has nothing to gain by such a course; for if he should win, the raw materials and territories of Africa and Asia would be open to German development. Finally, I am convinced that we can defend this continent against any combination likely to develop in the rest of the world. So our military and naval experts tell us. The maintenance of a stronger navy than any German navy or combined navies is well within our capacity.

PREVENT INCIDENTS LEADING TOWARD WAR

No, Mr. President, regardless of our sympathies in Europe, the people's determination to keep out of European wars is based on the soundest of logic, which cannot be shaken, I am confident, even by waves of emotionalism. Nevertheless, we should try to eliminate the possibility of the kind of incidents which may arouse the resentment of our people and give substantial cause for a change in our attitude. We should consider whether the present Neutrality Act does tend to keep us out of war; and if not, what amendments can be made which will do so.

In considering amendments I do not think we need to pay any tremendous respect to the technical principles of international law. Other nations have consistently disregarded it. It is largely based on the doctrine of freedom of the seas; and if we insist on that doctrine, it will certainly lead us into warlike combat and controversy. I do not sympathize with the President's recent commendations of international law. International law has little to do with the amendments we are considering. I agree with the learned Senator from Idaho [Mr. BORAH] that an arms embargo is not contrary to international law, but neither is a repeal of the arms embargo. In determining our own policy, if we remain neutral in the common sense of that term as the ordinary man understands it, we can largely forget the rights of foreign countries based on the technicalities of international law.

The approach seems to me much simpler than that. What kind of incidents are likely to get us into trouble? In the World War the predominating cause was the sinking of American ships carrying goods—mostly not arms, ammunition, or implements of war—to Europe and the drowning of American citizens. Seven American ships were sunk by submarines during the years 1915 and 1916; and during the month of March 1917, with the declaration of unrestricted submarine warfare, six American ships were sunk and 63 Americans drowned. There is no record, so far as I can find, that any of these ships were carrying arms, ammunition, or implements of war. Several were tankers, which could not possibly have been carrying them. In my opinion, we should prohibit our ships from going to Europe. That policy is no more cowardly than it is to keep people out of a burning house. It is simply good sense to prevent American citizens not only from risking their own lives but from plunging us into a war which may involve millions of other lives.

BAR OUR SHIPS FROM WAR ZONES

I suggest, however, an amendment to the present proposal. That proposal gives the President wide discretion in declaring war zones. It prohibits American ships going to belligerent countries, but does not prohibit their going to neutral countries unless the President declares war zones around those countries. Our ships, for instance, could still go to Holland and Belgium, right through the submarine zone, and yet under this joint resolution they could not go to Australia or Jamaica, where the danger is practically non-

existent. I think we should make a legislative declaration of a war zone covering all waters within 300 miles of Europe, including Scandinavia, Great Britain, and Ireland, and the Mediterranean; but all other restrictions should be removed, except in such additional zones as the President may find to be dangerous. This will be much less damaging to American trade and shipping and more effective to prevent war. Giving up the trade to Europe would not be serious, for American shipping is less than 5 percent of the total shipping of the world, and can surely find employment in other parts of the world than that which is now a battlefield for the warships of belligerent nations.

NO CREDITS TO WARRING NATIONS

I may say that American shipping, apart from tankers, is only 4.8 percent of the total shipping. Certainly there is plenty of field in the world for that shipping to find a proper place to go. Incidentally, it looks as if we may have to take over most of the trade that Germany has had in South America and some other parts of the world, and our ships can replace the German ships in that trade.

Such a proposal as I have made will not in any way hamper American shipping; it can adjust itself very quickly to such a plan, and under it American shipping probably will succeed in receiving a good deal higher return for its work than it has been receiving in time of peace.

Another step which will remove an incentive to war on the part of many American citizens is that which prohibits credits to belligerent nations. The more such credits are advanced, the more people acquire a financial interest in the success of their debtors. This may not be an important factor; there is a dispute as to whether it was a factor in the World War; but it would be at least some factor in aiding the strength of war propagandists, if we get to that point.

I see no reason for the so-called 90-day provision. Surely a foreign government—and the prohibition extends only to governments—could provide cash before the goods leave the American port. Perhaps we might make it clear that checks and demand drafts on American banks are equivalent to cash.

I should like to see the prohibition of credits extended to the prohibition of credits to individuals and corporations of belligerent nations; but I realize the difficulty of doing this and enforcing it, and the fact that such credits probably will not be large. However, I suggest that the prohibition against the sale of belligerent securities in this country include those of private corporations as well as governments. In this connection, I intend to offer an amendment providing that no Government agency shall, directly or indirectly, finance exports to belligerent nations. The Reconstruction Finance Corporation has available more than a billion dollars, and, through the Export-Import Bank, before the war, was, in effect, loaning to governments in all parts of the world money which indirectly was advanced in the first instance to American exporters. Such loans to belligerent countries are certainly unneutral, and inconsistent with the cash-and-carry policy.

I have no reason to suppose or know that any such loans are being made, but while we are prohibiting credits we should prohibit the Government itself from making credits.

Furthermore, we should be assured that the stabilization fund is not used by the Secretary of the Treasury to buy pounds in such quantities as to finance British purchases in the United States. Last year, when the Secretary was before the Committee on Banking and Currency, I asked him whether it would not be possible under the stabilization-fund law to finance $2,000,000,000 worth of British purchases in the United States by buying pounds with gold. The Secretary did not answer the question; but it is perfectly obvious that it would be possible for us, if we proposed to support the pound, to buy pounds to a point which would provide the same amount of dollars for British purchases here, without a loan of any kind, but at the end of the war we would have pounds costing us $2,000,000,000, which might not be worth $2, let alone two billion.

The Secretary stated that if that were possible, and of course it is, he would not consider such a policy without consulting Congress. I trust that he is still of the same mind. But it would be a very easy matter, if he announced the policy of trying to maintain the pound at, say, $4, gradually to accumulate pounds for that purpose until they amounted to a very substantial sum.

Some limitation on the amount of currency of a belligerent country which may be purchased by the stabilization fund should be included in this bill.

PREVENT A VIOLENT WAR BOOM

The provision against credit to belligerent countries tends not only to keep us out of war, but has the effect pointed out by other Senators of limiting the violence of a war boom in the United States. At best we are going to have some unnatural inflation of business from the war. If it becomes too great, there will be a reaction later, with its attendant unemployment and suffering in the United States. If foreign purchases are confined to cash they cannot be a tremendous factor in American business. What we have chiefly to fear is loaning of money on a vast scale, such as we saw during the World War and after the World War, creating billions of dollars of business which could not possibly continue long. Prohibition of credit is a much greater protection against this evil than any arms embargo, because inflation would result far more from purchases of other things than arms than it would from the purchase of arms. They were seven times as valuable in the World War, and some of the worst effects of inflation of prices were felt on the farm. The ultimate limitation on foreign purchases is not going to be brought about by the arms embargo but by the amount of cash available for purchases of all kinds.

I think the suggestion of the learned Senator from Wisconsin [Mr. LA FOLLETTE] that we should weigh the consequences of an excessive export trade based on war is a sound suggestion. I think the time may come when we should say, "No; we cannot safely inflate our business further, and there must be some limitation on the total amount of exports." I do not believe that question will arise. I think the probable amount of exports is overestimated. I think perhaps the people who are counting on a tremendous boom are not justified in that belief. But if it should occur, I believe, with the Senator from Wisconsin, that we should take some active steps to see that we do not have a tremendous boom and the consequent tremendous reaction.

In short, the cash-and-carry policy seems to me the one policy which will have some effect in reducing the chance of our becoming involved in war, while at the same time serving our best national interests.

IMPORTANCE OF ARMS EMBARGO EXAGGERATED

Today there is an embargo on the shipment to belligerent countries of arms, ammunition, and implements of war. The present resolution proposes to repeal it, and this debate is centered for the most part about that repeal. Many of my correspondents apparently think that today we are not shipping anything of importance to Europe, but when the embargo is repealed the floodgates will be opened. Of course, they are greatly mistaken.

The business boom, so far as it is based on anything substantial today, is largely based on the increase in the manufacture of steel for all purposes; not guns, it is true, but the steel and machine tools with which to make guns; not ammunition, but the alcohol and cotton and other materials with which to make ammunition; not airplanes, but automobiles and the materials with which to make airplanes. During the World War and today the larger belligerent nations are making most of their own arms, ammunition, and implements of war, and prefer to do so if they can. In the World War, during the 2½ years before our entrance, while we were neutral, only 13 percent of our total shipments to Canada, France, Italy, Russia, and the United Kingdom consisted of arms, ammunition, and implements of war as now defined—$1,270,000,000 in 3 years, as compared to total shipments of $9,610,000,000. The other 87 percent were materials of all kinds, just the same kind of materials as are being shipped today in American ships right through the submarine zone. The increase of trade resulting from the repeal of the

embargo today is grossly overestimated in the public mind. That increase would apparently consist mostly of airplanes, anti-airplane guns, and a few other specialties. With a limitation on credit, I doubt very much whether there would be a material increase in the total of all exports to the belligerent nations. There has been a good deal of talk about the profits of munition manufacturers and pressure from those manufacturers. I have not seen or heard of any such pressure. If England and France have to pay cash, they are not likely to agree to any tremendous profits to any manufacturer. The principal effect will be an increase in the number of men put to work in airplane factories and a few other plants. Shipments of all kinds of materials are going to England and France.

It is said the proposed action is urged because it is needed for a boom. I think that so far as any boom is concerned it is an unimportant factor. We are going to have some kind of an increase in activity anyway and the removal of the arms embargo will not have any substantial effect on the size of this particular increase in prosperity.

ARMS EMBARGO POLICY ENCOURAGES WAR

What we have to consider here is whether the arms embargo, reversing the policy established in the United States for a hundred and fifty years, is a sound national policy, and whether in any way it tends to keep us out of war.

I am opposed to the arms-embargo policy because, although there is a specious humanitarianism about it, it really makes war more likely throughout the world. It favors large nations with all the facilities for the manufacture of arms against small nations which do not have those facilities. It favors continental powers with access to resources over the land against sea powers which have always traded with us, and relied upon their trade with us. It favors warlike nations which build up their armaments in time of peace, and it discriminates against those nations which, hoping for peace and relying on treaties, fail to pour vast sums into armament. In short, it favors the aggressor against the peaceful nation. It encourages war in other parts of the world; it does not discourage it.

I should like to read a statement made in a letter by a former President of the United States in 1915. He said:

> I cannot write to a neutrality meeting such a letter as you would wish. I think that to interdict the supply of ammunition and arms from this country to the belligerents in the war would be to adopt a policy that would seriously interfere with our own welfare should we ever be drawn into a war against our will by the unjust invasion of some power who was fully prepared and who would always find us unprepared. Such a policy as that you indicate would mean that the power who is armed cap-a-pie would always have at a disadvantage those countries that were not in such a state of preparation.
>
> It would, therefore, lead to even greater pressure upon all the countries of the world than that we have seen in the last two decades, to increase their armaments, a result which we would all deplore.

ARMS EMBARGO UTTERLY ILLOGICAL

Furthermore, the arms embargo imposed by the present law is completely illogical. We sell arms, ammunition, and implements of war to any nation which is at peace. We enable those nations to build up their armaments and use our arms for any purpose of aggression or otherwise. We sell today to Italy and Russia and Japan and China, although Italy and Russia might be in the war tomorrow. We sell to our neighbor Mexico, which has confiscated our property and maintained the most cordial relations with Germany and Japan, but we refuse to sell to our neighbor Canada, with whom we have been at peace for 100 years, and whose safety is essential to us. We sell the materials, but not the finished product. Much has been said about the terrible trade in arms and permitting our munitions and airplanes to be used for war purposes, but how illogical this position is as long as we are selling the materials with which to make these products. How Pharasaical is an attitude which says: "We will sell you the steel and give you the machinery and the cotton and the alcohol and the nitrates required to make arms and ammunition, but our hands are too clean to complete the process of manufacture; you can do that yourself." There is little difference between materials and completed arms. As a matter of fact, in the ultimate outcome of the war there is little difference between food and arms. "Food will win the war" was the slogan in 1918. It is almost as true today. These nations in Europe are fighting for their existence. The shipment or embargo of materials has exactly the same effect as the shipment of arms. To be consistent, the advocates of the arms embargo should be in favor of complete prohibition of all trade with belligerent nations which would enable them to continue the war and neutral nations which may ship to belligerent nations. They will not go so far, nor is it necessary that we adopt such a completely isolationist policy, with its attendant suffering to our own people and destruction to those who have come to rely in peacetime on trade with the United States.

NEUTRALITY NOT AFFECTED BY REPEAL OF ARMS EMBARGO

It is argued on this floor and throughout the country that to permit the shipment of arms is unneutral and that repeal is an abandonment of our neutrality. Letters come to me saying, "Do not repeal neutrality." I quite agree. I have no intention of advocating any repeal of neutrality, but this is no repeal of neutrality. There is nothing to justify that conclusion. We are just as neutral without an arms embargo as with an arms embargo, and no one asserts the contrary. We have been neutral in countless wars without the suggestion of an arms embargo. The absence of an arms embargo had nothing whatever to do with our involvement in the World War. It is a specious argument, and one which seemed reasonable on the surface when the arms embargo was first adopted; but after further consideration, as long ago as last April, before the President recommended the repeal, I came to the conclusion, and stated publicly, that I felt the arms embargo ought to be repealed. The United States Government has repeatedly declared that to permit the shipment of arms is entirely neutral. Daniel Webster said, in his reply to the Mexican Government in 1842:

> If it be true, therefore, that citizens of the United States have been engaged in a commerce by which Texas, an enemy of Mexico, has been supplied with arms and munitions of war, the Government of the United States nevertheless was not bound to prevent it; could not have prevented it without a manifest departure from the principles of neutrality.

Secretary John Hay, in 1899, quoting Chancelor Kent, says:

> It was successfully shown on the part of the United States that neutrals may lawfully sell at home to a belligerent purchaser or carry themselves to the belligerent powers contraband articles, subject to the right of seizure in transitu. The right has since been explicitly declared by the judicial authorities of this country.

It is claimed that the repeal of the arms embargo is unneutral because it is being done after war has begun. We are said to be changing the rules of the game after the game is started. In the first place, war is not a game; it is a deadly serious matter, and you cannot make it different by simply using a catch phrase.

In the second place, the imposing of an embargo on American products is a strictly domestic policy. We have the right to do it or not do it, as we see fit. It cannot be said that any nation went to war relying on laws which might be changed by Congress. Certainly Hitler did not do so. We did not mislead him. When he went to war, a law repealing the arms embargo was pending in Congress, recommended by the President of the United States. Those who favor repeal are willing to accept the cash-and-carry plan. In doing so, they nullify their own argument against changing our laws after war begins. If the repeal of the arms embargo tends to help England and France, the cash-and-carry plan imposes handicaps on them.

I quite agree with the Senator from Maine [Mr. WHITE] that if this war goes on for several years, the limitation on credit is going to be a more serious check on their conduct of the war than the arms embargo is today. The opponents of repeal have destroyed their only argument that this proposed action is unneutral, by accepting the cash-and-carry plan. Only the technicalities of international law can support the thesis that a change in our laws relating to the ex-

port of goods from this country violates neutrality because made in time of war rather than in time of peace.

It is said that repeal would be unneutral because it tends to help England and France. This seems to me no argument against a policy which is otherwise perfectly sound. If we help England and France as an incident to the adoption of a sound American policy, that seems rather an argument for than against the proposal, for certainly the sympathies of this country are with those governments against Hitlerism. Certainly our sympathy for those countries should not be a reason against adopting a policy which is otherwise sound. As a matter of fact, the arms embargo discriminates against England and France and against any peaceful nation, and we have a greater moral obligation to remove that discrimination than we have any moral obligation to Hitler to maintain it simply because it happened to exist at the beginning of a war which he began.

If the arms embargo is a mistaken policy, the mere fact that it was adopted by an overwhelming vote in Congress in 1935 is no reason to continue it, certainly not for those of us who came to the Senate after it was adopted. A good many laws have been adopted by almost unanimous vote in Congress since 1932, which might well be repealed today.

REPEAL OF ARMS EMBARGO DOES NOT MAKE WAR MORE LIKELY

If there is any sound argument for continuing the arms embargo, it must be based on the theory that it will keep us out of war. I have listened with care to the opponents of repeal, and I have yet to hear any reason why the repeal of the arms embargo will get us any closer to a participation in the war. It has been asserted many times, but no sound reason supports those assertions. First, it is said that it will annoy Germany, and that Germany will thereupon make war on us. The last thing in the world that Germany is going to do is make war on us. On the other hand, once this joint resolution is disposed of either way, they are just as likely to torpedo American ships which carry only materials as those which carry arms. They have already torpedoed Swedish and Finnish ships carrying only lumber, as distantly related to the conduct of the war as is food. The unrestricted submarine campaign in 1917 was inaugurated, not for the purpose of preventing the shipment of arms, but for the purpose of starving the British people, in retaliation for the British attempt to starve the German people. The German policy is nothing if not realistic. In any event, the cash-and-carry plan will keep our ships away from submarine zones, so that incidents likely to lead to war cannot occur, even if Germany is annoyed.

It is said that Germans will hate us because munitions are made by us instead of by the Allies with our steel and machine tools. That was asserted yesterday, and I simply do not believe it. Whether the Germans hate us or not will depend on whether the German Government tells them to hate us. European governments are expert in hate propaganda. If any European government wants its people to hate America, they will do so under pressure and propaganda from the government. If the government does not want its people to hate us, they probably will not hate us. I do not believe the shipment of arms will have the slightest relation to that particular situation.

Secondly, it is asserted that if our arms go to Europe our boys will follow them. Why, in the name of common sense? What possible relation is there between the export of arms in foreign ships and the sending of American troops to Europe? Why should we care what happens to our particular arms once they leave our shores?

Thirdly, it is said that the passage of this law will result in the sabotage of American plants, thereby arousing enmity against Germany and leading us into war. In the first place, I do not believe it; furthermore, we certainly are not going to change our domestic policies for fear that crimes will result in the United States. We have an effective police force of our own. If sabotage is to occur at all, it is just as likely to occur around the shipment of oil and gasoline as around the shipment of arms. Oil and gasoline are a good deal more explosive, and at the present time they are a good deal more essential to the conduct of the war than any arms which we are likely to supply. Nor, in my opinion, is an explosion in an arms plant in the United States ever likely to excite our people to war.

Unable to find any sound reason why the repeal of the embargo would tend toward war, those who oppose repeal assert that the passage of this act is a symbol—a symbol of something, I do not know what—a symbol of our desire to enter the war, perhaps. To my mind there is no such desire, and there is no such symbol. The fact that such an argument is used only shows that there is no substantial effect which repeal can have tending toward war. This act cannot be made a symbol by calling it so. It is no such symbol to me. Whether the English, French, and Germans regard it as such a symbol or do not regard it as such a symbol should have no effect on what we do with our own laws.

Should I vote against a measure which has certain definite provisions and certain definite effects because somebody says it is a symbol of something which is not in the law? The argument defeats itself. If that is the only argument that can be brought forward for an arms embargo, then there is no sound reason for an arms embargo. It is no such symbol to the American people. Whether we pass this law or do not pass it, 95 percent of those people are determined to stay out of war.

No sensible British or French or German observer will advise his government that the passage of this law is any symbol of an American desire to enter the European war. Should any proposal be made to advance credit to one nation and not another, to impose embargoes against one nation and not another, in my opinion, it would be overwhelmingly defeated in this Senate and in the House of Representatives, not to mention any more extreme measure than this. In my opinion, this bill increases the neutrality of the United States and puts us in a stronger position to resist all possible involvement in Europe.

PRESIDENT'S POLICIES CRITICIZED

The President of the United States, however, would make a tremendous mistake if he regarded the passage of this bill as in any way a symbol of popular approval of interference in Europe. The popular opposition to this bill, as far as it exists, is based on suspicion of the President's tendency to interfere in the European war. He has publicly pledged his determination to keep America at peace, and we can surely accept that pledge. But let him not feel that the passage of this bill in any way endorses some of his earlier statements.

In Chicago, in 1938, he declared his belief that we should "quarantine the aggressor nations." In addressing Congress in January 1939 he said:

> The defense of religion, of democracy, and of good faith among nations is all the same fight. To save one, we must now make up our minds to save all.

It is somewhat difficult to see how we could save democracy and good faith among nations by any policy of mere defense of the United States. It is true that he admitted that the American people were not willing to go to war, but he said:

> There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments the aggregate sentiments of our own people.

The distinguished senior Senator from Nevada said last December:

> The people of the United States have the right and power to enforce morality and justice in accordance with the peace treaties with us, and they will. Our Government does not have to use military force, and will not unless necessary.

I am willing to accept the statements of the President and the senior Senator from Nevada that these policies have been abandoned, and that we propose to remain neutral in the present war, without economic sanctions or embargoes or military force, if necessary, but let them not make the mistake of thinking that the passage of this law is any symbol of endorsement of those policies. The President might well pay some attention to restoring sound fiscal policies at home and relieving private enterprise of some of the burdens which keep 10,000,000 unemployed, rather than devoting his time to preparation for a war which will not occur. I question the wisdom or necessity of increasing the Army of the United States to the

extent, at least, that rehabilitation of warships or the construction of barracks violate the statutes of the United States. I question the wisdom of keeping the headlines full of submarine scares. I dislike the constant rumors that members of the administration are privately predicting our entrance into the war. I shall vote for this measure, and I feel confident that most of the other Senators will vote for it because they believe that it will tend to keep us out of war.

CONGRESS SHOULD MAKE CLEAR ITS PEACE POLICY

That there may never be any doubt of our purpose in Congress, I propose to offer the following preamble to be inserted in the joint resolution:

Whereas it is the considered judgment of an overwhelming proportion of our people that the United States should not and need not become a participant in the present European war: Now, therefore,

This resolution is adopted for the purpose of preserving the neutrality of the United States, and making it less likely that we ever become involved in that war.

Without questioning the good faith of the President in his present attitude on neutrality, I believe that Congress should remain in session to take such prompt legislative action in any emergency which may arise as may be necessary to carry out the determination of the American people that America remain at peace. We have no more important duty. We should stay here and perform it.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment reported by the committee.

Mr. NYE obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Oregon.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Schwartz
Andrews	Donahey	La Follette	Schwellenbach
Austin	Downey	Lodge	Sheppard
Bailey	Ellender	Lucas	Shipstead
Bankhead	Frazier	Lundeen	Slattery
Barkley	George	McCarran	Smathers
Bilbo	Gerry	McKellar	Stewart
Borah	Gibson	McNary	Taft
Bridges	Gillette	Maloney	Thomas, Okla.
Brown	Green	Mead	Thomas, Utah
Bulow	Guffey	Minton	Townsend
Burke	Gurney	Murray	Truman
Byrd	Hale	Norris	Tydings
Byrnes	Harrison	Nye	Vandenberg
Capper	Hatch	O'Mahoney	Van Nuys
Caraway	Hayden	Overton	Wagner
Chandler	Herring	Pepper	Wheeler
Chavez	Hill	Pittman	White
Clark, Idaho	Holman	Radcliffe	Wiley
Clark, Mo.	Holt	Reed	
Connally	Johnson, Calif.	Reynolds	
Danaher	Johnson, Colo.	Russell	

The PRESIDING OFFICER. Eighty-five Senators have answered to their names. A quorum is present.

Mr. NYE. Mr. President, I took much pleasure in listening to some of the conclusions which have been reached by the Senator from Ohio [Mr. TAFT]. With others of his conclusions I most violently differ.

The question is raised by the Senator, Is repeal of the arms embargo a symbol of desire to enter the war? To that question there can be only one answer, "No." But if the question is, Is the arms-embargo repeal a symbol of the first step on the part of the United States on a steady tramp, tramp, tramp into war program? then the answer is most definitely, "Yes"; again and again, "Yes." Any man who can give his mind and his time to an honest, open study of what trade in munitions did to the United States back in 1914, 1915, and 1916, and say that embargo repeal at this time is not symbolic, is utterly ignoring so well written a record of truth that it is unfortunate.

Mr. President, there is one lone issue in this debate, and it involves this question, Will helping the Allies keep us out of war? The President thinks it will. I am sure it will not. In furthering my point I shall undertake this afternoon, as best I know how, to reveal how utterly symbolic and how closely related is the subject of an arms embargo and the question of our going to war.

The Senate is indebted to the Senator from Nebraska [Mr. BURKE] and the Senator from Vermont [Mr. AUSTIN], neither of whom is on the floor at the moment, for removing the false whiskers from this debate. They have done a splendid job of that. The President, in the position he occupies, could not be expected to state the issue frankly, but every Senator knows the purpose of the administration in this arms-embargo repeal effort is to help the Allies, on the theory that they are "our first line of defense." That is why we are asked to wipe from our statute books the arms embargo. Very well, if that is the challenge, then that challenge is accepted, and, accepting it, let us now meet and debate that real issue.

I deny with all the emphasis at my command that helping the Allies is neutrality. Others have denied it. We affirm that embargo repeal is a step toward war.

We deny that the British Navy and the French Army are America's first line of defense. We affirm that neutrality is our first line of defense.

We deny that the United States can make the world safe from Hitlerism by becoming the silent partner of the British Empire. We affirm that America's participation in this war, in any form, would bring no more democracy, no more justice, no more lasting peace to Europe than our last credulous crusade "to make the world safe for democracy."

We deny that Britain is fighting our war for us and therefore deserves our support. We affirm that neither President Roosevelt nor any other American knows the Allies' undeclared war aims, except that they will be spawned in European power politics alien to American interests.

We deny that Europe's interest should come first in drafting American law and policy. We affirm America first.

We challenge the administration to look to America first. We challenge the administration to save democracy here. Only in that way can we help ourselves and suffering Europe. The issue at stake is whether the best interests of the United States will be served by choosing sides now, officially, and getting into the war in Europe a little.

The Senator from Nebraska has told us frankly that he supports the pending joint resolution because it will help one side. I quote the Senator:

It favors the belligerents that we want favored, by giving them a chance of coming here with their ships and buying our goods.

I admire the Senator's frankness. His views coincide with the views one hears privately in Washington among those who are asking for repeal. They want to help England and France and are quite ready to scrap our own protective legislation in order to do so. They feel that the preservation of the British and the French Empires is essential to our security. I entirely disagree with that viewpoint. I think it is based only on sentiment and not on an objective analysis of the international forces at loose in the world today and of the practicable steps at hand by which we can serve our own national interests.

Arthur Krock, Washington correspondent of the New York Times, stated well the reason motivating those who ask for repeal. On the 6th of September 1939 he wrote:

But the actual reason why the administration wants the embargo repealed is because it deprives, in this instance, Great Britain and France of 10 percent of the war-making materials which would help them defeat Germany. There has been little official concealment that this is the real reason for the recent unsuccessful attempt to eliminate the ban.

I presume perhaps there are other newspaper columnists who may be more aptly described as being spokesmen for the administration, but I am sure that few will dispute the contention that Mr. Krock generally knows what he is talking about when he speaks of administration viewpoints.

The London Times of September 20, 1939, contained a news article in effect seconding Mr. Krock's views. I quote from that article the following:

The President knows as well as any opposing Senator that if the law is amended it will be under the stress of sympathies which the opposition was in the summer determined to resist. In those

theoretical, comparatively academic, days it was pointed out that the embargo offers the only active aid to Germany America can give, whereas its repeal will help Great Britain and France to come and take whatever armaments they need. All along this has been the administration argument, but in the dead center of the crisis the President did not use it. He has by implication insisted that the embargo is contrary to neutrality under international law; and to international law in a lawless world the President and with him Mr. Cordell Hull wish to adhere.

Mr. President, on this same subject I wish to read an article appearing only yesterday, written by Gen. Hugh S. Johnson in his daily column. The general on yesterday found his range grandly, and because he did, from my viewpoint, so splendid a job of meeting this important issue, I am going to read to the Senate his column:

Interventionist columnists and newspapers of the eastern seaboard are claquing Senator AUSTIN, of Vermont, for what they call his candor in saying that he wants to repeal the embargo on arms because it will help Britain and France and hurt Germany. "We must make it possible for Great Britain and France to get supplies. * * * We do not need to ask whether this bill is neutral. We only need to know that it's an act of self-defense."

No reading of various utterances of this administration since the sudden shift of the President's Chicago quarantine speech can be interpreted as anything less than that this administration is not neutral and that it intends to help the Allies by measures short of war but more than mere words.

This column has long favored not only lifting the embargo but also freeing American sea-borne commerce from many of the extreme, silly, suicidal, and unstudied restrictions of the Pittman Act.

I depart from the column long enough to remark that I am delighted that there is at least one columnist who is ready to call the existing law by its right name. There has been a strong inclination to refer to it as the Nye-Clark-Bone Act. The truth is that it is the Pittman Act that is now the law of the land. It is not the Nye Act or the Clark Act or the Bone Act that we are seeking the repeal of now. The authors of the present act are seeking its repeal. I return to the article by General Johnson:

But it has done so not because it wants us to take any part in the war, direct or indirect, but because it thinks that selling arms to all comers is strict neutrality, that as a practical matter it will make no difference, because we have few arms to sell, and because it doesn't believe in getting off the earth to any greater extent than is necessary to reduce possible causes for war.

If we are going to bootleg our way into this war by proceeding on Senator AUSTIN'S view, we are, in a cowardly, furtive if not dishonest manner, perverting our professions of neutrality, creating a dangerous precedent at international law and a situation from which we could not escape bloody involvement exactly as in 1917, if the war continues and expands.

For if it be true that we must do this as an "act of self-defense" when Hitler is stymied and temporarily stopped in Europe, what must we do if he becomes much more active? More moves "short of war but more than mere words"? There aren't any except war itself.

"Self-defense" is a right to transgress the law under the pressure of ultimate necessity. We have no such necessity. It is a subterfuge to say otherwise. There are only two conditions under international law—neutrality and belligerency. Each carries a separate group of rights and obligations. You can't be "a little bit belligerent" and claim the rights of a neutral any more than you can be only "a little bit neutral" and not give cause for war or at least reprisal. You can't and still be honest.

At least Senator AUSTIN makes an issue. When this administration first began its bias it was all on the ground of "backing up the democracies." Hitler was not then a menace. In view of some of the proposed bedfellows, which were among the world's worst dictatorships, that ground began to stink too much to stand on.

General Johnson continues:

Now the whole emphasis has been shifted to Senator AUSTIN'S stark proposal. We must get in for "self-defense" because Hitler threatens us. If that were remotely true, we ought to go in tomorrow—not on any such powder-puff assault as this but with horse, foot, and guns.

It is not true at all. It is the most ill-informed, half-baked, blatant, dangerous, and insupportable demagogy. If we prepare, as we intend, Hitler could not threaten this country—win, lose, or draw in Europe. The "schmuss" that he could has the support of no recognized independent military or naval authority. It would not stand debate in any competent forum.

It is exactly the soapy sophistry that pulled us into the World War and almost ruined us. Senator AUSTIN certainly could not qualify on education and experience to advise this country on any self-generated dogmatic conclusion on so fateful a decision as that. If it is so, then—since it may become the very lodestar of our war policy—let somebody argue, debate, and prove it on the known facts and reasonable probabilities of war. Let's not abandon neutrality on Senator AUSTIN'S mere hunch. (The Washington Daily News, October 12, 1939.)

Ever since the famous "quarantine" speech of the President in Chicago, October 5, 1937, the Executive's foreign policy has been based on three assumptions. These have never been stated entirely openly, but they have been repeated in full implication in the many statements of the President and his aides since that time.

First. The first is that the best way for this country to keep out of war was to prevent war from breaking out in the world.

Second. The way to accomplish this was by lining the United States upon the side of the so-called peace-loving nations and against the aggressor nations.

Third. The best way to support the peace-loving nations was to repeal the arms embargo, opening our markets and our munitions factories to Great Britain and France.

Whether or not these assumptions were sound before the outbreak of war, they are no longer applicable today, for with the coming of war they were wiped out. We can no longer prevent what has happened. We can no longer pretend that supporting one side will keep us out. There is left only one final assumption, which from the very beginning has underlain all the others. That is the basic assumption that our own vital interests compel the United States to support Great Britain and France.

Evidence of this basic assumption is found in the record of the present Executive's foreign policy as far back as October 5, 1937. It was implied in the famous National Press Club speech of Secretary Hull on March 17, 1938. It was manifested in the President's statement on April 18, 1938, regarding the Anglo-Italian agreement, when he said that the United States Government viewed that accord with sympathetic interest. That seemed a strange statement in view of the fact that we had considered Italy an aggressor as against Ethiopia. It was dramatized for the public in the conflicting reports which came out of the famous conference of the Senate Military Affairs Committee with the President at the Executive Offices in January 1939. It underlay the request of the President for repeal of the arms-embargo provision of our neutrality legislation.

However, we now have difficulty in knowing whom we are for, and whom we are against, when we decide to be partisans of England. How can we evolve a logical pattern from the fast-moving and confusing events in Europe? For example, we read that England cannot make peace with Germany because Germany invaded and partitioned Poland. But Russia, too, invaded Poland and took a large slice of that unfortunate country. On October 3, 1939, Prime Minister Chamberlain told the House of Commons that—

* * * An economic agreement between Germany and Russia is foreshadowed under which Russia will supply raw materials to Germany and Germany will supply industrial goods produced over a lengthy period * * *. (New York Times, October 4, 1939.)

On October 8 it was announced from Moscow that Germany and Russia had agreed to work out a program of economic cooperation "at a rapid pace and on a large scale." A Soviet communique announced that—

In particular, agreement was reached that the U. S. S. R. should immediately begin supplying Germany raw materials and Germany should begin filling orders for the U. S. S. R. (New York Times, October 9, 1939.)

How amusing, Mr. President! Only yesterday the New York Times reported the conclusion of a trade agreement between England and Russia whereby Russian timber would be exchanged for Britain's rubber and tin.

One cannot help wondering, in the present paradoxical situation in Europe, whether that British rubber going to Russia will not turn up as rubber tires on German airplanes or German armored cars. There is nothing at all to prevent such an occurrence.

Mr. LUNDEEN. Mr. President, will the able Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. NYE. I yield to the Senator.

Mr. LUNDEEN. In that connection the press recently reported that both Great Britain and Germany were supplying Rumania with war planes. That seems to be along the same line as the newspaper statement to which the Senator has just referred.

Mr. NYE. I have not noticed that particular information, but it would not surprise me at all if it were true.

Mr. LUNDEEN. It is so reported in the press.

Mr. NYE. Mr. President, I cannot feel that it is to the national interest of the United States to mix into this conflict in Europe, the underlying causes and ramifications of which we do not understand, and the solution of which we cannot hope to find through a devastating war.

I heartily agree with the Senator from Wisconsin [Mr. LA FOLLETTE] that it is in the best interest of this Nation to work out its destiny in the Western Hemisphere where our genius, our ideals, and our devotion to democracy have a real chance.

At this point, Mr. President, remembering the splendid presentation made only day before yesterday by the Senator from Missouri [Mr. CLARK], I desire to add my most hearty endorsement of the proposal the Senator then laid down on this floor, to this effect:

> That this Congress do not adjourn before it has established a joint committee of representative leaders of the various schools of thought on foreign policy in the Senate and House, to be joined by administration representatives for the State, Commerce, Justice, and Treasury Departments, for permanent consultation on this Nation's acts and policies, to meet the emergencies of the war in Europe.

I consider this fundamental if we are to bridge the perpetual gap between the legislative and the executive departments of the Government in the important field of foreign affairs.

It is my purpose now to establish that the cash-and-carry proposal in its present form is not enough to keep the Nation out of war; that we, therefore, should not only keep the arms embargo but should also adopt restrictions to hold our trade with belligerents down to its peacetime normal basis.

Several amendments will be proposed to the cash-and-carry part of the joint resolution to make it really effective. One of them would tend to hold war trade down to normal, to prevent a war boom of any and all materials from swamping us, and then leaving us scared, afraid to let go of the bear's tail. I, for one, feel so strongly about the influence of war trade that I think it would be better for us to stop all trading with belligerents rather than run the risk of being dragged into war by the bear whose tail we are now grabbing. I realize, however, that I am in a minority in that position; that we must be realistic; and that an amendment to prevent us from getting enmeshed in a war boom, on the other hand, will have wide support from the country, and in Congress. If we cannot have the extremest kind of protection, let us have what is next best, whatever is available.

At one stage, back in 1935 and 1936, there was evidence which warranted a hope that we might accomplish the adoption into law of a provision that would undertake to hold our trade during other peoples' wars to a normal peacetime basis. President Roosevelt had put his influence behind this effort at that time. On January 3, 1936, in his annual message to Congress, he spoke of this normal-trade idea in the following language:

> As a consistent part of a clear policy, the United States is following a twofold neutrality toward any and all nations which engage in wars that are not of immediate concern to the Americas. First, we decline to encourage the prosecution of war by permitting belligerents to obtain arms, ammunition, or implements of war from the United States.

I am quoting the President of the United States.

> Second, we seek to discourage the use by belligerent nations of any and all American products calculated to facilitate the prosecution of a war in quantities over and above our normal exports of them in time of peace.
>
> I trust that these objectives thus clearly and unequivocally stated will be carried forward by cooperation between this Congress and the President.
>
> The United States can play but one role: Through a well-ordered neutrality to do naught to encourage the contest.

That is not ancient language by the Executive. That language was embodied in a message sent to the Congress on January 3, 1936.

Yet today his is one of the voices raised asking for repeal of a considerable part of that program, which was doing what in 1936 he was praising.

In light of the circumstances, I desire to point out, first, what a huge war trade does to a nation's foreign policy, and, second, to show that the proposed cash-and-carry measure is inadequate to protect us from the effect of such a trade on our foreign policy; third, I wish to demonstrate that not only must the cash and carry be amended for the good of America's own economy, but that the arms embargo should be retained as a limitation on the war trade and on a war boom, as well as an evidence to the world that we are not going to take sides all over the face of this earth wherever and however we can take sides.

It has been rather casually suggested of late that the issue pending before us might come down to a choice as between two things, adoption of the cash-and-carry program to cover all commodities, including arms and implements of war, or the existing law with the arms embargo and no cash and carry. The question is asked, What will you do if that is left as your choice? There is no hesitancy on my part in determining what I shall do and what I believe the Senate should do. As between the arms embargo and the cash-and-carry plan, if we cannot have a cash-and-carry plan to cover only those commodities not covered by the embargo, by all means, Mr. President, let us hang to the embargo even without cash and carry. But I am very hopeful that we will be able to accomplish both before we are done with the consideration of this matter.

In the demonstration I shall afford here this afternoon I am sure it will be made clear, oh, so clear, that we need not have the fear that is being expressed concerning the live danger of commerce in other than munitions dragging us into war. I think we should have it protected. I think we owe it to ourselves to afford the larger security. But it is not nearly so essential as is the maintenance of an embargo which strictly forbids the exportation of arms, ammunition, and implements of war to nations at war.

There is one thing I should like to say in the strongest language. The people of the world consider the arms traffic a dirty traffic. It is that, just that. But, more important, they consider it an inhumane and un-Christian traffic; they consider the huge sums of money made out of it, out of the killing that goes with it, blood money. The people may be wrong in their ideas; it may be a fine, humanitarian and outstandingly Christian traffic. I do not wish to argue that point at this moment. I simply wish to call attention to what people think about it. Let me suggest that if in later years we should be fighting some power—say Italy—because of some South American dispute, and England chose to have no embargo on arms, but chose instead to furnish arms to Italy for use against us, how unlikely it would be that the American people would say that that traffic was fine, humane, and Christian. To put ourselves in the shoes of others is one way of realizing what a disturber to our peace repeal of the embargo and traffic in arms can be.

We all declare a desire to stay out of other peoples' wars. We all vow that we will not be dragged into Europe's war. But it seems to me that some of us choose strange ways to stay out. Some of us, it appears, would stay out by going in, by going in on the economic front—just a little way, of course—a front that is as highly important in the conduct of any war as is the military front.

By reason of some of the considerations pending here in the Senate and the possible acceptance of certain proposals, we place ourselves in the light of a people thoroughly discrediting war, calling it futile and destructive, determined that it is wrong, and that we will steer clear of it. But in the same breath we present a picture of a people who, however much they detest war, are perfectly willing to sell the supplies which we decline to use to others who will use them and call our course neutral, especially if what is bought

of us of these supplies is paid for in 90 days, or promised to be paid for in 90 days.

Look at us. Here we are, proposing that we give actual assistance to the carrying on of a war, and magnifying the evil of war. To one side engaged in the European conflict we would sell guns, powder, and shells to be used upon boys who had absolutely nothing to do with bringing on whatever degree of war may exist in Europe today. Here we are, an accomplice to the murderer who can murder more effectively if we will furnish the guns and the bullets with which to murder. It has been pointed out here by another Member of this body that a murderer with a gun but no shells may ask us to furnish the shells, and the Senate asks, "Do we escape the position of an accessory after the murder has been committed, even though we never touched the gun?"

We cannot enter into Europe's war to the extent that is proposed in the pending measure without being in that war. If we pass the joint resolution now before the Senate, we have no right to pretend neutrality. We have no right to plead "not guilty" when accused of being a party to that European war. It should not be difficult for us to see what is going to be the reaction—an honest and just reaction—on the part of some peoples in this world if we permit the action here proposed to be taken. We should hold fast to the position we enjoy right now and hold ourselves in readiness to be of real constructive service to other portions of the world when they will need the service of a people and a leadership to accomplish readjustment on a basis that at least promises a prospect of a long period free from the retarding, destructive, heartbreaking thing called war.

Today the German people are not without respect for the office of the President of the United States. Today it is even possible for the nations of the world to call him in to do what may later be impossible—mediate the conflict. They have not called him in. They may not do so. All I wish to point out is that at this moment it is possible for the President of the United States to have an influence for peace in the world which we will be taking away from him if we vote to go into the business of making money out of the wholesale traffic in death to one side in Europe's war.

Today the President might well say, for example, if he should accept an offer to mediate, that the peoples of the world will never be reassured by Germany's promises until there is a complete change of administration inside Germany. Today a great part of the German people would listen to such words with some respect. But as soon as our President is the head of a country which has, in spite of all the precedents of the last war, chosen sides, has changed its foreign policy to aid the supposed enemies of the German people, then the people of Germany will think of him, when he makes such an observation, simply as the head of a dollar-mad nation which would sink precedent and law and humanity for some "fool's gold." They will consider him but one of the gang of defenders of the older imperial systems of the world.

The German people, however, not the present German rulers, are the important ones. It is with them that the post-war peace will be made. America will lose her great power and place for peace in the world as soon as she goes in for changing her law to make a little additional profit. If, after repeal of the embargo, the President should make that comment about the necessity for a change of administration in Germany, the German people could readily be convinced the comment was made simply because this profit-mad nation wanted the war to go on and on. After such repeal, America may talk—her President may talk—from that time on about noble motives, humanitarian impulses, and Christian morality; but from the moment the arms-embargo law is repealed, in the middle of a war, such talk will not count in the world as it would if the embargo were not repealed.

Again, British diplomats will think we are coming in and pay little attention to our claims, and the German people, bombed by bombs made in America, will feel that noble words from these shores are a swindle, as we unfortunately know they thought the 14 points became a swindle. The motives were high, but noble motives can be seriously compromised.

Nor do I believe that we are making any great friendships on the other side by sending them arms, for which they will pay dearly out of the heavy taxes imposed upon them. I think the French and English will argue, "The Americans, by reversing their World War stand that neutrality laws could not be changed in the middle of the war, are obviously taking our side." Then they will convince themselves further by reading that President Roosevelt in 1936 called the money in war trade "fool's gold" and now asks plaintively that our workers get the chance of finishing into munitions here unfinished war materials, instead of sending them abroad in their raw state.

"Ah," they will say, "the Yankees are taking sides with us because we are fighting their war for them, but they are making us pay them for the weapons with which to fight their war for them, the Shylocks. Think of that. We are fighting their war and they make us pay for the munitions."

After a year or so of that, the people of the European powers which we are inclined to help will be led by a skillful diplomacy and a censored or subservient press into agitating that we give them the weapons. The diplomatic language is "extend credit for," but we know now that no money is going to be repaid after the end of another war.

How much of the present debt of twelve or thirteen billion dollars owing us by our Allies of another day was once upon a time represented by 90-day credits? It would be interesting to know and it may be known before the debate is over.

After a year or so of that we may know what to expect, and then, since there will seem to them so little difference between supplying the arms and supplying the men to use the arms, they will not only be angry that we charged them at first for the arms, but that we were so late, so slow, in getting our soldiers over there to use the arms.

Mr. CONNALLY rose.

Mr. NYE. One moment, please. To close our eyes to the experiences of 20 and 25 years ago and say we are not taking a dangerous course when we repeal the arms embargo is to be blind, indeed.

I now yield to the Senator from Texas.

Mr. CONNALLY. I thank the Senator, but I do not care to have him yield at this time.

Mr. NYE. Mr. President, make no mistake about it. So far as being a force for peace in the world is concerned, we lose that position when, if, and as this embargo is repealed. The Senate will see from the account I wish to put before it this afternoon that our shipments of arms were actually once used by the British to answer our claims as to our neutral rights; that the arms traffic and the war trade generally helped to ruin and dissolve our impartiality as completely as if it had been dipped into an acid bath.

Before recounting the way in which our war trade and arms traffic helped to ruin our chances for staying out of the last war, into which many, including such sincere colleagues as the Senator from Texas [Mr. CONNALLY], the Senator from Nevada [Mr. PITTMAN], and the Senator from New York [Mr. WAGNER] have said "we were dragged," I issue two specific challenges to the supporters of embargo repeal and to the supporters of an unlimited war boom, that is, the supporters of the present cash-and-carry proposal.

My first challenge is: Call the 50 leading industrialists of this country to appear before one of our committees, in the morning before we are in session in the Senate, and in the evening after we have closed our session, and ask them one simple question, Is the unlimited war boom allowed in the present cash-and-carry measure a good thing for our Nation? Ask them that one question. Call Stettinius, call Ford, call du Pont, call Grace, call Gifford, call Young, call Weir, call Knutson, call Dennison—call whomever the Senate considers the leading 50 industrialists of the country and ask them, "Is the unlimited war boom allowed in the present cash-and-carry bill a good thing for our national life?"

This is my first challenge. I dare its acceptance. I dare the Senate to try to find 10 among the 50 who will wish to repeat the experience of the last war boom.

My second challenge follows the first. After you have heard from the leading 50 industrialists in the Nation, I will then ask you to call all the members of the President's Cabinet before this committee of the Senate and ask them to show in what respect and why the industrialists are wrong in opposing the war boom allowed in the cash-and-carry plan, as it now stands, unamended to limit the war boom to the 1936–38 level.

I ask you to call Secretary Wallace, Secretary Ickes, and all the others, and ask them to reply to the same question, in the light of the testimony of our leaders of industry. The question is simply, Is the unlimited war boom allowed in the present cash-and-carry bill a good thing for our national life? They can then tell us in what respect and why the leaders of industry are wrong.

I do not believe you will accept this challenge, for you might possibly find that there would not be one member of the President's Cabinet who would say that such an unlimited war boom would be a good thing for our economy, for our Nation's real good.

We do not need to suspend our debate to secure this evidence. We can take their testimony conveniently, that of both groups, under oath, in the mornings from 9 to 12 and in the evenings from 7 to 11. We can even complete it within 1 week.

I should be glad to have any supporter of repeal of the arms embargo and of the unlimited war boom allowed by this measure before us give the American people any good reason why these two challenges should not be accepted.

I believe the responsible leaders of industry, and the responsible members of the Cabinet would, under oath, repudiate the endeavor expressed in this measure to regain our prosperity by tying it to the coattails of that most uncertain time element in the world, a European war; that they would repudiate the theory that any sound prosperity can be built upon the sands of wholesale murder.

My point is that the cash-and-carry proposal as it now stands does not prevent a war boom; that it should be amended to hold trade down to normal, and that the arms embargo is, by itself, a way to hold one particular branch of the war boom down, for reasons particular to itself, having to do with our influence for peace.

I now wish to explain that, regardless of the danger of a war boom to our own economy—high prices, high cost of living, the overexpansion of industry, and a later deflation—war trade also has a tremendous influence, and an influence of importance, on our foreign policy.

I am surprised at the easy manner in which distinguished Senators are able to toss off the influence of an almost $2,000,000,000 trade in the arms traffic to England and France during the war. There is a strong tendency to minimize the importance of that arms traffic. Senators may try to do so, but the record of its importance from 1915–17 stands and cannot be controverted. On the basis of figures from the export department of J. P. Morgan & Co., the financial and commercial agency for England and France during the last war, the Senate Munitions Committee compiled figures on the arms trade and its relation to the rest of our wartime trade with England and France. These arms exports have been carefully checked by categories, against the categories of arms, ammunitions, and implements of war announced in the Department of State's proclamation of September 5, 1939, the categories now covered by the arms embargo.

The exports of arms, ammunition, and implements of war materials clearly included in the present arms embargo categories to England for the years 1915 through 1917 amounted to at least 22 percent of the total export trade from the United States to England, and 14 percent of the total exports from the United States to France. These were the munitions exports handled through J. P. Morgan & Co. alone, and do not include any other arms shipped through other agencies, or even any Morgan shipments difficult to classify under the present arms-embargo categories.

The dollar value of the arms, ammunition, and implements of war exported to England through J. P. Morgan & Co. was nearly one and one-half billion dollars. For France it was approximately $325,000,000.

There is far too much will to discount the relationship of a business and trade in munitions with nations at war, and our being dragged into war. There is too much will flagrantly to ignore how easy are the steps to war after the first step is taken. There has been too much apparent will to becloud the real issue presented to the Senate; too much will to substitute something for the arms embargo instead of supplementing the arms embargo with other things which would further strengthen American ability to stay out of the thing which might be the complete destruction of every civilization that participates in it.

Let there no longer be any mistake about the purport of House Joint Resolution 306, now pending before us. That joint resolution on its page No. 1 declares it to be the Neutrality Act of 1939. More and more is it being acknowledged that the proposed act is not a neutrality act, but an act to aid one side engaged in a European war. However much I may disagree with the propriety or even the need for such a step, I cannot do other than respect those of my colleagues who are plainly stating their reason for supporting the proposed measure as growing out of a desire to aid one side engaged in the European war. Perhaps there is right to hope that before this debate has ended it will be generally acknowledged that the pending measure is not a neutrality act, that instead it is a proposal to repeal what is neutrality upon our statute books today and write in its place laws which will help our country give aid to one side engaged in Europe's war.

Whatever may be the weaknesses of the existing neutrality act, it does nevertheless embody features which are definitely working to the accomplishment of that purpose, about which we were quite unanimous when enacting the law—the purpose of helping the United States keep out of wars when they come in other parts of the world. But now that the circumstances which the law contemplated have arisen; now, after the threat to American peace has come; now that war abroad has really begun, some of those who were most ardent in their support of the neutrality law wish to accomplish its repeal, and particularly the repeal of the feature of the law which has more honest and pure neutrality about it than any other part of the law.

I speak now of the arms embargo. That embargo was a declaration to all the world, while it was at peace, that whatever nations in the future might go to war, without respect to which side nations might be on, we would not be the arsenal for any nation or group of nations engaging in war. Every country on the earth had notice as far back as 1935 that it need not look to us as a supply depot if it went to war. What could possibly be done that would constitute a higher degree of honest neutrality than that kind of declaration? But now that the condition which the law was intended to meet has arisen, there comes the burning appeal to do away with the law, to supply one side engaged in the war, and the plea that to do so will not in any degree jeopardize the peace of the American people.

FINANCIAL AND INDUSTRIAL INVOLVEMENTS

I intend to discuss the financial and industrial consequences of the passage of the joint resolution. The necessity for such a discussion is obvious. The proponents of the joint resolution assure the country that it will avoid any involvement of the United States, financial or otherwise, with the allied cause. They assure us that under it nothing—or, at least, practically nothing—can be done that will drag us into the war. I propose to show how grievously wrong they are.

I have heard Senators argue that nothing in the way of danger can grow out of an abandonment of the arms embargo. To see and acknowledge that there are men entertaining that thought is to see and acknowledge that there are men who do not know what the sale of American munitions to nations engaged in war in 1914, 1915, and 1916 did for a country which at that time was as highly resolved to stay out of war as this country is now resolved to stay out of war. Why fool ourselves, as we then fooled ourselves, into believing

that we can get on to the road that was traveled starting in 1914 and still stay out of war?

DEFINITION OF THE ISSUE IN THE PRACTICAL SITUATION

To begin with, it is interesting to note that the proponents of the joint resolution are almost entirely silent concerning how the measure will avoid our involvement. In preference to reasons, they rely on emphatic reiteration. The President himself, in his message to Congress, was content to rest his entire case in this vital particular upon the undemonstrated assurance that the present law would embroil us in the war, and that the proposed law would avoid involvement.

Other proponents appear unable or unwilling to understand—and certainly to state publicly—that the reasons for passing cash-and-carry provisions are not reasons for repealing the embargo.

The only reasons I have seen offered in support of the extraordinary assumption that repeal of the embargo—regardless of cash and carry—will help preserve our neutrality, is this: It is said that if we fail to repeal the arms embargo Germany may defeat England, and that would be likely to involve us, while if we repeal the embargo England, thus helped, can defeat Germany. There is no question, of course, about repeal not being designed to help England.

There are three vital defects in this reason for the embargo repeal, which is the only consistent reason yet offered in support of the President's statement that repeal will help preserve our neutrality. Three unproved assumptions are smuggled into this proposition. The first defect is the failure to answer the question: If our supplies alone are not enough to help England win, what will happen then? The second defect is that it subtly smuggles in an unwarranted assumption which runs throughout much of the debate. That is the assumption that the outcome of the war must be complete defeat for one side or the other. Yet, of course, wars do not necessarily have to be fought to that ultimate bitter choice. This war, like many in the past, may be ended in a stalemate, not in victory for either side.

I suppose it is an awful thought to entertain, an awful thought to give expression to; but I find myself thinking so many times how much more fortunate the world might be today had America stayed out of the war in 1917, and had those engaged in war in Europe fought their war to complete exhaustion on both sides, an exhaustion that would have permitted neither side to dictate the iron-heel kind of treaty that was written at Versailles when the war was over. Is it an awful thing to express the wish that that might have been the case? In the light of what we now know to be the factors contributing to Europe's troubles we should be ready to acknowledge that those troubles might be a minus quantity today; for true it is that if there be upon the earth any people responsible for Hitlerism, they are the English people and the French people, whose leaders at Versailles wrote that kind of a treaty, never for a minute conceding that there were injustices within it which ought to be corrected if they would avoid repetition of that experience. No; I am not so sure that we need think it is an awful thing to express now the wish that they might have been permitted to fight to exhaustion in 1917, 1918, 1919, and perhaps 1920 and 1921—much better that, and the peace that could have been, than the kind of decision that was reached, the kind of treaty which was written, bringing us down to date, 1939, with Europe "all messed up" again over the same old issues that were then involved. Those issues were not democracy.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. NYE. I gladly yield.

Mr. LUNDEEN. Was it not Winston Churchill who said that our entry into the World War cost Great Britain and France a million lives and brought on misery and conditions which are now leading into a second World War? We were rather astonished at that statement.

The very able Senator from North Dakota has pointed out that the inevitable result of the Versailles Treaty was just the condition which we face today—dictators throughout the world. Those who thought we could save the world have perhaps learned by this time that all we did was to meddle in something we did not know anything about and that our internationalists became somewhat confused. After going into the war they finally backed out of the Versailles Treaty right here on the Senate floor—the President one way and the Senate the other way—and then there came the battle on the League of Nations and on the World Court, all ending in one great confusion.

Now, after all these lessons, we are to venture again, first, with arms and ammunition—"cash on the barrel head," it is said, but where is the cash? It is credit; then billions of dollars of credit, and then, after that, when Britain and France are beaten to their knees—and it is very probable with the great land powers now allied against them they will be, in spite of Mr. Hoover's statement—then will come the Macedonian cry for help, and then we will be asked to send our best blood, our fine American lads to die on the battlefields of Europe for victory—for what? Just more intrigue, more foreign influence, power politics, and adventure. The deeper we get into it the more I think we need to read the Farewell Address of George Washington, the statements of Thomas Jefferson, and to consider the statesmanship of Jackson, of Clay, of Webster, and Calhoun and other stellar men who stood in the high places in this land in a marvelous era and great age. We who are here now might well consult their writings and their speeches and consider the position they took lest we go astray and into bypaths and into tangents that lead off from the great highway on which America has traveled to greatness and glory.

Mr. NYE. Mr. President, I thank the Senator for his observation.

Coming back again to the point I was making relative to the assumption that the repeal of the embargo would help serve and preserve the neutrality of the United States, I had spoken of two defects in that assumption. There is a third one. The third defect is that we must, as a matter of course, seemingly in all circumstances, at all costs, and without study or thought, defend the British Empire against defeat. That is the assumption. That may appeal to the emotions of many of us, but as a national program it requires more thought than is being given it here. It is not a program to adopt, by inference, in what is described and understood by the country to be a neutrality bill.

This matter has a bearing of very great importance upon the possibility of our own industrial and financial involvement, because the demands that will be made upon us, the future crisis in our relation with Germany and England, will all be determined by the ultimate war outcome sought by the belligerent governments.

At the very start, therefore, it is important to note that the publicists for the President's course have made a fundamental mistake in their analysis of the foreign situation. Perhaps the third assumption, that we must defend Great Britain, need not be discussed at all because it may not be at all involved in the question. The publicists, of course, tell us repeatedly that we must raise the arms embargo to help England from having to submit to military defeat by Germany. So the publicists tell us, and so, no doubt, many believe; but this may not be so—I am not in entire agreement with the Senator from Minnesota—it is not necessarily so. On the contrary perhaps we are being asked to raise this embargo for a different reason, in fact for the very converse reason; it may be that we are asked to help England inflict military defeat upon Germany—and there is a slight difference in the meaning. That is a task so much vaster than defending herself against Germany that she is probably unable, and anyway unwilling, to try it without our backing. The pending joint resolution in effect would tend to give her the needed assurances of at least a degree of backing.

Matters of this nature can never be known with the positive assurance of a mathematical fact. We are forced always to employ judgments in these fields. But the opinion of any competent and unbiased person swings in this direction. We have former President Hoover's careful analysis,

based on his many years' experience with the economic ramifications of military problems. The military situation itself has been thoroughly described by many writers of every degree of competence.

Mr. President, I ask unanimous consent to have printed, following my remarks, an article appearing under date of October 3 in an Associated Press dispatch under the heading "Defeat of Allies impossible, Herbert Hoover declares."

The PRESIDING OFFICER. Is there objection? None is heard, and the order is made.

The article referred to is as follows:

DEFEAT OF ALLIES IMPOSSIBLE, HERBERT HOOVER DECLARES—NO NEED FOR UNITED STATES TO GET INTO WAR, HE SAYS, URGING COMMON-SENSE VIEW

NEW YORK, October 3.—Herbert Hoover expressed the belief, in an interview with Roy W. Howard, published today, that the defeat of Great Britain and France is impossible.

"If one surveys the whole front—sea, land, air, and economic resources—I am convinced the Allies can defend their Empires," the former President said. "The end may be victory for them. At worst it might be stalemate. I do not see any possibility that they can be defeated."

The interview, published in the New York World-Telegram, of which Mr. Howard is editor, was based on an expression by the editor himself that "a dangerous emotionalism is diluting American reasoning; that the idea is spreading rapidly in certain sections of this country that France and England are facing defeat and that in order to avoid catastrophe to civilization and to save ourselves the United States must sooner or later enter the European war."

The former President, who saw the World War at close hand as head of the Belgian Commission, American Food Administrator, member of the War Council and of the War Trade Board, responded:

"It is true there is the utmost danger in wartimes of emotions overwhelming common sense. The most regrettable thing that could happen to us would be the building up of a war party in the United States. But the premise of the ideas you mention is wrong.

"The war is only a month old. But the major factors are already emerging. The British and French can, and will, control the seven seas despite submarines and airplanes, and can sit there until their enemies are exhausted.

"By their sea power the Allies can protect England and all the outlying possesisons of both Empires from invasion. Their manpower can defend France unless they blunder into taking wild adventures in military offensives and exhaust their manpower.

"Aerial warfare may be destructive, but that works both ways, and, so far as all experience goes, is not conclusive of any war.

"On the sea," Mr. Hoover continued in the interview, "the British and French have naval strength of about 2,500,000 tons against Germany's about 500,000 tons. Russia, even if she comes in, which is improbable, has a negligible navy. Italy has about 600,000 tons.

"German shipping is already driven off the seven seas in 30 days. Italy would have the same fate if she joined in, which at the present time appears also improbable. I am confident that our naval experts will confirm that this dominance of sea power may be damaged but cannot be destroyed by aircraft.

"The submarine may be troublesome, but there has been great progress in methods of detecting submarines since the last war, and this type of warfare is less dangerous than formerly. Even in the last war it had no major effect upon naval command of the seas.

"The losses of merchant shipping in the first month are much less than in the first month after the intensive submarine attack began in the last war. The Allies may have lost perhaps 200,000 tons of merchant ships. They have 20,000,000 tons left and can hire more. They cannot be starved out of either food or materials by any combination of European powers. The enemy, whether it be Germany, or even Italy, or even Russia, must cross the seas to invade with troops either England or the British or French possessions in Africa, India, Australia, or the Western Hemisphere. Allied sea power will stop that.

"On the military front the sole point of attack is on continental France. France is protected by very much more powerful fortifications and armies than in 1914. I am confident our military experts will confirm that it takes two or three times as many men on the part of attack to overcome the manpower behind modern fortifications such as those which surround France. The French Army is the best in the world.

"Germany has a population of about 80,000,000 Germans from which to draw manpower. The allied empires have about 115,000,000 white population and 30,000,000 more of fighting races which they can draw upon to protect France.

"And their possessions contain another 450,000,000 people that can aid in food, raw material, and munitions production. The Allies can put more men on the front and support them better than the Germans.

"In view of events, Russia and Italy must also be considered in this army picture. While the entry of Italy with a population of 41,000,000 is highly improbable, even in such event the allied manpower on defense is still superior. I do not include Russian manpower, because I am convinced that Russian troops are most unlikely ever to reach the western front.

AIR SUPERIORITY IN DOUBT

"That is inhibited by transportation difficulties, shortages of materials, internal weakness, a lack of any national purpose for the Russians, together with the risks to the Germans of such a guest. Those who think Russia might effectively invade India know little of that reality."

As to Germany's air power, Mr. Hoover was quoted as saying, "Nobody knows whether it is superior or not.

"No doubt the most indeterminate phase of this war so far is the effect of the improved aircraft—the air front. If we assume the superiority of Germany, which is not certain, even supported by other air fleets, yet again in the defense there is the offset to superior numbers by the improved antiaircraft guns and other ground protections. * * * All experience to date shows air attacks can have no conclusive effect on the capture of a country. That comes from invasion of troops alone.

"Sea power and ample manpower to defend France would have won the World War without help from the United States if the Allies had not thrown their manpower away in futile capture of trenches and in blundering military adventures. It is not to be expected that they will repeat these blunders.

GERMANY ON BREAD CARDS

"The economic front is as vital in this war as in the last war. In foodstuffs Germany starts the war on bread cards. Nobody can store very much food for long. Germany can obtain some breadstuffs and some meat from Poland, Russia, and central European countries. Czechoslovakia and Austria add to her food problems rather than diminish them. * * * The Germans can no doubt meagerly sustain public health, but at a long distance from the comfortable food standards of the allied countries.

"The French are practically self-supporting in food. The British Empire has enormously increased its food production since the Great War. That enables England to obtain most of her supplies from within her own dominions.

"* * * We need to keep cool. After all, we must keep out of this war. We would be yielding the last stand of democracy if we go in, win or lose * * *."

Mr. NYE. Mr. President, raising the embargo is a long-term proposition. Before we can ship important quantities of war materials we will have to manufacture them, which takes time. And before we can even start manufacturing them on a large scale we will have to convert many ordinary factories into munitions plants, and that takes even more time.

There has been a great deal of loose talk about available airplane shipments.

I think the Wall Street Journal is likely to be a rather better authority on such industrial questions than word of mouth and rumor. I shall repeat only a few of the words from the Wall Street Journal which the Senator from Wisconsin [Mr. LA FOLLETTE] offered for the RECORD yesterday. Here is the Journal's article, in part, of September 8, 1939, describing the situation of the American aircraft factories:

The current backlog is composed of roughly $80,000,000 of unfilled foreign orders, a small amount of commercial business, while the greater portion represents orders for the United States Army and Navy. Army contracts under the new aircraft-expansion program specify delivery by June 30, 1941. It is apparent, then, that work on these orders cannot be delayed much in preference to foreign orders without endangering fulfillment of contractual delivery date and causing the liquidated-damages clause of the contract to apply. In view of these factors, it is apparent there will be need for additional productive facilities in event that prospective new business becomes an actuality.

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Considerable time would be required by some companies in order to build up personnel and tool up for capacity production. It is probable that current backlog represents nearly capacity output for the industry over the next 10 or 11 months at least.

It is true that there are planes waiting at our ports to be shipped the moment the embargo is repealed; but there are no such sky-darkening armadas as enthusiasm pictures—and there will be no decision of the issue of this war on the basis of the planes now ready for delivery.

No; with planes as with everything else, embargo repeal is a long-term proposition.

We are therefore being asked to underwrite a long war, with all the ghastly losses and destructions that go with a long war. And what interest of ours is to be served by a long war—social degeneration throughout the West, military dictatorship, almost certain American involvement, endless casualty lists, and at the end a prostrate world and an iron-heeled peace? Are these our objectives?

When and under what terms the present warring governments decide to make peace is none of our affair, but for us

to underwrite their continuing it to a problematical and costly victory and an utterly unknown peace treaty—that is our affair.

Mr. LUNDEEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. NYE. I yield.

Mr. LUNDEEN. The Senator seems to imply, by his references to our underwriting the European war, that we would finance that war, perhaps, as we did the last one. Is that what we are to understand?

Mr. NYE. That is what I have been trying to say.

Mr. LUNDEEN. If we are to finance this long-drawn-out war, can our financial structure stand that great pressure?

Mr. NYE. I am going to undertake, from this point on, to demonstrate how our financial structure was strained and almost broken by our endeavor back in 1915 to keep up with the pace that Europe's war was setting for us in an economic way.

Mr. LUNDEEN. I should like to say, with the Senator's permission, that American business may find itself taxed down to the level of the sidewalks where others walk. This war-taxation structure may be reared to oppressive heights, leaving us with a debt of more than $100,000,000,000; and that does not include the after-the-war costs to which President Coolidge referred on November 11, 1928.

In that connection, let us not forget that we have not as yet reached the maximum of debt from the last war.

Mr. NYE. By no means.

Mr. LUNDEEN. The Armistice Day speech of November 11, 1928, of President Coolidge comes into my mind at this time. On that occasion the President said that when the last soldier and the last dependent of a soldier of the World War shall have passed over the horizon, the World War will have cost the United States more than $100,000,000,000; and I do not think anyone will accuse former President Coolidge of overstatement.

Mr. NYE. I have heard no one undertake to controvert that estimate.

Mr. LUNDEEN. Certainly our participation in this war will more than double the debt we have already incurred, and we shall again be asked to finance these nations. We shall be asked to finance France and to finance the British Empire. We shall be asked not only to carry the burden of fighting the war but to carry the financial burden along with it.

Is that good Americanism? Is it good Americanism to think first of foreign countries? Perhaps it is. I am not constructed along those lines.

Mr. NYE. There are others here besides the Senator from Minnesota who are not so constructed.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. NYE. I do.

Mr. NORRIS. I am moved to ask a question because of the question just asked and the answer made.

Who is there here who wants to finance the war? Who is there here who wants to send American boys over to fight in the war? Who is there here who does not want the experiences of the last war, and the mistakes we made about it, to serve to keep us out of this one? Are we to believe from the question and the answer that have just gone into the RECORD that everybody who is in favor of repealing the embargo clause wants to send American boys to Europe, wants to loan money to Europe, wants to sell on credit to Europe? Is there any such implication? If not, what is the object of the argument?

Mr. NYE. Mr. President, there is no implication that there is any Member of this body, or any Member of the body at the other end of the Capitol, who wants our action ultimately to take us into that war, to cost us one red cent, to cost us the sacrifice of a single American son, or even of a single American mule. But I say that in the light of experience there may come developments, there may follow steps after this first one that will leave us helpless to do anything other than take the next step, and the next step, and the next step, and during the next hour I want to demonstrate how easy that route is going to be.

We may sit here in our places or stand at our desks and assert today, "No; we are for repeal of the arms embargo, but we will never give in one inch in the matter of affording the Allies any credit, or affording them any loans. We will never give in one inch if it ever is said to be necessary to repeal the Johnson Act. We will never give in one small part of one inch when it comes to the question of sending our boys abroad to fight." But if we take this first step, and if those against whom the step is taken retaliate, and if some day a shipload of Americans—perhaps on a boat carrying guns or powder or shell—is sunk out here off our own shores by those who are retaliating, does the Senator from Nebraska know, do I know, what I am going to do in that emergency and in that event?

I am trying to make clear this appeal, and I wish I could do so: "America, for Heaven's sake, do not take this first step, because it makes so much easier the next step!"

Mr. NORRIS. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from North Dakota continue to yield to the Senator from Nebraska?

Mr. NYE. I yield to the Senator with the greatest pleasure.

Mr. NORRIS. The argument is continually made, in the first place, that our proposed action constitutes a first step, and that it is going to be followed by others that will lead us inevitably into the war. With that contention I do not agree for one moment. I concede that a Senator or an individual has a right to believe that if he wants to believe it; but to say that this is the first step toward getting our country into the war to my mind is making a charge which is without any foundation whatever.

It is said, as the Senator has just stated, that our action will irritate—or words to that effect—one of the combatants. That means Hitler. We are told that he will not like it. Of course he will not. Are we going to stop in our deliberations here and ask him what we shall do? Are we so afraid we shall offend him that we are going to lean backward and be unneutral and thus help him make the fight he is making?

Mr. NYE. Mr. President, I think the Senator from Nebraska goes a long, long way to make that sort of an argument or an appeal count in this particular emergency. If he will be good enough to continue to afford me a hearing during the next hour, or a portion of it, I shall try to show him a thing which I wish with all my heart I might believe he already knows—a thing, I repeat, which makes it very simple to anticipate that if we take the step which is now proposed we shall find it exceedingly easy to take the subsequent steps.

Getting back for just a moment to the matter of trade and building an economy looking to a long-range, a long-time war, men do not start great undertakings without some idea of the goal at the end. What is our goal in this instance? We propose to place our weight in the scales in Europe. We propose by an act of Congress to set in motion a chain of events that is calculated to affect, and will affect, the outcome of the present war. To what end? To what peace treaty? Have the proponents of this joint resolution a rough blue print of the peace treaty they would like to see achieved? I doubt it. And if they have, can they conceive any way to bring it into being, once victory has been attained? Do they imagine they will have the remotest influence upon the terms of a victorious peace?

In 1919 we had an army of 2,000,000 men in Europe. We had as our delegate at the Peace Conference a great war President, moved by the most lofty motives. We got a treaty that the President himself almost refused to sign and that this body refused to ratify. Its evil consequences have stalked the earth disastrously ever since.

What suasion would the proponents of this joint resolution suggest that we try at the next peace conference?

And if the proponents of this measure do not have an idea of the peace terms they want and some means of attaining them, are they not engaging in sheer dangerous adventurism? They are gambling the neutrality of the United States

and the lives of millions of Europeans—and probably Americans, too—that the same powers that wrote the Treaty of Versailles will do a better job next time. Perhaps the proponents just know in their hearts that the creators of the Russian revolution, of the German inflation, of the Balkanization of central Europe, of the Japanese war—yes; even of Hitler himself—that these so wise and virtuous powers will work out a victorious peace so beneficent that it will be worth all the slaughter and destruction required to attain it.

It is absolutely essential in this matter to keep quite distinct in our minds the appalling differences between offensive and defensive warfare. England can very well be far too strong to be conquered and yet be too weak to undertake, herself, to defeat Germany. In fact, I am convinced that that is very close to the situation at the present time, and that in this repeal measure we are being asked to give her the needed additional offensive strength. We are asked to tip the balance of a stalemate. I do not believe that to do so is in the interest of the United States, and I do not believe we can do so without ourselves inevitably entering the war on the side of the Allies—a war again, not to defend England, but to conquer Germany; a war for which we as a nation have no peace terms in mind, and no means of attaining them if we had.

I intend to examine at some lengths the consequences—primarily economic and financial—of our agreeing to furnish this additional offensive strength by repeal of this bill. In doing so I shall draw freely upon our experience during the World War. I do not want to make this a history of World War finance. I am talking only about the present day and the future. But I do find that the past casts a revealing light upon the present. We have in this case an almost unequalled historical parallel and a vast wealth of known facts from which we can estimate, not all, but certainly the major consequences of the repeal of our arms embargo.

SIMILIARITY OF CONDITIONS UNDER PROPOSED BILL WITH UNITED STATES SITUATION, 1914–15

We are told today that we can open ourselves as an arsenal to England and France and that no evil consequences will flow from it. We opened ourselves as such an arsenal in 1915, and I wish to go into what happened as a result. We can then judge how far similar consequences are likely to occur today.

We are told today that we have in the pending measure an adequate safeguard against any financial involvement with the Allies, an involvement that might later be very embarrassing to our own financial health. We had a financial safeguard in 1914, and I shall discuss what resulted from it, and we can then judge how far similar consequences may be expected today and tomorrow.

We are told that in the proposed cash-and-carry provisions we have a safeguard against destruction of American property, which might be an embroilment to war. We had an almost identical safeguard throughout the World War, and I shall show how it operated, and we can then judge how far we can expect it to work now.

Only in regard to shipping, American and belligerent, do the consequences of this, the pending joint resolution, depart materially from the condition of 1914–15; and, oddly enough, these ship provisions, by mixing good features with bad, may very well so work out as to place us in a more hazardous position than we occupied in the World War. And, of course, the most dangerous of all shipping problems—the use of armed merchantmen—is not even mentioned in the joint resolution.

In any event, the shipping situation is not directly concerned with the problem of financial and industrial involvement. I think, however, we are safe in saying that the ship provisions in and of themselves alone offer us little protection. If the other provisions of the measure do not work the way the proponents say they want them to work, then we cannot rely upon the shipping provisions alone to keep us out of war. I think we can all agree upon that.

WHAT IS MEANT BY FINANCIAL AND INDUSTRIAL INVOLVEMENT

Much has been said about our financial and industrial involvement with the allied cause as the underlying reason for our going into the war in 1917. However, what is meant by this term is not always clear. I have heard men make impassioned speeches to show how impossible is the thought that a great country such as ours could go to war to protect the profits of munitions makers and the risky loans of bankers. I could make such a speech myself. No such thing ever happens. I know of no responsible person who ever said or thought that this country went to war to protect Du Pont's profits or Morgan's loans. That is not the way things happen. They happen a little at a time; and though the consequences of the Nation's actions may be to protect Morgan's loans, that is not their intention. The purpose in each case, in each little national decision on the long road to war, is simply the protection of what appears at the moment to be the national interest. As these decisions follow each other they become more and more difficult to make, of more and more consequence to the Nation, until at last the situation has grown to be one of intolerable national danger. And then we find ourselves in the position of Macbeth, who started something that seemed safe and simple, even if somewhat criminal, and then discovered that he had reached a point where it was more bloody to go back than to go forward.

That is the danger of economic involvement—never crass profits. When industry after industry is operating on war orders, expanding their debts and their plants to fill war orders, when millions of farmers are mortgaging themselves to the hilt to grow food and cotton at war prices, when the British Empire is permitted to assume the terrible risk of a war of conquest on the basis of our supplies—then we have created what I mean by economic involvement. Then each decision we have to make has to be made in that situation, not in indifferent calm. Then any attempt to prevent further and more dangerous involvement creates panic at home and catastrophe abroad. When the living of millions of our people becomes dependent upon war trade with England, and upon her military success, and when England becomes dependent, perhaps for her very life, upon an unbroken stream of supplies from us, then, indeed, we will have reached the place where it is more bloody to go back than to go forward.

We reached that place in the fall of 1916 and the early months of 1917. We arrived at a financial crisis inextricably involved in allied financing, and at the same time we arrived at a crisis with Germany over the issue of armed merchantmen—an issue that, in turn, gave rise to the submarine controversies. All three have been intertwined in the past and they remained intertwined inextricably. But I am interested now in the financial and industrial aspects of that crisis. It was a situation that many men realized in retrospect, as former Premier Tardieu, in his famous remark, that after the Anglo-French loan we were committed, whether we liked it or not, to the success of the allied cause.

Frenchmen and the Englishmen know today that if we repeal the arms embargo we commit ourselves. We did so before. I do not know how we will avoid doing so again.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. LUNDEEN. During the very time when the loans were being made we were telling the American people that we would remain at peace—that we would keep out of war. During the very time when these loans were being made we were keeping out of war, and we would continue to keep out of war. There was then the same cry we hear today—that we would keep out of war; that no one would vote for war. Yet loans were made which committed us to a policy. Of course, again it is said we will keep out of war, but we are being committed to a policy, and in the future foreign statesmen may be writing paragraphs such as those to which the Senator has been referring.

Mr. NYE. Quite so.

Mr. LUNDEEN. We fought a campaign in 1916 on the slogan "He kept us out of war." Yet I remember that when I was elected to the House of Representatives in that year, and closed my desk at home and came to Washington on the 4th of December, I found this city and the Sixty-fifth Con-

gress a beehive of activity to get the Nation into the war. Yet we had just gotten through telling the American people we would not get into the war; that we would stay out of it. But it was nothing but camouflage, and I fear the same sort of camouflage today.

Mr. NYE. Mr. President, I am not ready to agree with the Senator that it was camouflage altogether. I think there was a large degree of sincerity on the part of the American people and on the part of American officials up to the last few months of our neutrality. Until just before we went to war I believe there was honest, sincere conviction that we were practicing neutrality; that we would stay out of the war. There was definitely a conviction that we would not be drawn into it. But our determination then was only as strong as the determination that is being expressed today. Not one bit stronger is that being expressed today than was the determination of 25 years ago.

Mr. LUNDEEN. If the Senator will permit me again, I agree with the Senator so far as the American people were concerned, but not so far as some of our officials were concerned, those who went to the French Government and told them that if the French would hold out at a time when France was ready to make peace, they would see that the American people got into the war.

Mr. NYE. I will have to agree with the Senator to that extent.

Mr. President, I return to the line of reasoning which the French Premier used, that after the Anglo-French loan we Americans were committed, whether we liked it or not, to the success of the allied cause. I say now that if we repeal the arms embargo, committing ourselves, as we would very obviously, to the cause of one side, whether we like it or not, we will be committed to the success of that cause, and then the question will arise: "How far will we go in support of that cause which we rallied to at the time of embargo repeal?"

Andre Tardieu, the Premier, said:

> But the increasing volume of allied needs afforded the Americans almost unlimited trade possibilities. Prices had risen enormously. Profits had swollen tenfold. The Allies had become the sole customer of the United States. Loans the Allies had obtained from New York banks swept the gold of Europe into American coffers.
>
> From that time on, whether desired or not, the victory of the Allies became essential to the United States. The vacillations of Wilson's policy only made this necessity more apparent. The note of the Federal Reserve Board forbidding further loans to the Allies jeopardized the American financial interests as much as it did the fate of the Allies. This note, coming too late or too soon, placed buyers and sellers, borrowers and lenders, in equal peril. If deprived of resources the Allies lost the war, how could their debts be paid and what would their signature be worth? The carefully weighed policy of the President, permitting sales and stopping credits, worked against neutrality and in favor of a break; it worked against Germany and in favor of the Allies. Between the Allies and the American market a common bond of interest had been created. (Tardieu, Andre, France and America, pp. 150–151.)

That was this famous Frenchman's viewpoint of how we had been caught up by the trade in war munitions to a point where we simply could not leave it without jeopardizing our own interests.

It was also realized contemporaneously by many, and not the least by a man likely to see things in as favorable light as possible, the deputy governor of the Bank of England, Mr. Brien Cokayne. In the fall of 1916 the Federal Reserve Board issued a warning to Reserve member banks against overloading themselves with allied obligations. It was a warning widely felt to be a blow to the allied cause, as an attempt at the eleventh hour to prevent further American involvement in the allied cause. Commenting on the apparently anti-allied ruling on January 15, 1917, the deputy governor of the Bank of England wrote to his friend the Governor of the Federal Reserve Bank of New York:

> I almost wonder that the Board—

That is, the Federal Reserve Board, our Board—

> when it saw that millions of money were being invested in ephemeral works to supply the enormous temporary requirements of the Allies did not issue a warning in time to check such dangerous expansion (Munitions Committee Report, No. 944, pt. 5, p. 216).

After it was all over, the English authority said, "Why did not you start checking it sooner? We have stood in amazement and wondered why you did not."

So we find a loyal Englishman, delighted at the help to his country flowing from these American millions, yet almost wondering that the financial authorities of another country could have tolerated vast ephemeral works—what he, himself, calls dangerous expansion—to supply his own country's enormous temporary demands.

That is part of what I mean by financial involvement. Do not let us delude ourselves that we can ship appreciable quantities of supplies to England and France without dangerous expansions. That is one of the aspects of the alternative which the Senator from Michigan so aptly put the other day: "Someone will be fooled—either those at home who expect too much or those abroad who will get too little."

To increase our production so that our supplies may be of appreciable quantity and value to the Allies—so that they may not be fooled by getting too little—means expansion, and expansion means debt. It means money for retooling, money for new plants, money for additional stocks of raw materials, money for pay rolls during the long months of production before deliveries begin. It means money to stimulate agricultural production; money for farm machinery, for seed, for fertilizer. It means money needed for the railroads to move the production; money for new cars, new locomotives, new rails.

These things cannot be paid for out of income, out of cash in the till, by anybody. They can only be paid by industry, agriculture, transportation, all alike, going into debt.

There is your dangerous expansion. When all those debts shall have been contracted on the basis of sales that are going to be made, that are under contract for future delivery, if you like, will it then be easy to adopt any policy that threatens those sales, that will leave all the debt expansion hanging over industry and agriculture and yet stop the sales that are the only way to pay off those debts? Then the issue will not be peace or war any more than it is made peace or war now.

The issue will be just a little more help to the Allies, just a little more; oh, yes, peaceful help, or we bankrupt our own citizens and, for emotional overtone, lose the war for England. Each time to the very end the issue will come in that form.

And then perhaps when the danger is obvious to all and everyone realizes there is no road out, then someone will wonder why steps were not taken in time to check such dangerous expansion. But now is the time to check it—now and now only. Otherwise we will be the ones to be fooled.

The earliest primer of politics, whose morals have been questioned, but whose genius has never been denied, has this to say on the situation before us in the debate:

> • • • which in the commencement is easy to cure but difficult to understand; but when it has neither been discovered in due time nor treated upon a proper principle it becomes easy to understand and difficult to cure. The same thing happens in affairs of state by foreseeing them at a distance • • •; the evils which might arise from them are soon cured; but when from want of foresight they are suffered to increase to such a height that they are perceptible to everyone, there is no longer any remedy (Munitions Committee Hearings, S. Res. 206, pt. 35, p. 11831).

BEGINNINGS OF FINANCIAL INVOLVEMENT

When the World War broke out in the summer of 1914, this country set up a barrier against involvement in the following official announcement of the State Department, August 15, 1914:

DEPARTMENT OF STATE,
Washington, August 15, 1914.

J. P. MORGAN & CO.,
New York City:

Inquiry having been made as to the attitude of this Government in case American bankers are asked to make loans to foreign governments during the war in Europe, the following announcement is made: "There is no reason why loans should not be made to the government of neutral nations, but in the judgment of this Government loans by American bankers to any foreign nation which is at war is inconsistent with the true spirit of neutrality."

W. J. BRYAN.

I should like to have the Senate follow closely to observe particularly that though that was not law written by a Congress, signed by a President—it was only an Executive order,

if it was that—nevertheless for months and months and months it had all the force of law, and had there been a willingness on the part of officialdom to stand by that pronouncement there never would have been loans made to the Allies.

The reasoning that led to the conclusion that loans to belligerents were contrary to the spirit of neutrality was laid before President Wilson by Secretary Bryan. This conception of policy was, at that time, at any rate, President Wilson's, and the basis of the policy, Senators will note, is that belligerent loans are in principle unneutral.

This 1914 barrier against involvement was only a ban against belligerent borrowing in this country, but it was a barrier of a sort, and, under the economic circumstances of that time, was more of a barrier than a simple ban on loans would be today. In 1914 there was no $2,000,000,000 stabilization fund to support the pound for the British. The Federal Reserve banks had just been organized and were not then—as now—available to furnish hundreds of millions in faintly disguised loans to the belligerents as they can do under the pending measure. Besides, since the ban in 1914 was a declaration by the administration, it had less defined and for that reason far broader restraining influence. It seemed to bankers and businessmen that the loan ban of August 1914 represented a policy, was a symbol of the policy of the administration. They doubted the wisdom, as a hard-headed business proposition, of undertaking a course of action disapproved of by the administration. It would be a risky place for a businessman or a banker to overextend himself. One further frown by the administration—an embargo proposal, say—would have ruined his business overnight.

How different from what will be felt today if the joint resolution passes. True, there will be barriers—or what are at least said to be barriers—against involvement. The enforcement of the letter of our laws we assume as a matter of course. But what about policy? Need any banker or businessman expect a frown if he pushes ahead to the very limit of every technically legal way to supply the Allies? How could he? The administration's preferences in the present European war are well known. Their domestic reflection is proclaimed to all in the repeal of the arms embargo. It follows necessarily to the mind of everyone—including bankers and businessmen—that if any further legislative action is desired it will be to loosen, not tighten, such safeguards as are left in the law; it will mean greater, not less, help to the Allies, greater shipments of all kinds, easier methods of financing. So it will be safe to push to the technically legal limit in easing credit and shipping supplies.

So perhaps we might say that the simple loan ban of 1914, as a symbol of administration policy, could have been a far greater barrier against involvement than the complicated measure before us, which, too, is a symbol of administration policy.

There is this further to observe about the 1914 loan ban: It was based upon a principle, but it accorded with a practical situation. In August 1914 the American bankers felt unable to lend money to any foreign government.

Here is Morgan's first reply, August 9, 1914, to a request from France for a loan:

> In regard to loan, do not think in condition our markets and sudden necessity supply all necessary capital for United States on this side and pay off short borrowings abroad that such operation would be possible. Certainly until opening of stock exchange and relaxation of situation enables us estimate state of affairs here more accurately than possible at present.
>
> Am certain no loan could be arranged for considerable period involving withdrawals gold, and, in our opinion, no one could make loan here now for any foreign nation involving export of gold. Will, however, make careful investigation and cable you further about, soon as possible.

Two days later the French again asked for a loan, this time promising to spend all the loan in the United States, no gold to be taken at all.

Still the Morgans could not see their way to do it. They cabled France:

> In regard loan, we have been already considering operation on general basis you suggest. Difficulty is that at moment everyone here required take over his foreign position in order pay debts due discount markets England and France. This increases loans here without increasing deposits, and enhances difficulty our bank position, making fresh loans more difficult obtain. We, of course, however, will do our very best and hope arrange moderate extent. Please assure Government have every desire be of service. For your information only. We are consulting our Government here, as do not wish take any action under present strained circumstances which will be offensive to them, although we understand there is no legal objection to loan suggested (Senate Munitions Rept. No. 944, pt. 6, p. 13).

A few days later, on August 14, we find the Morgans communicating this intelligence by cable:

> State Department has not as yet expressed definite opinion but prefer that nothing be done for 2 or 3 days at least. They may express opinion later, in which event will advise you. Owing to increasing local demands here doubt our ability to handle loan whatever attitude State Department. However, will not state definitely until hear further from them. (Senate Munitions Report No. 944, pt. 6, p. 13.)

Mr. Morgan summed up the matter in the following testimony before the Munitions Committee.

> Senator CLARK. Mr. Morgan, so far as it was the policy of the Government to discourage loans to belligerents, you adhered to their policy?
>
> Mr. MORGAN. We did.
>
> Senator CLARK. When the Government changed its policy——
>
> Mr. MORGAN. When the Government turned us loose, we were turned loose.
>
> * * * * * * *
>
> Senator CLARK. So it was a change of policy on the part of the Government that did open up the question of belligerent loans in this country?
>
> Mr. MORGAN. That opened up the question. (Senate Munitions Report No. 944, pt. 6, pp. 14–15.)

Our former colleague, Mr. McAdoo, during the war a Secretary in the Cabinet, was of course aware that the President's ban on loans did not have the force of law; but he knew that this declaration of policy was even more powerful. On August 21, 1915, he used this phrase in a letter to the President:

> Large banking houses here which have the ability to finance a large loan will not do so or even attempt to do so in the face of this declaration.

That declaration was nothing more than the proclamation issued by the Secretary of State, William Jennings Bryan.

It is administration policy rather than the letter of a statute which governs the way these situations develop. The Congress will put its stamp of approval on the policy of aid to England and France when it passes the pending measure—aid to conduct an offensive war.

What has happened is this: The position of the Roosevelt administration in 1936 was the position of the Wilson administration in August 1914. The Roosevelt administration today—with the pending measure—is already in the position of the Wilson administration after it had begun—the phrase is Mr. Morgan's own—to "turn the bankers loose."

For a moment let us examine how that "turning loose" was done back in 1914.

By October of that year the practical circumstances of the financial world were quite different from those of August. The financial jam in New York, caused by the outbreak of war, eased. Banks again were able to lend money. It may be worth noting, also, that the military situation had become clarified. Paris was no longer in day-to-day danger of capture. The British control of the seas was evident. It was not only practicable to lend money; it was also safer. The practical reasons for President Wilson's loan ban seemed already disappearing, but of course the moral reason—neutrality—was unchanged.

In this situation feelers in regard to loans were again put out by France.

On October 9, 1914, Mr. Vanderlip, president of the National City Bank of New York, wrote the following letter to the French Ambassador, J. J. Jusserand:

> SIR: Since our interview on the 5th, we have, pursuant to your request, given careful attention to the matter of placing French securities in this country. It is our firm opinion that no considerable amount could be placed on the terms outlined by you in that interview. It is our opinion, and we stand ready to undertake it, that at the present time $10,000,000 1-year Treasury warrants could

be sold in the United States on a 6-percent basis, not to the public but to large institutions to whom an appeal could be made on other than strictly investment lines. This would be on condition, however, that the transaction is not objected to by our Government at Washington, and that the proceeds of these securities remain on deposit, either with this bank or with such other depositaries as we might be permitted to designate, until expended exclusively for products of the United States.

It is our desire to be of service to your country in this matter as far as is consistent with the somewhat peculiar and difficult financial position existing here. As I now forecast the situation, I am of the opinion that the opportunity for placing the securities will be a broadening one rather than otherwise, and if we should undertake it, it would be with the hope that the operation could be extended considerably beyond the figures above mentioned.

I await your advices in the matter.

There are three very interesting things to note in this letter. First, "the whole thing is off if the American Government objects"—and again not by power of any law but solely as a matter of policy. Remember, now, there was no embargo upon the statute books; there was no prohibition upon the books of loans and credits, such as we have at the present time. "The whole thing is off," this banker says, "if the American Government objects," not by power of any law but solely as a matter of policy.

Second, the fact that the French notes are to be sold where an appeal can be made on more than strict investment lines—in other words, munitions orders to come.

Third, that the opportunities for placing securities once started will be a broadening one, as, of course, today, the opportunity of placing munitions orders will be a broadening one.

The next step in this interesting series of events is a letter from the vice president of the National City Bank to Secretary of State Lansing on October 23, 1914, from which I quote as follows:

War conditions, as you are aware, have made cotton bills unavailable for the settlement of this balance against us, and it can only be wiped out by the shipment of the goods in lieu of the cotton that are now needed and desired by the various European countries. This is true, regardless of any temporary bridging over of the situation, and it has been the policy of the National City Bank, as far as possible and proper, to stimulate the unprecedented and unusual buying that is now going on in this country by foreign governments and their nationals. Since the beginning of the war this bank alone has received cabled instructions for the payment of in excess of $50,000,000 for American goods, and the volume of this business is increasing. Owing to war conditions, this buying is necessarily for cash, and it is of such magnitude that the cash credits of the European governments are being fast depleted. Lately we have been urged by manufacturers who are customers of the bank, and in some cases by representatives of the foreign governments, to provide temporary credits for these purchases. For that purpose we have recently arranged to advance the Norwegian Government some $3,000,000, practically all of which is to be expended for cereals in this country. Very recently the Russian Government has placed, directly and through agents, large orders with American manufacturers—such large orders that their cash credit has been absorbed and they have asked us to allow an overdraft, secured by gold deposited in their state bank, of some $5,000,000.

The letter of the vice president of the National City Bank to Secretary Lansing continues:

Some of our clients have been asked to take short-time treasury warrants of the French Government in payment for goods, and have in turn asked us if we could discount them or purchase warrants direct from the French Government for the purpose of replenishing their cash balances. We have also been asked by European interests practically the same question as to English consols and treasury securities. Some of our German correspondents have approached us with the suggestion that, without naming a particular security, we sell securities to increase their cash account with us, and we have little doubt this is indirectly for the purposes of the German Government.

We strongly feel the necessity of aiding the situation by temporary credits of this sort; otherwise the buying power of these foreign purchasers will dry up and the business will go to Australia, Canada, Argentina, and elsewhere.

I may say, Mr. President, that that is the same language we are hearing today.

It may in the end come back to us, but the critical time for American finance in our international relations is during the next 3 or 4 months; and if we allow these purchases to go elsewhere, we will have neglected our foreign trade at the time of our greatest need and greatest opportunity.

I wonder, Mr. President, are we going back to that same old mill again? How many times are we going back? I resume reading from the letter addressed to Secretary Lansing by the National City Bank:

It is the desire of the National City Bank to be absolutely in accord with the policies of our own Government, both in its legal position and in the spirit of its operations; and while very anxious to stimulate our foreign trade, we do not wish to in any respect act otherwise than in complete accord with the policy of our Government.

For the purpose of enabling them to make cash payments for American goods, the bank is disposed to grant short-time banking credits to European governments, both belligerent and neutral, and where necessary or desirable replenish their cash balances on this side by the purchase of short-time Treasury warrants. Such purchases would necessarily be limited to the legal capacity of the bank, and as these warrants are bearer warrants without interest, they could not and would not be made the subject of a public issue. These securities could be sold abroad or be readily available as collateral in our foreign loans, and would be paid at maturity in dollars or equivalent in foreign exchange.

This business which I have attempted to describe to you we deem necessary to the general good, and we desire to proceed along the lines indicated unless it is objectionable from the Government's standpoint, in which case we assume that you will advise us. (Munitions Hearings, pt. 25, pp. 7664.)

Here the "squeeze play" comes, one of the many moves. The administration of that hour weakened in its determination to discourage loans to the nations engaged in war.

That letter is almost contemporary. It is the same idea of a little healthy stimulation that the President touched upon. It is, of course, all for cash and carry—just a little temporary accommodation is wanted; "we will never ask for anything more."

The letter of the National City Bank was a successful letter; it obtained results, for 2 days later the French Ambassador, Mr. Jusserand, wrote the National City Bank:

I think it is appropriate for me to confidentially tell you that from information, the accuracy of which I cannot doubt, you will find the competent authorities ready, not, of course, to grant a "permission," which is neither asked for nor wanted., but to abstain from objections. (Munitions Hearings, pt. 25, p. 7524.)

No one need guess a second time as to where the French got their information that the administration here would no longer object to the extension of this kind of loan, but "do not 'put them on the spot'; just go ahead and negotiate the loans."

Mr. HOLT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. NYE. I yield.

Mr. HOLT. I am asking the Senator to yield in order that I may suggest the absence of a quorum.

Mr. NYE. I hope the Senator will not do that. Of course, I should like very much to have all 96 Senators come and look into the looking glass and see what, with eyes wide open, they are walking into with this proposal to repeal the arms embargo provision of the Neutrality Act. Perhaps we may hope that they will read the speeches in opposition to repeal; perhaps we may hope that others will take them at least piecemeal and try to drive the conclusion home, try to make men see what men mean when they say the repeal of the arms embargo is the first step toward American participation in another European war. The resolve to stay out of the war in this country today is not one whit higher than it was in 1914, 1915, and 1916. Do not indulge the hope that the resolve of this hour is going to save our skin; it did not do it the last time. If the people of the United States want an anchor to tie their determination to, let them tie it to the arms embargo. There is not anything else available that will lend greater security to America's peace and America's continued aloofness from the European war than the arms embargo.

The information which the French Ambassador, Mr. Jusserand, furnished and reported to the National City Bank we know was entirely accurate. It was based upon a conversation between Secretary Lansing and President Woodrow

Wilson on the evening of October 23, 1914, of which the following is Lansing's official memorandum:

DEPARTMENT OF STATE,
OFFICE OF THE COUNSELOR,
October 23, 1914—9:30 p. m.

MEMORANDUM OF A CONVERSATION WITH THE PRESIDENT AT 8:30 THIS EVENING RELATIVE TO LOANS AND BANK CREDITS TO BELLIGERENT GOVERNMENTS

From my conversation with the President I gathered the following impressions as to his views concerning bank credits of belligerent governments in contradistinction to a public loan floated in this country.

There is a decided difference—

I wish Senators would follow this closely—

There is a decided difference between an issue of Government bonds, which are sold in open market to investors, and an arrangement for easy exchange in meeting debts incurred in trade between a government and American merchants.

The sale of bonds draws gold from the American people. The purchasers of bonds are loaning their savings to the belligerent government, and are, in fact, financing the war.

The acceptance of Treasury notes or other evidences of debt in payment for articles purchased in this country is merely a means of facilitating trade by a system of credits which will avoid the clumsy and impractical method of cash payments. As trade with belligerents is legitimate and proper it is desirable that obstacles such as interference with an arrangement of credits or easy method of exchange should be removed.

The question of an arrangement of this sort ought not to be submitted to this Government for its opinion—

Let it be remembered that Secretary Lansing is recording in this memorandum the result of the conversation he had had less than an hour before with the President, and the Secretary wrote in his memorandum:

The question of an arrangement of this sort ought not to be submitted to this Government for its opinion, since it has given its views on loans in general, although an arrangement as to credits has to do with a commercial debt rather than with a loan of money.

The above are my individual impressions of the conversation with the President who authorized me to give them to such persons as were entitled to hear them, upon the express understanding that they were my own impressions and that I had no authority to speak for the President or the Government.

ROBERT LANSING.

Then there follows a further memorandum by Secretary Lansing:

Substance of above conveyed to Willard Straight at Metropolitan Club, 8:30 p. m. October 24, 1914. Substance of above conveyed to R. L. Farnham, at the Department, 10:30 a. m. October 26, 1914. (Munitions Hearings, pt. 25, pp. 7666.)

Poor Straight! Poor Farnham! Mr. Straight was Morgan's representative; Mr. Farnham the representative of the National City Bank.

In passing it is worth noting, in connection with the constitutional role of the Senate in American foreign policy, that this change of administration policy was kept secret from October 23, 1914, until March 31, 1915. In the meantime, Chairman Stone of the Senate Foreign Relations Committee had asked the State Department a formal question in regard to this distinction—actually artificial—between loans and credits. The Department contented itself with repeating the August loan ban and made no mention of the distinction it had decided to draw.

At this point the Wilson administration stood where the Roosevelt administration stands today. It had made the first breach in the dike of its own neutrality policy. Whether in that evening conference on October 23, 1914, the President meant to go further than facilitate allied trade a little—in munitions, of course, as well as everything else—we have no way of knowing. We know he felt that Germany was militaristic. We know he had no sympathy with her. Whether he toyed with the equivalent of steps short of war we do not know. In our own time we have the benefit of more information. We know that President Roosevelt feels it is the duty of the United States to take steps short of war against aggressors.

THE ARRIVAL OF FINANCIAL INVOLVEMENT

The consequences of this fundamental change in Government policy did not show themselves all at once. The financial situation in the United States went along with no sharp change. Business was good, but there was no drowning the country with masses of the permitted allied credits. By September 1, 1915, there was outstanding only $108,000,000 in allied indebtedness, a trifling sum when spread over the country or even through many banks. No one could feel that this indebtedness would have any influence on American involvement. Such a sum could be loaned indirectly under the financial provision of this measure and scarcely be noticed.

But notice what else had happened. Great Britain had paid for war materials through Morgan's export department up to September 1, 1915, the sum of $140,000,000—again a not very important sum—but up to the same date, September 1, 1915, Morgan had let British contracts to the amount of $589,000,000. That is a far more serious sum. Particularly it was so then, and it was a sum that was both a benefit and a serious business danger. Plant expansion had to be undertaken, and naturally the investment in plant was often greatly in excess of the total of orders thus far given. Not only would present contracts have to be paid for but new orders would have to come through or it would mean bankruptcy and unemployment. That overrun of contracts, let alone beyond payments and of both overloans, is the first telltale sign of economic involvement.

Have we any reason to suppose that if the present war settles into the long siege of the offensive the same things will not happen; that England and France, pressed by military necessity, will contract only for what they know they can pay for? Is anyone foolish enough to believe that? What is there to prevent their placing vast orders and paying cash down for only a small fraction of the contract? This would be sound from a military and industrial point of view, and it would be excellent politics, a great joke on the American people resolved to stay out of the war, resolved to do nothing more than repeal the arms embargo. It would make a large number of Americans dependent for financial solvency upon the maintenance of allied credit. American businessmen would feel entitled to rely on the obvious sympathy of the administration. They would hardly refuse all advance orders until the British Government laid before them its entire plan for meeting its obligations in America. Throughout the entire life of the contracts they would, of course, rely on the financial resources of the British Government and the sympathy of the American Government. They would not worry about what might happen to them if the British should decide they would have to suspend all payments in America. Such a notion would appear absurd. Yet once those contracts were signed, what kind of pressure would they and their workers bring to bear in Washington if once doubt were raised about the ability of England to go through with the contracts?

It need not be a real doubt at all. It might be a doubt manufactured by the British Government itself in order to induce the American Government to adopt a more liberal loan policy, or ship policy, or exchange-support policy through the stabilization fund, or alter any other policy that the British Government desired changed to aid it in the terrific strain of offensive war.

That was done exactly in the summer of 1915. If ever a nation of people were played for a "bunch of suckers," we were so played in 1914 and 1915. While we thought we were staying out of war they were putting a ring into our nose and leading us straight into that war. A financial situation was deliberately created in order to force the Wilson administration to lift its ban on public loans to the Allies.

On August 14, 1915, the British Government deliberately began driving down the pound sterling rate. It had plenty of resources in gold and securities. It had even received and declined an offer by Morgan's of $100,000,000 to hold up the pound, as had been done ever since February. The British Government not only stopped buying sterling in New York; it actually pushed the rate off a little further by buying dollars in London.

The events that followed that sudden and secret withdrawal of British support from the exchange market tells its own story in the contemporary documents.

On August 14, 1915, the day Britain stopped supporting sterling, Governor Strong, of the New York Reserve Bank, wrote this letter to Colonel House:

MY DEAR COLONEL HOUSE: Referring to our conversation of a week ago, you have doubtless observed that matters are developing along the lines of our discussion. Sterling exchange sold yesterday below 4.71.

The newspapers are reporting very considerable cancelations of foreign contracts for wheat and other commodities. The cancelation of contracts for grain is reported to be due to military developments at the Dardanelles, which may shortly release large quantities of Russian wheat. This seems hardly probable, and if rumors now appearing in the newspapers are well-grounded—although I suppose they are considerably exaggerated—I am inclined to believe that the cause is inability to get remittances. It is a striking illustration of the possible effect upon our trade growing out of inability to arrange credits in this country.

If exchange declines very sharply so that all the profit on a purchase of goods contracted for in this country is gone before the goods are exported and the purchaser is in a position to cancel the contract, he will, of course, cancel in every instance, even though he has to buy again later, possibly after contracting for his exchange in advance.

The situation is undoubtedly growing increasingly difficult with each day's decline in exchange, and while I don't see anything yet to be alarmed about, I still believe that at present rates, with the prospect of still lower rates, the influence is gradually growing stronger to curtail our export business. (Munitions Report, pt. 6, p. 43.)

Then on August 18 Morgan reported to London what they had done in the way of educating the American Government:

For your information, in view of the conference H. P. Davison had with the Secretary of the Treasury, we have today sent word to the Secretary of the Treasury that we regard the exchange situation as very serious from the point of view of our commerce, in order that the administration may be fully informed and with hopes that they might in some way be helpful, making no definite suggestions, however. (Munitions Report, pt. 6, p. 39.)

Naturally, one might say, the information given to Secretary McAdoo did not, it appears, include the only really important item at all, namely, that it was the British Government itself that was creating the exchange situation.

Three days after this word from Morgans, Secretary McAdoo wrote this long analysis of the situation to President Wilson:

It is imperative for England to establish a large credit in this country. She will need at least $500,000,000. She can't get this in any way at the moment that seems feasible, except by sale of short-time Government notes. Here she encounters the obstacle presented by Mr. Bryan's letter of January 20, 1915, to Senator Stone, in which it is stated that "war loans in this country were disapproved because inconsistent with the spirit of neutrality," etc., and "this Government has not been advised that any general loans have been made by foreign governments in this country since *the President expressed his wish that loans of this character should not be made.*" The italicized part is the hardest hurdle of the entire letter. Large banking houses here which have the ability to finance a large loan will not do so or even attempt to do so in the face of this declaration. We have tied our hands so that we cannot keep ourselves or help our best customer. France and Russia are in the same boat. Each, especially France, needs a large credit here.

The declaration seems to me most illogical and inconsistent. We approve and encourage sales of supplies to England and others, but we disapprove the creation by them of credit balances here to finance their lawful and welcome purchases. We must find some way to give them needed credit, but there is no way, I fear, unless this declaration can be modified. Maybe the *Arabic* incident may clarify the situation. I should hate to have to have it modified that way.

Notwithstanding Mr. Bryan's letter expressing disapproval of foreign loans, the German Government openly issued and sold last spring, through Chandler Bros., bankers, of Philadelphia and New York, $10,000,000 of its short-time bonds. England and her allies could sell a small amount of obligations, perhaps $25,000,000, in the face of your disapproval as expressed in this letter, but it would be fruitless. The problem is so huge that she must go "whole hog," and she cannot do that unless our attitude can be modified. Perhaps it could be done, if you decided that it should be done at all, by some hint to bankers, although I don't think that would do. In fact, England and her allies will have great difficulty in getting the amount of credit they need here, even if our Government is openly friendly. I wish you would think about this so we may discuss it when I see you. To maintain our prosperity we must finance it. Otherwise it may stop, and that would be disastrous.

I haven't the slightest fear that we shall be embarrassed if we extend huge credits to foreign governments to enable them to buy our products. Our credit resources are simply marvelous now. They are easily five to six billion dollars. We could utilize one billion in financing our foreign trade without inconvenience and with benefit to the country.

I wrote Lansing a brief note yesterday about credits to foreign governments and suggested that nothing be done to emphasize the position taken in Mr. Bryan's note until I could have a chance to discuss it with you and him. (Munitions Committee Hearings, pt. 26, pp. 7862–7863.)

Then, on August 21, Secretary McAdoo pressed forward the matter in a letter to Secretary Lansing:

I have always felt that it was a mistake for our Government to discountenance in any way the establishment of credits in this country in favor of foreign governments, such credits to be employed in purchasing supplies in this country. It seems to me entirely inconsistent to say that the purchase of our farm products and manufactured articles and other supplies by foreign governments is lawful and to be encouraged, and then to say that we discourage and discountenance as being unneutral the credit operations which are an essential part of such transactions.

I merely desire to call your attention at the moment to the seriousness of the question and to say that I hope no action will be taken that will add to the embarrassments of the situation by reaffirming or emphasizing the position taken in Mr. Bryan's letter of January 20, last, until I have had an opportunity to discuss this with you and the President. (Munitions Committee Hearings, pt. 26, p. 7865.)

On August 25, Secretary Lansing laid the problem before the President:

I think we must recognize the fact that conditions have materially changed since last autumn when we endeavored to discourage the flotation of any general loan by a belligerent in this country. The question of exchange and the large debts which result from purchases by belligerent governments require some methods of funding these debts in this country. (Munitions Committee Hearings, S. Res. 206, pt. 26, p. 7865.)

The President gave an oral acquiesence to the views Lansing expressed, but in the meantime the British and French proposed to float a $500,000,000 loan, and apparently the form of the President's consent was felt to be inadequate in the face of the formal ban on loans proclaimed a year before. So on September 6, 1915, Secretary Lansing returned to the problem in the following letter to the President:

MY DEAR MR. PRESIDENT: Doubtless Secretary McAdoo has discussed with you the necessity of floating Government loans for the belligerent nations, which are purchasing such great quantities of goods in this country, in order to avoid a serious financial situation which will not only affect them but this country as well.

Briefly, the situation as I understand it is this: Since December 1, 1914, to June 30, 1915, our exports have exceeded our imports by nearly a billion dollars, and it is estimated that the excess will be from July 1 to December 31, 1915, a billion and three-quarters. Thus for the year 1915 the excess will be approximately two and a half billions of dollars.

It is estimated that the European banks have about three and one-half billions of dollars in gold in their vaults. To withdraw any considerable amount would disastrously affect the credit of the European nations and the consequence would be a general state of bankruptcy.

If the European countries cannot find means to pay for the excess of goods sold to them over those purchased from them, they will have to stop buying and our present export trade will shrink proportionately. The result would be restriction of outputs, industrial depression, idle capital, and idle labor, numerous failures, financial demoralization, and general unrest and suffering among the laboring classes.

Probably a billion and three-quarters of the excess of European purchases can be taken care of by the sale of American securities held in Europe and by the transfer of trade balances of oriental countries, but that will leave three-quarters of a billion to be met in some other way. Furthermore, even if that is arranged, we will have to face a more serious situation in January 1916 as the American securities held abroad will have been exhausted.

I believe that Secretary McAdoo is convinced, and I agree with him, that there is only one means of avoiding this situation, which would so seriously affect economic conditions in this country, and that is the floatation of large bond issues by the belligerent governments. Our financial institutions have the money to loan and wish to do so. On account of the great balance of trade in our favor, the proceeds of these loans would be expended here. The result would be a maintenance of the credit of the borrowing nations based on their gold reserve, a continuance of our commerce at its present volume, and industrial activity, with the consequent employment of capital and labor and national prosperity.

The difficulty is—and this is what Secretary McAdoo came to see me about—that the Government early in the war announced that it considered "war loans" to be contrary to the "true spirit of neutrality." A declaration to this effect was given to the press about August 15, 1914, by Secretary Bryan. The language is as follows: "In the judgment of this Government, loans by American bankers to any foreign nation at war is inconsistent with the true spirit of neutrality."

In October 1914, after a conference with you, I gave my "impressions" to certain New York bankers in reference to "credit loans,"

but the general statement remained unaffected. In drafting the letter of January 20, 1915, to Senator Stone, I sought to leave out a broad statement and to explain merely the reasons for distinguishing between "general loans" and "credit loans." However, Mr. Bryan thought it well to repeat the August declaration, and it appears in the first sentence of division 13 of the latter, copy of which I enclose.

On March 31, 1915, another press statement was given out from the Department, which reads as follows:

"The State Department has from time to time received information directly or indirectly to the effect that belligerent nations had arranged with banks in the United States for credits in various sums. While loans to belligerents have been disapproved, this Government has not felt that it was justified in interposing objection to the credit arrangements which have been brought to its attention. It has neither approved these nor disapproved; it has simply taken no action in the premises and expressed no opinion."

Manifestly, the Government has committed itself to the policy of discouragement of general loans to belligerent governments. The practical reasons for the policy at the time we adopted it were sound, but basing it on the ground that loans are "inconsistent with the true spirit of neutrality" is now a source of embarrassment. This latter ground is as strong today as it was a year ago, while the practical reasons for discouraging loans have largely disappeared. We have more money than we can use. Popular sympathy has become crystallized in favor of one or another of the belligerents to such an extent that the purchase of bonds would in no way increase the bitterness of partisanship or cause a possibly serious situation.

Now, on the other hand, we are face to face with what appears to be a critical economic situation which can only be relieved apparently by the investment of American capital foreign loans to be used in liquidating the enormous balance of trade in favor of the United States.

Now, listen, Senators; listen:

Can we afford to let a declaration as to our conception of the true spirit of neutrality made in the first days of the war stand in the way of our national interests, which seem to be seriously threatened?

If we cannot afford to do this, how are we to explain away the declaration and maintain a semblance of consistency?

My opinion is that we ought to allow the loans to be made for our own good, and I have been seeking some means of harmonizing our policy, so unconditionally announced, with the flotation of general loans. As yet I have found no solution to the problem.

Secretary McAdoo considers that the situation is becoming acute and that something should be done at once to avoid the disastrous results which will follow a continuance of the present policy. (Pp. 7882-7883, Munitions Hearings, pt. 26.)

That was the letter of Secretary Lansing to his Chief, the President of the United States. His Chief responded under date of September 8:

MY DEAR MR. SECRETARY: I have no doubt that our oral discussion of this matter yesterday suffices. If it does not, will you let me know that you would like a written reply? (Munitions Hearings, pt. 26, p. 7884.)

Clearly the oral discussion did suffice, for in October the great $500,000,000 Anglo-French loan was floated, and then, in Tardieu's words, the United States was committed to Allied success, whether it liked it or not.

Mr. President, it would be a complete misreading of political and economic realities to read these letters in a personal sense; to suppose for a moment that Secretary McAdoo, Governor Strong, and Secretary Lansing, by a kind of feverish conspiracy, talked President Wilson into changing the loan policy of this country. Nothing could be further from the truth. Back of those three men there were millions, some consciously, some unconsciously, desiring the change. And the arguments advanced for the change were cogent and serious. They flowed up to these spokesmen out of the millions who had become dependent on unfilled Allied war contracts, of farmers who had planted wheat and cotton on the basis of future sales to the Allies, of workers getting a prosperity scale of wages.

It is true that the crisis was manufactured, but it was nonetheless a crisis; so much so that Tardieu's famous saying was wrong. The United States was not committed to the Allied cause in August and September 1915, but on the night of October 23, 1914, whence came all the orders, all the expansion, all the future commitments.

Mr. President, will we by the passage of the measure to repeal the arms embargo make it possible to point back to the day of its passage as the day when was created the situation that once again took us, in spite of our high resolve, back into Europe's war?

The same situation holds today. Once we start a munition trade, our domestic finances become in part dependent on England's ability and willingness to pay for her war orders.

In November 1916, when the Federal Reserve Board issued a warning that was at first interpreted as a serious blow to Allied credit, the Morgans suggested to the British Government that cancelation of some contracts might be both necessary and politically desirable. They cabled on November 27, 1916:

Meanwhile, we can see no way except for your authorities to consider ways and means for immediate curtailment of purchases, letting such action be announced without rancour but explicitly, with possible good effect upon American attitude.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. WILEY. I am very much interested in this discussion, and I think I have heard more of the discourses which have taken place in the Senate than has any other Senator since the present debate began. Because of my position—not having been here when the original law was passed—I wanted to hear all the evidence before I made my decision.

The Senator said—and as I recall the statement is undisputed—that the munitions and implements of war business would amount to 13 percent, and if we should repeal the embargo we would add only 13 percent more to the total trade. The Senator has demonstrated quite clearly this afternoon that the matter of credits and the loans to the allied nations played a large part in subsequent events.

What I am trying to get at is this: Suppose we do not repeal the embargo, we would still have the 87 percent in trade and we would still have need to have that trade financed unless we have cash and carry. That 87 percent, without arms and implements of war, will probably increase so it will amount to and be equal to 100 percent of the trade, without the shipment of any war materials.

Mr. NYE. Mr. President, was the Senator present earlier in the day when I made showing of what percentage of our exportations in years past to France and England was in munitions, as defined by the proclamation now in force under the arms embargo? More than 20 percent of our total trade with England during those years was in commodities that are now on the embargo list. Fourteen percent of our trade with France was in commodities now on the embargo list. That study has been very carefully worked out, and if the Senator will refer to my remarks as he encounters them in the RECORD in the morning he will find how they were substantiated.

Mr. WILEY. I was not here at the time the Senator made the statement; but let us assume that those figures are correct. Then we have a difference of 80 percent. Whether it is 80 percent or 87 percent makes no difference. What I am getting at is that the Senator is making the point of our involvement in future wars because of credits, is he not?

Mr. NYE. In part.

Mr. WILEY. Yes.

Mr. NYE. And credit to maintain the trade which is occasioned by repeal of the arms embargo.

Mr. WILEY. Yes; but if the embargo is not repealed, the 80 percent may march up to 100 percent in raw materials which they demand. How are they going to pay for them?

Mr. NYE. Of course it would march up to 100 percent. So far as the credit consideration is concerned, there will come a time when England and France will be under the necessity of obtaining help in the way of loans and credit to maintain not only munitions purchases but purchases of all other commodities.

Mr. WILEY. Then we shall have the same pressure whether the embargo is repealed or not. That is the point I am making.

Mr. NYE. Yes; we shall unless we resort to the move which it has been promised would be made.

Mr. WILEY. Then we come to the position which it seems to me it is imperative for the American people to become acquainted with, and that is that war on our part does not depend on whether or not we repeal the embargo.

Mr. NYE. I cannot agree at all with the Senator on that point, because the embargo is a security against our engaging in an industry from which we would obtain a momentary pick-up, a momentary prosperity which was not ours before we had access to that market. As that trade grows, we become more dependent upon it. We become dependent upon maintenance of at least the high mark of exportation that we may have reached at the moment. We shall be wanting more of it; and in order to maintain it and get more of it we can be most easily prevailed upon to help foreign purchasers, when the time comes, to the extent of the credit and loans which they may need.

Of course, the Senator from Wisconsin knows that there is a contention that the so-called 90-day clause in the cash-and-carry plan leaves the plan not cash and carry at all, but credit and carry. The Senator has heard the remarks of Senators who would get away from the controversy on that question. He has heard the Senator from Indiana suggest, as he was quoted in the newspapers as suggesting, that in the interest of getting this measure passed perhaps it would be just as well to drop the 90-day clause. Then, if it is found that it is needed afterward, we can have another session of Congress and take care of it.

So the point I am making is that if we once give in to this demand, if we once develop any dependence upon that kind of trade, we shall find it easier to take the subsequent steps, which were taken once before, for reasons that men in that hour said were to prevent disaster.

Mr. WILEY. I do not wish to get into an argument; but the point I tried to make in my inquiries, and which is still rather vague in my mind so far as the answer is concerned, is this:

The Senator has demonstrated pretty clearly that if we sell materials, as we probably shall, whether munitions or other products, the materials must be paid for by credit or cash. We are not prohibited from selling under the present law. However, under the suggested new law there is a provision for cash and carry; but, no matter what takes place, there is going to be a demand for the materials and they must be paid for.

Mr. NYE. They must be promised to be paid for in 90 days.

Mr. WILEY. Then, whether they are munitions or whatever they are, we shall still have that demand for credit, shall we not?

Mr. NYE. I am afraid so; and for that reason I am one of those supporting the proposal that we hold foreign trade to a normal basis, and not let it get out of hand.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Illinois.

Mr. LUCAS. The Senator from Wisconsin raises what is, to my mind, a very important question in connection with this debate. I should like to ask the Senator from North Dakota a question. Assuming that we pass no law whatsoever, and merely continue the arms embargo on the statute books as it is at the present time, what effect if any would that action have upon the continuation of the 80 percent of secondary war materials which the Senator says we dealt with in the last war?

Mr. NYE. Does the Senator mean the effect upon our security?

Mr. LUCAS. What I mean——

Mr. NYE. I shall assist the Senator. The direct answer to his question is that it would have no effect.

Mr. LUCAS. That is correct. It would have no effect whatsoever.

Mr. NYE. That is correct.

Mr. LUCAS. And if we did not have the provisions of cash and carry which are in the pending measure, this country would continue to trade and negotiate with foreign powers just as they are today. Credit that they use now would be continued, provided they could get it.

Mr. NYE. No. In the existing law we have a strict prohibition against loans to nations at war.

Mr. LUCAS. I am not talking about loans to which the Senator refers.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BARKLEY. In the present law there is a provision that if the President is convinced that it is necessary to protect the commercial interests of the United States he may exempt from the provisions of the present law ordinary commercial transactions without limitation. So, if he should exempt them, foreign nations could receive unlimited credit for ordinary commercial transactions; whereas under the provisions of the pending measure, he could only exempt them from that provision for a period of 90 days, and the credit would not be renewable.

Mr. NYE. That is true. I do not want to be understood as arguing that what was the cash-and-carry law last April, or what is now the law, is better than what is proposed in certain fields which are approached in the pending legislation. In some respects the proposed law does improve and strengthen the existing law.

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. NYE. I yield.

Mr. LUCAS. Under the Johnson Act, if I correctly understand it, this country is not prevented from entering into long-term credits with some other country. The Johnson Act deals strictly with short-term credit where private individuals are involved, does it not?

Mr. NYE. No. I think we still have in the law a strict prohibition of loans.

Mr. BARKLEY. Those are government loans.

Mr. NYE. Government loans.

Mr. BARKLEY. To governments.

Mr. NYE. Government loans to other governments.

Mr. BARKLEY. The Johnson Act primarily seeks to prohibit our government from making loans to other governments which are in default on obligations already incurred. However, I was speaking of the present law with respect to the power of the President to exempt ordinary commercial transactions from the provisions of the present law forbidding the making of loans and the extension of credit. He may exempt them for such periods as he sees fit, without limitation; whereas we are seeking to limit any power he has, even over ordinary commercial credits, to 90 days.

Mr. LUCAS. The point in which I was interested in the beginning was the one raised by the Senator from Wisconsin [Mr. WILEY], which seems to me to be extremely important in arriving at an intelligent conclusion upon this question. As I see it, we shall certainly continue to have this 80 percent of trade in secondary war materials, and certainly war profits will be made upon those materials. There will be a war boom on those materials, regardless of what anybody says or what this Congress may do.

Mr. NYE. Of course, the answer to the whole question is this: Keep the arms embargo and supplement the arms embargo with a cash-and-carry provision—and make it a real cash-and-carry provision—that will cover every commodity not covered by the embargo itself. Therein lies our greatest security.

Mr. LUCAS. If I understand the position of the Senator from North Dakota, it is that he is not opposed to the fundamental policy of the cash-and-carry plan as outlined in the joint resolution, but he would like to see that added to the arms embargo.

Mr. NYE. The Senator is quite correct.

Mr. LUCAS. I take it the Senator considers the arms embargo more important than the "cash and carry."

Mr. NYE. So much more important that if it came to a choice between taking the existing law with the embargo, without cash and carry, and a law which had cash and carry but no embargo, I should feel that we would be immeasurably stronger and more secure with the existing law.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. NYE. Gladly.

Mr. LUCAS. I wish to make one further observation. I will say to him candidly that I respect his viewpoint. The Senator may be right, but under existing conditions in the world today I am forced to disagree with that premise.

Speaking with the utmost sincerity and candor—and I know that every Member of the Senate is speaking in the same way on this vital question—I repeat, even though I encumber the RECORD, that the cash-and-carry plan is so far more important in this legislation from the standpoint of keeping American troops from going abroad that there can be no comparison between that phase of the Pittman measure and the question of lifting the arms embargo. If I correctly read my history, I am convinced beyond the shadow of a doubt, notwithstanding the able argument the Senator is making at the present time, that the only reason we entered the war in 1917 was because of the destruction of the lives of American citizens and the destruction of property upon the high seas.

I know the Senator's position on that question; I know that he has long argued the other angle of it; but I have just finished reading a book, which I think was compiled by Mr. Savage, of the State Department, wherein he has digested all the important phraseology of the correspondence which was carried on from 1914 up to 1917 between President Wilson, Secretary Lansing, and other high officials, and the German Ambassador Bernstorff. After reading the documents I was more convinced than ever before that President Wilson and Secretary of State Lansing did everything that was within their power in a diplomatic and honorable way to keep this Nation from getting into that holocaust across the sea.

The Senator from North Dakota knows, as history shows, that one American ship after another was sunk almost from the time war was declared by Germany in 1914.

Mr. NYE. Up to the time we broke diplomatic relations with Germany only one American ship was sunk by Germany.

Mr. LUCAS. I doubt the Senator's statement is correct.

Mr. NYE. What other ships were sunk besides the *Gulflight?*

Mr. LUCAS. Tomorrow I will put in the RECORD, because of the statement the Senator has just made, figures showing how many American ships and men went down from 1914 to 1917.

Mr. NYE. Does the Senator mean before we broke diplomatic relations with Germany or before we entered the war?

Mr. LUCAS. I mean up to April 6, 1917, when we declared war.

Mr. NYE. That is another story. But up to the time we broke diplomatic relations with Germany we lost only one ship.

Mr. LUCAS. The Senator refers to the time between the date when war broke out in Europe to the time we broke off diplomatic relations. I am referring to the period from the time Germany went to war in 1914 until the declaration of war was pronounced by the Congress. During that period some 15 to 20 American ships went down to the bottom of the ocean as the result of submarine warfare upon the part of Germany to say nothing of the number attacked and seriously damaged. During all that time continuous protests were made by Secretary of State Lansing and President Wilson requesting that Germany cease unrestricted submarine warfare, with no avail, until the final ship was sunk just prior to the declaration of war. Then the patience of America was exhausted.

I make this statement merely because I am so strongly for the cash-and-carry plan, believing that it is the one thing in the pending joint resolution which will come nearer keeping us out of war than will anything else. The cash-and-carry plan will take American vessels off the high seas, take them away from the submarine-infested waters. If this is accomplished, our perils are less and our dangers diminish.

Mr. NYE. Mr. President, if I have opportunity and time this afternoon I shall discuss in a little more detail, and place in the RECORD, the information showing that there was only one American ship lost because of German activity prior to February 3, 1917, when we broke off diplomatic relations with Germany; and the sinking of that ship involved very few American lives, although many Americans lost their lives prior to that date traveling on ships of nations engaged in that war, but only one American ship was sunk by Germany prior to the time I have indicated.

Mr. LUCAS. The Senator will admit that under international law American citizens at that time had a right to travel on belligerent ships?

Mr. NYE. Yes; and they were not even traveling at their own risk at that time. We then entertained the idea that wherever an American went, however much dynamite he wanted to sit on and however many matches he wanted to light while he was sitting on that dynamite, if he got into trouble it was our job really to see, as best we could, that he got out of that trouble.

Mr. LUCAS. I merely state what was the position of this country at that time, when we were attempting to maintain the dignity and honor of the Nation by upholding international law.

Today we are attempting through legislation to avoid that very pitfall.

Mr. NYE. Happily, most of us are now together in agreeing that that is not a thing worth while contending for.

Mr. President, before being interrupted, I was making the point that the firm of Morgan & Co., serving the British and French Governments, were trying to prevent anything being done by the American Government that would be embarrassing to the French and English Governments. The Federal Reserve banks had warned Americans, "Be sure to get security for what you sell to those Europeans." That was disturbing to England and France. It was looked upon as an attitude that would injure them. However, Morgan & Co. showed them the way out. I wish to read again the cablegram that was sent by Morgan & Co. to London:

Meanwhile, we can see no way—

That is, no way around the order which the Federal Reserve Board had laid down—

We can see no way except for your authorities—

That is, the British authorities—

to consider ways and means for immediate curtailment of purchases, letting such action be announced without rancor but explicitly, with possible good effect upon American attitude.

In other words, all Mr. Morgan had to do to right that particular craft and keep it on an even keel was to get the British to say so that official Washington would hear it, "If you propose to maintain orders such as that Federal Reserve Board order, we will quit buying your goods; that will cause a panic in your country, and you do not want that." Certainly we did not want it. I have yet to find a President, or anyone in a responsible position, who likes to have a panic during his administration; it would be a strange creature, indeed, if there were such.

The statement by the Morgan firm dispatched to its London representative was a simple and concise statement of how to bring pressure in this country. The exasperated manufacturers were to make things uncomfortable for the Reserve Board.

Mr. President, once we permit an arms-trade boom, as the pending joint resolution will permit, we give Great Britain a lever on us. She can, as she did in 1915, or as Morgan suggested she do in 1916, make it politically expedient for us to change our apparent loan ban, or our ship policy, or Reserve bank regulations, or whatever she wants changed. She could do it by exchange manipulations again; she could equally well do it by dumping securities or by canceling orders, or threatening to cancel them.

The pending measure is for October 23, when we can throw open the door or leave it closed; when we can prevent, or encourage, the beginning of a chain of events that, once started, will not again leave us masters in our own house, a chain that will compel us from now on to govern our own domestic American finances according to the requirements of the finances of the United Kingdom of Great Britain and Ireland.

As an illustration of how uncontrolled arms traffic with nations at war can effect a stranglehold on American economy, we have our experiences of the last war.

I will refer here only to certain situations from 1914–17 directly and specifically related to our position as the arms arsenal for Britain and France.

During that war, as everyone knows, American neutral rights were completely disregarded by all the belligerents. The German submarine sinkings of belligerent vessels on which Americans were traveling aroused our national anger and vigorous protests. The British interferences with what we considered our neutral rights of trade irritated us. We protested against illegal British seizures and detentions of American cargoes destined for neutral ports, against the extensions of the contraband list, against the British blockade of Germany—but our protests were never taken seriously.

As early as March 21, 1915, our Ambassador in London, Walter Hines Page, was cabling the State Department that the British Government regarded our protests as "remote and impracticable," that they were amused at our protesting their violations, when in fact they had become such a lucrative war-trade market for us. He said:

> While the official reception of our communications is dignified, the unofficial and general attitude to them is a smile at our love of letterwriting as at Fourth of July orations. They quietly laugh at our effort to regulate sea warfare under new conditions by what they regard as lawyers' disquisitions out of textbooks. They [receive] them with courtesy, pay no further attention to them, proceed to settle our shipping disputes with an effort at generosity, and quadruple their orders from us of war materials. * * * (Foreign Relations, 1915, Supplement, p. 147.)

Later, in January 1916, when President Wilson and Secretary Lansing proposed to England a modus vivendi in regard to British armed merchant ships which would have gone a long way toward removing the submarine-warfare controversy, the full-blown dependence of our munitions factories on Allied war orders was called to our attention. The British Government rejected the Wilson-Lansing proposal regarding disarming their armed merchantmen. Our Ambassador in London, Mr. Page, cabled the Department that he had "only once before seen Sir Edward (Grey) so grave and disappointed," that is, at our proposal for disarming British merchant vessels which we had been admitting to our ports as peaceful vessels; and he added this classic paragraph:

> It has been rumored here in well-informed circles for several weeks, and I believe it is true, that the British Government have been constructing extra munition works in England and Canada which can on short notice be manned and used to make as many munitions as the United States now supplies. The reason given for this expensive preparation is the fear of Bernstorff's success in his efforts to cause the administration to embarrass the Allies. If necessary [I hear that] orders placed in the United States could now be stopped within a month without diminishing the total supply. If no merchantman may carry a defensive gun into an American port [this] change may precipitate a cutting off of American orders, not from any wish to cut them off, but from fear that other embarrassing acts by us may follow. (Policy Toward Maritime Commerce, vol. II, p. 449, Department of State.)

Whether we liked it or not, the British felt that in becoming their supply base, in effect, we forfeited the possibility of maintaining our neutrality. Lloyd George states this in his Memoirs:

> If we were interfering with America's potential trade with our enemies, at least we were providing her with a magnificent market in Britain, France, and Russia, which stimulated her industries to an unprecedented level of activity and profitableness. This fact had its influence in holding back the hand of the American Government whenever, excited to intense irritation by some new incident of the blockade, it contemplated retaliatory measures. (Lloyd George, David, War Memoirs, vol. II, pp. 661–662.)

And Mr. Ray Stannard Baker, the official biographer of Woodrow Wilson, who has written eight volumes on the wartime President, based on the Wilson papers and other related materials, writes:

> Thus by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our case was lost.
>
> While British diplomacy maneuvered with skill to involve American industry and finance in the munitions traffic, it is certain that American business needed no compulsion to take war orders. (Baker, R. S., Woodrow Wilson, Life and Letters, Neutrality, 1914–15, p. 131.)

And he adds:

> However we may repudiate the motive, the intricate business connections with the Allies developed during 1914, 1915, 1916—until the very economic life of the country rested upon the munitions traffic—stimulated a powerful interest in the victory of the Allies. On the other hand, German efforts to break up this relationship, with consequent injury to life and property, tended to provoke our Government to vindication by force. There was a kind of fatality about it all, due on the one hand to the weakness and futility of the political power in such a crisis, with its inadequate legal sanctions, and on the other to the inexorable implications in the realities of a world-encircling economic system. (Baker, p. 192.)

In addition to the British violations of our neutral trade, we became very much irritated in the summer of 1916 with British censorship of our mails and the blacklisting of our firms. On July 18, 1916, the British Government issued a proclamation blacklisting 85 American firms, because they were doing business with the Central Powers. This move by the British caused repercussions throughout the United States. President Wilson wrote to Colonel House on July 23, 1916, that he was nearing the end of his patience with the British and the Allies, and that he was seriously considering asking Congress to authorize him to prohibit loans and restrict exportations to the Allies. (See Munitions Committee Report, pt. 5, p. 53.)

The upshot of the controversy about British interference with American rights was that Congress was asked to adopt retaliatory legislation enabling the President to combat restrictions placed by foreign countries on American commerce. Obviously this was to be used against the British. On September 7, 1916, the act to establish a United States Shipping Board, and on September 8, 1916, the act to increase the revenue and for other purposes, which contained provisions empowering the President to take drastic retaliatory action against Britain, were approved. The provisions were discretionary in character. The next step was to find out how the legislation could be most effectively used. The Department of State did this by sending the Solicitor of the Department to consult with the Department of Commerce and to request a statement—

> Showing what measures could be taken in regulating trade that would be effective and at the same time least injurious to this country, and also a statement showing the exports of ammunition from the United States to the various belligerent countries. (Foreign Relations, 1916 Supplement, p. 466.)

The Secretary of Commerce replied to this request with this significant memorandum on October 23, 1916:

> Probably the most effective remedy would be to refuse clearance to vessels carrying war supplies until the orders in council and the blacklist are withdrawn. This would seem to be strictly within the authority granted to the President by the Revenue Act, section 806, paragraph 2, "To withhold clearance from one or more vessels of such belligerent country." In effect, however, this would be to lay an American embargo, and Congress failed to authorize expressly the laying of an embargo. Moreover, it may be doubted whether an embargo on arms and ammunition would be as successful now as a year or more ago. More factories in the United Kingdom have been converted into munition plants. While our exports of arms and ammunition have been continuously on the increase, their need is now probably less pressing. In some cases, it is understood, American concerns have taken up this work only after a contract was given for a sufficiently long period to justify the necessary alterations or enlargement of the establishment. As a result the embargo might prove in some cases more injurious to American manufacturers than to the countries at war, and might, in practice, effect the cancelation of a contract more highly regarded by the American concern than by the British Government. (Ibid., p. 474.)

And further on:

> We have suffered the effect of embargoes and orders in council for a long period under protest, but without retaliation. The restrictions are no more hurtful now than a year and a half ago. But the weapon then in our hands, an embargo on war munitions and supplies, has become dulled.
>
> The most effective measure at our disposal is still a virtual embargo of arms and ammunition. It might still be applied if fully authorized by the Revenue Act, section 806, second paragraph, and if, upon investigation, it promises to be effective. * * *
>
> Before any action is taken, however, one other point must be carefully weighed. For success in commerce after the war we need the friendship of the belligerents if it can be obtained and held without undue sacrifice. Is not their good will, then, likely to be worth more to us than the present temporary restrictions have cost us? (Ibid., p. 476.)

In other words, an embargo then could not have been the effective thing that it was earlier. The Commerce Department's memorandum was drafted at the height of a two-and-one-fifth-billion-dollar increase in our war trade. We were

in the boom period. A large share—in the case of the British, at least 22 percent of our export trade—was in items which are now classed as arms, ammunition, and implements of war. We had geared our industry to the war machine of the Allies. It was too late to turn back. To reverse our position and place an embargo on arms exports, even in the interest of securing tolerance of our neutral rights, was impossible; not because such a move would not have been an effective weapon, but chiefly because, to quote the Commerce Department:

> The embargo might prove in some cases more injurious to American manufacturers than to the countries at war.

It was too late, because American economy was based on the precarious foundation of Allied war trade. So we dropped the matter there and allowed the continuance of the arms trade, because there was nothing else to do.

Note, please, how completely our war trade came to dictate and control our foreign policy. The consideration here recited was only one step, preceded by others, followed by more, down the road to war.

What a lesson for us now! Can we profit from the past? Are we going to turn our backs on the facts of the case? We shall do just that as soon as we allow trade in arms to move freely.

Against that background of the need of protecting the war-boomed trade of the United States I should like you to consider the submarine issue. That was the immediate issue over which the United States entered the war, yet it was related directly to our war trade.

But we must remember in what way the submarine issue presented itself. It was simply and solely the armed merchantman issue. We insisted on the right of England to arm her merchant ships, and insisted equally that the Germans could not lawfully sink these ships without warning. It was, of course, an untenable position, since the armed British merchant ships could sink a submarine as soon as she rose to warn them.

Lansing himself, as we all know, recognized how completely impossible our position was on this matter. In the famous modus vivendi, the note of January 18, 1916, to the Allied Governments, he writes:

> The placing of guns on merchantmen at the present day of submarine warfare can be explained only on the ground of a purpose to render merchantmen superior in force to submarines and to prevent warning and visit and search by them. Any armament, therefore, on a merchant vessel would seem to have the character of an offensive armament.
>
> If a submarine is required to stop and search a merchant vessel on the high seas and, in case it is found that she is of enemy character and that conditions necessitate her destruction, to remove to a place of safety all persons on board, it would not seem just or reasonable that the submarine should be compelled, while complying with these requirements, to expose itself to almost certain destruction by the guns on board the merchant vessel.
>
> It would therefore appear to be a reasonable and reciprocally just arrangement if it could be agreed by the opposing belligerents that submarines should be caused to adhere strictly to the rules of international law in the matter of stopping and searching merchant vessels, determining their belligerent nationality, and removing the crews and passenger to places of safety before sinking the vessels as prizes of war, and that merchant vessels of belligerent nationality should be prohibited and prevented from carrying any armament whatsoever.
>
> In presenting this formula as a basis for conditional declarations by the belligerent governments, I do so in the full conviction that your Government will consider primarily the humane purpose of saving the lives of innocent people rather than the insistence upon a doubtful legal right which may be denied on account of new conditions.
>
> I would be pleased if you would be good enough to bring this suggestion to the attention of your Government and inform me of their views upon the subject and whether they would be willing to make such a declaration, conditioned upon their enemies making a similar declaration.
>
> A communication similar to this one has been addressed to the Ambassadors of France, Russia, Italy, and the Minister of Belgium at this Capital.
>
> I should add that my Government is impressed with the reasonableness of the argument that a merchant vessel carrying an armament of any sort, in view of the character of submarine warfare and the defensive weakness of undersea craft, should be held to be an auxiliary cruiser, and so treated by a neutral as well as by a belligerent government, and is seriously considering instructing its officials accordingly.
>
> I am (etc.),
>
> ROBERT LANSING.

(Foreign Relations, 1916 Supp., p. 146.)

Of course the British Government would have nothing to do with such a proposal—to save a few lives at sea at the expense of millions of tons of shipping and war supplies. When the British protests began to reach Lansing he wrote to the President a note using this interesting sentence:

> It seems to me that the British Government expected us to denounce submarine warfare as inhuman and to deny the right to use submarines in attacking commercial vessels; and that these statements by Sir Edward Grey evidence his great disappointment that we have failed to be the instrument to save British commerce from attack by Germany. (Senate Munitions Committee Report, pt. 5, p. 125.)

The concluding words are the key to the whole matter—"Save British commerce." Apparently for a few weeks Secretary Lansing forgot what raising the loan ban in the previous August had so clearly demonstrated: That by that time British commerce had become American, willy-nilly, we had to save her commerce in order to save our own. Mr. Lansing's attempts to solve the submarine issue before it became the occasion for war between Germany and the United States were begun too late. They were begun after American and British war commerce had become interdependent.

The truth of the matter was put with complete aptness by Mr. Lamont, of Morgan & Co., in a letter to his Paris partner January 29, 1917:

> You are correct in believing our desires to be first of all to serve the cause of the Allies, and at the same time the commercial interests of our own country, these two objects being, in our judgment, supplementary to each other. (Senate Munitions Committee Hearings, pt. 28, p. 8800.)

These two objects had, indeed, become supplementary to each other.

So we had to abandon the modus vivendi or destroy our own overextended commerce by enforcing it ourselves. And, of course, by February 1, 1916, our economic position had become much more dangerous than it had been in August 1915. By that time $736,100,000 in allied indebtedness was outstanding in the American market. By that time contracts had been let by the Morgan agencies for over $1,000,000,000, and only about half a billion paid for. The situation was much more serious than in the previous August.

Can we suppose that the same powerful reason which moved Strong, McAdoo, House, and Lansing, himself, to lift the loan ban in August 1915 did not operate to induce Lansing to drop the armed-merchantmen issue—when the economic consequences to the United States of forcing that issue would have been far worse than failing to lift the loan ban in August?

Then, of course, we had our war issue ready made—inescapable—whenever the military situation of England or Germany brought it to the surface. And here we reach the other safeguard, so-called—that is, in the pending measure—that title must be transferred before shipment. How much is that worth? All through the submarine quarrel we had the same rule—not by statute, by by universal, sound business practice. No manufacturer shipped goods through the submarine zones until he had been paid for them. Our quarrel with Germany in 1916 and 1917 was over the sinking of armed British ships without warning—not the sinking after proper warning of unarmed American ships. And so long as we leave the armed-merchantmen issue untouched, there is always a chance to be drawn into the same dangerous dispute as in 1916 and 1917.

I shall not dwell at any length on the financial involvements of the last year of our neutrality.

But in the closing months of 1916 and the opening months of 1917 our financial crisis of itself was enough to have caused war—as Ambassador Page himself suggested. Our financial involvement resulted in a total of $2,000,000,000 of allied indebtedness by April 1, 1917. It resulted in a financial crisis in

New York. Here is part of a Morgan cable of December 5, 1916, describing some aspects of the situation:

With the situation as serious as it is, we called group of confidential lending bankers this morning to point out the necessity of caring for situation and the facility for doing so with such large amounts of American securities to use pending arrival of sufficient gold. All these bankers most anxious to cooperate and express willingness to reduce their reserves even below legal limit, if necessary, but as one man they asked the question, What are Great Britain's requirements going to be in the next 30 days? We could not answer this question because the handling of exchange makes that feature absolutely uncertain.

It was apparent to us that our inability to answer this specific question, or even to place an outside limit upon the exchange item, was very disturbing to these bankers. We feel, therefore, on this and on every other account that we must have some early expressions as to plans of authorities on this point. We are not fully acquainted with what is in their minds. Perhaps they have some undisclosed resources that we are not aware of, but at the present rate of going they will soon exhaust all gold available or in transit and also available American securities, even going so far as to assume that we can possibly secure loans up to 80 percent of the value of these securities. We do not presume to suggest the policy of the authorities, but our responsibility certainly requires our pointing out the dangers in the situation, so that if we should suddenly find that we had exhausted all available resources of this market, the knowledge of that fact would not come as a shock to authorities. (Senate Munitions Committee Report, pt. 6, pp. 140–141.)

Here is the picture of the situation at the same time, given by Paul M. Warburg, of the Federal Reserve Board, in a letter to Governor Strong, November 23, 1916:

As you know, there has been going on quite an active press campaign, the object of which was to show that unless we granted foreign credits quite freely the country runs the risk of being choked with gold, with the attendant consequences of inflation of prices and credits.

Mr. Davison came over last Saturday and had a talk with the Board and expanded upon this theory. He advised the Board that Morgan's had planned to offer $100,000,000 of British bonds payable in dollars which were to mature in scattered maturities falling between 3 months and 1 year, it being apparently the plan to arrange the maturities so that $10,000,000 would mature each week and then be renewed, which would indicate, as he did not deny, that, provided the banks would take it, they would follow this first issue with others and place here about $500,000,000 of these exchequer bonds. When these would have been placed, of course, they might consider the placing of more. But, for the time being, he said, the British Government would not want to place more than a weekly maturity of $10,000,000.

Davison took the point of view that they only wanted to do what was good for the country, but that the British Government was buying about $10,000,000 worth a day, and if we did not place these loans we were taking the responsibility of cutting down the trade of the country—a very serious responsibility as we were now in a fair way of becoming the masters of the world. The more we stimulated this trade, and the more loans we made to these foreign countries the more would we increase our predominance.

Governor Harding (who had taken the precaution during these last weeks to place himself in touch with the leading authorities in questions of foreign policy in order to be sure that we were acting in fullest accord with what generally would be considered the best interest of the country) pointed out to Mr. Davison that there was some danger of a creditor becoming so much involved with one debtor that finally, no matter whether the creditor wanted to or not, he would have to go in deeper and deeper. In other words, while you thought you had the bull by the tail, as a matter of fact the bull had you by the tail. In this case it is John Bull who would have us by the tail.

England has now outstanding in short loans an amount which must be as large as between one and two billions of pounds. How these are to be funded nobody knows. England's per capita debt next year will have multiplied by 7 as against the beginning of the war. The continuation of the war, therefore, appears madness, and as long as nobody knows how long this madness will last there is no saying in what condition Europe will be when the war ceases. The feeling generally appears to be breaking through here at Washington (and I think also amongst a substantial part of the cooler elements of the country) that the end of this war will be a draw; that the sooner it ends the better; and that continuing the war means only a needless and fruitless sacrifice of life and treasure. To think that this war must go on to keep our trade going is an abomination. To think that it ought to be the duty of the Government or the Federal Reserve Board to prevent disastrous economic consequences by prolonging it is unjustifiable. And we said to Mr. Davison that it was the general feeling that we had grown enough and that we should be in a position of contemplating the "breaking out" of peace without a thought of alarm; that to our mind it was better to let this extraordinary trade gradually go down to more nearly normal proportions than to have it stop with a vengeance.

* * * * * * *

The discussion with Davison was very pleasant and led to no definite conclusions, which I believe he wanted to avoid. He understood, however, our point of view. While he pointed out to us that we had a duty to finance this trade, he could not answer us when we pointed out that we were financing 10 days, according to his own statement, and that he could figure out for himself the tremendous amounts that this country would have to take in foreign loans, if his arguments were to prevail, that this trade ought to be continued indefinitely and by all means by continuing loans. He answered that, of course, they would not go beyond a reasonable amount, but I believe we have lost what was our standard for what is reasonable and what unreasonable; and, moreover, the further we go the more difficult it will be to stop.

* * * * * * *

I know that there are two sides to the arguments. It is not an easy matter at this time to decide what is right or wrong, but apparently the general consensus of opinion is getting around to the point of view that we should not overdo this foreign business at this time and that the harm would not lie so much in the influx of gold as in the overstimulation of our trade leading to enormously increased prices, thereby increasing the volume of credits with the entire chain of increased cost of living, wages, etc. (Senate Munitions Committee Report, pt. 6, pp. 129–131.)

Here is how it affected the New York money market—Morgan's cable of December 7, 1916:

* * * Our important banking friends have assured us that they will stand by and assist, and as result of various conferences today we expect that we will be able to carry the business through if no unforeseen obstacles arise. To give you something of the picture, this would involve our having a participation in excess of $100,000,000—the National City Bank, say, $40,000,000; the First National Bank, say, $30,000,000; and so on. Naturally these institutions ask what is going to happen after the first of the year, and to that we are unable to reply. We, of course, cannot encourage an operation which will bind up the New York market without some way of liquidating it. (Senate Munitions Committee Report, pt. 6, p. 145.)

Of course they could not answer what would happen after the first of the year. In Governor Harding's phrase, the bull had them by the tail. In spite of reluctance to bind up the New York market, they had to do so with a $400,000,000 "demand" loan that had to be carried right into 1919.

So perhaps it would be appropriate to read again Ambassador Page's famous cablegram of March 5, 1917:

The financial inquiries made here reveal an international condition most alarming to the American financial and industrial outlook.

Not alarming to the peace and security of the United States, but "alarming to the American financial and industrial outlook."

I offer the entire cablegram and ask that it be printed in the RECORD.

There being no objection, the cablegram was ordered to be printed in the RECORD, as follows:

The financial inquiries made here reveal an international condition most alarming to the American financial and industrial outlook. England is obliged to finance her allies as well as to meet her own war expenses. She has as yet been able to do these tasks out of her own resources. But in addition to these tasks she cannot continue her present large purchases in the United States without shipments of gold to pay for them, and she cannot maintain large shipments of gold for two reasons: First, both England and France must retain most of the gold they have to keep their paper money at par; and, second, the submarine has made the shipping of gold too hazardous, even if they had it to ship. The almost immediate danger, therefore, is that Franco-American and Anglo-American exchange will be so disturbed that orders by all the allied governments will be reduced to the lowest minimum and there will be almost a cessation of trans-Atlantic trade. This will, of course, cause a panic in the United States. The world will be divided into two hemispheres, one of which has gold and commodities and the other, which needs these commodities, will have no money to pay for them and practically no commodities of their own to exchange for them. The financial and commercial result will be almost as bad for one as for the other. This condition may soon come suddenly unless action is quickly taken to prevent it. France and England must have a large enough credit in the United States to prevent the collapse of world trade and of the whole European finance.

If we should go to war with Germany the greatest help we could give the Allies would be such a credit. In that case our Government could, if it would, make a large investment in a Franco-British loan or might guarantee such a loan. All the money would be kept in our own country, trade would be continued and enlarged until the war ends, and after the war Europe would continue to buy food and would buy from us also an enormous supply of things to reequip her peace industries. We should thus reap the profit of an uninterrupted, perhaps an enlarging trade over a number of years and we should hold their securities in payment.

But if we hold most of the money and Europe cannot pay for re-equipment, there may be a world-wide panic for an indefinite period.

Unless we go to war with Germany, our Government, of course, cannot make such a direct grant of credit, but is there no way in which our Government might indirectly, immediately, help the establishment in the United States of a large Franco-British credit without a violation of armed neutrality? I am not sufficiently acquainted with our own Reserve-bank law to form an opinion, but if these banks were able to establish such a credit, they would avert this danger. It is a danger for us more real and imminent, I think, than the public on either side of the ocean realize. If it be not averted before its symptoms become apparent, it will then be too late to avert it. I think that the pressure of this approaching crisis has gone beyond the ability of the Morgan financial agency for the British and French Governments. The need is becoming too great and urgent for any private agency to meet, for every such agency has to encounter jealousies of rivals and of sections.

Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted. The submarine has added the last item to the danger of a financial world crash. During a period of uncertainty about our being drawn into the war, no more considerable credit can be privately placed in the United States, and a collapse may come in the meantime. (Foreign Relations, 1917 Supplement 2, p. 516.)

Mr. NYE. Mr. President, let me point out that after reciting the dire situation confronting the Allies and the United States, Ambassador Page suggested that possibly the way out, the way to solve this whole problem, if we should go to war with Germany, the greatest help we could give the Allies, would be such a credit. In other words, if we declared war against Germany, we would not have to go to war; we would just furnish the credit, furnish the money, no ships, no men.

Again I would call the attention of Senators to the language in the cablegram sent by Ambassador Page:

Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

The only way now to avoid a panic was to declare war. Think of it, Senators. And it started with just a little munitions business in the beginning.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I will ask the Senator to excuse me just a moment. I should like to finish comment on this particular cablegram.

Here is another fine expression by our Ambassador, Mr. Page, in his cablegram to President Wilson:

I think that the pressure of this approaching crisis has gone beyond the ability of the Morgan financial agency for the British and French Governments.

Is any more direct language than that required to make it understandable that American bankers had reached the end of their rope respecting their ability to supply the credit needs of the allied nations?

Is there any other language needed to convey to us the knowledge which men had then, that if we were to maintain this same position of ours, we, the United States, would have to find a way to finance that European trade?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. I simply wish to call the Senator's attention to the fact that, while the communication which he has just read is an example of the very common blandishments of those who tried to get us into the war before we got in, that all that was necessary for us to do in the war was to supply Great Britain and France with money and credit. Yet as soon as we got into the war a demand was made immediately that we carry out a great number of secret treaties we did not know anything about when we got into the war. As was shown from the letter of Assistant Secretary of the Treasury Crosby to Secretary of the Treasury McAdoo. Crosby had been sent over to England after we had extended them credits of billions upon billions of dollars, and he was told by the British Government, he reported to his chief in this country, that if we did not do more than we had already done in the way of credits and men England was likely to make a separate treaty of peace with the Central Powers and leave us to hold the sack.

Mr. NYE. I am happy that the Senator from Missouri would make note of that fact at this point in my remarks, and I appreciate it.

Recurring to the cablegram to the President, 30 days after dispatch of that cablegram the Congress found itself with a lapful of circumstances which left it with no alternative than that of declaring war. That was the Congress which for 3 long years had vowed it would not be dragged into war, just as the present Congress is now vowing, and whose Members say, "I would like to see them drag us into their war again." But take this first step, repeal the arms embargo which Senators helped to write to prevent that thing which happened 22 years ago, repeal the arms embargo, and we have less chance of maintaining that resolve to stay out than we have so long as the embargo remains in the law.

Oh, I know what men say about Ambassador Page and his cablegram. I have heard leading men in the United States say, "Oh, Page did not mean anything in that hour. Wilson did not pay much attention to him. His communications were folded up and tucked in a pigeonhole, and some of them were never read." Is there any Senator who can believe that? Is there any Senator who has respect for Woodrow Wilson who can believe that Woodrow Wilson would have left a man in whom he had no regard, no confidence, no respect, at that all-important post at London during those most trying years? We should know better than that. We do know that 30 days after dispatch of that cablegram the United States declared war. Oh, not to avoid a panic, not to avoid this circumstance that was embarrassing industry, as Page had put it. No, sir; it was to make the world safe for democracy. Not because American bankers had got out on the limb and were now having that limb sawed off. Not because the bankers had gone as far as they could. No; it was because of the insults of a military power lacking the decencies of civilization.

That condition of financial crisis, of threatened economic chaos throughout the world, so clearly described in these contemporary documents, was not something foreseen back when the seeds of it were planted.

In that historic evening conference at the White House on October 23, 1914, where that fatal and artificial distinction between loans and credits planted the seeds of the war boom, neither the President nor Lansing could see the end. Could Lansing have dreamed that in the following August he would write the President:

Now, on the other hand, we are face to face with what now appears to be a critical economic situation, which can only be relieved apparently by the investment of American capital in foreign loans to be used in liquidating the enormous balance of trade in favor of the United States.

Can we afford to let a declaration as to our conception of the "true spirit of neutrality" made in the first days of the war stand in the way of our national interests which seem to be seriously threatened?

Could Secretary Lansing have foreseen that in the spring of 1916 he would have to drop his sane, honest, peaceful solution of the submarine difficulties because the solution would produce intolerable domestic difficulties, economic and financial?

Could Wilson, the great peacemaker, have foreseen that the war-trade boom would so tie his hands that when peace was made he was almost powerless to influence its terms?

Wilson knew the dreadful consequences of a war to the bitter end. He had no illusions about that and no desire for it.

In his message to the Senate on January 22, 1917, he said:

Victory would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be accepted in humiliation, under duress, at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand.

He knew it when he wrote Colonel House on November 24, 1916:

I wanted to make these suggestions:

* * * That you write to Lord Grey in the strongest terms to the effect that he could be sure that the United States would go any length in promoting and lending her full might to a league for peace, and that her people were growing more and more impatient with the intolerable conditions of neutrality, their

feeling as hot against Great Britain as it was at first against Germany and likely to grow still hotter against an indefinite continuation of the war, if no greater progress could be shown than now appears, either for the Allies or the Central Powers.

It might be well to intimate to him that Page no longer represents the feeling or the point of view of the United States any more than do the Americans resident in London.

I hope that these suggestions commend themselves to you. I do not think that he ought to be left in any degree of ignorance of the real state of our opinion. It might even be well to intimate that we, in common with the other neutral nations, look upon the continuation of the war through another winter with the utmost distaste and misgiving. (Senate Munitions Committee Hearings, pt. 28, exhibit 2627, p. 8750.)

He knew it during 1916, when through the famous House-Grey agreement he tried to bring about peace, even to the extent of permitting House to pledge probable American participation if only the British would state reasonable peace terms.

There was, indeed, a spectacle. Great Britain presumably fighting a war for her life with a promise of probable American armed support in the Foreign Secretary's pocket. And in his pocket it stayed. Why? Because the price of using it was too high. And yet the price was only a statement of peace terms that America could accept.

Now we are again asked to underwrite a victorious military war. Have we any doubt of that? What meaning has repeal of the embargo except long-term support for an offensive war? And consider the symbolic meaning of repeal at this point of military stalemate. Consider it, too, against the background of the declared purposes of the President's foreign policy.

The President's message to Congress on September 21 was by no means his first public utterance on international affairs. It was not his first exposition of what he considered to be the proper role of the United States in the world of these grim years. For this reason we cannot narrow the discussion to his message of September 21 and debate the issue in the form in which he has there presented it to us. This debate is not at all on the question of whether repeal will or will not aid American neutrality. That is only involved at the end, not at the beginning. The first question is, Shall we help France and England, and help them do what?

In his speech at Chicago on October 5, 1937, the President deplored the spread of war and aggression in the world. He had this to say:

The peace-loving nations must make a concerted effort in opposition to those violations of treaties and those ignorings of humane instincts which today are creating a state of international anarchy and instability from which there is no escape through mere isolation or neutrality.

So we know that he does not believe that neutrality will cure the ills of the present situation, a situation so much worse than the one the President was talking about 2 years ago.

Later in the same speech he said:

It seems to be unfortunately true that the epidemic of world lawlessness is spreading.

When an epidemic of physical disease starts to spread, the community approves and joins in a quarantine of the patients in order to protect the health of the community against the spread of the disease.

What, in the circumstances before us, does it mean to join with other nations in the quarantine here pictured?

Still later he said:

Most important of all, the will for peace on the part of peace-loving nations must express itself to the end that nations that may be tempted to violate their agreements and the rights of others will desist from such a cause.

Meditate that passage well, Mr. President. What steps can be taken to induce nations—now warring nations—to desist from their course of action?

Most unmistakable of all the President's declarations of foreign policy is to be found in his message to the Congress last January. There he said:

We have learned that God-fearing democracies of the world which observe the sanctity of treaties and good faith in their dealings with other nations cannot safely be indifferent to international lawlessness anywhere. They cannot forever let pass, without effective protest, acts of aggression against sister nations—acts which automatically undermine all of us.

Obviously they must proceed along practical, peaceful lines. But the mere fact that we rightly decline to intervene with arms to prevent acts of aggression does not mean that we must act as if there were no aggression at all. Words may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind. There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments the aggregate sentiments of our own people.

At the very least we can and should avoid any action, or any lack of action, which will encourage, assist, or build up an aggressor.

These statements are not merely revealing of the President's mind. They are, in fact, declarations of Executive policy. To the extent that the Congress gives the President legal authority to pursue such a policy we can be sure that the President will do so. How could he do otherwise? What man of honor could do otherwise? Over a period of months and years the President has made known to the Congress and the people what he considers to be the underlying guide to the foreign policy of the United States. Unless and until the President specifically repudiates these earlier statements, unless his underlying policy has actually changed and the people and the Congress are on clear notice of that change, anything we do is done against the background of our knowledge of his policy. Any change that the Congress now makes in the neutrality laws, and therefore in the foreign policy of the United States, is made with full knowledge of what the President thinks that policy ought to be.

The President has very clearly expressed his conviction that the United States should take steps "short of war" against aggressors. No one has any doubt who is the aggressor in this war.

Mr. President, before I move to a conclusion, as I have proceeded it has occurred to me that in debate with the Senator from Illinois [Mr. LUCAS] this afternoon, thickheaded as I have been all day, tired, and with a cold in the head, I made a representation which never could be supported, and for some strange reason never occupied my mind until this afternoon. We were discussing the number of American ships that had been destroyed by German submarines before we declared war, and then again before we broke off relationships with Germany. I made the unwarranted statement that up to the time we broke off relations with Germany, on February 2 or 3, 1917, only one American merchant vessel had been sunk. What I meant to say, and what I have long had knowledge of, was that up to the time we broke off relationship with Germany the sinking of only one American vessel, the *Gulflight*, carried any American lives to graves. With that explanation at this point, I should like to have inserted in the RECORD a table showing the American merchant shipping losses during the so-called period of our neutrality—1914, 1915, 1916, and early 1917. I ask that it appear at this point in my remarks.

The PRESIDING OFFICER. Is there objection?

Mr. CONNALLY. Mr. President, reserving the right to object, I ask the Senator what is the source of the table—what is the authority?

Mr. NYE. This table is taken from the book, Neutrality for the United States, by Borchard and Lage, page 351.

Mr. CONNALLY. How many ships does the table show were sunk before we entered the war? There were about 24 in all, were there not?

Mr. NYE. No. There were 11 up to the time of the rupture in diplomatic relations, on the 2d of February 1917, and 9 between that time and the time war was declared.

Mr. CONNALLY. That makes a total of 20, according to the table.

Mr. NYE. Twenty. Upon only one of those ships were any American lives lost up to the time of the break in relationship with Germany.

Mr. CONNALLY. What difference does it make whether it was before or after the break of relations? Those who were murdered were murdered just the same.

Mr. NYE. Our argument with Germany did not involve the sinking of our ships.

Mr. CONNALLY. It involved the loss of American lives.

Mr. NYE. Our argument with Germany was over the matter of her sinking ships without any warning. Under

international law we had no right at that time to object to the sinking of our ships, provided they were carrying contraband, and provided those upon the ships were given a chance to get off. The whole issue was that of sinking without warning. Up to the time of our break with Germany only one American ship had been destroyed in a way which did not give a chance to save the lives of those on board.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

American merchant shipping losses during neutrality

Date	Vessel	Lives			Remarks
		United States	Foreign	Total	
Jan. 27, 1915	Wm. P. Frye				Raider.
May 1, 1915	Gulflight	3		3	Torpedo.
May 25, 1915	Nebraskan				Do.
July 25, 1915	Leelanaw				Do.
Aug. 4, 1915	Pass of Balhamas				Surrendered.
Oct. 28, 1916	Lanao (Philippine Islands steamship).				Bombs.
Nov. 7, 1916	Columbian				Do.
Nov. 26, 1916	Chemung				Torpedo (Austria).
Dec. 14, 1916	Rebecca Palmer				Shelled.
Jan. 4, 1917	Norlina				Torpedo.
Feb. 3, 1917	Housatonic				Bombs or torpedo.
Total to Feb. 3, 1917.[1]		3		3	6 sunk. 1 surrendered. 4 damaged.
Feb. 12, 1917	Lyman M. Law				Captured.
Mar. 12, 1917	Algonquin				Shelled and bombs.
Mar. 16, 1917	Vigilancia	6	9	15	Torpedo.
Mar. 17, 1917	City of Memphis				Shelled.
Mar. 18, 1917	Illinois				Bombs.
Mar. 21, 1917	Healdton	7	14	21	Torpedo.
Apr. 1, 1917	Aztec (armed)	12	16	28	Do.
Apr. 4, 1917	Marguerite				Bombs.
Do	Missourian				Shelled.
Total to Apr. 6, 1917.[2]					15 sunk. 1 surrendered. 4 damaged.

[1] Ruptures in diplomatic relation.
[2] War declared.

Neutrality for the United States, Borchard and Lage, p. 351.

Until the break in diplomatic relations with Germany on February 3, 1917, only three lives had been lost on American vessels. These were all on the *Gulflight*, which was torpedoed on May 1, 1915, the very day the *Lusitania* sailed from New York. The vessel did not sink, but was towed in. (Neutrality for the United States, Borchard and Lage, p. 221.)

It may truthfully be said that American intervention in the European war was largely induced by the attempt of the Wilson administration to maintain not only the privilege of British merchantmen to arm but to use their arms against submarines, while yet enjoying immunity from submarine attack because the merchantman had American citizens among her passengers or crew. (Neutrality for The United States, Borchard and Lage, p. 83.)

Mr. NYE. Mr. President, I have attempted to demonstrate what is very clear in my mind and in the minds of many other Senators, that we cannot take steps "short of war" against Germany and not end up in military war against her. I have tried to show why I think so, why even the beginning of an arms-trade boom ties our hands and leaves our policy in the control of England.

But even if that were doubtful, even if it were not so, there should still be pause.

Why should we gamble the influence of the United States? Why should we risk our neutrality to affect a military result in Europe when not one of us has the remotest notion of the terms of peace he would like to see, and certainly no way to attain them?

Strange, is it not, that in England herself one of her greatest literary figures, and even her World War Prime Minister, do not know what England is really fighting for; yet in this country—yea, in this Chamber—many enthusiastic individuals seem to know what it is all about. Lloyd George, with a lifetime of experience in the highest offices of the British Empire, through years of peace and war, has doubts, questions, seeks answer. "What kind of a peace do you plan?" he asks.

George Bernard Shaw, one of England's most famous men, has thrown out the challenge on peace aims. He says:

Naturally we cry, "Sacrifice"; yes. But what for? * * * You tell us to be resolute and determined, but we cannot be resolute and determined in the air about nothing. What are we suffering for? Upon what are we resolved? What have we determined?

* * * * * * *

The Archbishop of York in the next broadcast finally rose to the occasion as became a great Christian prelate. Unfortunately, he began not as a Christian prelate but as a righteously angry, hotheaded Englishman by giving his blessing to our troops as "dedicated" to the supreme and immediate duty of lynching Hitler and his associates.

* * * * * * *

I simply remind the archbishop that although we can easily kill a hundred thousand quite innocent German men, women, and children in our determination to get at Hitler, we should not finally succeed in lynching him, and the killing of Germans and our own losses in the process would produce a state of mind on both sides which would operate as a complete black-out of Christianity and make the archbishop's sane, final solution impossible.

If we won, it would be Versailles all over again, only worse—with another war even less than 20 years off.

* * * * * * *

No; it will not do, however thickly we butter it with bunk and balderdash about liberty, democracy, and everything that we have just abolished at home.

As the archbishop nobly confesses, we made all the mischief—we and the French—when we were drunk with our victory at Versailles. And if that mischief had not been there for him to undo, Adolf Hitler would have now been a struggling artist and of no political account.

He actually owes his eminence to us; so let's cease railing at our own creation and recognize the ability with which he has undone our wicked work and the debt the German nation owes him for it.

Our business now is to make peace with him and with all the world instead of making more mischief and ruining our people in the process. (Appendix of the CONGRESSIONAL RECORD, p. 207.)

Not only is the proposed raising of the arms embargo a deliberate offer of assistance by this Government—in the facts of the actual world, a commitment by this country to help England defeat Germany—but it carries graver possibilities in its train. No one today is under any illusions about the cost in human and material terms of offensive war. When the campaign against Germany, with our aid, is well along, how dangerously used up and overextended may England and France become? May we not then really be asked to do something, not just to help them win, but to keep them from utter defeat? Has anyone the least doubt of what that something will have to be? Is this Congress willing to place a proviso on repeal of the embargo that if repeal alone is not enough help, then at some point in British and French exhaustion we will declare war? And if we are not willing to make such a proviso, explicit or implied, what business have we proffering them the help of our arsenals?

This is simply a proposition to enter into the war by the left hand, to become the neutral ally of England and France. This is simply as skillful a political maneuver as circumstance permitted to disguise as merely a rectification of true neutrality what is perilously near to an act of war.

I understand that the President's partisans must insist on framing the issue in the guise that he has done, but I am sure that none of them is in the slightest doubt of what the issue really is. We all know that if the President had felt public opinion would have stood for it, he would have framed his request, not in the soft accents of September 21, but in the ringing martial challenge of October 1937 and last January.

Let us not delude ourselves on the outcome of a long war. It is all very well to talk now of lofty peace aims; but the consequences of a long war will be too fearful to leave room for any lofty sentiments. When the casualties shall have reached into every home in England, France, Germany; when the cities shall have been bombed and the ships sunk; when every decent sentiment in Europe shall have been lost in the struggle with fire and hunger and hatred—then peace will be made; and it will be a peace of revenge and hate, of economic prostration, and fear to the point of insanity.

It would be criminal carelessness to pay no attention to these realties of the European situation. It is not statesmanship to let our emotions rush us to the conclusion that because Hitler and his regime are—and I say it frankly—evil, there is nothing for us to do but assist in annihilating them with bombs and artillery. Bombs and artillery will not remove the fundamental economic and social causes which produced Hitlerism.

This war is also a struggle for empire, comparable in every way to the long imperial wars by which England ousted France from world empire, and, before that, France ousted Spain. These titanic struggles are not settled in a few years, and not even by apparent victory in one war. They are conducted not only through war but also through peace; and there is no man on earth today so wise that he can know infallibly each turn to take in the maze ahead, much less know them all in advance.

In the midst of the revolutionary forces unfolding before us, it would be suicidal for us to dissipate our manpower, our resources, our democracy, in a struggle in Europe. Rather we must preserve our own institutions which at this time is a tremendous task in itself.

Not for one minute can we afford to lose sight of our American interest, our own national welfare. We may be sure that if we are not going to be jealous of our own national interest, that interest is not going to be served from London, Berlin, Paris, or Moscow.

Our national interest dictates that we stay out—all the way out—of the European mess, her own mess; a mess of her own making; that we decline to repeat that folly of another day; that we build our own strength, fortify our own democracy, and make ourselves ready really to help Europe when, perhaps crushed and bleeding, she will need a friendly and impartial and strong hand, not of war but of peace, from the United States.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 6 minutes p. m.) the Senate took a recess until tomorrow, Saturday, October 14, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, OCTOBER 13, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou Lover and Saviour of men, to Thee we lift our hearts in prayer and adoration. As Thou knowest us altogether, we pray that if faith overcometh the world and is the victor, endue us with that faith; if it is better to minister than to be ministered unto, give us the will to do it; if love is better than hate and will help us to bear all things and endure all things, O give us that love. Merciful Father, comfort the sick; smooth every pillow of pain and quiet those who long for the morning. Bless Thy servants who sit in these places of responsibility and opportunity and all those who labor in quiet ways in the daily rounds of uneventful duty. In the name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

ONE HUNDREDTH ANNIVERSARY OF THE BIRTH OF THOMAS BRACKETT REED

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. OLIVER]?

There was no objection.

Mr. OLIVER. Mr. Speaker, foreign news releases are constantly reminding and bringing vivid evidence to our attention in this peace-loving and liberty-dedicated Nation of ours that legislative and parliamentary processes and principles of government are fighting desperately for existence with their backs to the wall all over the world. The Members of this great deliberative body are fully cognizant of the vital crisis which is presented to us in this development which may well mark the most retrogressive period of the world's history.

Therefore, it is particularly appropriate at this time that the attention of the Members of this House be called to the date, October 18, which falls on Wednesday next. This date marks the one hundredth anniversary of the birth of Thomas Brackett Reed, who was a Member of this body for 22 years and who was Speaker of the House for 6 years. Thomas Brackett Reed was recognized as the outstanding parliamentarian of the entire world of his time, and his memory will ever be renowned for the constructive work and for the important changes which he innovated in the parliamentary and procedural routine of this great legislative body.

It so happens that I personally shall not be able to be present on October 18, because it is necessary for me to arrange the proper observances for a ceremony in his memory in Portland, Maine, the city of his birth. At the appropriate time I shall provide for the introduction of a resolution for the supplying of a permanent memorial whereby the present generation and posterity as well may be constantly reminded of the life and public services of this great patriot. However, I should be most remiss in my duty if at this time I did not arrange for time for suitable references on the floor of this House which Members may care to make on Wednesday. Therefore, Mr. Speaker, I ask unanimous consent that such time as may be required may be set aside on Wednesday, October 18, for addresses in memory of the works and the life of that great statesman and American, Thomas Brackett Reed.

The SPEAKER. The gentleman from Maine [Mr. OLIVER] asks unanimous consent that on Wednesday next, after the reading of the Journal and disposition of other official matters on the Speaker's table, such time as may be necessary shall be set aside for memorial services in commemoration of the one hundredth anniversary of the birth of Thomas Brackett Reed, late a Speaker of the House of Representatives. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE of Oregon. Mr. Speaker, I ask unanimous consent that on Thursday next, after the reading of the Journal and disposition of business on the Speaker's desk, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

EXTENSION OF REMARKS

Mr. BURDICK asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. MAPES. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of business on the Speaker's table and at the conclusion of previous orders heretofore entered, the gentleman from Wisconsin [Mr. JOHNS] may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MAPES]?

There was no objection.

Mr. REED of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. REED of New York. Does the Chair expect that Congress will be in session on next Tuesday?

The SPEAKER. The Chair will refer that matter to the acting majority leader the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. In answer to the inquiry of the gentleman from New York [Mr. REED], I may say that I am quite sure it would be satisfactory on this side to adjourn from

Monday to Thursday. I suggest the gentleman inquire of the gentleman from Michigan [Mr. MAPES].

The SPEAKER. There are some special orders for Wednesday next.

Mr. REED of New York. I am asking for information in order to accommodate myself.

Mr. THOMASON. I understand from the Speaker's remark just made that there is a special order for Tuesday or Wednesday.

Mr. REED of New York. I ask unanimous consent that, after the reading of the Journal and disposition of other business on the Speaker's desk, I may be permitted to address the House for 15 minutes on Tuesday next.

The SPEAKER. The Chair calls the attention of the gentleman to the fact there is one special order pending.

Mr. REED of New York. Following that speaker.

Mr. MILLER. Mr. Speaker, I would be willing to yield to the gentleman from New York [Mr. REED] and follow him.

The SPEAKER. That matter can be arranged on Tuesday between the two gentlemen as to the priority of speaking. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

ADJOURNMENT OVER

Mr. THOMASON. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. THOMASON]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal and the disposition of business on the Speaker's desk and at the conclusion of previous special orders, I may be permitted to proceed for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that, after the gentleman from Michigan [Mr. HOOK] concludes on Monday next, I may have 10 minutes to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that, after the other special orders have been disposed of today, I may address the House for 20 minutes on the subject of sugar.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement of fact on the effect of section 2 (a) of the proposed neutrality law on Pacific Coast States.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. LEWIS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article appearing in this month's Readers' Digest.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein one of my own highway speeches.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by me.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent that at the conclusion of the special orders for today heretofore entered I may be permitted to address the House for 30 minutes.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, is that today?

The SPEAKER. Today. Is there objection to the request of the gentleman from Montana?

Mr. HOFFMAN. No. I ask that the time be made 35 minutes instead of 30, Mr. Speaker.

The SPEAKER. Is it agreeable to the gentleman from Montana that the request be so modified?

Mr. HOFFMAN. Mr. Speaker, I withdraw my request.

Mr. THOMASON. Reserving the right to object, Mr. Speaker, may I inquire of the gentleman from Montana if during the course of his remarks he will yield for questions?

Mr. THORKELSON. I have always followed that practice, and I shall be pleased to do so.

Mr. THOMASON. The gentleman does expect to yield, then, during the course of his remarks today?

Mr. THORKELSON. I do.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The SPEAKER. Under a previous special order of the House, the gentleman from Michigan [Mr. WOODRUFF] is recognized for 20 minutes.

LET US KEEP OUT OF WAR

Mr. WOODRUFF of Michigan. Mr. Speaker, history has a way of repeating itself. The human family over and over and over again repeats the mistakes of yesterday and suffers the same punishments and remorse of those who made those mistakes in the past.

I venture the statement here today that no intelligent citizen can read the history of the developments that led us into the World War in 1917 and not be shocked to the depths of his being by the exact similarity of arguments and the exact parallel of developments during the years 1914 to 1917 and those of the present time, even to the difficulties in Mexico.

In discussing here today the question of keeping the United States out of war, I want to make it clear that I am not discussing it from the standpoint of any legislation which may be pending in the United States Senate. I want to take a broader, more comprehensive view of the whole question, because in the finality we must face this fact, that if there is a will on the part of the executive department of the Government to take us into war, that fateful step may be taken in spite of all the Congress can do.

Mark you, sir, I am not here charging that the will and the motive to take us into the war exist in any part of the executive department at this time. What I am endeavoring to say is that, even though the will to stay out of war be just as sincere and intense on the part of the executive branch of the Government as it is on the part of the legislative branch, the way is still so deceptive, so full of pitfalls and allurements, that we may find ourselves in a position where we can slip over the abyss and into the conflict almost without being conscious of the events that precipitated that development.

Mr. Speaker, it is generally believed in this country today, and that belief is being nurtured and encouraged by public statements by presumably responsible individuals, that Germany did not hesitate to sink our ships before we entered the World War and while we were still at peace. The implication is always added, of course, that she would not hesitate to do so now. I have not always seen eye to eye with Gen. Hugh S. Johnson, but he rendered this country a real service when he pointed out in his newspaper column recently that the only

American ship sunk by the Germans with a loss of American lives before we severed diplomatic relations with Germany was the *Gulflight*. But as General Johnson points out, the *Gulflight* at the time she was sunk was traveling with a belligerent British convoy. Because of this fact she was fair prey under every concept of international law.

As I said a moment ago, no one can read with an open mind the history of the developments leading up to our entrance in the World War and not perceive in our present course a shocking similarity.

As the Washington Daily News pointed out recently in an editorial, the developments which preceded our entry into the last war were roughly as follows:

The war started in 1914 and at that time the question of credits to foreign belligerents arose exactly as it exists today in the 90-day clause in the legislation pending before the Senate. It is all well enough to say that the 90-day credit is the usual commercial practice in international trade, but it is not the character of dealings we engage in with belligerents at the start that seems important or dangerous. It is the character of the dealings which evolve step by step and day by day until we find ourselves enmeshed with our money and our men in a world conflict.

THE DEADLY PARALLEL

You will recall that when the war began in 1914 President Wilson proclaimed neutrality. The French sought to enlist the aid of New York bankers to float a $100,000,000 loan in the United States. The then Secretary of State, William Jennings Bryan, acting for President Wilson, announced the doctrine that loans to belligerents would be "inconsistent with the true spirit of neutrality." He further declared "money is the worst of all contraband, because it commands everything else." In that statement Secretary of State Bryan laid down a profound truth which is just as true today as it was the day it was uttered, and which had been as true since wars began.

The New York bankers then inquired if it would be permissible to make arrangements for the French to buy American goods on credit. The then counselor of the State Department, Robert Lansing, visited the White House and succeeded in persuading the President that although "loans" might be dangerous, "credits" were different.

President Wilson made his fatal mistake at this point. He assented to this view. The Allies started buying goods from us. By September 1915 these credits had operated in such a way that Mr. Lansing, who by then had become Secretary of State, sent President Wilson a confidential letter explaining how credits had operated that current year to give us an excess of exports to Europe over our imports from Europe of about $2,500,000,000. Secretary Lansing in gentle, diplomatic language wrote the startling news to Mr. Wilson that our foreign debtors did not have the gold to pay their debts.

He pointed out that if payment were demanded Europe would be thrown into a "general state of bankruptcy," and he further called the President's attention to the fact that in America "industrial depression, idle capital, and idle labor, numerous failures, financial demoralization, and general unrest and suffering among the laboring classes" would result.

It was then that Secretary Lansing advised President Wilson to reverse the no-loan policy. "Our financial institutions," he argued, "have the money to loan and wish to do so." He further argued that we must maintain the credit of the borrowing nations, and that the result of this maintenance of the credit of foreign belligerents would be to continue our commerce "at its present volume * * * with the consequent employment of capital and labor and national prosperity."

At this moment there rings out from my memory these words spoken by President Roosevelt before the Congress on September 21 last in this Chamber:

> From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?

In that other day, Secretary Lansing said to President Wilson:

> Can we afford to let a declaration as to our conception of the true spirit of neutrality, made in the first days of the war, stand in the way of our national interest, which seems to be seriously threatened?

I might say that at this moment the administration is saying to this Congress:

> Can we afford to let a declaration as to our conception of the true spirit of neutrality, the embargo on arms and munitions of war adopted in 1935, 4 years before the beginning of this war, again confirmed in 1937, stand in the way of our national interest which seems to be seriously threatened?

Mr. Speaker, we have here an exact and deadly parallel case of reasoning and argument.

In his day Mr. Lansing had his way with the President. Mr. Wilson agreed that from a purely material point of view and to continue the employment of capital and labor, it would be well to reverse the no-loans policy and maintain the credit of the borrowing belligerent nations. One month later the first $500,000,000 Anglo-French loan was floated by a syndicate headed by J. P. Morgan & Co.

Now, Mr. Speaker, what was the next step—the next natural, inevitable, and inescapable development, one which will be repeated under like circumstances in the future? It was this:

On March 5, 1917, our Ambassador to the Court of St. James, Mr. Page, advised the State Department that a world financial crisis was imminent. He said the Allied governments had to have immediately more money than any private agency in the United States could possibly provide, and that unless the money was forthcoming the great volume of Allied purchases from the United States would "be reduced to the lowest minimum" and "there may be a world-wide panic for an indefinite period." It seemed then to him that the United States Government itself must step in and make tremendous loans to the Allies to keep them going. To do this, Ambassador Page admitted, would be tantamount to a declaration of war against Germany, but he added, "Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted."

Again we hear an echo in this Chamber, "From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?"

THE BLACK PAGE OF HISTORY

On April 2, 1917, less than 1 month after hearing from Mr. Page, President Wilson appeared before a joint session of the Congress and asked that the Congress declare war against Germany. On April 4 the Senate assented. On April 6 the House assented and made the declaration of war effective. We then began to pour in our men and our money. All this a few months after Mr. Wilson had been reelected on the slogan, "He kept us out of war."

Now, Mr. Speaker, we all know that black page in the history of the world. We all know the lying propaganda that emanated in a false and filthy stream from both sides in the conflict. We all know the unceasing efforts brought about to get every man and every American dollar possible into the conflict. We know, too, that when our boys had poured out their blood on foreign fields, and after we had poured billions of our money into the war, and when, finally, it was ended, we were given no territory—we neither asked for nor wanted it. We were accorded no gratitude, but we were condemned because we did not get into the war sooner, because we did not send more men. Our repayment for the money loaned to the Allies was the sneering epithet, "Uncle Shylock."

Those debts are unpaid today. They stand repudiated.

Now, Mr. Speaker, when we went into the last war our national debt as of June 30, 1916, was $1,225,145,000. When we declared peace with Germany our national debt, June 30, 1921, was $23,976,250,000. If we by some awful mischance get into this present war, we will go into it with a national debt of approximately $45,000,000,000, and no man can say what our national debt will be if and when we come out of that war. Mr. Speaker, that debt will be so stupendous, the interest on the debt so great, as to constitute an intolerable

tax burden on our people. With this in mind, let our memory go back to the day when the President was a candidate for the high office he now holds, when he truly stated, "Taxes are paid in the sweat of the man who labors." Can the man who labors continue to exist if the present tremendous tax burden he bears is doubled or tripled, as it probably will be if we permit ourselves to be beguiled into another war which does not concern us?

Mr. Speaker, all Europe will, in all probability, within the next few weeks, again be ablaze with war—the most horrible war the world has seen.

Millions of young men in the ranks will die. Millions of others with broken bodies and shattered minds will remain to become a burden to themselves and to those among whom they live. We know from what has already happened that neither the women nor the children, the old nor the young, are to be spared.

It is estimated that there were nearly 40,000,000 casualties as the result of the last World War. Murdering devices had not then been perfected to their present-day efficiency. How many more than 40,000,000 are to die or to be wrecked in mind or body because of the present war madness which has seized upon the leaders of central Europe no one can tell.

With all the world a tinder box, we Americans should let our minds review the history of the past quarter century, giving special attention to our experience in trying to "make the world safe for democracy."

Conditions and propaganda are now strangely reminiscent of those other days. Let us remember that the present war is not our war. It is a war among peoples who have been warring upon each other so long as recorded history gives us information of them. Regardless of which side wins, other wars among those nations will follow as surely as day follows night. Our participation in the present one cannot change this. We now know from our experience in the last war that the battle "to make the world safe for democracy" was instead a battle to satisfy the greed of nations, a battle to assure profits.

LET US REMEMBER

Let us remember the Versailles conference and the treaties growing out of that conference.

Let us remember that many nations were represented there, among them this Nation.

Let us remember that every nation with the sole exception of the United States of America was there with greedy hands and heart, seeking and securing indemnities and territory.

Above all, let us remember that we and we alone asked for not one cent of indemnity, not one foot of additional territory.

Let us remember that we, and we alone, asked only that the peoples of the world live at peace with one another.

Let us remember also the 40,000 American boys killed in action in that war; let us not forget the 14,000 who died of wounds received in action, of the 192,000 wounded, or the 76,000 who died of disease, accident, or other causes.

Let us remember the more than 100,000 veterans who have died since the war, many of them the victims of their service.

Let us not forget the nearly 350,000 World War veterans who today, because of disabilities arising from their service, are receiving compensation from a grateful Government.

Let us remember the 41,000,000,000 of America's hard-earned dollars that were poured into that war to bring peace and security to the peoples of the world.

Let us never forget the utter futility of all our expenditures and sacrifices.

Let us not forget that our present unemployment, our reduced standard of living, the high taxes we now pay, and must in the future pay, are largely the result of our mistaken attempt of 20 years ago to "make the world safe for democracy.

Let us remember that if we indulge in another adventure into Old World intrigues and wars the price we will pay for that insanity will make the price we have paid, are now paying, and must in the future pay for the last one seem modest, indeed.

Let us understand once and for all that we can stay out of the present European war if we have the will to do so. Let us not be misled by the propaganda that will flood the country in the months to come. Let us just remember that we cannot correct the evils, the selfishness of individuals and of other nations, try as we will.

We can, however, preserve the peace of this country. That is our big job. We can accomplish this if we keep our heads and remember the priceless teachings of history.

ISSUES OF LIFE AND DEATH

Mr. Speaker, the issues here are the issues of life and death for millions of our men and women. The issues here are the issues of the continuity or the utter ruin of our great American experiment of a constitutional republic. The issues here are the issues of our entire economy. They are the issues of chaos and suffering, and a return to the law of the jungle, and the utter destruction of civilization as we now know it.

These are the issues, Mr. Speaker, which confront us, and I say to you this is no time for a veneer of politeness. It is no time for soft words and pleasing sentences. It is no time to close our eyes to realities. The time is here for the people of this Nation to look these stark, horrifying facts in the face and determine how best we can stay aloof from the conflicts of continental Europe, and of the Far East, and maintain our own Nation in civilization in some semblance of peace and prosperity.

Mr. Speaker, I do not want to refer to my own personal history in this matter any more than to say that I volunteered to serve this Nation in two wars. By reason of that fact I think I may say that I cannot be justly accused of being a peace-at-any-price advocate, but I say to you that not only is peace the wisest course, but it is the cheapest course, and whatever material price in dollars and cents we pay in trade for staying out of this war will be a far cheaper price than we will have to pay for getting into it—and that to say nothing of the cost in human lives, human suffering, wrecked bodies and minds, widowed mothers, and orphaned children.

It is time for plain talk. By that I do not mean acrimonious debate, partisan disputations, or personal abuse. I concede that men may honestly differ in their views as to how best we may stay out of war, but I do not concede that there is any valid argument as to why we should get into this war, or any foreign war.

Let us not delude ourselves. You know and I know that if this war continues the pressure that will be brought to bear upon us to get into it will be intense beyond conception. All sorts of incidents, so-called, such as the sinking of some of our ships or the destruction of property of nationals, will be perpetrated, either by those who wish to blame such things on the enemy and land us in on their side or by the nationals and soldiers of those countries which hate us.

YOU AND I KNOW

You and I know, Mr. Speaker, that there will be pressure applied to this country to grant credits to foreign countries. You and I know, Mr. Speaker, that if those credits are granted they will never be repaid to us any more than the now defaulted war debts of the last war have been paid.

You and I know, Mr. Speaker, that when we get our money in in the form of loans and credits, then will come again the plea, the cry of desperation, as it came in 1917, that our creditors are bankrupt, and that if we ever expect to get our money back we must send our men in.

You and I know, Mr. Speaker, that if that ruse does not work there will come again, as in 1917, the cry that England and France are being beaten to their knees, and that as soon as they are conquered the Huns will be ravaging the shores of America.

You and I know, Mr. Speaker, that if we put our men and money into this conflict, if civilization survives at all, we will get out of the war precisely what we got out of the last one—nothing but abuse, hatred, ingratitude, and repudiation of what they owe us.

If it were possible for the United States to get into this war and actually fight a war to end all wars, or actually fight a war to make the world safe for democracy, and if those ends

could be accomplished thereby, we might then consider entering the conflict in spite of its enormous cost in blood and treasure. But, Mr. Speaker, I challenge any Member of this body to rise in his place and show any evidence whatever that will prove, or even indicate, that our going into this war will have any effect in making the world safe for democracy or even with putting an end to the thousands of years of quarrels and wars of the peoples of continental Europe.

Anyone who will study fairly and open-mindedly the distribution of minorities in the countries of Europe will be convinced of that which the foreign diplomats have always known and now know, namely, that Europe has problems which have never arisen in America, which never will arise in America, and which we cannot even understand, because they are so entirely remote from our geographical, our social, our religious, our political, and our economic concepts and conditions in the United States of America.

Of course, nobody at this particular moment will admit they want us to get into this war. I do not intend to discuss this phase of the question today, but I leave to your own common sense and judgment as to whether or not there are elements—and not inconsiderable elements—who do want us to get into this war for a variety of reasons.

Already we are beginning to hear the complaint that if we keep American ships out of the danger zones that more than a half of our tonnage must be tied up at the docks.

THE COST OF WAR

Mr. Speaker, I say to you that it is not only stupid, but it is criminal to attempt to measure our possible economic participation in this war in terms of profits. There is no such thing as war profits for any country or for the nationals of any country. What war and the destruction of war do not take while the war is going on, necessary taxation after the war will consume. For every dollar anybody can make out of the war the tax gatherer will in the future take a hundred or more.

Let me quote you a few figures from the last war.

The estimated money cost of the World War to the United States Government to June 30, 1934, was more than forty-one and one-half billions of dollars, as shown by the Annual Report of the Secretary of the Treasury for the fiscal year ending June 30, 1934. Of course, the cost of the last war is not ended by any manner or means and will not be ended until the last individual two- or three-score years hence ceases to draw a pension.

Not only did the war cost us that much in dollars for actual outlay, but the World War was responsible for the depression, which has cost the people of this country far more than the actual cost during the conflict.

Think of this, Mr. Speaker: More than 5,000,000 men and women died in the World War on the side of the Allies. Including the fatalities among the Central Powers, more than 8,500,000 human beings were butchered to death. Almost 13,000,000 men and women were wounded on the Allied side during the war, and, with those of the Central Powers, a total of more than 21,000,000 human beings had their bodies blasted or their minds wrecked, or both, for the rest of their lives. The total casualties of the last war, Mr. Speaker, as of June 1928, were nearly 37,500,000 people, and nobody knows how many more would be disclosed if a toll had been taken of the civilian population and those who died through fear and grief were charged up to that war. Sherman said, "War is hell." Why, Mr. Speaker, war is a double concentrated essence of hell, and we want none of it.

WE MUST BE ON OUR GUARD

We must be on our guard in this Nation that the blaring of bands and the waving of flags and the lofty platitudes of the orators and the emotionalism aroused by cunning propaganda do not blind us to that awful toll of nearly 40,000,000 casualties. The human costs and the more than forty-one-and one-half billion-dollar costs to our Nation alone, out of which this country got nothing but misery, agony, disillusionment, hatreds, and now another war.

I want for a moment, Mr. Speaker, to consider the favorite theme song of the pro-war propagandists. They keep telling us over and over and over again that unless we go to the assistance of the British Empire and France and her colonial possessions in this war that Germany will beat the Allies to their knees, require them to turn over their naval and air fleets, and man and gun power, and that immediately after those victories the Germans will be shelling the cities on our shores and will be at work reducing us to a state of vassalage. Poppycock! I would like to ask if there is a Member of this body who believes any such poppycock as that. Why, Mr. Speaker, in a finish fight between the British Empire and France on the one side, and Germany, Russia, and even Italy on the other, the final result probably will be stalemate with all the belligerents bled so white of manpower and money power, and with their peoples so utterly bereft of morale, that all of them combined could not, as Lincoln once said, "Take a drink from the Ohio River or make a track on the Blue Ridge in a trial of a thousand years."

If we intend to help a bewildered and dazed world back onto the highway of sanity, peace, good will, and prosperity, the only way in which we can do it is to stay out of this war, be prepared in kindliness and brotherly love to bind up the wounds of the war-torn nations, and, above all, make democracy work so well in this Nation that those peoples cursed by the rule of dictators will want our kind of democracy too.

WHAT IS WAR?

In conclusion, Mr. Speaker, let me say to you that when we talk of going to war we are talking about sending the flower of our manhood and womanhood into foreign fields and trenches, into the hell of mud and slime, and the stench of death and decomposing mangled bodies hanging on barbed wire while vermin feast upon the bodies of the living and trench rats feast upon the bodies of the dead. That is what we mean, I say, when we talk of war. Mr. Speaker, the flags are beautiful as they wave in the breeze while thousands of uniformed young Americans with the rhythm of marching feet pass in review. The music of the martial band is inspiring and beautiful, the call of the massed bugles is beautiful in the autumn air, the cheers and the tears are all romantic, but, sir, war is not blaring bands, it is not waving flags, it is not clean, bright-faced uniformed boys marching rhythmically in parade.

War, Mr. Speaker, is the utter fatigue of sleepless nights; it is the utter misery of cold and wet and muddy trenches; it is the gnawing hunger that goes for days unfed; it is the miasmatic stench rising from the mud and mangled bodies of man and beast in the no-man's land of the battlefields. It is orphaned children. It is widowed mothers. It is bereft parents. It is men gone insane with hatred, fear, and suffering while God's sunlight is blotted out from the battlefields by the smoke of belching cannon and bursting bombs.

That, Mr. Speaker, is war; and again I say we want none of it. [Applause.]

The SPEAKER. Under a previous special order of the House, the gentleman from Michigan [Mr. CRAWFORD] is recognized for 20 minutes.

SUGAR

Mr. CRAWFORD. Mr. Speaker, what I shall have to say in the next few minutes will probably not be of interest to anyone of you here except those who represent sugar-beet-growing areas and who believe in diversification of the beet-sugar culture as it is woven into the farm operations of this country.

My remarks have to do with a piece of Government propaganda which was released in the form of a Consumer's Guide bulletin under date of June 1939, page 11, in an article entitled "A Quiz on Ice Cream." The particular language to which I refer is this:

> The Federal Government's buying specifications require that ice cream contain at least 12 percent butterfat, at least 16 percent of sucrose (cane sugar), and not more than one-half of 1 percent high-grade gelatin.
>
> The insistence on cane sugar is aimed at the possible substitution of other kinds of sugar for cane. The other varieties are less sweet than sucrose, and therefore must be used in larger amounts. Ice cream made from these other sugars must be kept at lower temperatures.

Mr. Speaker, this case now before us shows how highly destructive a Government propaganda agency can be to our individual free enterprise, upon which the Government depends for its revenues to carry on the activities of government itself. In this case the bureau in question is acting as a consumers' counsel, telling the consumer what to do. It issues a cold-blooded statement which in no way squares with the facts, and the effect of the statement destroys the productive interest of one group in favor of another group which may or may not have closer contact with agency of propaganda. If counsel is to be given, then that counsel must stick to the facts and at no time be controlled by a given branch of industry and thus give service to one group and at the same time destroy another group.

This agency, functioning as a branch of Government, had access to all of the facts. There was no reason for acting in the realm of doubt. The experts could be reached by telephone or by personal contact; and, as a matter of fact, I have been informed that some of the experts actually reviewed the language before the release was made. If this be true, it only emphasizes the importance of what I have said.

I defy the Consumers' Counsel, or any of the others on his staff, which intermingles New Deal propaganda with data in articles bearing titles bound to attract general public interest, to show me anything in the Federal Government's buying specifications which require cane sugar in the manufacture of ice cream or to show me where the word "cane" appears in the specifications.

I hold here in my hand the Federal Government's buying specifications, more correctly identified as EE–I–116a, being the Federal Standard Stock Catalog on Federal specifications for ice cream, sherberts, and ices.

The catalog, which is current, and which I obtained from the Procurement Division of the Treasury today, was issued on April 20, 1939, and the article did not appear until June 1939. If the Consumers' Guide wanted to present the facts, why did not they get a copy of the specifications; or, if they did possess a copy, why did not they print the truth?

Ice cream specifications are given in paragraph E entitled "Detailed Requirements." It states this, which does not conform to the statements I have just read from the Consumer's Guide:

> Ice cream shall be the pure, clean frozen product made from sweet cream, milk or milk products, sugar and harmless flavoring, with or without certified food color, with or without gelatin and/or other edible stabilizers, and with or without eggs. Flavors may include vanilla, chocolate or cocoa, caramel, almond, coffee, mint, maple, butterscotch, or other approved flavors; fruits may include strawberries, pineapples, peaches, cherries, bananas, figs, raspberries, or other approved fruits; nuts may include walnuts, almonds, filberts, chestnuts, pistachio, or other approved nuts; and confections may include macaroons, sponge cake, marshmallows, candy, etc.; as may be called for in the invitation for bids. The flavor of the finished products shall be pleasing and characteristic of the flavor specified in the invitation for bids. The finished product shall contain not less than 14 percent by weight of sugar—

And so on. Compare these notes when you have access to the RECORD, and see the absolutely erroneous information and the misrepresentation of fact which is contained in the Consumer's Guide. This bulletin is issued by the Agricultural Adjustment Administration and paid for by the taxpayers of the United States, including those who farm in the sugar-beet growing areas of the Northwest and the Central West.

Going on to some of these other specifications, I now refer to Federal Standard Stock Catalog Z–P–631 of March 31, 1931, giving detailed requirements with reference to preserves, fruit, which, according to this catalog, "shall be made from not less than 45 percent fruit, and not more than 55 percent sugar (sucrose)."

Nothing is said about cane sugar.

Catalog Z–P–191 of May 26, 1931, dealing with canned peaches, states:

> Cans shall be well filled with fruit, which shall be packed in clear sugar (sucrose) sirup testing not less than 24° Brix at time of cut-out at a temperature of 60° F.

Nothing is said about cane sugar.

Catalog JJJ–S–791 of March 31, 1931, dealing with sugar, beet or cane, for use by the Army, Navy, and other Government departments, under the heading "Material and Workmanship," states:

> Shall be a pure product obtained only from sugarcane or sugar beets, and manufactured under modern sanitary conditions. Shall be free from any deleterious material or contamination from any source.

The Government standards call for sugar, beet or cane. There is no discrimination between the two commodities.

Standard Stock Catalog Z–J–191, of March 31, 1931, covering jellies, fruit, states this, and these are specifications of the purchasing departments of the Government:

> TYPE, VARIETIES, AND GRADE
>
> Jelly shall be of the type prepared from fruit juice (or, where applicable, strained water extract) and sugar (sucrose), in approximately equal proportions of such fruit juice (or strained water extract, when applicable) and sugar (sucrose).

Nothing is said about cane sugar as against beet sugar.

The War Department does not differentiate between cane and beet sugar when it purchases sugar for the use of the Army. It merely advertises for sugar. The same is true in the Navy Department. Their specifications can be, and are, met by both beet and cane sugar.

I have had the research division of the Library of Congress searching for some official evidence that cane sugar is better for ice cream than beet, or for any other general purpose. They could not find such a report but on the contrary advised me authorities in the Bureau of Home Economics of the Department of Agriculture informed them there was no difference in the food value.

The Food and Drug Administration, now formulating ice-cream standards, informs me beet and cane alike qualify for ice-cream standards.

In another bulletin published by the Department of Agriculture, Farmers' Bulletin No. 1637, we find this language at the very beginning of the bulletin:

> Sucrose, the sugar of commerce and kitchen, is extracted from the tissues of the sugar beet and the sugarcane. Whichever plant it comes from, the product, when pure, is identical in all properties and for all purposes.

A recent study has just been released by the United States Department of Agriculture, Bureau of Agricultural Chemistry and Engineering, made by Mr. E. K. Ventre and Mr. S. Byall and Mr. H. Hall. These studies were put into operation several years ago. It was my good fortune to have a part in establishing the studies. They are highly technical and of interest to research students and those who are engaged in manufacturing that which requires the technical use of sugar.

The American Canners' Association have laid down specifications as to the type of sugars that will meet their requirements for the canning of fruits and vegetables, and in quoting from this report I shall show the specifications which they have published for manufacturers of sugar with reference to the total aerobic thermophilic spores that may be contained in sugar sold for the use of canners.

For the 5 samples examined there shall be a maximum of not more than 150 spores and an average of not more than 125 spores per 10 grams of sugar.

For the aerobic flat sour spores—and, incidentally, these spores are the things that cause spoilage in fruits and vegetables after they are canned—of the 5 samples examined, there shall be a maximum of not more than 75 spores and an average of not more than 50 spores per 10 grams of sugar.

For the anaerobic sulfide spoilage spores there shall be present in not more than two—40 percent—of the five samples and in any one sample to the extent of not more than five spores per 10 grams of sugar.

For the anaerobic thermophilic hard swell spores there shall be present in not more than three—60 percent—of the five samples and in any one sample to the extent of not more than four—65-plus percent—tubes—method for testing.

This has to do with the method of testing.

This report, which was published as late as August 1939, deals specifically with tables on pages 11 and 12 of the report and shows that out of 77 samples of beet sugars drawn that with reference to the flat sour spores 43 samples do not even show a trace, although the canners' specifications provide

there may be up to 75 spores, or an average of not more than 50 spores for 10 grams of sugar.

Therefore with the thermophilic spores test and the aerobic spores test and the anaerobic spores test all samples met the test with the exception of three samples. They were Nos. 3816, 3835, and 3867.

Those who are familiar with the technical use of sugar know very well that these spores often get into the sugar after the sugar leaves the factory.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield at that point?

Mr. CRAWFORD. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Is it not a fact that the American white sugar is more highly refined than imported white sugar?

Mr. CRAWFORD. Yes; that is true because of the methods used in purifying and in processing; that is, extracting the sugar from the cane juice, because your imported sugars are brought from sugarcane areas.

Mr. SMITH of Ohio. And the gentleman is speaking now of white sugar?

Mr. CRAWFORD. I am talking about white sugars; yes.

Mr. SMITH of Ohio. With respect to those numbers the gentleman refers to, the gentleman does not know whether that is imported sugar or whether it is American sugar?

Mr. CRAWFORD. These numbers I am dealing with today are strictly beet sugars.

Mr. SMITH of Ohio. Then let me ask the gentleman this question: There is then a differential, and we do have a more highly refined sugar than the imported white sugar; and is that differential taken into consideration in fixing the tariff on imported sugars?

Mr. CRAWFORD. I do not believe it is, because the purification test on the imported white sugars from the offshore areas as tied into the tariff law, in my opinion, does not cover that fine point. As you step up the degree of purity in your raw sugars that are imported into the country under your tariff laws you will find that that is taken care of. In other words, it costs more to refine the white sugar that is turned out—that is the grade I mean—from the beet-sugar mill as set forth in this analysis than it would cost to turn that sugar out if it met only the purification characteristics of the imported white sugar that comes in from our offshore areas. So to that extent I would say that the gentleman's position is correct, and that that is something that should be taken into consideration in the wording of a tariff law.

Mr. SMITH of Ohio. And that leads to another question. We could reasonably infer, then, that it is costing us more to refine our sugar than it is the sugar refined in the countries from which we import sugar.

Mr. CRAWFORD. In the offshore areas, yes; because of the method used in the process.

Mr. SMITH of Ohio. Does the gentleman consider that an important factor to be taken into consideration?

Mr. CRAWFORD. I do; because the theory of your tariff is to provide for the difference in the cost of production. You might say, What causes that? In the islands they use the vegetable-filtering compound, while in the seacoast refineries they use the bone char filtering compound. The initial cost of putting in the bone-char equipment is so much greater than for putting in the vegetable-filtering equipment that it enters into the proposition from the standpoint of fixed capital. You can renew your supply of vegetable-filtering compound, I believe, for less cost than you can renew your bone-char filtering compound.

Mr. CLEVENGER. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. Yes.

Mr. CLEVENGER. If we were to step over to one of our Connecticut Avenue shops and buy some of their most expensive imported confectionery or some food, would that be made of cane or of beet sugar?

Mr. CRAWFORD. The chances are 99 out of 100 it would be made from beet sugar, and here is the reason for that. Back about 1812 Napoleon established the beet-sugar industry in France, and made it an obligation on the part of the people to produce beet sugar and to consume it. That went on up to the point where they exported it. So did Germany. Germany developed a great beet-sugar industry.

Mr. CLEVENGER. And millions of those people have never tasted cane sugar.

Mr. CRAWFORD. Tens of millions of people in central Europe have never seen a pound of cane sugar, because it is practically commercially prohibited from coming into all of the beet-sugar areas of Europe. They have produced a great deal of sugar and they have exported lots of sugar.

Mr. CLEVENGER. So that beet sugar has met the test, thousands of them, from the candy manufacturers and the ice-cream manufacturers to everyone else.

Mr. CRAWFORD. Yes; from the candy and ice-cream manufacturers and the vegetable canners and the confection manufacturers, and so on down the list, and any technical man who takes a report of this kind and studies it sees immediately why it does meet the test, and in the years gone by I have gone into the laboratories of the manufacturers and consumers of sugar all over the State of Ohio and worked with them on this very problem. I have gone into some places where the manufacturer said, "I cannot use your beet sugar at all." And where did he get that idea? He got it from the propaganda put out, and which was just as highly destructive to the beet-sugar industry as this article here is. I should say this in justice to the Department. They have today admitted to me that this is an erroneous statement, and they state that they propose to correct it, and they should correct it; but this shows how you have to guard the operations of these departments when they start putting out propaganda in behalf of Government bureaus and Government operations.

Mr. CLEVENGER. Would the gentleman say that this is just another piece of the age-long struggle to stigmatize beet sugar that we face today in the sugar-growing areas and have for years?

Mr. CRAWFORD. I think it is a continuation of it, and you might say, for instance, that the cane-sugar people did not write that article. I do not say they did, but somewhere in the past there was planted in the mind of the person who did write this article the thought that beet sugar is not sucrose, because this article says that the insistence on cane sugar is aimed at the possible substitution of other kinds of sugar for cane, and that the other varieties are less sweet than sucrose. It brings up a technical proposition there and says, in substance, that beet sugar is not sucrose.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SMITH of Ohio. Could you tell us specifically who wrote the article?

Mr. CRAWFORD. I cannot give you the name of the party. However, Miss Mary Taylor, editor of Consumers' Guide, frankly admitted this morning the article was prepared in the Department and that the copy was read by some of the so-called authorities in the Department before it went to press.

Mr. SMITH of Ohio. But it is somebody from the Department?

Mr. CRAWFORD. Yes. You can find out exactly who wrote the article by calling the Consumers' Guide Department down there.

As a further example of the apparently consistent effort which is being made by Government bureaus and agencies to destroy the sugar industry of the continental United States, I wish at this time to refer to Bulletin SI–1, entitled "Sugar Beets and the Sugar Act," released on or about the 16th of last July. Its contents consisted of such a vicious attack upon the domestic beet-sugar industry that it became necessary for the Department of Agriculture to suppress it and stop all distribution of the bulletin before the 22d of the month in which it was released. Let me point out, however, that the distribution was not stopped until political pressure from the sugar beet growing areas was brought to bear on the administration. Such steps on the part of Government are a continuation of the program which has been operating

in this country in recent years and which results in a weakening of the private-enterprise system upon which the Government necessarily depends for its revenue. It should be clear to everyone that democracy as we comprehend it cannot exist without our private-enterprise system. The progressive weakening of the private-enterprise system paves the way for a substitution of bureaucratic despotism for the free economy which we have heretofore enjoyed.

Now, here is a further illustration of what is going on. Here is a speech given by Mr. Thurman W. Arnold, Assistant Attorney General of the United States, before the National Petroleum Association. You know, they say sugar and oil do not mix, but they mixed in this case. This was on September 13, 1939, Hotel Traymore, Atlantic City, N. J.

The Assistant Attorney General, in my opinion, went far out of his way to sock the beet-sugar industry right on the head when he made this presentation. Now, remember, this was about the time we were all getting excited a few days ago in connection with advancing prices.

Mr. Arnold says:

> To give you an idea of the temper of the people today, I will read a few of these wires, selected at random.

Those are wires that had been sent to the Department about catching the profiteers:

> Here is one from the treasurer of a small manufacturing company:
> "Profiteering seems to have gotten off to a rapid start with sugar refiners accepting no business and local jobbers asking ridiculous prices. * * * As manufacturers using a fair amount of sugar we are being severely penalized. * * * I believe you in a position to remedy this unfortunate situation."
> Here is one from a farmers' union——

The SPEAKER pro tempore (Mr. PACE). The time of the gentleman from Michigan has expired.

Mr. SMITH of Ohio. Mr. Speaker, the gentleman is discussing a very important subject and I ask unanimous consent that his time may be extended an additional 10 minutes.

The SPEAKER pro tempore. Under special order heretofore granted, the gentleman from Montana is entitled to recognition.

Mr. THORKELSON. I will be glad to take my time after the gentleman has finished.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio that the time of the gentleman from Michigan be extended 10 minutes?

There was no objection.

Mr. CRAWFORD. Then the Assistant Attorney General proceeds to quote another telegram:

> Request the Department of Justice to make immediate investigation as to the reason for the sharp advance in prices of sugar. * * * In Michigan local merchants and wholesale grocers complain that they cannot secure sugar from the sugar refineries only in very limited quantities. This being canning season both consumers and producers of vegetables are compelled to suffer. * * * We appeal to you for help in the interests of both producers of fruits and vegetables, and consumers.

Well, what was the situation then? We had a quota law in operation in this country. Friends of mine throughout the country had their warehouses filled with sugar, but the quota law specified that those sugars should not be sold until subsequent to the opening of business January 1, 1940. Of course, the average fellow who did not know the details would assume that if my friend from Iowa, for example, Mr. GILCHRIST, had a warehouse full of sugar and did not offer it for sale, that he was trying to profiteer; but he was carrying out the orders of the United States Government. That grew so bad until planned economy, functioning through Secretary Wallace and the President, canceled the quota law, which they had a right to do. When the quota law was canceled sugar began to move; but the Assistant Attorney General and the Department of Justice, knowing those facts, come along and throw out the impression that all you have got out in the State of Michigan, where I live, is a bunch of sugar racketeers, trying to profiteer on the people of the country. It is not true, of course.

Mr. CLEVENGER. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. CLEVENGER. In substantiation of what the gentleman has just stated, one of the sugar plants in my district was given a quota as low as 4.74 percent of their last year's production, and no one less than 9 percent. The livelihood of more than 3,000 farmers in my district depends upon sugar. They were allowed to sell less than 9 percent in my district. I give you that in confirmation of what you are saying.

Mr. CRAWFORD. Thank you. This brings down to date conclusive evidence of my opinion that planned economy cannot partly function successfully. If you have planned economy, you have to have it 100 percent. Here is a case where planned economy, put into operation by this Congress, through Government officials, was one or two weeks behind the psychological reaction of our people to the war situation wherein the people wanted to buy. They wanted to buy, and the stocks were not available, because they were tied up in warehouses under the quota law. After the pressure became so great out in the country and people sent in their telegrams to the Department of Justice charging racketeering and profiteering, then planned economy comes along and functions and says, "Let us erase the quota"; but it comes too late.

The harm is already done, according to the Department of Justice, because—I repeat, quoting Mr. Arnold—"it has already taken millions in tribute and has already embarrassed thousands of small-business men." You cannot pull the trigger fast enough. If you are going to have private enterprise on the one hand, you cannot have a successfully operated planned economy at the same time, and this case proves it, in my opinion.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that sugar is an essential part of our national defense, and that in America we produce less than one-third of the sugar we consume?

Mr. CRAWFORD. When the gentleman says "America," I take it he means the continental United States.

Mr. SCHAFER of Wisconsin. Yes; continental United States.

Mr. CRAWFORD. That is correct.

Mr. SCHAFER of Wisconsin. And is it not a fact that taking advantage of the American people during the last World War the Cuban sugar monopoly raised the price of sugar so that our American consumers had to pay as high as 35 cents a pound?

Mr. CRAWFORD. It resulted in that price being paid by the consumers in this country for refined sugar.

Mr. SCHAFER of Wisconsin. In view of this fact and the new European war, should not the Congress enact legislation to repeal the existing New Deal sugar laws which are adverse to our American sugar producers and consumers, and adverse to a proper American national defense? The New Deal sugar program is beneficial to the great Cuban sugar monopoly which is an important power behind the throne of the New Deal, and which has its spokesmen firmly intrenched in the Government departments. Our American markets should be preserved for our American sugar producers to the full limit of their capacity to supply it.

Mr. CRAWFORD. Here is an illustration, referring again to Mr. Arnold's statement: There is nothing in this statement which referred to the fact that on the outbreak of the war the other day Cuba withdrew from the markets of the United States. Come over to my office and I will show you the market reports which are the accepted bibles of the trade. Cuba withdrew from the United States market; and bear in mind that we depend upon Cuba under this control system the gentleman just referred to for, in round figures, 2,000,000 tons of our annual sugar supply. Cuba, of course, has the technical, legal right to withdraw from the market; but where does it put the consumers of sugar in this country when Cuba does withdraw? It subjects them to such exploitation as may develop under the withdrawal from the market. If England and France bid a higher price for raw sugar in Cuba than you bid, you do not get the Cuban raw

sugar. Cuba can sit there today and play the United States against England and France. She is already doing this, and the price of raw sugar is beginning to work up and up and up; and, as the gentleman from Wisconsin has pointed out, during the last war the price of raw sugar worked up to where it reached $23.50 per 100 pounds and refined sugar went up to $35 per 100 pounds on the consumers' table in the central West. I paid $35 for a 100-pound bag myself, and I was in the business at the time, but the domestic supply was exhausted, and I had to pay that to get it. This illustrates what Cuba can do under the present situation.

The gentleman from Wisconsin asked me if I were in favor of correcting the law so that the farmers of the United States can grow such sugar beets and such sugarcane as they desire to grow toward filling our sugar needs. Is that the gentleman's question?

Mr. SCHAFER of Wisconsin. That is the exact question. Such a principle is a true American principle. It is about time the representatives of the American people thought of America and Americans first instead of a bunch of international sugar racketeers in foreign lands.

Mr. CRAWFORD. Especially if there is going to be a 3- or 4-year war ahead of us in Europe.

Mr. SCHAFER of Wisconsin. The price of sugar might then go to 50 cents a pound if we permit the New Deal to continue to serve the Cuban sugar monopoly and help it strangle our own American sugar producers.

Mr. CRAWFORD. We should begin to think of where we are going to get our own needs supplied.

Mr. GILCHRIST. If the gentleman will permit an interruption, I believe he has not answered the other question yet.

Mr. CRAWFORD. I thank the gentleman for reminding me. I am in favor of correcting our law so that the American people under the American flag—that means Hawaii, Puerto Rico, the Virgin Islands, continental United States—beet and cane—can grow such sugar as they want to grow for the American market. Then if we have not got enough let foreign countries supply the balance.

Mr. GILCHRIST. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. GILCHRIST. What does the gentleman say about our duty toward Cuba? Do we owe a duty to the Cuban people as a result of the Spanish-American War, that we entered into to rescue those people from the terrible conditions then existing in that island? Do we still have the duty we then assumed; does that duty still exist on our part to protect the Cuban people economically?

Mr. CRAWFORD. If we are to construe that situation as a moral responsibility or duty, or some form of charity, then I think we should go at it on a constructive basis and bring about conditions that will induce—and, if necessary, use a little bit of economic force—induce the Cuban people to diversify their agricultural operations and cease to rely upon a strictly one-crop economy, namely, sugar. I think our situation in Puerto Rico could be greatly relieved if we would have the Puerto Ricans diversify their agricultural operations. But Puerto Rico is our territory. But as long as you let Cuba and the Philippines continue as one-crop islands, you might say, or set of islands, dependent upon the United States sugar market, somebody is going to suffer, either in the continental United States or in those islands, and the chances are that the poor people in the islands will do most of the suffering because of the exploitation of absentee-ownership operation on a one-crop economy. So we have probably a moral responsibility to use our efforts in correcting the very thing we have helped to build. We also have poor people here in this country—farm families, if you please, whose total gross income amounts to less than $500 yearly for the entire family. [Applause.]

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein excerpts from Government publications.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and I also ask unanimous consent to extend my own remarks by printing a speech made by a former Member of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana [Mr. THORKELSON] is recognized for 30 minutes.

Mr. THOMASON. Mr. Speaker, before the gentleman begins his remarks, I wonder if he would yield for a question or two by me?

Mr. THORKELSON. Yes; I yield.

Mr. THOMASON. I do not want to interrupt the gentleman in the course of the remarks to which he expects to address himself today. I rise at this time to make an inquiry, more than anything else. I observe from the daily RECORD that on Wednesday, October 11, beginning at page 598, there appears six small-typed pages of an extension of remarks by the gentleman from Montana, purporting to be a letter signed by Col. E. M. House, and addressed to the Right Honorable David Lloyd George, from the British consulate in New York City on June 10, 1919, in which Colonel House, in effect, proposed, as the gentleman from Montana suggests, an "invisible government" for world domination. May I ask the gentleman if this is the late Col. Edward M. House, of Texas, and one time an intimate of President Wilson?

Mr. THORKELSON. That is who it is supposed to be; yes.

Mr. THOMASON. Supposed to be? Does the gentleman have positive information that it is the same Colonel House?

Mr. THORKELSON. What does the gentleman mean by "positive information"?

Mr. THOMASON. I do not mean to question the good faith of the gentleman, but, having known Colonel House more or less casually and quite well by reputation, I am anxious to know the authenticity of this letter.

Mr. THORKELSON. I think if the gentleman will read the letter, if he will review the things that happened since the letter was written and what happened before the war; if he will take into consideration that the Prince of Wales was over here dancing around after the war, as stated in that letter; and if he will take other things into consideration, I think he will find that the letter is authentic in the manner it is written.

Mr. THOMASON. Will the gentleman state for the benefit of the Members of the House, many of whom have serious doubts about the authenticity of the letter, from what source he obtained the letter and what evidence he has of its authenticity?

Mr. THORKELSON. The gentleman may read the letter and draw his own conclusions.

Mr. THOMASON. I have read the letter with amazing and unusual interest. Knowing Colonel House and his life work in a way, I, along with many of my colleagues from Texas and, I believe, many of my colleagues in the House have serious doubt about the authenticity of the letter, and I therefore would welcome the gentleman placing in the RECORD some evidence of its authenticity.

Mr. THORKELSON. The letter has been published. The letter, of course, does not itself refer particularly to England. It refers to the power that rules England. Let me give the gentleman a little history.

Mr. THOMASON. Does the gentleman have the original of this letter?

Mr. THORKELSON. No; I have not.

Mr. THOMASON. Can the gentleman tell me if the original did bear the date line "British Consulate at New York City" and if it was signed "Col." E. M. House?

Mr. THORKELSON. I presume it does.

Mr. THOMASON. Does the gentleman have any evidence of that fact?

Mr. THORKELSON. No.

Mr. THOMASON. Will the gentleman furnish to the House some evidence of the authenticity of this letter?

Mr. THORKELSON. May I refer you to the American Publishing Society, Bremerton, Wash.

Mr. THOMASON. I do not mean to trespass upon the gentleman's time, but may I say in that connection that Colonel House is not here to defend himself, and I think a rank injustice may have been done a very distinguished citizen.

Mr. THORKELSON. It is not a rank injustice. I do not care if the man who wrote that letter came from Texas or anywhere else.

Mr. THOMASON. But he was a great American citizen, and it is the rankest kind of an injustice if this is not a genuine letter signed by him. I want to know if Col. E. M. House signed this letter, and if the gentleman will be kind enough to furnish to the House evidence of that fact. I do not know whether it is his genuine signature or not, but I do not hesitate for one minute in saying that I have very serious doubt about it. I think, in view of that doubt, the gentleman ought to furnish evidence of its genuineness and its authenticity to the House, and I will ask him if he will not do so.

Mr. THORKELSON. The fact remains that the history in that letter speaks for itself.

Mr. THOMASON. I am not speaking of the contents of the letter. I want to know if Col. E. M. House signed this letter.

Mr. THORKELSON. I did not see Colonel House sign the letter, but the letter contains factual history which proves itself, and the publishers who published this letter employ the following title:

British Secret Service Report, 1919. The answer to all questions about how, when, and who caused America, "the richest nation on earth," to have a depression.

Mr. THOMASON. Will the gentleman say that he has evidence that Colonel House did sign the letter or that there ever existed a genuine, bona fide letter of that kind that was signed by the late Colonel House?

Mr. THORKELSON. I do not know that positively; no.

Mr. THOMASON. The gentleman will not say that it is genuine, then?

Mr. THORKELSON. No; except as far as history speaks within the letter itself.

As one reads this letter, the importance of it stands out boldly, for many of the incidents mentioned in the letter are known to us today. We know we have a world movement for an international government which was actually supposed to be started in the League of Nations. It failed because we did not support this plan in the United States. When we consider the means of propagandizing the United States as set forth in this letter, the letter itself becomes even more significant, because we know the very things which are mentioned in this communication actually have happened in the United States; and the peculiar thing is that it is happening again today. As I said following the letter, disregard the source and destination, and I meant that. It is not a question of reflecting on the personalities of any individual, but is instead a synopsis of events during and since the World War. Many of us are familiar with these events, and the value of the letter may be found in this knowledge.

I am somewhat familiar with this movement, as it began with the life of Cecil Rhodes, and was later taken up by the Carnegie Foundation. Reference to that, of course, may be found in many publications.

The serious plight of England in 1916 is known today. For the success of the Entente, it became very important that the United States join that war, not only in order to sustain credit which had been extended to the powers, but also to join them actively with manpower. There was little interest in this in the United States at that time, and none before.

I shall now quote from page 6, World Jewry, for February 22, 1935:

BALFOUR DECLARATION—SECRET FACTS REVEALED

In fact, the British and French Governments had entered into a secret pact, known as the Sykes-Picot Treaty, from the names of the representatives of the parties—Sir Mark Sykes and M. Georges Picot—for the purpose of dividing Palestine, giving the northern half to France and the southern to England. In this pact there is no suggestion of any Jewish interest in Palestine.

That was the situation in the late summer of 1916, when Sir Mark Sykes, then Under Secretary of the War Cabinet (with Amery and Ormsby-Gore), held a conversation with Mr. James Malcolm, a member of the Armenian National Delegation who was of such invaluable help to the British Government in eastern affairs.

Sir Mark told Malcolm that the War Cabinet was greatly disturbed at the failure, up to that time, of all efforts to enlist the practical sympathy and help of the United States. The French Government had sent a special emissary, without success. Italy had tried to use the influence of powerful Italian citizens in the United States of America, but to no avail. He had thought of enlisting the substantial Jewish influence in the United States, but had been unable to do so.

The leaders of Anglo-Jewry, lay and clerical, whom he had seen, did not seem able to give him effective help. It might be that the Jewish hatred of Czarist Russia was so strong as to make it impossible for American Jews to be other than pro-German.

Malcolm informed Sykes that there was a way to make American Jews thoroughly pro-Ally, and he knew of a man in America who was probably the most intimate friend of President Wilson. Through that man, if through anybody, the President's mind could be turned toward active participation in the war on the side of the Allies.

ZIONIST MOVEMENT AS THE KEY

Malcolm said further: "You are going the wrong way about it. The well-to-do English Jews you meet and the Jewish clergy are not the real leaders of the Jewish people. You have forgotten the existence of the principle of nationality. * * * Do you know of the Zionist movement?"

Sir Mark Sykes admitted comparative ignorance of Zionism, and Malcolm continued: "You can win the sympathy of Jews everywhere in one way only, and that way is by offering to try and secure Palestine for them. * * *"

Sir Mark, thinking of the Sykes-Picot Treaty, said that such a move was impossible. Malcolm insisted that there was no other way, and urged a Cabinet discussion. A day or two later Sykes told him that the matter had been mentioned to Lord Milner, at that time a very influential member of the war Cabinet, who had asked for further information. Malcolm pointed out the influence of Judge Brandeis, of the American Supreme Court, and his strong Zionist sympathies. If Sir Mark Sykes could obtain from the war Cabinet an assurance that help would be given toward securing Palestine for the Jews, it was certain that Jews in all neutral countries, especially the United States, would become pro-British and pro-Ally.

The Cabinet could not give any definite promise, but advised Malcolm to open negotiations with the Zionist leaders. This, Malcolm said, was impossible, as he could not go to them empty handed. It would be sufficient if Malcolm were convinced of the sincerity of the Cabinet's intentions, so that he could go to the Zionists and say, "If you help the Allies, you will have the support of the British in securing Palestine for the Jews."

This appealed to Sir Mark, but he saw grave difficulties. In the first place, France was counting on the Sykes-Picot Treaty. France would have to be persuaded to support the idea of Palestine for the Jews. Then there was the Vatican—Sir Mark himself was a Catholic—which would not support a scheme which meant placing the Christian holy places under Jewish control.

Malcolm replied that these difficulties must be overcome if the Allies wanted the help of the United States. Palestine meant Jewish support, which was becoming increasingly necessary.

That is exactly what happened in 1916, which was instrumental in alining us on the side of Great Britain in the World War. It was that influence from England, where the "invisible government" is sitting today, that brought us into that war. As I said, after quoting the letter, the important point to bear in mind is the information which the letter contains. However, we do know that there was a Mr. House, adviser in the Wilson administration, and it was the same administration that allowed the United States to become involved in the World War. We also know that Colonel House is supposed to have written a book—Philip Dru, the Administrator—which is a peculiar book, and that he is also credited with having written Gabriel Over the White House.

Mr. THOMASON and Mr. SCHAFER of Wisconsin rose.

Mr. THORKELSON. Let me answer the gentleman from Texas first. I know the gentleman is trying to clear Colonel House, but let us forget Colonel House.

Mr. THOMASON. No; I am just pleading for fairness to a distinguished man who is now dead.

Mr. THORKELSON. That is all right.

Mr. THOMASON. I want to know if I understood the gentleman correctly that it did not make so much difference about the genuineness of the signature, because that was not so material. I say out of respect to a man who is not here and cannot speak for himself, and to place a letter

of that kind in the RECORD without some evidence of its genuineness and authenticity is unfair, and I maintain that the gentleman ought to provide this House with some evidence that the late Colonel House signed that letter.

Mr. THORKELSON. I want to give you the facts about what happened during the World War, which I know about, and also what is happening today, which I also know something about. I do not think it makes very much difference, because the question today is not the reputation of any man and it is not a question of the character of any man. We know we were deceived during the World War, and we know we are being deceived today, and the question now is to prevent this country from getting into a war that we have no business to be in, and that is my purpose.

Mr. THOMASON. In that connection, does the gentleman think this is a very appropriate time to be stirring up race and religious prejudice in this country in view of world conditions?

Mr. THORKELSON. I want to inform the gentleman that I am not interested in creating racial hatreds, and I would not have mentioned this Balfour declaration if the gentleman had not forced me to do so. I have more information on this subject, which I am not going to insert in the RECORD, because I do not want to create racial hatreds, but if a choice must be made between obscuring facts and the protection of the United States, I shall reveal such facts as long as I can stand on my feet.

Mr. THOMASON. Day before yesterday the gentleman expressed his great hatred for Great Britain. I assume, of course, that also extends to the Canadians, and I am wondering where in the present world crisis his present sympathies lie.

Mr. THORKELSON. I did not express my hatred for Great Britain. I said I had as little use for her as any other European power.

Mr. THOMASON. I think the gentleman said he had less use for her.

Mr. THORKELSON. Well, I will grant that.

Mr. THOMASON. I wonder where the gentleman's sympathies are today in the present crisis.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Let me answer this other gentleman. Will you state the question again?

Mr. THOMASON. In view of the gentleman's expressed hatred for Great Britain, now when we are at least talking neutrality, and I hope not idly, I am sure every Member wants to do the best thing to keep us out of the present war. Does the gentleman mind stating where his sympathies are in the present world crisis?

Mr. THORKELSON. My sympathy is right here in the United States of America, and if the gentleman will read my remarks in the RECORD he will find just exactly where I stand. I am opposed to all European powers because I know them a darn sight better than you do.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Yes.

Mr. SCHAFER of Wisconsin. Is it not a fact that the same international tribe which plunged us into the World War in the name of "making the world safe for democracy" is on the move now with propaganda to plunge us into the present war in the name of "saving world democracy"? Instead of making the world safe for democracy in 1917, 1918, and 1919 we made America safe for Old Man Depression and the rest of the world safe for dictators.

Mr. THORKELSON. I thank the gentleman for his contribution.

It is now my desire to call attention to more propaganda issued by the invisible government through its movies. It is the play called Thunder Afloat. It is the same propaganda we had during the World War, which is now beginning to aline us again on the same side as we were in 1917.

Mr. THOMASON. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Pardon me, but I want to finish this. I shall answer the gentleman at a later date and bring forth some facts that may prove interesting to Members of Congress.

Mr. Speaker, let me point out the importance of the information in the remarks of my colleague the gentleman from Ohio [Mr. SMITH]—CONGRESSIONAL RECORD, October 12, page 344. He enumerated neutrality acts from the seventeenth century on, which represents considerable research into the neutrality problem. Each and every one of the neutrality acts that he enumerated consisted of embargoes on the sale and transportation of contraband, particularly war material. In our Neutrality Act it is called the arms-embargo clause, and it is that that the President asks Congress to repeal.

Is it not strange that over a period of several centuries neutrality acts have confined themselves entirely to arms embargoes or prohibition of sale and transportation of guns, ammunition, and other war material? Is it not equally strange that after these hundreds of years this administration comes forth with an idea diametrically opposed to that which all nations have applied for these many years? The President, in the Neutrality Act, speaks of neutrality in the same manner that he enumerates the benefits to be derived from the act, such as safety, peace, and protection of life. All of these are obviously used for one purpose—to disguise the real intent of this legislation. It makes this bitter pill palatable so that it will be swallowed by Congress.

Neutrality is a status we establish and announce to nations at war, by which we pledge ourselves to help neither one side nor the other. This can be passed before war is declared or after war is declared, for we have a perfect right to stop sale of arms and all war material at any time we choose to do so. That is what these nations have done for hundreds of years, so they could be impartial, so they could be fair, so they could treat all nations at war alike and remain neutral. It is that type of neutrality that has allowed Holland, Denmark, Norway, Sweden, Finland, Switzerland, and other European countries to remain neutral even during the World War. Not one of those nations set aside safety zones for its own shipping. Not one of them declared war zones. Not one of them attempted to regulate foreign ships in its harbors—to investigate them and to fine them. As a matter of fact, each of those nations knew its place, which is something that we have yet to learn.

Let me call attention again to this point: Neutral ships, Scandinavian ships, have already been sunk by submarines, and no doubt those ships were engaged in carrying contraband to the powers which are now at war with Germany. Are Norway or other Scandinavian countries complaining because of the loss of such ships? No, indeed. In carrying contraband cargoes to enemy powers they accept the risk of such trade and, without complaint, take the consequences if they are caught.

May I now again call attention to our Neutrality Act? Congress can enact neutrality legislation without inviting criticism of foreign powers if we follow the custom that other powers have followed for 200 years. What is that custom? It is to declare neutrality by enforcement of an arms-embargo clause on such material as would be an aid to nations at war, one as much as the other. In passing legislation of this sort we are not concerned with the fact that one nation might have a navy and another one might not have the same type of a navy. That is none of our business. It is, however, our business to be neutral, and neutrality can only be maintained by sale to all on exactly the same basis or else by denial of sales to all on exactly the same basis.

Now, then, the question—if we actually want to be neutral—is whether or not we should be bound to the policy of no sale or whether we shall choose the policy of selling war materials. As we look over history again we find that all nations which established neutrality selected a neutrality policy of no sale of arms and ammunition to any power at war. The reason, of course, is obvious, for it is a greater safeguard for maintaining neutrality.

It is for that reason that the arms-embargo clause was incorporated in the Neutrality Act in the last session of Congress, for that clause was the only neutral part of the act.

Let us now analyze our own legislation. The Neutrality Act of 1939 gives the President or Congress the power, by a joint resolution, to serve notice that a state of war exists among certain foreign states—notice which is useless and unnecessary. After having given this notice, however, things begin to happen. The President then assumes command and declares that a state of war exists among foreign states, which is none of his concern and none of our business. Such foreign nations may not like this, even if he is correct. At any rate, they have a perfect right to object to the President's proclamation. The legislation further grants power to the President to declare war zones safety zones by negation; to set aside potential neutral areas in the Pacific, in the China Sea, and to declare lakes between us and a belligerent power open for commerce; the assumed power of patrolling hundreds of miles at sea, which we have no right to do under international law, except as a measure of mercy for ships in distress. It gives him the power to detain foreign shipping in our ports, investigate, and demand bond if he believes they have engaged in commerce not agreeable to his views. This act in itself is full of dynamite, because a foreign nation may object to it, and that in itself would be paramount to an unfriendly act, and therefore the very incident that could catapult this Nation into war.

The power granted to the President in the so-called Neutrality Act is incorporated for no other reason than to allow him to aline the United States up in the next war, if it is to come, with England and France.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Yes.

Mr. PITTENGER. The gentleman is talking now about the bill that the House passed?

Mr. THORKELSON. I am talking about the bill now under consideration in the Senate.

Mr. PITTENGER. The Senate bill or the House bill?

Mr. THORKELSON. The bill before the Senate.

It is my opinion, if we pass a neutrality act that is actually neutral, as the word implies, it will prohibit the sale, shipping, and transportation of arms to all powers at war on exactly the same principles that neutrality legislation had been written in the past. If Congress will confine itself to this type of neutrality, I am reasonably sure that the war which is now in the making in Europe will stop. There will be no war, because it means that England and France will have to fight it alone, and they are not going to do it. So if we pass sensible legislation we will do the world a lot of good, because we will be able to enforce peace by being honestly and sincerely neutral ourselves.

Conceding that Europe wants to commit suicide and go on with the present war, which is entirely its own business and should be no concern of ours, the fact that we have established an embargo on arms leaves us strong when they have fought themselves weak and exsanguinated. In this position we can be of greater aid to them than we would be in joining in this holocaustic destruction of civilization and the human race.

I therefore object to giving the President this unconstitutional power, the power of a dictator, not for peace, but for war.

It is our solemn duty to provide neutrality for the United States so that we may remain at peace. We can do that by enacting a neutrality act placing embargoes on all war material to all powers at war, prohibiting transportation in our own ships to nations at war. In providing legislation of this type belligerent powers will be more inclined to respect the right of our ships to maintain trade with neutral nations. If such neutral nations are located in war zones, due notice should be given to all belligerents of the cargo carried in our ships. It is obvious, if we carry contraband cargo of war materials to such neutral nations as I have mentioned, it may not be for their own use but for transshipment to nations at war. In such event the ship is liable to seizure by the blockading power. Let us not forget that the English blockade of Germany today is not only against war material but against all commodities—food and war material consigned to Germany.

During the World War, England laid down a very tight blockade on Germany. No foodstuffs and no war material. As a matter of fact, nothing was allowed to pass through that blockade. The ships that tried to run the blockade were captured and taken to an English port, the cargo confiscated and used by Great Britain for her own purposes.

I mention this as a point in contrast, for there is so much discussion here today about nazi-ism, fascism, and anti-Semitism that one who opposes the subversive activities which are now undermining our Government is immediately called Nazi, Fascist, and anti-Semitic by the Communists or those engaged in such subversive activities.

Let us now look at this from the angle of the Central Powers. They were, during the World War, and are today, suffering from an airtight blockade, not only of war material but of all foodstuffs as well. Great Britain is not worrying about whether or not the civilian population in those countries is starving, lacks medical care, are ill-clothed or ill-housed. With Great Britain, it is a case of winning the war, and permit me to state it is exactly the same case with Germany.

Germany had no surface fleet or navy. She was forbidden by the treaty of Versailles to build such ships. She has submarines instead. Germany will use such submarines to blockade British ports, and, not having a harbor to which she may convoy intercepted merchantmen, they are sunk so that the enemy will not benefit from cargo carried in such ships.

During the World War, Great Britain had the so-called Q or X ships, camouflaged craft that looked like a merchantman but was in reality an armed vessel. When a German submarine hailed such ship the camouflage was struck and guns went into action, and the submarine was sunk without any further consideration. The crew aboard the submarine did not have an opportunity to save their lives, so what is the logical thing for such craft to do? When the enemy discovers such warfare it can only retaliate by sinking on sight merchant craft that is bound to English ports.

It is not a case of favoring one side or the other, but let us be just and treat all sides alike. I favor an arms embargo on all war material, and, of course, on such articles as powers at war designate "contraband," with no credit to either side or any nation at war. It is their battle. Let them pay for it. They will discover sooner or later that wars are unprofitable to all.

The SPEAKER pro tempore. The time of the gentleman from Montana has expired.

ADJOURNMENT

Mr. THOMASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 40 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Monday, October 16, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1103. Under clause 2 of rule XXIV, a letter from the Chairman, Securities and Exchange Commission, transmitting chapter III of part 3 of the Commission's over-all report on the study of investment trusts and investment companies, made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 279), was taken from the Speaker's table, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 7126) granting a pension to Mary Pauline Payne, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. VOORHIS of California introduced a joint resolution (H. J. Res. 391) to restore to Congress the sole power to issue money and regulate the value thereof, which was referred to the Committee on Banking and Currency.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5748. By Mr. GILLIE: Petition of Alice G. Kessens and 30 other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5749. Also, petition of Mr. and Mrs. John Allen and 60 other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5750. Also, petition of Clayton Klopfenstein and 50 other citizens of Howe, Ind., opposing repeal of the Neutrality Act; to the Committee on Foreign Affairs.

5751. Also, petition of Morris Baker and 75 other voters of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5752. Also, petition of O. W. Kruse and 25 other residents of Fort Wayne, Ind., opposing repeal of the embargo on arms and munitions; to the Committee on Foreign Affairs.

5753. Also, petition of Mrs. W. Tood Seitz and 20 other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5754. Also, petition of Lillian M. Fonner and 20 citizens of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5755. Also, petition of Ethyl Blass and sundry citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5756. Also, petition of G. M. Patterson and sundry citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5757. Also, petition of Louis A. Frantz and sundry citizens of Fort Wayne, Ind., urging strict neutrality and no entanglements; to the Committee on Foreign Affairs.

5758. Also, petition of William A. Stockmann and sundry citizens of Fort Wayne, Ind., urging a policy of strict neutrality; to the Committee on Foreign Affairs.

5759. Also, petition of E. N. Wedertz and 80 other citizens of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5760. Also, petition of Thomas P. O'Connell, Jr., and 30 other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5761. Also, petition of Mrs. William Vunora and 25 other voters of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5762. Also, petition of George W. McCoy and 25 other residents of Fort Wayne, Ind., opposing revision of the Neutrality Act; to the Committee on Foreign Affairs.

5763. Also, petition of Albert Henning and 25 other residents of Fort Wayne and Avilla, Ind., opposing revision of the Neutrality Act; to the Committee on Foreign Affairs.

5764. Also, petition of Fred H. Koopman and sundry other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5765. Also, petition of the Men's Club of the Grace Evangelical and Reformed Church, Fort Wayne, Ind., opposing any change in the present Neutrality Act; to the Committee on Foreign Affairs.

5766. Also, petition of the Reverend R. F. Hart and 60 members and friends of the Methodist Church of Monroe, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5767. Also, petition of W. Mortimer Cole and 50 members and friends of the Methodist Church, of Cromwell, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5768. Also, petition of Rev. John Hagen and 50 members of the St. John's Lutheran Church, Fort Wayne, Ind., objecting against the proposed repeal of the arms embargo; to the Committee on Foreign Affairs.

5769. Also, petition of Rev. H. J. Jordan and 20 residents of Garrett, Ind., opposing modification of the Neutrality Act; to the Committee on Foreign Affairs.

5770. Also, petition of the Reverend Lorance Rodenbeck and 175 residents of Garrett, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5771. Also, petition of sundry citizens of Corunna and Garrett, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5772. Also, petition of Mr. and Mrs. George Heck and 35 other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5773. Also, petition of Mr. and Mrs. John J. Deagen, Fort Wayne, Ind., and 30 residents of Fort Worth, Churubusco, and Columbia City, Ind., opposing revision of the Neutrality Act; to the Committee on Foreign Affairs.

5774. Also, petition of J. C. Maier, of Fort Wayne, Ind., and 50 citizens of Decatur, Hoagland, Monroe, Geneva, and Pleasant Mills, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5775. Also, petition of Mr. and Mrs. Edward Burns and sundry other citizens of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5776. Also, petition of Ira A. Summers and 117 voters of Fort Wayne, Ind., opposing revision of the Neutrality Act; to the Committee on Foreign Affairs.

5777. Also, petition of Aubrey Tuttle and sundry other citizens of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5778. Also, petition of 25 citizens of Fort Wayne, Ind., opposing revision of the Neutrality Act; to the Committee on Foreign Affairs.

5779. Also, petition of Mrs. Ralph L. Jones and 35 other citizens of Fort Wayne, Ind., opposing any change in the Neutrality Act; to the Committee on Foreign Affairs.

5780. By Mr. MERRITT: Resolution of the American Humane Association, urging that horses and mules be included among shipments forbidden as contraband of war; to the Committee on Foreign Affairs.

5781. Also, resolution of Hill Post, No. 39, Catholic War Veterans of the United States, urging their representatives in Congress to vote against the lifting of the embargo on arms to Europe and against the cash-and-carry plan; to the Committee on Foreign Affairs.

SENATE

SATURDAY, OCTOBER 14, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O loving Master, who didst come into the world not to be ministered unto but to minister, and didst say to those for whom Thy Father's kingdom is prepared, "Inasmuch as ye have done it unto one of the least of these My brethren, ye have done it unto Me:" Be graciously pleased, we humbly beseech Thee, to bless the work of the Red Cross, with its high and holy mission to mankind, as it ministers to the dread agonies of a suffering world. Do Thou regard, O blessed Christ, the sleepless tossing, the numb despair of the sick and dying, the penitent and the impenitent. Spare them, dear Lord, and succor those that tend them, working through them and within them, that they may share the sleep of all God's tired children—long, sweet, sound, and deep as love—until the breaking of the everlasting dawn. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Friday, October 13, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Holt	Radcliffe
Andrews	Davis	Johnson, Calif.	Reed
Bailey	Donahey	Johnson, Colo.	Reynolds
Bankhead	Downey	King	Russell
Barkley	Ellender	La Follette	Schwartz
Bilbo	Frazier	Lodge	Schwellenbach
Borah	George	Lucas	Sheppard
Bridges	Gerry	Lundeen	Shipstead
Brown	Gibson	McCarran	Slattery
Bulow	Gillette	McKellar	Stewart
Burke	Green	McNary	Thomas, Okla.
Byrd	Guffey	Maloney	Thomas, Utah
Byrnes	Gurney	Miller	Truman
Capper	Hale	Minton	Tydings
Caraway	Harrison	Murray	Vandenberg
Chandler	Hatch	Norris	Van Nuys
Chavez	Hayden	O'Mahoney	White
Clark, Idaho	Herring	Overton	Wiley
Clark, Mo.	Hill	Pepper	
Connally	Holman	Pittman	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senators from New York [Mr. MEADE and Mr. WAGNER], the Senator from West Virginia [Mr. NEELY], the Senator from New Jersey [Mr. SMATHERS], the Senator from South Carolina [Mr. SMITH], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

Mr. McNARY. I announce that the Senator from Vermont [Mr. AUSTIN] and the Senator from New Jersey [Mr. BARBOUR] are necessarily absent.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

TRIBUTE TO SENATOR M'NARY

Mr. CAPPER. Mr. President, I desire to call the attention of the Senate to a well-deserved tribute paid to the able and beloved minority leader of this body, the distinguished senior Senator from Oregon [Mr. MCNARY], in a recent address before the Oregon Republican Club, by Gov. Charles A. Sprague, of Oregon, who, among other things, urged the nomination of Senator MCNARY for President by the Republican Party in 1940. I consider the suggestion a very timely one.

It is my pleasure to read to the Senate from the remarks made by Governor Sprague with respect to Oregon's senior Senator, as follows:

> Senator MCNARY has a long and distinguished record as a Member of the United States Senate. As minority leader he has guided the Republican Party in the Senate with skill and wisdom. He represents the best type of thinking of the Republican Party, a worthy blend of conservatism with progressivism. He is in high personal favor with all of his colleagues. He is a man of independence of judgment, yet one who is sensitive to the needs of the country.
>
> As I survey the scene, I believe that Oregon Republicans should present as candidate for the Presidency before the 1940 Republican National Convention the name of CHARLES L. MCNARY, senior Senator from Oregon.

Mr. President, I ask unanimous consent that the excellent address delivered by Governor Sprague, of Oregon, be printed in full in the Appendix to the RECORD.

The VICE PRESIDENT. Without objection the address will be printed as requested.

JOINT COMMITTEE TO INVESTIGATE THE ADEQUACY AND USE OF PHOSPHATE RESOURCES

The VICE PRESIDENT. The Chair appoints the Senator from Kentucky [Mr. CHANDLER] a member of the Joint Committee to Investigate the Adequacy and Use of Phosphate Resources of the United States, created by Public Resolution 112, Seventy-fifth Congress, to fill the vacancy caused by the death of Hon. M. M. Logan, late a Senator from the State of Kentucky.

LEASE FOR SELLWOOD POSTAL STATION, PORTLAND, OREG.

The VICE PRESIDENT laid before the Senate a letter from the Acting Postmaster General, transmitting a draft of proposed legislation to reform the lease for the Sellwood Station of the Portland, Oreg., post office, which, with the accompanying paper, was referred to the Committee on Post Offices and Post Roads.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted at a meeting of the Fifty-Fifty Men of W. P. A., Chicago, Ill., favoring repeal of that section of the Emergency Relief Appropriation Act of 1939 providing a 30-day lay-off of W. P. A. workers who have had 18 months of continuous employment, on account of such provision working unusual hardship on the older men who are not needed in private industry, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by a mass meeting of citizens of Polish descent on the occasion of the one hundred and sixtieth anniversary of the death of Gen. Casimir Pulaski—October 11, 1779—held at Pittsburgh, Pa., favoring repeal of the arms-embargo provision in the existing neutrality law, condemning recent armed aggressions against Poland and the Polish people, and also the spread of bolshevism, nazi-ism, and fascism, and all un-American and subversive activities in the United States, and pledging allegiance to the American Government and institutions, which was ordered to lie on the table.

FUNERAL EXPENSES OF THE LATE SENATOR LOGAN

Mr. BYRNES. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, without amendment, Senate Resolution 192 and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection the resolution (S. Res. 192) submitted by Mr. BARKLEY on the 13th instant was read, considered by unanimous consent, and agreed to, as follows:

> *Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. M. M. Logan, late a Senator from the State of Kentucky, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

ADDRESS BY SENATOR THOMAS OF UTAH ON CIVIL RIGHTS AND LIBERTIES

[Mr. MINTON asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah at the National Conference of Civil Liberties, held at the Hotel Biltmore, New York City, October 13 and 14, which appears in the Appendix.]

ADDRESS BY SENATOR SCHWELLENBACH BEFORE AMERICAN FEDERATION OF LABOR

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address delivered by himself before the convention of the American Federation of Labor at Cincinnati, Ohio, October 12, 1939, which appears in the Appendix.]

ADDRESS OF COLONEL LINDBERGH ON AMERICAN NEUTRALITY

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD a radio address on American neutrality delivered by Col. Charles A. Lindbergh on October 13, 1939, which appears in the Appendix.]

LETTER FROM CLOYD LAPORTE ON NEUTRALITY IN WARFARE

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD a letter from Cloyd Laporte to the editor of the New York Times on neutrality in warfare, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. FRAZIER obtained the floor.

Mr. VANDENBERG. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Michigan?

Mr. FRAZIER. I yield.

Mr. VANDENBERG. Mr. President, when I was submitting my observations to the Senate on the question of embargo repeal I suggested that somebody is going to be fooled as the result of repeal, either our own people who are expecting too much peace or our friends and neighbors who are expecting too much help. I have a very interesting exhibit on the subject which I should like to place in the RECORD. Across the river from Detroit is the Canadian city of Windsor, Ontario. The Windsor Daily Star, in its issue of September 21, 1939, carries an editorial comment on the front page, from which I read as follows:

> The arms-embargo clause of the Neutrality Act will be repealed for a starter—and the United States of America will be in the war along about the middle of next January.

Mr. President, I repeat that somebody is going to be fooled, and it would be scarcely less tragic if our friends and neighbors were fooled than if we ourselves were fooled.

Mr. FRAZIER. Mr. President, the discussion on the pending question has been going on for some days, and the Members of the Senate are rather tired of hearing so much debate and talk upon the same subject. I wish, however, to make a statement. I feel that I have some arguments that have not been presented, or, at least, I have not heard them presented; and I desire to express my opinion regarding the proposed neutrality legislation.

I suppose this extraordinary session of Congress will go down in history as the arms-embargo session. The real question before the Senate is whether or not the United States should repeal the arms-embargo provision of the present neutrality law. The answer to that question should be based on one all-important proposition, and that is whether the repeal of the arms embargo or the continuation of it will help to keep America out of war.

We should by all means be neutral and not attempt to favor one power or to smash another power.

In the debate of the last few days it seems to me that many Senators have wandered from this point, and I have been impressed with the fact that the arguments for the repeal of the embargo have been more negative than positive. As I see it, we are asked to lift the embargo, not because it would do any positive good toward keeping us out of war, but because it would help Great Britain and France and it might not do any harm. No one seems to pretend that lifting the embargo would make us any safer, but merely that we can help the Allies and permit some profits without any great danger—that is, danger of being drawn into the present war.

Everybody says we want to keep out of war—yes; we must keep out of war—but they invariably add that it is going to be mighty hard to do it, and it may be just impossible to stay out of it. I suppose that statement is based on the facts of the history of the World War which began 25 years ago.

Most of us have a vivid recollection of the situation when the World War began. We were amazed and shocked that any civilized nations would go to war over what seemed to be such trivial differences. Then we remember how the propaganda started; first to justify each side for declaring war, and then a little later propaganda to get the United States into the war.

I want to read a part of a chapter from Mark Twain's book The Mysterious Stranger. This book was written several years before the World War started, but was not published until after the war was over:

> I can see a million years ahead, and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war. The pulpit will—warily and cautiously—object at first; the great, big, dull bulk of the Nation will rub its sleepy eyes and try to make out why there should be a war and will say, earnestly and indignantly, "It is unjust and dishonorable and there is no necessity for it." Then the handful will shout louder. A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded; but it will not last long; those others will outshout them, and presently the antiwar audiences will thin out and lose popularity. Before long you will see this curious thing: The speakers stoned from the platform, and free speech strangled by hordes of furious men who in their secret hearts are still at one with those stoned speakers, as earlier, but do not dare to say so. And now the whole Nation, pulpit and all, will take up the war cry and shout itself hoarse and mob any honest man who ventures to open his mouth; and presently such mouths will cease to open. Next the statesmen will invent cheap lies, putting the blame upon the nation that is attacked, and every man will be glad of those conscience-soothing falsities, and will diligently study them and refuse to examine any refutations of them; thus he will by and by convince himself that the war is just, and will thank God for the better sleep he enjoys after this process of grotesque self-deception.

This statement by Mark Twain on how a war is started is a mighty accurate description of the propaganda at the beginning of the World War and the propaganda that is now starting. Almost everyone will agree that we were led into the World War largely on what afterward proved to be false and misleading propaganda; and who knows what the propaganda during the coming months will be if the present war in Europe continues? Who can say that the propaganda will not be even stronger, if possible, than it was during the World War?

I saw a report the other day stating that there was much more propaganda now than there was at the beginning of the World War for the United States to get into it; and I think perhaps that statement is correct.

If the arms embargo is lifted, it must be conceded that it will favor one side in the conflict against the other; and favoring one side means a step toward war.

Perhaps we could take sides in this European mix-up without actually sending troops across the Atlantic; but once we yield to pro-British and pro-French pressure, are we going to have any moral reason for stopping short of war? If we let up on our neutrality and sell arms to the Allies, can we refuse also to relax our credit laws when the Allies run short of money? Can we refuse private loans, then public loans, and then the Army to protect the loans?

If we lift the embargo, it will be considered by France and Britain that we are on their side. They will come here and buy munitions and spend all their cash, and when their cash is gone they will still want to carry. Then we shall be asked to repeal the laws denying them credit. Will we refuse? The repeal of the embargo provision will definitely put us on the side of Great Britain and France; and when they want credit they will get it, just as the Senator from Idaho [Mr. BORAH] told us the first day of this debate.

Some say that the present neutrality provision favors Germany. I cannot for the life of me see the logic of that statement. If an embargo is in effect, it seems to me it applies equally to both sides.

If a war boom gets started, there will be plenty of propaganda to keep it going, even at the expense of the American taxpayer. Labor in the great industries will clamor for a continuation of the boom. Steel companies will be shouting for more prosperity. Chambers of commerce and newspapers will be imploring us not to end the boom, not to plunge the country into a depression blacker than that after the World War. Propaganda will be so strong that those who voted to lift the embargo will feel in duty bound to vote to extend credit, and then one step more will lead us actually into the war.

If our country gets started in this false war-boom prosperity we shall undoubtedly be in for the duration of the war. If we really mean what we say, and want to stay out of war, why lift the embargo? Why change from our neutrality course if we do not intend to go all the way?

Only this morning I received a letter from what seemed to be a businessman in my State. He said:

> Why not make as much money as we can out of this war? We need more profits. Why not make them?

Unfortunately, there are a few persons who take the attitude that we should get all we can out of the present war. I wish to touch on that subject a little further along.

The only safe way to stay out of European wars is not to take the first step but to stay out. Surely the hope of war profits would not induce us to take this action. Surely we are not deluding ourselves on that point. We know, from experience in the last war, that a war boom is followed by war depression—a depression so severe that it more than wipes out the gains previously made.

I have a number of letters from business firms opposed to any war boom. They do not want any boom to start. They say that war profits are dangerous, and they do not want the embargo lifted because they know that a false boom would be followed by a real depression.

It seems to me everyone must admit that money from war profits is, to say the least, tainted. Are we as a nation so hardened that we are willing to fill our banks with gold coined from the blood of human beings like ourselves, who have been forced into war by jealous rulers crazy for power? It does no good to say that someone else will sell them arms and that we might as well get the profit. That is a threadbare argument that cannot justify our change of the neutrality law after European countries have started a war.

The dope peddlers, the persons who sell dope to anyone they can get to buy it, and make an immense profit, use that very argument, and have done so for years. They say, "Someone else will sell dope if we do not, and we might as well get the profit." It is wrong to sell dope, however, and it seems to me it is wrong for anyone to make a profit out of war.

The statement of Hon. William Jennings Bryan has been quoted here on the floor of the Senate, but it bears so definitely on this important question that I want again to state the substance of it. At that time the situation was just the opposite of the present one. We did not have any arms embargo. We were conducting ourselves under so-called international law, and there were some persons in the country who wanted us to put an embargo on the sale of arms to the belligerent nations. Great Britain and France objected to the change at that time, because they said it would be unfair to them. Germany, on the other hand, wanted us at that time to put an embargo on arms. The question was put up to Mr. Bryan in 1915 as Secretary of State.

He then stated that the placing of an embargo on the trade in arms would be a direct violation of the neutrality of the United States as it would unequally affect the relations of the United States with the belligerents, and that it would be considered as an unneutral act.

Mr. President, that was true then, and the lifting of the embargo would have the same effect today, and it would be impossible to avoid considering it an unneutral act. Our Congress, after the beginning of the World War, refused to change the Neutrality Act, they refused to impose an embargo. But later on the same Congress was persuaded that they were justified in declaring that a state of war existed. A desperate effort is now being made to convince the Members of the Senate that we are justified in changing the arms-embargo provision even after the European countries have gone to war, and at the same time the same people who are urging us to change the neutrality law assure us that there is absolutely no danger of our getting into the war.

Someone has said we have no way of judging the future but by the past, and that history repeats itself.

We were dragged into the World War through false propaganda, although we refused to change our neutrality law after the war started. Now we are asked to change the neutrality law in order to help the Allies, and, at the same time, we are told that there is no danger of getting into war. What an argument!

We are asked to lift the embargo on arms, ammunition, and implements of war to the belligerent countries. Let us consider for a moment just what that means. Do we want to furnish the nations which are in this mass-murder game the instruments of death and destruction? Do we want to take part in their selfish, greedy quarrels, even to the extent of furnishing them with war material?

A number have spoken about strengthening our Neutrality Act instead of weakening it. That would meet with my approval 100 percent.

Nations which go to war, in this day and age, are not entitled to any help of any kind from neutral nations, and especially in view of the fact that the United States was the promoter and backer of the so-called Kellogg-Briand Peace Pact, we should at least set the example of an absolute embargo on shipments of all kinds—food and everything else—to nations which have broken the treaty and are at war, and limit our shipments to surrounding nations to the average amount used in peacetime, and abolish the sale and shipment of arms and other war material at all times.

Why not? I have little sympathy for any of the nations which are at war at the present time. I had every sympathy for Poland, of course, and for the citizens of Czechoslovakia, but I have very little sympathy with England or France or Germany going to war, and especially after reflecting on the results of the World War. If we believe in peace, why lend assistance to warring nations?

I have letters from farmers in my State who produce wheat as their principal crop. At the present time they are getting 61 or 62 cents a bushel for No. 1 hard wheat, less than half the cost of production. They say that the prices are too low and that they need higher prices, but they plead, "For God's sake, keep us out of war. We do not want to have our prices raised at the cost of sending our boys to war."

There is a human and moral side of this question which has not been touched on to any extent in the Senate. If war is wrong—and we must say it is in this day and age, after 2,000 years of Christian civilization—we should not support or encourage it in any way. I was one of those who, when the Kellogg-Briand Peace Pact was ratified by the nations all over the world, hoped we meant what we said in that instrument, and that the other nations did; that we could settle our differences by peaceful measures and not go to war. But I remember that at that time the senior Senator from California [Mr. JOHNSON] stated that the Kellogg-Briand Peace Pact would not amount to anything; that no attention would ever be paid to it. I think now that he was about right, but I could not agree to that at the time. I thought we meant what we were stating and that we were going to practice what we preached in the Kellogg-Briand Peace Pact. But we did not. We immediately started to make larger appropriations for war purposes, immediately afterward, and have continued to do so clear up to the present time.

I want to quote a paragraph reported to me to be from a prominent citizen of the State of New York in reply to some prominent English friend of his in London requesting him to use his influence to get the United States to join Great Britain and France in order to destroy Hitler and the German Government. He is reported to have said:

> I am not in accord with your view; shall do my best to have all Americans realize that they must not on their own, nor in cooperation with others, destroy human life. As an intelligent and spiritually minded people, we shall not regard Britain, France, Germany, Italy, Russia, Japan, or any people of any segment of our planet as separate identities, but only as members of the one human family, created by one God, who established all the land and the fullness thereof. All human needs can be realized through good will, intelligent understanding and constructive cooperation.

I wish more of our people would take that stand. Then we might accomplish something for peace.

Some of the proponents of the pending joint resolution are frank enough to state that we must help England; that England is our mother country, and that she expects every American to do his bit to help save her. We are asked to lift this embargo to save the British Empire from the Nazi menace. We are told that Hitler is a menace to the world in general, and to democracy in particular, and that we must help the Allies crush him.

Admit that Hitler is a menace to democracy. I am frank to say that I do not like Hitler's style; I am opposed to dictators. But who is Hitler, and how did he happen to be-

come dictator of the German people? I wish to quote a paragraph from an article by George Bernard Shaw, which was published in an English paper called the New Statesmen, and republished in the Washington Times-Herald of October 7. After commenting on a broadcast by the Archbishop of York, Mr. Shaw said:

> Unfortunately, he began not as a Christian prelate, but as a righteously angry, hot-headed Englishman, by giving his blessing to our troops as "dedicated" to the supreme and immediate duty of lynching Hitler and his associates.

Was that not a fine dedication of the troops to come from a bishop in the church?

Mr. Shaw continued:

> Now, I cannot go into the question of whether Hitler deserves to be lynched without raising awkward analogies between his case and those of Mussolini, Franco, Stalin and his associates, and raking up events in India and Ireland which unfriendly pens have represented as somewhat dictatorial on our part.
>
> I simply remind the archbishop that, although we can easily kill a hundred thousand quite innocent German men, women, and children in our determination to get at Hitler, we should not finally succeed in lynching him, and the killing of Germans and our own losses in the process would produce a state of mind on both sides which would operate as a complete black-out of Christianity and make the archbishop's sane, final solution impossible.
>
> If we won it would be Versailles all over again, only worse, with another war even less than 20 years off. And if, as is desperately possible, we drove Russia and Germany into a combination against us to avert that catastrophe, which is just what our Stalinphobe old school ties and trade-unionists are recklessly trying to do, then we shall indeed need God's help and not deserve it.

The pro-British attitude is very well summarized by a news item in the Washington Post of October 2, 1939:

> YALE HEAD SAYS ALLIED LOSS WOULD BE UNITED STATES DISASTER
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> NEW HAVEN, CONN., October 1.—President Charles Seymour, of Yale University, asserted today that defeat of Great Britain and France would be "a disaster of the first magnitude" for the United States. He expressed the conviction that a German victory would "beyond peradventure vitally and perilously alter the conditions of our own national security," and would "deal a deadly blow to principles of international morality * * * upon which our future peace depends."

I suppose the president of Yale University would be glad to see the Nation go into the war so that the graduates of his institution and the students there could go over to defend what he calls international morality for England and France. I cannot imagine anyone making a statement of that kind. I cannot imagine any condition in the European mix-up which would warrant sending our boys over there to take part.

Even if we grant that what he says is true, is that any argument why we should send our men over there to help them fight their wars? But he makes a very common argument, and there is a lot of talk about international morality; and throughout the history of the European wars for centuries—with a different alliance in almost every war—the principle of international morality, or some such slogan, has been used as a battle cry to cover up the real cause of the war.

Mr. President, that is a strange thing. In European wars, which have been going on almost continually for centuries, there has been a different line-up in practically every war, but always "international morality," or some such slogan, is used as a battle cry to cover up the real cause of war.

At the close of the World War, after Germany had been crushed by the Allies, with our help, a treaty was made—the Treaty of Versailles. Great Britain and France insisted on what then seemed to be unfair demands upon Germany, and over the protests of our American delegates compelled Germany to accept that unjust and impossible treaty. I think it is generally conceded that the Treaty of Versailles was and is the cause of the present conflict in Europe.

Europe is today back where she started in 1914, only worse off; more debts to start with, more hatred, more bitterness, and vastly more powerful death-dealing, so-called scientific instruments of war.

Mr. President, even before the World War began some of the nations had their scientists working upon most deadly forms of poison and gas that could be thought of. Ever since the Treaty of Versailles those nations that took part in the war at least, and I suppose other nations also, have had their scientists working to invent more deadly gases, more deadly poisons, stronger explosives, and even working on the use of disease germs. It was developed a few years ago that here in the National Capital the War Department had scientists working on the matter of disease germs. Think of it, Mr. President; that occurred right here in the National Capital of the United States. It is an almost unbelievable situation. But it was being done at that time, and I suppose is being done today.

Senators may remember that when the war in Spain was in progress last winter it was reported that Germany had tried out some new bombs over Spanish cities. The German aviators dropped a few small bombs, and the story was that those bombs were so powerful that every human being within one-eighth of a mile of the explosion—that is, I suppose, within a circle a quarter of a mile in diameter—was killed by the force of the explosion, and it developed that the bombs were supposed to be liquid-oxygen bombs. At that time the supposition was that those bombs were dangerous to handle. They had not been perfected so as to be safe to handle or to be carried in airplanes, but I am told that such bombs have now been so perfected that they can be carried as safely by airplanes as any other kind of bombs can. That particular bomb contains one of the strongest explosives known to any of our scientists.

Only a few days ago an engineer told me that he had been working with that very kind of explosive. He said the bomb was a liquid-oxygen bomb. He said that if such a bomb fell in Washington, or any other city, near a gas container or a large storage tank containing oil or gasoline, the explosive force would be so great as to kill every human being and blow everything off the map within a radius of a mile of the explosion. He told me there were enough gas and oil tanks located in Washington so that if liquid-oxygen bombs were well placed they could blow the whole city off the map. The same thing could happen in every great city in the world.

Mr. President, I do not know whether Germany has perfected these bombs or not, but undoubtedly she has. Germany is credited with having some of the smartest engineers in the world, and her schools and universities have been among the greatest in the world.

But, Mr. President, this war is on, and the same cry of international morality, and the same propaganda, and the same arguments are being used as were used in the World War. We are even urged to save democracy in Europe. After the World War and the Treaty of Versailles, there was mighty little democracy left in Europe to be saved. We mean, by democracy, a nation of free people, sharing equal economic opportunities, equal justice before the law, and equal control over the machinery of government. But that definition will hardly apply to what Britain and France call democracy, and that is not the kind of democracy we would be saving if we assist the Allies—not by any means.

Professor Mayer, in his article in last week's Saturday Evening Post, says: "War destroys the democracy in nations." Not only that but, he says, war "destroys the democracy in men."

I believe that is true. War and democracy just do not go together, and when we think of England's treatment of the millions of people in India and of the condition of the French colonies in Africa we wonder how much democracy England and France are practicing. I quote from a paragraph in the Peace News, published in London, September 22, 1939, in regard to how the people of India stand in this war:

> The Congress' statement makes it abundantly clear where the movement stands with regard to aggression and of its sympathy with Poland. It points out that, though the Governments of Britain and France declare they are fighting for democracy, past history is full of betrayal of its ideals proclaimed, and that if Britain fights for democracy, then imperialism must of necessity go wherever it exists.

If the European countries had a little more of real democracy, government of the people, by the people, and for the people, there would be some chance of world peace and disarmament. But as long as they have as little democracy as they have, as long as they are so selfish and greedy for other territories, I suppose there will continue to be wars in Europe.

Mr. President, we have here in the United States of America a heritage, a heritage that is dear to every American citizen, one that was brought to this land by our forefathers. Those early colonists came from practically every European nation. Why did they come here? They came to this country to get rid of royal oligarchy. They came to get rid of the doctrine of "divine right of kings" and similar doctrines. They came here to find a place where they could worship God according to their own dictates. They came here to be free men and women, free citizens, to have something to say about their own government and their own rights. After the Colonies had been successfully established Great Britain came over and tried to hog the control of the Colonies.

Yes; our forefathers finally had to break with Great Britain in a revolution to win their rights as free people, to secure this heritage for their sons and daughters. Those patriots had to fight to secure their rights for themselves and for others who had come here to make their homes with us. That heritage should still be maintained.

Mr. President, we cannot continue to maintain our heritage if we are going to mix up in European wars. Our early American statesmen, such as Washington, Jefferson, Adams, Monroe, and others said, "Keep out of foreign entanglements." In other words it was suggested then that we should mind our own business, and I think that admonition has equal force today.

I wish to quote another paragraph from what George Bernard Shaw has to say about democracy.

BALDERDASH ABOUT DEMOCRACY

No; it will not do, however thickly we butter it with "bunk" and balderdash about liberty, democracy, and everything that we have just abolished at home.

He says, "Everything that we have just abolished at home." And, of course, when Great Britain went into war it abolished all its liberties and democracy and everything else that its people hold dear in the way of government there. All were abolished. The same was true with respect to Canada after it went into the war. The same is true with respect to every country after it goes to war.

I continue to quote Bernard Shaw:

As the archbishop nobly confesses, we made all the mischief—we and the French—when we were drunk with our victory at Versailles. And if that mischief had not been there for him to undo, Adolf Hitler would have now been a struggling artist and of no political account.

He actually owes his eminence to us; so let's cease railing at our own creation and recognize the ability with which he has undone our wicked work and the debt the German nation owes him for it.

Our business now is to make peace with him and with all the world instead of making more mischief and ruining our people in the process.

After all, Mr. Shaw is about right. Oh, yes; oh, yes; he is just about right. If the United States had not gone into the war there would not have been any Treaty of Versailles. No; the nations undoubtedly would have made a peace earlier than they did.

Does anyone think that the people of Germany, or the people of England, or the people of France wanted this war? Or that the people of any country want to go to war? Oh, no; it is the little handful of dictators, the little handful of political leaders, those who are drunk with power and crazy with greed and lust for more power, a little handful of profiteers, who want war, and not the rank and file of the people themselves. It has always been that way.

The dictators, the war lords, the powers that be, are the ones who start the trouble and control the propaganda; and oh, the propaganda that they get out!

I remember that a few years ago, when one of the Army appropriation bills was before us, I took occasion to read on the floor of the Senate a few paragraphs from a little book written by the man who was the head of the so-called publicity bureau in Washington during the World War. As Senators will recall, a commission was appointed to look up statistics and give out what was supposed to be general knowledge to the people. He told how much it cost, how much was spent, and so forth, but he said, "It was worth the money, because we got results. We sold Liberty bonds; we raised money for the Red Cross; and we got the people all thinking about war and willing to go into it." That is the sort of propaganda that was put out right here in the city of Washington, in the United States, our own home country, during the World War.

Mr. President, I remember the situation very well. I feel very strongly on this question, because during the World War I happened to be governor of my own State of North Dakota. I had taken office on the 1st of January 1917. The State administration was a Farmer-Labor organization. When the war started, the old-line politicians on both sides took occasion to call us pro-German and everything else, trying to discredit us. Every Federal appointment made in North Dakota during wartime was made at the request of the old-line politicians in North Dakota, and persons who were opposed to the State administration and were fighting it were appointed. So we had a terrible time getting along out there during those years. An official agent of the Government was sent out there to investigate some of us and to report. Fortunately, a fair-minded man came out, and he gave us a clean bill of health.

However, Mr. President, I had to make a trip to Washington to get the people who were appointed in charge of Red Cross work in North Dakota to lay off the State administration and stop talking politics, so that we could raise money to take care of our boys who were in the war. Men and women came to me at that time with tears in their eyes and said, "We are just as proud of our boys and just as anxious to see that they are taken care of in the World War as anyone else can be, but we will not contribute any money so long as the Red Cross people come to us and tell us that the State administration, of which you are a part, is pro-German, and disloyal to the Government."

I made a trip to Washington, went to headquarters, explained the situation, and was thanked for coming. Those in charge said they did not know what the situation was out there. They said, "We will promise you one thing from now on, Governor: No politics will be mixed with Red Cross work in North Dakota"; and it was not.

I mention that situation only to show that some persons would stoop so low as to mix politics and propaganda with Red Cross work. In many States there were mobs and tar-and-feather parties. Lynchings took place in some neighboring States. However, in North Dakota we did not have a single tar-and-feather party during the war. When it came to appointing a State defense council, I appointed a defense council consisting of men and women whom I knew. I knew that they could not be stampeded by the 1,000-percent propaganda. So when a complaint was made the defense council straightened it out, and straightened it out right in every instance to my knowledge. I had to see to it that some of the peace officers kept peace in their communities if word came that a meeting was going to be broken up because somebody might say something disloyal.

I am rather proud of the record we made in North Dakota. One county in the State did not have a single drafted man from it. There were more than enough volunteers to make up the quota of the county. I think only one other county in the United States had such a record. We oversubscribed our Liberty bond and Red Cross quotas every time, and I think we made a good record. Although we had quite a large population of Germans, they were just as loyal as anyone else.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. CHANDLER. Does the Senator know that Breathitt County, in Kentucky, had the same distinction which the Senator claims for his county?

Mr. FRAZIER. I remembered that there was one other such county. I did not know just where it was.

Mr. President, I wish to quote another paragraph from an English newspaper called the Peace News. It is entitled, "What Germans Fear." This paragraph, it seems to me, is

very good. It is from what purports to be the viewpoint of the ordinary German citizen. I read:

He cannot forget the blockade, continued for 8 months after the armistice, when over two millions of Germans died of starvation and when five millions of his people's children fell victims to rickets and other "deficiency" diseases.

Hitler may be bad, the ordinary German workman reflects, but a second Versailles would be worse. He can see no hope, no end to the misery and wretchedness which followed the inflation and the economic ruin caused by reparations and the penal clauses of the treaty, unless either Hitler delivers Germany by force or unless the Allies pledge themselves to a different kind of peace this time.

There was much talk about "international morality" and "saving democracy" during the World War and when the Versailles Treaty was put across. The Germans were starved until they were compelled to sign the treaty. That seems to have been the situation. I am ashamed to say it, Mr. President, but our country was responsible for the Versailles Treaty. There is no question that we were responsible; for if the United States had not been dragged into the World War there would have been no Versailles Treaty.

I wish to quote an eminent authority and columnist, John T. Flynn. In the daily News of this city of September 11, 1939, he said:

There are two ways to get into this war. One is to raise armies and fight. The other is to fight on one side or the other with our economic resources. Are we going to stay out of the war on the economic front? The economic front is just as important as the western front or the Polish front in this war. It is a war between soldiers and factories and farms.

The President at one time believed that we should get into the war on the economic front. He has said so. He said at Chicago that we should unite with other nations to quarantine the aggressor nations. He said later—and not very long ago—that America should aid the democracies with all her resources "short of war." What does that mean? That means getting into the war on the economic front.

The plan is to change the Neutrality Act so that we can ship arms to the Allies. I can understand a man believing that that should be done. But I cannot understand how he can call that neutrality. I am sure the man who believes that should be done knows it is not neutrality. He knows in his soul that he wants to do it, not because he is a neutral, but because he is not neutral. He wants to put our economic resources on one side in the combat.

These are Mr. Flynn's words, not mine:

I say I can understand a man feeling that way. But I think he should be honest with the people and not try to lead them in that direction under the mask of neutrality.

We can stay out of this war. It should not be any very serious difficulty.

The President of the United States can keep us out of the war. Or he can get us in. His power to reach the public mind, his opportunities for inflaming the people, for provoking them, frightening them are great. His power to calm them, to protect their minds from inflammatory activities is great.

Whether we go into this war or not is wholly and entirely now in his hands.

Again, on September 19, 1939, the News of this city carried Mr. Flynn's statement, as follows:

The President is reported to have told his Cabinet that the Government must be honest with the people and that it must tell them the truth during this war. That is wise counsel. But when men say they want some kind of a neutrality act and use that word and that demand as a cloak to get legislation to aid one of the belligerents, they are not honest with the people and they are not telling the truth.

Again, Mr. President, this is Mr. Flynn's statement, not mine.

There are many men who believe we should take sides—that we should put our economic resources and our munitions resources at the disposal of England and France. Very well, then they should say so openly, plainly, and they should present the arguments they have for that course. That would be dealing honestly.

But to pass an act which is called a neutrality act and do it for the purpose of ending neutrality is a course which will get those who pursue it into a bad jam in history when the story of the deception is made clear.

I now wish to deal briefly with another argument which is frequently put forward by those who would repeal the arms embargo. That is the argument that we should help Britain and France defeat Germany, not so much to save democracy over there as to save ourselves. If Hitler wins, they warn us, he will next turn upon the United States and gobble us up.

The argument, of course, is absurd, but it has been repeated so frequently that many people seem to believe it. That is often so. When propaganda is repeated time after time, finally the people seem to believe it. In this connection Senators will recall the lines of Alexander Pope:

"Vice is a monster of so frightful mien,
As to be hated needs but to be seen;
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace."

That is about the way with war propaganda.

It is an awful thing to think of war, but with the constant iteration of war propaganda, many people finally come to the conclusion that we ourselves should go into the war.

We are warned, as I have said, that if Hitler wins the war he will come over here next. The argument, I again say, is absurd, but it has been repeated so often that many of our people seem to believe it. In the first place, Hitler has not smashed the Allies—not yet, at least—and at the present rate he never will. Hitler, in fact, has been asking for peace. The war in Poland is over, and on the western front the war seems to consist largely of shadow boxing and stalling for time. Senators must have noticed the difference between the communiques coming out of Poland and those coming from France. The Polish campaign was full of action and rather fully reported, but from the western front very little news comes forth. Why? It is not because of censorship but because of inactivity. I ask, in all seriousness, whether or not there is really going to be a war over there or whether there is not now merely an armed truce?

It was reliably reported in the press a few days ago that the French and German troops went swimming one Sunday in one of the German streams. They met half way across the stream. The Germans said that they were given instructions not to fire until they were fired upon. The fact that the French soldiers were there swimming with the Germans in the same river evidently indicated that the French were not firing, either.

Again the reports from England are full of stories about British aviators flying over strategic points in Germany, over German cities, and dropping not bombs, but pamphlets. Does all this sound as if the Allies were on the verge of being smashed? The war has not even started over there, unless it is starting now.

I notice from today's press that one of the great battleships of Great Britain has been sunk, presumably by the Germans, and many of the crew were lost. That is a terrible thing, but it is a part of war.

There is some possibility, it seems to me—at least I hope so—that war may yet be stopped; that some kind of peace terms may be arranged and the war brought to an end.

Last Sunday there was, according to a newspaper story, a truce between the German and French soldiers and a football game was watched by the soldiers of both sides, a football game played by the boys of a little German village near the battle front.

George Bernard Shaw, in a recent statement, says "the war is over." I hope he is correct. It seems to me it would be better, as Mr. Shaw says, to make a treaty and not go through with the war, with all its evil consequences and the destruction and disaster it will cause.

War is a crime against humanity and should have no place in this age of civilization. War never settles anything. The World War settled nothing; it merely added to the misery and suffering of the world, caused useless destruction of lives and property, and untold anguish to those who had loved ones in the war. After all the horrors of the last World War, the mass murder of 30,000,000 men, and a cost of $400,000,000,000, there was a one-sided treaty that resulted in conditions admittedly a thousand times worse than conditions which prevailed at the time the war started. There were almost unnamable aftereffects, including the bankruptcy of the nations that took part in the war and the bankruptcy of the people of those nations, resulting in a depression that has lasted all these years, in panics and unemployment, which have cost many more billions of dollars. Then there followed a mad, crazy rush for armaments, which naturally resulted

in the present war, which is bound to mean more destruction, untold suffering, vastly greater debt and bankruptcy, more dictators, and again the inevitable aftermath.

A newspaper story stated the other day that the war in Europe was costing $12,000,000 a day. Such a sum will quickly run into a tremendous amount of money; it will soon bankrupt those nations. They cannot go on indefinitely; oh, no; they cannot go on for very long unless the United States backs the Allies, and especially backs them with money.

Some seem to think that the Allies are stalling on the western front and waiting to see what the United States is going to do. At any rate, many people have been wondering why England and France took so little part in Hitler's conquest of Poland, after they had faithfully promised to aid Poland, and why England apparently has not gotten really started in the war up to date.

Mr. President, I happened to be over in Europe during the week just before the war started, and on the ship coming home there came over the radio a statement from leaders in England. I remember a statement one evening very definitely. The speaker was telling about a speech that had been made on the floor of the House of Lords by one of the leaders there. I recall he said, "Great Britain always keeps her pledges." I immediately thought of the debt that England owes us. That is one pledge she forgot to keep.

Mr. HOLT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. FRAZIER. I yield.

Mr. HOLT. Is it not true that the nonaggression pact between Poland and England covered the invasion of Poland by Russia?

Mr. FRAZIER. I think it did.

Mr. HOLT. If England was actually interested in protecting Poland, why has she not declared war on Russia?

Mr. FRAZIER. That is another thing that I wonder about, too. England had promised definitely that she would not back down on her promise to protect Poland, but, so far as I know and so far as the Associated Press reports and the radio reports have indicated, she did nothing to protect Poland; she sent not a single plane or any troops to aid Poland.

Mr. MINTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Indiana?

Mr. FRAZIER. I am glad to yield.

Mr. MINTON. Germany also had a nonaggression pact with Poland, did she not?

Mr. FRAZIER. That may be. I am not upholding Germany's attitude in the least; that is, Hitler's part in it. I do not think the people of Germany want war any more than do our people or the people of England, but they have been led on by propaganda; they have been brought under the terror and fear, I suppose, of a dictator, and they have been compelled to go into the war.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. FRAZIER. I gladly yield.

Mr. BARKLEY. Inasmuch as we are staying out of the war, I do not suppose it is our duty here in the Senate to pass judgment on the conduct of the British and the French in regard to Poland. I presume, however, the Senator knows that France could not have gotten into Poland without marching through Germany or else marching through some neutral nation and violating its neutrality. So, also, England could not get an army to Poland without sending it by ship. I doubt very much whether England could have gotten much of an army into Poland in time to have saved Poland, because it would either have been compelled to march it over neutral territory or land it in Danzig, which was supposed to be a neutral port until the German army took it over. So, regardless of what we, more than 3,000 miles away from the scene of action, may think of it, I doubt very much whether we are in a position to pass judgment on the ability of either England or France to get an army into Poland in time to save Poland before Germany overran it.

Mr. FRAZIER. I think that is very true; but after hearing the English radio broadcast and what they were going to do to protect Poland, it seems to me a little strange that not a single effort seems to have been made to send troops there by ship or send any bombing planes or anything else.

Mr. BARKLEY. The Senator will agree that battles are not fought over the radio.

Mr. FRAZIER. I appreciate that is a fact; but peoples are led into battles by propaganda that goes out over the radio. Of course, it is understood that such radio propaganda is censored very severely in all European countries.

Mr. BARKLEY. I presume I should exempt political battles from the statement I made.

Mr. FRAZIER. At any rate, Poland has suffered to a great extent, although she put up a wonderful fight, apparently, but terrible havoc has been wrought there. Of course, Hitler tries to defend his act by saying that Poland was a part of the original German territory; that it was necessary for the Germans to save their people, and all that kind of thing. It, however, does not make sense to me. At any rate, there was no help given by Great Britain, at least. France started the war on the western front against Germany, which undoubtedly kept some of the German troops from going to Poland and caused some of them to be sent back to the west. However, nothing was done that really helped the Poles to save their country. Of course, there may be very good military reasons why England and France are stalling at this time, and yet the fact remains that the Allies will have carried the war to Germany. Hitler says he is ready to make peace. However meretricious the gesture may be and however bound in honor the Allies are not to accept a peace now, the fact remains that if there is a war it will have to be forced by the Allies, and they would hardly force such a war if they expected defeat.

The first point, then, is that Hitler has not smashed the Allies, but if he is strong enough to do so there will be no war unless the United States gives evidence of its willingness to back the Allies.

The second point is that if the war does go on England and France are probably strong enough to defeat Germany, if Russia stays out, and there does not seem to be any great likelihood of Russia actively taking part in the war.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. FRAZIER. I am glad to yield.

Mr. CLARK of Missouri. Does not the Senator understand that what is going on at present on the western front is chiefly shadow-boxing, waiting for us to get in? I understand that the only casualty on the western front so far was a man who had his foot run over by a truck. [Laughter.]

Mr. FRAZIER. I made a statement along the same line a little while ago. I think that is about the situation.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. FRAZIER. I yield.

Mr. BARKLEY. The Senator does not complain, does he, that more men have not been killed on the western front?

Mr. FRAZIER. Certainly not. I should like to see the war stopped at once. I have hoped that our President would intervene and be successful in stopping the war. I know he tried to induce Germany and the other countries not to go to war, but without success. I hope he will be able to stop the war now that Germany has offered to make some sort of a treaty. Perhaps it is impossible. I do not know; but, after all, it seems to me, as some one has said, that there never has been a good war or a bad peace. I think the person who said that was correct in his statement. In my opinion, almost any kind of a peace would be far ahead of going on with this war.

Wars are fought on industrial as well as military strength. It is the horsepower of the nation, as much as the manpower, that determines its fighting ability.

The combined resources at the command of France and Great Britain are so great that Germany would have to draw a world of support from some other countries in order to stand much show of winning this war; and, especially if Great Britain can maintain the blockade, there would seem to be little chance of Germany's carrying on the war for any great length of time.

In presenting the first two points against the argument that Hitler will attack the United States, however, I am not under the delusion that the American people will be much reassured by a statement that it is impossible from the European angle. They have seen too many "impossible" European situations develop in the past few years.

So I pass to the third point: That with our present and projected national-defense establishment it will be impossible for Hitler and any conceivable set of allies successfully to attack this continent.

Why do I say this? First, because there are 3,000 miles of Atlantic Ocean between Germany and the United States. Second, because for the past 6 years we have been repeatedly told here in this Chamber that we were appropriating hundreds of millions—yes, billions—of dollars for adequate defense. The President himself has preached the same doctrine—"adequate defense," "adequate Navy," "adequate Army," "adequate air forces." What for? For adequate defense.

During the past few years, in my opinion, the term "adequate defense" has been overplayed. I have made a great deal of fun of it here on the floor of the Senate and in other places. Various persons have different definitions of "adequate defense," but at least they call the kind of defense they have been advocating "adequate defense."

We have made tremendous appropriations; we have built a Navy second to none; we have increased our Army; we have increased our air forces. Since the World War we have expended billions of dollars for war purposes. During the past 6 years the United States Congress has appropriated an average of more than a billion dollars a year for war purposes for adequate defense, if you please. Six billion dollars have been appropriated in peacetimes in the past 6 years for this so-called adequate defense. If we have not adequate defense, it seems to me it cannot be because we have not appropriated enough money to get almost any kind of a defense. We have appropriated more money by far than we have ever spent in this Nation before in peacetime for war purposes.

We are so well equipped at the present time that our war lords seem to be mighty anxious to get into the present insane mix-up in Europe to try out our war paraphernalia. The senior Senator from Missouri [Mr. CLARK] the other day, in his remarks in debate, mentioned the fact that the Assistant Secretary of War was out trying to inflame the people and get them ready for war, and that certainly is what that official's statements sounded like.

We have led the world in our crazy race for armaments—for aggressive warfare? Oh, no! No money for aggressive warfare. That would be a terrible thing. The Congress never appropriates any money for aggressive warfare, and no other nation does until war is imminent—oh, no! Our appropriation of $6,000,000,000 during the past 6 years was for "defensive purposes"—for "adequate defense." If anyone should suggest that that money was for aggressive warfare, those who favored it would hold up their hands in holy horror and say, "We do not want to be aggressive. We do not want any more territory. We do not want to go into any war, but we want adequate defense." Yes; that is what they have said for the past 6 years, especially—that they wanted "adequate defense"—and we are supposed to have it at this time. But now we are told that, "if we don't watch out," Hitler will come over here some dark night and capture us, bag and baggage. What an argument!

Many of our military experts have repeatedly held that there is little danger of an attack from foreign nations as long as we have 3,000 miles of sea between us and the foreign countries. Colonel Lindbergh spoke over the radio last night, and made some very strong statements in regard to the pending question and against lifting the embargo. He said that, in his opinion, to do so would be a step toward putting us into the war, and I think he was correct.

After listening for several days to the arguments for the repeal of the arms-embargo provision, I feel forced to the conclusion that it must be for the sole purpose of helping Great Britain and France. Then the question naturally arises, "Why?" Surely not for the antiquated argument of saving democracy in Europe. They have mighty little democracy to save, and if they cannot save it for themselves, we cannot save it for them. Surely not because we are under any moral or any other kind of obligation to them. Let us see.

We will not go back to early history—only back to the World War. I believe everyone here will admit that we were dragged into that war through false propaganda emanating from Great Britain and France.

We went into the war. We furnished them with food, clothing, munitions, money, and with armies, to stop the Germans on their drive to Paris.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. FRAZIER. Yes; I yield.

Mr. BARKLEY. The Senator says everybody admits that we were dragged into the World War through false propaganda issued by Great Britain and France. I certainly cannot let a statement like that go unchallenged. Not only does not everybody admit it but very few persons claim it who are familiar with the situation which existed here from 1914 to 1917.

I was a Member of the House of Representatives at that time. Many persons who are now Members of the Senate were Members of the House at that time. I voted for the declaration of war. I certainly was not actuated by propaganda, and I do not think anybody else in Congress was actuated by propaganda; and certainly President Wilson, when he came before Congress asking for a declaration acknowledging the existence of a state of war that was forced upon us by Germany on account of the unlawful attacks upon our citizens and commerce, was not actuated by propaganda. Propaganda did not sink our ships. Propaganda did not murder our citizens.

I do not think the statement ought to be allowed to go unchallenged that everybody admits that we were dragged into the war in 1917 by false propaganda.

Mr. FRAZIER. I did not by any means mean to insinuate that the Members of Congress at that time were led by false propaganda, realizing at the time that it was false propaganda; but there was a great deal of propaganda which afterward proved to be false.

Mr. BARKLEY. Of course, there was propaganda on both sides.

Mr. FRAZIER. Yes; that is true.

Mr. BARKLEY. And not only was there a great deal of propaganda but the propaganda was executed by sabotage and attacks of all sorts with which we are familiar. That, however, was not what led us into the war. I think the Members of Congress who were here at that time properly assessed and evaluated the propaganda on both sides. It is not historically accurate to make the statement that we were dragged into the war by propaganda and that everybody admits it.

Mr. FRAZIER. Statements have been repeatedly made by Members on the other side of the Chamber that we were dragged into the World War.

Mr. BARKLEY. It does not make any difference on what side anybody makes that statement. Everybody is entitled to his own opinion about the causes that took us into the World War; but I rose to deny the statement made by the Senator from North Dakota that everybody now admits that we were dragged into the war by false propaganda. It is not accurate.

Mr. FRAZIER. Mr. President, certainly the people of the Nation were made war conscious and led to change their views, and apparently became willing to go into war, through the

propaganda that went out, at least 99 percent of which was false, in my opinion.

Mr. BARKLEY. The Senator will recall that following the sinking of the *Lusitania*, at which time 124 Americans were drowned——

Mr. FRAZIER. There is some history about the sinking of the *Lusitania*, if the Senator wants to go into that.

Mr. BARKLEY. I say that following the sinking of the *Lusitania;* at which time 124 Americans lost their lives, a former President of the United States, Theodore Roosevelt, urged that we go into the war as a result of its sinking. Does the Senator say that was the result of English or French propaganda?

Mr. FRAZIER. Did the Honorable William Jennings Bryan urge that we go into war on account of it?

Mr. BARKLEY. No.

Mr. FRAZIER. Did the Honorable William Jennings Bryan think there was any need of our going into war?

Mr. BARKLEY. No; I agree that Mr. Bryan resigned as Secretary of State because he did not want to be Secretary of State at a time when we would be involved in war. But the Senator is talking about propaganda, and I am asking him whether he thinks that Theodore Roosevelt was actuated or influenced by English or French propaganda when, following the sinking of the *Lusitania*, he declared that we should go into the war on account of it.

Mr. FRAZIER. Of course, Theodore Roosevelt was a war man himself, had been a great soldier in the past, during the Spanish-American War. I heard him speak before the United States got into the World War, urging that we should get into the war. I think Theodore Roosevelt would have taken us into the war, if he had had his way, right from the start, even before the *Lusitania* was sunk.

Mr. BARKLEY. But the point is that he and many others were not influenced by propaganda.

Mr. FRAZIER. I am not so sure of that; and, of course, I am of the opinion that the English were to blame for the Americans going on the *Lusitania*. That was an armed ship and carried ammunition, and the Americans had no business on that ship. They should have been warned to keep off it, just as Mr. Bryan contended.

Mr. BARKLEY. How can it be said the British were responsible for those Americans being on the ship, unless the mere fact that it was an English ship which was sailing out of New York should be charged to the British Government as fixing responsibility for our people getting on it? The German Government itself, on the day before the ship sailed, issued a warning against Americans getting on any ship.

Mr. FRAZIER. Was any warning issued here, from the Capital of the United States, against them going on it?

Mr. BARKLEY. No; there was not. But the thing which resulted in the long controversy from 1914 to 1917 was the insistence of our Government that Americans, who had the right under international law to do business and to travel, should be protected, and that wherever ships were to be sunk they should be sunk in accordance with the rules of international law, providing for the safety of passengers. We are abandoning all that in the proposed legislation we are now considering. We are not undertaking to change international law, but we are suspending its operation so far as our citizens are concerned, in order that we may avoid the very sort of incidents and controversies that led us into the war in 1917.

Mr. DOWNEY. Mr. President, will the Senator from North Dakota yield?

Mr. FRAZIER. I yield.

Mr. DOWNEY. I should like to ask the Senator from North Dakota whether he is familiar with the latest historical conclusions, which I think are unanimous, concerning the sinking of the *Lusitania*, about which the Senator from Kentucky has spoken. As I understand, the opinion is now unanimous that the British Government probably acquiesced in the sinking of the *Lusitania* in order to create propaganda in the United States; that the *Lusitania* was sent out without any naval protection, traveling at half speed, under conditions of warning of her sailing that made it almost a certainty, to the knowledge of the British Government, that the *Lusitania* would be sunk. I wish to say to the Senator from North Dakota—and I shall not interrupt him now to develop it—that later on in the discussion I will have the proof of the conclusions of the historians to that effect. If I may, I should like to make this comment, that the point raised by the Senator from Kentucky that we were not influenced by propaganda, is not borne out by the facts, because it is now agreed that that probably was one of the most horrible examples of propaganda the world has ever known.

Mr. BARKLEY. Mr. President, I do not wish to take the time of the Senator from North Dakota, but I am surprised to hear the Senator from California say that it is unanimously admitted now by historians that Great Britain was responsible for the sinking of her own ship, and the destruction of more than 1,200 lives, in order to drag the United States into a war. I have read the statement of the captain of the submarine which sank the *Lusitania*, and it will stir any man's heart to read the statement of the man who himself directed the torpedo which resulted in the sinking of that ship. I shall not go into it, but there has been a question whether the captain of the *Lusitania* exercised wisdom in the course he took in returning his ship to Europe. At the time she was sunk he was zigzagging in order to avoid the very danger which overtook him, and there have been naval experts who have criticized the captain of the *Lusitania* because he did not pursue a straight course, so as to avoid suspicion, and outrun the submarine; but I have never heard anyone criticize the British Government because the captain of the *Lusitania* was zigzagging, as they all did, in order that he might elude the submarine which was after him.

Mr. FRAZIER. I hope the Senator from Kentucky will be on the floor when the Senator from California makes his statement next week. I have heard the statement the Senator from California has repeated, and I did not want to put it as strong as he did, but I do think that Great Britain had much to do with and was largely responsible for the Americans going on the ship, and over the protest of the Honorable William Jennings Bryan. He pleaded with the President of the United States at that time to warn people to keep off it. They were not warned, but were allowed to go on board, and were sunk.

Mr. BARKLEY. Of course, the Senator realizes that war was not brought about by the sinking of the *Lusitania*, and while 124 Americans were killed, there was a long series of notes and diplomatic representations on both sides. The controversy was finally adjusted by the German Government agreeing to relax in its submarine warfare, and following that understanding, the relations between this country and Germany, during 1916, materially improved. No one contended on the part of the Government of the United States that we were going to war because of the sinking of the *Lusitania*. Later on, of course, the unrestricted submarine warfare was declared, and Germany announced that any ship from any nation carrying anything would be sunk, and that was when the crucial situation arose which resulted in the severing of diplomatic relations.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. FRAZIER. I am glad to yield.

Mr. HOLT. Discussing the importance of propaganda in connection with our entrance into the World War, no one can deny that propaganda was used to stir the emotions of Americans to a condition of nonneutrality, just as is being done now. Of course, when that was done, it made it easy for the administration not to be neutral. No one can say that the people of the United States were neutral when they were lending money to the Allies with which to wage war.

Mr. Lamont, of J. Pierpont Morgan & Co., testified before the committee that we were not neutral from the start. Why were we not neutral? It was because of the propaganda which came into the United States, making it easy for the United States Government to take sides with the Allies. That was the danger of propaganda, just as it is the danger of propaganda today. It makes it easy for the administration, which does not want to be neutral, to take sides with the Allies.

Mr. FRAZIER. I thank the Senator. The mention of the sinking of the *Lusitania* brings up many old recollections. The sinking of the *Lusitania* was used as a basis of propaganda to get our people into a frame of mind for war. Even the Members of Congress, themselves, did not know what the conditions were when the Americans went on the *Lusitania* and were sunk.

Mr. HOLT. A statement was made in England by an English public official to the effect that "if we could sink another *Lusitania*, we could get the United States in immediately."

Mr. FRAZIER. I have heard something about that statement; I do not know how authentic the information is. But a great deal of propaganda is being spread now, as it was being spread during the World War.

Mr. CONNALLY. Mr. President, let me ask the Senator, Who sank the *Lusitania*?

Mr. FRAZIER. I suppose it was a German submarine. The Senator was not in the Chamber when that was being discussed.

Mr. CONNALLY. I am here now. [Laughter.]

Mr. HOLT. The *Lusitania* carried more than 5,000 cases of ammunition for the Allies, with which to kill Germans.

Mr. FRAZIER. There were guns on board, too.

Mr. HOLT. In other words, Germany should sit back and allow the transportation of guns with which Germans were to be killed. Then it is said we were neutral.

Mr. FRAZIER. The Americans who went on that ship were not warned to stay off it. Even in spite of the insistence of the Honorable William Jennings Bryan that they be warned, the President refused to warn Americans not to go on the ship, and when the indisputable evidence was brought to him that there were munitions of war on her and that the ship was armed, contrary to all international law as to ships carrying passengers, the President refused to call the ship back, as it could easily have been called back when it first started out.

Mr. BARKLEY. Mr. President, does the Senator think it was right or wrong to sink the *Lusitania*?

Mr. FRAZIER. I think it was wrong, decidedly wrong. I think it was wrong, too, that those Americans were allowed to go on her without being notified that they were likely to be sunk.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. HOLT. Does the Senator from North Dakota also think it was wrong for the *Lusitania* to carry arms, ammunition, and implements of war? In other words, let us start with the premise of the ship leaving the harbor. Let us begin at the point when the *Lusitania* left New York harbor. Do not let us begin at the point out in the ocean where she was sunk.

Mr. FRAZIER. Yes, Mr. President, I think it was absolutely wrong for the *Lusitania* to carry munitions of war, to be armed, and to carry passengers under the guise of being a passenger ship. That was absolutely wrong. I believe it did more than anything else to get us into the war. I remember the circumstances surrounding the sinking very well, and I can go further into a discussion of the question if any Senator wishes me to do so.

Mr. President, I remember particularly the attitude taken by the distinguished father of the Senator from Wisconsin [Mr. LA FOLLETTE]. He made a speech in a great auditorium in St. Paul, and I happened to be the chairman of that meeting. He mentioned the sinking of the *Lusitania*, and explained the circumstances surrounding it. Some representative of the Associated Press misquoted him—in my opinion, deliberately misquoted him to get him into trouble. What happened? After the Senator returned to Washington the newspapers were full of headlines to the effect that he was pro-German, and that sort of thing. A resolution was introduced in the Senate for an investigation of Senator La Follette, of Wisconsin. Pursuant to the resolution a committee was appointed. It never met to investigate him, however, although the Senator from Wisconsin pleaded with them to hold the investigation so he could clear his record. The committee, however, never held the investigation. The story was that members of that committee got in touch with William Jennings Bryan to find out what he was going to say if he was called before the committee to testify concerning Senator La Follette, and Mr. Bryan told them he would testify to the truth. And the hearing was never held.

So, Mr. President, if anyone wishes to refer to the *Lusitania* sinking, I will say that I happen to remember something about that situation myself. Many other persons remember it also, especially those who had friends on that ship when it went down, and who were not warned to keep off of it.

I was talking about the suggestion of our owing anything to Great Britain and France which would justify us to go into their war. We went into the World War and we furnished them with food, clothing, ammunition, and money, and arms, and men to stop the German drive to Paris. Mr. President, it was the American soldiers who stopped that German drive to Paris. There is no getting away from that. Perhaps they will not acknowledge it now, but at the time it was acknowledged, and it was true without any doubt. It was our boys who stopped that drive to Paris. Then, after the armistice was signed, came the Treaty of Versailles. Was that our treaty? No; it was no more our treaty than was the World War our war—not a bit. But Britain and France insisted upon that treaty. They starved Germany into signing it. England and France forgot all about international morality in that Treaty of Versailles. They forgot all about all their democracy, too, in that Treaty of Versailles. They forgot everything except their greed for power and their desire for revenge. I repeat, the Treaty of Versailles is responsible for the present war in Europe.

England and France needed more money to help them get on their feet after the war was over after the armistice was granted. We loaned them the money, running into billions of dollars, expecting that it would be paid back. But it was not. No; the debt was practically repudiated, and the American taxpayers are today holding the bag. The American taxpayers are today paying the interest on that debt. They are paying the interest and the principal on the money loaned to Great Britain and France after the war was over to help put them on their feet.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. HOLT. Has not England said one reason they are fighting this war is to make those individuals and nations who do not live up to their agreements live up to their agreements?

Mr. FRAZIER. Well, that may be one excuse for fighting the war, but it is not the reason by any means.

In view of all this, I want to ask in the name of common sense if we owe England and France anything that would justify us in going into the present war on their side.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. CONNALLY. Do we owe Germany anything which would justify us in continuing the embargo which distinctly helps her by refusing arms and munitions to England and France?

Mr. FRAZIER. I cannot quite agree with the Senator from Texas that the continuation of the embargo helps Germany. That statement has been made here frequently, but no evidence has been presented to back up that opinion.

Mr. CONNALLY. Does the embargo help England and France?

Mr. FRAZIER. No; I do not think it does.

Mr. CONNALLY. Would the repeal of the embargo help England and France?

Mr. FRAZIER. I think it would.

Mr. CONNALLY. Then keeping it is helping Hitler and Stalin, is it not?

Mr. FRAZIER. Well, I think that is a very slim argument. They are helped by not repealing it.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. HOLT. Does not the Senator think it is more important for us to legislate for what will help the American people than what will help foreign countries?

Mr. FRAZIER. Yes. I think so; absolutely. And I think the way to stay out of the present war is to stay out of it and not take the first step into getting into it. There should be no mixing in European affairs, in my opinion.

Mr. President, in my opinion, we were made fools of in the World War. Then we had it rubbed in by the repudiation of the debts; of the loans we made after we went in. Those owing us even called us "Uncle Shylock" after the war was over. Oh, yes; they talked very nicely to us while the war was on, when they wanted us to come into it; but after the war was over it was "Uncle Shylock."

Mr. President, I ask in all seriousness, Are we to be fooled again? I think the Senator who happens to occupy the chair will remember the story of the old Indian, I think it was down in his own State, who said:

If Indian fooled by white man once—bad white man. If Indian fooled by white man twice—bad Indian.

In other words, the Indian would not be fooled the second time. That is characteristic of the American Indian. If the United States failed to keep its peace with the Indians, they just did not trust us any more. The Indians have a stronger characteristic along that line than the white people, in my opinion.

Many Senators undoubtedly recall reading the purported interview of some New York newspaperman with Winston Churchill, the First Lord of the Admiralty of Great Britain in the Cabinet during the World War, who was appointed to the same position recently, wherein Mr. Churchill was supposed to have said that if the United States had not gone into the war, had stayed out of it, that it would have been better for all concerned, and that the treaty would have been made in the spring of 1917, and so forth, and saved the lives of many of their soldiers. It seems to me to be a rather strange statement. I remember reading it some time ago.

The one who was supposed to have had the interview with Mr. Churchill was William Griffin, editor of the New York Enquirer. I have met Mr. Griffin and have talked with him. He seems to be a very eminent gentleman and conscientious and fair. I could hardly believe that he would misstate a proposition of this kind. But a newspaper story just a few days ago was to the effect that Mr. Churchill had flatly and emphatically denied having made such a statement, and called it a lie. This newspaper story said that it was understood that Mr. Griffin had brought suit of some kind against Mr. Churchill because of what he had said in denying the interview. Of course, we have all heard of interviews that later have been contradicted and called lies.

I wish to say just a word about the cash-and-carry provision in the present measure. The cash part of it, in my opinion, is a misnomer, because it provides for a 90-day credit.

It is hardly fair to say that a 90-day credit extended to a country at war is cash. It is hardly fair, hardly reasonable, hardly logical.

Then the question naturally arises, Who is going to furnish this 90-day credit for arms, ammunition, and implements of war? Certainly the munitions companies will not do it, and certainly the airplane-manufacturing companies will not furnish airplanes and bombs to a warring nation on a 90-day credit basis or on any credit at all. Oh, no. The cash-and-carry provision in the old law which expired a few months ago was all right, and should have been continued, in my opinion. But the pending measure would also change the neutrality law after the war had started, and might again raise the question of international law. It seems to me it is not the proper kind of a cash-and-carry provision.

The cash-and-carry and the credit provisions with warring nations recall to my mind something that occurred during the last session of Congress when the War Department appropriation bill was under consideration. Some Senators may remember that a provision was made to appropriate $2,000,000 a year for 5 years for what was called an educational fund in the War Department. That was approved June 16, 1938. Then the War Department came back and said that the amount carried in the War Department bill was not enough for education.

What was the educational money used for? I will tell you in a moment. Perhaps some Senators have forgotten about it. They came back a little later and asked for more money. They wanted $14,250,000 additional. That was for educational purposes, too; and that appropriation was approved a little later. It was for educational purposes: "For placing educational orders to familiarize private manufacturing establishments with the production of munitions of war of special or technical design, noncommercial in character, as authorized by law, fiscal year 1940, $14,250,000." That was their statement or explanation as to what the money was for.

A story was current at the time to the effect that our rifle companies and those who made arms just could not manufacture arms, even for their own Government, unless the money was in sight. The Assistant Secretary of War went before the Military Affairs Committee of the House and told about a contract which the Department had with one of the rifle companies. He said that the contract was let to the lowest bidder, which was the Winchester Repeating Arms Co., for $1,384,500. The contract was for making jigs, dies, and tools for the making of rifles. The Department let a contract to the Winchester Repeating Arms Co. for 500 rifles, Mr. President, and these tools, for $1,384,500. The Assistant Secretary of War, Mr. Johnson, told the committee further that the purpose was to make tools enough so that in the event of war the Winchester Arms Co. could make rifles for the War Department at the rate of 10,000 a day; and this was a part of the industrial mobilization work about which we now hear so much. The work is well under way, although the industrial mobilization bill has not yet been passed, and, as I understand, has not been introduced, in the present session of Congress, although it was introduced in the previous session, but got nowhere.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. FRAZIER. I yield.

Mr. CLARK of Missouri. I will say to the Senator that I was the one who introduced the various bills comprising the industrial mobilization plan and the war mobilization plan of the War Department. I did so because I discovered that the plans were in existence and had never been sent to Congress, but were being reserved so that they could be set up after a declaration of war by Congress, to be passed under whip and spur, without consideration. I thought the Congress ought to be advised of the character of the plans. I myself introduced the bills and had them referred to the Munitions Committee, which reported them adversely.

Mr. FRAZIER. In the present session?

Mr. CLARK of Missouri. No; this was 4 or 5 years ago.

Mr. FRAZIER. I thank the Senator from Missouri.

In the House the committee asked the Assistant Secretary, Mr. Johnson, what his justification was for the estimate for this appropriation, and for the $1,384,500 to the Winchester Repeating Arms Co. Mr. Johnson said:

It is an interesting story, Mr. Congressman.

This statement is found in the printed hearings on the supplementary military appropriation bill for 1940. This particular hearing was started on Tuesday, May 16, 1939. Mr. Johnson said:

It is an interesting story, Mr. Congressman, that in connection with the things that are coming to our attention now we are getting full record of what happened in the World War.

This statement was made in May of this year. Twenty-two years after the war closed, the War Department is giving a full record of what happened in the World War. Mr. Johnson was passing on the record to a committee of the House. He said:

There is a story we might tell here, if we needed any justification for what we ordinarily seek in an educational order. There was a conference in Berlin which was presided over by the Kaiser, and the question was up at that time as to whether or not unrestricted sub-

marine warfare should be resumed. The Secretary of State of Germany for Foreign Affairs was opposing the resumption of unrestricted submarine warfare. Hindenburg and Ludendorf said that the intervention of America would not be of any importance in the war, and the German Secretary of State for the Navy in that conference, then or later said, "I consider the intervention of America to be worth nothing at all." The argument was advanced in that conference that America was not industrially mobilized.

That was the reason, according to this statement, that America's entrance into the World War would be of no effect whatever. Mr. Johnson goes on:

Finally the Chief of the German Naval Staff summarized what had been said by the others to the effect that it would be a long time before the different arms could be manufactured in America because of necessity of jigs, dies, and tools being manufactured. He summarized it all, saying after rising to his feet, and clicking his heels together, "I give Your Majesty my word as a Prussian officer that not a single American will land on the Continent."

That made a good story—

That is the way he concluded it, and the background of it was the lack of industrial organization in this country. The story as told that day was substantially true. I have an abiding belief, personally, that if we had been industrially mobilized as we are now seeking to be we would not have been dragged into that war.

The same old propaganda. If we had been industrially mobilized at the time of the World War we would not have been dragged into the war. What did William Jennings Bryan say on that subject? After he had resigned as Secretary of State, William Jennings Bryan said in a speech in the neighborhood of Washington that the countries that were best armed were ones which always went into the war first. He said that in his opinion if the United States had been as well armed at the beginning of the World War as the big Army and Navy crowd wanted it to be the United States would have been in right from the start; and I think he was correct.

But Mr. Johnson says that if we had been industrially mobilized at the beginning of the World War we would not have gone into the war at all. What a wonderful story. Representative COLLINS said, "Mr. Secretary, where did you get that story?" Mr. Johnson could not quite remember where he got it. He is now out telling stories along the same line, and I do not suppose he can remember where he gets them, either, or who instructed him to put them out; but he is out peddling such stories to try to create sentiment for war at the present time, sentiment for the United States to go into the World War and mix up in Europe.

Mr. President, we had no business whatever in the World War or in Europe's entanglements.

I quote from a statement from the Iron Age entitled "44,500,000 Lost Man-Years":

War is perhaps the greatest of all destroyers of wealth, purchasing power, and jobs. It is doubly nonproductive in that it not only diverts effort from the creation of wealth, but in addition destroys it.

A large part of our unemployment in the United States is caused by the fact that we are now paying the cost of the World War.

When a person or a nation has good credit, it does not have to pay "on the nail" for what it buys. It can utilize the deferred-payment plan.

The disadvantage of the deferred-payment plan is that the interest is likely to eat you up.

When America entered the World War its credit was excellent. Our national debt was only $3,000,000,000. Today our national debt is $40,000,000,000. It will soon be $45,000,000,000, perhaps $50,000,000,000.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. CLARK of Missouri. That statement is in error to this extent, that according to the Treasury statement, which I received this morning—I sent down there to obtain it—the national debt of the United States at the time we entered the war amounted to only $1,240,000,000.

Mr. FRAZIER. I do not understand that statement.

Mr. CLARK of Missouri. As I understood the statement the Senator was reading, it was to the effect that when we entered the war our national debt was $3,000,000,000. As a matter of fact, according to the Treasury figures it was only $1,240,000,000.

Mr. FRAZIER. I thank the Senator for that correction. Whoever wrote the editorial in the Iron Age did not put the war debt high enough either, in my opinion. He says it will be $45,000,000,000, or perhaps $50,000,000,000.

The cost of the World War to the United States, according to a report made by the Secretary of the Treasury in 1934, was $42,000,000,000. Add to that the appropriations made in the peacetime years since for the Army and Navy, namely, eleven and one-half billions. The sum total is fifty-three and one-half billions.

Of course, that sum is not anywhere near large enough, Mr. President; and the expense of the World War will keep on for some time. It will not be paid for some time. It will keep growing larger. I think it was Mr. Coolidge who was quoted here yesterday to the effect that before it was paid it would be at least $100,000,000,000. I think that estimate is probably correct. But this editorial writer puts the figure at fifty-three and a half billion dollars as the cost of the World War to the United States, including the money that has been spent for increased armaments since the World War. He says:

Isn't it significant that the entire great debt of the United States of today can be accounted for by the cost to us of the World War and the cost of preparedness since then?

Yes. The debt of the United States today can be accounted for by the expense of the World War; there can be no question about that.

Nature always exacts a balance. When we destroy purchasing power by diverting production from profitable and proper channels to the destructive uses of war we are accumulating debts that will be paid in unemployment.

Let us take, for example, the $53,500,000,000 cost to us of the World War and subsequent armament cost and see what it means in terms of jobs. At an average total annual wage of $1,200, this sum represents 44,500,000 man-years of work.

Forty-four and a half million man-years of work!

We have been paying back this war debt in idleness and unemployment—with interest.

Diversion of effort from production to destruction—overstimulation of industry and overexpansion of capacity to meet the needs of Mars; artificial and temporary increase in purchasing power through induction into industry of women and others previously not gainfully employed—a short and merry decade of inflation and speculation—and then the awakening. That is war.

Let us keep this in mind in facing the present European conflagration: Machines cannot produce wealth as fast as war can destroy it.

Let us keep in mind when we face the present European conflagration that "machines cannot produce wealth as fast as war can destroy it."

These figures are amazing—and yet they are undoubtedly too conservative.

Our loss in manpower—of 130,000 killed, and thousands that died of diseases in Army camps, and thousands more that were hopelessly maimed and crippled, and more thousands who lost their reason and are in insane asylums—should also be taken into account, and the cost of the depression, and loss in unemployment, business, and agriculture, should be included.

All in all, our participation in the World War was an extremely expensive orgy. Whether we were dragged in—and it is admitted that we were dragged in—by false propaganda by England and France or false propaganda at home, or however we got in, it was exceedingly expensive; and the end is not yet. We are continuing to pay; our children will continue to pay, and children yet unborn will continue to pay, the debts of the last World War of 25 years ago. Now we are asked to lift the embargo on arms, which undoubtedly is a step toward leading us into the war now raging; and if we should get into that war, the expenses will grow vastly greater.

Mr. HOLT. Mr. President——

Mr. FRAZIER. I yield to the Senator from West Virginia.

Mr. HOLT. Is it not also a fact that before the World War we were told of the great prosperity war business would bring us?

Mr. FRAZIER. Yes; there was a great boom on, and some profits were made during the World War. As I remember the figures, several hundred new millionaires were made during the World War. That was real blood money.

We have heard some people talk about the farmers getting rich out of the World War, but that is a mistake. I come from a wheat-producing section. A minimum price for

not enough for education.

wheat was kindly fixed by the Congress. Then, I think, Mr. Hoover, the former President, who was then food administrator declared it to be a maximum price, and it stayed a maximum price, while the cost of production, labor charges, and the cost of living all went up, so that the farmer could not make anything even at the high price he got for his wheat. That price would have gone a great deal higher had it not been for the maximum price which was really fixed. The producers of some other commodities such as cotton did obtain an immense profit, but there followed a depression which more than offset any gain that was made during the wartimes by the farmers and by the manufacturers and by others, except perhaps, a few selfish profiteers who made enormous profits, blood money, during the wartime.

We have heard about the industrial-mobilization plan and limiting profits, and so forth. War profits cannot be limited too greatly to suit me. I am hopeful that they can be limited so that in the event of another war the munitions manufacturers and others who make money in selling materials to warring nations will not make more money than the soldiers, the boys who are drafted to go into the war.

Mr. President, I pray to God that our country will never engage in another foreign war.

Mr. LUNDEEN obtained the floor.

Mr. HOLT. Mr. President, will the Senator yield to me in order that I may suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from West Virginia for that purpose?

Mr. LUNDEEN. Under the circumstances, I prefer not to yield for that purpose.

The PRESIDING OFFICER. The Senator from Minnesota declines to yield.

OUR PERMANENT FOREIGN POLICY

Mr. LUNDEEN. Mr. President, this is certainly stormy weather in foreign affairs. The ship of state can hardly be said to ride at anchor, nor do many of us feel that it is being safely guided through this period of storm and stress. At such a time it is well to consult our chart and compass in order to make sure of our course I know of no better star to follow than the faith of the fathers and founders of America. The very north star of our foreign affairs is, and should forever remain, the Farewell Address of George Washington, of whom Lincoln once said:

> Washington is the mightiest name of earth—long since mightiest in the cause of civil liberty—still mightiest in moral reformation. On that name no eulogy is expected. It cannot be. To add brightness to the sun or glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce the name, and in its naked deathless splendor leave it shining on.

Had we in these later days followed his inspired advice, America would today be a happier and a more prosperous land. So I ask the Senate to listen to the words of Washington.

> Observe good faith and justice toward all nations; cultivate peace and harmony with all. Nothing is more essential than that permanent inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in place of them just and amicable feelings toward all should be cultivated. The nation which indulges toward another a habitual hatred, or a habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.
>
> So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.
>
> As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak, toward a great and powerful nation, dooms the former to be the satellite of the latter.
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> Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it.

At that point, Mr. President, I commend these words to the distinguished and able chairman of the Foreign Relations Committee, the Senator from Nevada [Mr. PITTMAN], who was quoted in the press as saying that he disliked a certain foreign country, and he disliked another foreign country, and he disliked a third foreign country. One edition of the newspaper used the word "hate," which seems later to have been changed to "dislike," but which is not very much in accordance with the advice and warnings of the Father of his Country:

> Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.
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> The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.
>
> Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.
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> Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.
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> Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?
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> It is our true policy to steer clear of permanent alliance with any portion of the foreign world.
>
> Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest.
>
> Constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.
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> After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.
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> The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity toward other nations.

So speaks Washington to all Americans of all the future. But lest there be fellow citizens who will not listen to Washington—and I am afraid there are some citizens who do not listen to Washington—let us turn to the pages of Jefferson, the author of our Declaration of Independence. Let us examine the statements on foreign affairs of Andrew Jackson and of Henry Clay and every worth-while statesman who ever lived under the American flag, and we shall find there one great chorus against entanglements in the quarrels of Europe, against American soldiers fighting to settle such quarrels, against the insidious influence and intrigues of the Old World, and the propaganda which comes to America from Europe to drag us into their struggles. The time has arrived to be American, wholly American, and nothing but American.

FEBRUARY 22—WASHINGTON'S ANNIVERSARY

But we persist in reading the Farewell Address on February 22, going through the motions of it, but giving it no heed. I am talking now about the foreign policy pursued by this country during the past 25 years. I remember that in the House of Representatives, where we have the likeness of the first President of our country beside the Speaker's desk, I pointed to that great portrait, and those who stood about me said, "Oh, he has been dead 120 years." But even though dead 120 years, he visioned the future—he had more wisdom and vision than all the small potatoes and nubbins and two-by-fours we have had running the State Department and the foreign affairs of this country in the past 25 years.

JEFFERSON BANQUETS

Banquets are given annually in honor of Thomas Jefferson; but if he were here now, I venture to assert that he would not care much about those banquets. Thomas Jefferson once said that "for us to attempt to reform Europe by war would prove us only to be maniacs." Just what is the policy of the Jeffersonian party in that respect today? They have departed from the policies of Jefferson. They do not read Jefferson any more. They give banquets in honor of Jefferson, and they come here and hold high office, but Jefferson himself is forgotten.

ANDREW JACKSON CELEBRATION

Since Jefferson has been dead so many years, however, we might turn to the pages of Andrew Jackson, who, by the way, collected the French war debt in his day. Perhaps if we had an Andrew Jackson now we might collect another French war debt. Banquets are given in honor of Andrew Jackson, but I do not hear of anything being said at those banquets about his collection of the French debt. The great Tennessean whose lofty patriotism no man can question collected that French war debt a hundred and more years ago. Why not read his words and follow his example? Why be so tender about the British and the French? Why not make them toe the mark? They have the territory, they have the wealth and resources to pay; and I propose to show, with the permission of this great Senate, that they can pay, and can pay now.

JOHN QUINCY ADAMS, OLD MAN ELOQUENT

Some day, with the indulgence of the Senate, I shall read a chapter from a very able book written by the distinguished senior Senator from Missouri [Mr. CLARK], a chapter concerning John Quincy Adams—Old Man Eloquent—and the debate which occurred upon the question of collecting the French war debts, when there were people abroad in the land who said, "How are you going to collect them? Are you going to send the sheriff to get them, or draw a sight draft? Which policy are you going to pursue?" But Jackson made the statement, in his declaration to Congress, that if the debt were not paid he would seize gold and silver and securities of French nationals in our financial institutions, and their other property and possessions in America. There was a red-blooded American. It might do the administration some good to read Jackson a little bit more than they are doing. They are honoring that great President with banquets. They might read and study his state papers with much profit.

With the permission of the Senate, I should like to insert in the RECORD, at this point, a telegram from the Minnesota State Federation of Labor, signed by its president, reaffirming the stand of the great labor movement of Minnesota against war.

The PRESIDING OFFICER. Is there objection?

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., *September 27, 1939.*

Hon. ERNEST LUNDEEN,
United States Senate, Washington, D. C.:

Be it resolved, That we, the Minnesota State Federation of Labor reaffirm the stand of the labor movement against war; and be it further

Resolved, That we demand the adoption of a constitutional amendment that would take the war-making power out of the hands of Congress and refer it to a vote of the people.

R. A. OLSON, *President.*

Mr. LUNDEEN. Mr. President, no wonder labor is losing confidence in our war-making powers. We shout peace, peace; keep out of war, keep out of war, and then immediately proceed to plunge into war. We break the most solemn pledges to our voters, and betray their confidence—that we did on April 6, 1917, and all history now pronounces that war a colossal blunder.

There has come to my notice an address by Gen. Smedley D. Butler, commander of the marines in France during the World War. I do not know how popular he is around the Capitol any longer. He was quite a general during the World War, and has been addressing the American people about keeping out of the quarrels of Europe ever since. This calls to my mind the commander in chief of the American Navy during the World War, Admiral Sims. I do not think we are heeding his statement concerning battleships and dreadnaughts. He said that the safest place for battleships and dreadnaughts in the next war would be as far up the Mississippi River as we could get them. I might read the statements of Brig. Gen. William Mitchell on that subject also. And just now I see newspaper headlines that great ships—battleships—are being sunk by a few inexpensive planes. What will our dreadnaught advocates say now about their huge supernavies? Better listen to Admiral Sims and Billy Mitchell.

In view of these things, I voted not only for the appropriation for 5,500 airplanes, but I voted for the 6,000. I voted for the greatest number offered to the Committee on Military Affairs, of which I have the honor to be a member, or presented to the Senate on the floor of the Senate.

This article containing the interview with General Butler, published in the Philadelphia Inquirer a few days ago, reads:

ARMS CREDITS SURE PATH TO WAR, SAYS GENERAL BUTLER—SELL THEM NOTHING WITHOUT CASH, OR DEMOCRACY WILL BE LOST ON A FOREIGN BATTLEGROUND, HE WARNS

(By Smedley D. Butler, major general, United States Marine Corps, retired. Holder of two Congressional Medals of Honor for valor in the field. Outspoken advocate of American isolation from foreign "power politics." Home: Newtown Square, Pa.)

The American people are about to buy another international gold brick.

Their last purchase of that commodity had tragic consequences—125,000 dead, 234,300 wounded, 4,500 missing, and $41,765,000,000 cost, as I recall the figures offhand. If this one goes through, it may be the finish of everything we hold dear. We may lose our children, our wealth, and, above all else, our democracy, which every one of us loves. At the minute war is declared, America becomes a dictatorship. No living man knows whether that dictator, whoever he may be, won't like the job so well he'll want to hang on to it.

FIFTY-FIFTY CHANCE

One of the lessons we thought we learned from the last war was that one bar against getting into the next one would be refusal to sell our goods on credit; another was not to permit American ships to carry contraband materials to warring nations through belligerent zones.

Personally, I am opposed to selling any of the belligerents anything—even toothpicks, for toothpicks are merely cellulose in splinter form. That, in my opinion, is the best way to keep us out of war. If we sell goods to the belligerents it's a 9-to-1 shot we'll be in the war before it's over. If we don't, we have better than a 50-50 chance to stay out of it.

Money obtained from selling war materials is blood money, and no lasting good can come of it. It is cowardly for us to say to a belligerent, "Here, you take this bomb and toss it—I'm afraid." If the American people hate Hitler and want him destroyed, they ought to get in it right away and bear their fair share of the job. Otherwise, it's none of their business.

IT'S POLITICS NOW

But I believe that next to that kind of neutrality, the overwhelming majority of the American people stand pat on cash and carry as against credit and carry.

With a little hocus-pocus, but without warning, and while war is in progress, the majority leadership of the United States Senate scraps the cash and substitutes credit.

They haven't done it from impure motives. They haven't done it because there is some sort of a clique in our own Government trying to swing our Nation into the war on the side of the Allies. That's bunk.

But I do believe that enactment of the credit clause will do more than anything else to draw us into war.

It amounts to the same thing, in my opinion, as calling up the first American class of conscripts. As sure as death and taxes, it is the back door into eventual American participation in the high-pressure international politics being played in Europe right now. Before the first gun was fired, it was "diplomacy"; but now that they're shooting, it's politics.

WHAT WAR MEANS

What does war for America mean? It means hundreds of thousands of our young men killed and maimed. It means hundreds of thousands of survivors ruined for the only job we have any right to require of them—that of building a stronger American democracy. It means millions of heartbroken mothers and wives and sweethearts. It means new hospitals for new war victims, though we haven't finished building or paying for hospitals to take care of the last war's victims. It means new debts and new deficits. It means, inevitably, national bankruptcy.

Why substitute credit for cash?

We all know what cash and carry means. It is evident that even those supporting credit and carry disagree among themsleves what that program means or may mean.

You go to your grocer. You plump down money for a dozen eggs. If, on the way home, you drop them, it isn't your grocer's fault. They were your eggs. Substitute guns or airplanes or cotton or beef or wheat for that dozen eggs, and any of the belligerents for yourself, and you have cash and carry. It's simple. It's uncomplicated. It's foolproof.

ALL WE'LL GET IS A PROMISE

Full title to whatever goods he has purchased and paid for, on the line, passes to the purchaser at the dock. What happens to it after that, by every rule of international law, good conscience, and ordinary horse sense, is his worry.

If we're going to sell anything to anybody for war purposes, that's the way to sell it.

Incidentally, in the last few days, at least two very wealthy American businessmen, who individually and as heads of corporations stood to gain most by selling war materials, came out flat-footed for a complete embargo. They were big enough to oppose that kind of profit. They are Americans, thank God, before they are merchants.

I might say in that connection that one of these men, I believe, was the president of the United States Steel Corporation, who admitted that while profits would come to his great corporation, greater than if we stayed out, yet in the long run the losses would be greater than any profit that would accrue if we entered the European war.

What is credit and carry?

It means that hundreds of corporations in belligerent countries are going to bombard us for war materials. They will plump something down on Uncle Sam's counter—but it won't be cash. Oh, no. It will be a promise to pay in 90 days, backed by the credit, if any, of the particular belligerent's government.

Or, I might say, the word of that government. I understand now that certain nations are questioning the word of Hitler. They say his word is not of any value. Perhaps it is not. But before I get through here today, if I am permitted, I will try to ascertain whether the word of the French and the British is of any value. Perhaps they are all in the same basket.

MR. CHAMBERLAIN ON SCRUPULOUS HONESTY

Mr. Chamberlain is reported to have said in substance that one of the things for which Great Britain is fighting in this war is that henceforth, when the word of governments is given, it shall be scrupulously observed. He was referring, of course, to Hitler's promises and engagements. I commend Mr. Chamberlain's own words to him in connection with the dishonored debt of his Government to the United States. That debt, greatly cut down from the original amount, was the subject of long conference between a British mission and an American commission; and the settlement, when reached, was ratified by the British Parliament and the American Congress. Under Mr. Chamberlain's own doctrine, should not such an obligation be scrupulously observed?

But it was not observed. The British apparently are a law unto themselves and by some divine right they think they are permitted to determine when they care to scrupulously observe their engagements.

WILL GOOD MONEY GO AFTER BAD?

Granting original complete good faith on the part of the purchaser, suppose at the end of 90 days a request is made on us for an extension or a refinancing of the credit. What are we going to do about it? Are we going to try to salvage what we have invested? Or are we going to toss good money after bad? Or are we going to be presented with some smart argument for new credits and new notes?

Mr. President, we loaned the Germans quite a large sum of money after the World War with which to carry on the governments of their cities and other activities within Germany. First we were going to shoot them off the earth and then, after we got through with them, we made up our minds we were going to finance them, so we loaned them money. Then after awhile we thought we would like to get some interest on the money, so we asked the Germans for interest. What did they reply? They said, "Vell, if you will lend us some more money, ve vill pay interest on the money you have already loaned us."

THE ANSWER OF EUROPE, "WE WILL NOT PAY AN HONEST DEBT"

And that was the answer of all European governments: "If you will loan us some more money, we will pay you a little interest on the money you have already loaned us." "But not quite as much as you loaned us," they might have added.

Whatever happens, it is as plain as a pike staff that the United States of America will be financing one group of belligerents against another group in a war.

A banker has obligations. Even though the Government of the United States, as such, doesn't extend one penny of credit, it is ex officio chairman of the board for every corporation that does. All the laws ever written won't prevent those corporations, exactly like stockholders in a bank, from demanding that the chairman use pressure to insure the loans. You don't even have to impute greed or lust or inhumanity to the sellers of war materials. It's just human nature.

ALLIES STILL OWE UNITED STATES $12,000,000,000

I wish to say in that connection that that is $12,000,000,000 after you have pared it down and after you have refunded it down to $12,000,000,000.

Mr. BORAH. After we had settled some of it for 28 cents on the dollar.

Mr. LUNDEEN. The distinguished and able Senator from Idaho says, "After we had pared some of it down to 28 cents on the dollar" with a promise that they, of course, would pay. But their word to pay the 28 cents on the dollar was no better and no more valid than their word to pay the 100 cents on the dollar. It was no more valid than any word of Chancelor Hitler's or any other European statesman, and yet these nations go about the earth and question the word of other nations. Holier than thou; oh, yes; scrupulously honest. Just how good is their word? I do not believe any of these foreign diplomats. Sometimes because of the way they conduct our foreign affairs I feel like giving our own diplomats a slightly different pronunciation—"diplomuts." At the expense of the American people, at the expense of the American taxpayers, these debts are now resting on the backs of the American people. They are bending under these burdens. We have voted bonds to bring victory to these nations. They promised us they would pay. They have world empires such as the world never saw before.

THE GREAT BRITISH AND FRENCH EMPIRES

There are no empires in the world as great as the French and British Empires. The French Empire alone is more than 1,000,000 square miles greater than the United States. I shall give the Senate exact figures before I am through. The British Empire is four and a half times as large as our great country. They cannot pay their debts, but they are willing to spend money to keep what they have. They are for peace as long as they can get the pieces, and then after that they are for war to get more.

Just the other day I inserted in the RECORD a statement showing that the British have fought 54 wars, the French 53 wars, in the last 150 years. I am now having compiled a list of the wars in which the German people have been engaged, and I will match the records, if I have the opportunity a little later on, and we shall see that there have been plenty of wars on both sides. These wars will continue for a

thousand years into the future, as they run back a thousand years in the past.

SHALL WE CONTINUE TO FINANCE THEIR WARS?

The question now is, Are we going to be plunged into them; are we going to die on their battlefields; and are we going to finance their wars even after the wars are over?

I may be pardoned, therefore, Mr. President, for reading something from the fighting general, who I think has trimmed down his language a little for the newspapers, because I have heard him on two or three occasions when his language would almost burn fire. But no one can question his Americanism; no one can question that he is for America first, now and all the time, and that he is American through and through.

I continue to read:

The answer: "Require cash, 90 percent; give credit, 10 percent.

That follows the paragraph which reads:

The American people aren't fooling themselves. They believe, heart and soul, in real neutrality and keeping their hands off this mess. Short of that, if we must sell, they're for cash and carry 10 to 1. The latest Gallup poll asked this question: "If the neutrality law is changed, should England and France be required to pay cash for goods, or should we give them credit if they cannot pay?"

Mr. President, I wish some Senator would rise some day and elucidate a little bit about the Gallup poll. This man may have the name of "Gallup," but I have never heard him galloping around getting anyone's opinions about anything. I do not believe he has a true cross-section of American opinion. If I am wrong, I wish to be corrected. Anyone can sit down at a desk and guess right once in a while. I should like a little further information on the Gallup poll from some Senator.

I continue to read from General Butler's statement:

The answer: "Require cash, 90 percent; give credit, 10 percent."

STATESMEN WON'T SHOULDER RIFLES

That's plain enough. Only one out of every ten Americans wants any part in acting as banker for this new crop of European poker players.

In the face of that attitude, by what possible right, by what strange conception of their duty, have Senator PITTMAN and his adherents inserted the credit clause in the new neutrality bill?

I presume as a distinguished citizen of this country the general has the right to ask that question.

I assert, with all respect, that this group are welching on their unmistakable duty to the American people.

No one wants America to participate in this war. No one even tolerates the thought. But Senator PITTMAN won't have to carry a rifle. He won't have to live in a lousy, rat-infested trench. He won't have to inhale the odors of a stinking battlefield.

SENATORS WON'T EAT CHOW RATIONS

He and his followers won't have to eat iron rations and submit their bodies to the torture of shot and shrapnel and bomb and bayonet.

That, Mr. President, is more like the general. That is the way he usually speaks.

They might not even live to face the awful task of reconstructing a demobilized post-war America from its physical, social, industrial, and economic chaos.

It is my firm conviction that no man has the right to move the United States 1 inch toward even the possibility of war unless he is prepared to make a blood sacrifice, unless he is prepared to take his dearest relative by the hand, march him to the nearest recruiting station, and say, "Here, take him."

It's up to Congress and the national administration, which now has a real mandate from the people, to scrap this credit business and get back, at least, to the fundamental cash-and-carry plan before debate, that may prove ruinous, begins on the whole issue.

For my part, I repeat: Sell them nothing.

These are the words of Gen. Smedley Butler, chief of the marines in the World War, eminent citizen, and patriotic American.

THE BILLIONS EUROPE OWES US

Mr. President, the Chicago Tribune of October 7, 1939, has a cartoon on the front page, picturing the main entrance to the Capitol, and there is a sign hanging there, "Debate on arms sale," and on the steps outside the door is a huge package pictured as a traveler, and the title is, "The Billions Europe Owes Us"; and around about the feet of this figure and his traveling bag are bricks that have been thrown at him. "Uncle Shylock" is one; "War profiteers" is another; and "Blood money" is another. And he is named, "The Forgotten Man." The forgotten man is the billions Europe owes us.

FINLAND PAYS ITS DEBTS

In this connection we must never forget the sterling honesty and national uprightness of the Finnish people—an honest nation that pays its debt to America.

Great Britain, on June 4, 1934, endeavored to give us some excuses, and I want to place them in the RECORD. I think we should always look at both sides of any question.

The British note of June 4, 1934, says:

Nothing that has happened since [December 1, 1932]—

Evidently the date of another statement—

Nothing that has since [December 1, 1932] occurred has led His Majesty's Government in the United Kingdom to change the views they then expressed.

* * * * * * *

But, unfortunately, recent events have shown that discussions on the whole question with a view to a final settlement cannot at present usefully be renewed. In these circumstances His Majesty's Government would have been quite prepared to make a further payment of the debt and without prejudice to their right again to present the case of its readjustment, on the assumption that they would again have received the President's declaration that he would not consider them in default. They understand, however, that in consequence of recent legislation no such declaration would now be possible, and if this be the case the procedure adopted by common agreement in 1933 is no longer practicable.

* * * But they wish to reiterate that, while suspending further payments until it becomes possible to discuss an ultimate settlement of intergovernmental war debts with a reasonable prospect of agreement, they have no intention of repudiating their obligations, and will be prepared to enter upon further discussion of the subject at any time when in the opinion of the President such discussion would be likely to produce results of value.

Senators hear again that the British speak of readjustment after the revision of the debt had been accomplished. It does not make any difference how many times you revise, they want more adjustments, readjustment and readjustment.

SEIZE THE WEST INDIES

I think that one way of bringing them to their senses on this question would be to point out to the British and the French the West Indies, and serve notice upon them that unless they pay within a certain period we will send the armed forces of America there to seize them, in accordance with the Jacksonian theory, expounded in the days of good, strong, red-blooded, affirmative democracy and democratic principles.

THE WEST INDIES CAN BE ACQUIRED WITHOUT WAR

People in those days said there would be war. The question was asked, "You would not have war, would you?" If such a thing were done, not a shot would be fired. They are pretty busy on the western front, at the west wall, the Siegfried line, and the Maginot line. They are pretty busy in the Old World. They are not going to bother us over here. Mighty America must rise to its position of defending its own rights here in the Western Hemisphere. The islands to which I refer are American islands. They should be American bases for our naval craft and aircraft. We should have them in our possession. The American flag should fly over them in the West Indies skies; and we should be there now fortifying them, as we are fortifying Puerto Rico. I was for fortifying Puerto Rico.

I HAVE VOTED FOR AN ADEQUATE DEFENSE

With my vote I have sustained the American Army in the Hawaiian Islands and in Puerto Rico, and wherever we have sought to make strong the defense of America from a military or aviation standpoint. I supported every appropriation we have made for naval defense until the admirals gave notice that we had a sufficient Navy to defend the Monroe Doctrine. Then suddenly, within a week, we were confronted with a request for another billion or more. The cost will be nearly $2,000,000,000 when we consider the increased prices we shall have to pay.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. LUNDEEN. Gladly.

Mr. DANAHER. Has not the Senator heard various Senators in the past week explain that their individual position

on the pending question is being taken because of their desire to render assistance to Great Britain and France in the struggle overseas?

Mr. LUNDEEN. I have.

Mr. DANAHER. I should like to ask the Senator another question, if I may.

Mr. LUNDEEN. I yield to the Senator.

Mr. DANAHER. If we were to face frankly and directly and honestly in the United States Senate the question of how far and upon what basis we should extend possible help to Great Britain and France, might it not appear that as a condition precedent to our extending any such assistance we should ask Great Britain and France to cede to the United States in advance such island possessions, which, if we did not have them in advance, might possibly go to an enemy in the event Great Britain and France should lose the war? Let me put it to the Senator in another form of question, if I may. If our diplomacy should move as Great Britain's diplomacy has moved in the past, at the very least we would remove the territories and islands which are necessary to our defense from the possibility of an ultimate peace putting such islands in the hands of an enemy. Would it not seem to the Senator that we could very properly at the very least take such steps for our own protection?

Mr. LUNDEEN. I believe the Senator has stated an inquiry which might give us some thought along those lines. I believe we could proceed as the Senator has suggested, making our position emphatic, however, instead of sending a lot of scented and perfumed notes over there, to which nobody pays any attention, with little sidenotes of friendship and love for those nations.

Mr. DANAHER. Will the Senator yield for another question?

Mr. LUNDEEN. Yes, indeed.

Mr. DANAHER. It seems to me that some such discussion is appropriate to the very splendid trend of the Senator's observations, in the light of the fact that the pending bill contains section 7b. I direct the Senator's attention to the point that section 7b says that—

> The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

In the light of the Senator's observations, and in connection with the possibility of our diplomacy acting for our own protection, it would seem to me that the point could be developed.

I thank the Senator for yielding to me.

GIVING MORE LAND TO THE BRITISH

Mr. LUNDEEN. I thank the able Senator, and in reply I call attention to a clipping which I hold in my hand. Not only are we not asking for the West Indies islands, but I have here a clipping from the Denver Post headed: Claims to Little America may be given up to the British. We are contemplating giving them something more. They already have 12,250,000 square miles or more of the earth's surface. That is not enough. We intend to give them some more. We probably intend to run the figure up to 13,000,000 square miles. It is too bad to leave it at 12,250,000. We probably ought to make it an even 13,000,000.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. REYNOLDS. Particularly in connection with the subject of our explorations in the north and in the south, I might add that doubtless the Senator is already familiar with the fact that Admiral Byrd is now engaged in equipping two or three ships for an expedition to the south for the purpose of laying definite claim to previous discoveries. Those who have familiarized themselves with the subject, and have followed the equipment of this expedition, are of the high hope that our acquisitions by way of discovery may be definitely located and ascertained.

Since the Senator has been good enough to yield to me, I wish to make the observation that we are now engaged in fortifying and refortifying, by way of strengthening, our island possessions in the Caribbean, and in connection therewith we are about to let contracts for the strengthening of our fortifications and for the development of docks and facilities at San Juan, Puerto Rico. I am informed that these contracts, involving the expenditure of millions upon millions of dollars in our national-defense program, will be let between now and November 1, according to information I received from one of the admirals yesterday when I visited the Navy Department for the purpose of obtaining direct information in regard to the building program.

We are about to make expenditures in strengthening our fortifications in the Caribbean, particularly at San Juan. In view of that fact it might be a very good time to remind our friends across the seas, in whom we are so vitally interested, that as part payment of the thirteen or fourteen billion dollars they now owe us, represented by principal and interest, they should convey to us some of these islands. I am particularly interested in the island of Bermuda, which, by the way, is just off the coast of North Carolina, my great Commonwealth, a distance of only about 500 miles directly east.

The Senator will recall that in the West Indies, in the Caribbean, the British have half a dozen or more islands which are in immediate proximity to our Virgin Islands, which we bought in 1919 for about $25,000,000. They might consider letting us have Bermuda. I am particularly interested in Bermuda becoming an American possession for the reason that 95 percent of all the revenue derived by the port of Hamilton, the capital of Bermuda, comes out of the port of New York; and if we should become possessed of Bermuda, the revenue which is now going to our British brothers could be kept within the till of the taxpayers of the United States.

Let me add further that the little island of Bimini is not far from Miami, Fla. In fact, it is not more than an hour's flying time by airplane from Florida. Then there is Nassau. Those islands are just a stone's throw off the coast of continental United States.

The British are most friendly to us. They are very nice in all respects, and I know that they want to do the right thing. Perhaps if we should mention to them the possibility of liquidating a portion of their obligation by transferring to us Bermuda, Nassau, and Bimini, the suggestion might be productive of results. By the way, since we are fortifying our possessions in the Caribbean, I might suggest at this time that it would not be at all out of order to suggest to the British in a very friendly manner that we might be interested in taking over Trinidid, of which Port-of-Spain is the capital.

Mr. LUNDEEN. May I interrupt the Senator there to say that that would not be helping the British, would it? Unless we helped with money, they would not consider the help of any value.

Mr. REYNOLDS. It would be helping them in the sense of giving them an opportunity to demonstrate that they are sufficiently honest to pay debts which heretofore they have not attempted to liquidate.

The position of the Port-of-Spain is very important. I make mention of that for the reason, as I stated a moment ago, we are fortifying our possessions in the Caribbean. While on that subject, if the Senator will pardon me, I wish to add that we might suggest to them that we would be interested in having them make arrangements for conveying to us at least a part and portion of some of their territories in the north Atlantic. There is Labrador and there is Newfoundland. In connection with the trans-Atlantic flying service which has been inaugurated by the Pan-American organization, I have been informed that some of their great flying ships make landings at Newfoundland. I know when I was in Newfoundland last year there was being prepared what I was told was to be one of the largest and finest airports in the world. We could use those English possessions which are very near us. So I think, as a matter of fact, that this is the proper time to speak to our brothers across the sea and ascertain if they would not like to take advantage of "bargain day," for this is to them "bargain day." They say they need great sums of money and all that sort of thing. Of course, we would not give them any money, because they got about all

we had, but let us favor them in the way I have suggested. I want to help Great Britain; I want to help France by being of assistance to them in paying their debts. Here we have an opportunity to help them. I have heard a great deal about going to the aid of our brothers across the sea.

Mr. LUNDEEN. Mr. President——

Mr. REYNOLDS. If the Senator will pardon me further, let me say that I join others in saying that now we ought to help Great Britain and France. I am in sympathy with and always like the fellow who is hard up; I want to help the man who owes a lot of money and cannot pay anybody. I have been in the same condition myself. I am always grateful to those friends of mine who do not press me for my debts; and I know that Great Britain is grateful and appreciative to us because we have not been nagging at her all the time, as we knew that some time she was going to pay. I believe now that she would appreciate it if we would provide for her the opportunity to liquidate her obligation to us. So let us help Great Britain and France. Let us say to Great Britain, for instance, that "We know you owe us a lot of money; we have not bothered you about it; but just turn over to us Trinidad and Bermuda and a portion of Labrador for airplane-landing purposes and naval bases and make arrangements to transfer a portion of Newfoundland, and, if you want to, you can throw in Jamaica for good measure."

In addition to that, so long as I am on this subject, speaking of British interests——

THE BRITISH ASK FOR AID

Mr. LUNDEEN. Mr. President, before the Senator continues on that point—and I wish to hear his further remarks—let me say that I do not believe the British understand the words "bargain day." They understand only the words "give me day."

Mr. REYNOLDS. The Senator means "gimme day."

Mr. LUNDEEN. Yes; "gimme day"; they do not understand "bargain day."

Mr. CHANDLER and Mr. REYNOLDS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield, and if so, to whom?

Mr. CHANDLER. Will the Senator from Minnesota yield for a question?

Mr. LUNDEEN. I yield to the Senator from Kentucky.

Mr. CHANDLER. I have been very greatly interested in the suggestion of the distinguished Senator from North Carolina, who has expressed such a fervent wish to help Great Britain. He failed to urge another suggestion which would help them much more, namely, an arrangement with respect to Canada.

Mr. REYNOLDS. I thank the Senator for his contribution to "our" remarks; and, if the Senator from Minnesota will permit me further, since the Senator from Kentucky has mentioned Canada, I was about to say that, in my opinion, in relation to adequate national defense in which the people, particularly of California—and I address myself to the able junior Senator from that State [Mr. DOWNEY]—are so deeply interested, the construction of five highways to serve as military means of transportation as well as civilian is something to which we should give a great deal of attention and thought. I think eventually super-auto-highways will be constructed from the Atlantic to the Pacific and from Canada to Mexico. As a matter of fact, I know that our great President is interested in that, as are a great many members of this body. I happened to have an opportunity to talk to the President one day incidentally when I was at the White House with one of our colleagues. He, like a great many others, is interested in that feature of national defense.

For a number of years we have been interested in the development of a Pan-American highway that will eventually, I hope, lead from Juneau, the capital of Alaska, southward toward British Columbia, across continental United States into Mexico, from there west of the Yucatan country, to Guatemala City, the capital of Guatemala, then farther through the Central American countries, perhaps, of Costa Rica and Salvador, and on down to the Panama Canal. We have spent a good deal of money on that enterprise, but one thing that is holding us up in reference to the development of the northern portion of that highway is that we have not as yet been able to make satisfactory arrangements to the extent of building a highway from Juneau southward, we will say, to Vancouver and British Columbia and then farther southward to our great Northwest—and I have in mind the lovely city of Seattle.

Mr. LUNDEEN. Let not the Senator forget Minneapolis.

Mr. REYNOLDS. If England wants to liquidate her obligations—and I know that she wants to, because nobody would say England is dishonest—she might arrange with the Canadian Government, as suggested by the able junior Senator from the great State of Kentucky [Mr. CHANDLER], to convey to us a strip of land from Seattle through Vancouver and British Columbia northward to the Alaskan line, say, 50 or 100 miles wide. Then we could go ahead in earnest and with enthusiasm with the construction of the great Pan-American highway.

I thank the Senator from Minnesota very much, and I apologize to him for having consumed so much of the time when he was interesting the Members of this body. However, before sitting down, I trust that the Senator will permit me further merely to ask unanimous consent that there be published in the Appendix of the CONGRESSIONAL RECORD an article which I clipped from the Liberty magazine of the issue of October 21, 1939, entitled "Stay Out, America," these being observations made by former war correspondents, and the article being subtitled:

Shall we fight again? A grim word from some who know what it would mean.

The article is written by a war correspondent who served in Europe during the World War.

The PRESIDING OFFICER. Without objection, the article will be printed as requested.

COL. CHARLES A. LINDBERGH

Mr. LUNDEEN. Mr. President, I thank the able Senator from North Carolina for his statement concerning the policy we should pursue. Since the Canadian nation has been mentioned, I wish to recur to the words we heard over the radio last night by Col. Charles A. Lindbergh, in which he discussed that very question. He said:

This Western Hemisphere is our domain. It is our right to trade freely within it. From Alaska to Labrador, from the Hawaiian Islands to Bermuda, from Canada to South America, we must allow no invading army to set foot. These are the outposts of the United States. They form the essential outline of our geographical defense. We must be ready to wage war with all the resources of our Nation if they are ever seriously threatened. Their defense is the mission of our Army, our Navy, and our Air Corps—the minimum requirement of our military strength. Around these places should lie our line between neutrality and war. Let there be no compromise about our right to defend or trade within this area. If it is challenged by any nation, the answer must be war. Our policy of neutrality should have this as its foundation.

We must protect our sister American nations from foreign invasion, both for their welfare and our own. But, in turn, they have a duty to us. They should not place us in the position of having to defend them in America while they engage in wars abroad.

That may be something to think about—

Can we rightfully permit any country in America to give bases to foreign warships or to send its army abroad to fight while it remains secure in our protection at home?

We desire the utmost friendship with the people of Canada. If their country is ever attacked, our Navy will be defending their seas, our soldiers will fight on their battlefields, our fliers will die in their skies. But have they the right to draw this hemisphere into a European war simply because they prefer the Crown of England to American independence?

Returning now to the debt of France:

The debt of France

Liberty loans	$2,997,477,800
Surplus commodities sold to	407,341,145
1922: Total debt without consideration of any interest	3,404,818,945

Source: Treasury—Annual Report, 1922.

These figures are somewhat interesting when we read about the deficits of our Government year after year and then consider the debt owed to this country by a nation that has more

than a million square miles more territory than we have, and also has unlimited wealth:

Balance due on principal after funding	$3,863,650,000
Balance due on interest after funding	2,784,924,104
Total due	6,647,647,104
Total paid by France after funding	486,075,891
Total due the United States after funding as of Nov. 15, 1938	4,121,120,502

Source: Annual Report of Secretary of the Treasury, 1938, p. 548; 1931, p. 358. Brookings Institute, War Debts and Prosperity, pp. 439, 440. United States State Department, Press Releases of June 17, 1933.

(Compiled by Thomas R. Baldwin, June 27, 1939, Congressional Library.)

Statistics from: Combined Annual Reports of the World War Foreign Debt Commission. Memorandum on Indebtedness of Foreign Governments to the United States, by the Treasury Department, Jan. 31, 1938.

THE FRENCH EMPIRE

The French Empire has an area and a population as follows: The French Republic, 212,569 square miles; population, 42,000,000; possessions, 4,617,579 square miles. Our area is slightly over 3,000,000 square miles. Their possessions alone run a million and a half square miles larger than those of the United States. Population of French possessions, 70,000,000. Total area belonging to the French Empire—for that is what it is; it is an empire—4,830,148 square miles; total population, 122,000,000.

JUST HOW LARGE ARE THESE EMPIRES ANYWAY?

I never have been able to find out just exactly how large the French Empire is. I received these figures, and I pointed to a map hanging on my walls and said, "What about Clipperton Island on the west coast of the Americas? You have not included that." The first figures that I received from very competent sources about the British Empire were that its area was twelve and a half million square miles; but after I had enumerated certain possessions that I was somewhat acquainted with after continued study—and I do not claim to have any exhaustive knowledge on the subject, certainly not the knowledge of Senators who went all through the refunding question years ago—we discovered an additional 750,000 square miles of the British Empire; so that the figures finally given are thirteen and a quarter million square miles, and that total does not include all of the South Polar region; and if we now turn over some of our claims to them, the total may well approach the figure of more than 13,000,000 square miles spoken of a little while ago.

THE GREAT RESOURCES OF FRANCE

The military expenditures of France in 1931 were $460,122,000. In 1931 the debt payment was $54,325,000. The military expenditures of France in 1939, at the present time, or a month or so ago, were $12,000,000 per day. The total military expenditures for this year are estimated at $4,380,000,000. That may not be the expenditure of a normal year, owing to the fact that the last half year, or nearly the last half year, is a war period for France. Nevertheless, France is finding the money.

I have here some excuses which the French put forward on December 3, 1932, asking for delay in payment:

> The French Government cannot believe that in the last analysis the American people will consider their interests best served by the carrying out of an obligation, the strict application of which would result in creating further chaos and poverty throughout the world, inasmuch as the transfer of sums without corresponding exchange cannot but unbalance yet more profoundly international relations.
>
> * * * In urging the American Government to reexamine its request in the light of the foregoing the French Government believes that it is fulfilling not merely a national but an international duty. (New York Times, December 3, 1932, p. 12.)

HELPING THE BRITISH AND THE FRENCH

In other words, in 1932 the French Government wanted us to reexamine a question which was already closed. I should like some information from Senators of longer experience and greater ability than I, and who know the parliamentary situation and the financial abilities of various countries better than I do. When a nation owes us a principal debt of some eleven or twelve billion dollars, and interest over such a period that the total runs to, say, $25,000,000,000, in round numbers, and this figure is cut down to some $12,000,000,000 by refunding, is it not a fact that if the refunding agreement is not kept, the original debt obtains? It seems to me that if the contract made by that Government during the refunding period is not kept, the original debt then is due. There may be an administration in power here some day which will insist on some American rights other than helping the British and French, which we hear so much about nowadays—noble sentiments like that.

FRENCH EMPIRE MAKES MANY AND LARGE LOANS

I have here some figures of loans France has made to other countries instead of paying her debt. The figures give the total loaned as of April 1932. I regret that I have not later figures. Just recently Great Britain loaned a large sum of money—some forty or fifty million dollars—to Poland. They have loaned large sums of money to Turkey. They are financing the earth; but I do not see any money coming to Uncle Sam from the roaring British lion, which has nearly one-third of the earth in its possession. The French loaned, as of April 1932, 13,277,000,000 francs. The source of that statement is the New York Times of April 14, 1932. It must be correct.

BUT THEY WILL NOT PAY AMERICA

Mr. Bainbridge Colby, Secretary of State in the Wilson administration, as reported in the New York Times, at the session of the Academy of Political Science held at the Hotel Astor in April 1932, when bankers were urging the revision of our war debts as an economic measure, made some remarks indicating that he was quite out of sympathy with the French argument for revision. I am rather astounded to hear that someone in this country is out of sympathy with the French.

The plea of France that she was unable to repay the money she borrowed from the United States—

He declared—

could not be expected to move us profoundly in the light of the tremendous loans made by France to foreign countries since the war, totaling 13,277,000,000 francs, exclusive of other large sums.

EUROPE HAS PLENTY OF MONEY FOR WAR

I have here an article from the Chicago Tribune concerning the cost of war and the moneys expended by various governments. I ask to have it included in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

[From the Chicago Daily Tribune of September 29, 1939]

COST OF WAR

Expenditures for war purposes in the table below are figured on the present rate of exchange. Neutral nations are listed because of their expenditures for protection.

Daily expenditures:	
Great Britain	$21,000,000
France	12,000,000
Germany	12,000,000
Russia	4,000,000
Neutral nations	12,000,000
Yearly expenditures (Great Britain):	
Last war:	
1914	$4,000,000,000
1915	8,000,000,000
1916	10,000,000,000
1917	11,200,000,000
1918	8,000,000,000
This war:	
1937, preparation	$4,000,000,000
1938, preparation	6,000,000,000
First fiscal year, estimated	8,000,000,000
National debt (Great Britain) 1914–39:	
1914	$2,600,000,000
1939	32,000,000,000

Mr. LUNDEEN. And, in that connection, please remember that Uncle Sam has financed John Bull so unselfishly that we now have a national debt more than $10,000,000,000 larger than the national debt of the great world-conquering British Empire. On May 4, 1939, a French mission arrived in this country to pave the way for buying war materials. If I remember correctly, the able minority leader [Mr. McNARY] and the able Senator from Massachusetts [Mr. LODGE] submitted a resolution concerning strategic war materials

that we might receive from Great Britain and France and that should be applied on the debt. Just what is wrong with that? We do not hear much about that put forward by the very able Senators here on the floor of the Senate, but we understand now that we have had some trade agreement with Great Britain concerning an exchange of our cotton for rubber, and so forth.

SOVIET UNION AND BRITAIN MAKE TRADE PACT

I am somewhat instructed—if I may use that word—by a news report which says that Russia, the Soviet Union, and Great Britain are engaging in a trade pact concerning rubber and wood pulp, and so forth, and Germany openly boasts that she is going to get the rubber from the Soviet Union. Perhaps that is only a boast. I think it is very well to take with a grain of salt anything emanating from any of the foreign governments. Certainly their word concerning the war debts and the payments they promised to make to the American Nation have not scaled 100 percent. These French missions come over here, and they go into the resources of America, and we are supposed to furnish them war material—I presume on credit—and it is not possible to get them to pay us the price of these war materials to apply on the debt.

I ask to have the statement on this subject included in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Washington Post of May 4, 1939]

FRENCH MISSION ARRIVES TO PAVE WAY FOR BUYING WAR MATERIALS—WILL SURVEY AMERICAN INDUSTRIES AND INSTRUCT AS TO NEEDS—UNITED STATES NAVY RAISES ENLISTMENT TERM

(By J. Gilbert Norris)

A special French mission has arrived in this country to instruct American industry on French military needs and pave the way for large war orders in case trouble breaks out in Europe.

Announcement of its presence here was made by the War Department following a call made by the group upon Assistant Secretary of War Johnson. While the Department's announcement simply said it understood the delegation was here "with a view to the possible purchase of munitions," Lt. Col. Emmanuel Lombard, the French military attaché, said the mission would make a survey of American industry and then perhaps give some small orders to gear plants to produce large orders in wartime which will meet French Army specifications.

"The orders would be what your Army calls educational contracts under which the plants procure the necessary jigs and gages and dies which will enable them to produce large orders," he said, "no big contracts are contemplated as we could not afford them now."

Meanwhile, the administration's drive to complete American rearmament plans went forward at rapid tempo. With the signature of President Roosevelt, a supplemental defense appropriation bill became law, carrying funds for equipping an army of 400,000 with latest type weapons and equipment. The $153,000,000 measure will permit the Army to buy or contract for the second increment of the emergency defense program—new tanks, semiautomatic rifles, artillery, and other equipment costing $110,000,000.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. LUNDEEN. I shall be delighted to yield to the Senator from Wisconsin.

Mr. WILEY. A few moments ago I believe the distinguished Senator from Minnesota quoted approvingly from the speech of Col. Charles A. Lindbergh. The other day there was put into the RECORD by the distinguished Senator from Michigan [Mr. VANDENBERG] a speech of ex-President Hoover. In the speech delivered last night by Colonel Lindbergh, which was quoted by the Senator from Minnesota, Colonel Lindbergh suggests a four-point program.

In view of what the distinguished Senator has said, I should like to ask him whether he approves that program. The first point is, "an embargo on offensive weapons and munitions," with the emphasis on "offensive." The second is "the unrestricted sale of purely defensive armaments." In that respect Lindbergh and ex-President Hoover agree.

Mr. LUNDEEN. I thank the Senator for calling that to my attention. Concerning the distinction between offensive and defensive weapons, I should be very much interested in any debate we have on the floor on that subject. So far as I am concerned, I think it would be very difficult to draw a line between the two.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUNDEEN. I am delighted to yield to our able leader.

Mr. BARKLEY. I would thoroughly agree with the statement of the Senator from Minnesota. For instance, if some European nation, a belligerent, or all the belligerents, desired to purchase tanks in the United States, all the tanks being of the same kind, which ones would be offensive and which defensive? The same might be said of airplanes. If they are all of the same type, one to be used by one country and another by some other country, which is the offensive and which the defensive implement? Even if we take bombing planes, if a bombing plane bought and used by one nation seeks to destroy a munitions factory in an enemy nation so as to prevent the munitions and implements of war from ever getting out of the factory, and into the belligerent country, requiring it to defend itself against them, is that an offensive or a defensive operation? Many writers on military science have taken the position that the best defense is an offense, a movement to prevent an offender from invading one's country, or taking the offensive, or the initiative.

I can very well understand how difficult if not impossible it would be to decide what are offensive and what are defensive implements of war. I can agree thoroughly with the statement of the Senator on that subject.

Let us get closer home. Suppose I have been warned or have reason to believe that some fellow citizen of mine intends to murder me, and, in carrying out that objective, he goes to a hardware store and buys a .44 Colt pistol. Knowing about it, or having suspicion of it, and being unarmed, I go to the same hardware store and buy the same kind of an article, a .44 Colt, to defend myself. Which is the offensive and which is the defensive article? Of course, it all depends on the circumstances of the use. Laudable and idealistic as Mr. Herbert Hoover's suggestion is and as Colonel Lindbergh's suggestion is, I cannot to save my soul see how anyone can ever be wise enough and foresighted enough and discriminating enough to lay down a line of demarcation between what is offensive and what is defensive military equipment.

We know that a fort within a country to prevent invasion might be regarded as defensive. It might be said that antiaircraft guns are defensive. Yet we know that antiaircraft guns may be made mobile. They may be taken from one place to another, and they may be used in offensive warfare as well as in defensive warfare. So that even the illustration which was drawn, about an antiaircraft gun being an example of a defensive implement which we might well sell to the belligerents it seems to me loses sight of the fact that even an antiaircraft gun can be used for offensive warfare, as well as to bring down airships which are flying over one's home.

Mr. CLARK of Missouri. Mr. President——

DEFENSIVE AND OFFENSIVE WEAPONS

Mr. LUNDEEN. Mr. President, I thank the able leader for his statement. I appreciate the Senator from Wisconsin bringing this matter before the Senate. I have given it no deep study. I heard the statement broadcast by Colonel Lindbergh last night, but I hesitated at this point, and want to give it further study. So far as defensive weapons are concerned, such as Polish antiaircraft guns, just where are they today? They are in Germany. I doubt very much whether a clear distinction can be drawn, and if some Senator can clear that point in my mind, I shall thoroughly appreciate it.

Mr. REYNOLDS. I think I can, Mr. President.

Mr. LUNDEEN. The Senator from Missouri was on his feet, and I yield to him first; and let me say that Colonel Lindbergh delivered a great American speech on foreign affairs during September of this year, and I consider the speech of the colonel last night another great contribution to the literature on foreign policy; but I must confess my honest doubts about drawing a definite line between offensive and defensive weapons. I seek further light on that subject and shall be glad to hear from Senators, and especially from my good friend and distinguished colleague, the Senator from the great State of North Carolina.

I now yield first to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, while I think Colonel Lindbergh's speech last night was, without any question, one of the most magnificent statements not only on this question, but one of the finest statements I have ever read, from a great, patriotic American figure, with a clearness and a conviction and a logic which I do not think can be answered, I do agree with what the Senator from Kentucky has said, that it is impossible to draw a distinction between weapons for offense and weapons for defense. Ordinarily, as has been said, we think of an antiaircraft gun as being a defensive weapon. But if any country were about to invade a foreign country, if Germany were about to invade France, or France to invade Germany, certainly one of the most offensive weapons they could have to take with them would be mobile antiaircraft guns with which to shoot down the enemy's defensive planes.

I recall that during the World War we had a great number of tremendous coast-defense guns which we had had constructed for defensive purposes and which we thought of as defensive weapons—the largest guns under the control of the United States. Yet when we got into the war in a foreign field we took those coast-defense guns to France, mounted them on railroad trains, and used them as the heaviest offensive weapons we had. Therefore it seems to me that the fact that offensive weapons and defensive weapons cannot be segregated in any intelligent manner is the strongest possible argument for an embargo on all arms, because it is not possible to segregate the defensive from the offensive weapons.

Mr. CONNALLY. Mr. President, will the Senator from Minnesota yield?

Mr. LUNDEEN. I yield with pleasure.

Mr. CONNALLY. The distinguished Senator from Missouri placed in the RECORD the Lindbergh statement, and I take it he approves the policy advocated in it.

Mr. CLARK of Missouri. The fact that I placed Colonel Lindbergh's very eloquent and very patriotic speech in the RECORD does not necessarily mean that I agree with everything in it. I agree with the theory of Colonel Lindbergh's speech very thoroughly and very completely. It does not follow that on this particular question I am in agreement with Colonel Lindbergh.

Mr. CONNALLY. I made the statement in view of the remark of the Senator from Missouri a few moments ago that Colonel Lindbergh's statement was one of the finest, and one of the most patriotic speeches that had ever come to his notice.

Mr. CLARK of Missouri. I still say so; but I do not agree with him as to the possibility of distinction between offensive and defensive weapons.

Mr. CONNALLY. I am sure the Senator from Missouri knows there is no difference between an offensive and a defensive article. But Colonel Lindbergh and Mr. Hoover both say that the arms embargo ought to be lifted on defensive weapons. That cannot be done under the present embargo law. Therefore, it is fair to infer that they believe that the embargo should be repealed to the extent it would apply to defensive weapons. If that is done, it is repealed as to all weapons, because, as the Senator from Missouri recognizes, there is no difference, and the Senator from Minnesota recognizes that there is no difference.

Let us assume that we are attacked by an army of tanks. What is the defense against tanks? It is more tanks. What is a cannon? We can sell belligerents cannon for defense, but not for offense, let us say. A cannon is both offensive and defensive, to hammer down the walls of a fort, or to defend against an army.

A point was made about bombing planes. A bombing plane is both an offensive and a defensive weapon. Let us assume an army is marching to attack us, and we have bombing planes. Is it not legitimate to send out those bombing planes and let them bomb that army in our defense? Is not the bombing plane a defensive weapon, just as it is an offensive weapon?

What is a bayonet but an offensive and a defensive weapon, a bayonet to stop the onrush of soldiers, or to enable others to go out and attack them?

Then there is the airplane. What is the answer to an airplane attack? It is more airplanes, to go out and defeat those which are attacking.

What is the function of antiaircraft guns? It is to shoot down aircraft, if they are coming toward you, and, as the Senator from Kentucky suggested, having them movable so that they may be taken out to attack airplanes.

All weapons are both defensive and offensive, and when Mr. Hoover and Colonel Lindbergh say that we ought to sell the Allies or anybody else who can come and get them defensive weapons, it means that they favor the repeal of the arms embargo. There is no other logic to it. It cannot be understood in any other way.

Mr. LUNDEEN. Mr. President, I appreciate the statement of the Senator from Texas, and I hope this point will be further debated on the floor of the Senate. To my mind, as I have stated before, I cannot at the present moment draw any line of distinction between offensive and defensive weapons.

Mr. REYNOLDS. I think I can draw the line for the Senator.

Mr. LUNDEEN. Very well; I yield.

Mr. REYNOLDS. On the question as to whether or not an implement of war, using the illustration of a tank, is an offensive or a defensive instrument, it depends entirely upon the use to which it is put. I think that is the answer to that.

A moment ago the Senator stated that he was somewhat surprised, at least I judged that he was entertaining surprise in his mind, about the Polish defense having been wiped out so readily with apparently no difficulty. The answer to that is this: The Polish leaders deserted the troops, and the troops deserted the weapons. That is the answer.

Mr. LUNDEEN. Mr. President, I cannot quite agree with that statement in full. It is true that some of the leaders, among them the commander in chief, deserted, and their President deserted, but the Polish soldiers fought on bravely as best they could. Finally there had to be a surrender.

Mr. REYNOLDS. Yes, Mr. President, but I was only making that observation as a result of newspaper reports. And we find today that the Polish Government is reassembling in France, although reports we have had are to the effect that they had mostly gone to Rumania and Hungary, and we learned—at least I did—from the reports that I have seen, that the only man who stood his ground was the mayor of Warsaw.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield to the Senator from Kentucky.

Mr. BARKLEY. In connection with the four points in Colonel Lindbergh's address made last night, to which the Senator from Wisconsin has called attention, No. 1 is an embargo on offensive weapons and munitions, and No. 2 the unrestricted sale of purely defensive arms, and as no one can tell the difference between offensive and defensive arms, those two points check each other out, so we will eliminate them.

The other two are: No. 3, the prohibition of American shipping from the belligerent countries of Europe and their danger zones, which this measure does; and No. 4, the refusal of credit to belligerent nations or their agents, which this measure does, subject only to the 90-day provision, which is a restriction and not a privilege, because without that or without any similar provision, except for the matter of publicly floated bonds of foreign governments and their political subdivisions, there is nothing in the present law or in any bill that anyone has yet introduced to prevent individual citizens of the United States from selling commodities to any foreign nation, belligerent or otherwise, on such terms of credit as they might see fit to give.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. SCHWELLENBACH. I should like ultimately to submit a question to the Senator from Minnesota, but before

doing so I want to join in what has been said by everyone here in reference to the speech of Colonel Lindbergh. I certainly agree with the Senator from Missouri that it was an outstanding speech and was a statement which clearly showed that Colonel Lindbergh is a thoroughly patriotic American.

The discussion which has ensued here on the part of those on both sides of this question indicates a belief that the difficulty with the suggestion of both former President Hoover and Colonel Lindbergh of distinguishing between offensive and defensive weapons is a practical one. An understanding of the use of weapons shows that the distinction cannot be made so far as the weapons themselves are concerned. I do not think anyone can doubt, however, that both former President Hoover and Colonel Lindbergh have made a contribution to this discussion by the recognition of the fact that there is a difference between the use to which weapons are put. There is a difference between an offense and a defense. Having made that distinction, and it having been pointed out that the distinction cannot be made upon the basis of the nature of the weapons themselves, then to follow through the logic of both of the gentlemen it must be based upon the difference in the campaign being conducted by the one nation as against another. There may be—and I know there is—very great difference of opinion as to the use of weapons manufactured in the United States and sold to England and to France.

I now wish to submit the question to the Senator from Minnesota. On the basis of the distinction made by these two distinguished gentlemen, if Russia goes through with her present apparent plan of insisting upon Finland giving her the Aland Islands, insisting upon Norway, Sweden, and Denmark being subsidiary to the Russian Communist form of government, and these Scandinavian governments determined to defend themselves, I ask the Senator from Minnesota if he thinks that any weapons that Norway, Sweden, Denmark, and Finland might use to protect themselves against the aggression of Communist Russia could be considered anything else than defensive weapons?

Mr. LUNDEEN. I will say to the able Senator that I think it is pretty well understood that these small nations are not engaged in offense. They are trying to defend themselves as best they can. I wish to add, however, that it is not our Europe, it is not our war, no matter what nation it hits. This is our hemisphere over here.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield again?

Mr. LUNDEEN. I yield.

Mr. SCHWELLENBACH. The Senator may remember that last week, in discussing this question generally, I read from a number of authorities, going back as far as 1758, which agreed that a nation which had an arms embargo and refused to ship arms and implements of war to warring nations in an instance when there was a well-prepared aggressor attacking a defenseless smaller nation, which would have as its source of arms this other neutral which had refused to sell arms because of an arms embargo, that the net effect of that was for that neutral to become the ally of the large aggressor nation.

In the event Russia goes through and attacks Finland, Norway, Sweden, and Denmark, I should like to ask the Senator from Minnesota if he wants the United States to become an ally of Communist Russia against these Scandinavian countries?

Mr. LUNDEEN. Well, I think we can cross that bridge when we reach it. I do not believe we have gotten to that point yet. I do not think we are at that point. We have plenty of problems confronting us today that we had better solve before we go into hypothetical questions such as that.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield again?

Mr. LUNDEEN. I yield.

Mr. SCHWELLENBACH. The answer the Senator makes is precisely the answer certain gentlemen made in the Foreign Relations Committee last summer, that we should not touch this question at that time; that we should wait until we saw what happened; we should wait and meet that problem when it came up. Now they are arguing that it is too late to change the law because we are already in a situation where war exists between England, France, and Germany. And when the Senator from Minesota says, "Wait and let us not touch that point until we reach it," he is presenting the same argument. If the time comes within the next 3 or 4 weeks, as we must realize it may come, when Finland refuses to accede to demands made upon it, and Norway, Sweden, and Denmark decide to support Finland, and the war then comes on, will the Senator then say, "Well, we cannot do anything about that because it will be unneutral, since the war has already started"?

Mr. LUNDEEN. I endeavored to answer the Senator's previous question, that it is not our Europe and it is not our war, and we put up the bars against being entangled in Europe. That ought to be sufficient answer.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. CLARK of Missouri. I would like to say a word, in view of the remarks of the Senator from Washington, as to the argument which was made in the Foreign Relations Committee for a postponement of any action in the last session of Congress. I wish to say that no such argument was advanced in the Foreign Relations Committee, or, so far as I know, any place else, by those in favor of not taking any action at the last session of the Congress. I made that motion in the Foreign Relations Committee myself, and nothing that I have ever done in my life gives me greater pride and pleasure than that I did it. I made that motion in the Foreign Relations Committee, not because I thought we had any notion of allowing things to drift. I made that motion in the Foreign Relations Committee because I was opposed to changing then, or now, a provision that we had made dispassionately several years ago, before any particular situation developed, for the purpose of keeping us out of war, by establishing a system of neutrality, without reference to any particular set of belligerents, but which would apply to any situation which might develop.

Let me say further, Mr. President, since the subject has been brought up here, that it is my profound belief that it is one of the most fortunate things that ever happened in our country that this embargo section was not repealed at the last session of Congress, because if it had been repealed at the last session of Congress, we would not have had this extra session of Congress, we would not have had a chance to debate this subject before the American people, and, in my opinion, judging from some of the things that have already happened in the country, we might have had government by decree in the United States right now.

Mr. SCHWELLENBACH. Mr. President, will the Senator again yield?

Mr. LUNDEEN. I yield.

Mr. SCHWELLENBACH. I dislike very much to disagree on a question of recollection with the Senator from Missouri, because I do not need to say to the Members of this body that there is no one here whose attempt to recollect what went on would be any greater than the Senator from Missouri, and no one would misstate his recollection of what occurred. But I very vividly remember what went on in that discussion in the Foreign Relations Committee. I do not want to discuss that further than to point out that the motion made by the Senator from Missouri was not a motion to defeat the proposal. It was not a proposition of defeating it. It was not a proposition of letting it get on the floor and being defeated here. It was purely a question, I think the language was, of postponing action on the pending legislation until the next session of Congress.

Mr. CLARK of Missouri. It did defeat the legislation in the last session of Congress.

Mr. SCHWELLENBACH. Perhaps that may have been the Senator's intention in making the motion, but nevertheless, the motion was not for defeat but for delay. I remember very distinctly pointing out to the members of the committee that the philosophy behind the neutrality legislation when it was adopted was that we would create a status before the war started.

I know that one of the members of the committee was very scornful of my remarks and said that there was not going to be a war in Europe, anyway, and that if we just did not do anything there would be no possibility of a war in Europe this summer.

Regardless of that fact, Senators argue about the motives actuating members of the committee. Regardless of whether or not the statement to which the Senator refers was made, the newspapers every day indicate that Russia is determined to control the Baltic, to seize the Aaland Islands, and then go on and control Denmark, Sweden, and Norway, and that those nations are not going to permit it.

This is not merely a matter of legislation about a war which is already set over there between England and France on one side and Germany on the other side. During the past 3 weeks events have shown that the war has completely changed and that a number of other nations will probably become involved. When we are passing upon the question we cannot say, as the Senator from Minnesota says, "Just let the matter rest for the present," because if conditions turn out as it seems they will turn out, the same people will say, "You cannot do anything about that; the war has started, and it would be unneutral to change our position after the war started."

Mr. HOLT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from Minnesota yield to the Senator from West Virginia?

Mr. LUNDEEN. I yield.

Mr. HOLT. I am glad that at last some of the administration spokesmen are going to join with some of us in opposing communism. For a long while we have been opposing communism and have been balked by an administration honeycombed with communism. Now that Russia is opposing England, we find that communism is a bad thing. They have put back on communism the whiskers that they took off when they thought Russia would be with them.

WASHINGTON, JEFFERSON, JACKSON, AND OUR FOREIGN POLICY

Mr. LUNDEEN. Mr. President, of course, this discussion is very interesting, and the debate will go on as to defensive and offensive weapons, and as to what will happen in Europe. However, I hope this Nation will finally resolve, with Washington, Jefferson, and Jackson, not to become involved in Europe's quarrels and real-estate disputes over titles and boundaries.

In that connection I ask unanimous consent to insert in the RECORD at this point an article from the Washington Times-Herald of June 11, 1939, concerning the war debts.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Washington Times-Herald of June 11, 1939]

THE GOOD OLD WAR DEBTS

Senator WILLIAM E. BORAH (Republican), of Idaho, thinks it would be a good idea for us to indulge in some public discussion of the unpaid war debts while the King and Queen of Great Britain are visiting in the United States.

We admire the isolationism of the Lion of Idaho, and are practically as isolationist ourselves as he is.

But in this instance we don't think Senator BORAH has given birth to either a hospitable or a basically sound idea.

In the first place, their Britannic Majesties are on a good-will tour, anxious to furbish up the friendship that exists between the United States and the British Empire. That is entirely legitimate. It is only recently that some nations' rulers have come to feel that the way for a nation to get along in the world is to win for itself the dislike of as many other nations as it can. The usual thing in peacetime, and we think still the sensible thing, is for a nation to make as many friends for itself as it can.

We ought to be as hospitable and polite to the King and Queen as we know how to be.

But that is not the only reason why we would be wise to soft-pedal further talk of collecting the war debts.

Data on these debts will be revised and made public in the next few days, June 15 being the next due date. Meanwhile here is the way the reckoning stood on the last due date, December 15, 1938:

Country	Funded debt	Total paid	Balance due
Great Britain	$4,368,000,000	$2,024,848,817	$3,160,881,946
France	3,863,650,000	486,075,891	3,615,144,293
Italy	2,004,900,000	100,829,880	1,917,643,827
Belgium	400,680,000	52,191,273	384,125,505
Russia	371,038,000	8,750,312	362,288,407
Poland	206,057,000	22,646,297	226,347,092
Czechoslovakia	165,241,000	20,134,092	145,486,178
Rumania	63,860,000	4,791,007	57,170,663
Yugoslavia	61,625,000	2,588,772	59,036,228
Greece	31,516,000	3,788,384	29,855,341
Austria	23,752,000	862,668	23,114,012
Estonia	16,466,000	1,248,432	18,607,575
Finland	8,270,000	5,192,762	3,241,762
Latvia	6,879,000	761,549	7,416,535
Lithuania	6,197,000	1,237,956	6,080,906
Hungary	1,908,000	488,466	1,803,559
Total	11,600,039,000	2,734,436,558	10,018,243,859

The "Balance due" column includes accrued interest.

CANCEL THEM, BUT DON'T FORGET THEM

In our opinion, we should make no further attempts to collect these debts. We should charge them off under the head of experience, which, according to the old proverb, keeps a dear school, but fools will learn in no other.

We cannot collect the debts anyway. We have more gold than we know what to do with now. The only other possible payment would be in goods. We could accept large quantities of goods duty free in payment of the debts, but these in most cases would compete with our own goods and ruin a lot of our business houses. The only way we can profitably increase trade with Europe is by reciprocity—their agreement to receive as much in goods from us as we receive from them. This has nothing to do with the war debts.

MEMORIES OF PONZI

There is a limit to everything, though. We think the limit of something or other was reached recently, when the British and the French began hinting that they might resume war-debt payments.

Really, that talk reminds us of a once-famous gent named Charles Ponzi. This Massachusetts swindler, in the summer of 1920, became a hero to a lot of suckers on the strength of his promise to borrow money from you and return it plus 50 percent in 45 days. For awhile he made good by an intricate process of kiting International Postal Union reply coupons. You sent him $10; 45 days later, he sent you $15. Then you sent him $20, and in 45 days it came back increased to $30.

But when the law got after Ponzi and the kited paper got to flying around too fast, it came to a point where a lot of people sent Ponzi $150 or so apiece, and Ponzi sent them back nothing at all.

Our onetime Allies are now thinking of playing a similar game on us, it would seem. We sent them eleven billions for the war and its aftermath; they sent us about two and one-half billions. Now they are talking about paying us a few million dollars as "token payments," in token of the fact that they know they owe us the money. We know that anyway.

And in return for these small token payments of a few millions now, they will expect us to send them as many billions later, when they are in another war.

The scheme makes Ponzi look like a very small-time operator. We hope the American people aren't such suckers as all that.

CAN WE AFFORD TO FORGET THE DEBTS

Mr. LUNDEEN. Think of it. The editorial policy of this great daily is so American it tells us to forgive and cancel the war debts. Just how can the editor of the Times-Herald justify any such un-American, foreign-minded, European-minded position? That editorial certainly speaks loudly for itself. I also ask unanimous consent to have inserted in the RECORD at this point in my remarks an article from the Hudson News, of Union City, N. J., telling how France "soaked" the United States during the war, charging rent for everything and tariffs on everything, and now finally we learn that the French are charging rent on the graves where our hero dead rest. If the rent is not paid they are thrown out and cremated. This shows gratitude on the part of European nations for the great efforts of the American Republic.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THEY "SOAKED" THE UNITED STATES

[From the Hudson News, Union City, N. J., April 1939]

JERSEYITE TELLS HOW FRANCE "SOAKED" UNITED STATES DURING WAR—WE REPAIRED ALL ROADS, STREETS, AND RAILROADS USED BY OUR TRUCKS AND TRAINS, PAID RENT FOR EVERY FOOT OF GROUND WHILE SAVING THEM, AND THEN SOLD THEM $2,000,000,000 WORTH OF SUPPLIES FOR NINE HUNDRED MILLION AND NEVER COLLECTED A DIME, THANKS TO WILSON

(By George Biehl)

President Roosevelt is hoping that a war will be started to take the people's minds off his own New Deal failure.

To those people who think we should save England and France once more, this article is intended to reveal something that has rarely been touched upon—the huge profits made by France and England from the American Army and how they used the United States as a sucker nation while we were saving them from annihilation 20 years ago.

IMPOSED ON US

This writer was an American soldier who served 14 months in France as a member of the Railway Transportation Corps assigned to the Service of Supply, 11 months of which were at Nantes and 3 months at St. Nazaire.

During that period I had more opportunities to discover how we were being imposed upon by the French Government than thousands of other American soldiers who were sent up to the front to fight.

"SAVE US, OR—"

It was not until the armistice was signed that some Americans outside governmental or Army circles began to learn how easily President Woodrow Wilson and Gen. John J. Pershing permitted us to be dupes of England and France when it came to transporting and quartering American troops overseas.

We went into the World War after Wilson's reelection in 1916 on his solemn pledge to "keep us out of war" because England and France sent high officials to the United States imploring:

"Our backs are to the wall! Save us or we perish!"

DEMANDED TROOPS

As soon as he got Congress to declare war on Germany, Wilson then had loans of billions of governmental dollars made to the Allies so they could pay J. P. Morgan & Co.—their agents—the money they owed American munitions men and to buy additional supplies.

But this was not enough. England and France demanded our men as well as our dollars, so we began to assemble a large Army to send overseas to save our "democratic brethren."

When the time came to transport these badly needed American troops overseas England supplied the troop ships.

CRAFTY BRITISH

Free transportation? Of course not. From the time the war began in 1914 England coined a phrase that soon became known throughout the world as a symbol of British fortitude, and that phrase was:

"Business as usual."

And the crafty British applied that phrase to the United States when it came to transporting our soldiers to France to save both England and France "or we perish."

PAID AND PAID

By orders of Woodrow Wilson the United States Government paid England a transportation rate for each soldier taken to England on British ships that was said to be higher than steerage passenger rates.

Yet the cramped sleeping quarters of our troops and the food given to them on British ships was worse than any ever given to any steerage passenger in history.

England was willing to supply all the troop ships needed but evidently because of this hold-up the United States began a vast ship-building campaign to send its men and supplies across in its own bottoms.

AT A PROFIT

As many of the troops as possible were sent direct to France but others had to be landed in England and transported in freight trains across England to Dover where they embarked for Calais on Channel boats.

The United States paid England for this railway and Channel boat transportation at so much per head, as well as rent for quarters for each man while he stayed in England, all at a profit to the "business as usual" British Government.

RENT BEHIND LINES

General Pershing once indignantly denied that we paid rent for the front-line trenches occupied by American troops while we were saving France and England.

That was true, but we did pay rent to France for every foot of quarters we occupied immediately behind the front-line trenches as well as transportation charges whenever French railway trains or other French facilities were used to ship our soldiers up to the front for battle.

WE REPAVED ROADS

I do not know if we paid toll for use of French streets and roads by our own motor trucks, or use of French railroads by our own freight trains, but I was told that after the war was over we repaved with French labor and put in first-class condition every French road or street on which an American truck or Army automobile had been used during the war.

I was also told that we ripped up the 80-pound rails on the French railroads used by our own freight trains and replaced them with brand-new 120-pound American steel rails.

BETTER RAILROADS

As American freight trains were used during the war on nearly every through French railroad, we practically re-made every French railroad over by putting them in better condition with heavier and stronger steel rails than they ever had been in before.

And this, of course, was in addition to the enormous amount of money dumped into France by individual American soldiers and officers who spent their monthly pay as fast as they got it.

MODERN PORT

St. Nazaire, a seaport on the northwest coast of France, where the first American troops landed, was a city of 20,000 population, which had a modern system of docking facilities for steamships, consisting of two huge basins able to berth and handle loading and unloading of 16 or more large ocean liners at one time.

There was a considerable rise and fall in the tide, but these basins permitted the ships to remain at one level while in port.

Entrance to these basins from the outside breakwater was by a small canal with locks, the gates being operated by waterpower. No more than four ships could be moved on each tide, or eight a day.

MORE CHARGES

I am sure we paid toll for each of our ships that went through this lock, and berthing and warehouse charges, because I know that each ship was guided into the lock by at least two French tugboats.

From the latter part of April 1919 to July 3, the same year, when I embarked for home, it was my duty to check the use of these tugs by our ships at St. Nazaire so that the United States could not be overcharged by the French Government. I replaced another soldier who was sent home because he had been in France longer than me.

So if they charged for use of the tugs, they certainly made us pay for use of the docks and warehouses.

TOWN PROSPERED

We were told that while St. Nazaire's modern docking facilities were only about 20 years old, the port did little business before arrival of American troops in the war. It then became one of our chief ports of debarkation. By an unusual coincidence I left France from the very same docking berth where I landed at St. Nazaire.

Before we went into the war the people of St. Nazaire were chiefly made of a struggling, working class. Only a few could afford to wear leather shoes and cotton stockings.

But a short time after 40,000 American soldiers were regularly quartered at Camp Lusitania, just outside the town—a temporary stopping-off place for them on their way to the front—practically everybody in town began wearing leather shoes, and nearly all the women and girls began wearing silk stockings. The United States also constructed a modern water-supply system for the city.

OUR OWN TRAINS

I had been rejected by the Army in July 1917 because I only weighed 110 pounds. I was accepted at the same weight in February 1918, and after a short time in Camp Meade, Md., was selected among 160 clerks, salesmen, actors, and railroad men for the first contingent of the newly organized Railway Transportation Corps, formed at the request of Brig. Gen. W. W. Atterbury, of the Pennsylvania Railroad, who shortly after arriving in France, saw that we had to operate our own trains if we intended to win the war in a hurry.

We left Hoboken for France on April 23, 1918, but 2 days out had a collision with another troopship in our convoy. Both ships returned alone to Hoboken and we left there again a week later, on April 30, on another ship in another convoy.

WORK BEGINS

We arrived at St. Nazaire on May 13, and after a week there were sent to a French artillery school at Angers, 60 miles up the Loire River from St. Nazaire, where we drilled for 2 weeks while being classified to be sent to different ports and railheads in France.

Thirteen of us, including myself, were sent 20 miles back toward St. Nazaire, to Nantes, an inland port on the Loire River, for cargo ships with a population of 200,000 and the sixth largest city in France.

We formed the nucleus of a later increased force of American soldiers who supervised the unloading of American ships and the loading of the supplies on freight trains for shipment into France and to the front.

SHANGHAIED CHINESE

I don't know what arrangements were made between the United States and the French Government at other ports in France, but I did discover a lot of what went on in Nantes and St. Nazaire.

At Nantes the United States hired members of the local longshoremen's union. In the beginning we augmented their services with Chinese laborers, all natives of French Indochina, who told us they had been shanghaied and sent to France.

These Chinese were better fitted for farming than laboring and we were informed that the United States paid the French Government 7 francs per day for each man's hire. A franc was then worth its full value of more than 19 cents. The French gave the Chinese 4 francs as pay, charging them 3 francs a day to let them sleep on bare wood slabs on the stone floors of their barracks, feeding them with rice and tea three times a day with a piece of meat about a cubic inch thick thrown in at noon time.

STRIKE BEGINS

When the rainy weather set in in the fall each Chinese was compelled to buy a raincoat from the French Government for 25 francs. The first day the men used these coats they came to us crying, showing us how easily the "rubber" peeled off the fabric. They looked little better than cheesecloth covered with rubber paint.

When we started operations at Nantes the French longshoremen were glad to get work at regular union wages but as soon as our ships began to arrive rapidly enough to require day and night work 7 days a week the Frenchmen demanded an increase in pay which was refused.

A 24-hour strike brought the American Government to terms and we were told Uncle Sam had to pay the increased wages from then on.

We were impressed by our superiors with the idea that we were to fill all freight cars to the allowable 10 percent overload to make use of all available freight space to help win the war, but the French laborers refused to lift anything higher than their shoulders.

When we remonstrated with them that we wanted to win the war to save their country they bluntly told us:

"To hell with the war! We don't care how long it lasts."

All of them were misfits who were physically unfit for their own army.

PRISONERS EFFICIENT

It was not until September 1918 when we received 1,000 German prisoners captured by our own men in the St. Mihiel drive, that all of the freight cars were loaded at our port to their capacity. From then on the French laborers worked in the holds of ships and the German prisoners handled all loading of freight cars on the docks.

The Germans seemed more anxious than any of us to get the war over with so they could get home to their families as soon as possible.

After each ship from the United States was unloaded we noticed rows of new steel railroad rails at the bottoms of the holds which we were informed were for ballast when the ships returned empty to the United States.

RAILS UNLOADED

But after the armistice was signed all of these rails were unloaded. It was then that we were told they were to be used to replace all rails on French railroads used by our freight trains at expense of the United States.

For weeks at a time before the armistice we were engaged in unloading nothing but cargoes of potatoes from Ireland and coal from Wales, for our Army, purchased from Great Britain by the United States. The United States also purchased large quantities of uniforms and other Army equipment made in England, much of which was unloaded at our port.

PORT CLOSED

On April 1, 1919, the United States made preparations to abandon Nantes. There were then 200 of us in our outfit: 50 were to be sent home, 50 to Bordeaux, 50 to St. Nazaire, and the remainder were to finish up work at the port.

I was one of those sent to St. Nazaire. After the armistice was signed we had been informed that we would be among the last to leave France, as it would be our duty to ship the fighting men back.

BUSY PLACE

When we arrived at St. Nazaire there were 1,300 of our white troops and 6,000 American Negro soldiers engaged in shipping our men back to America. The Army transports went back and forth from that port to the United States, like ferryboats, loaded with troops.

With two other men, a corporal and a sergeant, I was assigned to classify all of the 1,300 white troops, including ourselves, for shipment home in batches of 100 according to their conduct and length of service at home and in France.

When we finished the job in 2 weeks each of was promoted one grade, so I became a corporal.

ROADS REPAVED

I was then assigned to my job of checking the tugs used by our ships and was one of the few enlisted men given a 24-hour pass to come and go wherever and whenever I pleased.

One afternoon as I was walking along the main road from the camp to the docks I saw a large group of French laborers engaged in repaving the street. They were not merely repairing spots but were engaged in completely repaving it.

SOAKED AGAIN

My curiosity was aroused because they were being supervised by several American Army officers. I walked up to a second lieutenant, saluted, and asked him if he would kindly inform me why American officers were supervising the job and he replied:

"The United States made an agreement with France to repave every road and street used by our trucks with French laborers at the expense of Uncle Sam. That's why there was a jail penalty for any American truck driver caught on any street or road he was not authorized to use in his area. We didn't want to repave all the streets and roads in France."

TRUCK BONFIRE

We shipped hundreds of new locomotives and thousands of freight cars, motortrucks, and automobiles to France for our Army. As soon as the war was over it was decided that it would be too costly to ship these back to the United States.

France was asked to buy the trucks. The French officials knew we could not ship them home so they merely said they had no use for them.

Soon after that a high American Army officer had his men assemble several hundred Army trucks on which they dumped bales of hay. They were then saturated with kerosene and set on fire.

French newspapers loudly denounced this "wanton waste" of valuable property but the officer in charge merely stated:

"The French Government doesn't want them; we don't want them; so the only thing to do is to burn them up."

The French Government immediately offered to buy them, but the United States then asked for bids by any country on the Continent as we could not deliver them by boat.

Before I left France on July 3, 1919, the French Government was already selling at a profit—not giving away—the huge stock of American shoes, uniforms, and other supplies to its own people.

We knew at the time that France had purchased these supplies at a low cost but it was not until 1931 that I met a man in Washington who told me how France obtained them.

This man was an officer in the Quartermaster Corps in Washington. He was an expert on shoes. Shortly after the armistice he said two commissions were appointed to go to France. One was to negotiate the sale to France or to any country on the continent the huge amount of supplies we could not ship back to the United States.

A SELL-OUT

The other commission was to appraise the value of all supplies there, which was estimated to have cost us $2,000,000,000. The sales commission was already on the high seas and the appraisal commission, of which this man was a member, was ready to embark from New York when the trip was canceled and they were ordered back to Washington.

Word had been received, he said, that Brig. Gen. "Hell and Maria" Dawes, with full consent of President Wilson and General Pershing, had sold our entire stock of supplies that cost us $2,000,000,000, including locomotives, freight cars, and motortrucks, to France for a flat sum of $900,000,000.

And to this day, I understand, we have not been paid 5 cents of the $900,000,000.

SOAKED AGAIN

While still in France I heard that hundreds of French citizens bilked the United States Government out of thousands of dollars by presenting claims that American Army trucks had ruined their clothes by splashing mud or had broken their plate-glass windows by hitting stones which flipped against the windows.

I was informed by one American officer that in practically every instance the United States Government paid these claims, many of which were fraudulent.

ANOTHER CASE

Before we left Nantes for St. Nazaire in the spring of 1919 the former city was being used as a stopping-off place for American troops on their way to St. Nazaire for embarkation home due to the crowded condition of the latter city.

An abandoned set of barracks that used to be an American Army venereal-disease camp was located between our quarters and the main docks. Some of the returning troops were housed in these barracks until there was room for them at St. Nazaire.

EXORBITANT RENT

One day as we were coming back from work at the docks we saw a new company of American troops pitching their "pup" tents on the ground along the side of the road near the barracks. We asked a sergeant why and he replied:

"Our captain said he didn't mind so much the fact that this used to be a venereal camp but when he found out the exorbitant rent the French Government demanded he'd be damned if he'd sign for them and said he would make us sleep on the ground instead."

GERMANS SOAKED

If General Pershing was chiefly responsible for all of these outrageous hold-ups by the country we went to war to save he acted just the opposite with conquered Germany.

Shortly after the American Army of Occupation moved into Germany I had read that Pershing had ordered the German authorities to compel the German people to supply his Army of Occupation with enough bed linen free of charge so that each of his men would be able to sleep between sheets.

"BLACK JACK"

We never had sheets in France or in the United States but "Black Jack" Pershing was a terror when it came to the conquered German populace, yet he permitted us to be blackjacked right and left for payment for everything by France.

This is probably why France decorated him as one of their heroes.

It seems we saved France and England from destruction by Germany; paid them for everything while we were saving them, and to this day have never collected the money they borrowed or payment for what they bought from us for a song.

It will take a lot of propaganda by Roosevelt to get many of the boys who were in France or England in the last war to be willing to have us go into another war on the side of the same ungrateful nations.

In fact, most of us at Nantes when the armistice was signed wished the United States would then declare war on England and France so we could clean them all up at the same time for the impositions they practiced on us.

HOW ABOUT AMERICA?

Mr. LUNDEEN. Mr. President, I think we should give a little more attention to the unemployed in the United States, and to our economic situation here at home. We should

give attention to the statement made the other day by Harry Hopkins, which I quote offhand:

> Do not let this war emergency mislead you into thinking that the unemployed in this country will be absorbed by the war emergency.

Unemployment has reached too large a figure. Time and time again I have said, "Let us turn back to the American scene. Let us withdraw from the bloody conflicts in the Old World." Our fathers left there to get away from war taxation, to get away from quarrels and boundary disputes, and disputes over real-estate titles in Europe. They left to come over here and set up a government under which they could be free from the entanglements and insidious influences of Europe. Why can we not pay a little attention to the warnings and the faith of the fathers and founders of this country?

No; we are wise now. Our forefathers died a long time ago. We shall be fortunate if we have any country after another world war if we enter that world war. Many of the most distinguished Americans today predict an absolute, total loss of democracy in this country after another world war. We have survived, with some headaches, after the last war, although we have still yet to reach the peak of $100,000,000,000 indebtedness which President Coolidge estimated after the last soldier and the last dependent of a soldier shall have passed from the scene. We have not yet reached that peak. We have not yet built all the hospitals we need for the wounded and shell-shocked of the last war.

Senators rise in the Senate and talk about helping France and Britain, and bringing on a war which would result, not in 125,000 dead and 200,000 or 300,000 wounded, but perhaps millions, when we shall intrude ourselves into the continental quarrels of the Old World. It might be well to turn our attention a little to the debts which now rest heavily upon the backs of the American taxpayers, and consider whether or not our citizens will permit further burdens to be placed upon them.

I want to warn the businessmen of America, as I warned them once before in 1917 when I was but a young Member of the House. I think it will have to be said that there was some truth in the statements I tried to make, to the effect that the war taxation would be oppressive. If we enter another world war the taxation will become confiscatory. We shall be taxing fortunes, properties, corporations, and corporations' rights and privileges until American businessmen may find themselves poverty stricken and without the wealth that they had piled heaven-high in this rich and wonderful and marvelous America. The best way to protect American business, and thereby protect American labor, which obtains its employment from American business, is to keep America out of that war, and to seek to remain away from involvement in such a war.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield to the Senator from Wisconsin.

Mr. WILEY. I can heartily agree with the conclusion of the Senator; but in view of his previous statements I should like to ask him a series of questions.

Mr. LUNDEEN. Not too many.

Mr. WILEY. Does the Senator know any businessman who wants to get this country into war?

Mr. LUNDEEN. Any businessman who wants to get this country into war?

Mr. WILEY. Yes.

Mr. LUNDEEN. I do not believe I made any such statement; but if I may refer to the prior World War, I do remember a firm which had $400,000,000 invested in British loans. When England said, "We have our backs against the wall and we are going down in defeat, and we cannot pay the $400,000,000," then the propaganda began to be placed before the Congress of the United States that it would be a good thing to get into the war; and we found that on the day we went into the World War the $400,000,000 burden was taken off the backs of Morgan & Co. and put on the backs of the American taxpayers, where it still rests. That is one firm of American businessmen to which I may refer on this occasion.

Mr. WILEY. The Senator refers to a situation which came into being as a result of credits some twenty-odd years ago. In view of the debates which have taken place here, I feel that the American people are entitled to know whether or not the Senator has any knowledge of any group or any businessman who wants to get this country into war. If he answers that question "No" then I should like to know whether or not he knows of any labor group which wants to get the United States into war. If he answers that question "No" I should like to know whether or not he knows of any professional group, or any fathers or mothers who want to get us into war. In fact, I should like to know whether or not he knows of anybody who wants to get America into war.

Mr. LUNDEEN. I do not presume that even those who want to help the British and French want us to get into this war. I do not presume that anyone in the United States wants to get us into war. I was a Member of the Sixty-fifth Congress when the great Robert M. La Follette sat in the seat before me, and when Lindbergh, who had made many speeches on the subject, was just leaving the House. Everybody was for keeping out of war. Oh, yes; all Members of Congress were all for peace. They were for keeping out of war. But it was camouflage. That is all it was. I presume that those who are today in favor of helping Britain and France are for peace, and for keeping out of war.

Mr. WILEY. Mr. President, will the Senator yield further?

Mr. LUNDEEN. Yes, indeed.

Mr. WILEY. Of course, before America could get into any war there would have to be a declaration of war by the Congress of the United States, would there not?

Mr. LUNDEEN. That is conceded, of course.

Mr. WILEY. Does the Senator know of any Senator who would vote for war?

Mr. LUNDEEN. The only guide we have is the lamp of past experience, and I think I have a right to revert to the days of the World War again because the war now raging is again called a World War. Immediately prior to the last war I met in the Halls of Congress scores of Senators and Members of the House of Representatives who swore that they would never vote for war. They were for arming ships; they were for this and that position, but they would never vote for war. Yet they did vote for war, and I assume they will do the same thing again. At the present moment it is my belief that a majority of the House and Senate would vote for war today under certain conditions such as obtained during the first World War. I hope I am wrong; I pray to God I am wrong, as I did on the occasion referred to. April 6, 1917, I hoped then I was wrong; but I was right, for there were only 6 United States Senators on the floor of the Senate who voted "no," and there were only 50 Members of the House of Representatives who voted "no"; the others voted for war, although they had theretofore been campaigning on a platform to keep out of war and vowing that we would never get into war.

Mr. WILEY. Mr. President, may I make a further suggestion?

Mr. LUNDEEN. I yield.

Mr. WILEY. I think there has been too much "assumption" and "argument by assumption" on the floor of the Senate. I think that when Senators of the United States take a position and speak from this forum on the basis of assumption they should guard their lips. Out yonder there are 130,000,000 people, including 30,000,000 youth, who are listening, who are entitled to be guided and guarded by the words that are uttered by those who are supposedly statesmen. When the poison of fear and dread is implanted in their minds by words spoken here, although no man can point to one Representative or one Senator who would vote for war, I say we had better guard our lips, for we owe a responsibility to the people of America.

Anyone who understands psychology at all must know that dread and fear are important factors in life, and when we seek to influence the minds of our people, many of whom are now in a state of hysteria because of what has been said in this debate, I think a word of caution should be uttered. That is the stand I take now. I have not said how I shall vote on the

pending question. I was not here when the original Neutrality Act was passed. I have been listening to the debates; I say that when Senators rise and speak, as they speak with authority and their voices are heard among their constituents, they should guard what they say, because the power of their utterances may be destructive power.

Let me reply to the Senator from Minnesota by saying that when he takes his guidance from 20 years ago he proceeds on the assumption that America has not learned anything. America has learned; and I say with conviction that no Senator—Republican, Democrat, or Independent—under conditions similar to those which existed 20 years ago, would vote for war. We are trying here to find the correct answer to a great problem. We cannot find it by smearing Britain and France on the one side and smearing Germany and Hitler on the other. It is through calm processes, through sane thinking, yes, through prayer and contemplation that we will find the answer. It will not be by impassioned appeals to prejudice. No. Let us guard our tongues, for we are the guardsmen at the gate. [Applause.]

KEEPING OUT OF WAR

Mr. LUNDEEN. I thank the able Senator, but I wish to say that I will not cease speaking about Britain and France and their broken and violated word while the millions of our citizens are starving to death and they owe us billions of dollars. Britain produces more than half the gold of the world, and their diamonds and platinum mines had to be shut down because their products glut the market. Great Britain and France are loaning money to everybody on earth for the sake of strengthening their empires. Under such circumstances I will not be silent on the Senate floor. I am going to warn the American people, as best I can, of the impending danger, similar to that which I saw as a young man on the floor of the House in the Sixty-fifth Congress. I was in fear then that the Congress would vote for war, though all the Members of the Congress said they were for peace; they all said they were for keeping out of war; yet within 6 months of the time they said they were all for keeping us out they came in and voted for war.

The Senator gives me a most encouraging statement that America has learned. I am sure America has learned, and I hope that all Senators and Representatives in Congress have learned.

I shall be very happy, indeed, to put down on the roll call the name of the able Senator from Wisconsin as voting against war.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. LUNDEEN. Yes, indeed; I will; I am delighted to yield. I have great respect for the opinion of the able Senator from Wisconsin.

Mr. WILEY. I have just one further suggestion to make. It is common knowledge on the floor of the Senate, and as stated in the newspaper columns, that this body will vote for repeal of the embargo. A great many Senators, and others over the radio, let us say, have suggested to the American people that if we repeal the embargo it will be the first step toward war, while, on the other side, it is said if we do not repeal the embargo it will be the first step toward war. So we have in our country two factions, educated by the so-called leaders of America to think that war must inevitably come if their side loses in this debate. Is that constructive thinking? Is that giving leadership to America? Have we in America become so dumb that, because we take one step either in one direction or the other it must mean war? Anyone can see that there are a thousand steps that might lead to war; but the chief step that would lead to war is to create a condition of mental hysteria, and, as we are proceeding now, we are falsely educating a large percentage of the people to think that if the embargo is repealed it means war, and falsely educating another large group of people to think that if it is not repealed it means war. Long ago it was said that "as a man thinketh in his heart, so he is"; so, as a nation thinketh in its heart, so is it, and if we keep on poisoning the minds of the people to the point of believing that any step we may take will result in war we shall have done a fine job to bring about war. Let us clear the atmosphere. Let each side admit its error.

I know in my own heart there will be no war. I have faith in the balanced judgment of America. I know of no Member of the House of Representatives or Senate, I know of no Cabinet member—and I have talked with them—I know of no labor union, of no business interest, I know of no father or mother, I know of no one who wants war; and I say "where there is a will there is a way," provided the mental processes of people are kept open and clean and straight. But get them into a condition such as Europe has been in time and time again, put them in such a state that something irrational may happen, and the result will be an irrational act.

I have heard much discussion here in the past week or 10 days as to what caused the last war. One of the causes of that war certainly was the condition of mind the people got into; there is no question that that acted upon the Congress, although, undoubtedly the Congress acted in good faith. But where do we stand now? We stand guard here in Congress.

I am not one who would attempt to say—no; I have not the right to say to the distinguished Senator from Minnesota what he should or should not say; but I do say that in any lawsuit there are certain facts that are relevant to the issue and in any debate there are certain facts that are relevant to the issue, and when I see in such a debate as this, Senators obscuring the issue by smearing some faction, race, group, or people, I fear they are lighting the fires of passion so that irrationality may operate and one cannot think straight.

As one of the few neutrals in this debate, permit me to observe that it is a queer thing to hear both sides on this discussion speaking almost exclusively to adherents on their own side. While the Senator from Minnesota is speaking scarcely anyone on the opposite side is present. When the opposition talks very few on this side are present. So we give the impression that we are talking and debating to convince each other. Is it possible that the underlying idea is to feed buncombe to the people for home consumption, yes, and get them so that they cannot think straight? [Manifestations of applause in the galleries.]

The PRESIDING OFFICER rapped with his gavel.

Mr. CHANDLER and Mr. CLARK of Missouri addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield, and if so, to whom?

Mr. LUNDEEN. I will yield in a moment. I wish to say to the able Senator from Wisconsin that I shall not try to direct the current of his debate when he comes to address the Senate. Let him then stand on the floor of the Senate, speaking in his own right and in his own time. I shall not try to impugn his motives or to reflect upon anything that he may say. But I shall hold him to his statement that he is going to vote against war and, if he votes for plunging America into war, he will have to deal with the junior Senator from Minnesota. [Manifestations of applause in the galleries.]

Mr. CLARK of Missouri. Mr. President——

Mr. LUNDEEN. Mr. President, I have been very delighted to yield to Senators. The junior Senator from Kentucky desired to interrupt me a moment ago and I yield first to him.

Mr. CHANDLER. If the junior Senator from Minnesota will yield for just a moment, I should like to make a brief observation.

It is not my purpose to speak on this joint resolution. I have been here less than a week; and I have become convinced that there are Senators on both sides who throughout the years have carefully studied this matter and who know much more about it and can make a much greater contribution to the thought of the Senate and the people of the country than I am able to make, but this observation I do want to make:

This morning there was circulated in the Senate a questionnaire asking how many sons each Senator had who would be eligible to go to war in the event war should come and asking what the situation would be with regard to a Senator.

Mr. President, I have two sons, one 5 and one 10 years of age; but I also have the honor of holding a captain's commission in the Reserve Corps of the Army of the United States. Since I have been here I have not heard a single Senator suggest, in any way, that he would vote to put this country into war. The arguments I have heard have convinced me that the present law is favorable to Germany. We have lived for years on friendly terms with the possessions of Great Britain on this side of the Atlantic. No country has been able to live upon friendly terms with Mr. Hitler. I want to say to the Senator from Minnesota, however, that he may stand me by the side of the Senator from Wisconsin [Mr. WILEY]; that I will never vote, as a Member of the Senate, to send the boys of America to fight anybody's European war. [Manifestations of applause in the galleries.]

Mr. LUNDEEN. I am delighted to know that. I take the Senator's hand on that. That seals it, and I will hold the able Senator to his statement; now I have at least two votes against sending our boys into a second world war.

Mr. BARKLEY. Mr. President, I rise to a point of order. Time and time again during this debate the Chair has warned the occupants of the galleries against demonstrations. Those demonstrations have been impartial. They have been on one side and on the other. I insist, however, that our guests in the galleries maintain the order they are expected to maintain, and observe the rules of the Senate. After all, we are not engaged in a political mass meeting.

The PRESIDING OFFICER. The point made by the Senator from Kentucky is well taken. The Chair will state to our guests in the galleries that the rules of the Senate forbid any demonstrations of approval or disapproval of anything which takes place upon the floor of the Senate. Our guests will, therefore, observe the rules of the Senate by making no demonstrations of any kind.

Mr. LUNDEEN. Mr. President, I am glad to know that my remarks this afternoon may have occasioned some exchange of opinions here, and that we have two pledges by able Senators that they are going to vote against war. I am going to take note of those pledges, and hope others may join the Senators who gave them.

RESOURCES OF WEALTH OF THE FRENCH EMPIRE

It had been my purpose to read most of the material I have here, but the very able Senator from Texas [Mr. CONNALLY] desires to address the Senate, and I do not wish to consume the entire afternoon. For that reason I ask permission to insert in the RECORD at this point, as part of my remarks, selected economic statistics for France and its colonial empire, in which are shown the production of wheat, rye, barley, iron ore, aluminum, petroleum, and so forth, of Algeria, Cameroons, French Equatorial Africa, French West Africa, Dahomey, French Guinea, French Sudan, the Ivory Coast, Mauritania, Niger, Senegal and Dakar, Madagascar and dependencies, Morocco, Reunion, Somali coast, Togo, Tunisia, French Guiana and Inini, Guadeloupe and dependencies, Martinique, St. Pierre and Miquelon, and other possessions of the French Empire, with all their great resources.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

SELECTED ECONOMIC STATISTICS FOR FRANCE AND ITS COLONIAL EMPIRE

INTRODUCTORY NOTES

1. Sources of the following information and the abbreviations used to indicate them are as follows:

France. Bureau de la statistique générale. Annuaire Statistique. 1937. HA 1213 .A4: A. S.

League of Nations. Statistical Yearbook, 1938. HC 57 .A19: L of N.

International Institute of Agriculture. International Yearbook of Agricultural Statistics. 1937–38. HD 1429 .A34: I. Y. B.

Statesman's Yearbook, 1938. JA 51 .S7: S. Y. B.

2. Area and population figures are all taken from the Annuaire Statistique, 1937 edition.

3. Production figures are for 1937, unless otherwise indicated; in many instances they are estimates.

4. Quoted passages are from the Statesman's Yearbook, 1938.

5. Conversion values for units used:

One square kilometer=100 hectares=0.3861 square miles.
One hectare (ha.)=2.471 acres.
One hectoliter (liquid)=26.418 gallons.
One kilogram (kg.)=2.2046 pounds.
One metric ton=0.98421 long tons (1.1023 short tons).
One quintal (100 kg.)=220.463 pounds.

United States Bureau of Foreign and Domestic Commerce. Foreign Commerce Yearbook, 1937, pages 408–409.

International Institute of Agriculture. International Yearbook of Agricultural Statistics, 1937–38, page VI.

I. FRANCE

Area		55,098,556 hectares (550,985.6 sq. km.)
Population (1936)		41,907,056
Production:		
Wheat	quintals	69,002,000
Rye	do	7,405,000
Barley	do	9,962,000
Buckwheat (1936)	do	3,400,000
Oats	do	45,576,000
Maize	do	5,476,000
Potatoes	do	147,222,000
Sugar beet and beet for alcohol	do	76,548,000
Table grapes	do	1,649,000
Pears and apples for cider	do	24,658,000
Silk culture, total value	francs	5,607,000
Wines	hectoliters	51,375,000
Cider (1936)	do	28,679,000
Fisheries, value (1936)	francs	891,772,000
Livestock products, dressed carcasses (slaughterhouses and farms) 1936:		
Cattle	quintals	6,289,000
Calves	do	2,845,000
Pigs	do	6,919,000
Iron ore (metal content)	metric tons	11,600,000
Bauxite	do	688,200
Aluminum	do	34,500
Petroleum (crude)	do	71,000
Coal	do	44,319,000
Salt	do	2,337,000

Sources: A. S., pp. 3, 81, 82, and 95; I. Y. B., pp. 67–72; L. of N. pp. 132, 134, 137, 141, 150, 151.

II. POSSESSIONS IN AFRICA

Area	square kilometers	11,392,807
Population		39,596,000

Source: A. S., p. 259.

Algeria:		
Area	square kilometers	2,204,864
Population		7,235,000
Production:		
Wheat	quintals	9,038,000
Barley	do	5,981,000
Oats	do	1,388,000
Maize	do	36,000
Potatoes	do	1,312,000
Tobacco	do	176,000
Wine	hectoliters	15,424,000
Alcohol (1936)	do	655,000
Olive oil (1937–38)	quintals	177,000
Wool (1936) (exports)	metric tons	21,000
Citrus fruits (1936–37)	quintals	928,000
Figs (dried, fresh) (1936–37)	do	868,000
Livestock slaughter, 1936:		
Cattle and calves	animals	173,000
Sheep and goats	do	1,052,000
Pigs	do	74,000
Coal	metric tons	14,000
Iron ore (metal content)	do	1,265,000
Lead ore (metal content)	do	4,600
Pyrites	do	39,000
Natural phosphates	do	631,000
Superphosphates of lime (1936)	do	51,000

Sources: A. S., p. 259; L. of N., pp. 77, 86–96, 102, 107, 116, 122, 134, 141, 146, 160, 162, 163; I. Y. B., p. 223.

Cameroons (mandated territory):		
Area	square kilometers	422,000
Population		2,341,000
Production:		
Maize (1936)	quintals	342,000
Cocoa (1936–37) (exports)	do	265,000
Ground nuts (1936)	do	372,000
Palm oil (exports)	do	100,000
Tobacco (1936)	kilograms	100,000
Millet (1936)	quintals	2,900,000
Palm kernels (native woods) (1936)	do	443,000

Sources: A. S., p. 259; L. of N., pp. 92, 99, 115, 117, 156, 227, 333.

French Equatorial Africa (Chad, Gabun, Middle Congo, Ubangi-Shari):		
Area	square kilometers	2,487,000
Population		3,423,000
Production:		
Maize (1935)	quintals	380,000
Coffee (1937–38)	do	18,000
Cottonseed (1935)	do	142,000
Ground nuts (1935)	do	170,000
Palm oil (1936) (exports)	do	54,000
Cotton (1935)	do	71,000
Tobacco (1935)	kilograms	1,000,000
Gold (exports)	do	659

The resources of French Equatorial Africa are quite undeveloped. There are about 300,000 square miles of tropical forest extending to the Gabun coast, containing many species of trees of industrial value. Wild rubber is the most important. Palm oil is produced to some extent. Coffee, cacao, and cotton are also cultivated. In the Chad Colony large numbers of cattle, sheep, asses, camels, horses, and ostriches are raised, but there are no facilities for export. Ivory is an important article of export. Copper, zinc, and lead are found.

Sources: A. S., p. 259; L. of N., pp. 92, 98, 110, 115, 117, 119, 156; I. Y. B., p. 333; S. Y. B., pp. 950–951.

French West Africa:

Area	square kilometers	4,701,575
Population		14,702,000
Production:		
Gold exports	kilograms	3,992
Millet and sorghum (average annual production)	metric tons	2,000,000
Rice (average annual production)	metric tons	400,000
Maize (average annual production)	metric tons	450,000
Manioc (average annual production)	metric tons	1,000,000
Ground nuts (average annual production)	metric tons	750,000
Palm kernels and palm oil (average annual production)	metric tons	120,000
Cocoa (average annual production)	metric tons	45,000

Source: A. S., pp. 259, 266, and 304.

Dahomey:

Area	square kilometers	112,000
Population		1,351,000
Production:		
Millet and sorghum (average annual production)	metric tons	30,000
Maize (average annual production)	metric tons	200,000
Manioc (average annual production)	metric tons	300,000
Palm kernels and palm oil (average annual production)	metric tons	90,000
Tobacco (1935)	kilograms	40,000

The natives are of pure Negro stock. * * * They are industrious agriculturists in the coast region, and grow maize, manioc, and yams. * * * The forests contain oil palms, which have been profitably utilized. These furnish the chief exports—kernels and oil. Cotton cultivation has recently been successfully introduced in the central provinces; coffee cultivation has given good results in the south provinces.

Sources: A. S., pp. 259 and 304; I. Y. B., p. 333; S. Y. B., pp. 964–965.

French Guinea:

Area	square kilometers	251,000
Population		2,011,000
Production:		
Gold (1936)	kilograms	3,045
Rice (average annual production)	metric tons	180,000
Manioc (average annual production)	metric tons	100,000
Maize (average annual production)	metric tons	50,000

The principal products are palm oil and nuts, rubber, millet, earthnuts, rice, gum, bananas, pineapples, and coffee. * * * There is an experimental garden at Camayenne near Conakry (the capital), where the culture of bananas, pineapples, rubber trees, and other plants is being tried.

Sources: A. S., pp. 259 and 304; S. Y. B., p. 963.

French Sudan:

Area	square kilometers	1,531,255
Population		3,569,000
Production:		
Millet and sorghum (average annual production)	metric tons	450,000
Rice (average annual production)	metric tons	100,000
Maize (average annual production)	metric tons	70,000
Groundnuts (average annual production)	metric tons	100,000
Tobacco (1936)	kilograms	1,500,000
Manioc (1936)	quintals	1,045,000

The natives cultivate groundnuts, millet, maize, rice, cotton, sesame; other products are rubber, gum arabic, and kariti.

Sources: A. S., pp. 259 and 304; I. Y. B., pp. 220 and 333; S. Y. B., p. 965.

Ivory Coast:

Area	square kilometers	477,135
Population		3,850,000
Production:		
Millet and sorghum (average annual production)	metric tons	450,000
Rice (average annual production)	metric tons	70,000
Maize (average annual production)	metric tons	100,000
Manioc (average annual production)	metric tons	300,000
Cocoa (average annual production)	metric tons	45,000
Tobacco (1935)	kilograms	40,000
Palm kernels	quintals	107,000
Palm oil	do	41,000

The natives cultivate groundnuts, maize, rice, millet, bananas, pineapples, and many other fruits. They have also been taught to grow cocoa, the export of which increased from an average of 4 tons in 1904–8 to 43,565 tons in 1935. The cultivation of cotton is being developed; cocoanuts and rubber are collected. The mahogany forests inland are worked. Gold is found. * * * Manganese deposits have also been located.

Sources: A. S., pp. 259 and 304; I. Y. B., pp. 216 and 333; S. Y. B., p. 964.

Mauritania:

Area	square kilometers	835,000
Population		383,000
Production:		
Millet and sorghum (average annual production)	metric tons	40,000
Maize (average annual production)	do	10,000
Tobacco (1936)	kilograms	65,000

Chief products are cattle, gum, and salt. In 1936 there were 65,230 camels, 220,486 cattle, 61,427 asses, and 1,646,848 sheep.

Sources: A. S., pp. 259 and 304; I. Y. B., p. 333; S. Y. B., p. 966.

Niger:

Area	square kilometers	1,293,810
Population		1,747,000
Production:		
Millet and sorghum (average annual production)	metric tons	600,000
Manioc (average annual production)	metric tons	150,000
Groundnuts (average annual production)	metric tons	20,000
Tobacco (1936)	kilograms	650,000

The country is composed of a zone in the north, which is largely desolate country; a central strip, which is wooded; and the southern zone, richly wooded and abounding in cattle.

Sources: A. S., pp. 259 and 304; I. Y. B., p. 333; S. Y. B., p. 966.

Sénégal and Dakar:

Area	square kilometers	201,375
Population		1,791,000
Production:		
Maize (Sénégal, 1936)	quintals	164,000
Dakar and Sénégal (average annual production):		
Millet and sorghum	metric tons	400,000
Rice	do	50,000
Manioc	do	120,000
Groundnuts	do	550,000

The natives cultivate groundnuts (production, 1935, 580,000 tons), millet, maize, and some rice; other products are castor beans, some coconuts, gum from Mauritania, and rubber from the Casamance River. Groundnuts form the bulk of the exports. A salt industry is being developed. Native industries comprise weaving, pottery, brickmaking, and jewelry; a small quantity of gold and titanium-bearing sand is produced.

Sources: A. S., pp. 259 and 304; I. Y. B., p. 219; S. Y. B., p. 962.

Madagascar and dependencies:

Area	square kilometers	942,200
Population (not including dependencies)		3,798,000
Production:		
Livestock slaughter:		
Cattle	animals	535,000
Pigs	do	112,000
Maize (1936)	quintals	1,050,000
Rice (1936)	do	6,300,000
Potatoes (1936)	do	360,000
Coffee (1936)	do	280,000
Cane sugar (1936)	do	110,000
Tobacco (1936)	do	64,000
Alcohol (1936)	hectoliters	11,000
Copra (1936)	quintals	200,000
Groundnuts (1936)	do	64,000
Gold (estimated)	kilograms	419

Sources: A. S., p. 259; L. of N., pp. 77, 107, and 156; I. Y. B., p. 234.

Morocco:

Area	square kilometers	398,627
Population		6,296,000
Production:		
Wheat	quintals	5,687,000
Barley	do	8,261,000
Oats	do	395,000
Maize	do	1,615,000
Wine	hectoliters	532,000

Morocco—Continued.
Production—Continued.

Wool (1936)	metric tons	18,500
Olives for oil (1936)	quintals	550,000
Livestock slaughter (18 towns):		
Cattle and calves	animals	357,000
Sheep and goats	do	1,624,000
Pigs	do	26,000
Sea fisheries	metric tons	30,700
Coal	do	107,000
Manganese ore (metal content)	do	34,000
Molybdenum ore (metal content)	do	196
Lead ore (metal content)	do	14,000
Antimony ore (metal content)	do	44
Natural phosphates	do	1,479,000
Superphosphates of lime	do	30,000

Sources: A. S., p. 259; L. of N., pp. 77, 82, 86, 88, 91, 92, 106, 122, 134, 138, 139, 146, 154, 162, and 163; I. Y. B., p. 237.

Reunion:

Area	square kilometers	2,511
Population		209,000
Production:		
Cane sugar (1937–38)	quintals	850,000

The chief productions are sugar (62,000 acres), rum, manioc (12,000 acres), tapioca, vanilla, essences. The forests occupy about 150,000 acres.

Sources: A. S., p. 259; L. of N., p. 101; S. Y. B., p. 957.

Somali coast:

Area	square kilometers	21,700
Population		46,000
Production:		
Salt (1936)	metric tons	22,000

The country has scarcely any industries, but with the coast fisheries and inland trade there is considerable traffic. The mineral wealth of the country is imperfectly known. Salt has been mined since 1912 * * * other minerals supposed to exist are: Gypsum, mica, amethyst, sulphur, and petrol * * *.

Sources: A. S., p. 259; L. of N., p. 136; S. Y. B., p. 959.

Togo (mandated territory):

Area	square kilometers	56,500
Population		739,000
Production:		
Cocoa (1936–37)	quintals	25,000
Copra (exports)	do	30,000
Ground nuts (1936)	do	60,000
Palm oil (exports)	do	17,000
Cotton (1935–36)	do	15,000
Coffee (1935–36) (exports)	do	163,744
Maize (1935–36)	do	500,000

There is no mining by Europeans, but the natives in the Sokodé and Klouto districts smelt iron, in which this colony is very rich.

Sources: A. S., p. 259; L. of N., pp. 99, 114, 115, and 117; I. Y. B., pp. 357 and 275; S. Y. B., p. 967.

Tunisia (protectorate):

Area	square kilometers	155,830
Population		2,608,000
Production:		
Wheat	quintals	4,800,000
Barley	do	2,000,000
Oats	do	285,000
Maize	do	60,000
Wine	hectoliters	1,454,000
Alcohol	do	19,000
Olive oil (1937–38)	quintals	500,000
Tobacco (1936)	kilograms	717,000
Livestock slaughter (1933):		
Cattle	animals	91,000
Sheep and goats	do	782,000
Iron ore (metal content)	metric tons	480,000
Lead ore (metal content)	do	12,900
Natural phosphates	do	1,771,000
Superphosphates of lime	do	44,000

Sources: A. S., p. 259; L. of N., pp. 77, 86, 88, 91, 92, 106, 107, 116, 141, 146, 162, and 163; I. Y. B., p. 333.

III. POSSESSIONS IN AMERICA

Area	square kilometers	94,126
Population		592,000

Source: A. S., p. 259.

French Guiana and Inini:

Area	square kilometers	91,000
Population		37,000
Production: Gold (1936)	kilograms	1,417

The country has immense forests rich in many kinds of timber. There is little agriculture in the colony; only about 7,900 acres are under cultivation. The crops consist of rice, maize, manioc, cocoa, bananas, and sugarcane. The most important industry is gold mining (placer). The exports consist of cocoa, bananas, various woods, gold fish, fish glue, rum, rosewood essence, balata, and hides. (Guiana.)

The principal products are rosewood and cabinet wood. Gold is also found. (Territory of Inini.)

Sources: A. S., p. 259; L. of N., p. 156; S. Y. B., pp. 970, 971.

Guadeloupe and dependencies:

Area	square kilometers	1,780
Population		304,000
Production:		
Coffee (1936–37 exports)	quintals	4,000
Cane sugar (1934–35)	do	460,000

Chief products are sugar, bananas, coffee, cocoa, and rum. For local consumption there are grown sweetpotatoes, manioc, tobacco, Indian corn, and vegetables.

Sources: A. S., p 259; L. of N., p. 98 and 101; S. Y. B., p. 969–70.

Martinique:

Area	square kilometers	1,106
Population		247,000
Production:		
Cane sugar (1937–38)	quintals	515,000
Cocoa (1935–36) (exports)	do	1,000

Sugar and rum are the chief productions, then come cocoa, pineapple, bananas, and coffee.

Sources: A. S., p. 259; L. of N., p. 99 and 101; S. Y. B., p. 971.

St. Pierre and Miquelon:

Area	square kilometers	240
Population		4,000
Production:		

The islands, being mostly barren rock, are unsuited for agriculture. The chief industry is cod fishing.

Sources: A. S., p. 259; S. Y. B., p. 972.

IV. POSSESSIONS IN ASIA

Area	square kilometers	943,377
Population (1936)		26,753,000

Source: A. S., p. 259.

Cheik-Said:

Area	square kilometers	1,622
Population		1,000
Production: No production figures found.		

Source: A. S., p. 259.

French India:

Area	square kilometers	513
Population		299,000
Production:		
Rice (1936–37)	quintals	237,000
Cotton, ginned (1936–37)	do	1,000

The principal crops are paddy, rice, manioc, groundnuts. On December 31, 1936, there were 59,717 cattle, 24,300 sheep, and 33,505 goats. There are at Pondichéry 3 cotton mills, and at Chandernagor 1 jute mill; the cotton mills have, in all, 1,960 looms and 84,744 spindles, employing 7,600 persons. There are also at work a few oil presses for groundnuts, and 1 ice factory. Two bone mills have also recently been established in Pondichéry.

Sources: A. S., p. 259; I. Y. B., pp. 279 and 355; S. Y. B., pp. 925–926.

Indochina (Annam, Cambodia, Cochinchina, Laos, Tonking):

Area	square kilometers	740,400
Population		23,030,000
Production:		
Rice (average annual production)	quintals	63,000,000
Rubber (average annual production)	metric tons	50,000
Tea (1936) (average annual production)	quintals	119,000
Alcohol (average annual production)	hectoliters	391,000
Cotton, ginned (1936) (average annual production)	quintals	13,000
Coffee (1937–38) (average annual production)	quintals	18,000
Tobacco (1936) (average annual production)	kilograms	14,293,000
Raw silk (estimated annual production)	metric tons	200
Sugarcane (1936–37)	quintals	9,226,000
Maize (1936)	do	4,596,000
Coal	metric tons	2,265,000
Zinc ore (metal content)	do	5,000
Tin ore (metal content)	do	1,600,000
Tungsten ore (metal content) (exports)	metric tons	498,000
Phosphates of lime (metal content)	metric tons	498,000
Gold ore (metal content)	kilograms	182

Sources: A. S., pp. 259, 297, and 266; L. of N., pp. 103, 107, 119, and footnote, 124; I. Y. B., pp. 275, 295, 329, and 331.

Annam (protectorate):

Area	square kilometers	147,600
Population		5,656,000
Production:		
Rice (average annual production)	quintals	9,000,000
Rubber (including production in Laos)	metric tons	300
Sugarcane (1936–37)	quintals	5,500,000
Coffee (1936)	do	13,000
Tobacco (1936)	kilograms	3,300,000

Annam (protectorate)—Continued.

Production—Continued.

Ground nuts (1936) (unshelled nuts)	quintals	90,000
Tea (1936)	kilograms	9,000,000
Mulberry (1936)	quintals	140,000

Rice is the most important product. Others are cotton, maize, and other cereals, the areca nut, mulberry, cinnamon, tobacco, sugar, betel, manioc, bamboo; excellent timber abounds, also caoutchouc, cardamoms, coffee, dye, and medicinal plants. Raw silk is produced. There are about 900,000 head of cattle in Annam, and cattle rearing is of some importance. There is a gold mine at Bông-Miêu in the Province of Quangnam, worked by a French company. Copper, zinc, coal, and iron ore are also found in various districts. In north, central, and southern Annam there are salt works.

Sources: A. S., p. 259 and 297; I. Y. B., pp. 295, 325, 329, 331, 339, and 359; S. Y. B., p. 929.

Cambodia (protectorate):

Area	square kilometers	181,000
Population		3,046,000
Production:		
Rice (average annual production)	quintals	8,000,000
Rubber	metric tons	13,000
Tobacco (1936)	kilograms	5,700,000
Ground nuts (1936) (unshelled nuts)	quintals	33,000

The chief product of Cambodia is rice which is exported by way of Cholon where the rice is milled, and Saigon where it is shipped. Amongst the other products are tobacco, kapok, cotton, pepper, maize, palm sugar, rubber, and silk. Pepper is especially grown in the Provinces of Kampot and Takéo. * * * Maize growing is extending. * * * Cattle breeding is a flourishing native industry. * * * Other native industries are: Weaving of silk and cotton, pottery, and making of rush mats. * * * Valuable forests cover an area of about 20,000,000 acres. Phosphate is the principal mineral, but not worked very extensively. There are also precious stones and jet workings.

Sources: A. S., pp. 259 and 297; I. Y. B., pp. 331 and 339; S. Y. B., p. 930.

Cochinchina:

Area	square kilometers	64,700
Population		4,616,000
Production:		
Rice (average annual production)	quintals	27,000,000
Rubber	metric tons	36,700
Sugarcane (1936–37)	quintals	2,800,000
Coffee	do	18,000
Tobacco (1936)	kilograms	3,620,000
Groundnuts (1936) (unshelled nuts)	quintals	17,000
Tea (1936)	kilograms	224,000
Mulberry (1936)	quintals	6,000

The chief culture is rice. * * * Other crops are maize, beans, sweetpotatoes, earth nuts, cotton, rubber, sugarcane, tobacco, coffee, coconuts, betelnuts, pepper, oranges, bananas, etc. The farm animals in 1933 comprised 11,426 horses, 454,968 buffaloes, 628,520 pigs, 5,772 sheep and goats.

River and coast fishing is actively carried on; the fishery products are valued at 63,350,000 francs yearly.

Sources: A. S., pp. 259 and 297; I. Y. B., pp. 295, 325, 329, 339, and 359; S. Y. B., p. 928.

Laos:

Area	square kilometers	231,400
Population		1,012,000
Production:		
Rice (average annual production) (Rubber included with Annam.)	quintals	3,000,000
Sugarcane (1936–37)	do	2,000
Tobacco (1936)	kilograms	272,000
Mulberry (1936)	quintals	2,000

The soil is fertile, producing rice (output in 1936, about 218,000 tons), cotton, indigo, tobacco, benzoin, cardamon, sticklac and fruits, and bearing teak forests, from which the logs are now floated down the Mekong to Saigon; cattle rearing is also of some importance. Gold, tin, lead, and precious stones are found, and concessions have been granted to several French mining companies.

Sources: A. S., pp. 259 and 297; I. Y. B., pp. 295, 331, and 359; S. Y. B., p. 931.

Tonking:

Area	square kilometers	115,700
Population		8,700,000
Production:		
Rice (average annual production)	quintals	16,000,000
Tea (1936)	kilograms	1,740,000
Sugarcane (1936–37)	quintals	924,000
Coffee	do	9,000
Tobacco (1936)	kilograms	1,401,000
Groundnuts (1936) (unshelled nuts)	quintals	13,000

Other products are maize, arrowroot, sugarcane, coffee, tea, various fruit trees, and tobacco. A large quantity of raw silk is produced annually, most of which is used in native weaving and the remainder exported. There are rich limestone quarries, calamine and tin mines, and also rich hard-coal beds.

Sources: A. S., pp. 259 and 297; I. Y. B., pp. 295, 325, 329, 331, and 339; S. Y. B., pp. 931.

Kwang-Chau-Wan (leased territory):

Area	square kilometers	842
Population		206,000

Production: "* * * the exports are straw sacks, swine, cattle, brown sugar, groundnuts, and firecrackers."

Sources: A. S., p. 259; S. Y. B., p. 932.

Syria and Lebanon (mandated territories):

Area	square kilometers	200,000
Population		3,217,000
Production:		
Wheat	quintals	4,688,450
Barley	do	2,664,360
Sorghum and millet	do	946,900
Lentils	do	282,958
Potatoes	quintals	1,195,600
Grapes	do	1,799,030
Melons	do	1,868,280
Citrus fruit	do	549,820
Maize	do	271,700
Olives	do	918,105
Wine	hectoliters	80,000
Cottonseed	quintals	121,000
Cotton	do	57,000
Wool	metric tons	6,800
Rice (1937–38)	quintals	37,000
Sugarcane (1936–37)	do	44,000
Raisins	do	108,000
Tobacco	kilograms	3,446,000

Sources: A. S., pp. 259 and 292; L. of N., pp. 106, 110, 119, and 122; I. Y. B., pp. 279, 295, 312, and 331.

V. POSSESSIONS IN OCEANIA

Area	square kilometers	34,651
Population		147,000

Source: A. S., p. 259.

French establishments in Oceania:

Area	square kilometers	3,998
Population		44,000
Production:		
Copra (1936) (exports)	quintals	221,000
Sugarcane (1936–37)	do	15,000
Tobacco (1935)	kilograms	3,000
Phosphates of lime (Oceania) (1936)	metric tons	147,000

The most important of the islands is Tahiti * * *. Pearls and mother-of-pearl are important products. The island is mountainous and picturesque, with a fertile coastland bearing coconut, banana, and orange trees, sugarcane, vanilla, and other tropical fruits, besides vegetables grown in temperate climates * * *.

Sources: A. S., pp. 259 and 266; L. of N., p. 114; I. Y. B., pp. 295 and 333; S. Y. B., p. 975.

New Caledonia and dependencies:

Area	square kilometers	18,653
Population		53,000
Production:		
Coffee (1936–37) (exports)	quintals	14,000
Copra (1936) (exports)	do	28,000
Maize (1936–37)	do	14,000
Potatoes (1936)	do	6,000
Nickel (metal content) (1936)	metric tons	4,900
Chrome (metal content) (1936)	do	13,900

Of the total area one-third is not cultivable; about 1,600 square miles are pasture land; about the same area is cultivated or cultivable; and about 500 square miles contain forest which is being worked. * * * The chief agricultural products are coffee, copra, cotton, manioc (cassava), maize, tobacco, bananas, pineapples. The mineral resources are very great; chrome, cobalt, nickel, iron, and manganese abound; antimony, mercury, cinnabar, silver, gold, lead, and copper have all been obtained. The nickel deposits are of special value, being without arsenic.

Sources: A. S., pp. 259 and 266; L. of N., pp. 98 and 114; I. Y. B., pp. 277 and 285; S. Y. B., p. 973.

New Hebrides (condominium with Great Britain):

Area	square kilometers	12,000
Population		50,000
Production:		
Coffee (1936–37) (exports)	quintals	3,000
Cocoa (1935–36) (exports)	do	9,000
Copra (1936) (exports)	do	106,000

Maize, coffee, cotton, cocoa, vanilla, and coconuts are grown and are the chief articles of export. In some places sulfur is abundant, abundant.

Sources: A. S., p. 259; L. of N., pp. 98, 99, and 114; S. Y. B., p. 974.

Recapitulation of area and population figures

	Area (square kilometers)	Population
France	550, 985. 6	[1] 41, 907, 056
Possessions in Africa	11, 392, 807. 0	39, 596, 000
Possessions in America	94, 126. 0	592, 000
Possessions in Asia	943, 377. 0	[1] 26, 753, 000
Possessions in Oceania	34, 651. 0	147, 000
Total	[2] 13, 015, 946. 6	[2] 108, 995, 056

[1] 1936. [2] Totals computed from figures given.

Mr. LUNDEEN. I say, however, that even in that list Senators will not find certain possessions which I had asked to have included, and which I hope to present at some other time.

At this point in my remarks, in order that I may not take too much time, I will include the statement of George Bancroft relating to Andrew Jackson and the French spoliation claims, in which he goes into the foreign situation.

I also wish to insert in the RECORD a statement from the Denver Post of February 19, 1938, in which the able Senator from Washington [Mr. SCHWELLENBACH] suggests that the foreign debts be paid in certain commodities which this country does not have.

I presume there will be no objection to putting that matter in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

STATEMENT OF GEORGE BANCROFT RELATING TO ANDREW JACKSON AND THE FRENCH SPOLIATION CLAIMS

(Extract from Fourth of July oration at Springfield, Mass.) before the democracy of Springfield and neighboring towns, July 4, 1836, pp. 26–27 (Springfield, Mass., 1836. AC901.W3)

Democracy has washed out the spot that European insolence had cast on our flag; she has caught the dying echoes of the wrongs of our mariners in years long gone by; she has knocked at the palace gates of the oldest principalities of Europe and demanded redress for American seamen; she has gone into the heart of the maritime state of Denmark and claimed and obtained reparation; she has crossed the mountains of Spain, when their fastness rung with the tumult of domestic feuds, and, raising her voice louder than the jaring discords of civil factions, has hushed the scene of turbulence into concession and redress; she has sent her messengers into the beautiful bay of Naples, and her fleets, wafted by the bland zephyrs that raise but a ripple for a surge to break upon the flowery beach, have waked the younger branch of the Bourbons from their oblivion, and commanded requital to be made for every ancient wrong. She has brushed away the dust from her slumbering claims against France, and bearing the American pennant into the halls of the Tuilleries, she calmly claimed the reparation of injury from an ancient ally and a friend; and when the reparation, though acknowledged to be due, was yet withheld, she left the union flag all spangled with stars in proud defiance on the walls of the palace, where it hung in terror till the world turned its finger of scorn on the kingdom that delayed the fulfillment of an obligation which it did not dare to question. And has democracy offered an apology for the expression of truth and the performance of duty?

The indemnity is to be paid; and there have been no apologies, unless it be apologies from men whose shortsighted policy would protect their gains by the sacrifice of honor. Thus it was that the governments of Europe have been compelled to restore more than eight millions of money of which our merchants had been defrauded. Nor is this the noblest part of the result. It is a glorious testimony to the advancement of humanity. The redress of wrongs was entrusted to reason, and on the theater of European ambition and violence, the furies and licentiousness of war were made to yield to the language of remonstrance and the progress of intelligence. Well was it said on the floor of Congress that the President, in his policy, "would carry the people along with him." Well did a son of Massachusetts give a pledge for us and say, "I engage for New England." New England speaks for herself and joins in the applause of the world; she has reconciled herself to democracy; its triumphs are her own."

NOTE.—Jackson was President from 1829 to 1837.

[From the Denver Post of February 19, 1938]

SENATOR ASKS EUROPE TO PAY UNITED STATES IN PRODUCE—SCHWELLENBACH THINKS DEBT QUESTION CAN BE SETTLED THAT WAY

WASHINGTON, February 19.—Senator SCHWELLENBACH (Democrat) of Washington suggested Saturday that the countries which owe the United States pay the debts in produce.

Making it plain that he opposed any scaling down of the debts, SCHWELLENBACH said he thought some method might be worked out by which a debtor could ship in commodities this country needs but does not have.

Senator NORRIS (Independent) of Nebraska said, however, that he would oppose any debt settlement by indirect methods.

He said also, that he would not look with favor on any attempt to link debt settlement to trade agreements.

Some congressional leaders said there had been informal discussion of proposals that debtor nations lower their tariffs to spur their imports of this country's surplus agricultural products, charging off from their war debts the difference in what they might have collected in tariffs.

Senator BORAH (Republican) of Idaho said he was against any compromise. Senator LA FOLLETTE (Progressive) of Wisconsin opposed any proposal to scale down debts, but Senator CAPPER (Republican) of Kansas said he would like to see the whole matter settled finally.

Congressional discussion of the debts was inspired by reports that Hungary had proposed a scaled down settlement. The little country's debt is only $2,000,000.

The proposal was discussed by President Roosevelt and congressional leaders Thursday. The latter were represented as feeling that acceptance of the proposal would set an unwelcome precedent.

Mr. LUNDEEN. I also ask unanimous consent to insert in the RECORD some statements made in the Senate by the Senator from North Carolina [Mr. REYNOLDS] concerning the collection of foreign debts owed the United States, appearing in the CONGRESSIONAL RECORD of June 19, 1939.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

COLLECTION OF FOREIGN DEBTS OWED THE UNITED STATES

Mr. REYNOLDS. Mr. President, I should like at this time to call the attention of my colleagues and of the Nation to a bad memory, to one of our semiannual black-letter days, which has just passed and the great powers now playing in the international poker game "passed" with it, save only the little country of Finland. I am referring to June 15, the date on which our defaulting European debtors dodged again, and only an ever dwindling few were polite enough to notify us that they were not going to pay. The Japanese are not the only ones who say, "So sorry, excuse please!"

I think it is time that we here in the Senate, always talking about new taxes, new relief bills, new spending, talk about collecting a few billion dollars in behalf of the American taxpayer. I believe the Americans who pay taxes want us to collect these debts. After all, if these debts were paid, our staggering national debt could be retired.

There has recently been agitation to lift the present limit of $45,000,000,000. If our war debts were collected, we would not have to worry about that limit. The collections could retire thirteen billions in outstanding Federal bonds. Nearly half of those bonds were floated in the dark days of the World War, to raise in America the money from Americans to finance Europe's family quarrel, to save the world for the franc, the pound, and the lira.

Mr. President, I can say that the American citizen everywhere wants us to collect. Just the other day, riding to the Capitol in a taxi, the driver, a war veteran, incidentally, was talking about the visit of the King and Queen of England. He thought the visit was a nice gesture, good for friendship, but he went on to say, "I think England ought to pay its war debt, or at least pay the interest on it. I think all those nations that owe us money ought to pay it. I have to pay my bills; why shouldn't they? I think that if the King had announced over here that England intended to pay her war debt, the good done by his visit would have been a thousand times bigger. They borrowed the money; they owe the money. We ought to be paid."

That was a taxi driver's interest in war debts. He spoke as a plain American citizen, earning his living by rolling a cab around the streets of Washington. But he is a taxpayer, and he has every right to demand that the American Government collect something for the taxpayers as well as from them.

I am sure all my colleagues would join me in the Senate in cutting our taxes if we could. God knows we do not like to be raising them. If we collected those war debts we could cut our taxes. We could take some of the load off business. We could take some of the burden off the farmer, the workingman, the little storekeeper, who pays taxes.

I understand there is considerable talk now about lowering the exemption on income taxes so as to make more people pay taxes. In other words, we will have no mercy on our own people, just dip right down into their pockets as deeply as we can get and take all we can find. And we will be dipping down for a lot of it, because we are so generous with $13,000,000,000 these great big nations owe us, which they will not pay. All that Europe wants to send us is refugees. So we get ready to soak our own folks to save somebody else. Big-hearted Uncle Sam! They want to pay us in immigrants, who would take the jobs of Americans; they want to make an initial "payment" to us of 20,000 refugees.

I am not surprised that many taxpayers are disgusted. I am, too. Any such treatment as this looks like asking America to finance the world as well as feed its refugees. They will not pay, but they wish to send their refugees here for us to feed. Why cannot England, France, Russia, Germany, Italy, Poland, and the other nations pay us at least something on account? They have

plenty of money with which to buy battleships, to build airplanes, to manufacture cannon, and to stack up rifles.

Mr. President, what would you think of a friend of yours who was so sick he was almost dead and who borrowed a hundred dollars of you and then, when it was time to pay it back, said, "Bill Smith has been saying nasty things about me, so I'm going out to buy a rifle and I can't pay you; you'll just have to wait"? That is, more or less, exactly what has been done to all of us by these friends who were dying until we gave them a transfusion of men and money. Now that they are feeling chipper and cocky again, strutting their armies up and down Europe, the doctor can go to a climate even warmer than we are experiencing in Washington at the present time outside of this air-conditioned Chamber.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. May I say to my friend, the able Senator from North Carolina, that we must remember that we expended this money to make the world safe for democracy? Should we not forgive them then?

Mr. REYNOLDS. I will say to the Senator in answer to that question that we were led into the war under the guise that we were going to save democracy, and stop anarchy, and stop war for all time.

Mr. LUNDEEN. The distinguished Senator will no doubt bear me out in the statement that we were successful in that respect, were we not?

Mr. REYNOLDS. We were not at all successful in that, and, if the Senator will pardon me, I will say that, as a matter of fact, since the last World War ended November 11, 1918, more than 3,000,000 persons have been killed in battle in Spain, in Ethiopia, and in China.

Mr. LUNDEEN. Then we did not succeed in saving the world? And we did not put an end to all wars? Can that be possible? Were we not the invincible crusaders led on by Woodrow the Great?

Mr. REYNOLDS. Of course not; and as for saving Christianity, the Senator certainly knows that more temples of worship have been razed to the ground and destroyed and more Christian people have been murdered than at any other time within the past 50 years prior to the breaking out of the World War in August of 1914.

Mr. LUNDEEN. I should like to ask the Senator, Is there not more democracy in the world now than there was in 1917, or is it possible that there is less democracy and can we really believe the scoundrels who boasted "He kept us out of war"; only to betray us into war?

Mr. REYNOLDS. That depends upon what is considered to be democracy. Since the revolution in Russia, which, according to my recollection, broke out about 1917, the 160,000,000 to 180,000,000 people constituting the population of Soviet Russia claim that their country is a democracy.

Mr. LUNDEEN. May I inquire of the Senator whether the Senator considers the British Empire and the French Empire to be democracies?

Mr. REYNOLDS. In a sense I consider Great Britain to be an imperialistic democracy. I consider France to be a socialistic democracy.

The Senator will recall that the Prime Minister of France or the War Minister—I believe one man holds both offices—recently was declared a virtual dictator of the Republic of France.

Mr. LUNDEEN. If the Senator will permit, I should like to insert in the RECORD at this point in his remarks a short statement as to the so-called democracies of Britain and France—a statement which I made on the floor of the Senate some weeks back, and also a definition of Britain's form of government by Sir Anthony Eden.

Mr. REYNOLDS. I should be very much indebted to the Senator from Minnesota if he would do so. I thank the Senator very much for his very excellent contribution.

The PRESIDING OFFICER. Without objection, the statement referred to by the Senator from Minnesota may be printed in the RECORD.

The statement is as follows:

"PREDATORY DEMOCRACIES

"It seems to me that the nations which are referred to as democracies are empires—world-wide, far-flung empires. France is an empire. That Empire has been won by conquest and aggression. The swords of the French imperialists are dripping with blood. They have acquired their territory by aggression. That empire extends into Asia, Africa, and America. It is not European alone; it is world-wide. France is an empire won by aggression and war, and everyone knows it or should know it.

"The far-flung Empire of Britain, scattered over one-third of this mighty earth, upon which the sun never sets, was won by aggression and war. It was won by bloodshed, won by swords dipped into the blood of nations now enslaved by that Empire; and yet we hear Senators and Representatives talk about defending these democracies! If that be democracy, God save the world!

"We have a democracy here. Let us save that democracy. Let us attend to our own affairs and preserve and protect our own people, including our 12,000,000 unemployed.

"If we enter another destructive world war, democracy may disappear from the earth. We may scrap our own institutions. We may ruin the work that our fathers and founders laid down in this country, which they have bequeathed to us, which it is our sacred duty to uphold, and which we are sworn to uphold.

"I am weary of hearing about defending democracies which are nothing but bloody, aggressive empires, which hold hundreds of millions of enslaved people under their imperial rule. We are still nursing our wounds from the last war 'to save the world for democracy.' We are still trying feebly to collect billions of unpaid war debts which the debtors solemnly promised to pay, but never paid; and yet they have the nerve to come over here to us now and ask us again to defend their democracies—democracies, indeed!

—

"THE STATE OF BRITISH DEMOCRACY IN 1928

" 'We have not got democratic government today. We never had it, and I venture to suggest to honorable members opposite that we shall never have it. What we have done in all the progress of reform and evolution of politics is to broaden the basis of oligarchy.' "—Anthony Eden.

Mr. REYNOLDS. Mr. President, I take this opportunity to place bouquets where they deserve to be placed. I wish to say that I consider my friend and colleague, the Senator from Minnesota [Mr. LUNDEEN], who has been so kind as to contribute to the few words I had to say upon this subject, to be one of America's greatest patriots, and I wish that all America could hear me say that, because I know of no man in this body who is more thoroughly interested in the American taxpayers and in the future of America than is the distinguished Senator from the great Commonwealth of Minnesota.

Mr. LUNDEEN. I wish to thank the Senator from North Carolina for that statement, for I have vivid recollections of a time when I was called something other than a patriot.

Mr. REYNOLDS. I recall that once upon a time when the Senator was a Member of the House of Representatives he had the courage of his convictions and voted against America's entering the war to save the world for democracy, and to save Christianity, and to stop all war, and when he returned to his State he was threatened with lynching, and people wanted to run him out of town; but later they returned him to the Senate as Minnesota's hero, and I am glad they returned him because the American people have in this body a 100-percent patriotic and courageous citizen.

Mr. President, even though my colleagues are aware of th •act amounts owed by these defaulters—and I apologize to them for taking up their time, for I know that they are more thoroughly familiar with this subject than I am—I want the American people to know just who owes and how much. Then they will know how to answer the war makers and gossipmongers of Europe when they come around again with their little cup begging for help. As certain as it is that we are here today, they will be coming around with their little cups begging again for our money and our men.

I have before me a statement which some months ago I inserted in the CONGRESSIONAL RECORD when I was speaking upon this same subject upon the floor of the Senate. The statement shows the total indebtedness of foreign governments to the United States as of January 31, 1938. I ask that the statement be inserted in the RECORD as a part of my remarks at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

Statement showing total indebtedness of foreign governments to the United States, Jan. 31, 1938

Country	Total indebtedness	Principal unpaid	Interest postponed and payable under moratorium agreements	Interest accrued and unpaid under funding and moratorium agreements
Funded debts:				
Austria	$26,005,480.99	$25,980,480.66		$25,000.33
Belgium	440,576,360.97	400,680,000.00	$3,750,000.00	36,146,360.97
Czechoslovakia	165,658,603.61	165,241,108.90		417,494.71
Estonia	18,039,718.13	16,466,012.87	492,360.19	1,081,345.07
Finland	8,350,481.00	8,198,489.98	151,991.02	
France	4,121,120,502.59	3,863,650,000.00	38,636,500.00	218,834,002.59
Great Britain	5,263,719,066.73	4,368,000,000.00	131,520,000.00	764,199,066.73
Greece	33,868,484.24	31,516,000.00	449,080.00	1,903,404.24
Hungary	2,316,268.35	1,908,560.00	57,072.75	350,635.60
Italy	2,019,907,055.68	2,004,900,000.00	2,506,125.00	12,500,930.68
Latvia	8,300,896.27	6,879,464.20	205,989.96	1,215,442.11
Lithuania	7,429,514.65	6,197,682.00	185,930.46	1,045,932.19
Poland	252,159,819.66	206,057,000.00	6,161,835.00	39,940,984.66
Rumania	63,971,892.36	63,860,560.43		111,331.93
Yugoslavia	61,663,515.63	61,625,000.00		38,515.63
Total	12,493,087,660.86	11,231,160,359.04	184,116,884.38	1,077,810,417.44
Unfunded debts:				
Armenia	22,705,400.00	11,959,917.49		10,745,482.51
Nicaragua	487,544.98	289,898.78		197,646.20
Russia	375,742,114.78	192,601,297.37		183,140,817.41
Total	398,935,059.76	204,851,113.64		194,083,946.12
Grand total	12,892,022,720.62	11,436,011,472.68	184,116,884.38	1,271,894,363.56

Mr. REYNOLDS. Mr. President, the statement was secured by me from the Secretary of the Treasury, Washington, D. C. It shows the indebtedness of foreign governments to the United States as of January 1938. I may add that since the statement was made, Finland has paid on account of the above amount $232,935.50, and Hungary has also reduced her debt as shown on the table by the sum of $9,828.16. That is a small amount, but it is something. It is better than nothing. The indebtedness of Germany is not shown in the above statement provided me by the Treasury Department.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. It would seem to me that Germany should be held responsible for the Czechoslovakian and Austrian debts.

Mr. REYNOLDS. I am quite in accord with the Senator. In view of the fact that the Senator has suggested that Germany took over Czechoslovakian territory I am thoroughly of the opinion that Germany should be called upon to assume obligations that were made by Czechoslovakia, and I do not see how anyone could argue otherwise.

FINLAND—HONEST, INDUSTRIOUS, PROGRESSIVE

Mr. LUNDEEN. If I may make a brief statement here I should like to say that great credit is due to the Republic of Finland, which has scrupulously observed its obligations to this Government. It is true that of the original debt they are only paying on about one-half, but that is the amount fixed in the refunding agreement, and they are paying all that is required under that agreement, and they are the only nation that are so doing, and it is to the eternal credit and glory of that country and that people that they are doing so.

They have shown their sterling honesty to our country. I will certainly join with the Senator in his statement that we in America could use this money now for the benefit of our people.

I should also like to suggest that along our coast line here, circling the Panama Canal and the Nicaragua Canal region, making an impossible barrier where we cannot even get our ships through without permission from a foreign government in times of war, are islands which ought to be under the American flag. They ought to belong to Uncle Sam. They ought to be American territory. They are American islands, and these foreign governments should turn them over now to apply on the debts that they refuse to pay. The British Empire has nearly one-third of the world under its flag and boasts that it is the greatest empire of all time. This Empire has 600,000,000 people under its flag; this Empire has five times the gold production of the United States. Canada alone produces as much gold as the United States; South Africa four times as much as the United States. They come over here and try to dazzle us with their diamonds and their diadems; their crowns, and other royal jewelry. Their royal salary is $5,000,000 a year, whereas our President is paid $75,000 a year.

They paid the commander in chief of their Army, Marshal Haig, a bonus of $500,000 after the war, which I take it was American money; and he never won a great battle in his life. He served under a French general. He did not have the capacity and ability to be commander in chief in the World War, but he absorbed $500,000 of our money.

Mr. REYNOLDS. We paid his salary.

Mr. LUNDEEN. When the war was over we paid him a bonus of $500,000; and he never won an important battle in his life. He served under a French general, Foch. The British paid—I presume with our money—$500,000 to Admiral Beatty, who lost three men and three tons to the Germans' one in the Battle of Jutland, although it must be said to the credit of the British Fleet that they succeeded in isolating the German Fleet. However, the losses were 3 to 1. He received $500,000, I take it, of American money that we loaned the British. No wonder they are paying these huge amounts and can be so liberal with our money.

Mr. REYNOLDS. And with other people's property. For example, Czechoslovakia is always appeasing at the expense of somebody else.

Mr. President, lest we forget, the figures referred to should be stamped on the memory of every man and every woman in each of our 48 States, thus making it conclusive that our great Uncle Sam will never again—I hope—act as Santa Claus to any ungrateful country or countries.

Think of what happens to one of us when we do not pay our bills. Think of what happens to me when I do not pay my bills. Our creditors are very polite at first. They send us a gentle reminder. Then if we do not pay they begin to get "tough." We receive a strong letter, their attorney telephones, and finally we hear a rap on the door, and there stands the man they sent to collect the debt. That is why, Mr. President, I have taken the floor today to urge upon the Senate that we appoint a collector to collect the money which various countries in Europe owe to 130,000,000 Americans. Why should we go on piling up national debts and carrying a terrific load of international debts? We should not. We should dun Europe until we collect the debts, Mr. President. Why should we not have a collector to rap on the doors of the exchequers of Europe? Why should not some of the cash which Europe is spending for armaments be spent to pay some of its billions upon billions of debt to the 130,000,000 people of the United States?

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. Gladly.

Mr. LUNDEEN. I wonder if the Senator means that we are not now trying to collect the money?

Mr. REYNOLDS. I have not lately heard anybody ask them to pay us.

PERFUMED LETTERS AND SCENTED NOTES

Mr. LUNDEEN. Are we only sending over perfumed letters asking what they will do about it, and then receiving another scented note in reply? Or is there any Jacksonian red blood and backbone in the American Department of State? What has become of the Americanism we used to have in this country? Shall we stand idly by with 12,000,000 idle people starving to death in this country, and permit empires which are spending upward of $10,000,000,000 in rearmament programs to continue to do so, sending out little perfumed notes and allowing them to come back with some little nonessential statement, and then dropping the matter and saying nothing further about it? If that is Americanism, God save the word.

Mr. REYNOLDS. With 12,000,000 out of employment and $13,000,000,000 due us when June 15 came, they did not even have the decency to write letters to the effect that they regretted that they could not liquidate any part of the principal or any portion of the interest.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. CLARK of Missouri. Mr. President, I noted the same thing the Senator from North Carolina did on June 15 as to the failure of the nations which are in default to us even to acknowledge the fact that they owed us a debt. The thought occurred to me that if we could not get our money we might at least learn a lesson from our past experience. The thought occurred to me that it might be possible for the Congress of the United States to pass a resolution or a bill reciting the facts as to the debts owed us at the conclusion of the last war; as to the example of the United States in possibly the greatest exhibition of generosity which ever took place in international affairs in the history of the world, voluntarily scaling down all those debts to 60 percent; reciting the facts of default; and then setting aside June 15, the due date which has been so much ignored by foreign powers, as a national holiday, a day for meditation and prayer of the American people under the name of "keep-out-of-war day."

Mr. REYNOLDS. I will say to the Senator from Missouri that I shall be very happy indeed to support such a resolution.

Mr. President, on April 13 of this year I introduced Senate Concurrent Resolution No. 12, which provides a practical and business-like way of collecting the debts. It calls for the employment of Mr. William Griffin, editor and publisher of the New York Enquirer, as a special envoy to the debtor nations for the purpose of assuring their fulfillment of their signed and sealed agreements with America to pay their debts in the manner specified in the agreements. There can be no question as to the qualifications of Mr. Griffin for this mission. His qualifications are set out in detail in my resolution.

Since the introduction of my resolution many distinguished Members of Congress have expressed, in interviews with the public press, their high opinion of Mr. Griffin's capabilities and enlightened patriotism and have warmly advocated his appointment as a special war-debt envoy. Statements regarding Mr. Griffin have been made by many. Among them are many of my colleagues in the Senate, including the Senator from Nevada [Mr. MCCARRAN], the Senator from Tennessee [Mr. MCKELLAR], the Senator from North Dakota [Mr. NYE], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Georgia [Mr. GEORGE], the Senator from Delaware [Mr. TOWNSEND], the Senator from Pennsylvania [Mr. DAVIS], the Senator from Colorado [Mr. ADAMS], and many Members of the House, including the Speaker thereof [Mr. BANKHEAD] and the minority leader [Mr. MARTIN]. To my mind the resolution calling for the designation of a special war-debt envoy is of such national importance that it should be acted upon at the earliest possible moment. I bespeak immediate consideration thereof, Mr. President.

Altogether, apart from the enormous sums involved, amounting to $13,000,000,000, there is another vital matter at stake in the collection or noncollection of the debts. Mr. President, we hear much nowadays on both sides of the Atlantic concerning the sanctity of treaties and international good faith. It is the utter disregard for the sanctity of treaties and international good faith which animates so many of the Old World countries and which is at the bottom of the terrible ills from which the world today unquestionably is suffering. Our European war debtors, led by England and France, were the first in the post-war days to set an example of total disregard of the sanctity of treaties and international good faith when they decided to defraud Uncle Sam of the billions of dollars he loaned them when their backs were to the wall; and if we do not insist upon the payment of these debts we will place an unheard-of premium on international dishonesty.

Mr. LUNDEEN. Mr. President, will the able Senator yield?

Mr. REYNOLDS. I yield.

WAR DEBTS AND ESSENTIAL WAR MATERIALS

Mr. LUNDEEN. In that connection I should like to remind the Senator of the resolution introduced by the minority leader, the Senator from Oregon [Mr. MCNARY], and the Senator from Massachusetts [Mr. LODGE], which proposes to acquire essential war materials to apply on the payment of the debt.

Mr. REYNOLDS. By the way, if the Senator will pardon me for interrupting, I think the able senior Senator from Wisconsin [Mr. LA FOLLETTE] likewise introduced a resolution of that description several weeks ago. I see the Senator from Wisconsin in the Chamber. That is why I mention the matter at this particular time.

Mr. LUNDEEN. I thank the Senator. I was not aware of that fact. It is a very great credit to the able Senator from Wisconsin that he has introduced a resolution along that line.

Mr. REYNOLDS. In that connection I will say to the Senator that I have had in mind the introduction of a similar resolution.

Mr. LUNDEEN. I hope the distinguished and able Senator from North Carolina will do likewise, as he suggests.

Mr. REYNOLDS. I am in thorough accord with that suggestion.

Mr. LUNDEEN. It seems to me there is one very logical, sensible method of obtaining at least a partial payment. I am now making a survey of certain islands on the west coast of the Panama Canal Zone, within a certain circumference which would be within striking distance of bombing planes. I have some information from the War Department in that connection. I find that the

French have an island in that vicinity which we could well use; and certain other islands can be acquired by negotiation and purchase. It seems to me that the resolutions which have been introduced looking to the acquirement of essential war materials in payment of the debts are really in the nature of defense measures.

Mr. REYNOLDS. Certainly.

Mr. LUNDEEN. Such measures would serve the Treasury of the United States and save the taxpayers' money. Why not think of American taxpayers once in a while instead of always weeping on the shoulders of Great Britain and France? Other and debtor nations have great quantities of copper, of bauxite, which are used in the manufacture of aluminum, and of other essential materials that we should have. Let them turn such materials over to our country, and we will give them credit on the debts.

Mr. REYNOLDS. The Senator is quite correct. In that connection I remind the Senator at this time that not so long ago this body passed a bill pertaining to essential war materials which we do not have in this country, to the extent of requiring an appropriation of $100,000,000.

I have suggested, and later in my argument here today shall again suggest, that the debtor countries be provided the opportunity of liquidating, at least in part, their obligation to us in tin and in rubber and in nickel, materials of which we are not possessed in this country; and if they would do that, it would not affect the production or sale of anything of that sort that we have here in the United States.

Mr. President, it is imperative to compel the payment of these defaulted billions. The time has arrived when we must demand payment. The matter now has reached such a stage that it is absolutely necessary for us to send a special envoy to Europe to set the collection wheels turning and assure that they will keep turning until they have ground out the very last cent due the taxpayers of your State of Oklahoma and the taxpayers of all the other States of the Union.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. REYNOLDS. I am glad to yield.

Mr. LUCAS. I am in full sympathy with what the Senator wants to do so far as the debts are concerned. The Senator says the time has come when we should demand payment of the debts. After we make the demand, however, if nothing is done, what are we going to do?

Mr. REYNOLDS. There are many things we could do. As a matter of fact, if Great Britain refused to pay her war debts, in my humble opinion we could seize properties in the United States today belonging to Great Britain or belonging to any of the British people. In addition to that, the British are possessed of considerable wealth in the neighborhood of the United States, and we could bring about considerable embarrassment in that connection. I will say to the Senator from Illinois that if we should demand payment of the moneys which the British Government owes the taxpayers of the United States and should let the British governmental representatives know that we meant business, in the fix that they are now in they would not dare deny payment.

Mr. LUCAS. Am I to understand the Senator now to advocate the seizure of certain properties nearby which belong to England in the event they should refuse to pay their debt?

Mr. REYNOLDS. Not at all; I do not advocate that.

Mr. LUCAS. But I understood the Senator, in his previous remarks to me, to say that that could be done when I asked him, after a demand was made, if there should be a refusal to pay or no evidence of any bona fide intention to pay, what this country would do toward the collection of the debt.

I want to collect the debt just as badly as does the Senator from North Carolina; but I am wondering what vehicle the Senator from North Carolina is going to use in case the demands are refused.

Mr. REYNOLDS. I will say to the Senator that we shall never reach that stage. As I said a moment ago, if we let Great Britain know that we mean business, and that we in this country need the $13,000,000,000 that is due us to take care of our millions of unfortunate people who are out of employment and who are dependent upon the Government of the United States to care for them, Great Britain will liquidate that obligation. We know that Great Britain has the money with which to pay us. We know that she is possessed of the gold with which to pay us, because Great Britain is constantly making loans to various other countries of the world, and spending billions upon billions for armaments in preparing for another war to preserve her empire; but, unfortunately, she is not sufficiently grateful to pay the American people the amounts that she borrowed and that we loaned to her during the trying days of the World War, from 1914 to 1918, when she was participating in that conflict.

Mr. LUCAS. Can the Senator tell me the last time Great Britain made any payment on this obligation?

Mr. REYNOLDS. It has been many years. I do not exactly recall.

Mr. LUCAS. Does the Senator agree with me that we can judge the future only by the past, and that if the British have not paid any of this indebtedness in the past, and they have all of this property with which to pay, a mere demand by this country is not going to cause them to pay?

Mr. REYNOLDS. I will say to the Senator that I do not believe England has any intention of paying her war debt. Some of the men highest in authority in Great Britain have said that they do not owe us anything; that as a matter of fact we did not do them any good. They have said that if we had not sent our forces over there, they would have settled the war in 1917. Some men high in authority in Great Britain have said that we really were injurious to them, and that if we had not gotten into the war millions of lives would have been saved.

I am very happy the Senator mentioned that matter, because I am going to bring to the attention of the Members of this body a conversation which took place between an American citizen and some of those in authority in Great Britain. I will say to the Senator that I do not believe the British have the slightest intention upon earth of paying us. I say that, first, as a result of the fact that I have been advised of conversations that took place between an American citizen and those in high authority in Great Britain; and, in the second place, because the British are possessed of more wealth than perhaps any other nation upon the face of the earth outside of our own United States, and yet they have never evidenced the slightest desire or inclination to make payment of this obligation, which the Senator from Illinois most certainly agrees with me is due.

Mr. LUCAS. If the Senator will further yield, in view of his last statement, that he believes England never intended to pay the debt, what good can be accomplished by sending to England this ambassador of good will, so to speak, for the purpose of trying to collect it?

Mr. REYNOLDS. There are many times when one who is indebted to another does not pay, and does not really interest himself in making an endeavor to liquidate an obligation, so long as he receives perfumed notes such as were mentioned a moment ago by the Senator from Minnesota [Mr. LUNDEEN], but when the creditor's lawyer gets after him, and then when finally the sheriff knocks on the door, and the debtor knows that the creditor means business, the debtor wakes up and makes an earnest effort to liquidate at least a portion of the obligation.

Mr. LUCAS. I can appreciate the sheriff knocking on the door in the case of a private obligation between two citizens of this country; but the point I am trying to ascertain from the distinguished and able Senator from North Carolina, who is constantly talking upon this question—and I think it is a very good thing for the country—is what the Senator from North Carolina and the Senator from Minnesota are going to do about this matter in the final analysis if England and the other defaulting nations continue to refuse to pay their obligations.

Mr. REYNOLDS. Before we ascertain what procedure we shall take, I think first we should let those in high authority in the debtor nations at least know that we mean business. As a matter of fact, according to my recollection, we have never proposed to them that they deliver or arrange to deliver to us any part or portion of any lands they have in the Western Hemisphere in part payment of their indebtedness.

Mr. LUCAS. It would be fine if they would do that. We could use these islands, of course, or any of the lands that belong to England, as part payment, perhaps; but suppose they say, "No; we are not going to do it"?

Mr. REYNOLDS. Let us not make that supposition until after we have made the request. Let us first ascertain whether or not the debtor nations are really desirous of evidencing their appreciation and demonstrating their honesty by complying with the request. In that connection, I desire to make particular mention of another matter at this time, in view of the fact that the subject was broached a moment ago by the Senator from Minnesota [Mr. LUNDEEN]. He mentioned the fact that Great Britain is the possessor of some islands just beyond gun range of the Panama Canal. In addition to that, as the Senator knows, she owns British Honduras. In addition to that she has a number of islands strung through the West Indies, beginning at Port of Spain, the capital of Trinidad, and reaching around the arc of the West Indies by way of Martinique and the Virgin Islands, Puerto Rico, and Haiti, and over to Cuba. She has land there that we want. We have had some discussion upon the floor of the Senate, we have seen much in the columns of the press almost daily, in reference to our national-defense program, in reference to the suggestion that we fortify the circle in order that we may well assure the safety of the entrance to and the locks of the Panama Canal from the Atlantic.

By the way, I might mention something which to my mind is just as important as that. Great Britain owns, within an hours' travel by airplane from Miami, Fla., the islands of Bimini and Nassau; and from there it is only an hour and a half more by plane until we reach the island of Bermuda, the capital of which is Hamilton. Hamilton is a distance of only 500 miles directly east of the coast of North Carolina. I have heretofore suggested that England might be prevailed upon to bring about the transfer of that piece of property to us; and we would be particularly interested in that, for the reason that 95 percent of all the revenue derived by the Government of Great Britain through its capital and seaport of Hamilton comes out of the port of the city of New York; whereas, as the Senator from Indiana [Mr. MINTON], who is present this afternoon, knows, Bimini and Nassau are only a few miles off the coast of Florida.

We do not want to be rude about the matter; we want to be as gracious as we possibly can be; we do not desire to incur any ill feeling if it can be avoided; but let us seriously ask if they would be willing to make transfer of some of this property in the Western Hemisphere which we really need.

In addition to that, of course, they might be able to make some arrangement about Newfoundland. There are a couple of islands just north of Newfoundland, and the French also have possessions in the Western Hemisphere.

I shall in a moment bring to the attention of this body some very interesting conversations which took place between an American citizen and officials high in authority in England.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. I wish to call attention to the fact that the British did pay something up until about 1931.

Mr. REYNOLDS. I do not remember the date of the last payment.

Mr. LUNDEEN. The records of the Debt Commission will show. What we ask them to do now is to resume payments. They did pay some. Let them resume; or have they been told they do not need to pay any more? If so, who told them that?

Mr. REYNOLDS. The data I have do not cover the last interest payment.

Mr. LUNDEEN. Why did they stop? Did some one say, "It is all right; it can ride along for awhile, and we will not ask you for it"? Is that what happened? Why did we suddenly become so mellow and so kindly and so gentle with this great, huge, warlike empire, upon which the sun never sets, but which has not paid its debts in recent years?

Mr. REYNOLDS. Is there any reason why we should not ask them to pay? Is there any reason why we should not knock at their door every day and request payment?

Mr. MINTON. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. MINTON. As I have understood the Senator from North Carolina and the Senator from Minnesota, they are advocating taking over the islands they have mentioned. Has it not been our experience that the islands we now have are a liability instead of an asset?

Mr. REYNOLDS. I quite agree.

Mr. MINTON. Then why does the Senator want to have us take on some more?

Mr. REYNOLDS. Our naval authorities and others interested in national defense have suggested that we should erect fortifications, particularly in that area of the Atlantic, which would provide greater and better protection for the eastern entrance to the Panama Canal.

Mr. LUNDEEN. Mr. President, will the able Senator kindly yield further?

Mr. REYNOLDS. I yield.

THE RICHES OF THE WEST INDIES

Mr. LUNDEEN. I have frequently been met with this statement, "What do you want with those sand bars out there in the West Indies?" Now, I am making an exhaustive research into the resources of these islands of the West Indies, and, with the permission of the Senate, I shall at a later date be glad to present the record of the untold resources of these islands. I cannot hope to give a complete picture of their resources, but at least in part I hope to do so. For instance, in Trinidad there is an inexhaustible asphalt mine. We have recently heard about that in connection with paving matters here in Washington. For a hundred years those operating that mine have taken that substance out of the earth, and it just wells right up to the same level, and, so far as anyone knows, this material, no matter how much is taken out for a thousand years to come, will remain at the same level.

Just today I cut an article out of a paper in which it is stated that the island of Saba, a small island in the West Indies, contains the only pure sulfur mine in the world.

"The only pure sulfur mine in the world is on the strange island of Saba, lying south of the Virgin Islands. Saba is a volcanic cone rising from the sea. Eight hundred steps lead up from the beach to the town, curiously called the Bottom, and peopled by an isolated community of thrifty Dutch, who construct seaworthy sloops inside the crater and lower them over the rocks to the sea.—Carl Kulberg."

Consider Bermuda, for instance. Is there any greater tourist point in the Western Hemisphere than Bermuda? Is that not a gold mine in itself? And it is American money that pours in there in an ever-increasing tide.

The fishing grounds of the West Indies are world famous and may well prove to be inexhaustible—from the same source I include the following clipping—

"The Atlantic Ocean off the Bahama Banks is often less than 30 feet deep, and the unusual transparency of the water reveals many sea denizens. About 100 miles north of Puerto Rico is Nares Deep, the deepest known spot—27,972 feet."

Mr. REYNOLDS. What about Jamaica?

Mr. LUNDEEN. Of course. The distinguished Senator is more traveled than I and is more familiar with these things, but I am somewhat familiar with them. Would anyone think of turning back Puerto Rico? We recently appropriated hundreds of millions of dollars for the fortification of Puerto Rico. Would anyone think of turning back the strategic Virgin Islands, 100 miles farther east than Puerto Rico? Would anyone want to relinquish the protectorate which we have over Cuba? Though that is a free country, yet there is an American protectorate over it, and we would not permit any foreign foe to come there, or any European flag to fly over that great island.

WEST INDIES VITAL TO AMERICAN DEFENSE

These islands are possessed of great resources, and it is about time that the American people got the information that here are great resources right at our front doorstep, and here we have the finest and best air bases. From Bermuda an enemy nation can strike Baltimore, New York, Philadelphia, or any of the east-coast cities within 2 or 3 hours with their bombers. We should have Bermuda as our base. It should be American. It should not be under a foreign flag. It is an American island, and it is and of right ought to be American.

Mr. REYNOLDS. Let me say to the Senator, in reference to the value of these islands, that, according to my recollection, during the course of the World War the United States paid $25,000,000 for the Virgin Islands, and we would not sell them at any price now, because we desire to fortify them. I thank Senators for their kind inquiries and contributions. If we do not insist upon payment of these debts, we will place an unheard-of premium on international dishonesty.

It is imperative to compel the payment of these defaulted billions of dollars. The matter has now reached a stage where it is absolutely necessary to send a special envoy to Europe to collect the debts.

I wish to call particular attention to a statement by the President of the United States himself. Five years ago the President said concerning the war debts:

"These obligations furnished vital means for the successful conclusion of a war which involved the national existence of the borrowers, and later for a quicker restoration of their normal life after the war ended.

"The money loaned by the United States Government was in turn borrowed by the United States Government from the people of the United States; and our Government, in the absence of payment from foreign governments, is compelled to raise the shortage by general taxation of its own people in order to pay off the original Liberty bonds and the later refunding bonds."

Mr. LUNDEEN. Mr. President, will the Senator yield again?

Mr. REYNOLDS. I yield.

TAXING AMERICANS TO HELP THE BRITISH

Mr. LUNDEEN. Then I understand that we are raising money by taxation of our American people to support the British Empire right now?

Mr. REYNOLDS. Certainly.

Mr. LUNDEEN. According to the President's own statement.

Mr. REYNOLDS. Not only that; but they are asking that we take all the refugees from all the earth, all those they do not want in their own countries, and feed them, when there are millions here who are hungry. The President of the United States stated that one-third of our people are undernourished, ill-housed, and improperly clothed. The President continued:

"It is for these reasons that the American people have felt that their debtors were called upon to make a determined effort to discharge these obligations. The American people would not be disposed to place an impossible burden upon their debtors"—

And we would not—

"but are nevertheless in a just position to ask that substantial sacrifices be made to meet these debts."

That is what the President of the United States said in particular reference to the subject I have under discussion at this time. The President continued—and this was 5 years ago:

"We shall continue to expect the debtors on their part to show full understanding of the American attitude on this debt question. The people of the debtor nations will also bear in mind the fact that the American people are certain to be swayed by the use which debtor countries make of their available resources—whether such resources would be applied for the purposes of recovery as well as for reasonable payment on the debt owed to the citizens of the United States, for the purposes of unproductive nationalistic expenditure, or like purposes."

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. BRIDGES. The mere fact that the President of the United States, Mr. Roosevelt, made certain statements 5 years ago would not be any indication that he believes those statements or would stand by them today, would it?

Mr. REYNOLDS. I beg the Senator's pardon?

Mr. BRIDGES. The Senator was referring to some statements made by the President of the United States, Mr. Roosevelt. My question was, judging from our experience, is it the opinion of the Senator, simply because Mr. Roosevelt, President of the United States, made those statements 5 years ago, that would be an indication that he believed them or would stand by them today?

Mr. REYNOLDS. I will say to the Senator from New Hampshire that the President of the United States made those statements then, and I am sure that the President of the United States would today stand by the same statements he then made. But that would be no indication of the fact that the President of the United States is not desirous that Great Britain should pay her war debts. As a matter of fact, I am thoroughly and firmly of the opinion that the President of the United States is just as desirous of collecting the honest debts that are due to the taxpayers of America as is the Senator from New Hampshire or as I am, if I may say so.

Mr. BRIDGES. My answer to the Senator is that from my personal observation of the President of the United States and his very shifting positions, I would not be at all sure that the fact that he said something 5 years ago would be any indication that he believed the same way today. I should think that he might have changed several times in the meantime, and perhaps may have a wholly different view today.

Mr. REYNOLDS. As a matter of fact, the President of the United States is but human, like the Senator and myself, and conditions change. Many times have I changed my position, and I am convinced that the Senator will agree with me that many times he has changed his position. The position depends entirely upon the shifting of sands, and time has a great deal to do with the shifting of sands.

Mr. BRIDGES. I believe a person should change to meet conditions, but the President for one seems to me personally to be able to shift even faster than conditions shift.

Mr. REYNOLDS. In what particular respect does the Senator mean?

Mr. BRIDGES. In about every respect that I have observed. For instance, on fiscal policies.

Mr. REYNOLDS. I cannot recall at this time any instance in which the President of the United States has shifted without due cause, or for perfect reason, I may say.

Mr. BRIDGES. I did not want to embarrass the Senator in that respect, but I should recall that the President was elected on a platform of economy, and that he took the position that there should be a 25-percent reduction in expenditures, and so on, and it seems to me that he has shifted greatly from that position.

Mr. REYNOLDS. I may say to the Senator that when the President of the United States took office in March 1933 conditions thereafter immediately changed. We had been going from bad to worse, and when the present President of the United States took office he found millions upon millions of unfortunate men and women who were undernourished and improperly clothed, and he found suffering and misery on every hand. Being the great humanitarian that we have found him to be, he endeavored as best he could, as all Americans have endeavored as best they could, to find jobs for those unfortunate people who were not able to find jobs. Industry had not been able to provide them with employment. We had been in a depression, as the Senator recalls, many years before the President took office, a depression which began in October 1929, and I will say to the Senator that the President's position has never shifted from the time he took office in March 1933 up to the present time insofar as being interested in the unfortunate men and women of this country.

Mr. President, I am sure the Senator will go along with me and vote money out of the Treasury of the United States so long as there are empty stomachs to be filled, and so long as there are poor men and women to be cared for.

Mr. BRIDGES. The President probably has not shifted in his feeling toward the unfortunates, but his approach to dealing with those unfortunates has shifted many, many times.

Mr. REYNOLDS. Mr. President, it is my firm conviction that the time for leniency toward our war-debt defaulters has passed. No one can justly say that we have acted like a Shylock. The debtor nations have accused us of being a Shylock. The heart of the whole trouble lies in the fact that our war debtors simply do not wish to pay. And as I stated a moment ago they do not intend to pay. Had they the will to make good they could have made good long ago, and their making good would have been as beneficial to them as it would have been to us. The other day, the outstanding economist, M. S. Rukeyser, whose articles are closely studied daily from coast to coast, hit the nail on the head when he affirmed—I quote from the New York Journal-American:

"The pivotal excuse for the default has been the difficulty of international transfer of large sums, especially in times of depressed trade. However, the argument that payment can only be made in goods and services, or in gold does not reveal the whole truth. Individuals and financial institutions in Great Britain and France own substantial holdings of American securities, tangible property, and bank balances. If the will to liquidate the war debt existed, this could be accomplished by mobilizing these foreign holdings of American assets and turning them over to the American Treasury, thus obviating the awkward necessity for transfer of colossal sums through the foreign exchange market. The British and French Governments could then reimburse their own nationals in their own currency or internal bonds."

That was the answer I gave a moment ago to the senior Senator from the State of Illinois [Mr. LUCAS] when he made inquiry as to how we could bring about the collection of the debt or any portion thereof.

France, England, and Italy, the leaders in the war-debt defaulters' united front, while brazenly asserting that they have not the wherewithal to meet their indebtedness to us, are making loans wholesale to European countries for political and commercial advantage, as was stated a moment ago by the able Senator from Minnesota, who has just risen, and to whom I gladly yield now.

Mr. LUNDEEN. Mr. President, briefly, I wish to say that I wonder if the great Empires of Britain and France are not setting a rather bad example to the little nations or smaller nations who owe us money. There are a score of nations who owe us money, and I imagine in their chanceleries they will say, "Well, Britain and France are not paying. Why should we?" And so the whole debt structure collapses right there.

Mr. REYNOLDS. Certainly they are setting a very bad precedent, because we know by experience that unless the larger nations pay, the smaller nations are not going to make the slightest gesture toward paying.

Mr. President, on June 6, less than 2 weeks ago, the United Press transmitted a news dispatch from London to the United States which stated:

"Great Britain has extended substantial new credits to Turkey, it was understood today, since Turkey joined the Anglo-French security front. The sum of $46,862,500 was mentioned. It was recalled that Britain lent Turkey $74,980,000 in April 1938."

The temerity of England in carrying out a transaction of this kind less than 2 weeks before the semiannual payment on her war debt to Uncle Sam fell due is beyond the bounds of adequate condemnation.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. Would it be just to say that, so far as the British Empire is concerned, they have said, in effect, millions for the Turks, but not a dollar for America?

Mr. REYNOLDS. Right!

Mr. President, if it were true that our war debtors were unable to liquidate their indebtedness to us in cash, that would not in the least absolve them from the solemn duty of paying us every cent they owe us. England controls the rubber—referring to the subject mentioned a moment ago by the Senator from Minnesota [Mr. LUNDEEN]—the tin, and the nickel supply of the world. The United States is the largest market for these three products. Had Great Britain the will to pay, she could readily make use of these products in the liquidation of her indebtedness to us, as suggested by innumerable resolutions introduced in Congress. The plain truth of the whole situation is that not one of our war debtors is actuated by good faith, and each is determined to defraud Uncle Sam of his war-debt account if Uncle Sam will only permit it.

We are all Americans, whether we are Democrats or Republicans. There is no such thing as Republican Americanism. There is no such thing as Democratic Americanism. It is just plain Americanism. We all love America, and each of us is at all times eager to serve her to the best of his ability. None of us would knowingly wrong his country.

One of the gravest misfortunes which can befall any nation is that of being contemptible in the eyes of the world. Whether or not we realize it, the United States of America is regarded with supreme contempt throughout the globe as a gullible nation. In order to show the attitude of our war debtors toward us I wish to give the Senate some information which has been given to me by Mr. William Griffin, the editor and publisher of the New York Enquirer. This information startled me, Mr. President. As a matter of fact, I heard about it only about 3 or 4 months ago, when I was talking with him. I am confident that it will startle the Senate.

During a recent trip to Europe, Mr. Winston Churchill, First Lord of the Admiralty in the British Cabinet during the World War, invited Mr. Griffin to call on him at his home in London. During the course of a long visit Mr. Churchill asked what were some of the questions uppermost in the minds of the American people regarding Anglo-American relations. The questions were asked by Winston Churchill of Mr. William Griffin, his American guest. Mr. Griffin told Mr. Churchill that the outstanding issue in the United States that was disturbing Anglo-American relations was England's failure to pay her war debt.

Mr. Churchill then said to Mr. Griffin:

"I think that England should pay every single dollar she has borrowed from your country. But before paying in full she should be allowed to deduct half the cost of all the shot and shell she fired at the Germans from the time America declared war until she put soldiers in the front-line trenches over a year later."

Asked if we allowed England to make the deduction in question, how much would it amount to, Mr. Churchill answered:

"I was in a position to know just how much it cost England to carry on the war, and, according to my figures, England should be allowed to deduct $4,900,000,000 from the debt America claims England owes her before a final settlement is made. When you declared war you became partners in war, and therefore your country should be willing to bear its just cost of carrying on the war."

Mr. Griffin then told Mr. Churchill that it was our opinion that America had saved the British Empire from destruction and from overwhelming defeat. Mr. Churchill disagreed with him regarding America's contribution toward winning the war, and stated unequivocally that although he was enthusiastic over our declaration of war, he could now see that it was all a horrible mistake, and that we should have stayed at home and attended to our own business.

Mr. Churchill said England would not have lost the war, because, said he:

"We would have made peace with Germany in the spring of 1917, and by so doing would have saved over a million British and French lives."

As I mentioned a moment ago. Mr. Churchill continued—think of the audacity of this—

"America's entrance into the war was disastrous not only for your country but for the Allies as well, because had you stayed at home and minded your own business we would have made peace with the Central Powers in the spring of 1917, and then there would have been no collapse in Russia, followed by communism; no breakdown in Italy, followed by fascism; and nazi-ism would not at present be enthroned in Germany. If America had stayed out of the war and minded her own business, none of these 'isms' would today be sweeping the Continent of Europe and breaking down parliamentary government."

Now, Mr. President, let us turn to Mr. Lloyd George, wartime Prime Minister of England.

The former British Prime Minister explained to Mr. Griffin, while Mr. Griffin was his guest, that the United States could have brought an end to the World War without sending a single soldier to France, a single ship to the North Sea, or a single airplane to the western front, or, for that matter, spending a single dollar in Europe for war purposes. Said Mr. Lloyd George:

"When the World War broke out in 1914 Theodore Roosevelt advocated that the United States raise and equip a standing Army of 1,000,000 soldiers and build the largest and most powerful Navy in the world, and constitute an air force to back up your Army and Navy. If you had adopted that program and had your Army, Navy, and air force ready for war in the summer of 1915 or 1916, and then you had called on the warring nations of Europe to sit

down around the council table and talk peace, we would have acceded, because we would not have known which side you might plunge in on, and all the nations in Europe at war would have feared the armed might of America."

In that connection, Mr. President, I wish to take this opportunity to commend the President of the United States and the administration for insisting upon an adequate force of armed men and sufficient supplies of every nature in this country because, in my humble opinion, with strength we shall not experience any difficulty with anybody.

Lloyd George continued:

"You went to war with us in 1812 over the freedom of the seas, but I think we offended you just as much by our activities on the high seas during the World War as we did in 1812. On the other hand, the Germans also offended you by their submarine warfare, which resulted in the sinking of a number of American-flag ships."

President Albert Lebrun, of France, received Mr. Griffin in the Elysee Palace in Paris and told him that he was always glad to welcome an American to his country because Americans seemed to realize the vast debt that their country owed the great Republic of France. He was sure, he added, that France was the best liked of all the European countries in America, and that it would be impossible for anyone to travel from one end of America to the other and find a person who had any reason to be critical of his country, France.

Lebrun was told America felt that France should pay its war debt to the United States. Lebrun, who had been seated at his desk, bounded out of his chair and declared that France's war debt to America would never be paid, and said that the fact that France was not paying her war debt was all the fault of former President Hoover. He pounded the desk and stated that in 1931 Mr. Hoover, in order to prevent a collapse in Germany—and that was the last year, according to my recollection, in which England made any payment upon the debt—had asked the Allies to grant Germany a moratorium for 1 year on reparations payments, and had agreed that if they would do so the United States would grant them a moratorium on their war-debt payments. President Lebrun declared:

"Surely, the United States wouldn't expect us to continue payments on our war debt if we in turn couldn't collect from Germany."

Mr. President, as you know and as we all know, there is a vast difference and distinction between debts of that sort from Germany and the war debts which the Allies contracted with the United States. One is liquidation of damages. The war debts due to the United States represent cash actually loaned by the taxpayers of the United States of America, who are bearing the burden of the payments which are now due.

Mr. LUNDEEN. Mr. President, will the Senator yield for a brief statement?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. I should like to have the RECORD show at that point the position of Andrew Jackson in regard to the collection of the French war debt of 1800, resulting from an undeclared war which we fought with France at that time. I had the privilege of addressing the Senate two or three times on that subject. That is one of the greatest state papers ever written in the messages and papers of American Presidents.

FORGET THE BANQUETS AND FOLLOW JACKSON

Instead of holding so many banquets in honor of Andrew Jackson and then failing to follow his doctrines and policies, I wish that at these banquets some of his state papers would be read, and that after the banquet was over we would see the administration follow the policies that Andrew Jackson laid down.

Mr. REYNOLDS. In reference to the paper which has just been mentioned by the Senator, I should be very grateful to the Senator if he would be good enough to bring about the insertion in the RECORD of that particular document, in order that the American people may know the action which Andrew Jackson threatened to take at the time France would not pay.

Mr. LUNDEEN. With the Senator's permission and the Senate's permission, I shall be very glad to do so.

Mr. REYNOLDS. I thank the Senator.

The PRESIDING OFFICER. Without objection, that order will be made.

The matter referred to is as follows:

"[From the Congressional Record of June 9, 1933, p. 5511]

"ANDREW JACKSON, AMERICAN, AND THE FRENCH DEBT—FAILURE OF FRANCE TO PAY AMERICA INSTALLMENTS DUE ON WORLD WAR AND POST WORLD WAR DEBTS RECALLS STERN, SUCCESSFUL MEASURES TAKEN BY 'HICKORY'

"Mr. LUNDEEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

"The SPEAKER pro tempore. Without objection the gentleman is recognized for 1 minute.

"There was no objection.

"Mr. LUNDEEN. Mr. Speaker, there has been a great deal of discussion about how to handle our foreign debts—the French debts and other debts. I ask unanimous consent to revise and extend my remarks to show the wonderful statesmanlike manner in which Andrew Jackson, a real fighting American and a great Democrat, handled a similar situation in his time. [Applause.]

"The SPEAKER pro tempore. Without objection, it is so ordered.

"There was no objection.

"Mr. LUNDEEN. Mr. Speaker, before the years 1800–1817 a series of unprovoked aggressions upon our commerce was authorized and sanctioned by the Government of France, most of which occurred during the time that Napoleon was conducting his many wars, and particularly his wars against England. There is a striking parallel between the aggressions on our commerce at that time and the aggressions committed on our commerce by the contending parties in 1914, 1915, 1916, and 1917, during the World War; the only difference being a matter of degree, and the fact that lives were lost by reason of the aggressions during this last war.

"Our Government during this terrific struggle between the Government of France, headed by Napoleon, and the other European countries, took the attitude that any damage to our commerce or injury that we received by reason of said war could be adjusted after the war was over. As a result, at the conclusion of these wars our Government insisted that the French Government pay for these wrongs perpetrated upon our commerce; and after considerable negotiations a treaty between our Government and the French Government was concluded and signed, on the 4th day of July 1831, by which it was stipulated and set forth as stated in President Jackson's message to Congress December 1, 1834, that—

" 'The French Government, in order to liberate itself from all reclamations preferred against it by citizens of the United States for unlawful seizures, captures, sequestrations, confiscations, or destruction of their vessels, cargoes, or other property, engages to pay a sum of 25,000,000 francs to the United States, who shall distribute it among those entitled, in the manner and according to the rules it shall determine.'

"According to this treaty, the French Government was to pay this 25,000,000 francs in six annual installments of 4,166,666 francs and 66 centimes each—

" 'The first installment to be paid at the expiration of 1 year next following the exchange of the ratification of this convention, and the others at successive intervals of a year, one after another, till the whole shall be paid. To the amount of each of the said installments shall be added interest at 4 percent thereupon * * *.'

"This treaty was duly ratified by both parties, and the ratification was exchanged at the city of Washington on February 2, 1832.

"Jackson, in his message, goes on to say:

" 'No legislative provision has been made by France for the execution of this treaty, either as it respects the indemnity to be paid or the commercial benefits to be secured to the United States. * * * Advice of the exchange of ratifications reached Paris prior to April 8, 1832. The French Chambers were then sitting, and continued in session until the 21st of that month, and although one installment of the indemnity was payable on February 2, 1833, 1 year after the exchange of ratifications, no application was made to the Chambers for the required appropriation; and in consequence of no appropriation having then been made, the draft of the United States Government for that installment was dishonored by the Minister of France, and the United States thereby involved in much controversy.

" 'The next session of the Chambers commenced on November 19, 1832, and continued until April 25, 1833. Notwithstanding the omission to pay the first installment had been the subject of earnest remonstrance on our part, the treaty with the United States and a bill making the necessary appropriations to execute it were not laid before the Chamber of Deputies until April 6, nearly 5 months after its meeting, and only 19 days before the close of the session. The bill was read and referred to a committee, but there was no further action upon it.

" 'The next session of the Chambers commenced on April 26, 1833, and continued until June 26 following. A new bill was introduced on June 11, but nothing important was done in relation to it during the session.

" 'In the month of April 1834, nearly 3 years after the signature of the treaty, the final action of the French Chambers upon the bill to carry the treaty into effect was obtained, and resulted in a refusal of the necessary appropriations. * * *

" 'The refusal to vote the appropriation, the news of which was received from our Minister in Paris about the 15th day of May last (1834), might have been considered the final determination of the French Government not to execute the stipulations of the treaty, and would have justified an immediate communication of the facts to Congress, with a recommendation of such ultimate measures as the interest and honor of the United States might seem to require. But with the news of the refusal of the Chambers to make the appropriation were conveyed the regrets of the King and a declaration that a national vessel should be forthwith sent out with instructions to the French Minister to give the most ample explanations of the past and the strongest assurances for the future. After a long passage the promised dispatch vessel arrived. The pledges given by the French Minister upon receipt of his instructions were that as soon after the election of the new members as the charter would permit the legislative chambers of France should be called together and the proposition for an appropriation laid before them; that all the constitutional powers of the King and his cabinet should be exerted to accomplish the object; and that the result should be made known early enough to be communicated to Congress at the commencement of the present session.'

"The French Government of 1834 had the decency to apologize for its failure to pay an obligation.

"Andrew Jackson, relying upon these pledges, did not communicate the above facts to Congress, relying, as he did, upon the assurances of the French Government. In this message of December 1, 1834, Andrew Jackson goes on to say:

" 'I regret to say that the pledges made through the Minister of France have not been redeemed. The new Chambers met on July

31 last, and although the subject of fulfilling treaties was alluded to in the speech from the throne, no attempt was made by the King or his cabinet to procure an appropriation to carry it into execution.'

"Andrew Jackson then makes this emphatic assertion:

" 'The idea of acquiescing to the refusal to execute the treaty will not, I am confident, be for a moment entertained by any branch of this Government, and further negotiation upon the subject is equally out of question.'

"And then Andrew Jackson goes on to say:

" 'Our institutions are essentially pacific. Peace and friendly intercourse with all nations are as much the desire of our Government as they are the interest of our people. But these objects are not to be permanently secured by surrendering the rights of our citizens or permitting solemn treaties for their indemnity, in cases of flagrant wrong, to be abrogated or set aside.'

"Andrew Jackson was not a man who indulged in fine speech, but when he was through speaking no one could doubt the meaning of his words. For example, he goes on to say:

" 'There is but one point in the controversy, and upon that the whole civilized world must pronounce France to be in the wrong. We insist that she shall pay us a sum of money which she has acknowledged to be due, and of the justice of this demand there can be but one opinion among mankind.'

"And a few sentences later in his message he said:

" 'It is my conviction that the United States ought to insist on a prompt execution of the treaty, and in case it be refused or longer delayed, take redress into their own hands. After the delay on the part of France of a quarter of a century in acknowledging these claims by treaty, it is not to be tolerated that another quarter of a century is to be wasted in negotiating about the payment. The laws of nations provide a remedy for such occasions. It is a well-settled principle of the International Code that where one nation owes another a liquidated debt which it refuses or neglects to pay the aggrieved party may seize on the property belonging to the other, its citizens, or subjects sufficient to pay the debt without giving just cause of war. This remedy has been repeatedly resorted to and recently by France herself toward Portugal, under circumstances less unquestionable.'

"And, then, listen to the American attitude of a real American when he says:

" 'Since France, in violation of the pledges given through her Minister here, has delayed her final action so long that her decision will not, probably, be known in time to be communicated to this Congress, I recommend that a law be passed authorizing reprisals upon French property in case provision shall not be made for the payment of the debt at the approaching session of the French Chambers. Such a measure ought not to be considered by France as a menace. Her pride and power are too well known to expect anything from her fears and preclude the necessity of a declaration that nothing partaking of the character of intimidation is intended by us. She ought to look upon it as the evidence only of an inflexible determination on the part of the United States to insist on their rights. That Government by doing only what it has itself acknowledged to be just will be able to spare the United States the necessity of taking redress into their own hands and save the property of French citizens from that seizure and sequestration which American citizens so long endured without retaliation or redress. If she should continue to refuse that act of acknowledged justice and, in violation of the law of nations, make reprisals on our part the occasion of hostilities against the United States, she would but add violence to injustice, and could not fail to expose herself to the just censure of civilized nations and to the retributive judgments of Heaven.

" 'Collision with France is the more to be regretted on account of the position she occupies in Europe in relation to liberal institutions, but in maintaining our national rights and honor all governments are alike to us.'

"The result of this message to Congress was the cause of great excitement in France, and the French Government, instead of acknowledging that they were in the wrong and offering to make amends to pay the debt which they had solemnly declared to be due under the treaty, dispatched war fleets to the coasts of the country, and bills were introduced in the French Chambers for increased military activity, looking to war with the United States. In other words, France was on the point of going to war with the United States over 25,000,000 francs rather than pay her honest and acknowledged obligation. However, we had in the White House a man who not only was a real American but one who could not be frightened even in the early days of this Republic by the power and majesty of the French Government.

"Without going into further details of this controversy, the firm American attitude of Andrew Jackson resulted in the full payment by the French Government of this obligation within a very short time, and without any war, and the net result was a greater respect for the American Republic on the part of the French Government than they had ever entertained before. It might also be added that during the Jackson administration the American Government had money coming from Denmark, from Spain, from the two Sicilies, and that Jackson in each and every case insisted on the prompt payment of these obligations; and when he left the Presidency, every foreign debt due the United States had been paid in full with the exception of Portugal's, which was paid in 1851.

"It might also be added that during the Revolutionary War France loaned the United States $8,000,000, and when the treaty of peace was signed in Paris, September 3, 1783, the French demand for a payment of this debt reached the United States before news of the signing of the treaty of peace reached our Government. Our American forefathers did not in reply plead poverty, did not shout to high heaven that they had just emerged from a 7-year war in defense of human liberty, and ask for "funding" of the debt on ability to pay. They paid in full and with interest.

"France must be taught the lesson in 1933 that a debtor who refuses to pay should be treated accordingly; that we Americans refuse to assume any more of her financial obligations to enable her to strut before the world the most militaristic nation on earth, spending over $500,000,000 a year on armaments, while she has the second largest gold reserve in the world. She must be taught that breaking treaties and solemn obligations is just as dishonorable when perpetrated by France as when indulged in by any other nation; that dishonor is dishonor; that repudiation is repudiation. She must be taught that we have too high a regard for France herself to permit her in such a high-handed manner to flaunt the solemn obligation of her Government; and, lastly, she must be taught that we still believe what Jackson so forcibly said, that 'in maintaining our national rights and honor all governments are alike to us.'" [Applause.]

"Mr. Speaker, ladies and gentlemen of the House, let me quote again from Jackson's fourth annual mesage. Speaking of keeping out of the quarrels of Europe, he said:

" 'Nor have we less reason to felicitate ourselves on the position of our political than of our commercial concerns. They remain in the state in which they were when I last addressed you—a state of prosperity and peace, the effect of a wise attention to the parting advice of the revered Father of his Country on this subject, condensed into a maxim for the use of posterity by one of his most distinguished successors—to cultivate free commerce and honest friendship with all nations, but to make entangling alliances with none. A strict adherence to this policy has kept us aloof from the perplexing questions that now agitate the European world and have more than once deluged those countries with blood. Should those scenes unfortunately recur, the parties to the contest may count on a faithful performance of the duties incumbent on us as a neutral nation, and our own citizens may equally rely on the firm assertion of their neutral rights.'

"Andrew Jackson's two terms as President of the United States covered the period from March 4, 1829, to March 4, 1837, and Europe, always on the brink of war, was in a dangerous frame of mind then, as now.

"Having followed in the footsteps of the Washington-Jefferson policy, Andrew Jackson was able to say in his fifth annual message, December 3, 1833:

" 'A large balance will remain in the Treasury after satisfying all the appropriations chargeable on the revenue for the present year.'

"Jackson, in his sixth annual message, declared the country 'free from public debt, at peace with the world.' "

Mr. REYNOLDS. Mr. President, France will not pay us, she says, until she collects from Germany; but France has loaned billions of francs to Czechoslovakia, Poland, Hungary, Greece, Yugoslavia, Russia, and many other European countries. The truth about the matter is, I think, that France has loaned to Poland more money than has been loaned to Poland by any other country in the world; and France has loaned great sums to Yugoslavia, because the French were expecting to experience the present difficulty with Germany; and France loaned these countries money for fortifications and for arms. If this money had been applied on the American war debt, it would have made a fine impression in the United States, as I related in the outset was stated to me by a taxi driver a few days ago when I was motoring up to the Capitol.

Mr. Griffin told me that as he was leaving President Lebrun remarked: "Of course, we are doing a great deal for Americans, and I know from their expressions of appreciation that they feel indebted to us for the way we honor them."

Lord Robert Cecil, president of the League of Nations Union and Minister of Blockade in the British Cabinet during the World War, told Mr. Griffin during a long talk he had with him in Paris that he felt absolutely certain of American cooperation with England in the next European war. When the war debts were brought up, Lord Cecil said that in his opinion they would never be paid. Said he:

"Your Government has the legal right to demand payment of the war debt you claim England owes the United States, but you certainly haven't any moral right to the money. Furthermore, if England paid the United States it would upset international exchange.

"Do you think," inquired Mr. Griffin, "that you could use your influence toward having the British Government offer to give us Bermuda, British Honduras, and other territory it controls, including naval bases in the West Indies, to apply on the war debt?"

That subject was discussed here a few moments ago by a number of Senators.

Lord Cecil said that he would be opposed to England transferring any of that territory to America, because there are British subjects living in those possessions, and he thought it would be a mistake not only for England but for any country to transfer to another government any territory where it had subjects or citizens. Asked why England took the German colonies after the World War, Lord Cecil replied that that was different, because the Germans were a conquered people.

Talk about honesty, good faith, gratitude, and international peace founded on international justice and good will! As a matter of self-respect, self-interest, and plain common sense, it is surely unnecessary to stress the imperative need of Uncle Sam

making those trans-Atlantic superracketeers liquidate their indebtedness and their obligations.

I have told you, Mr. President, about the taxi driver, and the fact that he wants the war debts collected. Besides what he said, which sums up what a number of persons have told me, I have received literally hundreds of letters from over the Nation in the past few weeks, totaling thousands altogether; and I should like to have every American citizen write me his or her opinion about the war debts, and to write every single Member of Congress about the war debts, because I want the people's representatives in Congress to be reminded of what they already know, that the American people are vitally interested in collecting the debts from Europe, in order that that money may be utilized here at home at a time when we need it. Nearly every letter coming in mentions the war debts, Mr. President. The American people are vitally interested in them, and they are somewhat bewildered by the fact that we do not try to collect them. They are honest, God-fearing folks who pay their own bills and know that when they borrow money they have to pay it back. This is the American system. They cannot understand this European system of borrowing from a neighbor's cash box and then thumbing your nose when it comes time to pay back. Every farmer knows that if he mortgages his farm, either the bank or the Government will grab it if he does not pay off.

Look at what the Home Owners' Loan Corporation and the Reconstruction Finance Corporation do when a debtor gets in arrears. They crack down, just like a business house. Is there any logical reason why we should not crack down on our debtors across the seas?

Is it not our obligation and duty as Senators of the United States to look out for America and Americans? Is it not our responsibility to look after our country and our citizens first? I think it is, and because I think so, I cannot understand this talk about levying new taxes on more of our own people and standing silently by while our foreign debtors default every June 15 and December 15. I cannot understand all this talk about increasing the limit of debt we can pile up in bonds, and not making an effort to collect the $13,000,000,000 the other nations owe us, and using that money to pay off our Government bonds.

I am convinced that if these war debts were to be collected, a lot of our economic ailments could be cured almost instantly. For example, we hear cried on every hand that the 3,000,000 or so little-business men cannot get working capital because the banks are all stuffed up with Federal bonds. Those bonds earn money while they are lying in the vaults. That is the interest burden the American taxpayers have to pay in our National Budget. If we collected the war debts and paid off those bonds, the banks would have to put that money to work. Currency loafing in a vault does not produce more money. It would be available for the banks to lend to business, to make jobs for the millions of unemployed. Those jobs would do away with W. P. A. and these other necessary relief expenditures. Payment of the war debts would pay the costs of W. P. A. for 10 years.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. The trouble is, is it not, that for 25 years or thereabouts we have been placing Europe first and America last, and is it not about time that we say "America first and forever"?

Mr. REYNOLDS. I quite agree with the Senator. I think we should turn our eyes homeward. I think we should consider America and its citizens first, and the taxpayers of America are demanding today that we do something about that. We have to have some help. We have to levy taxes so long as conditions remain as they are. We are doing all we can. It is nobody's fault in particular; it is just one of the things that happens, but why cannot we have some help for the taxpayers of the country?

Our Budget could be cut pretty sharply. We spend over a billion dollars a year now in interest charges on the national debt. If we did not have that interest to pay, we could cut that item out of the Budget and we could cut it out of the tax bill we give millions of American citizens and businesses every year. We could also cut out of the tax bill the cost of relief if our men and women had jobs. We tax our people to pay interest on bonds sold to get money to lend Europe—and cannot collect from Europe even the interest.

Our citizens have to pay their tax bill—their debt to this Government—or they will have Uncle Sam's collectors of the Bureau of Internal Revenue knocking on the front door. Let us see if we cannot get Europe to pay its bill to the United States—and send our collector over there to rap on the door. That looks like the only way we will ever get it. We cannot be Santa Claus to the world, because the bag of gifts ultimately will empty. America cannot carry the world forever without collapsing. As rich as we are with God's gifts in resources, the fountain from which all these blessings flow will dry up.

In conclusion, Mr. President, I hope sincerely that some serious consideration may be given to the resolution mentioned by me in reference to the appointment of Mr. Griffin as special war-debt envoy to Europe. Let us send someone to Europe to knock on the door of the debtor nations every hour of the day, if necessary, at least to remind them that we have not forgotten about the debt and that 130,000,000 people in this country who are bearing the burden are expecting relief from those so-called friends across the blue waters of the Atlantic.

AMERICA FIRST, ABSOLUTE NEUTRALITY

Mr. LUNDEEN. Mr. President, from time to time, even though my motives or intentions may be misconstrued by these men whom I respect, by these Senators whom I have learned to love as colleagues on the floor of this great body, I am going to refer to the British debt, French debt, the German debt, and the other European debts. In that connection, how are we going to get back the money we loaned to Austria? How are we going to get back the money we loaned to Czechoslovakia? How are we going to get back the money we loaned to Poland? What sort of a foreign policy is that? How are we going to get back the money we loaned to Mussolini, even after the war, and the money we loaned to Italy before the close of the war, and on which, under the debt settlement, we were to receive an interest rate of approximately one-tenth of 1 percent during the first 10 years of the 62-year period? I know of no American who can finance his home and fireside at one-tenth of 1 percent on the money borrowed; but the Italian people can do so, Mussolini's Fascist government can do so, under the foreign policy of this Government. I do not consider that American-minded. I consider that foreign-minded. I consider that European-minded. I hope we shall turn back to the American scene and once more begin to think of our unemployed, once more think of our problems at home; and I shall use the best that is in me to aid Senators in the solution of those great problems.

Mr. CONNALLY. Mr. President, I regret to detain the Senate at this late hour. I do so only through an unwillingness to let this week's debate come to a conclusion, especially in view of the speeches made today and yesterday and the day before, without reminding the Senate and the country briefly of some of the things that ought to be mentioned here. Just a little later—it will only be a few minutes later—I wish to refer to and discuss the statements of former President Hoover and Colonel Lindbergh.

The Senator from North Dakota [Mr. NYE], the Senator from Missouri [Mr. CLARK], the Senator from North Dakota [Mr. FRAZIER], the Senator from Minnesota [Mr. LUNDEEN], and perhaps some other Senators during the course of this debate have, by insinuation and intimation of all kinds, left the conclusion in some minds—I will not say they have endeavored to do it—that the United States was dragged into the World War by the propagandists, by the bankers, and by the munition manufacturers. No direct charge has been made as to that; but by insinuation and by intimation and by ratiocination and roundabout argument it is intimated that we did not go into the World War voluntarily of our own will, but that we were dragged in by the propagandists.

Mr. President, I desire to express my resentment and my denunciation of any such claim. I resent it and denounce it in the name of the Government of the United States at that time. I resent it and denounce it in the name of Woodrow Wilson, lofty character and majestic leader during that terrible period. I resent it and denounce it in the name of the Congress of the United States. I resent it and denounce it in the name of the Senator from Idaho [Mr. BORAH], who was here and voted for the declaration of war. I resent it and denounce it in the name of the Senator from California [Mr. JOHNSON], who was here and voted for that declaration. I resent it and denounce it in the name of the distinguished Senator from Oregon [Mr. MCNARY].

Mr. MCNARY. Mr. President, I appreciate the compliment, but I was not here at that time.

Mr. CONNALLY. The Senator was not here, but he was in agreement with the sentiment that led to the declaration. I thought he was here at the time; but I withdraw the name of the Senator from Oregon. But other distinguished Senators on the other side of the aisle were here; and I resent and denounce the insinuation in the name of many Members of the House and of the Senate on this side of the aisle who were in one of the Houses then and are in one of the Houses now.

The idea of claiming that propaganda got us into the World War. The propaganda that got us into the World War was the German submarine. The propaganda that led us into the World War was the blood of American citizens, shed through murder upon the high seas. That is the kind of propaganda that got us into the World War. We endured

almost 3 years of the World War before America reluctantly entered it. Nobody in this country wanted to get into that war. The Senator from Wisconsin [Mr. WILEY] is right about our attitude then, just as he is right about our attitude today. America did not want to go into the World War. We stayed out of the World War after one outrage which we endured, and then another outrage which we endured, and more American blood spilled upon the high seas, and more American vessels sunk, until at last the Kaiser, in a defiant and insolent edict, after repeatedly murdering our citizens, undertook to tell us where, and where only, American ships and American citizens could travel on the high seas. That is the kind of propaganda that led us into the World War.

Senators, everybody knows that the munitions makers did not influence us into entry into that war. Those of us who were here in 1917 and those of us who were not here but who read and understand, knew then, and know now, that the munitions makers and the bankers did not drag us into the World War. We were dragged in by repeated insults and repeated outrages, and repeated murder of American citizens.

Mr. President, I am amazed at my distinguished friend the Senator from Minnesota. I attribute to him every sincerity in his views, but the Senator from Minnesota says he is against the embargo because he wants peace; he does not want conquest; he does not want bloody warfare. Yet, while England is in a struggle with Germany, with her enemy, he advocates sending our Army and Navy down and taking the Bahamas and taking the other West Indian islands, and taking other possessions of the British Empire, by force and by conquest—this man of peace, this Senator who will not vote to repeal the embargo because he is against getting us into war.

Mr. President, that is not a lofty attitude to take. If I wanted the islands of the seas, I would not wait until England was in a death grip with an enemy and then undertake to take advantage of her misfortune and, by force of arms, to ravish her of many of her possessions. If I wanted them, I would sit down with her around the table and negotiate in peace; negotiate through the methods of mediation, rather than by armed force to take them while she was in dire extremities.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. LUNDEEN. It seems to me that we have been sitting around the table for 20 years. Jackson waited until about 25 years had passed. Perhaps in 5 years more we will take some decided action.

Mr. CONNALLY. Let me ask the Senator, did I misquote him in saying that he advocated striking England when she was locked in a death embrace with her enemy, to take a big army and navy and take these islands? Did he not say that?

Mr. LUNDEEN. If the Senator will permit me, I will say to him that I am thinking about the United States, and not where England may be. We have talked to her for 20 years, and now is the time to act. We have demanded and demanded, and she has refused to do anything about it. Now let us show that there is some red blood in us. These islands are all on our own American coasts, they are really American islands. We need them for naval bases, we need them for aircraft bases. We do not want the Germans or anybody else to get them. Now is the time to acquire them.

Mr. CONNALLY. Now is the time to grab them, according to the Senator from Minnesota, while England is not looking, while Germany has her down, with a knife at her throat, and she cannot resist. Now is the time for a great nation like ours to go out with its army and navy and take these possessions away from a friendly power.

Mr. President, think of it. The Senator from Minnesota covers our position in the World War all over with slime and abuse. He is unwilling to have the United States fight a foreign power because of the murder of his own fellow citizens, the shedding of their innocent blood; yet he is willing to plunge this Nation into war to grab some of the islands in the Caribbean Sea.

Mr. LUNDEEN. Will the Senator yield?

Mr. CONNALLY. I yield.

Mr. LUNDEEN. I think the Senator will have to agree with me that I am sustained in my judgment of the World War by the general opinion of the American public and of all writers and historians of any note. There is no question now on that point; and let me say when we seize the West Indies not a shot will be fired; there will be no war over the West Indies.

Mr. CONNALLY. I do not agree with any such conclusion. The Senator from Texas was here at that time; he was a Member of the House of Representatives with the Senator from Minnesota. He was made a member of the Committee on Foreign Affairs, and the first act he had to take as a new Congressman was to vote on a declaration of war. God knows I did not want to vote for a declaration of war. God knows I went through travail of spirit and of conscience and of humility before my God before I ever voted for war. I voted for war. I felt then that it was a righteous cause. I felt that we ought to go to war, and I am not going to apologize for that record. I have nothing to retract. The Senator from Idaho [Mr. BORAH] a few days ago stated that if American citizens were murdered on the high seas, if our property were attacked and destroyed, he would again vote for a declaration of war.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. SCHWELLENBACH. I suggest to the Senator from Texas that listening to the Senator from Minnesota tell about our need at the present time for these islands in the Caribbean reminds me of what I have been reading in the last 2 or 3 weeks of what Mr. Molotoff has told the Lithuanians and the Esthonians and the Finnish people about the need of Russia for the islands in the Baltic.

Mr. CONNALLY. And Sweden.

Mr. SCHWELLENBACH. And after they get through with Finland they are going to say in the same way in which they have said it to these other nations, "We need these various possessions around Sweden, Norway, and Denmark, and therefore, no matter what happens, we are justified in going and taking them."

Mr. CONNALLY. I thank the Senator from Washington for that suggestion. The same kind of a land hunger that prompts the Senator from Minnesota to want us to grab these West Indian Islands, and to grab Canada, perhaps, the same sort of appetite is stirring within the digestive organs of the Soviet, and it looks around over the Baltic and says, "Here is a good island for defensive purposes. Here is some more territory for an airplane or a great naval base. Here is some territory for an airfield. It belongs to Finland, but what do we care? We want it, and we are going to get it."

Here is a place over in Sweden. Sweden is a great, peaceful nation. It wants to pursue the paths of happiness and prosperity undisturbed. But when the Soviet Union comes over, with 180,000,000 people behind it, and with an army of two or three million men, with a swarm of airplanes and tanks, and tells Sweden, "We want some of your territory, some bases, some land, and some advantages," what is poor Sweden to say? She will say, "I have not much of an army, any munition plants, any airplane factories. You have all you need, Mr. Stalin, and I cannot buy any from the United States, this great neutral power. She sold you yours in time of peace, but now, in time of war, I cannot get any weapons with which to defend myself against this aggressor."

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. I am astonished——

Mr. CONNALLY. It is not the first time the Senator has been astonished.

Mr. CLARK of Missouri. I am astonished at the statement of the Senator from Texas that Sweden has no munition plants. She has one of the greatest munition plants anywhere in the world.

Mr. CONNALLY. I am very glad to hear it.

Mr. CLARK of Missouri. She has the Bufors munitions plant, but out of a well-rounded sense of protecting herself

she has embargoed the export of munitions during the time of war.

Mr. CONNALLY. Does not the Senator know why Sweden does that? It is for her own defense. She has the munitions, but does not want to sell them because there is old Russia hanging over her like a hungry hawk, ready to pounce down upon her and devour her.

Mr. BARKLEY. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. Great Britain is not the only country that has some islands in the Western Hemisphere. France has some. I think she owns Martinique.

Mr. CONNALLY. She owns Martinique.

Mr. BARKLEY. Why, just take England's islands? France owes us some money, too.

Mr. CONNALLY. In all fairness, I think the Senator from Minnesota meant France, too.

Mr. BARKLEY. Italy also owns some islands. Why not be brave, and take them now before she gets into the war?

Mr. CONNALLY. Why not go over and take Ethiopia and repopulate it with some of our own citizens here at home? [Laughter.]

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BYRNES. I was not in the Chamber during all of the debate. Did the Senator from Texas say that the Senator from Minnesota advocates the United States Government going down and taking over these islands?

Mr. CONNALLY. With the Army and Navy.

Mr. BYRNES. The Senator from Texas knows, I suppose, that since the Senator from Minnesota has been in the Senate he has voted every year against appropriating a single dollar for the United States Navy. How would we send the Navy if we did not vote something with which to build one?

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator if he desires to reply—briefly, I hope.

Mr. LUNDEEN. I am glad the Senator from South Carolina is keeping such close track of my record; but I think he will have to correct his statement a little.

Mr. BYRNES. Mr. President, has the Senator ever voted for a naval appropriation bill since he has been in the Senate?

Mr. LUNDEEN. Yes; I have.

Mr. BYRNES. When?

Mr. LUNDEEN. Let the Senator check up on the record.

Mr. BYRNES. I did check upon it, and I will advise the Senator in a moment whether I am correct or not.

Mr. LUNDEEN. I supported the original Navy bill which came in, which our admirals said was sufficient; but I did not extend support to the additional billion-dollar bill, and I so stated on the floor of the Senate.

Mr. BYRNES. Mr. President, did the Senator vote for the expansion of the Navy bill this year?

Mr. LUNDEEN. No; I did not.

Mr. BYRNES. He was opposed to that?

Mr. LUNDEEN. Yes.

Mr. BYRNES. But he is willing to send the Navy down to South America?

Mr. LUNDEEN. I am willing to stand on that. So far as that is concerned, we have an ample navy, as stated by the admirals and the naval authorities, for taking care of anything concerning the Monroe Doctrine, without any of these bugaboo appropriations, supported by people who see things in the attic at night. They come here and want a certain appropriation bill passed, but that is inadequate, and they then within a week get on the long-distance telephone and talk to Europe so much they want another billion. I should like to know how many long-distance telephone calls to Europe there were, and how much has been expended on them. We might almost build a battleship with that telephone money, I think. Let me quote the first and greatest of all our Presidents on overgrown naval and military establishments:

> Hence, likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty.

Mr. BYRNES. Has the Senator from Texas inquired as to who has been talking to Europe and to whom they have been talking?

Mr. CONNALLY. I will do so in just a moment.

Mr. WILEY. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. WILEY. I desire to ask two or three questions. As I understand, the Senator from Minnesota has suggested that we seize land from England in payment of debts. Would that mean war?

Mr. CONNALLY. I am going to answer that.

Mr. WILEY. Will not the Senator answer "yes" or "no" for the moment?

Mr. CONNALLY. It would ultimately mean war, unless England should crawl under the bed.

Mr. WILEY. As I recall, a good many of the South American countries are seriously indebted to the people of this country.

Mr. CONNALLY. That is correct.

Mr. WILEY. And those debts are in default.

Mr. CONNALLY. Undoubtedly.

Mr. WILEY. Should we follow the same reasoning, in collecting those debts, and take some of the South American countries?

Mr. CONNALLY. There is some slight difference. One is a private debt and the other is a public debt. I thank the Senator from Wisconsin, however.

Of course, Mr. President, I want to express my utter dissent from any such doctrine as a conquest with the Army and Navy of England's possessions while she cannot defend herself because, as the Senator from Wisconsin knows, though she might for the moment not be able to defend herself, she would, whenever she was able to, resent such an exploitation or such a conquest, and we would be inextricably involved in difficulties with the British Empire for taking advantage of her in her hour of distress, in her hour of danger, to ravish some of her most choice possessions.

Mr. President, I want to discuss just one or two other matters, and I am through. I do not want this week's debate to end without making a brief recapitulation of some of the things that this embargo repeal means.

What does the embargo do? It penalizes peaceful nations and encourages aggressor nations. The embargo invites aggressors to prepare for conquest with the assurance that when they do prepare and when they strike their victims shall not get any weapons of defense or offense, if you want to make a distinction, in order to defend their lives.

The opponents of repeal say that to lift the embargo will help Great Britain and France. That is one of the favorite phrases used here. One of the mouth-filling platitudes that is rolled around the tongues of those who oppose repeal is—"Repeal will help Great Britain and France."

By the same character of logic it inevitably follows that to keep the embargo helps Hitler and Stalin.

Mr. LUNDEEN. Mr. President, the Senator from Texas, together with other Senators, helped to put the embargo law on the statute books. So does the Senator mean now that we are helping Hitler and Stalin because of a law which the Senator and his administration put on our statute books? He was wrong then, and the Senator from Texas may be wrong now.

Mr. CONNALLY. That is not the first time the Senator from Texas has made a mistake. He makes many of them. But when he has found that he has made a mistake, he tries to correct it. Some people never do. There are those who, like the Hapsburgs, "never learn anything and never forget anything."

Mr. President, it is said that we are choosing sides between the warring states if we repeal the embargo. The embargo does choose sides. Unwittingly, inadvertently, when we passed the embargo we chose sides in this contest, and we chose the side of Hitler and Stalin, and I am unwilling any longer to be in that sort of partnership. I propose to repeal the law and go back where we were before. We had the power to pass the embargo law when we passed it, and we have the same power now to repeal it that we had then to pass it. It is a fine argument to say that Congress had a perfect right to pass it but now has no right to repeal it.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. PITTMAN. There is no doubt that a domestic law can develop so as to be unneutral and unequal in its operation as between belligerents, as this one has.

Mr. CONNALLY. Certainly.

Mr. PITTMAN. It is equally true, is it not, that not having a law cannot be unneutral?

Mr. CONNALLY. To be sure. The Senator from Nevada is correct. We passed this embargo act unwittingly and with not the proper foresight, not with clear enough vision, not with a view away down the road; we passed it as a handsome and beautiful gesture of peace, but we now find that the operation of this domestic law, a law purely for the control of our citizens and our ships, has put us in a position where we are not neutral in this war, but to all intents and purposes we are aiding Stalin and Hitler.

We have now a perfect right to repeal that domestic regulation and put ourselves right back where we were under international law. While under the joint resolution we give up nothing of our rights under international law, while we surrender not a jot or tittle under international law, yet as an added precaution, merely in the interest of preventing incidents that might provoke war, we do say, and we have the right to say to our citizens, "You must not travel on the seas to belligerent countries. You must not use our ships to transport goods to belligerent countries." That has nothing to do with international law. International law is just what it was before, and the proposed act is purely a domestic regulation.

Mr. President, I want the country to know that under the operation of the present embargo Italy can buy all the guns, ammunition, tanks, bombing planes, and other aircraft that she can get in the United States. Russia, still technically a neutral country, can come to our shores and buy cannon, arms, tanks, rifles, and airplanes, and she can carry them back to Russia. Under the present embargo law, theoretically she cannot transship them to a nation at war. But how can we prevent that?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. Can the Senator explain to the Senate why it is that Russia is technically a neutral, inasmuch as the United States Government still recognizes the Republic of Poland, which has been wantonly invaded by Russia in partnership with Germany—why is Russia a neutral, and why has not the President issued a proclamation declaring Russia to be a belligerent just as much as Germany is? A proclamation was issued when Germany invaded Poland. Why is not Russia as much at war with Poland, which we still recognize, as Germany is at war with Poland?

Mr. CONNALLY. I will try to explain to the Senator as far as I know it. Russia came in after Germany had already conquered Poland, and then Russia and Germany divided up Poland. So far as I know Russia conducted no real armed operation. She killed no one. She besieged no cities. But, irrespective of the facts, technically she is still a neutral. There has been no declaration of war by Russia. There has been no declaration of war by any other country on Russia. So that today Russia is still technically a neutral.

Mr. CLARK of Missouri. Mr. President, will the Senator further yield?

Mr. CONNALLY. Just let me answer this question before I go to another, and then I shall try to answer the Senator's further question.

So that today Russia is a neutral, and if she can come here, and has money to pay for them, she can buy all the arms, ammunition, and implements of war she wants to. But it is said she cannot transship them. How can the United States Government go into Russia and see where those arms go? How can we go into Italy and see whether those identical arms are transported to Germany or not? If we undertake to do it, it would bring us to the brink of war. Talking about involvement we would get involved by sending our snoopers, spies, and agents, and undertaking to trace what happened to these arms, ammunitions, and implements of war that would go to Russia and to Italy. That is what would be done under the embargo. And yet we cannot sell a single weapon or munition to France or to England, countries that are on the other side in this war. Is that neutrality? I ask the Senator from Missouri, is that neutrality in fact?

Mr. CLARK of Missouri. Mr. President, I do not agree at all with the premise of the Senator from Texas. I say that under the plain provision of the present neutrality law now on the statute books it ought to be illegal to export any arms to Russia. The Senator from Texas says there has been no declaration of war by Russia. The Senator from Texas says there has been no declaration of war by any power against Russia.

Mr. President, there is not a syllable in the present neutrality act referring to "a declaration of war." The language of the present neutrality act is "when a state of war exists," and a state of war does not exist. It says:

When the President shall find that a state of war exists.

There is no question about it. The President has to proclaim it.

Mr. CONNALLY. Yes; the President has to proclaim it.

Mr. CLARK of Missouri. Why does not the President proclaim it?

Mr. CONNALLY. Why does not the Senator go down occasionally to see the President of the United States and find what is going on?

Mr. CLARK of Missouri. Mr. President, the place to find out is in this Chamber.

Mr. CONNALLY. That is the trouble with the Senator from Missouri. He wants to insulate himself in a sublimated atmosphere of isolation and self-consideration. Why does he not go down to the White House occasionally and find out?

Mr. CLARK of Missouri. Certainly the Senator from Texas will not contend that any Member of this body or anyone who has ever been a Member of this body is more addicted to self-consideration than the Senator from Texas.

Mr. CONNALLY. I thank the Senator from Missouri for that expression. I do not get much from the Senator from Missouri, and I have to get a little of my own.

Mr. CLARK of Missouri. The Senator deals well with himself at all times.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. PITTMAN. It may be thought that the statute provides that the President shall apply an embargo when a state declares war. That is not the wording. It shall be applied when a foreign country is in "a state of war." There is no question that Russia is in no state of war now. But if there is any doubt in the mind of the Senator from Missouri about Russia, there cannot be any doubt in his mind about Italy. He would certainly not have the President declare that Italy is now in a state of war.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to permit me to answer the Senator from Nevada?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. I say there is no reason on earth why the same rule cannot be applied to Italy, so far as the transshipment of goods is concerned, that was so success-

fully applied to Loyalist Spain. The National Munitions Board in numerous instances, as shown by their report, very successfully prevented the export of munitions to Greece and to Latvia and to other countries where they had reason to believe the goods were to be transshipped to Loyalist Spain. I do not see why it is not as easy to apply this rule successfully against transshipment to Italy and Rumania, if it is permitted to remain in the law as it is at present, as it was to apply the provision of the present law to transshipment through Greece.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. PITTMAN. The Senator is referring to one little country near Spain and another little country. Another fact is there we trusted to Mr. Green, of the State Department, to decide from the evidence whether or not nationals of France were guilty of transshipping goods. We had considerable diplomatic trouble over it, and if it had involved a big offender, we would have had Mr. Green of the State Department getting this country into a tremendous controversy. If Mr. Green tried to pass on the evidence as to whether or not Russia and Italy were shipping stuff into Germany we would have a great deal more trouble; in fact, we would be messing in the domestic affairs of neutral countries.

Mr. CONNALLY. Mr. President, the Senator from Texas does not recede one inch from the statement he made. The statement was that Russia is now technically a neutral.

Here is this wonderful embargo, all ornamented by the labors of the Senator from Missouri [Mr. CLARK] and the Senator from North Dakota [Mr. NYE]. What does it do? It provides that whenever the President shall find that a state of war exists he shall proclaim it, and so forth. There has been no proclamation with respect to Russia. So far as I know, there will not be any, and until such a proclamation is made, as I said a moment ago, Russia may buy in the United States all the arms, ammunition, and implements of war she can pay for, and she may take them to Russia. Imagine, after they get to Russia, somebody going around, following them up, and seeing where they go. It is preposterous and ridiculous.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. SCHWELLENBACH. There has been considerable discussion for a long time about the question of a proclamation with reference to a state of war. I think it is about time that some understanding be reached as to the reasons why the words "a state of war" were inserted in the original law.

The arms embargo was written by those who are now opposed to its repeal, and those who insist that no discretion be granted to the President which can possibly be avoided. They were the ones who insisted upon the law being worded "a state of war" instead of simply "war." The reasons they gave for insisting upon the words "a state of war" rather than the word "war" were that they did not want the President to have an opportunity to use any discretion about it, and that the words "a state of war" had a definite meaning in international law. They meant that there was a declaration of war between the two belligerents, or a blockade of one belligerent by another belligerent.

Those who are now insisting that the embargo be continued, and those who throughout the past year have consistently criticized the President for his failure to proclaim the embargo in reference to Japan and China, for example, are the ones who themselves, because they did not want to give the President any more discretion than they possibly could avoid, insisted upon the use of that technical language. That is the reason why Russia is technically a neutral today.

Mr. CLARK of Missouri. Mr. President, I do not wish to take the Senator's time; but will the Senator yield to me for just a moment?

Mr. CONNALLY. I shall yield to the Senator from Missouri. However, and in order to avoid what may seem an offense to some individual Senator later, I ask Senators please to refrain from interruptions after the Senator from Missouri shall have finished, because I wish to conclude. The hour is growing late.

Mr. CLARK of Missouri. Mr. President, I do not wish to take the Senator's time unduly; but, in response to what the Senator from Washington has said, I wish to say that, so far as I am concerned, I never advanced any such argument as he has just suggested, and I do not know of anyone else who did. The reason why the term "state of war" was used was specifically to get away from the contention which has since been made, that it is necessary to have a declaration of war. What we were driving at was to make the act operative whenever a state of war existed, such as the invasion of China by Japan, or the invasion of Poland by Russia, without war being formally declared, because we realized that there would be many undeclared wars.

Mr. CONNALLY. That is the matter to which the Senator from Washington referred.

Mr. CLARK of Missouri. The Senator from Washington says we were applying the language to two specific situations, neither one of which, he says, applies in this case.

Mr. SCHWELLENBACH. Mr. President, the Senator from Missouri was not a member of the Foreign Relations Committee at the time the original act was passed.

Mr. CLARK of Missouri. I was not; but I was the one who introduced the first resolution.

Mr. SCHWELLENBACH. That is correct. The Senator was one of the original introducers of the resolution; and behind the use of the technical words "state of war" was the motive that it was not desired to give the President any discretion in the matter.

Mr. BARKLEY. Mr. President, I shall observe the injunction of the Senator from Texas [Mr. CONNALLY]; but if the situation between Russia and Poland, as we all understand it, should compel the President to issue a proclamation, then the situation which existed between Germany and Austria, when Germany invaded Austria and took possession of it, would have justified a proclamation.

Mr. CONNALLY. Exactly.

Mr. BARKLEY. When Germany took the Sudetenland, Czechoslovakia, and Moravia, the President could have issued a proclamation forbidding the sale of arms to Germany or any of her allies. So the situation as between Poland and Russia is parallel to the other situations.

Mr. CONNALLY. I thank the Senator from Kentucky. Of course, the parallels are exact and accurate. The conditions in the two countries to which he referred are comparable to the conditions in Poland, except that Germany did not take all of Poland. She took only part of it. In the other cases she took all of Austria and Czechoslovakia.

Mr. President, the arms embargo we now have denies to Great Britain and France their natural advantages on the sea, while leaving to Hitler and Stalin all of their natural advantages on the land.

Let me remind the Senate that under the Embargo Act today any neutral country may buy arms, ammunition, and implements of war, and may then reship them to Germany or to her ally, Russia. Under the embargo, everything except arms, ammunition, and implements of war may now be transported in American vessels to a nation at war with the practical certainty that the American vessels will be sunk, and we shall be brought to the very brink of war. The Embargo Act places the United States in an unneutral position by reason of what has happened since its passage, as was so well pointed out by the Senator from Nevada [Mr. PITTMAN].

In the World War it was not the kind of cargo carried in our ships that caused them to be sunk. They did not carry arms. They did not carry munitions. They carried general cargo and American seamen. They were sunk. The Kaiser sank them then, and Hitler will sink them now. That is why the joint resolution provides for taking our ships off the sea so far as belligerent nations are concerned.

Mr. President, the opponents of repeal constantly and sedulously start out with the assumption which the Senator from Wisconsin so well pointed out a while ago. They start out with the assumption that the embargo means peace. I deny

the assumption, and I defy them to present arguments rather than statements. The embargo does not mean peace. It most probably means war. But they say it is the first step. Ah, Mr. President. It is not the first step toward war. It is more likely the first step toward peace.

Before war may be declared by the United States, Congress, by a majority vote of both Houses, must take that step. Only 49 Senators are required to keep the United States from going into war; and so long as the Senate does not want a war there is no power on earth to put the United States into war. So after all, we have to rely upon the patriotism, wisdom, judgment, and caution of the American Congress and the American people. Repeal of the arms embargo does not mean war. It means pulling us back from the brink of war to which the embargo, if permitted to remain on the books as it is now written, will most surely bring us.

So I wish to deny the "first-step" argument, which is merely an assumption and nothing else. It has been hammered into the minds of the gullible; it has been hammered into the minds of those who accept it as a fact that the embargo means peace, and that repeal of the embargo means war. I utterly deny that contention, and I challenge the opponents of repeal to present something more than mere statements, iteration, and reiteration to support it.

The Senator from Michigan [Mr. VANDENBERG] bases most of his argument on the theory of "changing the rule after the game begins." I attempted to point out that we are not undertaking to change international law. It remains as it has always remained. We are simply, by domestic legislation, regulating the conduct of our own citizens. All the authorities on international law confirm and ratify that statement and contention.

Mr. President, I wish to refer briefly to Mr. Hoover and Colonel Lindbergh. I have their statements before me. I give these gentlemen every credit for sincerity and for a desire to keep us out of war. However, both Mr. Hoover and Colonel Lindbergh recognize that the United States should sell defensive weapons to all the nations at war which can come and get them. I start with that premise, and if any Senator wants to deny it, I ask him now to deny it.

Mr. Hoover and Colonel Lindbergh start out with the premise that we should sell the nations at war defensive weapons.

Mr. President, it follows logically that we should sell them any kind of weapons they can come and get. Why? Because there is no distinction between offensive and defensive weapons.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HATCH. I dislike to interrupt the Senator; but on that point, if I correctly understand the addresses, did not both the eminent gentlemen to whom the Senator has referred indicate that sales of defensive weapons should be without any restriction whatever, that they might be on credit, and might be transported in American vessels? I am asking for information.

Mr. CONNALLY. I have the statement of Colonel Lindbergh before me. If the Senator cares to examine it I shall be glad to yield to him later.

Irrespective of that point, Mr. President, Colonel Lindbergh and Mr. Hoover say that the United States ought to sell weapons for defense to the nations at war. That cannot be done under the arms embargo. It cannot be done under the present law. It can be accomplished only by a repeal, in part at least, of the present arms embargo.

Let us see what is the difference between defensive and offensive weapons. What are the kinds of weapons? Suppose we are attacked by a fleet of tanks: How shall we meet those tanks? We shall meet them either with cannon or with other tanks. In the one case the tank is offensive, and in the other case it is defensive, although the tanks may be of the same kind, the same make, and with the same caliber guns. The weapons are identical, but they may be used either for offense or for defense.

Take the case of a bombing plane: Mr. Hoover and Colonel Lindbergh say that bombing planes can be used only for offense.

Mr. President, let us suppose that two great armies are struggling for supremacy. Why is it not legitimate in defense for one of the armies to send out its bombing planes and bomb the other army, which is marching to the attack? Is not that as much a defense as a man shooting somebody with a rifle? Is not that as much a defense as a man touching off a cannon to send a crushing missile across the battlefield to hammer down a fort or destroy human life? Of course. Bombing planes may be used in defense to bomb the contending army.

Here is a munitions plant, turning out daily hundreds of weapons, hundreds of arms, hundreds of guns, rifles, cannon, and airplanes to equip the enemy. Is it not a legitimate defense to send over a bombing plane and destroy that munitions plant or that arms factory in order to defend ourselves against the weapons which are being manufactured for use against us?

Mr. President, there is no justification for the theory that there is any distinction between offensive and defensive weapons. I attribute the difficulty into which Mr. Hoover fell, and the difficulty into which Colonel Lindbergh fell, to a desire to appear to be interested in not having human life destroyed. They meant that on the ground of sentiment; but when they consulted their logic they saw that there was no answer to the idea that it was right and just to sell arms for defense. They paid that tribute to logic and to common sense, and they paid the tribute of their sentiment to banning weapons for offense; but there is no difference between a weapon for defense and a weapon for offense. If I shoot you when you are coming toward me, that may be called defense; if you shoot me when you are coming toward me, that is offense; but each one of us is just as dead as if he were shot in defense or offense. There is no distinction whatever.

Talk about airplanes! Are they offensive or defensive weapons? When you send out a fleet of airplanes to make an attack, what are the people who are on the defensive going to do? If they know anything at all, they are going to send out a fleet of airplanes to overcome your fleet, in order to defend themselves against the fleet of airplanes that is attacking. So it is with all of these weapons.

The submarine, I suppose, is a purely defensive weapon. The Germans claim that it is. They say they are defending themselves by destroying their enemies' commerce and keeping their enemies from being munitioned and supplied; but the submarine is the most powerful offensive weapon known to the sea. It lies in wait for its victim, and then, with a deadly weapon, a deadly torpedo, sends the ship and its cargo and its human freight down to the uttermost bowels of the earth. Defensive? Yes. Offensive? Yes. The only way in which we could make the distinction would be to write on one of them, "This is for defense," and write on the other on, "This is for offense." [Laughter.] That is all it would amount to. When you issued the bill of lading you would say, "We are shipping these guns over for defense. We will not ship any of them over for offense, but they are the same kind of guns; they are the same kind of weapons; and while we send them over to you for defense, after you get them you may do what you please with them."

Mr. BARKLEY. Mr. President——

Mr. CONNALLY. I yield.

Mr. BARKLEY. Suppose we imagine two airplanes in combat over Europe, one of them belonging to the German Army and the other to the French Army. Suppose the German plane had been sold by somebody in the United States and had been marked "This plane is for offense," while the French plane had been bought in this country from the same factory, and it had marked on it, "This plane is for defense." Suppose the offensive plane pursues the defensive plane for a certain length of time, and then they turn, and the offensive plane starts home, and the defensive plane starts after it in pursuit. Which, then, would be the offensive plane, and which would be the defensive plane?

Mr. CONNALLY. I will state that in answering that question I need all the offense and all the defense that I can get. [Laughter.]

Mr. BARKLEY. In other words, the defensive plane would be violating our interpretation of international law if, in order to defend itself, it turned and pursued the offensive plane.

Mr. CONNALLY. Exactly.

I think this theory about offensive weapons and defensive weapons is somewhat comparable to the transshipment clause in the present embargo law. It says, "You may not take arms and munitions to a neutral country and transship them"; but who is going to trace the transshipment? If we sell airplanes over there for defense only, it is going to be our business, according to the theory of these gentlemen, to go over there and see that the purchasers do not use them for anything except for defense.

Mr. President, the attempted distinction is one that does not exist. It may exist in the fanciful imagination of some dreamer or some thinker; but out in the cold realities of war, out in the cold realm of fact, it does not exist. Every weapon is both an offensive and a defensive weapon; and when Mr. Hoover and Colonel Lindbergh say that it is right to ship to the nations at war defensive weapons, they argue for the repeal of the embargo. If it is right to send defensive weapons, then it is right to send offensive weapons, because they are the same type. They are the same instrumentality. If it is right to send them for defense, it is also right to send them for war purposes generally.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from New Mexico.

Mr. HATCH. If the Senator is interested in the exact words Colonel Lindbergh uses, I will state that he does not even say "sell." He uses peculiar language. He says:

> As far as purely defensive arms are concerned, I, for one, am in favor of supplying European countries—

And so forth.

Mr. CONNALLY. Yes.

Mr. HATCH. He makes no restriction whatever.

Mr. CONNALLY. I thank the Senator from New Mexico. This is what Colonel Lindbergh says:

> As far as purely defensive arms are concerned, I, for one, am in favor of supplying—

Not selling; not demanding gold on the barrel head, but supplying—supplying—

> European countries with as much as we can spare of the material that falls within this category.
>
> There are technicians who will argue that offensive and defensive arms cannot be separated completely.

The colonel was smart enough to realize that people who know about weapons—he knows about them in a general way, of course—he realized that technicians would say that they could not be distinguished. Why, of course not. Military and naval men know that, and Colonel Lindbergh in his heart knows it, or he would not have felt obliged to argue the point in his speech when nobody had raised it on him. [Laughter.]

Mr. President, Mr. Hoover's statement is in substantial agreement with Colonel Lindbergh's statement. I rather suspect that Colonel Lindbergh had read Mr. Hoover's statement before he made his own. That is one reason why I asked the Senator from Missouri [Mr. CLARK] who it was, if he knew, that was collaborating and cooperating with Colonel Lindbergh in the preparation of his statements. I have great admiration for Colonel Lindbergh for his great feat in spanning the ocean; but, in all seriousness, I do not think that achievement alone qualifies him to overrule the views of the great military and naval authorities and other persons who, in this Chamber and the other Chamber, have been investigating these matters, some of them perhaps before Colonel Lindbergh was born, and are somewhat familiar with them.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from South Carolina.

Mr. BYRNES. Does not the Senator think that is a matter on which we ought to get the opinion of "Wrong Way" Corrigan? [Laughter.]

Mr. CONNALLY. I thank the Senator from South Carolina. I am afraid Colonel Lindbergh has already been consulting "Wrong Way" Corrigan, because Colonel Lindbergh has shown a disposition to go in the wrong direction, at least half the time, in this statement. [Laughter.]

Mr. President, I desired to review these matters for the benefit of the country. I wanted to repel these insinuations and these base slanders about the way in which the United States entered the World War. I wanted to denounce the reflections upon the Congress and upon the President and upon the American people, and the imputation that that was a dishonorable war.

I respect those who had the courage to vote against our entrance into the war, of course. I admire their fine motives. But, so far as I am concerned, I have no apology to make, and I never have made one for the vote to go into the World War after repeated instances of the murder of our citizens, and after their blood had reddened the seven seas.

Mr. President, I wish to repudiate and denounce again the idea that we are going to be dragged into the present war by propaganda. Are Senators or Members of the House of Representatives to be influenced by propaganda to take our country into the war? Are they insensible to the interests of our country? Are they deaf to the pleas of our people to keep our country out of the war?

Why are we enacting this legislation? It is not with the purpose of getting us into war; it is to keep us out of war. By this measure we are saying to American citizens, "You cannot travel to nations at war." We are telling American shipping interests, "You cannot go to nations at war. You cannot take any article or commerce whatever to nations at war." We go further than that; we give the President the power to superimpose on top of that a declaration of combat areas, and when they are once established, no citizen and no ship can go into those combat areas.

Were those portions of the joint resolution devised as a first step into war? Is it the purpose of those provisions to make a choice between the belligerents? No, Mr. President; this is an American bill, for Americans, written by Americans, and it is going to be passed by Americans. Its purpose is to maintain our rights, and yet to keep this country out of the present World War.

Mr. PITTMAN. Mr. President, Colonel Lindbergh delivered his second address on a national radio broadcast on yesterday. It is the second time he has advised the people of the United States as to their welfare and as to what their national policy should be. His address was placed in the CONGRESSIONAL RECORD this morning. For a very few moments I desire to give my analysis of his radio address of yesterday.

Colonel Lindbergh brought glory to the United States through his courage and skill in pioneering a successful solo flight across the Atlantic. We respect and admire Colonel Lindbergh for his accomplishments and his high character. History does not disclose that Colonel Lindbergh has had the same experience in statesmanship and military affairs he has had in flying, although his address in its learned expressions indicates a remarkable intuition:

Summing up in his address, Colonel Lindbergh says:

> I believe that we should adopt as our program of American neutrality as our contribution to western civilization the following policy:
>
> 1. An embargo on offensive weapons and munitions.
> 2. The unrestricted sale of purely defensive armaments.
> 3. The prohibition of American shipping from the belligerent countries of Europe and their danger zones.
> 4. The refusal of credit to belligerent nations or their agents.

An embargo on offensive weapons and munitions: Apparently, to Colonel Lindbergh's mind, a bomb is an offensive weapon, and yet our military experts tell us that bombs carried by airplanes would be one of the strongest defensive weapons against an attack upon our shores by an enemy fleet. Colonel Lindbergh apparently considers an airplane an offensive weapon, because he desires the export of such

weapon embargoed. Our military experts consider the airplane one of the strongest defensive weapons we have, and our Congress has approved this opinion by appropriating money for one of the largest aerial programs in history.

As I understand, Colonel Lindbergh has approved of this great military program for the defense of our country. Certainly, Colonel Lindbergh, when he gave this advice, did not have in mind that we would use these planes for offensive purposes.

Colonel Lindbergh evidently considers powder an offensive weapon because it is on the embargo list. I cannot conceive how any country could defend itself successfully today without powder and explosives. Colonel Lindbergh evidently does not consider that gasoline and oil are offensive weapons because they are not on the embargo list; and yet the plane which carries the bomb that destroys the lives of innocent people could not operate without gasoline; and the submarine which destroys innocent neutral merchantmen, together with the lives of their seamen on board—without a trace—could not be operated without oil.

Statesmen must strive to be sincere, as well as logical, even in the government of their sentiments.

2. The unrestricted sale of purely defensive armaments: This policy is totally undefined, as becomes evident in the analysis of his No. 1 policy.

3. As to his third policy, that is carried out more strongly in the proposed legislation than was ever before undertaken by this country or any other.

4. As to his fourth policy, the existing law, as well as the proposed law, in accordance with the opinion of the Attorney General of the United States on the Johnson Act, prohibits any credit to belligerent governments, and customary drafts, checks and acceptances are construed as cash.

Colonel Lindbergh says:

> I do not believe that repealing the arms embargo would assist democracy in Europe because I do not believe this is a war for democracy.

I do not know what definition Colonel Lindbergh gives to democracies, or what definition he gives to totalitarian powers. There are certainly totalitarian powers in Europe, and there are other powers that are not totalitarian, which are based upon principles of democracy as we understand such principles.

Was Czechoslovakia a democracy? Was Czechoslovakia attempting to defend her democracy, or was Czechoslovakia engaged in power politics?

Was poor Poland mobilizing her forces and attempting to obtain arms, ammunition, and implements of war for the purpose of power politics or for the purpose of defending her democracy?

Were Estonia, Latvia, and Lithuania, through the mobilization of their forces, preparing to defend their form of government, or were such mobilizations for the purpose of power politics?

Germany, before she brought about war against Czechoslovakia and Poland, purchased arms, ammunition, and implements of war from the United States. Was it right to permit a country preparing for war to obtain arms, ammunition, and implements of war; and, when she was prepared, start war, and then prevent her peaceful neighbors from obtaining the same materials for defense by starting war against them?

Are Finland, Norway, and Sweden mobilizing their forces by reason of power politics and a desire for conquest? Is it not evident that they are threatened by conquest, and are seeking to defend their democracies?

Colonel Lindbergh is patriotic, beyond a doubt, yet Colonel Lindbergh sees that the present law injures Great Britain and France, and that its repeal will remove such injury. Apparently he cannot see that the present law not only injures Great Britain and France, but gives great aid to Germany, Italy, and Russia. He cannot see that one of our domestic laws which aids one of the belligerents is unneutral, but he thinks that if we had no law at all that would be unneutral.

The most unfortunate part of Colonel Lindbergh's statement is that it encourages the ideology of the totalitarian governments, and is subject to the construction that he approves of their brutal conquest of democratic countries through war or threat of destruction through war.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, October 16, 1939, at 12 o'clock meridian.

SENATE

MONDAY, OCTOBER 16, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, Father of our Lord Jesus Christ, hearken, we beseech Thee, to our prayer, as we confess our sins and ask for guidance through the coming hours. Save us from despairing of the age that presses round us with its questions and denials, and help us to find in each perplexity with which we are confronted only the prelude to the coming of the Son of Man with healing in His wings. If we have closed and barred the doors of our understanding against unwelcome truth, may it return by secret paths and find its way within. Grant that the ears which have heard the voice of Thy songs may be deaf to the voice of clamor and dispute; that the eyes which have seen Thy love, may behold Thy blessed hope; that the feet which have walked in Thy courts may walk only in the region of light, and that the hearts which Thou hast touched may be purified even as by fire. So shall we become masters of ourselves that we may truly serve our country and our God. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, October 14, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reed
Andrews	Davis	King	Reynolds
Austin	Donahey	La Follette	Russell
Bailey	Downey	Lee	Schwartz
Bankhead	Ellender	Lodge	Schwellenbach
Barbour	Frazier	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gibson	McCarran	Slattery
Borah	Gillette	McKellar	Stewart
Bridges	Green	McNary	Taft
Brown	Guffey	Maloney	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Townsend
Byrd	Harrison	Murray	Truman
Byrnes	Hatch	Neely	Tydings
Capper	Hayden	Norris	Vandenberg
Caraway	Herring	Nye	Van Nuys
Chandler	Hill	O'Mahoney	Wagner
Chavez	Holman	Overton	Wheeler
Clark, Idaho	Holt	Pepper	Wiley
Clark, Mo.	Hughes	Pittman	
Connally	Johnson, Calif.	Radcliffe	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New York [Mr. MEAD], the Senator from New Jersey [Mr. SMATHERS], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

PETITION

Mr. MINTON presented the petition of members of Local Union No. B-9, International Brotherhood Electrical Workers, of Gary, Ind., praying for the retention of the existing embargo on the export of arms and munitions to nations at war, and the maintenance of a policy of strict neutrality, which was ordered to lie on the table.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado:

S. 2986. A bill to authorize the Secretary of Agriculture to cooperate with State and local agencies in carrying out operations against plant and animal diseases and noxious insects and other pests affecting agriculture; to the Committee on Agriculture and Forestry.

By Mr. McKELLAR:

S. 2987. A bill to reform the lease for the Sellwood Station of the Portland, Oreg., post office; to the Committee on Post Offices and Post Roads.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENTS

Mr. BRIDGES submitted an amendment, and Mr. TAFT submitted four amendments intended to be proposed by them, respectively, to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which were severally ordered to lie on the table and to be printed.

ADDRESS BY SENATOR M'NARY ON PENDING NEUTRALITY LEGISLATION

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD a radio address on pending neutrality legislation delivered by Senator MCNARY October 15, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR THOMAS OF UTAH ON REPEAL OF THE ARMS EMBARGO

[Mr. LEE asked and obtained leave to have printed in the RECORD an address on the subject of the repeal of the arms embargo delivered by Senator THOMAS of Utah before the American Academy of Political and Social Science at Philadelphia on October 14, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY ON PENDING NEUTRALITY LEGISLATION

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address delivered by himself on October 15, 1939, on the subject of pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY PAUL V. M'NUTT BEFORE AMERICAN LEGION, DEPARTMENT OF MARYLAND

[Mr. MINTON asked and obtained leave to have printed in the RECORD an address delivered at Baltimore, Md., on October 14, 1939, by Paul V. McNutt, Federal Security Administrator, before Social Security Board Post 142 of the American Legion, Department of Maryland, which appears in the Appendix.]

EDITORIAL BY WILLIAM HIRTH ON PENDING NEUTRALITY LEGISLATION

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an editorial from the Missouri Farmer written by William Hirth, president of the Missouri Farmers' Association, and entitled "If This Be Treason," which appears in the Appendix.]

ADDRESS ON NEUTRALITY BY RT. REV. MSGR. JOHN A. RYAN, D. D.

[Mr. BURKE asked and obtained leave to have printed in the RECORD a radio address entitled "The Misleading Issue of Neutrality," delivered by Rt. Rev. Msgr. John A. Ryan, D. D., which appears in the Appendix.]

ASPECTS OF WAR IN EUROPE—ARTICLE BY JACQUES MARITAIN

[Mr. BURKE asked and obtained leave to have printed in the RECORD an article entitled "Europe Is Already Saved" written by Jacques Maritain and published in the magazine Commonweal, which appears in the Appendix.]

ADDRESS BY JOHN B. TREVOR, JR., ON AMERICA'S ATTITUDE TOWARD EUROPEAN CONFLICT

[Mr. FRAZIER asked and obtained leave to have printed in the RECORD an address delivered by John B. Trevor, Jr., first vice president of the Allied Patriotic Societies, Inc., on October 9, 1939, relative to pending neutrality legislation, which appears in the Appendix.]

ADDRESS ON NEUTRALITY BY MAJ. AL WILLIAMS

[Mr. DANAHER asked and obtained leave to have printed in the RECORD a radio address on the subject of neutrality by Maj. Al Williams on October 12, 1939, which appears in the Appendix.]

PERMANENT CROP CONTROL—EDITORIAL FROM BIRMINGHAM NEWS

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an editorial from the Birmingham News of October 13, 1939, on the subject of permanent crop control, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306) Neutrality Act of 1939.

Mr. CLARK of Idaho obtained the floor.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. CLARK of Idaho. I yield.

Mr. PITTMAN. Mr. President, there is an amendment pending, but I desire to submit a proposed amendment and have it printed and lie on the table. I will formally offer it after the pending amendment shall have been disposed of. The amendment is very short and I ask leave to have it read.

The VICE PRESIDENT. Is there objection to the reading of the amendment? The Chair hears none and the amendment will be read.

The legislative clerk read as follows:

Amendment intended to be proposed by Mr. PITTMAN to the joint resolution (H. J. Res. 306) Neutrality Act of 1939, viz:

"Strike out all of that portion of subsection (a) of section 7 after the word 'person' in line 16, page 21, commencing with and including the word '*Provided*', down to and including the word 'involved' in line 11, page 22, and substitute in lieu thereof a period after the word 'person' in line 16, page 21."

The VICE PRESIDENT. The amendment of the Senator from Nevada will be printed and lie on the table.

Mr. PITTMAN. I ask unanimous consent to have printed in the RECORD immediately following the amendment a statement explaining it.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement presented by Mr. PITTMAN is as follows:

Amendment intended to be proposed by Mr. PITTMAN to the joint resolution (H. J. Res. 306) now pending in the Senate:

"Strike out all of that portion of subsection (a) of section 7 after the word 'person' in line 16, page 21, commencing with and including the word '*Provided*', down to and including the word 'involved' in line 11, page 22, and substitute in lieu thereof a period after the word 'person' in line 16, page 21."

The existing law, which was adopted in 1937, reads as follows:

"SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent state or of any state wherein civil strife exists named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, or of any faction or asserted government within any such state wherein civil strife exists, or of any person acting for or on behalf of any faction or asserted government within any such state wherein civil strife exists, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, faction, asserted government, or person, or to solicit or receive any contribution for any such government, political subdivision, faction, asserted government, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions. Nothing in this subsection shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, political subdivision, faction, or asserted government; but all such solicitations and collections of funds shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

"(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

"(d) Whenever the President shall have revoked any such proclamation issued under the authority of section 1 of this act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation."

The House of Representatives on the floor amended House Joint Resolution 306 by adding to the proviso a limitation on the discretion of the President by inserting the following words: "for a period of not more than 90 days without renewals", as shown in the following proviso as adopted by the House:

"Provided, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section for a period of not more than 90 days without renewals ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions; the President shall make public every 90 days any and all exceptions granted under this proviso, together with the amounts of credits involved."

The Senate Foreign Relations Committee, acting through a majority, desired further to limit the Presidential discretion and therefore struck out the House amendment and added the following language:

[Omit the part in brackets and insert the part printed in italics]

"Provided, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section [, for a period of not more than 90 days without renewals,] ordinary commercial credits, and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions, *but only if such credits and obligations have maturities of not more than 90 days and are not renewable. If any government, political subdivision, or person to which credit has been extended pursuant to the authority vested in the President under this subsection is in default in whole or in part upon any obligation to which such extension of credit relates, no further extension of credit to such government, political subdivision, or person shall be made or authorized under this subsection during the period of such default.* The President shall report to Congress every 6 months any and all exceptions granted under this subsection, together with the amounts of credits involved."

The committee, in view of the fact that the proposed substitute amendment to the House bill will have to pass the House of Representatives, gave some consideration to the action of the House with reference to such proviso. Again the committee considered that the Presidential discretion would be governed by the opinion of the Attorney General of the United States in construing the Johnson Act which contained no such proviso as herein proposed to be stricken out. It being the intention of the committee to require settlement in cash or cash equivalents as defined by the Attorney General, I deem it wise to avoid any confusion or any misunderstanding by striking out the entire proviso.

Mr. ELLENDER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Louisiana?

Mr. CLARK of Idaho. I yield.

Mr. ELLENDER. I desire at this time to submit for the consideration of the Senate a series of amendments to the pending joint resolution.

The first amendment deals with the credit portion of the measure. It seeks to change the time limit provided for on page 22 of the resolution from 90 days to 30 days. Should that amendment fail, then, I propose a second amendment, dealing with the same subject, to limit the amount of purchases within the 90 days to $200,000,000. I am informed that the chairman of the Committee on Foreign Relations has offered, or will shortly propose, an amendment to eliminate the credit provision in the joint resolution. Should such an amendment prevail, I will, of course, abandon the proposals just submitted by me.

The third amendment deals with the transportation problem involved in the joint resolution. It seeks to exempt the transportation by American vessels of any passenger or any articles or materials other than arms, ammunition, and implements of war listed in the proclamation issued under the authority of section 12 to any place outside the Western Hemisphere which is not within any area defined as a combat area pursuant to section 3 (a). In short, the amendment simply permits American ships to carry on their normal trade in areas far removed from the danger zones to be established by the President.

The fourth amendment adds a new section and deals with the proposition of amending the Johnson Act. It seeks to broaden the term "foreign government" so as to include all subdivisions thereof, and it is also intended to prevent the sale of bonds for refunding of bonds issued prior to April 13, 1934, by a foreign government in default, except as to such bonds actually owned and held by citizens of the United States prior to said date.

I ask that the proposed amendments may be printed in the usual form and lie on the table, and that also they may be printed in the RECORD.

There being no objection, the amendments intended to be proposed by Mr. ELLENDER were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

On page 22, line 1, strike out "90" and insert in lieu thereof "30."

On page 22, line 11, after the period, insert the following new sentences: "In no event shall the aggregate amount of the exceptions granted under this subsection in the case of any foreign government exceed $200,000,000 during any period of 90 days, commencing with the 90-day period beginning on the date of enactment of this joint resolution. For the purposes of this subsection, the term 'foreign government' includes all its political subdivisions, all its dominions, protectorates, dependencies, and possessions and the political subdivisions thereof, and all persons acting for or on behalf of any of the foregoing."

On page 17, line 25, before the semicolon, insert the following: ", or to transportation by American vessels of any passengers or any articles or materials (other than arms, ammunition, and implements of war listed in a proclamation issued under the authority of section 12 (i)) to any place outside the Western Hemisphere which is not within any area defined as a combat area pursuant to section 3 (a)."

On page 18, line 9, after the semicolon, insert "or"; and on page 18, line 14, beginning with the semicolon, strike out through the word "aircraft" in line 18.

At the end of the joint resolution insert the following:

"SEC. 20. The act entitled 'An act to prohibit financial transactions with any foreign government in default on its obligations to the United States,' approved April 13, 1934, is amended to read as follows:

"That hereafter it shall be unlawful within the United States or any place subject to the jurisdiction of the United States for any person to purchase or sell, or to act as the agent of another person to purchase or sell, or to act as agent for the collection of or payment of interest on, the bonds, securities, or other obligations of any foreign government issued after April 13, 1934, or to make any loan to such foreign government, while such foreign government is in default in the payment of its obligations, or any part thereof, to the Government of the United States: *Provided*, That this act shall not apply to the renewal or adjustment of outstanding bonds, securities, or other obligations of any foreign government owned and held prior to April 13, 1934, by any person subject to the jurisdiction of the United States. Any person violating the provisions of this act shall upon conviction thereof be fined not more than $10,000 or imprisoned for not more than 5 years, or both, at the discretion of the court.

"SEC. 2. As used in this act—

"(a) The term 'person' includes any individual, partnership, corporation, or association, other than a public corporation created by or pursuant to special authorization of Congress or a corporation in which the Government of the United States has or exercises a controlling interest through stock ownership or otherwise.

"(b) The term 'foreign government' includes any foreign government or political subdivision thereof and any organization or association acting for or on behalf of a foreign government or political subdivision thereof, and all governments owning allegiance to the same sovereign or to the same general government shall be considered political subdivisions of the same government and a default on the part of any of them shall be held to be a default on the part of all of them.

"(c) A foreign government shall be held to be in default at any time when it has failed to pay in full any payments of principal or interest due to the United States by such foreign government."

Mr. CLARK of Missouri. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. CLARK of Idaho. I yield.

Mr. CLARK of Missouri. I send forward an amendment, and ask that it may be printed in the usual form and lie on the table, and also that it be printed in the RECORD.

There being no objection, the amendment intended to be proposed by Mr. CLARK of Missouri was ordered to lie on the

table to be printed, and to be printed in the RECORD, as follows:

Amend the committee amendment on page 22 by striking out lines 12, 13, and 14, inclusive.

Mr. CLARK of Idaho. Mr. President, it is not likely that I can add much to this debate. It is with considerable diffidence that I rise to speak at all, in view of the able presentations that have been made here by statesmen infinitely better qualified than I, and with infinitely more ability, judgment, and experience than mine. Perhaps, however, I owe to my colleagues, to the people of my State, and, if you please, to the people of our beloved country, the duty of briefly stating here the reasons which impel me to oppose the repeal of the so-called arms embargo.

Considerable criticism has been leveled at the length of time consumed in this debate in the Senate; but, to my mind, the element of time pales into insignificance when we consider the danger of the issue involved, and the far-flung consequences that may redound to civilization itself as a result of our decision here.

I can think of no greater indictment from the future pen of history than to have it write that the greatest deliberative body on earth—the Senate of the United States—hurriedly and heedlessly impressed upon the country and upon the world a program of this magnitude and of this unparalleled importance.

It is impossible to overestimate the far-reaching consequences of what we may do here. Our children and our children's children, even unto countless generations, will reap the reward of happiness or pay the penalty in debt of our decision, based upon these few weeks of debate.

It is so astonishing as almost to beggar comment that at the outset of the debate in the Senate the public mind was so confused as to the real issues involved in this controversy. There was no public comprehension of what the debate was all about. First, the public was led to believe that it was necessary to choose between the repeal of the arms embargo and a system of cash and carry; secondly, there was never stripped and laid bare before the public the real issue, which now has come to light in this debate, namely, that the prime motivating factor is the repeal of the arms embargo in order to help the British and French Empires. It is unfortunate that it has taken 2 weeks of debate in the Senate at least to strip these issues to their true essentials and their elementary fundamentals.

Of course, the groundwork had been well laid; the stage had been artistically set; and we met here, not as a free, untrammeled forum for debate and deliberation, but rather almost as an executive arm of the Government, not to consider a program but to jam through a program. In my judgment, the extraordinary session of Congress never would have been called had not sufficient assurances and pledges been received by those in charge of the pending joint resolution almost, to their minds, to insure its passage. By that I do not mean to impugn the motives, the sincerity, or the patriotism of any Member of the Senate or of the House of Representatives. If they had sufficiently made up their minds to give a pledge or to give assurance before the session began, it is not for me to put words into their mouths or thoughts into their minds. I can only say that it is unfortunate that the Senate of the United States is almost in executive session, and is not now the free, untrammeled, deliberative body which it has been through the centuries.

Mr. President, the first great issue which confronts the public mind is the confusion between the repeal of the arms embargo and the not inconsistent provisions for cash and carry. At the outset the public was taught that it was necessary to choose one or the other; and even in my own State a glaring example of this occurred. One of our prominent newspapers, published by highly intelligent, patriotic, educated men, conducted a poll of its readers. In that poll the question was asked, "Do you favor the present embargo or do you favor cash and carry?" When an intelligent newspaper—a daily paper, if you please—conducts a poll of that sort, it can be seen how deep into the consciousness of the American people this terrible confusion has penetrated; and I must say, in all candor, that those who sponsor the pending joint resolution have done little to remove it. I think I may draw an inference from their refusal to accept the motion of the Senator from New Hampshire [Mr. TOBEY] to segregate these two consistent issues and dispose first of one and then of the other. I think the only inference which may be logically drawn from that adamant refusal to divide the issue is that they still hoped that the public mind would remain confused. But 2 weeks of Senate debate have, I hope, at least brought home to the people of the country what the issue is on that score, and also that they may have the arms embargo and cash and carry, too; and I am firmly convinced that the great majority of our people would like it so.

The debate in the Senate has finally stripped to sheer nakedness the real issue and the only reason motivating those who want repeal of the arms embargo; and the fact has finally come to light that this reason is not that it is a step toward peace, is not that it is a step toward neutrality, but it is rather now, in all candor, admitted by most of those who advocate repeal that they desire it because they affirmatively wish to aid the British and French Empires in the destruction of Germany.

The genesis of this change in heart on the part of the Senate, the genesis of this candor, the genesis of this ultimate frankness, is interesting and instructive to trace.

On September 21 the President of the United States in person, to a joint session of the Senate and the House, delivered his message wherein he sought to justify the calling of the special session and to outline its purpose. In only one paragraph of that message do we find this purpose defined. Here it is:

I now ask again that such action be taken in respect to that part of the act which is wholly inconsistent with ancient precepts of the laws of nations—the embargo provisions. I ask it because they are, in my opinion, most vitally dangerous to American neutrality, American security, and American peace.

In the use of the phrase "American security" there may be some slight hint of the real purpose behind the repeal of the embargo, but most certainly in the use of the phrases "American neutrality" and "American peace" there is concealed rather than exposed the true purpose.

I do not question the motives of the President of the United States. I have never, in a public address or otherwise, impugned his motives or questioned his sincerity of purpose or his patriotism. In fact, I have praised him as one of the great Presidents of our country for the good he has accomplished. It was for him to make his decision in the choice of the words "American neutrality" and "American peace," not for me. He has made that decision. But it is a far cry from the words of the President of the United States on September 21 to the able speech, the brutally frank, candid, and devastating speech, made on the floor of the Senate toward the end of last week by the junior Senator from Nebraska [Mr. BURKE], who now occupies the Vice President's chair, wherein he stated that in his mind, at least, the objectives of the repeal of the arms embargo were not American peace and American neutrality, but were an affirmative act, which he believed in, calculated to aid Great Britain and France in their prosecution of the war.

Soon after the President delivered his address the newspaper columnists of the country immediately began a savage and a justified tirade, demanding that this issue be stripped of all its sham; that the hypocrisy of the Senate cease; that fundadamentals be spoken abroad on this floor and the real issue brought from its hiding place and exposed to the full light of day. One by one eminent Senators courageously and fearlessly have stripped this issue to its essentials, culminating in the eloquent and candid and masterly address of the junior Senator from Nebraska last Wednesday.

I presume it will not be seriously contended at this juncture of the debate that there is any compelling reason for repealing the arms embargo except to aid the British and the French Empires crush Germany. That is the sole issue; that is the only thing that can be debated with any degree of candor from this time on.

Mr. President, it is only fair to say that those who advocate such a course do so in the hope and on the assumption that we can nevertheless keep out of war. Even on the assumption that we can aid Britain and France with methods short of war, for my part I submit that we should not do so. I do not believe that Britain and France, with their mighty empires, should be aided by the United States at this time, and I base my thesis in that respect upon two propositions.

First. By categorically, blankly, and with an arbitrary attitude refusing at this point even to negotiate for peace, they have placed themselves in the role of aggressors, and neither deserve our help nor should they have it.

Secondly. If Germany is crushed, 80,000,000 highly intelligent, technically developed, organized people will, as surely as the sun shines, be driven into the arms of Stalin and into the bosom of communism.

So, even if the repeal of the arms embargo were not a step toward war, as I believe it is, I would oppose it on the ground that it would help Britain and France, who now are not entitled to our help, because of their attitude in refusing even to talk of peace, and because the crushing of Germany would build an empire of communism which then would be a threat to the peace and safety of the entire world.

I know that it is very dangerous for a Senator or anyone else to question the altruism and the democracy of Mr. Chamberlain and Mr. Daladier. I know that when we have felt inclined to indulge in such questioning it has been customary to whisper in closed rooms, among our most intimate friends, and then to glance over our shoulders to see whether or not we are overheard. I know that the results of propaganda have been so devastating that even to question the sincerity of Britain or France has meant laying one's self open to the charge of being pro-Hitler and of acquiescing in the methods he has used.

Mr. President, only last week a distinguished and outstanding American, whose patriotism and whose courage are so firmly established that he needs no defense at my hands—Colonel Lindbergh—made a restrained address, in which he dared to say that he did not want arms and ammunition and implements of war sold to Britain and France. What was the result? The always generous, always able, always kindly chairman of the Committee on Foreign Relations of the Senate, the distinguished senior Senator from Nevada [Mr. PITTMAN], in a moment of anger, I know, made this statement on Saturday concerning Colonel Lindbergh:

> The most unfortunate part of Colonel Lindbergh's statement is that it encourages the ideologies of the totalitarian governments, and is subject to the construction that he approves of their brutal conquest of democratic countries through war or threat of destruction through war.

I know that the distinguished Senator from Nevada did not really mean that, but I only use it to illustrate the length to which passion and emotion will drive men in questioning the patriotism of those who so much as dare lift a finger of suspicion against the altruism of Britain and France. I quote it to show that I realize that I tread on dangerous ground.

But is it not about time that someone raised his voice to question the modern Tallyrands, Richlieus, Machiavellis, and Henry the Eighths, who are playing their bloody game of chess on Europe's chessboard? Is it not about time that, to some extent at least, even in a feeble way, there should be unmasked the perfidy which hides under the guise of statesmanship and honor? Was the time so long ago that we have forgotten our schoolbook history, from which we learned that the Pilgrim Fathers and the other early settlers of this country fled from England and from France to avoid the bloody persecutions undertaken against minorities there? Was it so long ago that we have forgotten that they built a new government and that none knew better than they the intrigues, the falseness, the perfidy of European so-called power politics?

Those things were not dim memories to George Washington. They were living images to him, and were we even to take slight instruction from his teachings we would not be debating the arms embargo today.

Mr. President, only last week the German Government proposed a conference and a truce. Whether we believe that the terms proposed were too stringent or not is beside the point. Hitler proposed a restoration of Poland, a true Poland and not a Poland consisting to the extent of 50 percent of Germans, Ukrainians, and Russians. He proposed disarmament, and a truce in the meantime. Yet the proposal met only a categorical "No"; it met only a holier-than-thou, supercilious attitude on the part of the Tory financial oligarchy which today controls the destiny of the British and French Empires.

Mr. President, I say that this categorical, blunt refusal—regardless of what we may think of Hitler, and I do not think much of him—places Britain and France today in the role of aggressors and not defenders. They could at least have made some proposal. Their 70-year-old statesmen could certainly have considered whether they should send British boys and German boys and French boys to their deaths without undertaking, at least in some minor way, to bring about a peace now.

What were the reasons given? There were three. First, Britain and France said, "We are the guardians against the persecutions of religious and racial minority groups in Germany, and we cannot treat with a man who indulges in such persecutions."

Second, they said that the object of the war was to destroy nazi-ism; and I presume that means to destroy Germany.

Third, they said, "We cannot take Hitler's word."

Mr. President, those were the three reasons which they gave to the world for their refusal even briefly to consider a conference which might well end this slaughter now. Those were the three reasons they assigned for becoming definitely aggressor nations.

Let us examine those reasons: First, as to the abhorrence which England now shows for religious and racial persecution, setting herself up as their guardian. I suppose it is a terrible indictment of the human race that religious and racial persecution thrives in the world today. It is a sad commentary upon our intelligence, and upon the civilization of which we claim to be proud, and I suppose that there is not a man who would lift his voice in even feeble defense of Hitler or his methods upon that score. Unfortunately, however, the roots of prejudice grow so deep that even unto our own times there is religious and racial persecution throughout the world, to the world's everlasting discredit. The most notorious examples are Germany, Spain, Mexico, Turkey, and Russia.

It is not so long since the mongrel head of the Ku Klux Klan raised itself to strike here at the same minority groups which we now find persecuted in Germany, and for which some of us would go to war. There was not much of a cry for embargoes against Mexico when one-half of its people was persecuting the other half for religious reasons. And we did not want to go to war with Turkey or to impose embargoes against her when Armenians were being slaughtered by the countless thousands and their nationality destroyed.

No; this holier-than-thou attitude of England today is a pretext and a pretense. Paint me a picture of the 6 years of persecution of the Jews, the Catholics, and the Protestants in Germany, paint it as gory and as bloody as you please, and I will paint you one 10 times as brutal, 10 times as savage, 10 times as bloody in the 500 years of British destruction, pillage, rape, and bloodshed in Ireland. And then I will take from the pens of the British writers themselves a bitter, grueling, devastating history of persecutions in India.

I have just said what I thought of the candid and distinguished speech of the Senator from Nebraska, and I would only ask him, when he decries the religious and racial persecutions in Germany, to go back and read the brilliant orations of his namesake and predecessor, another distinguished statesman, Edmund Burke, made at the close of the eighteenth century before the Houses of Parliament in the impeachment trial of Warren Hastings, Governor General of India. When the Senator from Nebraska speaks of persecutions by Hitler during the last few years and describes his actions as brutal, let him read what his predecessor and namesake, Edmund Burke, said about the tortures, the devastation, and the persecution in India under British rule. Then let him remember that trial of Gov. Gen. Warren Hastings

dragged for 7 years, and English "justice" and English "honor" finally acquitted him.

No; it ill behooves England, it ill behooves France, with the record of persecution of religious and racial minorities even within their own borders, now to refuse at least to treat for peace rather than send their own boys to die because, as they say, and as is probably true, Hitler persecutes racial and religious minorities.

The second point which Mr. Chamberlain now makes in order to justify his sending men to death is that aggression, Nazi aggression, must be stamped out. A splendid motive indeed, Mr. Chamberlain, if we could even begin to believe, in view of your past history or the record of the ruling classes of your government, that you even so much as halfway meant it.

Aggression. The outstanding example of aggression that the world has ever seen is that of the British Empire. This Empire has been built upon conquest, upon aggression, and it is worthy of note, Mr. President, that that aggression has usually taken form against helpless and defenseless peoples. Seldom indeed have British armies been massed against a virile and a prepared people. Only in their wars against France was this so. But always British armies were sent to the corners of the world to prey upon savage, uncouth, and unarmed peoples; and from Great Britain's vast colonial empire, obtained almost entirely by aggression, she has drawn streams of gold from the streams of human blood and human labor that exist there.

England has been at war more than half of its entire history, and only one of those wars could even remotely be called a defensive war.

It is not so long, Mr. President, since British shot and British canister crashed through the very roof of the building in which we deliberate today, and laid this magnificent Capitol building in ruins.

So now, when England, glutted with the gains of conquest of centuries, holds up her hand again and says that she is going to send her boys to death to stamp out aggression, it ill becomes her indeed.

It may be said that is ancient history? By the Treaty of Versailles England and France added by conquest to their already swollen empires 1,000,000 square miles of new territory, a territory 5 times as large as the Poland of which we hear so much, and 20 times as large as Czechoslovakia.

No; the conquest is not ended, and if Chamberlain came into a court of equity and said that he would not talk peace because he could not believe in Hitler's word, that he could not rely upon it, I do not believe he would come into that court of equity with clean hands. So let us not be deceived on that score.

What is the third reason which Mr. Chamberlain and Mr. Daladier advance for not wishing to talk peace, but on the contrary for saying that they are going to send their boys to war? What is the third reason? Ah, they say, "We cannot trust Hitler's word." Of course, they cannot, and nobody knows that better than Mr. Chamberlain; and nobody knows better than he knows and the whole world knows that when it has been to British interests the British word and British honor have meant no more than that of one, A. Hitler.

The crowning example of the reason that they cannot trust Hitler's word is given as Munich. They say he said at Munich that if he were given a part of Czechoslovakia he would not make further encroachments upon Europe. He did not intend to keep that word, and hence he lied. But let us examine Munich further.

France and England had a treaty with Czechoslovakia guaranteeing that little democracy against aggression and promising the world that if she were attacked they would aid her in a military way. Yet when Chamberlain and Daladier thought at Munich that for their own interests they could bribe Hitler by breaking their own written treaty obligations it was an easy decision for them to make. They tried to bribe Hitler by breaking their own word first. Perhaps they could have learned a lesson from a famous English jurist by the name of Jeffreys, who sat upon the criminal court bench of England a long time ago. He had such an odious reputation for hanging criminals and for ferocious justice that he became known as "bloody Jeffreys, the hanging judge of England." But it was noticed that Mr. Justice Jeffreys got rich beyond the salary of his office, and so in his later years, as the legend goes, a friend asked him how throughout all these years he could have maintained his reputation for severity. "How could you obtain the name of 'the hanging judge of England' and yet apparently become rich?" He replied in a simple sentence, "I took their bribes and hanged them, too." So Hitler at Munich took England's bribe and hanged her, too!

Was it a greater breach of faith for Hitler to state that he had no more intentions of attacking Europe, when he knew he had, or was it a greater breach of faith for England and France brazenly to violate an existing treaty? Yet they cannot take Hitler's word!

And Poland! Mr. President, when history is written, the betrayal of Poland by England and France will go down as the greatest "sell-out" of modern times. Not content with betraying Czechoslovakia in the hope that their bribe would stick, they then made overtures to Poland, a nation that was getting along quite well with Germany at that time, and, if you please, with loans and otherwise, enticed Poland into an encirclement program. So they gave to Poland the same guaranty they had given to Czechoslovakia, that they would protect her with their military and naval might. Poland could have granted every one of Hitler's demands a few months ago. She could have returned Danzig, the Polish Corridor, and even upper Silesia without bringing herself to destruction. But, egged on by England and France, depending upon her treaty of military alliance, she refused to do this, and chose invasion instead. I do not justify that invasion. No one can. I only say that Britain and France egged Poland on to it, to her ultimate destruction.

Then did Britain fulfill her second treaty obligation? Did she or France go to the aid of Poland? They did not. I can still remember listening to the radio in the evening a few weeks ago, and hearing that lonely little radio station in Warsaw, after almost 2 weeks of siege, bleating through the air, "We will not give up. We will fight to the bitter end. Our city is in ruins, but we will die." Poland's generals had deserted her. Her President and her Government officials had fled to the sanctuary of another country. The radio announcer said:

> We will not give up because we can depend upon the British promise. We can depend upon British honor to come to our assistance.

Mr. President, it would have taken only a brief radio message from London to tell the gallant little garrison in Warsaw that defense was hopeless. It would have taken only a short radio word to tell the mayor of Warsaw that the generals of his army had ignominiously fled, that his country was in ruins, and that he had better not subject his city to destruction and his people to devastating death. But the message never came from French or British honor, and Warsaw was sent to her destruction by British honor and by British promises, in order that its destruction might be used as propaganda to inflame the people of the United States against the aggressor.

Mr. President, I ask, Which was the worst criminal—he who did the destroying or he who sold out to the destroyer? I think history will record that this was the greatest betrayal ever known to modern man. I find support for that view from the pens of two eminent British statesmen, David Lloyd George, and Britain's outstanding intellect, George Bernard Shaw. It is peculiar that we cannot say those things in this country when Lloyd George and Bernard Shaw say them so bitterly in England itself.

British honor. British promises. When Russia came in and invaded half of Poland, where was the British promise to defend her integrity? Not only did she not have the desire or the courage to declare war on Russia, as she had agreed to do, but now, according to her own press dispatches, she is entering into an agreement with Russia to furnish her certain strategic war materials in return for tin and rubber. Explain that if you can. She not only failed to

keep her written treaty obligations and declare war on Russia but actually courted Russia and agreed to furnish her tin and rubber for her implements of war, further to destroy Poland.

Chamberlain says he will not talk peace with Germany because he cannot depend upon Hitler's word. Britain lied to us when she incurred war debts which she never intended pay. She lied again when she told us she could not pay those debts, and yet with the same breath proceeded to spend twice as much in the development of armaments. She first lied to the Arabs in Palestine, and when they became too hot for her she lied to the Jews whom she had sent there. The British Empire is built on two things—blood and treachery. Ethiopia is another example.

Therefore, Mr. President, I for one am unwilling that we should repeal the arms embargo to furnish aid and comfort to England when she has refused even to discuss peace for such sham reasons. I am unwilling that we should become a party to any such proceeding, even if it would not mean war.

But there is another reason, and that is that if the German people should now be destroyed they would have nowhere to go but to the bosom of Stalin and into the communism of Russia. When once German technique and German organizing ability are married to the natural resources of Russia and the doctrine of communism, in only a short time we shall have a communistic empire which will then destroy the French and the British empires, and may even become a menace to us.

So let Mr. Chamberlain and Mr. Daladier, if they will, drive 80,000,000 brilliant, educated, hard-working people to the doctrine of communism, and then let us see what will happen. We shall have a peace worse than Versailles. We shall have a peace from which can only come the destruction of democracy in Europe in real truth. Versailles created Hitler. He is nothing more than the red-hot lava belching out of the German volcano. The fires of that volcano were lighted by Britain and France at Versailles. They have created a Frankenstein monster with their own hands, and now they want our aid to help destroy it.

Mr. President, all I have said thus far has been based on the assumption that we can still help England and France with methods "short of war." I do not propose to help them under present conditions, even if that be true.

But is it true? Whether or not the repeal of the arms embargo is a step toward war cannot be either proved or disproved with mathematical certainty. We cannot reduce the future to an algebraic equation. It is all a question of what values we give to imponderable premises. It is all a question of what weight we give to factors which may operate in future. I take the position that repeal of the arms embargo is an inevitable step toward war, but I cannot prove it; neither can it be disproved. I base that assumption upon two premises. We have only our own personal experience to go by, and we have only the experience of the last World War. If those experiences indicate that it is not a step toward war, well and good; but, in my judgment, they overpoweringly prove, if it can be proved, that repeal of the arms embargo is the first step on the road to war.

Mr. President, did anyone ever buy chips in a game of chance without later engaging in the play? Did anyone in his boyhood days ever make snowballs for one side without very soon beginning to hurl the missiles himself? I think not. As the Senator from Michigan [Mr. VANDENBERG] has so well said, I think we cannot engage in the occupation of being an armorer for one side without sooner or later being a warrior for that side.

So, if our past personal experience means anything, it means that if we want to keep out of war we had better keep off the threshold of war. The step across the threshold is short and easy; it is not difficult to make. Do you realize, Mr. President, that every airplane, every bombing plane, every bomb, and every machine gun that is sent to England and France to be used for purposes of destruction in Germany will bear the initials "U. S. A." and probably the name of its maker? What do you suppose the German soldiers will think when American bombs bearing the initials "U. S. A." rain down upon their cities? What do you suppose German mothers will think when they see their sons killed by American bullets?

Mr. President, if we should send American bombers over there for that purpose, if we should send machine guns over there with those letters written on them—and even if they were not so initialed they would be easily recognized—we might just as well put on them also in large and unmistakable print the letters "R. S. V. P.". When we send our airplanes to Germany for purposes of destruction we start in to fight, and from then on, once we have taken the plunge, it is not a question of where the stream is flowing, but only how swift is the current.

In addition to our own personal experiences, we have the experiences that led us into the last World War. It affords a curious study to read about the chain of circumstances which transformed us from a peaceful Nation into a warlike country that was ready to go, and did go, to war. I will not recount them here; but sufficient it is to say that it is beyond my feeble comprehension how anyone can read such books as Mills' Road to War, or the expert documented work of Professor Peterson, Propaganda for War, and be in favor of repealing the arms embargo, unless he is willing ultimately to go to war.

Mr. President, I have endeavored, primarily, to clear two confusing issues that have existed in the minds of the people of the country: First, that it is impossible to have repeal of the arms embargo and cash and carry at the same time; and, second, that the real admitted issue now is, Shall we repeal the arms embargo in order to help the British and French Empires crush Germany?

With respect to the latter issue, I have taken the position that we should not, even if we could do so, by methods short of war, undertake to aid Great Britain and France to crush Germany for two reasons:

First, they have become aggressor nations by refusing, on sham pretext and pretense, even to consider the offers for peace; and, second, if they should crush Germany, we would have a peace worse than that of Versailles; Germany would be driven into the hands of Stalin and communism, and a communistic empire would arise that might overwhelm the earth.

I have said also that I think to repeal the arms embargo, besides doing these things is a step on the road to war, judging from our personal experiences and from our knowledge of events that led us into the last World War. So I respectfully submit to you, Mr. President, to my colleagues in the Senate, and to the American people, that the embargo should be retained.

One of us is wrong, one of us is terribly, horribly wrong. It will not do for those who are proposing to effectuate the repeal of the arms embargo, if that act should lead us into the war, later to say, "We meant well." This is not a game of checkers that can be lost and laughed at and forgotten; this is not like placing a few coppers on the horse races, which, if they are lost, the bettor can go away and forget. No; this is a gamble of life and a gamble of death. I think that we who oppose the repeal of the arms embargo choose the safer course. I think those on the other side, with their patriotism and with their desire to help England and France, are gambling that repeal of the embargo will keep us out of war, and thereby they are gambling with death. It will not do later, if their gamble turns out to be on the losing side, to say to the muse of history, "We meant well." It will matter us little when we are indicted before the bar of history to plead in defense, "We had good intentions." When some future Dante writes another Inferno, perhaps some of us will have a spot there, and in large and fiery letters, if the gamble of those who are advocating the passage of the pending joint resolution fails will be written the words, "They meant well."

I only hope, Mr. President, that in my limited and inexperienced understanding I do not see this issue in its true light; I only hope that I have not been given the light to see the issue involved here as I do see it, because I gamble

on far less than those who advocate repeal of the arms embargo. So, as I conclude, Mr. President, I leave with the Senate just one wish, which is sincere and from my heart, that the proponents of the measure and not I may be right.

Mr. SHIPSTEAD. Mr. President, in rising to address the Senate at this hour in the progress of this debate, which happens to be the hour of the day when, I know, Senators customarily are at lunch, I am not presumptuous enough to assume that I can change the views of any Senator who has followed the course of the discussion. I feel, however, that a man in public life, carrying a responsibility in connection with legislation involving a momentous decision, owes it to his constituents and to his country to give his reasons for the decision he reaches. That is the purpose of my rising to address the Senate this afternoon.

We have been debating what is called neutrality legislation. It is said that such legislation is necessary in order to keep us out of war. Those who defend the repeal of the arms embargo say they want to keep this country out of war and that repeal will have that effect. Those who take the opposite view make the same profession of intention.

If the main issue is that we shall keep out of war, then, it seems to me, the first question to decide is, Do we want to keep out of war; have we the will to keep out of war? It seems to me that if we have the will to keep out, little legislation is necessary. If a man does not want to commit murder, he does not have to have a law to keep him from committing murder. If he wants to commit murder, he will usually find a way to do it, irrespective of what law has been enacted to prevent murder or punish the perpetrator of such a crime. So I think we ought to look back of this legislation and determine whether or not it is our will and purpose to keep out of war.

It is said, in order to keep out of war, we must be neutral, and so we must have neutrality legislation. So-called neutrality legislation is an act to restrain certain citizens. Private citizens are restrained by the Government in order to keep them from doing certain things that might cause us to become involved in the war.

It is not only the acts of private citizens that may get us into war; the acts of public officials are far more dangerous and far more effective in that direction, because public officials have a responsibility for restraining citizens from committing unneutral acts; and they themselves, as men in authority, have a duty to see that as public officials they so restrain their public acts that they cannot be justifiably accused of being unneutral as officials of the Government, speaking for the Government. We say our citizens may not do this and must not do that. We who sit in places of responsibility must ourselves take that medicine, not only Senators and Members of the House of Representatives but the Chief Executive and members of the Cabinet as well. We must see that we do not take sides if that is what is meant by neutrality.

I have a definition of neutrality. There are many different definitions of neutrality, so I go to the authority to which I have usually gone to find the meaning of any word. I go to Webster's International Dictionary, which defines, in international law, neutrality as—

> The condition of a state or government which refrains from taking part, directly or indirectly, in a war between other powers. The right to observe neutrality and the name "neutrality" are both comparatively modern, all persons anciently having been considered as friends or foes—

Of the contending parties.

If that is the correct definition of neutrality—that a nation, to be neutral, must not take sides, directly or indirectly, in a war between powers—then that means that we should not, directly or indirectly, by any public act as a government, take sides in a controversy, and that principle should guide us if we really want to keep neutral. However, on the question of neutrality there seems to be a great difference of opinion. Men in high public places, speaking with the authority of high office, say we can do things against one side in favor of another, and be neutral, and refrain from going to war. I do not understand that kind of language or reasoning. It reminds me of the definition of "fair" as given by a man having civil litigation. He complained about the rulings of the judge. He said, "The judge is not fair." A man asked him why he thought the judge was not fair. "Well," he said, "a fair judge would be on the right side, and my side is right. But he overrules my attorney's motions and objections, and so I know he is not fair, because," he said, "a fair judge would be on the right side, and my side is right." [Laughter.] That is the definition which I seem to obtain from some persons as giving their idea of neutrality.

I believe we can best serve the interests of the United States by keeping neutral. I know of no other definition by which to measure neutrality than that given by Webster's International Dictionary, stating that neutrality consists of a government taking no sides, directly or indirectly, between two countries engaged in war. While I have listened with great respect to Senators whose personal emotions are with England and France, and have heard them openly admit that they want to take sides and help one side against the other, and while I have no doubt everyone has his sympathies, we are not here to act upon our personal emotions. We are here as public officials to make decisions for the benefit of the country, irrespective of our emotions. As a public official, I do not want on the floor of the Senate to express my personal emotions, because I am not speaking here as an individual. My personal emotions are mine. My public official duties require me to have no emotions and to have no partiality in a controversy except to look out for what I consider to be the best interests of the people of the United States. That is my conception of the duties of a public official.

The technicalities of the embargo, the repeal or the failure to repeal, have been so thoroughly expounded by both sides of the controversy that I am not going to spend any time on that subject, except to say that it seems to me the repeal of the embargo at this time would be directly or indirectly taking sides in a controversy. If we are going to take sides, let us be open and aboveboard about it. If we are going to stay neutral, let us not take sides directly or indirectly with either side. I do not think we have yet come to the pass where we are willing to take sides openly, one way or the other, in an official act. We should not do it by subterfuge.

We have heard a great deal in the past few years about "the duty America owes to the world," the natural urge of the missionary who has heard the propaganda that we must do missionary work in the political fields of Europe, and give Europe moral leadership; that Europeans are so ignorant that with battleships and bombs and bayonets we must enter every controversy in Europe for the purpose of teaching them something and making them as good as we are. I have never had any sympathy for that kind of propaganda. Too much of that kind of missionary work has been done down through the pages of history. Much of the misery in the world it owes to those who, for the good of those they have shot and conquered and mutilated, have done that kind of missionary work throughout the pages of history.

Then we have heard a great deal about the sanctity of treaties—particularly peace treaties; and we have heard a great deal about designating the aggressor and punishing the aggressor. Just what does that mean? If you designate or indict a criminal, it is up to you to convict him and to punish him. Who are aggressors? In the terms of the modern diplomat, an aggressor is a nation which violates a treaty, particularly a peace treaty, because peace treaties are sanctified. They are sacrosanct. They are international law. So peace treaties which have been written must not be broken; they must not be changed; and anyone who by force changes them is an aggressor, and must be punished.

If that is to be our policy, I should like to ask, Where shall we begin, and where shall we end? I should like to know where there is a powerful nation which has not violated peace treaties. Where is there one? Where is there such a nation which has not engaged in international banditry and been an aggressor at one time or another?

If that is to be our policy, we shall have to punish other nations to the end of time. Then we shall find it necessary

to engage in the new war of extermination which we are told is coming, because it is said that one nation is ready to fight a war of extermination to prevent another war of extermination. If they do not succeed in exterminating all, then it will be up to us to determine who is the aggressor and go and exterminate the aggressor. I do not understand that line of reasoning.

Every treaty of peace—treaties which are called so sacred in history—has always carried within it the seeds for the next war. There is nothing sacred about them. From the beginning of time that has been true. The Treaty of Vienna, the first and second treaties of Paris after the Napoleonic wars, the treaty of 1870 after the Franco-Prussian War—all these were based upon a sadistic urge upon the part of those who conquered to punish and mutilate the conquered.

We do not have to go across the water to be reminded of the sadistic urge which has taken possession of conquerors. All we have to do is to sit right here at home and read the history of what the North and the Congress at Washington did to the Southern States after the Civil War. This country has not to this day recovered from that sadistic persecution. While General Grant offered terms of surrender which were humane, the politicians in Congress were as cruel to the South as though they were dealing with savages, and this country has not to this day recovered from the effects of the treatment of the South by the Congress at Washington, controlled by the North. That is one of the blackest pages in American history; but all wars have kindred results.

We have now before us in the world the inevitable result of the last treaty of peace, the Treaty of Versailles. It is hard for some people to believe it, but statesmen in Europe realize it very well. A year ago I visted six countries, and I found the statesmen in every country admitting that most of their troubles at that time were due to the Treaty of Versailles. They said, "Adjustments have to be made. We hope we can make them peacefully. It costs something to have peaceful adjustments of these matters, but it will not cost as much as war; and we do not want war." Well, they have it now.

The Foreign Secretary of Belgium stated, after they severed their connection and renounced the Treaty of Locarno, that he could not risk the safety of his nation upon the theory of the Treaty of Locarno. The Prime Minister of Sweden about a year ago said that the peace of Europe and the rehabilitation of Europe could only be brought about upon the wreckage of the Treaty of Versailles.

Talk about the sanctity of treaties! We have heard too much of that from people who should know better.

The years 1938 and 1939 were singularly prolific in disappointments and disillusionment not only for the many millions of human beings directly affected but for all those who for these last two decades have hoped that finally mankind would recognize a few of the errors of its conduct and do better.

Twenty years ago those who thought they had won the World War sat down in Paris for the purpose of fashioning a lasting peace, as they said. The Central Powers had been defeated after a struggle that taxed to the utmost the military and economic resources of the allied and associated governments.

It had been trumpeted to the world that the World War was fought to end all war; that it had been waged to make the world safe for democracy and make it a better place in which to live. There was to be a peace without victory. Self-determination was to be the rule thereafter, and minorities of any sort were to be protected against oppression.

President Woodrow Wilson had become the leader in this movement. He realized, no doubt, that these changes would have to be made if the war was not to be lost for everybody. Unfortunately, he took too much for granted. Once the German armies had been overcome, the old brand of diplomacy had the right-of-way again. David Lloyd George had been in favor of the 14 points, which constituted the Wilson program of peace without victory.

Here was an international agreement, the armistice, on which Germany laid down her arms. But after they laid down their arms no one paid any attention to that agreement. There was a violation of an international agreement. But it was soon a case of "when the devil was sick, the devil a monk would be; when the devil was well, the devil a monk was he." It was so with Clemenceau. Now that the backs of France and her Allies were no longer against the wall, the situation was different.

I am one of those who hold that without the economic and military resources of the United States of America the Allies would not have succeeded in worsting the troops of the Central Powers group. Sane students of human affairs no longer doubt this, though for a while it was a popular claim that the World War was fought by the Allies for the sole purpose of protecting America. For a decade this absurdity made the rounds, and I suppose that even today one could find dilapidated intellects who defend that claim.

The fact is that our getting into the European war, and thus making it a World War, produced a whole series of lamentable conditions.

I may say that if those who are trying to get us into another World War succeed, we will have another series of very lamentable conditions, and I do not believe our economy or our political institutions can survive.

The allied and associated governments won the war too completely, as it were, and in so doing lost it. The way things look now, they would have been very much better off if they had used some sense at Versailles. Instead of a peace without victory, we got victory without peace. Instead of making the world safe for democracy, we made it highly unsafe. Instead of making the world a better place in which to live, we assisted in lowering the standard of living everywhere, our own country included. Instead of protecting minorities by self-determination or otherwise, we seem to have made them the footballs of dictators. In other words, the whole Wilsonian program was frustrated. The vanquished were stripped of territory at home and abroad, and impossible reparations were imposed. Three empires were dismantled and their fragments fed to the wolves. When the several treaties which ended the World War had been signed, not a vestige was left of international morality and sanity, and the law of the nations. It was, indeed, a case of woe to the vanquished, and to the victor belong the spoils. The law of the tooth and claw was supreme, as it always has been in international relations. This, despite the fact that the solemn covenant of the armistice under which the Central Powers laid down their arms promised an entirely different peace.

Who, today, talks about the sanctity of the armistice agreement? Who talks today about the 2,000,000 who died from hunger in Germany, because of the starvation blockade put into effect by the Allies in order to compel Germany to sign the treaty of peace? Yet the sacred promises made to the Central Powers on November 11, 1918, were disregarded as though they had been a scrap of paper. The bad faith that was Versailles had its beginning when the real promises of the armistice were discarded by the powers that offered them a pledge. Versailles became a torture chamber in which the language of the armistice agreement was mauled and twisted until it was made to sound as though the final wording of the treaty had been what was intended all along. That may have been the intent of some, but it was not that of the armistice, which America had helped bring about. Before we condemn those who, we say, have violated a sacred treaty, let us remember where this unholy business began.

It is not my intention to take up the time of the Senate with minute details as to what effects the several World War treaties produced. The effect was entirely negative in every instance, producing the very opposite of what the high signatories expected and what the defeated signatories promised under duress. However, I must point out that there was no disarmament on the part of those who disarmed the Central Powers, even though they themselves had agreed to disarm, and no indication that a revision of the "peace" treaties in question would ever be undertaken. It cannot have escaped my colleagues, of course, that finally territories were retaken by those who lost them; that armies were called into being in defiance of the peace treaties; and that a rather complete

revision of certain of these peace treaties was undertaken without the high contracting parties having so much as a comma of say in the matter. I think that is quite clear by now. I am inclined to think that there will be more of this as we go along.

What was the basis upon which the several World War treaties was rested by the Paris Peace Conference? For the greater part, it was a series of secret treaties, of which President Wilson seems to have remained ignorant until he made that first unfortunate and ill-advised trip to Paris for the purpose, I take it, of seeing to it that this 14-point program was not overlooked.

We have here the secret treaties, of which we were not informed when we entered the war, although the evidence now shows that they were in the State Department all the time. When Wilson came back from his first ill-advised trip to Paris he said he did not know anything about those secret treaties until he arrived at Paris. I suppose those treaties were as sacred as other treaties of history. Of course, Wilson went over to see that his 14 points were not forgotten when the treaty was made.

All these secret treaties were held from the knowledge of the world until after the war was ended. The fact is that much of Europe, Africa, and Asia had been "allocated," which is a beautiful term to be used for robberies of that sort. I am simply recalling this part of history in order to show that nations travel over the same ground, that history repeats itself. While we think we are facing new problems today, as a matter of fact we are only emphasizing the statement of Heine that the only thing humanity learns from history is that it cannot learn anything. So we do not recognize the same symptoms of disease when they appear from time to time.

Then the League of Nations was formed as a holding company for so-called mandates. Great Britain was to have her share of the loot; France was to get her share out of the war for democracy and for international justice; and Japan got her share. It was taken away from her at the disarmament conference later, but she is getting her share now without any opposition from her former allies in the World War. Serbia waxed fat as a consequence of the murder of Sarajevo; Rumania passed into the possession of territories to which she had not the least historical, economic, or cultural claim. Here and there new states were created by throwing minorities into their laps. All in all it was the same old story.

The making of treaties of many sorts was incident to this. First of all the delegates of the defeated powers signed on the dotted line without having had a say in what they signed. Their signature was simply a mea culpa, which is polite Latin for "I am guilty." They could not do anything else. Their women and children were starved by the blockade. Therefore they had to sign. Certainly they were guilty of some things, but they were not the only ones who were guilty.

Next came a whole series of treaties that created states where none had previously been, and finally this orgy in ink ended in dozens of treaties that were to insure throughout all time the new conditions thus created. Treaties and alliances, military conventions and commercial agreements grew like mushrooms after a warm rain of a summer's night, and over this mass production of understandings presided, with much aplomb and dignity, the now moribund League of Nations, which we had the good sense not to join.

The League of Nations, as the refrigerator in which the plans of the "peace" treaty framers were to be preserved forever, was no great success, due to the fact that human life is a thing in flux and must remain that, if mankind is to be as happy as its many limitations and handicaps permit.

They forgot that, after all, humanity is made up of nothing but human beings who may from time to time change their minds. Conditions change, so they change their minds, and governments change their policies with changed conditions. But that treaty was to settle the peace and the boundaries of the world forever. They made provisions that under certain conditions there could be revision; but, of course, nobody paid any attention to that.

There was one thing the League of Nations could not do. It might well serve as the repository of treaties made directly and indirectly under its auspices, but it was powerless when it came to making the defeated powers toe the mark in the long run. So long as the interests of the bosses of the League held to parallel courses all was well. But a day came when the tides of time changed in many parts of the world. The League had no means for the enforcement of the treaties that had been hatched under its auspices. Its leading members forsooth set out on piratical courses. There came into existence such a thing as the "unofficial" or "undeclared" war. Of all the hypocrisies of which the human mind is capable, this is the culmination, the very fruition of deceit and malfeasance.

Of course France had a terrific war to reduce the Riffs in Africa, whose country was given to her to upbuild and to civilize under the mandate; and she civilized them, not with a Krag but with the weapon used by the French Army—I do not remember its name. However, it was not the Krag with which we "civilized" the Filipinos. Perhaps the most remarkable aspect of it all is that governments the world over have found it expedient to recognize this new departure in international turpitude by giving it the stamp of their approval, by not insisting that a state of war is a state of war, no matter how it began. Of course we have found a remedy for that also. We generally do so. We simply refuse to recognize the conquests made as the result of "undeclared" wars, which no doubt makes a lot of difference to the poor devils involved.

Naturally there has been much talk about treaties while all this went on. For instance, we hear a great deal about the sanctity of treaties and pacts, and many seem to be in the habit of almost losing their reason when such an agreement is violated by one of the contracting parties. What we all too often forget is that treaties at their best are but milestones in history, documents showing that on such and such a date two or more governments came together for the purpose of recording something on which they were in agreement. One of the parties agrees under duress. On the other hand, not a few treaties have been conceived and written in deceit.

Of treaties, pacts, conventions, and the like we have a great variety. The only ones worth the paper they are written on are those which regulate commercial relations, and this for the reason that they deal with tangibles and confer mutual benefits. The commercial interests they represent and foster belong to the realities of life and are cared for by people who are in the habit of dealing with concrete facts of trade and industry. Very often investments are based on commercial treaties, and a large measure of business honesty and common sense enters into them for that reason. But this is more in the consular than in the diplomatic department of foreign relations. In course of time I have gained the impression, however, that the real diplomatist is not greatly interested in commercial treaties, because making them is rated as humdrum and lacking glamour.

The treaties that have brought so much misfortune to man are those of peace and alliance. The peace treaty, be it bilateral or multilateral, is usually an instrument that shoulders upon the vanquished the burden of defeat. It follows, then, that the one who must accept the conditions of such a treaty will do so only until he is strong enough to refuse doing so. Of this we have seen a great deal during the past years in Europe, and we probably shall see more of it during the new year soon coming. To expect that such a treaty will be honored long beyond the day on which the vanquished were obliged to sign the treaty is to live in a fool's paradise. To be sure, such a treaty may contain some provision as to its revision in the future, but the one who imposed the treaty is not likely to rush that date. The one who had to take what was handed him will consider himself competent to break that treaty on the day on which he feels that his state of servitude is over. With the return of his potency comes quite naturally

a desire to free himself from the bondage the peace treaty in question imposed upon him.

Much the same has to be said of treaties of alliance. Governments, like men, make new friends, and there is always the inclination to exchange the treaty of alliances with a weaker power for similar treaties with a stronger one, even if this should ultimately result in fighting against the very government and people with whom one was formerly allied.

The World War saw several such examples. In matters of that sort necessity knows no morals, especially such necessity as is represented in furthering the public interest by getting a share of the spoils.

While we talk about international law, international justice, and so forth, we know that in the last World War the chief powers were bidding for neutrals, one against the other, to join them. Certainly history indicates that those who got the biggest price went where the biggest price came from. I am not saying that we got anything out of it. We did not go in under the same circumstances. They did not have to pay us anything. We paid for the privilege of going in, and we are still paying, and will continue to pay for generations to come.

Much of the story of mankind consists of accounts of treaties of peace and alliance being violated. Historians generally condemn the practice. But it must be said for our chroniclers that generally they are not practical men. Very often they are idealists; more often, indeed, they are half-baked intellects and mere scribes who copy the records of the past without exercising judgment. From that fact has come the universal notion that treaties of any sort are sacrosanct. To put such documents upon so high a plane is both puerile and dangerous. Usually, a false sense of security is born of that practice. Treaties, of course, are very impressive. Loaded as they are with bombast and sententiousness, they impress the public far beyond the reasonable. They have been known to cause much loss of sleep to legislators, because men in high places are not immune to beliving finally the fairy tales they relate.

Where is the statesman who does not contemplate his latest effort in treaty-making with a great deal of awe? To make as many treaties as possible appears to be a passion with every diplomat. Every new treaty of which it has been my pleasure to learn was not only the very latest improvement upon all treaties that went before but it was really the only thing of its kind. When it comes to discovering the obvious, diplomats simply cannot be beaten.

It were well to remember that diplomacy and treaty making are an old business.

There is mention of an ambassador in records dating back some 6,000 years. It seems that the person of this august man was not as well respected as it should have been. There is mention of other diplomats at about 2960 B. C.; and, finally, we learn the names and mission of two such high dignitaries in the twenty-first year of the reign of Pharaoh Rameses the Second. Tarte-Sebu and Rameses, the ambassadors of the King of the Hittites and the King of Egypt, respectively, negotiated a treaty, to last forever, for their principals. The original text of the treaty in question was engraved upon tablets of silver. But these disappeared during the ages. Luckily, the text had also been cut twice into the walls of an Egyptian temple. Being of worthless rock, this medium fared better. We owe to it a better understanding of international relations and affairs in ancient times. Its counterpart has since then been found in a clay tablet on the site of the old Hittite capital.

The treaty is general in its nature, and is now a little more than 42 centuries old; but it is hardly necessary to point out that it did not bind the high contracting parties too long. We do not know just when the wars between the Syrian coalition and Egypt were resumed. However, we see that before long the King of the Hittites, named Kheta-Sar, and Rameses the Second were at it again. At a later day Rameses the Third continued this war, and thus provided posterity with as fine a hymn of hate, known as the Battle of Kadesh, as antiquity and our own times could well produce. Some scribe of the Royal Egyptian Government certainly outdid himself when he penned this remarkable screed, though it is possible that some of the copious output of the World War scribblers is better. To tell the truth, the Battle of Kadesh appears to me to be lacking in "pep." The worst adjective I found in it, and, before me, M. Champollion, the famous French Egyptologist, whose translation I consulted, is the wild word "abominable." After all, even the Hittites must have found that rather soft.

Be that as it may, the text of the treaty in question is remarkable enough to get a little attention from us. It shows that even now, after 42 centuries, there is very little new even in diplomacy and international relations, contrary to what the world believed when the big four sat down in Paris two decades ago really to do something about it.

The treaty is dated "in the city of Pa-Ramessumery-Amen, Tybi 21, xxi." For instance, there was to be "open diplomacy openly arrived at." Grandfather appears to have been an institution in both Egypt and the land of the Kheta. Both Rameses and Kheta-Sar have their respective august fathers and grandfathers mentioned, and then express the pious wish that the supreme deities of both Egypt and Kheta "will prevent the coming of enmities forever." The treaty goes on to say that "there shall be good peace and brotherhood between them forever" and their descendants and successors to their thrones. It is agreed that neither of the contracting parties shall make raids upon the territories of the other, and that they shall refrain from invasion and looting. It is then provided that the terms of an older treaty made between the Egyptian and Hittite rulers of preceding years shall be continued "and performed in an equitable manner." It is a typical Locarno, or League of Nations treaty.

Next comes the clause of military alliance. The Egyptian government shall come to the aid of the Kheta in case they are attacked, and vice versa, though the king of either nation need not personally enter the conflict, if he deems that course desirable. In that case he need but send his soldiers and chariots. Failure to do so, continues the document with considerable naivete, would make Rameses angry. The rulers of the Hittites had the same privilege, of course. This shall also apply to cases in which frontier tribesmen are the offenders—a rather far-seeing proviso when we consider that the boundaries of both Egypt and Kheta were rather far-flung, and for this reason, in many cases, were more easily reached from military bases of the allied country.

The next condition of the treaty is that the subjects of each ruler shall not be allowed to transfer their allegiance to the other. This appears to have been a desideratum of the greatest importance, for it is immediately followed by the most solemn engagement, with appeal to the deities, that this provision is to be strictly kept. What it all amounts to is, of course, that the many races then peopling Palestine were in the habit of making free with their allegiance when there was gain in it. Rameses and Kheta-Sar simply hoped to make their borders permanent in this manner—borders which, as already indicated, were formed by the districts of Palestine and Syria, inhabited by people who were neither Egyptian nor Hittite, but had been brought into the folds of the two empires for their own good, naturally.

Extradition was next provided for. Persons fleeing from the land of Egypt or from that of the Hittites were to be surrendered upon demand. "But," continues the treaty, "no criminal action is to be raised against them." The houses of such were not to be destroyed, nor their wives and children; nor were they to be slain, nor in any manner mutilated, as by "removing his eyes, or his ears, or his tongue, or his feet." Nothing being said of the man's hands, it is possible that these were exempted. The practice of cutting off hands was quite popular in those days, owing to the lack of penitentiaries in which malefactors could be kept from doing further harm.

The many "forevers" shown in the treaty did not last any too long. A tablet at Medinet Habu in Egypt shows Rameses the Third receiving the severed hands of Hittites slain in battle. Even the marriage of one of the daughters of Kheta-Sar to Rameses the Second, she becoming the favorite wife of the Pharaoh under the name of Neferu-Ra, could not produce

"amity forever" between these two great powers of antiquity. It is unfortunately true that nothing planned by man outlasts his necessities, or what is all too often mistaken for them.

Since then many such treaties have been made, of course. A cursory examination of history shows that since this treaty some 1,500 international engagements of that sort have been entered into and in due time violated. It is well to remember that treaties, like municipal law, depend upon concepts of morality and material considerations that may change overnight, and that peace treaties and alliances are subject to the hazards of human existence. Powers that find it of advantage to hold such agreements sacred do so, of course. Communities that find them a burden in the end lose no time in breaking them. We also point to the fact that governments are not in the habit of making treaties of any sort with groups whom they have subjugated and whom they hope to incorporate permanently in their realm. Treaties are made only with those whose power is not entirely spent, and with those of whose obedience one cannot be sure in the long run. When such covenants are sugared with a promise that revision is to be undertaken sooner or later, the one who imposes the hard conditions of a treaty admits frankly enough, though involuntarily, that he is exacting more than is reasonable. Even the most superficial survey of diplomatic history in ancient and modern times establishes the fact that more wars of conquest were terminated without treaties than with treaties. The conqueror simply took what he wanted, and the conquered waited until their opportunity had come. Whether peace treaties or other agreements, also known as scraps of paper, figured in this process, does not seem to be so very important after all. The principal good that comes from such treaties appears to be a gain for the historian. Generally the causes of wars would have remained a mystery had some peace treaty not afterward disclosed what they were. For instance, there has been much controversy as to the origin of the so-called World War. This and that claim has been advanced; this and that party to the conflict has been held solely or largely responsible for this terrible conflagration, the smoke and soot of which is still in our eyes, and the ashes and dead embers in our shoes.

What that war was fought for is made quite plain by the Treaties of Versailles, St. Germain, Trianon, Neuilly, and Sevres. In those treaties Germany was dismantled, Austria-Hungary dismembered, Bulgaria trimmed down to the bone, and the old Ottoman Empire thrown to the dogs. We have no reason to think that peace treaties imposed by the Central Powers would have been better. The treaty negotiated by Germany with Russia at Brest-Litovsk certainly indicates that the Allied and Associated Governments would have been in a tight jam had the war ended in favor of the Central Powers' group of belligerents.

I cannot agree with those who have said that if Germany had won the war there would have been a more just peace. I do not know of any government which, after a war, would write a just peace. I put them all in the same basket when it comes to writing treaties and playing the game of diplomacy. It is all a poker game, in which they deal from all sides of the table, both the bottom and the top, and behind one another's back.

The plain, unvarnished fact is that governments go to war for a purpose, and this purpose is gain—gain at the expense of the government, country, or people against whom they war. Despite all the treaties made—and they would run into the thousands were all the smaller treaties included—the process of international relations and affairs has always been what I have here indicated.

As already stated, treaties are simply milestones on the roads mankind has traveled. In addition to throwing light upon the status of things that brought them into existence, they record what statesmen, if they were honest about it, thought of matters on a certain day. The moment conditions changed, the attitude toward the treaty was bound to change. We need not take it for granted that deceit invariably played a role in this change. Governments change in personnel and policy, and the public interest of a state is hardly ever the same for long. That treaties are violated, then, is simply a deplorable incident in the life of nations and governments. However, it is regrettable that in many cases nations and governments continue to see an asset in a treaty that has been rated a liability by the other party. This anomaly appears to have been in the mind of George Washington when he advised this Nation to keep away from entangling alliances, by which he meant, of course, all alliances. It is hardly possible that this far-seeing man overlooked that treaties of any sort, or alliances of any type, are entangling.

That the course of international relations of the United States has been so singularly smooth during the century and a half of the Republic's existence is undoubtedly due to the advice of its first President having been much heeded in the past. Of course, we have had our slants and pet aversions among the nations; undoubtedly there have been many "gentlemen's agreements" that influenced our conduct, but we have in the past steered clear of alliances that would have plunged us into wars not of our own making.

I am not one of those who hold that we would have stayed out of the World War had the principal members of the Central Powers group used a little more common sense in their dealings with the American Government. But we still have every reason to think that it would have been much more difficult, if not entirely impossible, to have dragged us into that war had the enemies of the Allies exercised more judgment from the very beginning. I realize how potent the effect of propaganda can be. On the other hand, it generally takes more than sentiment to induce a people to risk its welfare for the sake of a kindred aggregation of people. In such matters mankind is foolish rather than altruistic.

It is hard to tell at this moment what the near future has in store for the human race. The outlook is poor enough, even if the picture should not be as black as it is painted. The propagandist is busy again. Passion once more is being roused as in the days of the World War, and it is not to be overlooked that this time the interested publicist and propagandist has much more and much better material for his purposes than he had beginning with 1914. It would be very difficult to defend the conduct of certain men in this country.

We have another scrap of paper to refer to, the peace Treaty of Versailles and its associated instruments of the same nature. But with any of these we should not concern ourselves. They never had public recognition in this country. They were rejected along with the Covenant of the League of Nations, of which, fortunately, we never became a member. It would be the very crown of folly for us to grow excited over something we disowned 20 years ago. I say disowned, because those who directly and indirectly took a hand in getting us into the World War were more than willing in 1920 and later to have us scrap Washington's foreign policy in favor of a "holy alliance," the League of Nations, that was more unholy and futile than any other similar effort that preceded it.

Mr. President, we should not overlook that present conditions in Europe and much of the world elsewhere are distinctly the product of the peace treaties, so-called, that ended the World War. The conditions in Germany to which so many object were conceived in the Treaty of Versailles and hatched finally in the harsh treatment given the prematurely born Weimar Republic. Had the high contracting parties of the Treaty of Versailles and the authors and bosses of the League of Nations possessed a little common sense, they would have realized that what this puny infant of a republic in Germany needed was an incubator and not the lash of reparations.

The hateful persecution of minorities now going on in Europe is undoubtedly the fruit of the seeds of hate engendered by the majority at Versailles and spread in the fertile soil of the oppressed minorities by the administration of the treaty. These cruel persecutions we abhor now in others, and rightly so. We do abhor these things as emphatically as the American people and their Representatives in the Senate abhorred and repudiated an effort to make us a party to a covenant of oppression that would threaten western civilization and jeopardize the sovereignty of the United

States. We abhor no less the dictatorship theory of government that makes these purges and religious and civil persecutions possible and are determined that such theories shall not find root on American soil.

Had common sense ruled Versailles, all of mankind would probably have been spared much worry and trouble; billions of dollars spent for armament after a war that was to end war could have been put to better use, as the billions of dollars some want us to spend for war in Europe now could be used to much better advantage than to try to help Europe out of her difficulties. Had that money been spent here, we would have made this country a better place in which to live. Democracy, instead of being now beset by many powerful enemies, would have gained in the German Republic a fine pillar of strength against the wall of bolshevism in eastern Europe. However, there were bitter-enders everywhere to play into the hands of the smart alecks; there was too great an audience that enjoyed seeing the bull in the German arena baited by those who collected the gate receipts of reparations.

The net result was precisely what far-seeing men and women said at the time it would be. With the Weimar Republic discredited, Germany had no choice but to turn to some form of dictatorship. It was simply a question which way to turn—toward communism or fascism, since a return to the monarchy would probably have led to a continuation of the peace Treaty of Versailles by military means, just as the World War was continued in the same treaty by diplomatic means.

Under the same treaty there has been an economic warfare. As a matter of fact, the war really never ceased. While fighting ceased economic war has continued until the present time.

I do not believe it can be successfully denied that the failure to revise the Treaty of Versailles is responsible for the rise to power of Hitler in Germany. The Allied governments and other signatories to the League of Nations had promised revision of the treaty, but failed to do so.

That promise was violated by those who say they are fighting to preserve the sanctity of treaties. The provisions of the treaty imposed on the people of Germany and the suffering enforced created such a condition of suffering among the people that a fertile field was created for the spread of communistic propaganda. The communistic theory of government had made such advancement in Germany that by 1932 the Communists polled about 6,000,000 votes out of a total vote of 35,000,000, in which 12 other political parties competed.

In that election, the National Socialist polled not quite 12,000,000 votes, giving that party in combination with the National Party a majority of the Reichstag, and the union of these two parties for the control of the Reichstag caused President Hindenburg to call Hitler to power as Chancellor. Both the Communist and the National Socialist Parties were pledged to a revision of the Treaty of Versailles, and for fear of communism the other parties combined with the Nazi in opposition to the Communists.

In 1931, when Hindenburg was president, there was a coalition government under Bruening and Dr. Breitscheidt, the social democrats and the center party. Law after law was passed by the Reichstag giving the president more and more power from time to time and authorizing him to issue decrees having the force of law. Of course, the Reichstag passed such legislation giving more and more power to Hindenburg because they knew he was a good man; they knew he would not abuse that power. So delegating more power to the president to meet various crises that might arise, the foundations were laid for Hitler when he came into power to grab the power that had been given to Hindenburg. Because Hindenburg was such a good man, and people trusted him and knew he would not abuse power, they gave him power, but the trouble is that human beings die, even presidents and diplomats, and sometimes they make mistakes. The Reichstag of Germany, in my opinion, made their first mistake when they started to delegate more and more power to President Hindenburg. That was in 1930 and 1931. So we have war in Europe now. Is there a lessen for us here?

Of course, it is easy to look back; but I want to call the attention of the Senate to the fact that from the very beginning there were men, not only in the United States but in France and England, who denounced the Treaty of Versailles and predicted the dire consequences that would follow the enforcement of the treaty. Very distinguished men in England, even some in France, and some in the United States, took that position, but they were not listened to. If these things could have been foreseen by those who would not see and would not listen, the revision of the Treaty of Versailles could easily have been made; and had the allied powers shown an earlier willingness to revise the Treaty of Versailles peacefully, most of Europe's present difficulties might have been avoided. Two years ago such willingness on the part of the Allies was quite apparent when they accepted reoccupation of the Saar Valley and the Rhine frontier. All these changes have been made since Hitler came to power. Had anything like the same willingness to compromise been shown the puny German Republic when it was struggling for its life, it would have gained the prestige so necessary for it to remain in power. With that prestige the crisis which brought the Nazi Party into power would not have occurred.

Diplomats and statesmen must learn that a people cannot be forever coerced, as history many times has proved. Statesmen seem to have never understood that change and growth are a law of life that they cannot repeal.

I deem it necessary to warn my countrymen against lending a willing ear and mind to propaganda that is now being carried on. The Treaty of Versailles had to be broken if it was to be revised. That much is clear; that much was demonstrated by the very governments which now have so much to say on the subject.

After all is said and done, two decades should suffice to show whether or not a treaty is fair or, in the long run, feasible. Moreover, let us not overlook the fact that it was not Germany which first violated the parent covenant of which the Treaty of Versailles is merely the bastard offspring. The conduct of a number of other governments, and of the League of Nations itself, showed the way. Strong members of the League began to make war upon weak members of the League. Of course, we heard protests from the League; but these were incoherent babblings that may have delighted the addicts of the League and their myopic friends, but had no other effect. The League was already a very sick man when the Saar Basin was taken by Germany. It has been under an oxygen tent ever since, unless, indeed, it died at Munich without ado and was surreptitiously buried without the usual certificate—which is also possible in this age of shams.

I have given considerable attention to the League of Nations, because its covenant or charter must be regarded perhaps as the major treaty of alliance of all time. For a while, virtually all governments belonged to it, some of them in defiance of their own laws, as our own, which developed the habit of having "unofficial" observers attend the powwows of the Council and Assembly of the League, not to mention some regular attachés permanently connected with the League in defiance of the views of Congress, which were well known.

Of course, nothing is gained by thinking that in this world any nation can live alone. The more contact we have with the world, the better it is. But that contact should not take the form of alliances, or even understandings between gentlemen who consider themselves above the nation's will expressed in law. What we have had in the happy days of our past, and what we again shall have in the happier days of our future, is the fluid foreign policy of being with all nations on as friendly a footing as circumstances permit. Departing from that rule as early as 1914 has already cost us scores of billions; it will cost us still others when the real pensioning begins; and it will completely hypothecate our future if the mistake is repeated, as is now suggested by so many.

To be sure, no well-defined move for ensnaring us with alliances is in the offing at this moment; but that was true also prior to Easter of 1917. For ways that are dark, and

so forth, some statesmen are very peculiar. Let us bear that fact in mind. Just as we failed to "make the world safe for democracy" by ending the rule of the Hohenzollerns and Hapsburgs, so would we fail in making the world safe for democracy by ending the sway of the dictators. Also, we should give some attention to the several brands of democracy we are being asked to save. Some of them are good; others are not so good. Our own could stand some renovating, I think, considering that we have on our hands some 10,000,000 persons who find it impossible to earn their own living or who cannot be made to do so, and 20,000,000 on relief.

But I began with peace treaties. I will end with them. What are treaties of peace? If they are anything, they are contracts between parties. The signatories are designated as "high contracting parties." How sacred and binding can they be, viewed from the standpoint of law, equity, or morals?

It is a well-established principle in law that a contract signed by either party under coercion and duress is ipso facto null and void. Only force can keep it binding on the party coerced. It cannot be held sacrosanct in equity or morals, nor in the so-called decent respect of the opinions of mankind.

Why prate of the sanctity of such treaties? Because such contracts or treaties are held legal in international law? Such treaties are international law. That being so, why talk about the sanctity of international law? The question answers itself. Treaties of that sort are dangerous. The subject is one on which hair splitting is not in order. To be sure, we had no treaty of alliance in 1917, so far as the record shows; but many of us were so full of maudlin sentimentalism for the Allies that no formal treaty was necessary. I, for one, doubt even today that the Hohenzollern rulers were ever half so dangerous as their present successors or those who will take their places in central Europe if we again assist in choking the international pig with butter. I am thoroughly in favor of letting those who, by their hatred and avarice, lust of power, and what not, produced the present chaos in Europe, find a solution of their own for the problems that now worry them. In holding that view, I am inclined to think that of all alliances the worst is the one that has not been reduced to terms of writing, because it gives to the more astute of the high contracting parties a power which the finest text in diplomatic French cannot engender.

I have already heard a great thundering from the pulpit, platform, and press anent this so-called new epidemic of making scraps of paper of treaties. There are by now large numbers of sane men and women who believe that the Covenants of the League of Nations and its World Court, and the several treaties that ended the World War, were thoroughly bad. In fact it is generally recognized today. Those who opposed our joining the unholy alliance that terminated the World War on the calendar, but not in fact, have something to be proud of. Those who finally threw off the yoke which the Covenant of the League of Nations and associated "peace" treaties placed upon them, have at least the excuse of having seen no signs anywhere that a revision of those treaties was contemplated by those who flattered themselves with the notion that they were still masters of the show. It is most regrettable that blasting the nefarious treaties that followed the war had to be marred by ugly excesses in persecution; but that need not deter us from rejoicing that nothing came of the peace intrigues that were to keep Europe and much of the rest of the world in bondage of policies born of hate and selfishness.

In closing, I should like to say a word for those who still hold that our getting into the League of Nations would have caused that combination to be a success. One still finds people here and there who "hang crepe" because we did not join the League and its World Court. I suppose one can also find persons who still doubt that the earth is a globe instead of a disk borne on the back of four elephants.

It would be vain to speculate as to what the possibilities would have been had we joined the League, and thus underwritten every treaty of peace and alliance concocted under its auspices. I shall not waste your time with that. As a major power the United States itself might not have fared so badly. However, we may well doubt that we could have prevented the many violations of the League Covenant of which members of the League have become guilty in the past 10 years. We should have been obliged either to tolerate or to condemn the international banditry that has been going on. Standing supinely by would have cost us a great deal of self-respect, while doing something about it probably would have precipitated us into another expensive war for the benefit of those whose positon in the League enabled them to produce almost any situation that fitted into their schemes of furthering their own public interest.

We are holding the bag for nearly $12,000,000,000 now. That bag probably would be much greater had the urge of well-intentioned but poorly informed idealists again caused us to think more of meaningless treaties than of the exigencies of human life. If international relations can be compared to a barrel made of staves, I am more for gluing the thing than for encircling it with strong steel hoops. The greater the pressure in any container, the worse the explosion when the limit is reached.

To those who look but cannot see—to those who see in Communist and Fascist absolutism nothing more than the perversity of mankind and its masters—it probably is not yet clear that without the World War and its most regrettable results dictatorship of the odious types which now offend them would not have come into being.

We might just as well see this thing as it is. Also, we need not take too seriously this tom-tom thumping concerning the world's remaining democracies. We have recently heard a great deal of democracy in the Western Continent. I suppose we shall hear more of it. In my opinion, democracy anywhere is only relative. These efforts at making the Western Continent seem the very cradle of democracy in these days rather amuse me. Of the so-called democracies, an amazing number in this hemisphere are governed either by a revolutionary family or a political junta. Nor would I maintain without some reserve that the United States, the British Empire, and France and her vast colonial realm are just too democratic for words. I doubt very much that such is the case. Their so-called treaty rights covering concessions in China cannot stand investigation of their origin, purpose, or moral foundation. I am sure you cannot fool the man in the street with that theory so long as he stays away from the influence of both liquor and propaganda.

A contract was signed by our Allied democracies to pay their war debts. This contract was signed, not under duress but on their own terms and of their own free will. If international agreements have any right to be called sacred, as some persons insist, this contract for payment of debts, signed by democratic governments, should be doubly sacred. However, they were dishonored by default. I suppose this was done on the assumption that democracies can do no wrong.

I have touched upon a good many things, because the time may soon be here again when other scraps of paper will fill the air and blind the spectators. We have already been called upon to go to war because one Hitler tore up the "peace" Treaty of Versailles; and this call has come on the ground that all treaties are nothing short of sacred. If that be the case, let us by all means begin this latest crusade of ours by making the rulers of Egypt and Kheta live up to the solemn agreement they made some 4,200 years ago and kept for 40 years. Let us be thorough in this thing by beginning at the beginning.

On the other hand, should this course of action prove impossible to our modern but anciently orthodox diplomats, is it not possible and practicable for them to pursue a diplomatic course to the end that revision or readjustment can be made by peaceful negotiation, as was promised even by those who wrote the Versailles Treaty, and other treaties based on it? An effort has been made in this direction by European statesmen until recently. This seems to have enraged some of our peace advocates, who seem to favor war in order to prevent war. Exchange of billingsgate, of the kind which in this country, as well as others at times, has been on an export

basis, is not conducive to peaceful relations and the sympathetic understanding so necessary to the will to peace.

Peaceful readjustment may cost something. It is certainly worth whatever it costs if the alternative is world war, and the price the sacrifice of our civilization.

Mr. President, in conclusion, and for the purpose of the record, because so much has been said about returning to international law. I desire to quote from Judge Loder, an expert on international law, as I think all will agree. Judge Loder was a Hollander like Grotius. He wrote the constitution for the League of Nations court. He was its first president. He served as president of that court for 3 years, then resigned. I asked him why he resigned. He said he resigned because he had tried to make that court a judicial tribunal, but had failed; that he could not make it a judicial tribunal. He said it was a political tribunal. At the time he told me this he pointed out that the court had taken jurisdiction of the question of the German-Austrian Anschluss in 1931. He said that was a political question, and that a judicial tribunal should not have entered upon and taken jurisdiction of a political controversy.

I asked Judge Loder some questions about international law. He said: "International law changes from time to time. It is a policy. It is not a fixed statute, and it is changed from time to time by those who have the power to change it, whenever it is necessary to do so."

In view of so much being said about international law and the sanctity of treaties in this debate, and on account of so much talk about justice and morality between nations, I desire to quote what Judge Loder gave me as his opinion of justice between nations, and international law. I asked him whether he thought international questions could be solved judicially. He said, "It will never come in your time or mine." I said, "Why"? He said, "Because there cannot be justice and sovereignty inhabiting the same sphere." When we have sovereignty dispensing justice, according to Judge Lauder—and he is right—we cannot expect to have exact justice in international law, any more than we can have it in any other kind of law.

There is one thing statesmen forget, and it is one thing we ought to remember. Life is just a law that is constantly changing, and as poor victims of the changing forces of the universe, we are thrown around from pillar to post because we are nothing but human beings, and, God help us, we must so remain until further notice. But for the life of me I cannot see how we can do the United States or the world any good by mixing in the controversy now going on in Europe. With 20,000,000 people on relief, and something like eight or ten million out of work, it seems to me that the best thing we can do for democracy is to try to make it work here, to show as an example to the world that it can be made to work, and so show people who are living under tyranny, under dictatorships, that there is a better mode of life. It seems to me that in order to do this we must act very soon, because if we do not, I believe we cannot be of much aid to democracy or the peace of the world, and I do not think we can do it by entering another World War. It is my opinion that if we do, and the war goes to a finish, there will be no democracy left, there will be more suffering than now, there will be many times the number of debts, more persecution of minorities, and less civil and religious liberty. I do not believe we can save democracy by a war of extermination even though it is labeled a war to prevent a war of extermination.

Mr. GILLETTE obtained the floor.

Mr. BROWN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUNDEEN in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bilbo	Byrnes	Connally
Andrews	Borah	Capper	Danaher
Austin	Bridges	Caraway	Davis
Bailey	Brown	Chandler	Donahey
Bankhead	Bulow	Chavez	Downey
Barbour	Burke	Clark, Idaho	Ellender
Barkley	Byrd	Clark, Mo.	Frazier
George	Johnson, Calif.	Neely	Slattery
Gibson	Johnson, Colo.	Norris	Stewart
Gillette	King	Nye	Taft
Green	La Follette	O'Mahoney	Thomas, Okla.
Guffey	Lee	Overton	Thomas, Utah
Gurney	Lodge	Pepper	Townsend
Hale	Lucas	Pittman	Truman
Harrison	Lundeen	Radcliffe	Tydings
Hatch	McCarran	Reed	Vandenberg
Hayden	McKellar	Reynolds	Van Nuys
Herring	McNary	Russell	Wagner
Hill	Maloney	Schwartz	Wheeler
Holman	Miller	Schwellenbach	Wiley
Holt	Minton	Sheppard	
Hughes	Murray	Shipstead	

The PRESIDING OFFICER (Mr. BROWN in the chair). Eighty-six Senators have answered to their names. A quorum is present.

Mr. GILLETTE. Mr. President, I will say to those Senators who have just come into the Chamber and are waiting for an opportunity to speak, and to those who have business elsewhere and of more importance, that I expect to speak for about 30 minutes, and possibly 40, and no longer.

Mr. President, during my limited experience in the Congress, both upon the other side of the Capitol and upon this side, I have made it a practice not to interject myself or my opinions into the debate on the floor unless I felt that I had something of real importance to contribute, being rather content to do what work I could in the committees and follow the leadership of the outstanding men on the floor in casting the suffrage that has been entrusted to me. Nor would I depart from that practice today with any thought in mind of making a contribution which might influence my colleagues in determining their action with reference to the pending question, but I feel impelled to speak for two reasons: First, because of a pledge to which I shall refer a little later, but principally because I have been greatly disturbed, as I am sure millions of other Americans have, over the development in the past few weeks of what might be designated a war psychology, a war hysteria, which may or may not reach a momentum that will have serious consequences in this country.

A few weeks ago, following the wise pronouncement of the President, people were saying, "We are not going to get into this war." Now they are saying, "I hope we can keep out of this war. I hope we will not be forced into the war."

Mr. President, this country of ours is conceded everywhere to be a peace-loving nation, and, except for one instance, of which we are not proud, every war in which we have engaged from the beginning of our history has been a war for what we conceived to be ideals, with altruistic purposes. But, notwithstanding that attitude on the part of the united people, notwithstanding the antagonism we have to war, the fact remains that since the beginning of our history there has not passed over our heads one generation—counting a generation as 20 to 25 years—in which we have not been engaged in war. Why is it necessary for a people which abhors war as we do to be drawn into it for one reason or for another? What is the explanation?

I may be pardoned if I refer briefly to my own personal experience. Over 40 years ago, as a young man under 20, after the sinking of the *Maine* in Habana harbor and the killing of 265 or 266 American sailors, I took part in the tirade of abuse of President McKinley, then occupying the White House, because he tried to hold the American people in leash and to prevent the outbreak of war. That abuse attained such proportions by the following April that, notwithstanding it tore the heart out of William McKinley, he was forced into war because of the emotions, the prejudices, and the attitude and the psychology of the American people.

Twenty years later, approximately, I again found my war spirit boiling, and I joined in my poor way in the cacophony of abuse of President Woodrow Wilson because he was "dilatory" in taking the leadership and bringing us into the World War. I said, as no doubt scores of other citizens were heard to say: "Wilson will write another note, as he did to Mexico. He says he is too proud to fight. If we had Theodore Roosevelt in the White House, we would have been in Belgium 2 years ago." I contributed my part to that sentiment and

helped force the hand of President Wilson. The American people demanded war because they wanted war.

Now it is 20 years later. I have reached a point and age where my war blood is not boiling, although today, if it were necessary, I would go into war; I would pledge the services of my boy if it were necessary. But I can see and I can hear and I can feel the psychology that is developing throughout the country. It is contributed to, probably unintentionally—I hope there is no one with soul so dead as to do it intentionally—but whether intentionally or not, there is developing that attitude and feeling on the part of the American people, and we should do something here to change it, to stop it.

Personally, I think the greatest contribution we could make to the country at the present time would be to act on the pending measure in some way as soon as possible. Therefore, I thought I might say something concerning the foundation on which we have reared the structure of so-called neutrality legislation which might be helpful in reassuring the country insofar as I could do so in my very limited way.

Mr. President, in 1917 and 1918 several million American boys were sent abroad to European battlefields. Other millions at home contributed in their way to that war which we were waging together with our Allies in Europe. I do not care what assertions are carelessly made by those who say we were "sold" into the war or that we were dragged into the war; I know that was not the attitude of the men who were participating in the war. They thought they were fighting a "war to end war." We were told that there was a possibility of the Central Powers winning, and that unless we went over there and helped win the war we might have to fight them over here, and that we were going "to make the world safe for democracy."

Let me speak for these boys. It was my duty over in France to read the mail of hundreds and hundreds of these American boys. I know what they wrote home to mother and to wife and to sweetheart and sister. I know that some of it was interspersed with profanity. I know that some of them could not spell. I know that much of it was ungrammatical. But I know that the burden of the letters written home was, "We are making a tremendous sacrifice in order that this dreadful experience may never again have to be undergone by American boys and American girls. I am willing to go through this and make the supreme sacrifice if necessary."

And in reading that mail, Mr. President, I made a pledge on my knees that as long as I drew the breath of life I would never let any opportunity pass for keeping faith with those young men.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. MINTON. I was over there with the Senator from Iowa, and I had much the same experience. I had the same feeling and emotion the Senator from Iowa experienced. And I have the feeling now that the reason why we did not make the world safe for democracy is because we ran out on our pledge to the men who went over in 1917 and 1918. If we had not turned our backs upon the League of Nations, but had set up some machinery to maintain the peace of the world, we would not be in the mess we are in today.

Mr. GILLETTE. Mr. President, I thank the Senator from Indiana. And I may say that I am in accord with his view and will refer to it very shortly.

The millions who came back to America and the millions who were here had in their hearts and on their lips two words over and over again repeated, "Never again. Never again. Never again." And that is the burden of what is in the hearts of the American people today. But notwithstanding that unanimity of opinion and hope and aspiration, there was difference of opinion as to how the desire could be attained.

In the first place, we have sought to maintain what we called the freedom of the seas under international law; and we fought four wars—the undeclared war with France, the war with the Barbary pirates, the War of 1812, and the war of 1917—to maintain the so-called freedom of the seas. What we call international law, the volume of precedents which are flouted and thrown aside when the national interests of any contestant suggest it, was not effective in keeping us out of war. It was evident to the American people that we would have to do something else.

If I may use a homely illustration, suppose I live out in Chevy Chase, with a little boy 10 years old. If on his way to school two of my neighbors were shooting at each other across the street, what good would it do for me to say, "I am an American citizen. My little boy is entitled to go to school. I am a taxpayer. I support that school. Go out there, son, and go right up that street." It would be ridiculous to maintain such an attitude.

The American people knew that they would have to maintain some sort of policy other than reliance on international law, and two schools of thought immediately developed. One of them maintained that neutrality could be secured by international cooperation, coordination, and action. I belonged to that school then; I belong to it now; and I believe ultimately that school will come into the ascendency in the thought of the Nation.

The other school of thought says, "That is the very antithesis of neutrality. It makes us automatically a party to every dispute in Europe or Asia, whether we want to be or not. We cannot participate unless we are willing to go the whole length. Consequently, you cannot develop any thought that is more unneutral in its effect and purpose than international cooperation."

That school of thought had the support of a large majority of the American people; and in 1920 the American people went to the polls and cast a ballot between the two schools of thought. The one which I supported was overwhelmingly defeated. That expression of the people then became a mandate from the people on the Congress of the United States to translate into law a national system of neutrality which would be effective against our involvement in future wars.

One of the saddest commentaries on the Government of the United States—on you, my Democratic colleagues, and you, my Republican friends—is that for 15 years after you received that mandate not only was a system of national neutrality not evolved, but, so far as I know, no measure to carry out that view, that plan, and that philosophy was even introduced in the Congress of the United States.

In August 1935, when I happened to be a member of the Foreign Affairs Committee of the House, the first comprehensive plan of national neutrality legislation was proposed.

Mr. President, I may say today some things that hurt, but they are from my heart. It is said that there were peculiar coincidences. Perhaps the thing to which I shall now refer is a coincidence, but if it was a coincidence it was the first of a long series of the most remarkable coincidences that history records of action proposed in the United States parallel with action taken by certain foreign countries.

At that time Italy and Ethiopia were engaged in war—an undeclared war so far as Italy was concerned. England feared for her life-line through the Mediterranean. England, through the League of Nations as it was then constituted, proposed the imposition of sanctions on Italy because of her conflict in Ethiopia; and Italy did not care a snap of her finger. The things that were vital to her were oil, gasoline, and motor fuel; and she could turn, and did turn, to the United States.

Then the proposal was made—and I know what I am talking about, Mr. President—that in our neutrality law, which then had a hearing, we limit the amount of gasoline that might be purchased in this country by a belligerent to the percentage of motor fuel which that belligerent purchased in peace time, which in Italy's case was 6 percent.

We were notified that if we passed that type of legislation Italy would consider it tantamount to a declaration of war. Let me quote from the esteemed chairman of our Foreign Relations Committee [Mr. PITTMAN] on April 19, 1937, on this very matter:

> For instance, during the Italo-Ethiopian war Mussolini declared that the placing of an embargo by the League of Nations upon the export of oil to Italy would be deemed not only an unneutral but an unfriendly act, attended with grave consequences. In fact, he

clearly indicated that he would consider such an embargo a casus belli. At the time this matter was under consideration by the League of Nations, when the President indicated that he was considering bringing about an embargo upon the export of oil to both of the belligerents, Mussolini communicated to our Government that he would consider such an act both unneutral and unfriendly. This whole incident was packed with the most sensitive explosives of imminent war.

And we backed up and rewrote the Neutrality Act.

At that time there was a marked difference of opinion among Members of Congress as to whether we should have a mandatory embargo or whether we should have a discretionary embargo. Those who were in Congress at that time will recall the difference of opinion. The American people were convinced that if we were to have a national system of neutrality it would have to take into consideration four factors which, rightly or wrongly, were considered as having influenced our drifting into the last war.

The first was the travel of American citizens on belligerent ships, such as the *Lusitania*.

The second was the sale of munitions.

The third was the extension of credit of belligerent nations.

The fourth element was the chances American citizens took in trying to run blockades established under international law by other nations.

The neutrality law which we finally put on the books appeared to take into consideration those elements which we thought had militated against us in forcing us or urging us or influencing us into the war.

The result was the Neutrality Act of August 1935, which we put on the statute books, and which was a compromise between the mandatory-embargo people and the discretionary-embargo people. Some of us League of Nations men, the international-cooperation men, said then, as we say now, "It will never work because it cannot be effective equally. We are willing to go along and help you write a neutrality act that will attain the goal which you hope it will attain. We will do everything possible to write into the law that sort of provision and that sort of element. We will go along with you"; and we did. But within 2 years we amended the act twice in very vital particulars, and we are now proposing to amend it again. I venture to prophesy—nobody cares what my prophecies may be, but I venture to prophesy—that it will be back in Congress. No legislation for national neutrality can be so written that it will apply equally under all circumstances to all conceivable belligerents. It cannot be done.

Then we wrote into the law what is euphemistically called the cash-and-carry provision. Some of us then maintained, as has been maintained so forcefully on this floor, that there is no logic in embargoing the shipment of arms, ammunition, and implements of war to a belligerent and selling the same belligerent the scrap iron, steel, and cotton which are necessary in their manufacture.

In my opinion, that argument is absolutely irrefutable. It cannot be controverted.

When that provision was written into law, where was the eloquence of the chairman of the Foreign Relations Committee [Mr. PITTMAN]? Where were the scintillating pyrotechnics of the junior Senator from Texas [Mr. CONNALLY]? Where was the disarming candor of the junior Senator from Nebraska [Mr. BURKE]? Where was the calm persuasiveness of the junior Senator from Utah [Mr. THOMAS]? Where was the cool, incisive, and almost convincing logic of the Senator from Washington [Mr. SCHWELLENBACH]?

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. SCHWELLENBACH. If the Senator will take the time to read my remarks in 1937, I think he will understand where I was. I very frankly stated that I was voting for the joint resolution because it was the overwhelming opinion of the Congress that it would be of some help in keeping us out of war, but that I did not believe it would, and that I believed that in 2 years we would be back amending it.

Mr. GILLETTE. I am very, very glad to learn that I was mistaken in the instance of the Senator from Washington and to know that he took that position.

But where was the flaming steel of the musketeer from the Wabash, the Hoosier d'Artagnan, at that time? With the exception of the Senator from Washington, every one of the men whom I have mentioned was joining in approval of the so-called cash-and-carry provision, which would prohibit, after the President had so proclaimed, the shipment of these other materials that might be utilized in war except after divesting ourselves of title.

In that connection I should like to quote again from the Senator from Nevada, chairman of the Foreign Relations Committee, who said in the same speech to which I have referred:

No one has seriously opposed the imposition of an embargo upon the export of arms, ammunition, and implements of war to belligerents.

Mr. President, I have been considerably exercised over the "boxing of the compass" done by a good many editorial writers and columnists in expressing opinions on this matter, and I am going to take the liberty of quoting from a well-known columnist—I will even go so far as to mention her name—Miss Dorothy Thompson. I may say, not with reference to Miss Thompson alone but to others, that they may be described by the couplet of Hall Caine:

He sits in a sea-green grotto, with a bucket of lurid paint,
And he paints things as they isn't, for the god of things as they ain't.

Miss Dorothy Thompson said:

Under its terms wartime commerce is rigged in favor of the great monopolies, international industries, and international banking houses, as against the smaller manufacturer who keeps his capital and employs his labor at home. The bill also will extend to the President very great power of deciding anywhere in the world what constitutes a state of war. * * * The bill, furthermore, definitely favors, in wartime—

Now, listen—

definitely favors, in wartime, that country or those countries which can control the sea, extending to it or to them special privileges which other belligerents cannot enjoy. It also extends special privileges to those nations, or their nationals, who hold credits in this country, or operate industries or exploit natural resources here The bill is called a neutrality law.

It is not a neutrality law.

Now, what does this bill actually mean in practice? First of all, it means that we are flagrantly reversing the attitude expressed in the Kellogg Pact, which denounces aggression. We, the greatest, strongest single nation on earth, announce by inference that there is no such thing as "right" or "wrong" among nations and no such thing as international morality. In advance of all possible hostilities we perform the greatest Pontius Pilate act in history.

We are proposing to reenact that law, and Miss Thompson, I believe, is ardently supporting it. I have no objection to her supporting it or to her or anyone else changing opinion on the matter, but I wish to digress here to call attention to some statements in the debate on this floor in which the illogic of the position of checking the sale of materials has been referred to, particularly as being inimical to the weaker nations and helping the aggressors.

There is nothing we can put on the statute books that is more unfair to a victim of aggressors than the so-called cash and carry which is now proposed. If it had been in effect at the time of the Italian-Ethiopian war, Ethiopia could not have gotten anything, whereas Italy could have obtained anything she wanted.

If it had been in effect when Germany first invaded Poland, Germany could have gotten anything she wanted, and Poland could not have obtained a thing. If it had been in effect at the time Czechoslovakian rights were infringed, Germany could have gotten anything she wanted and Czechoslovakia could have gotten nothing. If it should be enacted into law now, Latvia, Estonia, and Rumania and none of the other weaker states could get a thing.

Further than that, if it becomes a law after the proclamation of the President, it will be put into effect against China by a declaration of war by Japan. If that should happen, China could not get one solitary thing because she has no

factories in which to manufacture and fabricate war materials. It would shut her off from the one source she now has.

Incidentally, I may call attention to the fact that there is now on the high seas traveling from a port on the Pacific coast an American ship carrying Dodge trucks and Curtiss airplanes to the Chinese. One such ship has already docked, and the one to which I refer is on its way. If the pending joint resolution had been the law and a state of war had been proclaimed, that shipment could not have been made.

Nothing greater by way of premium could be paid to an aggressor than the enactment of this measure.

The candor of some of our colleagues is refreshing. I have seen a kaleidoscopic phantasmagoria of suggestions as to attitudes toward the present war in Europe. Several proclaim that nothing is further from our intention than to pass an act in the interest of Great Britain and France. Others, such as my friend at my right from Nebraska [Mr. BURKE] and my estimable friend from Vermont [Mr. AUSTIN], who coached me for the first few months I was in this House, very frankly say they favor the pending measure because it will be of assistance to Great Britain and France. No such purpose should animate anyone—and I say that in all fairness to the Senators to whom I have referred. I know how sincere and earnest they are. The fact remains, however, that some are trying to write a law for the one definite purpose of assisting some nation or nations other than the United States. As the Senator from Nebraska suggested, in response to my question to him, he hoped that that would not be the case, but he was thinking of present circumstances and the effect on the people of Europe. What of the effect on millions of noncombatant men, women, and children in China in the horrible war that is continuing there? Whether we intend it so or not, the pending measure will be applied there.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. MINTON. I do not wish to interrupt the Senator, if it is not agreeable, but I have been greatly impressed and greatly moved by him, and I merely want to bring his attention to the Ethiopian war, and to remind him that Haile Selassie was not crying out against the cash-and-carry plan. The thing he was crying out against was the embargo. He said "you placed these embargoes on, and they operate in favor of the man who is coming down here with a stiletto at my throat, and I cannot get a gun with which to defend myself." He was crying out not against cash and carry but against the embargo.

Mr. GILLETTE. I was not familiar with that, and I am glad the Senator has suggested it. I know, however, in the State Department and in the Foreign Relations Committee of the House that the message was presented to us that Italy would consider it tantamount to a declaration of war, and we receded on that account.

Mr. President, I said that I would take 40 minutes. I have taken longer possibly than that, although I have not followed the clock as, perhaps, I should have done.

One Senator asked me before I rose to my feet if I was going to speak for or against the bill, and I told him "yes." [Laughter.] Some of the genial young men in the press gallery have been very insistent, as have radio commentators, in calling me and asking me whether I was for or against the repeal of the embargo. Answer "yes" or "no." These gentlemen are always energetic and always enterprising and sometimes even thoughtful in the matter, although not often. Those questions cannot be answered by me now. If I am asked if I will support the measure as an aid to England, France, and the democracies against Hitler, I will say, "I will not." If I am asked if I will vote for it to get us partly into war and to keep us from fighting a future war, I say "I will not." If I am asked, "Will you vote for it to stop Hitlerism?" my reply is "I will not."

Mr. BURKE. Mr. President, will the Senator yield?

Mr. GILLETTE. Certainly.

Mr. BURKE. If the joint resolution clearly would help China resist the aggressions of Japan, then would the Senator support it?

Mr. GILLETTE. I would not.

Mr. BURKE. That is very definite, I think.

Mr. GILLETTE. But if I am asked, "will you support the joint resolution because you believe it will give the United States of America greater security against future involvement than the present law," I will say, "I will." That is where I stand; that is the only question in my mind; and the final form of the joint resolution will determine it. I believe, that it has elements of greater security.

Perhaps I am in the position of the Shakespearean character who said:

> A plague o' both your houses.

Nevertheless, I cannot follow the logic of my colleagues here who say, "We must repeal the present embargo and then put on these other restrictive measures"; nor can I, in all candor and seriousness, follow the logic of my friends over there who say, "It is absolutely necessary to retain the embargo before we do anything else." I cannot follow them.

Let me use another homely illustration. In my State we used to have prairie; and in an early day the settler had to protect his plowed ground and his crops from the grazing animals. Later, we passed a law which said, "You men with cattle will have to put up a lawful fence. A three-wire fence is a lawful fence. You will have to put up a fence of that kind and restrain your cattle." But later, as we developed out there, it was found that the hogs got out, and did more damage than the cattle did. Then we proposed an amendment to the law to make it "hog-tight," and requiring a hog-tight fence to be erected as well as a three-wire fence. What sense would there be, Mr. President, in taking a position in which we cannot make the law hog-tight by putting a 24-inch wire here and leaving the three wires there? Or what sense would there be, let me ask my dear friends on the other side, in saying, "We must retain the other act, regardless of what is put on it"?

I cannot go along with either. I am interested in knowing whether the measure that we enact into law at the conclusion of this debate and the action of the House will go further toward keeping faith with my comrades to whom I have pledged my poor efforts than that which is on the statute books at the present time.

Now I desire to direct attention to two amendments in connection with the joint resolution. If they are enacted into law, if they are embodied in the joint resolution and it is not changed in any other serious respect, I will support it.

The first has reference to the cash-and-carry provision. An eloquent and able columnist, who has a large following, said that the pending measure will prohibit the sale of a toothbrush by an American citizen to a citizen of a belligerent except for cash on the barrel head. He said it in an article in which he purported to explain the joint resolution. He said it was high time that the confusion in the minds of the public should be dissipated, and in the article he made the statement that not even a toothbrush could be sold to a citizen of a belligerent except for cash. There is no provision of that nature in the joint resolution. The joint resolution simply says, practically reenacting the language of the old cash-and-carry provision which expired May 1, that no articles shall be transported from this country until we have divested ourselves of the title to a foreign nation, a foreign corporation, a foreign company, or a foreign individual. There is no suggestion of cash, no limitation on credit from 5 to 50 years or any amount of credit the purchaser can secure; but in the section relating to financial transactions there is a prohibition of the extension of credit beyond the 90-day period to a government, a subdivision of a government, or an agent of a government. In the joint resolution, from one end to the other, there is not a single thing that will prevent the Vickers Co. from sending over here and buying a million rifles in their individual capacity and getting all the credit they want. We may say to them, "You are going to

resell them to the British Empire?" "Why, yes; that is our intention, but for profit. We are not acting as agents of the Government. We are acting for profit."

The first amendment I propose is to close up that loophole, through which, as I see it, a furniture truck could be driven, so as to limit the extension of credit to persons other than agents of foreign governments; to prohibit private concerns from coming over here and buying on unlimited credit, for resale, arms, ammunition, and implements of war from which we have raised the embargo, if that shall be the outcome. If my amendment is adopted they can still buy materials that have peace uses under the provisions of the joint resolution, but the transaction will be limited to a cash transaction. A government, or the agent of a government, may still have 90-day credit.

The second proposal I have offered by way of amendment, which I think will materially improve the joint resolution and close another door, relates to the prohibition contained in the last neutrality law, and which is practically reenacted in almost the same language in this one, in the section referring to financial transactions, prohibiting the flotation and sale in this country of the securities of a foreign government, based on one of the four points to which I referred a while ago which we thought involved us in the last war, namely that by dealing in the securities of one of the belligerents we have a financial stake in its solvency which might induce us to take sides. I do not think it is so, but that is the plan behind the legislation.

At present there is a prohibition which makes it unlawful to sell or float in this country the securities of a foreign nation or subdivision thereof issued after the date of the President's proclamation. Of course, the obvious purpose of that limitation is to avoid confiscation. If one has a vested interest in a security, he ought not to be placed in a position in which it is unlawful to dispose of it. But there is nothing in that provision which prohibits the Government of England, the Government of Germany, the Government of France, or the government of any other belligerent from issuing a new series of bonds after the date of the proclamation, and calling in from their own nationals or from Argentina or some other country bonds of a former issue, with the bait of an increased interest rate, or something of that kind, and using them as a basis for transactions in this country.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. GILLETTE. Surely.

Mr. PITTMAN. The Senator knows about the Johnson Act, does he not?

Mr. GILLETTTE. Surely.

Mr. PITTMAN. No bonds or other securities of Great Britain, France, or Italy have been floated in this country since the passage of the Johnson Act, have they?

Mr. GILLETTE. I think that is true.

Mr. PITTMAN. What securities has the Senator in mind that might be renewed?

Mr. GILLETTE. I will say to the Senator from Nevada that I am not in a position to list any securities. I am simply saying that if there were outstanding in the Argentine, in Brazil, or among the British commonwealths, securities of belligerents which had been issued prior to the date of the Presidential proclamation, there is nothing to prevent the issuance or flotation of a new group of securities to purchase the older ones and using the older ones as the basis of transactions here in the very way that belligerent nations are definitely and directly prohibited under the joint resolution from using a new issue here. Whether or not that would be done, I do not know; but I want to close every door. The amendment I have offered would prohibit that unless an American citizen had secured and held a vested interest in the security prior to that date.

Mr. PITTMAN. Mr. President, this measure deals only with belligerents, does it not? Does the Senator want to deal with neutrals?

Mr. GILLETTE. Oh, no.

Mr. PITTMAN. As a matter of fact, the Johnson Act absolutely stopped the flotation in this country of any more bonds and other securities——

Mr. GILLETTE. In the case of the nations indebted to us; yes.

Mr. PITTMAN. By all of the countries now involved as belligerents.

Mr. GILLETTE. It does not blanket in every nation that might be involved.

Mr. PITTMAN. Would the Senator object to the British Government paying the debt it now owes us?

Mr. GILLETTE. On the contrary, I should very highly approve of it.

Mr. PITTMAN. Would not the Senator want the matter left open, so that they could adjust the debt if they wanted to do so?

Mr. GILLETTE. I will say to the Senator that that is a noble motive and a consummation devoutly to be wished, but I am afraid it is altogether too fanciful for my conception.

Mr. PITTMAN. Then the Senator would want to say that there could be no adjustment by any belligerent of debts which accrued prior to the Presidential proclamation?

Mr. GILLETTE. I certainly would have no intention of doing anything of the kind.

Mr. PITTMAN. What does the Senator mean to say?

Mr. GILLETTE. Neither do I believe that the proposal I have offered by way of amendment would do that; and, of course, I expect to present it more fully when it is called up on the floor.

I started to refer to this subject just before the Senator from Nevada came into the Chamber, and said there were two amendments that I expected to call up for debate and consideration by the Senate. I will say to the distinguished chairman of my committee that if there is any vital objection to either one I shall be glad to know it and to recede from my position.

Mr. PITTMAN. The clause to which I think the Senator has reference, which was adopted at the time of the Johnson Act, if I recollect aright—it certainly was included in the 1937 act—provided that the prohibition against extending further credits or floating obligations should not apply to the adjustment of prior debts.

Of course we had in mind the fact that there were debts incurred prior to that time—in fact, the ancient war debts—which some of us would like to adjust. We should be glad even if the debtors would admit their liability by the issuance of new instruments. We did not want to foreclose the possibility of collecting several billion dollars in our effort to make the debtors pay cash from now on. I think we are making them pay cash from now on, so far as the Government is concerned, particularly by virtue of the amendment which I offered earlier in the day, striking out any discretionary power whatever. We are doing that, I think; and I do not believe the debtors can get around it by any subterfuge of which I am aware.

Of course, if the Senator wants that provision to apply to nationals of the debtor countries, that involves another question. In that event the provision would apply to the purchase of our cotton and our wheat. That is a question on which the Senator can speak more ably than I can.

Mr. GILLETTE. I thank the Senator from Nevada, the distinguished chairman of the Committee on Foreign Relations. I will say again that I have offered the amendment in all good faith and in the belief, as a friend of the pending measure, and in the hope that it will close up what I conceive to be a hole in the joint resolution. If there is no hole there, I am merely deluded.

Mr. BARKLEY. Mr. President, will the Senator from Iowa yield?

Mr. GILLETTE. I yield.

Mr. BARKLEY. So far as the war debts are concerned, I think it should be said that neither the Johnson Act nor the pending joint resolution, in my judgment, changes the act of Congress under which the war debts were refunded. It is provided that there can be no readjustment, and no acceptance of a smaller amount than that carried on the face of the obligations, without the consent of Congress. So that neither the war-debt act nor under the proposed act could anybody except Congress by an act of its own agree to accept a smaller amount or to readjust the debts again. Therefore,

I do not think the question of the war debts need enter into anyone's fears with respect to either the Johnson Act or the pending joint resolution.

Mr. GILLETTE. I thank the Senator, and I hope what he has said is accurate. That, of course, will be a factor in determining the question when the amendments are presented.

Mr. CONNALLY. Mr. President, I do not want to consume any of the Senator's time, but I do desire to ask one question.

Mr. GILLETTE. I gladly yield.

Mr. CONNALLY. The Senator was saying that unless his amendment was adopted foreign governments which have outstanding obligations, as in the Argentine, or elsewhere, would issue new bonds and take up the old ones. How would that help?

Mr. GILLETTE. They could use the old bonds. There is no prohibition against using anything, except an issue of a date after the date of the proclamation.

Mr. CONNALLY. I assumed the Senator was going to make that answer.

Mr. GILLETTE. Certainly.

Mr. CONNALLY. What prevents their now selling the old bonds, in the Argentine or wherever they are, and getting the cash and using that?

Mr. GILLETTE. Nothing whatever.

Mr. CONNALLY. So what good would the Senator's amendment do? If they have an old bond and it is of any value, they can sell it, in the Argentine or in any other neutral country, and take the cash and bring it here and buy the goods. So how would preventing their exchanging new bonds for old bonds meet that point?

Mr. GILLETTE. It is as clear to me as the sunlight. The whole purpose of the legislation proposed is to prevent our holding securities and dealing in securities of a belligerent, and having a vested interest in the solvency of the belligerent. If it is cash which is coming into our hands, we have no interest in the solvency of a belligerent.

As I stated, I have taken more time than I had agreed to. I desire to close with this statement: No one abhors fascism, and the philosophies and ideologies of Europe similar to that school, any more than I do; but no matter how abhorrent the ideologies of Hitlerism and similar schools, no matter how abhorrent they are to me, no matter how noble the supposed ideals of their opponents, there is nothing more abhorrent to me than the sacrifice of American youth, and there is no nobler or loftier ideal than the preservation of American interests and American security. My vote on the joint resolution—and I am hoping to support it—will be gaged on this and this alone, Does it give promise of greater security than the present act?

Mr. CAPPER. Mr. President, I am opposed to the United States taking any part in the present European war. It is not our war. I am opposed to our taking the first step toward participation in this war, which is not our war. I am emphatically opposed to repeal of the arms embargo. It seems to me there is only one reason that can be offered for repeal of the embargo, and that is a desire to make us unneutral. Repeal of the embargo unquestionably means involvement in the European controversy; it is the first step toward war. That is the main reason why I am opposed to repeal of the embargo against sale and shipment of arms, ammunition, and implements of war to nations at war. I may add that, on principle, I am opposed also to the sale of this merchandise of death to other nations at any time; but that is not the question now before the Senate.

I do not want the United States dragged into the war, or bribed into the war with "cash and carry at a profit," or led into the war by the mistaken enthusiasm of some of our own leaders.

There is just one safe place for the United States in this war and that is in the United States. I am convinced the surest way for us to keep out of involvement is to stay on our own ground and mind our own business, and selling arms, ammunition, and implements of war to be used in this war is not staying at home and minding our own business.

Pin most of the proponents of arms-embargo repeal down to what they really want—outside of a comparatively few, and they are so few that I do not believe in taking them into consideration in discussing this matter—pin these honest, sincere and frequently jittery proponents down in this matter and they will say they want us to sell munitions of war so we can help the Allies.

Helping the Allies, Mr. President, when the Allies are at war is not the road to our remaining at peace. If our help is to be effective, it must be delivered in sufficient quantities and with sufficient force to assure a victory for the Allies.

If we start helping the Allies by so-called methods short of war, and the time comes when the Allies need more than methods short of war, then we must go the limit and supply more than materials for cash. We will be called upon, under those circumstances, to furnish credits, to furnish billions of dollars of loans, which past experience tells us will not be loans, but gifts, and, worst of all, we must furnish also men.

As I see it, Mr. President, and as I believe the majority of our own people see it, and as the nations of Europe see it, repeal of the arms embargo will be taken to mean that we are preparing to cast our lot with Britain and France in this European war.

At this point I give full credit to President Roosevelt for telling Congress and the people exactly what he had in mind when he called Congress in extraordinary session for the purpose of enacting the legislation now before the Senate.

"Repeal of the embargo and a return to international law are the crux of this issue," President Roosevelt declared in his message. To that extent I think he stated the issue correctly.

Mr. President, I am opposing primarily the proposed repeal of the arms embargo because I believe repeal of the arms embargo is a definite step toward war and because I believe it would be so understood by our own people and by the Governments and peoples of Britain, France, Germany, and the other nations of the world.

I do not propose to, and most emphatically I will not, take a step toward war. I want to keep the United States out of this war, not push the United States into this war.

Mr. President, I desire at this time to recall to the Senate that in 1937, a little more than 2 years ago, while able to give this matter more calm consideration before the war hysteria was upon us, the Senate passed the existing Neutrality Act by a vote of 63 to 6. It passed the House 376 to 13. The President signed the act, just as he had signed practically the same act in 1935 as a temporary measure.

I also recall to mind that as recently as 1936, while the United States was comparatively calm and sane on this matter of European wars, the President bragged about this act. Especially he bragged about the step his administration had taken to preserve the peace of the United States, and I think he had reason to be proud of it.

In signing the first reenactment of the original Neutrality Act, February 29, 1936, President Roosevelt stated:

> By the resolution approved August 31, 1935, a definite step was taken toward enabling this country to maintain its neutrality and avoid being drawn into wars involving other nations. It provided that in the event of the Executive proclaiming the existence of such a war, thereupon an embargo would attach to the exportation of arms, ammunition, and implements of war destined to any belligerent country. By the resolution I have just signed the operation of the August resolution is extended and strengthened until May 1, 1937.

I desire now to quote a statement made by the President in a speech at Chautauqua, N. Y., in the same year, 1936—and I regret to say that he has proved himself a true prophet in this instance by himself advocating the course of action against which he so wisely warned us during the campaign year of 1936. In discussing the existing Neutrality Act, including the arms embargo, the President said—and I believe that I am quoting him correctly:

> Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

It is one of those strange things, Mr. President, that today we find a concerted movement afoot, backed by the administration itself, to break down and evade our neutrality; for, as I stated in the beginning, the plain purpose of this attempt

to repeal the arms embargo is to enable us, at a profit, to help Britain and France by selling them munitions of war.

But let us review another statement President Roosevelt made in 1936. I continue the quotation:

> They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other thing to belligerent nations the unemployed of America would all find work.

That is what President Roosevelt said in 1936. Contrast with that his statement to the Congress of the United States on September 21, 1939—and again I believe I am quoting him correctly:

> From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?

That is what President Roosevelt told Congress in joint session last September 21.

We all would welcome, of course, an era of prosperity. But, for my part, I do not want prosperity that is brought to the manufacturers of implements of war used to kill many thousands of our finest young men.

In other words, President Roosevelt warned us in 1936 what those who wanted to break down or evade neutrality would do in case of war on another continent, and in 1939 proves to us that his warning was correct by himself advocating the same thing that he said in 1936 would be done by those who sought to break down or evade our neutrality.

But President Roosevelt warned us against the succeeding step also in 1936; and I continue now quoting from the President's Chautauqua speech:

> They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts.

I am wondering just when the President of the United States will send a message to Congress urging that the prohibition of credit extensions will have to be repealed. That probably will be the next step after cash and carry.

Before proceeding, Mr. President, I wish to quote a few more words of what President Roosevelt said in his Chautauqua speech in 1936, in which he urges:

> It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond, to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

Mr. President, that day is upon us. And the clamor is at hand. My regret is that the President of the United States, who issued a clarion call to all Americans in 1936 to resist the war clamor, now is leading the clamor in 1939, instead of resisting it with the clarity of vision and steadfastness of purpose which he so nobly advocated in 1936.

Perhaps the best explanation of the change of attitude on the part of President Roosevelt is the simple and direct one.

In 1935, in 1936, President Roosevelt was in favor of United States neutrality; he thought he was opposed to the United States taking part in Europe's wars. He wanted peace; he regarded neutrality as an essential part of a peace program.

But in 1937 the President's ideas on the part the United States should play in world affairs began to enlarge. He saw things going on in Europe that he did not like—and in that respect I will say that I myself and most other Americans had no more liking for these things than did President Roosevelt.

But President Roosevelt, who in 1936 saw in neutrality the safe path for peace, and who saw in the arms embargo an effective expression of neutrality at least—President Roosevelt in 1937 felt an urge to meddle in European affairs. He apparently felt something ought to be done about it. He made the famous quarantine-the-aggressors speech at Chicago, thereby serving Executive notice upon Europe that the United States might take part in whatever conflict over there was caused by aggression.

The Neutrality Act, including the arms embargo, had served notice that the United States expected to remain neutral, and was willing to forego a profitable trade in munitions to do so.

From that time on the United States was bound to pursue conflicting foreign policies.

There was the statutory policy enacted by the Congress, approved by the President, applauded by the President, that neutrality would be the objective of the United States in Old World disputes; that as one means of maintaining neutrality the United States would not allow the export of arms, ammunition, and implements of war to warring nations in the Old World.

Then there also was the new Presidential policy that the United States had a rendezvous with destiny in Europe, the object of the rendezvous being to join forces with the good nations and against the bad—the aggressor nations.

As plainly it is difficult to maintain neutrality and at the same time take sides, of course it became necessary for the President to work for the repeal of the arms embargo, so that the Presidential urge to help Britain and France could be satisfied without violating the law of the land.

I see no reason for blinking the fact. The purpose of repealing the arms embargo is to enable the United States to help Britain and France—at the start, of course, by methods short of war.

But I must say, Mr. President, that I do not see how we are to help a little when the war is in its beginning and then to refuse to help more when more help is necessary, especially if, in the meantime, we build up a huge munitions industry in the United States, an industry that must depend upon continuing sales of munitions to keep it going.

I do not believe we can enter the war a little way and then withdraw when the war becomes hotter. We cannot, logically or psychologically, be half in and half out of this war, which I repeat, is not our war.

I think more of the United States than I do of any European country. Whatever we do, let us be sure that we are thinking of the future welfare of this country first.

I believe we should endeavor to be realistic in facing this matter.

The war issue in Europe is not humanitarianism, not democracy, not the civilization of the Western Hemisphere.

The war issue in Europe is boundary lines, spoils, or the retention of spoils won in the first World War—and power politics.

Let us not be misled, nor mislead ourselves into believing, that the Allies in Europe are fighting in some unexplained way for democracy, for civilization, for the United States.

You know, Mr. President, and I know this war is rooted in European power politics. It is not a war for democracy—the democracy for which we made the world so safe nearly a quarter of a century ago, when we also fought the war to end war.

We must do our best not to be misled by, and also do our best to counteract all this propaganda designed to lead us into this war which is not our war.

We would not even know who we might be fighting, for or against, if we allowed ourselves to be lured into the present war.

Russia—for the time being at least—is lined up with Germany, although at the same time helping to strangle Germany.

But suppose we entered this war to preserve the British Empire! suppose that Russia decided, after making her western front safe, to carry the war into China; would a Russianized China be a threat to the British Empire? Senators know it would. Moreover, who would be opposing Russia in China? My guess is that it would be Japan.

More than that, Britain would in all probability call upon her ally, the United States, to do its bit in the Orient, while Britain and France carried on the war on the western front. So there we would be, lined up with Japan against Russia in the Orient—and if we won, so would Japan. The difference of course would be that when the war was over we would withdraw from China—but Japan would not.

There are too many cross currents, too much double crossing in Old World politics for us to weather successfully. Before we undertake to run the affairs of the Old World, we might well attempt a better job of managing our own affairs. Ten million unemployed; the expenditure of $2 for every dollar of Government income; a national debt close to $45,000,000,000; an agriculture close to bankruptcy—these do not signify we are ready to take over world management.

Mr. President, the advocates of arms-embargo repeal state that they want the cash and carry substituted in the interest of peace. I believe they are perfectly sincere in their position. I certainly would not accuse any American of deliberately seeking the enactment of legislation for the purpose of leading the United States into active participation in the present European war.

The opponents of the arms embargo also assert that they want the arms-embargo provision repealed in the interest of neutrality. But I note that often they couple this desire for neutrality with an even greater desire to help Britain and France—but by methods short of war, of course. In this latter contention I, of course, am in no position to challenge their sincerity, but I must admit that I, myself, am a little incredulous as to the quality of neutrality that includes helping one side in the European conflict, even by methods short of war.

There has not been much said in Congress at this extraordinary session about the necessity of helping, saving, making the world safe for democracy; but there has been a barrage of this line of reasoning, or at least of argument, by other advocates of embargo repeal in the press and on the air. There are many honest people who believe we have a duty to democracies throughout the world; and not a few of these honest people are vigorous supporters of the Monroe Doctrine and would bitterly oppose European intervention in this hemisphere.

I very much fear, Mr. President, that after the arms embargo shall have been repealed—if it shall be repealed—we will hear more of this talk of democracies and civilization. That will come again after the flow of munitions has started; after we have been compelled to extend credits to our European customers; after we have made them loans so they can win their war—their war, not our war—and they have become fearful, and our leaders have become fearful, that if we do not send men as well as materials and money, they will lose their war, and with it will go all the advances we have made.

Most of us can remember a quarter of a century ago when the propaganda was spread broadcast that the same Allies, plus Russia at that time, were fighting to make the world safe for democracy; fighting a war to end war; fighting a war to save the United States that the United States should have been fighting from the start.

We believed that in 1917. Our leaders believed it. Our people believed it. Our young men believed it. No nation ever went to war more unselfishly, more enthusiastically, with higher ideals, than did the people of the United States.

And now we are listening to the overture, these ringing speeches in support of repeal of the arms embargo, for another play of the same sort, say in 1940.

The disillusionment that started in 1919 was a bitter one. The millions of boys and young men, and the billions and tens of billions of dollars that went to Europe to fight for democracy in 1917 and 1918, won the war for those who talked of democracy; but they did not save democracy. In fact, the World War just about ended democracy except in the Western Hemisphere; and today we are being asked to take a step which in my judgment will give us a war dictatorship, at least in the United States.

I am opposed to the United States sending our boys overseas again to complete the job of replacing democratic government with dictatorship all over the world, for, as I see it, that will be the result, win or lose.

Let us save our boys for something better than fodder for Europe's battlefields during this latest of the long succession of wars that Europe has fought over boundaries and power.

I do not doubt that repeal of the arms embargo will be taken in Europe—in London and Paris, Berlin and Moscow—as indicating that the United States is preparing to enter another European war to save Britain and France. Many persons in the United States will feel the same way about it. The war psychology will be materially strengthened by the action we are asked here to take.

That is enough reason to continue the arms embargo, at least throughout the present European war.

I hold that our chances of standing clear in the present European conflict are better if we remain neutral than if we take sides. It will be a terrible mistake, and a most costly one, if we blunder ourselves into an unneutral position. I say this frankly, as one whose sympathies are with Britain and France. If we are determined to go to war, to participate in this war which is not our war, I would naturally prefer that we side with France and England. But I raise the question, Why go to war at all? What would we be fighting for?

What are England and France fighting for today in Europe? According to reports, their leaders are having considerable trouble in stating clearly and concisely just what they are fighting for. If they cannot say, how can we be certain?

Or is it enough for Americans to feel they are fighting for England and France, and that we are to make good the old saw that England expects every American to do his duty?

I am not in favor of repealing the arms embargo because I believe that to repeal the arms embargo is definitely to abandon neutrality. It means that we are going to repeal the arms embargo for the purpose of selling arms and munitions to Great Britain and France. Nobody disguises the fact that that is the object of repeal. Whatever else it is, repeal is not neutrality.

I repeat, Mr. President, that repeal of the arms embargo at this time—even if one believed it to be an unsound policy of itself—cannot be and will not be interpreted anywhere except as an unneutral act. I happen to believe in the embargo.

During times of peace we enacted the arms embargo to make it easier for the United States to keep out of European wars. We are now asked to repeal it so that we may right what we are told is an injustice to one party in the present conflict.

The arms embargo was adopted as a foreign policy for America. We are asked to repeal it for the sake of the Allies in Europe.

I say that our foreign policy should be an American foreign policy, not a British foreign policy, a French foreign policy, a German foreign policy, or a Russian foreign policy. All these nations base their foreign policies on their own interests. Why should the United States base its foreign policy on their interests rather than on our own interests?

As to the question of neutrality, we could have established a cash-and-carry plan instead of the arms embargo at the time we wrote the arms embargo into law, and no question of unneutrality could have been raised.

But now the picture has changed. Europe is engaged in another major war. One side in that war—and I admit it is the side with which the great majority of Americans, including myself, are in sympathy—probably will benefit by our lifting the embargo on the sale of arms, munitions, and implements of war.

The direct benefits may be comparatively small, as proponents of repeal point out. We probably will not supply any great amount of munitions, measured against the total requirements of the Allies.

However, the indirect benefits to the Allies may be very large, indeed. In the first place, repeal of the embargo will be understood abroad, and to some extent at home—the understanding at home will become clearer as the months go by—to indicate that the United States is siding with Britain and France, and that the act is being repealed to help Britain and France. In the second place, in my opinion, the sales of munitions will start moving the same chain of events—sales, credits, loans, and finally the

sending of men to Europe to help win the war for those whom we now propose to help by methods short of war.

Repeal of the arms embargo certainly will be an unneutral act. We may just as well be realistic in this matter. Repeal also will open the way for the same series of events, or at any rate a chain of events very similar to those of the previous World War.

Let us go back 25 years and review the history of the financial events that preceded our entry into the World War.

A few weeks after the war started in Europe it was announced by the State Department that loans to any belligerent nation would be inconsistent with true neutrality. This statement was issued in August 1914. By October of the same year there had come a change in policy, slight but determinative. The State Department had been brought to the point of seeing a light. The policy was modified to allow extensions of bank credit, though not loans of money, to be made to belligerents to purchase needed supplies in the United States. We were going to be neutral but help the Allies just a little. We would not lend them money to buy needed war supplies in this country, but we would extend them credits which they could use instead of money.

Less than a year later the Secretary of State and the Secretary of the Treasury convinced President Wilson that it had become necessary to allow the Allies to raise money in this country through loans to enable them to protect the credit advances made by our bankers. This was in September 1915.

A month later the first Anglo-French loan of one-half billion dollars was floated; the credit advances of our bankers were protected; and, more important to the Allies, the door was opened for further loans to be made.

From that time on, Mr. President, the United States was committed to giving assistance to the Allies to the limit. We definitely—though not at the time knowingly so far as the great majority of American citizens were concerned—became involved in the World War. As a wise Frenchman, Andre Tardieu, former Premier of France, commented:

> From that time on, whether desired or not, the victory of the Allies became essential to the United States.

Of course, in the pending measure there is a prohibition against loans to belligerents. Undoubtedly it is there in good faith. There is a provision that title must be transferred before any materials may be exported to any belligerent. We are told that this is "cash and carry," although there is a little loophole through allowance of 90-day credits, reminiscent of the 1914 prohibition of money loans but allowing extension of bank credits instead.

Suppose, Mr. President, we should start selling munitions on a cash-and-carry basis and build up a sizeable munitions industry. We should have two customers, Britain and France. In a comparatively short time their cash available for purchases in the United States would run out. The question then would be squarely before us. We would have an industry that would be a going concern. It would afford employment and pay dividends. Its profits, wages, and requirements in the way of materials and transportation would have geared other industries into the continued successful operation of the munitions industry.

Suppose our two customers should point out to us that their cash was exhausted. Would we extend credit, or would we close down our munitions industry, with disastrous effects on our entire domestic economy?

Also, we would know that we started the sales to help the Allies. They would then be in worse straits, in more dire need, than when we repealed the arms embargo to afford them what assistance we could without involving ourselves.

The question would then be, Shall we now refuse them any more help when that refusal will mean throwing out of employment thousands or hundreds of thousands of men, and the disruption of our domestic economy, resulting in a minor, if not a major, domestic depression?

Mr. President, there will be only one answer to that question when the question is put. We will amend the cash-and-carry provisions to allow purchases on credit, probably long-term credit.

The next step will be as inevitable as it was in 1915. The credit advances will be such a heavy load for our banking structure to carry that we shall have to allow the Allies to float loans in this country to protect our banking structure.

Then the thing will happen that happened before. The prohibition against loans to belligerents—including the prohibition against loans to nations in default to the United States on previous loans—will be modified or repealed so that we may make loans to Britain and France. Then we shall be just where Andre Tardieu said we were in 1915. I repeat what he said:

> From that time on, whether desired or not, the victory of the Allies became essential to the United States.

Further, Mr. President, when the victory of the Allies becomes essential to the United States we must, if necessary, go to war to insure that Allied victory. It seems to me that that conclusion is inescapable. Before that point is reached the United States will be in the grip of a war psychology that will make it traitorous, if not treasonable, for anyone to oppose our going to war.

Mr. President, I have asked that those who favor repeal of the arms embargo be realistic. In all fairness I myself must try to be realistic.

Those who favor repeal argue—and their arguments are effective in many quarters—that the present arms embargo works against Britain and France and to the advantage of Hitler. They argue that Hitler is in no position to buy munitions from us, and that without the arms embargo Britain and France could buy munitions from us. Therefore they say that in order to remove an unfairness toward our own friends we should repeal the embargo to help France and Britain.

Mr. President, if we are enacting neutrality legislation for the purpose of affecting the status of the warring European nations, that is a perfectly good and logical argument. However, it is my contention that we enacted the neutrality legislation for the purpose of protecting the United States from involvement in European wars. We enacted it while Britain, France, and Germany were not at war with one another. It was neutrality legislation then. To keep it now is certainly in the interest of American neutrality.

I think this draws plainly one of the major issues in this controversy over the arms embargo.

It is my contention, and always has been, that our foreign policy should be an American foreign policy—not a British foreign policy, a French foreign policy, or a German foreign policy.

As a part of an American foreign policy, we enacted a Neutrality Act which includes an embargo against the export of arms, ammunition, and implements of war to any belligerent nations in the Old World.

That was written into law for American purposes, to protect Americans against one path leading to involvement in European wars.

As it was written, and when it was written, it was an act of neutrality. It was neutral; not unneutral.

To rewrite that provision now for the purpose of helping Britain and France, to my mind, would be an unneutral act. It would not be neutrality.

More than that, to revise the Neutrality Act for the purpose of helping one side in a European conflict means that we are basing our foreign policy upon European interests; not upon American interests.

I repeat: The foreign policy should be an American foreign policy. Whenever we base our foreign policy upon the interest of European nations, we have abandoned a sound position for what I consider an unsound position.

Of course, Mr. President, if we are to abandon our position of neutrality, if we are to base our foreign policies upon European interests instead of the interests of the United

States, then I will admit I would favor taking the side of England as against the side of Hitler. There can be no question on that score.

But what I am trying to maintain is an American foreign policy as against a European foreign policy. When we abandoned that sound position nearly a quarter of a century ago, we did not help matters much, and certainly did not help our own people and our own Nation.

For these reasons, Mr. President, I am opposing, with all the earnestness I possess, repeal of the arms embargo as tending toward embroiling ourselves in the present European war.

I am also against any program of loans or extensions of credit by the United States Government or its citizens to any nation engaged in war.

I am opposed to modification or repeal of the Johnson Act, and I greatly fear that the measure before us proposes to abrogate the wise provisions of that act.

I am very much opposed to the 90-day credit feature of the so-called cash-and-carry provisions of the pending legislation.

Believing that repeal of the arms embargo means but one thing, namely, that we will enter the European war now raging; knowing that the people of the United States feel as I do, that we ought not and must not get into this war, which is not our war, if we possibly can avoid it, I shall continue with all my might to oppose repeal of the arms embargo. When we lift the arms embargo and start selling war supplies, it is almost equivalent to a declaration of war.

I am for a strong navy, a large air force, and adequate national defense that will repel any invader, but not for fighting Europe's battles for any European nation or set of nations.

Holland, Sweden, Switzerland, Denmark, Norway, and a half-dozen other countries next door to the trouble in Europe are showing their good sense by keeping out of the war and remaining neutral. Why should we travel 3,000 miles across the seas looking for a fight? I say let them alone.

Mr. President, our Neutrality Act was enacted in the belief that Europe's wars are not our wars. That belief is just as well grounded today as it was 2 years ago, when the Congress enacted the present law and the President signed it. So I favor keeping the Embargo Act as it is. Good sense, morals, material well-being, and devotion to the principles of democracy all sound the warning—"America, stay out."

We have between us and the trouble abroad a great ocean—a natural barrier potentially more powerful than a dozen navies. Our immediate duty to ourselves and our sister republics is to keep on this side of the world and set an example for the other side to follow. We cannot keep the peace by involving ourselves in somebody else's war.

I am sorry I cannot go along with President Roosevelt in his high enthusiasm for the welfare of the entire world, but I believe the Members of the Senate are free men, with the right to their own beliefs and the duty of living up to those beliefs. Furthermore, I am opposed to giving the President more discretionary war powers. I think Congress should remain in session as long as the emergency exists, and should perform its duties as the Constitution requires. I am glad to stay here and do my best to keep America out of war.

I intend to continue to stand for what I believe is best for my country, and that includes keeping the arms embargo in effect indefinitely.

I have my personal sympathies for England and France, but I think vastly more of the United States than I do of any European country. Whatever we do, let us be sure that we are thinking of the future welfare of this country first.

If Europeans are determined to have wars, let them fight their own wars. Our problems are right here at home, not in Europe.

Mr. President, I hope we have learned something from history. Our experience in the World War should teach us that it is a good thing to keep out of European wars. Let us not repeat the tragedy of 1917. We then lost the lives of 126,000 of our finest American boys; it cost us $41,000,000,000. We got nothing for it—not even thanks. We loaned European nations $14,000,000,000, and they still owe us, and will never pay.

While on this subject, what about the rewards we got for entering the World War "to save democracy" and fight "the war to end wars"?

We did not "make the world safe for democracy."

We did not end wars.

We got no colonies; we wanted none. In this respect we differed from the Allies, who took all they could get.

We got "promises to pay" from the Allies whom we financed, as we will finance them again if we follow the course we are being asked to pursue.

How much do Great Britain and France owe the United States today in unpaid debts hanging over from the first World War? Well, the total is considerably over $9,000,000,000, $5,497,000,000 from Great Britain and $4,180,000,000 from France.

Neither nation has made any serious effort to pay. Perhaps neither could pay. But we may as well face facts squarely and realize that if we should enter the present war we would be called upon to lend another $10,000,000,000, and perhaps more, and saddle that debt upon the American survivors of this latest European conflict.

We also made approximately 23,000 new millionaires in the United States through World War profiteering. The big fellows who make huge profits in wars are anxious to get in the game again. I am opposed, as the masses of the people in this country are opposed, to giving these merchants of death a chance to pile up their millions, as they did before. If this country should supply munitions and armaments to either side it would be the worst profiteer of all—profiting by the death and suffering of millions of human beings. We must not do it. Blood money will bring neither happiness nor prosperity to the people of America.

What good the United States, and in the long run the world, would derive from the intervention of the United States in this war is more or less doubtful.

But here are some things I know the United States would get:

First, a dictatorship.

Second, a further increase in its national debt of tens of billions of dollars.

Third, loss of life running, perhaps, into millions; destruction of property running into the billions of dollars.

Fourth, after the war, a depression worse than the last one; very likely a continuation of the dictatorship; and then some more European wars.

I say we ought to keep these things in mind and stay out.

I say again the way to stay out of the European war is not to take the first step that would lead us into it—repeal of the Embargo Act.

When we start selling munitions we start entering this war, which is not our war, but just one of Europe's many wars; and if we enter one more of Europe's wars we probably shall participate in every major European war from now on.

All that that means, finally, is big profits for the munitions makers, while our own boys are being slaughtered on the battlefields in somebody else's war. I say our young men have the right to their own lives, as against the greed of the profiteers and the love of power by the European war lords.

That is the way I feel about the matter; and, judging from the thousands of letters and telegrams that have been coming to Senators and Representatives, that is the way the great majority of Americans feel about it.

I have received more than 15,000 letters and telegrams since Britain and France declared war. There are at least ten urging that the United States remain neutral for every one that would repeal the arms embargo. The Members of Congress from States clear across the country to California tell me that their mail is preponderantly the same way.

It is very plain to me that the people of this country do not want to go to war for Europe's boundaries. I think that feeling is almost unanimous.

The great majority of our people believe, and I believe, that the sale of munitions will lead us directly into the war.

I believe the great majority of the people of this country—the ones who will have to do the fighting if war comes—want the arms embargo kept in effect. They do not want the Neutrality Act amended to make it less neutral.

I say to you that these people are right. I believe the American people will keep their heads and resist all the propaganda designed to lead us into war.

Again I say, it is not our war. We must not allow ourselves to be stampeded into it. We learned our lesson 20 years ago. We cannot bring peace to Europe by taking more war to Europe; and if we start selling munitions to the warring nations of Europe, then most assuredly we are on the way to sending our boys to Europe again.

Mr. President, it is up to you, it is up to the people of the United States, to insist that Congress reject the pleas to allow the sale of munitions to warring Europe, no matter how eloquent these pleas are, no matter how well intentioned the people who would follow the course that led us to war in 1917, and will lead us there again unless Congress stands firm in this grave emergency.

I cannot help feeling that Europe is the land of the double-cross, as well as of the little white crosses. Why should America go abroad looking for either?

I find myself sympathetic with Governor Bib Graves, of Alabama, who said, "This is not our funeral, and I hope we are not going to furnish any corpses."

When the whole country is aflame, we should not be hasty in taking action. We do not need to and certainly ought not to repeat the mistake we made in entering the previous World War.

In conclusion, let me assure you that I shall protest in the Senate, with all the energy and earnestness I possess, against weakening the Neutrality Act by amendments making it less neutral. I shall insist on retaining the Embargo Act, which will stop profiteering in war supplies.

Before I close, let me say also that I am strong for the insertion of a provision for a war referendum in the Constitution of the United States. I say the men who will do the fighting, and the people who will pay the bills, should have something to say on the question of going into foreign wars.

I promise you right now that as a United States Senator I never will vote ever again to send American boys across the seas to fight in someone else's war, to wallow in the mud and blood of Europe. I say the lives of the American boys are worth more than all the land in Europe they may be fighting over.

I feel more intensely about these things than I have ever felt about any other issue before the Senate.

I pray to God that we shall not repeat the tragic experience of the first World War, and see another generation of our boys killed needlessly and wickedly in another of these wars caused by the political and racial jealousies that have been the curse of Europe for 2,000 years of history.

Mr. President, we should stay out of this war. It is not our war.

We should stay out of this war deliberately, determinedly, and finally.

We should stay out, and we should stay all the way out—not just halfway out.

Mr. THOMAS of Utah. Mr. President, in the few remarks I shall make this afternoon it will be necessary to refer to two of our colleagues in the Senate.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TAFT in the chair). Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. THOMAS of Utah. I am glad to yield.

Mr. LA FOLLETTE. Will the Senator yield for the purpose of enabling me to suggest the absence of a quorum?

Mr. THOMAS of Utah. I think no one besides myself is very much interested in what I am about to say.

Mr. LA FOLLETTE. I heard the Senator say he was going to refer to the remarks of some of his colleagues, and I thought perhaps he would like to give them an opportunity to be present.

Mr. THOMAS of Utah. I am pretty sure the colleagues in question know what I am about to say, because I have talked to one of them. I have not talked to the other; but nothing I shall say will hurt them in any way or hurt the speaker in any way. I am going to carry on in the utmost kindness, merely reciting a story to show how apparently inconsequential things may become extremely important as they affect certain persons in our daily conduct of affairs.

Mr. LA FOLLETTE. Will the Senator yield to me for the purpose of permitting me to suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin for that purpose?

Mr. THOMAS of Utah. If the Senator wishes a quorum, I have no objection.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Barbour	Chavez	Holman	Sheppard
Barkley	Davis	La Follette	Stewart
Brown	Downey	McNary	Taft
Burke	Ellender	Minton	Thomas, Utah
Byrnes	Frazier	O'Mahoney	Townsend
Capper	Gillette	Reed	Wiley
Chandler	Green	Schwellenbach	

The PRESIDING OFFICER. Twenty-seven Senators having answered to their names, there is not a quorum present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. AUSTIN, Mr. BANKHEAD, Mr. GEORGE, Mr. GUFFEY, Mr. HILL, Mr. LUCAS, Mr. LUNDEEN, Mr. MCKELLAR, Mr. MURRAY, Mr. NORRIS, Mr. OVERTON, Mr. PITTMAN, Mr. RUSSELL, Mr. SCHWARTZ, and Mr. SLATTERY answered to their names when called.

The PRESIDING OFFICER. Forty-two Senators have answered to their names. There is not a quorum present.

Mr. BARKLEY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. PEPPER, Mr. VANDENBERG, Mr. HAYDEN, Mr. MCCARRAN, Mr. BAILEY, Mr. NEELY, Mr. JOHNSON of Colorado, Mr. ANDREWS, Mr. BILBO, Mr. BULOW, Mr. CONNALLY, Mr. LODGE, Mr. MALONEY, and Mr. THOMAS of Oklahoma entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-six Senators having answered to their names, a quorum is present.

Mr. BARKLEY. I move that the order of the Senate just entered be vacated.

The motion was agreed to.

Mr. THOMAS of Utah. Mr. President, when I was interrupted for the quorum call, I had made the statement that in the few remarks I shall make it will be necessary to refer to two of my colleagues, because the remarks are made for the purpose of correcting the record. There is no unkindness in my heart toward anyone. It may even be necessary to mention that some members of the press are responsible for bringing about the condition that resulted in a misquotation which has done great damage to the cause for which we are here called together and for which we are striving.

Because of this fact, Mr. President, I ask unanimous consent to have printed in the RECORD as part of my remarks a radio address which I made on the night of September 11, 1939, and which is supposed to be the address from which these quotations were taken.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The address is as follows:

Since the first Neutrality Act of 1935 became a law its embargoing provisions have been invoked three times. Had the Italian-Ethiopian War continued for a long period and had the attempt to put sanctions upon Italy become general, the American embargo might have complemented the League's sanctions, giving the theory of embargo a test as a war stopper. In the Spanish civil war some of the strongest supporters of the Neutrality Act advocated the raising of the embargo when it seemed to be working too much to the advantage of one side. In the Italian-Ethiopian case many persons charged that the act was a green "Go" light for Mussolini. But the facts do not bear this out, as the things embargoed Italy had plenty of and Ethiopia could not have purchased from us amounts

of sufficient quantity and have got them in time to have affected greatly the outcome. In the Chinese-Japanese War the Neutrality Act has not been invoked. Our actual experiences, therefore, have kept the discussion about America's Neutrality Acts since 1935 in the realm of theory.

Now, today, America finds herself, because of the major aspects of the present war, in regard to the Neutrality Act, in the realm of fact; yet there seems to be but a hazy appreciation of what the realm of fact means. For example, while the President has invoked the Neutrality Act against all of the nations at war in Europe, the act remains uninvoked against the states in Asia. And in addition to that when once war was definitely started in Europe, the President found it necessary to declare our neutrality first under the ordinary rules of international law and war, and then to issue a second proclamation in accord with the provisions of the 1937 Neutrality Act. Thus the fact that America is operating as a neutral does not lessen the complications in regard to theory.

ALINED WITH VARIOUS NEUTRALS

America finds herself alined now with other neutrals, neutrals with various shades of meaning and neutrals for different reasons, each interpreting its neutral duties in a different way. For example, as of today, or, I had better say, as of the day I dictated this paragraph, because changes are moving so rapidly that one must speak only for the moment. Russia, Italy, and Japan all have a neutral standing along with us, yet none of these three states has anything like our neutrality law. More significant even than that is the fact that all of them have, or have had, certain very binding agreements with Germany—agreements which now seem to lack definiteness on which to place or venture an opinion on tomorrow's stand. Then we have the neutrality of such a state as Switzerland. Switzerland's neutrality is a forced one. So essential to Switzerland's very existence is her neutral stand that even with her neutrality recognized by all she has found that the presence of the League of Nations and its radio station are probable sources of embarrassment.

The Scandinavian states, the lowland states, the Baltic republics, along with the Balkan states, have all declared their neutrality. Certain South American states have taken action. According to newspaper reports, Argentina, Brazil, and Chile seem determined to remain neutral in the European war, even if the United States should become a party to that war. This is an extremely interesting declaration in the light of what certain South American states did in the last war after we entered it, when they refused to stand on their rights and duties as a neutral as far as the United States was concerned. This action, too, is interesting from the standpoint of our own Neutrality Act, because in it we have declared that the Neutrality Act shall not apply to an American republic or republics unless such a republic or republics are cooperating with a non-American state in a war. For these and other reasons, it is difficult, indeed, to put definite exactness into the meaning of "neutrality" as that word is now used in the world and, for that matter, in the United States.

WORTHY OBJECTIVES IN ACT

America's Neutrality Act has behind it definite objectives and these objectives are worthy in every sense. They were expressed at their very best at the time of the discussion of the Neutrality Act of 1935 when our Democratic leader, the late Senator Joe Robinson, uttered the sentence: "We want no war, and we want no profits from war." After 4 years of neutrality legislation, I am convinced that the American people want two things, as these wants are expressed in our present Neutrality Act. First, they desire to reduce as much as possible the danger of any war profits which might involve us in a war, for few Americans want to see America involved in war and, second, the average American wants to see America's economic and moral forces kept in a position so that she may not be a contributor to war or the war maker, but so that she may be able to use her moral and economic forces for peace in the world when the time for making peace comes. There are, of course, tremendous differences of opinion about how best to accomplish these objectives. America's task today then is to produce the type of unity which will cause her to remain uninvolved, and at the same time contribute to the promotion of peace and to the limitation of the war area. We shall soon see whether our Neutrality Act is an aid or a hindrance in the accomplishment of these desires.

The actual working out of the Neutrality Act will furnish the factors making for change or the retention of the act as it is. Upon these factors, too, will depend the nature of the President's recommendations in connection with a special call. Those of us who are members of the Foreign Relations Committee are asked two questions by a half dozen reporters every day. First, "Will there be a special session?" and, second, "Will you vote the same way next time as you did last?" After an actual working of the Neutrality Act the recommendations will of necessity be based upon actual facts and not upon theory as were the last suggested amendments. There is a vast difference between considering an act before the outbreak of war and before the act's invocation, and after a major war comes into existence, and the act has been invoked. Now Congress and the President will act in the face of facts, not of theories.

DEFINITE DUTIES AS NEUTRAL

If we can remain objective at all times, unimpulsive in our thinking, if we can live down slogans and the effects of words of uncertain meanings upon our actions, America can remain out of the war, regardless of how severe it may become. America can still maintain, not in the absolute but generally speaking, all of her neutral rights; but we will maintain our neutral rights longer if we stress our neutral duties and if we sincerely live in accordance with those neutral duties that are now devolved upon us. Those duties are rather definite.

The President's two proclamations, the Neutrality Act and the President's Sunday night radio talk, have all contributed to showing us what are our duties. Nothing will be gained by anyone either within the United States or without if America finds herself involved in war. The good that can possibly come to the world as a result of restored peace will of necessity be the good that will come as a result of a good peace. The more neutrals there are in the world when the time for making peace comes, the better will be the thinking of the world, and the force of the objective thinking will be able to temper the impulses of both the victor and the vanquished.

At the end of the World War, due to the fact that all of the great nations had entered the war, the peacemakers and their peoples were caught between two emotions—one to punish and the other to build a new world order. So strong were these conflicts that it was deemed necessary to join in one document both the punishing elements and the constructive plans. This made universal support for the whole document impossible and caused those who really opposed but a part to oppose the whole. Next time may the neutral force in the world be so strong and so aloof that the victor-vanquished settlements may be confined to those limited problems, and the constructive planning for world peace be left to nations at peace, planning for a peace which will be upbuilding for all, not a peace made by victors.

IMPARTIALITY AIDS STRONGER

Now, everyone is interested in the test of our Neutrality Act. If it has defects and therefore needs amendment, those defects will be shown very quickly. The act implies a neutrality based upon the theory of impartiality. I have always held that, while American law always assumed this and text writers have maintained that neutrality meant impartiality, this could not be, first because impartiality could never be obtainable. Neutrality can be proclaimed and lived up to, but try as we will impartiality, even though proclaimed, can never be lived up to. If two nations are contending and a neutral does nothing, the effect of inaction is to aid the stronger of those two nations. If the neutral acts in an impartial way and treats each in exactly the same way, the effect still is to aid the stronger. If the neutral takes sides, he, of course, is not impartial.

Let us make our illustration even simpler: Two men are fighting to the death on a desert. One gains all the water, the other has none. You, a neutral, come along with plenty of water. You say this fight does not concern you because you are a neutral and you stand on your neutral rights and do nothing. From the standpoint of the law of neutrality you have done no wrong, but you have not been impartial. You know that the withholding of the water from the one has meant his certain death and victory for the other.

Therefore, impartial neutrality in a practical sense is utterly impossible. That which is impossible in fact is very poor substance on which to base a rule of law. To the extent that our neutral stands have been based upon impartiality they have been weak. When we have taken the position that neutrality means remaining aloof from war upon the theory that a nation that does not fight has rights in the world that belligerents or war cannot destroy, we have been strong in our neutrality and no one has made war on us because of that stand. Nations at war are busy with actual enemies. They do not deliberately attempt to turn neutrals into enemies.

MORALITY AT STAKE

Let's keep our thinking straight. Just because one nation attacks another and war begins, the warring states do not thereby gain all the rights to the whole earth. Neutrals still have rights and they still have duties. One of these rights is to protest wrongdoing and advantage taking wherever it exists. You cannot be impartial if one combatant only commits the wrong. A referee in the prize ring must be neutral, and his neutrality makes him impartial as long as both fighters are fair; but when one fouls, the referee must still remain neutral; he has no right to take part in the fight, but he need not be impartial and declare the fight a draw just because one man fouls. Without changing one bit his neutral position, he penalizes the wrongdoer. His neutrality is preserved but his impartiality has gone. The rights of both fighters and the referee are all preserved. A neutrality that demands an impartiality calls for a dulling of every moral impulse. It insists upon erasing the line between good and evil. That is asking too much. That reduces a neutral to an unbearable impotence. A neutral has a right to stand for something in the world, not for nothing. If neutrality means a crushing of world morality, it is better that we take sides and fight, because fighting for a right is better than passive submission to a wrong.

Neutrality is a matter of degree. Take, for example, the different theories expressed today about Italy's neutrality—is Italy's neutrality today to the advantage of Germany, Italy's ally, or it is to the advantage of Germany's enemies? Thus, if we answer the question we discover that neutrality must rest upon some other reason than that of a desire to be impartial. That reason may be an entirely selfish one on the part of a neutral just to avoid war. It may be, as many have expressed the American neutrality to be, an action on the part of a great neutral, which will discourage war in the world. Our most consistent stand is one based on morality, a morality which recognizes that we have rights which even belligerents must respect, a morality which recognizes that even belligerents have rights, which makes it our duty to respect those rights; a morality, too, which entitles us to condemn wherever we

see wrongdoing if need be by any action short of war. That, I am sure, is the true American stand.

A condemnation of a wrongdoer has never brought war. When the nations of the world, through the agency of the League of Nations, attempted to impose sanctions on Italy in accordance with the theory that economic pressure could stop war, Mussolini started the cry that sanctions meant war. But sanctions did not mean war. Mussolini did not go to war against any state that imposed those sanctions, but Mussolini wiped out of existence the little state of Albania, which refused to vote sanctions. Thus, sloganized thinking and historical fact are very different propositions.

INCONSISTENCIES IN ACT

The test of the American Neutrality Act will come out of uncertainties in administration of the act, not from emotional reactions about theory. If we should ultimately find ourselves in war, that action will come as a result of emotional reaction, because of a sense of outraged justice. That is an emotional deduction. That will be action of impulse without deliberating over all the factors and weighing all the costs. I do not think that America will ever modify the Neutrality Act because she will deliberately want to take sides. If we get into that frame of mind, we will go to war without modification of the Neutrality Act. But the circumstances about the administration of the Neutrality Act will furnish the stimulus for the act's modification. For example, when we see the inconsistency of not allowing the sale of a shell to a belligerent but allowing the shipment of all that goes into that shell, when we see that we cannot sell guncotton to a belligerent but that we can sell all the raw cotton which can be converted into guncotton, we will readily see these inconsistencies in the act.

When the inconsistencies are discovered the stage is properly set for a modification of the act, but immediately comes another factor which may be a controlling one and which shows how a nation of impartiality must fall. Can you change the rules of the game after the game has started? If it is to the advantage of one belligerent to change the rules, and to the disadvantage of another belligerent to change the rules, will the modification be an impartial act?

Another test of our Neutrality Act which may bring the necessity for a modification will be a changed world situation. When the Neutrality Acts were passed, America attempted to write her part for the war drama assuming that her part could fit into any stage setting that might be brought about. It is the mandatory provision in the act that does this. Can our part be the same in a great war where the belligerents are many score and the neutrals are few, as it is in a war where the belligerents are two or three and the neutrals are many score? Can our neutrality be the same when there are two distinct wars being carried on, one in Asia and one in Europe, as it is when there is one World War? When the line-up of belligerents and neutrals is constantly changing, as it probably will, can our Neutrality Act remain static while everything it affects or is affected by it is in a state of flux? These are the types of questions which should make us thoughtful about the conditions facing us under the present circumstances.

HISTORY CAN TEACH AVOIDANCE

Due to the fact that there has been since 1935 much discussion about the Neutrality Acts and our remaining out of war as a result of them, persons have become confused. With a major war in Europe we would have been operating as we are today as a result of a neutrality proclamation even if there were no 1937 Neutrality Act on the statute books. We have the status of a neutral as the result of the existence of the law of nations, and the President's proclamations are in accordance with long-standing precedents and such acts as those of 1909, 1917, and 1937. If the people of the United States wish to remain neutral, they can do so as long as they wish. America remained neutral from August 1914 to April 1917, nearly 3 years, during the World War. If our ultimate entrance into the World War was a mistake, as many today insist, we should study our history from 1914 to 1917 and avoid the mistakes that led us into the war.

History viewed objectively will contribute greatly to an appreciation of the problems which will face our Nation now as a neutral. It is our nature to wisecrack. Our language and our life invite it. We say "the Constitution is what the judges say it is" and "that history is what the historians say it is." Both statements are pretty. They can be acceptably used to cover vast ignorance, even though they were originally uttered by the most learned. Anyone who wants to understand our Government's neutral problems today should study the history of 1914–17. Objective study will show that we can remain neutral, maintain our neutral rights, live up to our neutral duties if we have a mind to. Study, too, will show that America is more united in opinion today than she was in 1914, but President Wilson's neutrality proclamation received the same whole-hearted support from all our citizens in August 1914 as President Roosevelt's did today. Even ex-President Theodore Roosevelt, who later so strongly took sides and urged in the strongest terms that America should enter the war on the side of England and France, wrote during the first weeks of the war, "Of course it would be folly to jump into the gulf ourselves, and to no good purpose, and very probably nothing that we could have done would have helped Belgium. We have not the smallest responsibility for what has befallen her" (Outlook, September 23, 1914).

Let us review the first days of the 1914 World War and our neutrality then. We will find much that is the same; still we will see a great difference. Then we assumed a European war was, after all, not of our concern. Today we may assert that, but we know it is hardly true. The real truth in each case is and was that war anywhere is of universal concern. Peace, too, must be of universal concern. Regardless of what anyone may think or hope, the world is a unit in more ways than in its purely physical one.

Today no one expects anyone to be neutral in mind and thought. One Nation-wide poll on who is responsible for the present war shows that 82 percent of our people hold one side responsible. That does not give great promise for impartiality.

WHAT WILSON URGED

In 1914, President Wilson, 2 weeks after issuing his neutrality proclamation, said: "The United States must be neutral in fact as well as in name during these days that are trying men's souls. We must be impartial in thought as well as in action, must put a curb upon our sentiments as well as upon every transaction that might be construed as a preference of one party to the struggle above another. My thought is of America—a Nation that neither sits in judgment upon others nor is disturbed in her own councils, and which keeps herself fit and free to do what is honest and disinterested and truly serviceable for the peace of the world."

But proclamations and speeches do not alter facts. They are powerless when it comes to changing men's opinions. The people of our country were not impartial in thought. Still they remained neutral in fact as far as actions were concerned for nearly 3 years. They stood on their rights and they condemned the wrongdoer. And while standing as a neutral their condemnation of a wrong did not take them into war. Had it done so we would have fought on both sides.

American neutrality has not been an unchanging thing from Washington's first neutrality proclamation to the present. It has grown and developed or it has become weak and supine, according to the emphasis. Sometimes neutral rights have been stressed, at other times neutral duties. There is an ocean of distance both in theory and fact between Jefferson's notion, that it was not the function of the Government to interfere with the economic affairs of the people and that as many people made their living in manufacturing arms their sale should not be prohibited, and the 1937 Neutrality Act. From the beginning to the present the American tendency has been to interpret neutrality to mean impartiality and to withdraw all moral judgments and base our stand of neutrality upon a simple rule of law instead of upon moral actions. It is nevertheless here where our neutrality has failed and we have turned to war. Therefore let's give up the "impartial" dream which has never held when our sense of justice has been outraged and place our neutrality upon the fundamental rights of a nation to carry on its peaceful pursuits even during war without being a party to the war. Whatever our neutrality has meant during the last 140 years, the right to stay at peace has been stronger than our dream of being impartial in thought, word, speech, and action.

Let us stand upon this platform—war between two or more nations cannot diminish the rights of any nation or nations that want to remain at peace. Maintain that stand upon a moral basis. Then American neutrality will stand and become the force in the world it should be.

Mr. THOMAS of Utah. That speech was delivered on the night of September 11. On the night of September 14 the senior Senator from Idaho [Mr. BORAH] spoke on the radio, and in his address these words were used:

The talk here in Washington is no longer that of merely furnishing arms. It is said we must prepare to fight. One of my colleagues, a most able and sincere Senator, declared a few nights ago publicly: "Let us give up this dream of impartiality, therefore, of neutrality. It is better," said he, "to take sides and fight."

He was speaking out boldly what is now heard from the same sources from which came the agitation of furnishing arms. And, if in a few months we can tear up the law which a nation almost universally approved, how long do you think it will take to put across the proposition of sending our young men into the trenches once we have intervened?

Mr. President, it will be noted that the senior Senator from Idaho did not use my name, did not mention my name, and I am sure that I could not claim the authorship of the words quoted in the extract. I heard the address over the radio. It did not seem to me that I could possibly be the author of those words. In fact, to anyone who has read anything about international law or international relations, the sentence about impartiality and neutrality is indeed such a stupid sentence that my feelings are almost hurt when I realize that it has been charged up to me.

The following morning, in telling the story of the radio address made by the Senator from Idaho, the editorial writer, or, rather, probably the man on the desk in the newspaper office, did a bit of editorial work and put in parentheses that the senior Senator from Idaho was referring to the junior Senator from Utah, gave my name, and let it go out to the world that I had made that statement.

Then, Mr. President, some very interesting things happened. On the 13th of September the Chicago Tribune had a full column and a quarter editorial about our going

to war, and in that editorial was a reference to the junior Senator from Utah.

My pride, of course, was exceedingly great to realize that my name was used in the editorial of a great metropolitan newspaper, because that has not occurred very often in my lifetime. In my lifetime, too, I have done some editorial writing, so I know that only certain people are on the accredited list, and I knew that I was not on the accredited list of any newspaper columnist or any newspaper editor. Therefore, it was gratifying to have broken into the press, and I am very grateful for that. But to have broken into the press, and then to have been given credit for something which I am not entitled to, of course, hurt my feelings and cut my pride.

In its editorial the Chicago Tribune carries on as follows:

> Now it is proposed—it is Mr. Roosevelt's proposal—that with a recognized state of war in Europe and with the Neutrality Act in effect there shall be an amendment permitting Americans to sell munitions to nations which can purchase for cash, take title to the goods, and transport them in their own ships. That means that the British and French can put orders for any supplies they need with American factories.
>
> Administration spokesmen—

Mr. President, note that—

> Administration spokesmen leave no doubt in anyone's mind as to the purpose of this. Senator ELBERT D. THOMAS, Utah Democrat of the Foreign Relations Committee, said in a radio address that a neutrality which does not distinguish between good and evil reduces the neutral country to an unbearable impotence. The righteous neutrality, he said, did not mean impartiality. "Therefore," he said, "let us give up the impartial dream which has never held when our sense of justice has been outraged." This expresses the view of Mr. Roosevelt's administration and the American people should give it full consideration.

Mr. President, it was true that when I came to the Senate I had been a college professor, and there was much talk of the "brain trust," but I was never able to break into that sanctified group. Probably I was barred because of my age. I know it has been said that a number of us speak for the administration, but, in the whole history of the Presidency of the United States, there never was a time when the President was so well able to speak for himself as at the present time, nor has any President with greater insistence spoken for himself.

In the past we have had spokesmen for the administration, but anyone who characterizes Franklin D. Roosevelt as an ancient leader of Israel—Moses—characterized himself as one being slow of speech and therefore needing a spokesman, is using his imagination in a way that simply does not fit the facts.

There have been persons in the Roosevelt administration who have spoken for the administration. A colleague of mine from Columbia University, a former professor, in the earlier days, spoke for the President. He is now writing about him, but he no longer speaks for the President. Another colleague of mine, a great general, whom I highly respected in war days, and still do, spoke for the President for some time. Now he is writing a column. He does not any longer speak for the President.

Mr. President, in the light of these circumstances, and being somewhat familiar with history, the last thing I should want to become would be spokesman for the President. I ask, who would like to be an Aaron for Franklin D. Roosevelt? I would not.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. MINTON. I do not think the Senator should be unduly disturbed about that Chicago Tribune editorial, because no one ever reads an editorial in the Chicago Tribune.

Mr. THOMAS of Utah. Now, Mr. President, I am sunk. [Laughter.] Here I have been getting great satisfaction from the fact that at last I have broken into the columns of the press only to learn that in this great country of ours no one reads the editorial.

The Chicago Daily News of the 15th of September carried the following story:

> Except to call attention to the President's neutrality proclamations and his special session call, BORAH did not directly mention Roosevelt, but he replied—again without identifying his target—to the Monday night radio argument by Senator ELBERT D. THOMAS, of Utah, administration backer.
>
> "It is now proposed," said BORAH, "to repeal entirely this provision of the law, to enable this Government to furnish arms to one side and to withhold them from the other. All anyone need to do to know that this is the real, the controlling, purpose of repeal, is to read the literature on repeal down to the last 48 hours.
>
> The talk here in Washington is no longer that of merely furnishing arms. It is said: "We must prepare to fight." One of my colleagues—meaning Mr. THOMAS of Utah—declared a few nights ago publicly, "Let us give up the dream of impartiality, therefore, of neutrality. It is better," said he, "to take sides and fight."

On September 17 the Senator from Missouri [Mr. CLARK] was again quoted in the Chicago Tribune. The heading refers to THOMAS' speech:

> My friend, Senator ELBERT THOMAS, of Utah, one of the leading revisionists, let the cat out of the bag the other night as to the real position of the neutrality revisionists when he boldly declared: "Let us give up this dream of impartiality, therefore, of neutrality. It is better to take sides and fight." Those who favor the course of taking sides and fighting should naturally vote for the repeal of the arms embargo as a vital step in that direction. Those who favor keeping out of war should vote for the retention of our present safeguards and the addition of any others which may be necessary.

Mr. President, some of the words in this quotation, or misquotation, are found in my talk. Part of them, however, are found on page 9 of my talk, and the other part, not identically, on page 5. A very interesting sentence has been made up, a sentence which is illogical and meaningless; and I was perfectly happy to have forgotten all about it, in spite of the things I shall show, until last Saturday night, when I was debating the question before the Academy of Political and Social Science in Philadelphia, on the program with Dr. Borchard, Dr. Fenwick, and Dr. Libby.

My colleague, the Senator from Missouri [Mr. CLARK], delivered a 3-hour address, and from that 3-hour address Dr. Borchard found nothing that he deemed worthy of quoting except this sentence of mine. I do not know whether or not that is a reflection upon the Senator from Missouri or his speech. I do not think so. The point is that this thing was started again over the country, and the newspapers around Yale University carried the quotation from the Senator from Missouri. The reason why they carried it was because the Senator, in his remarks on page 280 of the RECORD, had this to say:

> There are, in this country, perfectly honorable and patriotic men and women who conceive that our interests are so inextricably interwoven with those of Great Britain and France and Poland that we should step forward openly and frankly as a partner and ally. They agreed with the blunt declaration made only a few weeks ago by Foreign Minister George Bonnet of France, that it is the duty of the United States to come forward boldly and announce that in the event of war we would be found fighting with all our men and all our resources on the side of Great Britain, France, and Poland. Now that the catastrophe of war has occurred, they would have the United States proceed without delay to take its place in the struggle on the side of those Allies. With regard to neutrality, they echo with enthusiasm the frank and candid words of the able and erudite Senator from Utah [Mr. THOMAS], one of the authors of the committee substitute, when he said, in a recent radio address:
>
> "Let us give up this dream of impartiality, therefore of neutrality. It is better to take sides and fight."
>
> With such a view I am in passionate disagreement, and I believe that the American people when they completely understand the issue will be in overwhelming disagreement. But, Mr. President, while I violently and completely dissent from the judgment, I respect such opinions when openly and candidly expressed.

The throwing in of the word "impartiality," of course, brought the attention of the country to the real situation about the law of neutrality. There is no law of impartiality; but there is a law of neutrality. I imagine that if one were to go to the trouble of looking up the adjectives "neutral" and "impartial," he would find that probably both are described by the same synonym, "unbiased." However, if one searches through the international lawbooks, he will find the law of neutrality, but he will never find the law of impartiality. I know, too, as I shall later show, that it has been the American interpretation of the law that a neutral should act in such a way that he is impartial in regard to belligerents.

On the 18th of September the United States News gave over its whole editorial page to an article entitled "The Partiality Law." That, and other references, brought forth a consideration of the idea of impartiality in the press of the country.

Dr. Charles A. Beard was asked to write, and did write, a series of articles for the Scripps-Howard newspapers, merely giving information in regard to the question before us. The first sentence in the first article of Dr. Beard's paper shows the point which I have been trying to make, and shows the reason for it. We all know where Dr. Beard stands on this question. His opening statement is:

Neutrality does not mean and never can mean "impartiality" in the sense that American policy and acts must confer the same or equal benefits upon both sides in the war.

About this same time, Mr. President, an advertisement was published throughout the country in a great number of newspapers. I am sure it was this advertisement which brought forth the great avalanche of letters which came to me, especially as a result of my being made a part of the "war-mongering crowd," as we are called. This advertisement stated plainly:

The revision of the Neutrality Act means war for America.

Mr. President, we cannot blame anyone for being worked up under such circumstances, and for taking it for granted that an advertisement which is put in a newspaper is based upon facts. So, of course, no one can have any feeling except of the most respectful kind toward anyone who took the trouble to write.

Mr. President, really great and honest consideration should be given to the situation we have caused. I spoke on a Nation-wide radio hook-up. My address attracted absolutely no attention. I received probably the usual 50 or 60 "fan" and "pan" letters. I shall have to take back the "pan," because I received no "panning" at all. I received only "fan" mail as a result of my talk.

Then came the misquotation. My mail jumped into the hundreds, and every letter was a "panning" letter, written with a bitterness and hate which cannot help but influence anyone.

Mr. President, it would be wrong to bring before the Senate many of those letters; but I shall bring to the attention of the Senate three of them, to show how cruel letters can be, and how unjust it is even to misquote a man in whom the country is in no way interested.

This letter is dated September 17. It came in an envelope and was signed, but bore no return address. The envelope was postmarked in two towns in Massachusetts. The letter reads:

DEAR SENATOR: If you want to fight so badly, go join the British Army. It's a wonder to me how men of your caliber ever get into the Senate or anywhere else as far as that goes. You seem to forget that you are elected to fulfill certain obligations—primarily to keep peace. If we wanted war, we could have hired a dictator. You ought to know that war is a costly game and that the winners lose.

You're a Senator, not a ditch digger; so use that head of yours.

Best wishes,

A. C. WHITE.

[Laughter.]

Mr. President, that letter would cause anyone some concern; but on the next day I received a letter from one of our great universities, from a man who signs himself "Ph. D." and "M. D.," and who is the head of a large department in one of America's greatest universities. It will be noted that I have eliminated his name and the name of the college, because I am going to say some rather harsh things about this letter:

DEAR SENATOR THOMAS: According to newspaper reports the following is attributed to you: "Let us give up this dream of impartiality, therefore, of neutrality. It is better to take sides and fight." If these statements were really used by you and they represent your feelings as a United States Senator, then I wish to take strenuous exception to them. With due respect to your position, I think at this critical time, when the feelings of citizens can be so easily aroused, it is the solemn duty of our political leaders to be very temperate in their public utterances. I may further tell you that I have supported President Roosevelt in many of his proposals, but your utterances were the final argument to set me very firmly against lifting the embargo on arms. A number of my friends share my feelings. As an administration spokesman you have placed the Government in a very vulnerable position. In my opinion, the many Congressmen and millions of citizens who oppose lifting the embargo have a clear-cut case against the Government, and their argument that lifting the embargo brings us very close to if not in the war becomes a most convincing one.

I sincerely hope that other Government supporters will find more logical and humane arguments for lifting the embargo than those which are implied in your alleged public utterances, which seem to me so inflammatory and ill-advised at this time.

Certainly your statements do not harmonize with the sane words used by our President in his recent radio address. It is my most earnest hope that whatever action is taken in Congress, it will be based on the premise that the United States will not enter into the present lamentable European carnage.

This letter presents my personal opinion and in no way is connected with my duties at the university.

Mr. President, the seriousness of such a letter, sent by a man who signs himself "Ph. D." and "M. D." is this: Such a writer breaks the cardinal canon of all scientific work. If a student came before this professor and expected to have bestowed upon him a doctor's degree, and attempted to bring in something as hearsay, he would be "flunked" immediately. Yet this man, who is a guide, passes judgment, by the merest kind of hearsay, and immediately condemns a colleague to a position in which he himself would hate to find himself. I repeat, the cardinal canon of scientific work is to state facts, to find facts, to get facts, and at all times never make a misquotation.

Another letter came which is not only very cruel but very filthy—the type of letter which all of us have received lately. I have copied part of this letter because it is a letter written by an extremely foolish man, and it is a letter, I know, written by a man who knows nothing about war, and who knows nothing about the responsibilities in connection with war:

If you want to fight, why don't you go over and fight yourself? You're sitting pretty. Send yourself; don't send us. We don't like to get killed any more than you do. Maybe you don't know this. It is a lot easier to order someone else to die than it is to die yourself.

Mr. President, those words cut to the quick. I have seen more war than I dare talk about or think about, not only our own wars but wars in other places.

To me there is nothing heroic about war. If war comes tomorrow, probably I shall be doing just exactly the same thing that I did during the last war—running errands, obeying orders, carrying out certain details. I repeat, there is no longer anything heroic about war. It is a grim tragedy, and everyone must share the burden.

The thing in that letter that cut was the fact that the writer had hit a man who did not have an opportunity to order divisions or regiments or companies to do certain things, but a man whose duty it was to pick individuals. Mr. President, I am guilty of having selected men and having shot them over ahead of their companions on replacement calls; and the foolish man who wrote that letter does not know anything about the fact that it is easier to send someone else over the top than it is to go yourself. The foolish man who thinks those things does not know the experience of practically every thoughtful officer in the United States Army who learned from actual experience that the happiest day of his life was not when he could give the command "You go" or "Forward," but when he realized that he was able to say, "Let's go." That became the characteristic of the American boys and the American Army on the other side; and that was easier by almost any kind of degree than the selection of a boy here whose mother and father you know, and a boy there whose mother and father you know, and sending him out of turn. It was not an easy task. I repeat, the extremely foolish man who accepts such a philosophy of life and such an idea of his Government is not contributing anything to the upbuilding of manhood in this country or to a recognition of the fact that his Government is a government of the people and supposed to represent the people.

This quotation has reached other countries. On October 7 I received a postal card sealed in an envelope, mailed in Montreal, and sent to me, addressed:

MEIN HERR: We have orders to prepare the way to the German armies that will invade the United States soon.

Gas tests were made in New York and Boston subways lately.

You do not imagine that the rotten American Army can resist our victorious armies longer than the Polish armies did.

Our Fuehrer will make you kneel down and will seize all the American wealth soon.

This is signed by a gentleman by the name of "Fritz Hitler"; but it comes as a result of that quotation.

Mr. President, out of fairness to myself, since I have taken the time I have consumed to deny—if that is the proper word—that I ever thought or could ever use the type of sentence that has been credited to me, it is necessary, I think, that I tell those who are kind enough to listen what was said in this radio talk.

Remember, the President had not called Congress into extraordinary session. When this talk was given, we did not know whether there was to be an extraordinary session. Those of us who had been asked whether the President would call an extraordinary session had always answered, or at least I had, that of course any President of the United States would like to have the Congress in session during any time of great emergency.

I was requested to give this talk over the radio, and in promising to do so I said, "I will do it only on one condition, that is, that it can be a talk, not in advocacy of anything, but a talk in explanation of the problems which face the country in regard to neutrality. There is no partisanship in this talk, there is no taking sides. It is a talk delivered primarily so that the people of the country, and especially the students who are starting into school and are going to study these things, might see the big problems in relation to neutrality."

After analyzing the various kinds of neutrality, and pointing out that physical conditions call for different types of neutrality, I proceeded:

For these and other reasons it is difficult indeed to put definite exactness into the meaning of "neutrality" as that word is now used in the world and for that matter in the United States.

America's Neutrality Act has behind it definite objectives, and these objectives are worthy in every sense. They were expressed at their very best at the time of the discussion of the Neutrality Act of 1935, when our Democratic leader, the late Senator Joe Robinson, uttered the sentence, "We want no war, and we want no profits from war." After 4 years of neutrality legislation, I am convinced that the American people want two things, as these wants are expressed in our present Neutrality Act. First, they desire to reduce as much as possible the danger of any war profits which might involve us in a war, for few Americans want to see America involved in war, and, second, the average American wants to see America's economic and moral forces kept in a position so that she may not be a contributor to war or the war maker, but so that she may be able to use her moral and economic forces for peace in the world when the time for making peace comes. There are, of course, tremendous differences of opinion about how best to accomplish these objectives. America's task today, then, is to produce the type of unity which will cause her to remain uninvolved and at the same time contribute to the promotion of peace and to the limitation of the war area. We shall soon see whether our Neutrality Act is an aid or a hindrance in the accomplishment of these desires.

* * * * * * *

If we can remain objective at all times, unimpulsive in our thinking; if we can live down slogans and the effects of words of uncertain meanings, upon our actions America can remain out of the war regardless of how severe it may become. America can still maintain, not in the absolute but generally speaking, all of her neutral rights, but we will maintain our neutral rights longer if we stress our neutral duties and if we sincerely live in accordance with those neutral duties that are now devolved upon us. Those duties are rather definite.

Imagine being charged with wanting to go to war as a result of a speech containing the following:

The President's two proclamations, the Neutrality Act, and the President's Sunday night radio talk have all contributed to showing us what are our duties. Nothing will be gained by any one either within the United States or without if America finds herself involved in war. The good that can possibily come to the world as a result of restored peace will of necessity be the good that will come as a result of a good peace. The more neutrals there are in the world when the time for making peace comes, the better will be the thinking of the world, and the force of the objective thinking will be able to temper the impulses of both the victor and the vanquished.

At the end of the World War, due to the fact that all of the great nations had entered the war, the peacemakers and their peoples were caught between two emotions—one to punish and the other to build a new world order. So strong were these conflicts that it was deemed necessary to join in one document both the punishing elements and the constructive plans. This made universal support for the whole document impossible and caused those who really opposed but a part to oppose the whole. Next time may the neutral force in the world be so strong and so aloof that the victor-vanquished settlements may be confined to those limited problems and the constructive planning for world peace be left to nations at peace planning for a peace which will be upbuilding for all—not a peace made by victors.

Then I get into the discussion of impartiality:

IMPARTIALITY AIDS STRONGER

Now, everyone is interested in the test of our Neutrality Act. If it has defects and therefore needs amendment, those defects will be shown very quickly. The act implies a neutrality based upon the theory of impartiality. I have always held that, while American law always assumed this and text writers have maintained that neutrality meant impartiality, this could not be. First, because impartiality could never be obtainable. Neutrality can be proclaimed and lived up to, but try as we will impartiality, even though proclaimed, can never be lived up to. If two nations are contending and a neutral does nothing, the effect of inaction is to aid the stronger of those two nations. If the neutral acts in an impartial way and treats each in exactly the same way the effect still is to aid the stronger. If the neutral takes sides he, of course, is not impartial.

Let us make our illustration even simpler: Two men are fighting to the death on a desert. One gains all the water, the other has none. You, a neutral, come along with plenty of water. You say this fight does not concern you because you are a neutral and you stand on your neutral rights and do nothing. From the standpoint of the law of neutrality you have done no wrong, but you have not been impartial. You know that the withholding of the water from the one has meant his certain death and victory for the other.

Therefore, impartial neutrality in a practical sense is utterly impossible. That which is impossible in fact is very poor substance on which to base a rule of law. To the extent that our neutral stands have been based upon impartiality they have been weak. When we have taken the position that neutrality means remaining aloof from war upon the theory that a nation that does not fight has rights in the world that belligerents or war cannot destroy, we have been strong in our neutrality and no one has made war on us because of that stand. Nations at war are busy with actual enemies. They do not deliberately attempt to turn neutrals into enemies.

MORALITY AT STAKE

Let's keep our thinking straight. Just because one nation attacks another and war begins, the warring states do not thereby gain all the rights to the whole earth. Neutrals still have rights and they still have duties. One of these rights is to protest wrongdoing and advantage-taking wherever it exists. You cannot be impartial if one combatant only commits the wrong. A referee in the prize ring must be neutral, and his neutrality makes him impartial as long as both fighters are fair, but when one fouls the referee must still remain neutral, he has no right to take part in the fight, but he need not be impartial and declare the fight a draw just because one man fouls. Without changing one bit his neutral position he penalizes the wrongdoer. His neutrality is preserved but his impartiality has gone. The rights of both fighters and the referee are all preserved. A neutrality that demands an impartiality calls for a dulling of every moral impulse. It insists upon erasing the line between good and evil. That is asking too much. That reduces a neutral to an unbearable impotence. A neutral has a right to stand for something in the world, not for nothing. If neutrality means a crushing of world morality it is better that we take sides and fight, because fighting for a right is better than passive submission to a wrong.

Now, Mr. President, let me ask a simple question? Is there a boy in a Mohammedan country who goes to Friday school, is there a boy in a Jewish country who goes to Saturday school, or is there a boy in a Christian country who goes to Sunday school, who would not accept the logic of fighting for what is right?

The whole essence of the great civilization, built upon these three great creeds, demands that of all of us. What is there startlingly wrong about a Senator of the United States declaring that, when the question is a question between right and wrong, I would rather fight than submit to a wrong? Does our oath mean nothing? Does the oath of an Army officer of the United States mean nothing? Simply because we are attempting to be just in a world where certain nations are at war, must we be impotent? Have we not some rights? Cannot we stand where Jefferson and Washington taught us to stand in the beginning of our evolution as a neutral nation? Jefferson said that the fact that two nations act like wolves toward each other is no reason why we have to take part in their fighting. The beginning of American neutrality was when we took the position that a neutral state had the right to exist in the world even when belligerent states were tearing each other to pieces.

Mr. President, reference has been made to a certain phrase as "a famous phrase." I do not know just why it should be so famous. It is in every international elementary textbook I have ever seen. That is the phrase, "take action

short of war." Yet some people thought President Roosevelt invented that phrase. I go so far as to say that our embargo under the provisions of our Neutrality Act is an act "short of war," if it is supposed to restrain belligerents, and not in any sense a warlike act.

I now come to another part of my radio address, and then I am through:

Study, too, will show that America is more united in opinion today than she was in 1914, but President Wilson's neutrality proclamation received the same wholehearted support from all our citizens in August 1914, as President Roosevelt's did today. Even ex-President Theodore Roosevelt, who later so strongly took sides and urged in the strongest terms that America should enter the war on the side of England and France, wrote during the first weeks of the war, "Of course it would be folly to jump into the gulf ourselves, and to no good purpose, and very probably nothing that we could have done would have helped Belgium. We have not the smallest responsibility for what has befallen her." (Outlook—September 23, 1914.)

Let us review the first days of the 1914 World War and our neutrality then. We will find much that is the same; still we will see a great difference. Then we assumed a European war was, after all, not of our concern. Today we may assert that but we know it is hardly true. The real truth in each case is and was that war anywhere is of universal concern. Peace, too, must be of universal concern. Regardless of what anyone may think or hope, the world is a unit in more ways than in its purely physical one.

Today no one expects anyone to be neutral in mind and thought. One Nation-wide poll on who is responsible for the present war shows that 82 percent of our people hold one side responsible. That does not give great promise for impartiality.

WHAT WILSON URGED

In 1914, President Wilson, 2 weeks after issuing his neutrality proclamation, said: "The United States must be neutral in fact as well as in name during these days that are trying men's souls. We must be impartial in thought as well as in action, must put a curb upon our sentiments as well as upon every transaction that might be construed as a preference of one party to the struggle above another. My thought is of America—a Nation that neither sits in judgment upon others nor is disturbed in her own councils, and which keeps herself fit and free to do what is honest and disinterested and truly serviceable for the peace of the world."

Wilson's first statement and his proclamation were based upon the theory of neutrality as announced by Washington and Jefferson.

But proclamations and speeches do not alter facts. They are powerless when it comes to changing men's opinions. The people of our country were not "impartial in thought." Still they remained "neutral in fact" as far as actions were concerned for nearly 3 years. They stood on their rights and they condemned the wrongdoer. And while standing as a neutral their condemnation of a wrong did not take them into war. Had it done so we would have fought on both sides.

American neutrality has not been an unchanging thing from Washington's first neutrality proclamation to the present. It has grown and developed or it has become weak and supine, according to the emphasis. Sometimes neutral rights have been stressed, at other times neutral duties. There is an ocean of distance both in theory and fact between Jefferson's notion, that it was not the function of the Government to interfere with the economic affairs of the people and that as many people made their living in manufacturing arms their sale should not be prohibited, and the 1937 Neutrality Act. From the beginning to the present the American tendency has been to interpret neutrality to mean impartiality and to withdraw all moral judgment and base our stand of neutrality upon a simple rule of law instead of upon moral actions. It is nevertheless here where our neutrality has failed and we have turned to war. Therefore let's give up—

Here is where I suggest the giving up—

Therefore, let's give up the "impartial" dream which has never held when our sense of justice has been outraged, and place our neutrality upon the fundamental rights of a nation to carry on its peaceful pursuits even during war without being a party to the war. Whatever our neutrality has meant during the last 140 years, the right to stay at peace has been stronger than our dream of being impartial in thought, word, speech, and action.

Let us stand upon this platform—war between two or more nations cannot diminish the rights of any nation or nations that want to remain at peace. Maintain that stand upon a moral basis. Then American neutrality will stand and become the force in the world it should be.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 17, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 16, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, we would be like Him, who, with a consciousness deeper than the sea and higher than the stars, said calmly insistently: "I am the Way, the Truth, and the Life." Wilt Thou show us the path of life: "In Thy presence is fullness of joy; at Thy right hand are pleasures forever more." Let us begin this day with a fine impulse sweeping through our breasts, possessing a vision that conquers fears and immortalizes hopes. O Thou who art the purest of the mighty and the mightiest of the pure, who dost guide the worlds through space, cannot be less wise and kind than the shepherd who leads his flock into green pastures. In a world in which we hear so much of the roar of things and whose future no one can foretell, O may we have a place in the hollow of Thy hand where our souls may find whiteness and our minds unity. Through Christ our Redeemer. Amen.

The Journal of the proceedings of Friday, October 13, 1939, was read and approved.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 3 calendar days in which to extend their own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. RICH. Mr. Speaker, reserving the right to object——

Mr. RANKIN. Including the gentleman from Pennsylvania [Mr. RICH]. [Laughter.]

Mr. RICH. I would like to know what the idea of the gentleman is in making the request, because they all get permission to do it anyway.

Mr. RANKIN. My understanding is that we will probably adjourn over. We have been doing that. The RECORD will be printed every day, at any rate.

Mr. RICH. It would be a good thing if we did adjourn over, because if we had a roll call there would not be enough here to do business anyway.

Mr. RANKIN. I do not object to adjourning over, but if we do, I would like the Members to have that permission.

Mr. CARLSON. Mr. Speaker, reserving the right to object, would this include remarks made before other bureaus and boards?

The SPEAKER. The request of the gentleman from Mississippi was that all Members may have the right for 3 calendar days to extend their own remarks in the RECORD. It would not include excerpts or extraneous matter.

Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and insert a speech made by the Honorable Nicholas Murray Butler, president of Columbia University.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ROTARY CLUB, BEDFORD, IND.

Mr. CROWE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CROWE. Mr. Speaker, in these turbulent days of wars, of mass murder, it is good to know that we live in the United States of America, a peace-loving Nation. It is good to know that we have institutions in our country which work for peace and better world understanding. I am a charter member of a club which has a local in my home town of Bedford, Ind. I have been a member continuously since its founding. The work of this club, locally, by districts, by

State, by Nation, and throughout the world works for peace, for harmony, for moral uplift, and works for better world acquaintanceship and world understanding. I refer to the Rotary Club. It has branches almost all over the world.

I recently had occasion to take up my attendance in far-away Oslo, Norway, while there at the recent Interparliamentary Union Conference. I found at Oslo the same fine personnel that I find in these clubs everywhere I go.

The reason I am bringing this matter to the attention of the House at this time is on account of a very splendid letter I have just received from my local club. I shall set it out and it is as follows:

BEDFORD ROTARY CLUB,
BEDFORD, IND., *October 12, 1939.*

Hon. E. B. CROWE, M. C.,
House Office Building, Room 1234, Washington, D. C.

DEAR SIR: In recognition of your outstanding service to our community and the State of Indiana, the board of directors of Bedford Rotary Club has authorized me to confer upon you an honorary membership in the Bedford Rotary Club.

The honorary membership includes the privilege of attending all meetings, relieves the honoree of the necessity of the payment of dues, and waives the usual attendance requirements.

The board of directors wishes to take this means of expressing its appreciation of your past service and is happy to have you as an honorary member of the Bedford Rotary Club.

Rotarily yours,

BOARD OF DIRECTORS,
Bedford Rotary Club.
By JOHN D. WALLS,
Secretary.

I consider this one of the finest honors that I have ever had bestowed upon me for the reason it does not come from some far-away group who only see me at my best but this recognition is from a group of good fellows with whom I have lived.

I have lived with many of them in this group for 25 or more years. I have lived with numerous ones of them before there was a Rotary Club in my town and accordingly have been with and around a number of them for 40 years. I, therefore, appreciate this nice honor more than words can express and my wish goes out to them and to all clubs of Rotary that it may continue its good work and ever be a continuous and lasting vehicle for good throughout the world.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. CROWE. Mr. Speaker, I ask unanimous consent to extend my remarks by including a letter which I received from the Rotary Club of Bedford, Ind., my home town.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. CROWE. Mr. Speaker, I also ask unanimous consent to insert in the RECORD a short address I made at the American Association of State Highway Officials in Richmond, Va., on October 10, 1939.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

Mr. WELCH. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from California [Mr. HAVENNER] be granted leave of absence for 1 week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an editorial from the Detroit Free Press.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORD of Mississippi. Mr. Speaker, I ask unanimous consent that my colleague [Mr. MCGEHEE] may have permission to extend his own remarks and include a short excerpt from a newspaper.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on next Wednesday after business on the Speaker's desk has been disposed of.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that my colleague [Mr. WOLCOTT] may have 20 minutes in which to address the House on next Wednesday, after any other special orders which may have been entered for that day.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an article by Boake Carter, appearing in the Evening Public Ledger of Philadelphia, September 29, 1939, entitled "The Second Surrender."

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a brief sermon entitled "The Christian Churches' Message to America," by Rev. Harry Emerson Fosdick, of New York.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under special order of the House heretofore made, the gentleman from New York [Mr. REED] is recognized for 30 minutes.

NEUTRALITY LEGISLATION

Mr. REED of New York. Mr. Speaker, on August 29 of this year I was in London. Rather late that evening in company with a colleague from Indiana, we started out to see some things of interest in that city. We had proceeded only a short distance when I saw something that reminded me of a similar incident some 22 years ago. We were attracted by two powerful beams of light directed into the sky. It was a moonlight night. Just a few lazy, fleecy clouds were floating over the sky, and these two beams of light had pinned an object which appeared to be about the size of my hand. It was a plane; it was a British plane. They evidently were trying out these beams of light. Along the streets were sandbags around the basements of buildings, and in windows, and there were trenches, pill boxes, and dugouts in the parks.

Twenty-two years ago in December I saw a hostile plane pinned between beams of light and heard the antiaircraft guns and the terrific explosions and the rapid-fire guns. The next morning I went out in company with British officials to see what damage had been done. Among other things, on the street where we were looking a laundry had been completely destroyed. Some 25 bombs were dropped that night in a section of the city where the working people lived. and I remember that scene. I took particular pains to measure one of the craters where a house had stood. The crater was 30 feet across and 12 feet deep. I saw women there, and children, some bandaged, shivering in the cold. They were homeless because a series of these houses had been destroyed by these bombs. That was war. That was the result of an air raid 22 years ago.

Later, crossing over into France and up near the Wichet sector, I visited 19 craters caused by explosives. They were of an average size of about 200 feet across and 40 feet deep. It took the British men 9 months to tunnel in under a hill occupied by the enemy there to deposit high explosives and ultimately to blast them into the infernal regions. Two hundred feet across and 40 feet deep. And the officers told me that in tunneling through to get under that hill during that 9 months' work there were places where they tunneled through 40 feet of putrid human flesh. That ground had been fought over, and fought over, and fought over. That was war in 1917.

I went to one of the base hospitals on the British front, a hospital which had a capacity of 3,000 men a day, where in 1 month 4,500 soldiers had gone in and out. They lived in terror of air raids every minute. That was in 1917, 22 years ago.

I remember riding toward the city of Perrone. I was not accustomed to seeing human ribs sticking out of the flat

ground swept clear of every living thing. It was pointed out to me that there had been a town there, but that day one was not able to see even a brick; everything was ground to powder. That was done with the instrumentalities of war in use 22 years ago.

During the last 22 years people have learned something about war, and they realize that scientists and officers have been engaged during all that time with all the resources available in chemical plants and laboratories to create new implements of human destruction. It is hard to conceive just what this next war is going to be. It might be interesting to you men to know that in the defense of Verdun alone—there are soldiers on the floor here who, of course, know all this; but it is just as well, perhaps, that the country should know it—the French sent 3,800,000 men to the defense of Verdun. They fired 18,000,000 shells during February and July 1916; and I saw the 7 miles that had been swept clean of every living tree and shrub. I saw shoes with the feet still in them. I would have you remember that since the close of the World War to 1930 there had been gathered from that battlefield alone, every day, seven cartloads of human bones to be deposited in a great monument erected there in memory of the men who died at Verdun. That was war then.

The question is: What was accomplished by that war or by our participation in it? I shall discuss this a little later, but I wanted to give you just a little picture of war back in those dark days, almost a quarter of a century ago.

Mr. Speaker, there is one thing the vast majority of the people of this country are agreed upon; they do not want war. A small, a very small, but a very powerful minority may desire war profits, although they profess to be for peace. I do not believe, in fact I cannot bring myself to believe, that businessmen generally want war for profits or otherwise. I fully realize that a great many people who abhor war and desire peace wish to see the Hitler regime defeated, and I am one of those who share this emotion; but here we must stop and think lest these unneutral thoughts, translated into unwise action, lead us into another foreign war. We cannot participate in the war without being a party to it.

The real issue involved is: What course should be pursued to keep this Nation from being drawn or led into the European war?

There is at present upon the statute books a neutrality law which went into effect August 31, 1935, and which was continued in force by the joint resolution of May 1, 1937. This country was at peace then and it is at peace right now with every nation in the world.

The existing neutrality statute was therefore introduced, debated, passed by both branches of Congress, and signed by President Franklin D. Roosevelt at a time of national peace. Thus this legislation was enacted, not in the heat of passion, prejudice, or partisanship, but in a spirit of calm deliberation and with an unanimity seldom displayed in both branches of Congress. The Neutrality Act was passed in the Senate by a vote of 63 to 6 and by a vote of 376 to 13 in the House of Representatives. Now in an hour of crisis, in an hour of passion, the Congress is asked to repudiate, to repeal this expressed will of a sovereign people, and return to international law, which brought about our entrance into the World War in 1917.

Is there anyone bold enough to dispute the fact that this Nation was operating under international law prior to and during the old World War? We can start with the premise that it was so operating as an established fact. That the United States sought to defend this same so-called international law with its men on land and sea and in the air and also loaned its money to the extent of over $13,000,000,000 to foreign countries, which sum is not being repaid by any of the debtors except Finland, is also a factual matter of record. The United States has, in addition, paid for its championship of international law more than $63,500,000,000. I ask, Are we going to be unneutral in order to engage in contraband commerce because of the supposed profits that may accrue to our country? I call attention to the fact that the gross value of all our exports from the United States to Great Britain and France for the record-breaking year 1916 was only $2,115,537,090, which was but one-ninth of the appropriations of the first session of the World War Congress. Are we to disregard the cost in human life, in suffering to the insane, the blind, the crippled, the tubercular, and the gassed victims of that war, all a part of the ghastly result of endeavoring to police the world in the name of international law? This is, in part, the answer to those who seek to repeal the present Neutrality Act, which we enacted as a safeguard against a repetition of our former mistake, and which is performing the function for which it was enacted.

Now, the propaganda artillery has been brought into action to deter honest citizens who express their views in support of the arms embargo to their duly elected representatives in Washington, much as the propaganda machinery is used to suppress individual opinions and free speech abroad. The few who are on the stage shouting "peace under the cash-and-carry plan" know that behind the scenes the instruments of war are being made and sharpened for wholesale throat cutting and blood letting abroad under the sanctity of international law.

Those who really desire to keep this Nation out of war must strip the issue of all hypocrisy now masquerading under the banner of cash and carry. Let us examine the record and see how much reliance can be placed on peace talk by those who insist upon the repeal of the present Neutrality Act as a means of insuring peace. This is not the first time that "peace" has been the slogan under circumstances not dissimilar to the present. I call attention to some peace oratory, most persuasive and sufficiently convincing to achieve not its avowed purpose but to attain quite another objective. I invite attention to the speech of ex-Governor Glynn, of New York, as temporary chairman and keynote speaker at the Democratic Convention at St. Louis in 1916. I assume there are a few men in the Congress who were then present and heard this stirring address:

The United States is constrained—

Said Governor Glynn—

by the traditions of its past, by the logic of its present, and by the promise of its future, to hold itself apart from the conflict that now devastates the nations across the seas.

I am sure that those who heard him then were thrilled as he warmed to his subject and entered the realm of politics in his stirring flights of oratory on the subject of peace:

Fighting for every degree of injury—

Said the Governor—

would mean perpetual war, and this is the policy of our opponents, deny how they will. It would not allow the United States to keep the sword in the scabbard as long as there remains an unrighted wrong or an unsatisfied hope between the snowy wastes of Siberia or the jungled hills of Borneo. It would give us a war abroad each time the fighting cock of the European weather vane shifted with the breeze. It would make America the cockpit of the world. It would mean the reversal of our traditional policy of government. It would mean the adoption of imperialistic doctrines which we have denounced for over a century. * * * In a word, the policy of our opponents would make the United States the policeman of the world. Rome tried to be policeman of the world and went down; Portugal tried to be policeman of the world and went down; Spain tried and went down; and the United States proposes to profit by the experience of the ages and avoid ambitions whose reward is sorrow and whose crown is death.

I remind my colleagues that the Government at that time failed to "profit by the experience of the ages," but now that we have paid the price by not heeding the experience of the ages, it will be well for us and for the people to profit by our experience of 23 years ago.

Mr. Speaker, this is no time for those who desire peace to be lulled into a sense of false security by dramatic phrases while the citadel of neutrality is torn down by those who seek fool's gold under a cash-and-carry plan. What is it in the Neutrality Act of 1935 that is objectionable? In substance, the main points of the act are these:

First. An embargo upon the export of arms, munitions, and implements of warfare to all belligerents.

Second. A system of registration of munitions manufacturers and of licensing munitions exports under the supervision of a National Munitions Board.

Third. Delegation of power to the President to (a) withhold protection from any American citizen traveling on any vessel of any belligerent nation if he considers it advisable; (b) prohibit the entrance of any foreign submarine during war into American ports or territorial waters except under conditions prescribed by the President; (c) require bond of vessels suspected of leaving American port for the purpose of delivering up to any belligerent warship or supply ship men or fuel, munitions, or other supplies.

If this act were not working and doing precisely what it was intended to do, there would be no proposal here at the present time to destroy it. I am not surprised that so many people are perplexed by the present proposal of President Roosevelt, in view of what he said on August 14, 1936, at Chautauqua, N. Y., a great educational center located in the congressional district which I have the honor to represent. On this occasion President Roosevelt warned his audience that:

Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster.

President Roosevelt went on to say:

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality. They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work.

What could lead to greater bewilderment and confusion on the part of the public than to find President Roosevelt now leading the forces seeking repeal of the Neutrality Act and holding out the inducement in his message to Congress on September 21, 1939. To quote from that message, it was this:

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we would give employment to thousands doing it here?

I do admit that this is a very tempting morsel of hope to hold out to 10,000,000 unemployed. It is an almost irresistible psychological appeal to personal self-interest. The same thread of psychological inducement ran through many of the peace talks delivered throughout the country in 1916.

I quote from some of the speeches made by President Woodrow Wilson at that time:

I pledge you that, God helping me, I will keep you out of war. (Milwaukee speech.)

There is a moral obligation laid upon us to keep free the courses of our commerce and our finance, and I believe that America stands ready to vindicate those rights (Topeka speech).

One commander of a submarine might set the world on fire. There are cargoes of cotton on the seas; there are cargoes of wheat on the seas; there are cargoes of manufactured articles on the seas, and one of those cargoes may be the point of ignition (St. Louis speech).

There is one thing Kansas ought to be interested in, and that is that we must maintain our rights to sell our products to any neutral country anywhere in the world. We should be allowed to send the wheat that grows on the Kansas fields and the cotton in our Southern States to neutrals who need them, without interference from any of the warring nations (Topeka speech).

I shall ask unanimous consent to insert in the RECORD the professions of peace recently uttered by the leaders of the countries now at war in Europe. I wish to cite a few examples on this point:

Mr. Baldwin: The fight (for peace and the League of Nations) is worth it, and it is a fight that this country has been engaged in for some years and is engaged in now, and will continue in for centuries if need be (The Times, March 25, 1935).

Mr. Laval: Our country does not fear war, as I have said at Geneva, but it hates it (The Times, April 14, 1936).

Mr. Blum: The Front Populaire Government * * * will make every effort to establish real security in the world, a security based on "disarmed peace" (Manchester Guardian, May 8, 1936).

Herr Hitler: The National Socialists * * * have a gigantic program at home. That obliges us to seek peace and friendship with the rest of the world (The Times, June 19, 1934).

Signor Mussolini expressed his views in Rome, October 27, 1930: "Let it be clear, however, that we are arming ourselves spiritually and materially in order to defend ourselves, not in order to attack. Fascist Italy will never take the initiative of war" (George Seldes, Sawdust Caesar 1936, p. 385).

Subsequent events make a hollow mockery out of all these reiterated professions as to a real desire for peace.

We cannot depend on these so-called peace assurances. The general responsibility for the situation so far as the United States is concerned rests with this Congress, and it is by our acts, not by our speeches alone, that the issue of war or peace will be determined.

There was a time when as a student, studying the subject, I thought international law was something very sacred and the last refuge of protection for a neutral nation. It is well to remember, however, that this Government was endeavoring to operate under international law prior to the last war. Yes; more than that, the Government entered the war to defend the principle of international law. In support of this, I quote the unyielding position taken by President Wilson, as stated by him to Senator Stone on February 24, 1916:

Once accept a single abatement of right—

Said President Wilson—

and many other humiliations would certainly follow and the whole fine fabric of international law would crumble under our hands piece by piece.

I assert that one of the major contributing factors to the participation of the United States in the World War was an attempt on our part to champion international law, and we even went so far as to attempt to maintain the rights of other neutrals under it. The Nation is now asked to follow the same course which, 22 years ago, cost the lives of 126,000 of our men, thousands of crippled and blind and, as I have stated and which I repeat for sake of emphasis, the sum of $63,500,000,000, including a debt for money loaned to foreign nations amounting to more than $13,000,000,000.

I ask: Did the World War bring anything more than a temporary inflationary rise to the price of farm products? What has been the condition of the farmers since the World War? The farmers know the answer. Is it necessary to describe the condition of industry and of the working men and and women when a few years later the final backwash of the war struck our shores?

President Roosevelt told my friends at Chautauqua on August 14, 1936, when he addressed himself to "War profits as a lure," that—

Nevertheless—and I speak from long experience—the effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State.

It is clear—

Said the President—

that our present policy and the measures passed by the Congress would, in the event of war on some other continent, reduce war profits which would otherwise accrue to American citizens.

I would remind my colleagues that the President was addressing himself to the Neutrality Act which it is now sought to repeal. Continuing, the President said:

Industrial and agriculture production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster.

It was the prospect of war profits that made our farmers in the West plow up prairie land that should never have been plowed, but should have been left for grazing cattle. Today we are reaping the harvest of those war profits in the dust storms which have devastated those war-plowed areas.

Then the President reminded the Chautauqua audience that—

It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry, and a price level so high that the normal relationship between debtor and creditor is destroyed.

I am sure that this indictment of war profits gained from the sale of goods to belligerent nations should be a deterrent to the adoption of the present proposal of President Roosevelt, which would again inflict such penalties upon the people of this country.

Cash and carry is a delusion and a snare, the purpose of which is not neutrality, but war profits and nothing else except to favor one group of nations against another. The extension of credit, in other words, loans, is the entering wedge to war. The Democratic Congressional Campaign Book of 1914 contained the views expressed by Secretary of State Bryan on this very question. I quote from Secretary Bryan's explanation, as follows:

> It is inconsistent with the spirit of neutrality for a neutral nation to make loans to belligerent nations, for money is the worst of contrabands; it commands all other things. A very forcible illustration has been used in support of this proposition, namely, that as a neutral government does all in its power to discourage its citizens from enlisting in the armies of other countries, it should discourage those who, by loaning money, would do more harm than they could do by enlisting. The Government withdraws the protection of citizenship from those who enlist under other flags—why should it give protection to money when it enters into foreign military service? There is only one answer.

The policy recommended by Secretary Bryan was not followed. Subsequent events, however, demonstrated its practical wisdom.

Mr. RANKIN. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman stated a moment ago that this cash-and-carry plan would favor one side against the other. Of course, he meant it would favor France and England. I am wondering, and I ask the gentleman if it is not true, that if this cash-and-carry plan is applied to all, with the Atlantic Ocean teeming with submarines and airplanes, and the Pacific Ocean open, would it not be easier to transport these munitions across the Pacific Ocean through Russia into Germany probably than it would to transport them across the Atlantic Ocean to England and France.

Mr. REED of New York. I will answer the gentleman in this way. I do not claim to be an expert on war transportation. This is one of the most highly involved technical subjects. The way the gentleman states it, it would be a possibility were it not for the fact that under the arms embargo such shipments could not be made to either Germany or Russia because each one of them is in debt to the United States. They would come under the provision of the Johnson Act. The Treasury reports show that both Germany and Russia are debtors to the United States.

I ask, will not the cash-and-carry, or credit-and-carry plan, even though the contraband is carried in foreign ships, bring the war to our shore? One writer, Walter Lippmann, contends that the repeal of the arms embargo makes it much more certain that the war will remain 3,000 miles from our shores.

Mr. RICH. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Pennsylvania.

Mr. RICH. Was it not the idea of this cash-and-carry plan that all commodities that were destined for belligerent nations should be carried on foreign ships?

Mr. REED of New York. That would make the situation no different. When they struck the 3-mile line, they would have the naval forces of belligerent countries camped along there, as they are hovering on one coast now, in the expectation that this embargo clause will be repealed.

Mr. RICH. They would not have to sink any American ships?

Mr. REED of New York. What would happen? Let me finish this and I will answer the gentleman's question right here.

I maintain that if we should establish ourselves as an arsenal for warring nations, such a program is an invitation to every hostile battleship and submarine to hover along our shore just beyond the 3-mile limit and wait until its cash-and-carry prey leaves one of our harbors and crosses the line, and when the stern of the ship crosses the international 3-mile line, then and there the bombardment will begin. There will be disputes as to whether hostilities were begun within or without the international limits. To protect our own neutral waters and our own shores, our Navy and air force will be called upon to take a hand, and plain common sense ought to convince anyone that such a course of policing will eventually lead to international controversies and to war.

The range of these guns firing on the 3-mile line will endanger every harbor where there are cash-and-carry ships.

Mr. BULWINKLE. Are not the submarines hovering around our shores now looking for ships carrying munitions of war?

Mr. REED of New York. Yes; they are hovering there, and they have had an invitation to hover there.

Mr. BULWINKLE. Would they do it any more on account of repealing this embargo clause?

Mr. REED of New York. When we become a great arsenal, of course they will.

Mr. MICHENER. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman has made reference to the 3-mile limit. In making that reference, has he taken into consideration the fact that certain officials of this country have declared a 300-mile limit as new international law?

Mr. REED of New York. Yes; taking in 13 British possessions.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. This country has not declared that. Our multimillionaire Under Secretary of State, Mr. Sumner Welles, not an authority on international law or national law, has declared the "Sumner Welles" 300-mile limit.

Mr. REED of New York. But that was the outcome of the conference held at Panama.

If we should repeal the arms embargo and convert our industries into arsenals for the prosecution of the European war, can we not foresee the placing of heavy guards at our railroad bridges, around munitions plants, and war industries in an attempt to prevent the inevitable sabotage and explosions incident to the manufacture and transportation of arms and munitions in time of war? Thus, we bring upon ourselves many of the tragedies of war instead of keeping the curse of war 3,000 miles from our shore.

Mr. Speaker, at this point I ask unanimous consent to insert a list of the explosions, the loss of life, and the millions of dollars of property that was destroyed as a result of operations in this country before we declared war in 1917. This occurred because we were supplying munitions of war under international law.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

The matter referred to follows:

LIST OF MAJOR EXPLOSIONS AND FIRES IN AMERICAN MUNITIONS PLANTS AND FACTORIES SUPPLYING MUNITIONS OF WAR DURING THE PERIOD FROM AUGUST 1914 TO 1917

(Source: The German Secret Service in America, 1914–18, by John Price Jones and Paul Merrick Hollister. Publishers: Small, Maynard & Co.)

1914

August 30. Explosion in the powder mill of the Du Pont Powder Co., at Pompton Lakes, N. J.

September. Explosion in the guncotton section of the Wright Chemical Works. Three deaths and large property damage.

October. Explosion in the factory of the Pain Fireworks Display Co. Several deaths and destruction of the plant. Explosion in the fireworks factory of Detwiller & Street in Jersey City. Four deaths and much property damage.

1915

January 1. Fire in Buckthorne plant of the John A. Roebling Co., makers of shells, at Trenton, N. J. The $1,500,000 plant was completely destroyed.

January–June. Du Pont Factories at Haskell, N. J., Carneys Point, N. J., Wayne, Pa., and Wilmington, Del. experienced fires and explosions. A chemical explosion occurred in a factory in East Nineteenth Street, New York. Explosion in the Anderson Chemical Co., Wallington, N. J., guncotton plant. Three lives lost. Explosion in the Equitable powder plant at Alton, Ill. Five deaths.

May 30. Explosion on a barge laden with dynamite in the harbor of Seattle, Wash. Widespread damage.

June 26. Explosion in the Aetna powder plant at Pittsburgh. One man killed and 10 others injured.

July. Explosion of a tank of phenol at a plant in New York City. Explosion at the benzol plant of the Semet Solvay Co. at Solvay, N. Y. Factory destroyed. Incendiary fires at the Midvale Steel Co. plant; at the shell plant of the Brill Car Co.; in the Southwark Machinery Co.; and in the shell department of the Diamond Forge and Steel Co.

July 7. Explosion in the Du Pont powder factory at Pompton Lakes, N. J. Explosion in the benzol plant of Harrison Bros., Philadelphia; $500,000 damage.

July 16. Explosion and fire at the Aetna powder plant at Sinnemahoning, Pa. Five deaths.

July 19. Explosion at the Wilmington plant of the Du Pont Co.

July 25. Munitions train on the Pennsylvania line blown up at Metuchen, N. J.

July 28. Explosion again hits the Du Pont works at Wilmington.

July 29. Explosion of glaze mill in the American Powder Co. at Acton, Mass. Mill destroyed.

August. Powder flash in the Bethlehem Steel Co. Ten deaths. Explosion trainload of dynamite from Du Pont works at Pinole, Calif.

September. Explosion in the Curtiss Airplane plant at Depew, N. Y. Explosions in the shell factory of the National Cable & Conduit Co., at Hastings, N. Y. Explosion of benzol and wax in the plant of Smith & Lenhart, New York; two workers seriously injured. Explosion in fireworks factory at North Bergen, N. J.; two people killed. Explosion in the shell factory of the Westinghouse Electric Co. at Pittsburgh; two dead.

September–October. Repeated explosions at Du Pont plants, with extensive damage. Explosions at the plants of the Aetna Powder Co.

November. Two explosions in the Tennessee Coal & Iron Works at Birmingham, Ala., causing large property damage.

November 10. Fire in the plant of the Bethlehem Steel Co. that destroyed 800 big guns. (All Germans warned beforehand.)

December. Explosion of ton and a half of nitroglycerin at Fayville, Ill.

December 10. Explosion at Hopewell, N. J., plant of the Du Pont powder works; $2,000,000 worth of damage.

1916

January–April. Several major explosions in the Du Pont properties alone; dozens of lives lost. Explosion destroyed two arms plants in Bridgeport, Conn.

May. Explosion wiped out a large chemical plant in Cadillac, Mich. Explosion destroyed a munitions plant of the Bethlehem Steel Co., at New Castle, Pa.

August 1. Two million pounds of munitions blown up at Black Tom Island, in New York Harbor; $30,000,000 damage.

1917

January 11. Fire and explosion in the shell-assembly plant of the Canadian Car & Foundry Co. near Kingsland, N. J.; half a million 3-inch shells discharged; $17,000,000 damage to the plant and ammunition.

According to the German Secret Service in America, in 1915 a total of $62,000,000 was charged to fires of unknown causes, in addition to $6,200,000 paid out by insurance companies for incendiary fires. In 1916 this total jumped to over $100,000,000 (p. 134).

One agent alone, Von Rintelen, boasted that he had been sent to America by the German general staff "backed by $50,000,000—yes, $100,000,000;" that he was "an agent plenipotentiary and extraordinary, ready to take any measure on land and sea to stop the making of munitions to halt their transportation at the factory or at the seaboard."

SUMMARY

This list shows a total of 53 major explosions and fires in American plants supplying arms and munitions of war to Allies before the United States entered the first World War.

Of this total, 33 explosions occurred in powder plants or on munitions trains. Twelve accidents happened in gun or shell plants. Chemical factories producing items used in war accounted for 7 explosions, while 1 disaster occurred in an airplane plant.

Mr. LEWIS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Ohio.

Mr. LEWIS of Ohio. Just last night I learned that the Baltimore & Ohio is already guarding its bridges over the Ohio River between Ohio and West Virginia, and is not that as the result of such outrages as we had in 1917?

Mr. REED of New York. Mr. Speaker, finally, the question is whether we are going to be neutral or unneutral. What is neutrality? It is defined as "refraining from interference in a contest; friendly to each of two or more belligerents, or at least not taking part of either or any; as a neutral power."

Or it may be stated in the language of the authorities as follows:

The state of being neutral: The state of being a neutral nation during war. Neutrals may not lend money to either side, guarantee a loan, or allow the passage of belligerent troops through their borders.

Our Nation, which is neutral, should be steadfast in adhering to it and not be stirred from this position of security by any specious arguments or impassioned oratory. Strict neutrality and profits and advantages to one group of belligerents over another cannot be reconciled nor harmonized. I believe that strict neutrality is the surest, the safest, and the one means by which the United States can avoid war. To relax the rules, established during a period of peace, as a means of helping one group of belligerents to the injury of another belligerent group is anything but neutral conduct on our part. To alter the Neutrality Act as a means of financial gain shows a lack of honor and self-respect for the good name of our country.

I maintain that there is no vital national interest, profits or otherwise, to be gained by enacting sham legislation which is neither neutral in theory nor in fact. I was taught in high school that:

"This above all: To thine own self be true,
And it must follow, as the night the day,
Thou canst not then be false to any man."

This applies to nations as well as to individuals.

The idea that the present European war is a war to end all wars ought to be weighed in the light of what Lord Allenby, the distinguished British general, said in his last message:

Wars have been usually waged, in olden days, for the spoils of victory; increase of territory, acquisition of wealth, even glory to the victor. The lust for expansion is not yet quite dead; but the glory of conquest is departing; its gains are dead sea fruit; its legacy, revengeful memories alone; hardening hearts, perpetuating anger, and leading on to the dreary round of renewed wars.

Mr. Speaker, I now wish to direct the attention of the House to another much-debated phase of this proposed legislation. What is it that we wish to sell? Why not furnish a bill of particulars, that the public may know what the advocates of cash and carry wish to sell? Is this Christian Nation, under the term of neutrality, to deliver for cash or for credit these deadly poison gases: Chlorine, chloropicrin, phosgene tear gas, toxic smoke, and mustard gas? There is no doubt we can manufacture a new deadly product in the form of clay, impregnated with poison gas, which by a new diabolical system can be sprayed from the air in the form of powder.

Mr. Speaker, I have never seen the victims of the more modern methods of taking human life, but I remember going into a British hospital at the front, and I saw the victims brought into a large room, about half as large as this Chamber. The cots were placed side by side, and oxygen gas was being administered to these boys who were fighting for one more breath. They were a long way from home. The wheezing and coughing of these poison-gas victims was enough to rack one's heart and soul. The lining of the nose had been eaten away. Many of the boys had no eyelids left, just their big, round eyes glaring and bulging from the pain of the poison gas. These were the boys who, 22 years ago, were fighting to end wars. I do not intend to lend my voice or my vote to any plan which proposes to engage in the manufacture and sale of these devilish, deadly, inhuman instrumentalities for mass murder.

So we are going in to sell that because there is a profit in it. Some may cry out, "Is it just to embargo the implements of mass murder when we can make profits from them? Is it just when these countries owe us and we have an opportunity to collect?" Oh, I would answer that in these words, that justice is a fine word, but it is not the last word between man and man.

To so order the world that every man receives a just wage will not bring the millennium. Who pays the mother for her long night vigil, the father for his toil, the soldier for his wounds, the hero for giving up his life to rescue another? Who paid Jesus for His agony, Regulus for his patriotism, and Walt Whitman for his poetry? Above all work done for fair pay towers the work done for no pay at all—just for love.

If we have a spark of love in our hearts at all for humanity, for innocent women and children, we will not seek profits by selling the instrumentalities of wholesale murder, and that is what we propose to do by lifting this embargo.

Mr. Speaker, I am not interested in the profit that can be made by manufacturing and selling to our overseas neighbors the thermite bomb, weighing 5 pounds or less, which can be scattered over a city at large. A whole city, with favoring winds, can be destroyed by this instrument of refined cruelty. Thermite will burn through steel and through the successive floors of buildings so that modern architectural construction, only fireproof in the ordinary sense of the word, will be no adequate protection against it. It cannot be quenched with water. These are only a few of the sources of profit to be gained by becoming particeps criminis in a foreign war.

There should be no hypocrisy, no subterfuge, and no duplicity in dealing with this subject of neutrality. If it is the intention to favor one group of belligerents, then let the advocates of intervention be honest about it and say they wish to help one side whose cause they consider just. That will bring the issue clearly into the open where it belongs.

I maintain that the neutrality law is performing the function for which it was designed, whereas the old weapon of international law utterly failed in the World War. I listened intently for the President's explanation of his "conviction" that the repeal of the arms embargo would more probably keep us out of war. He said:

> I give to you my deep and unalterable conviction * * * that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the time of the gentleman from New York be extended 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BULWINKLE. Reserving the right to object, Mr. Speaker, and I shall not object, I should like to ask the gentleman a question.

Mr. REED of New York. Ask it now.

Mr. BULWINKLE. All right; I shall not object, Mr. Speaker.

The SPEAKER. The Chair hears no objection.

Mr. BULWINKLE. The gentleman said he would insert in the RECORD a list of the industrial plants and other facilities destroyed by the Germans before we entered the last war. Why is the gentleman inserting that list in the RECORD?

Mr. REED of New York. Does not the gentleman perceive the logic of it? Does the gentleman mean to bring the war right into our country, a neutral country?

Mr. BULWINKLE. Is the gentleman, then, inserting it in order that everybody may be fearful that if we pass this neutrality bill the Germans will again start on a course of sabotage in America?

Mr. REED of New York. Of course, they will, and so will any other country to which we are unneutral.

Mr. BULWINKLE. Then, in fear that someone might destroy our industries, we should stand supinely by and let them do what they please?

Mr. REED of New York. No; we should be neutral and not invite just that sort of thing, and the gentleman knows it.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Pennsylvania.

Mr. RICH. What difference does it make if we refrain from shipping munitions of war already assembled if we permit the shipment to foreign countries of the necessary commodities and permit them to be manufactured over there?

Mr. REED of New York. The point is that if we are going to be neutral we must stop the shipment of the commodities that are declared to be contraband of war by the belligerent nations.

Mr. RICH. Would that include any commodities that might be used for the manufacture of anything that might endanger the lives of people after they are shipped from this country?

Mr. REED of New York. For wholesale slaughter; yes.

Mr. RICH. Then the gentleman would limit the shipment of all such commodities?

Mr. REED of New York. I would remain absolutely neutral. I do not know what the gentleman's interest is in shipping goods abroad, but I will say that all we shipped during 1916 and was just one-twentieth of 1 percent of our domestic and foreign commerce, just one-twentieth of 1 percent; and for that you would engage in wholesale slaughter of civilians abroad and bring the war to our own shores.

Mr. RICH. The gentleman referred to my attitude in making that statement, and I wish to say right here that if any manufacturing concern in this country is making profits out of war, I will be the first one to vote that no manufacturer in this country shall make a penny of profit out of any war commodity.

Mr. REED of New York. Good; I am glad to hear that.

Mr. ALLEN of Pennsylvania and Mr. PATRICK rose.

Mr. REED of New York. I have only 5 minutes; let me finish my statement. I say in answer that this safeguard can most certainly be accomplished without the repeal of the arms embargo. The two propositions have no relationship whatsoever to each other. I heartily agree with Senator VANDENBERG, who said, in answer to this proposal:

> It is solely the question why, in God's name, is it necessary for us to reject a complete embargo upon munitions of war in order to accept what you propose? And I have yet to hear one side of a rational answer to the question.

Mr. Speaker, we, representing 130,000,000 people, have a responsibility, and one that is primarily ours and not that of any other branch of the Federal Government. That responsibility is to keep this country out of a foreign war, and, by so doing, preserve our liberties and our institutions. If we register the will of those whom we represent, we shall have their cooperation to that end. I can find no more appropriate words in which to define our responsibility than those used by Maj. George Fielding Eliot, who served with the Australian Imperial Force for the period of the World War, and who was major of Military Intelligence Reserve of the United States Army from 1922 to 1930. He said:

> In this country we have a very great responsibility—a responsibility to which it is difficult to believe the American people will be found insensible. That responsibility is to keep alive in this world the torch of human liberty when elsewhere that light is being ruthlessly trodden out. We can do that; we can carry out this responsibility because a merciful Providence has favored this country with a geographical position which enables us to defend ourselves with the weapons of sea power which are historically weapons that a free people may wield without peril to their liberty.
>
> If, however, we throw away these advantages, if we again undertake military adventures of a type calling for the regimentation of every aspect of national life and resources, if we attempt to go again to other continents to settle the affairs of other peoples with great armies and the great measure of shipping necessary to maintain those armies overseas, we shall be abandoning the responsibility which is ours, and which, first of all, consists in making secure our own freedom, our own democracy, our institutions, and our way of life. We must realize that in Europe, where a number of nations live side by side on a comparatively small continent, there is nothing we can do to contribute to a permanent settlement of European affairs. We can only produce a new set of combinations out of which, in turn, will presently arise the beginnings of a new war. We cannot settle the affairs of Europe in a manner which justifies the expenditure of life and treasure that it would cost us.
>
> The affairs of Europe can be settled only when the peoples of Europe have made up their minds that war is not worth while. But we cannot convince them of that. They will have to convince themselves. The only policy for the American people to adopt may be stated in these words: "The affairs of Europe and Asia must be settled by the peoples who live there; the affairs of the Americas shall be settled by the people who live here, and by no one else."

[Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement I made this morning before the Committee for Reciprocity Information.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, I also ask unanimous consent that my colleague the gentleman from Oklahoma [Mr. FERGUSON] be permitted to extend his remarks in the RECORD and include therein the statement he submitted to the Committee for Reciprocity Information this morning.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by the Attorney General of the United States, last Friday evening, before a conference on civil liberties.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article which appeared in the Washington Post of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the McConnelsville, Ohio, Herald.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including a letter I received from Mr. Goodloe, of the Commodity Credit Corporation, dated October 14, a letter which he addressed to certain warehousemen, dated October 7, and a cotton storage contract.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the Portland Spectator on neutrality.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The SPEAKER. Under a previous order of the House the gentleman from Tennessee [Mr. COURTNEY] is recognized for 15 minutes.

NEUTRALITY

Mr. COURTNEY. Mr. Speaker, I think I should offer an apology to this body for asking recognition on the floor at so early a time in my first session. I realize, of course, that ordinarily a new Member should listen and learn in this body for a longer period than I have before endeavoring to offer his views and arguments for or against pending measures. However, as a new member of the Committee on Foreign Affairs, as a Member of this body, and as a citizen, I am deeply and vitally interested in the neutrality legislation.

I trust therefore, Mr. Speaker, that these considerations will outweigh in your mind and in the minds of the Members any feeling that may exist as to the impropriety of my rising at this time.

The request, Mr. Speaker, that I am about to make at this point has been mentioned to the two gentlemen who follow me under special orders and they have no objection. I ask unanimous consent at this point that my time be extended so that I may have a total of 35 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COURTNEY. Another consideration that impelled me to speak is the disclosure made on the floor of the House the other day that some forty-odd Republican Members of this body and one Democrat, under the chairmanship of the distinguished gentleman from New York [Mr. FISH] have organized themselves into a committee, styled the National Committee To Keep Us Out of Foreign Wars. The headquarters of this organization being in the House Office Building, and the stationery used being, to some extent at least, official, the public may easily believe that this self-appointed committee has some official standing. This committee or bureau, or whatever it may be properly called, is broadcasting appeals for money to be used, it is admitted, for propaganda purposes to try to browbeat those of us who do not see eye to eye with them as to how to keep us out of war, into their point of view. I do not impugn the motives of these gentlemen. They are honorable men and honestly followed the dictates of their consciences, I am sure.

But they are endeavoring to set themselves up as the only patriots in this body and the only Members whose high ambition it is to keep this country out of war. I resent such action, and with letters from this committee going into my district I could not keep silent and maintain my self-respect. And when the distinguished gentleman from Virginia. [Mr. WOODRUM], whose statesmanship and ability is known throughout the Nation, took this alliance to task on the floor the other day for degrading the dignity of this body, their only answer was the unwarranted suggestion that he was estopped to speak because, forsooth, he had not fought in the World War, as well he should not have in view of the important public position he then held.

If a personal reference will be excused, I will match records for patriotism with any member of that so-called committee. I served in the last war as a private and an officer in an infantry regiment that saw 6 months of fighting at the front. Out of the first 100 officers we took into the line, 74 were killed or wounded, and casualties among the enlisted men ran to almost 50 percent. I know what war is, and I hate war with every fiber of my being. I hope that no American will ever again be called on to stand on foreign soil, beneath steel-throbbing skies, to see the earth battered to pieces beneath the hammer strokes of the howitzers and to see high explosives tear and mangle and kill human beings.

Furthermore, in my recent campaign for a seat in this body I told my constituents, and here renew the pledge, that I will never vote to send America into this war unless further developments bring about a cause so just and righteous in my mind that immediately on voting for war I will myself enlist in the armed forces of the country.

With that indication of the sincerity of my desire to preserve peace for this country, you can understand my resentment at the action of this partisan, political National Committee To Keep Us Out of Foreign Wars in advising my constituents, in effect, that I am by my attitude on this legislation trying to embroil America in the war in Europe.

Referring now to the neutrality bill that will come to us for consideration shortly, I have been astonished at the light and airy manner with which this subject has been treated by some in both Houses. On the Senate side newspapers quote statesmen there as saying "we are going to fight this thing from hell to breakfast." There, and in this House, too, Members have been quoted as seriously advancing the amazing argument that "we must not change the rules during the progress of the game," all as though a football contest is being fought or rules being prescribed for a tennis match. As we debate this subject here men are dying horribly by the thousands. Our action on this bill may affect the future of all the people of Europe, and it strikes me that arguments made by these men with hearts so little attuned to the tragedy and doom of the day should be lightly considered in this debate.

There has been as much or more misrepresentation about this bill, intentional and unintentional, I dare say, than about any other bill ever before the Congress. While at home, between the sessions, I took the opportunity of explaining in detail through the press of my district the bill we considered last session—practically the same as the bill that will shortly come to us. Then I visited the 12 counties of my district. I represent a rural district in Tennessee, called the Volunteer State, because in every war it has supplied more than its quota of volunteers, but a State whose citizenship abhors war. The people of my district are intelligent and cultured.

Some of the finest schools in the South are located there, and there are few homes that do not have the benefit of the radio and daily papers. It is a fair cross section of the real America, uninfluenced by aliens and rabble rousers, and thinking for itself. I contacted people in all walks of life—merchants, bankers, men of general business, professional men, farmers, and laborers. It may seem to you an exaggeration, but I give my solemn word that I did not find a single human being that did not favor the enactment of the principle of the proposed bill. Since my return to Washington I have not received a single letter from my district asking me to vote in the negative. I hear other Members of this body speak of the hundreds of letters requesting a negative vote. A few of them, of course, are from people who honestly voice their own sentiments, but in the light of my experience I firmly believe that 95 percent of these letters are from people who do not understand the situation and have been inspired to write by misdirected zealots or from people favoring Germany in this war through considerations of blood or affinity.

Leaving aside the arms-embargo feature of the proposed bill for the present, to defeat it would be to leave this country in a position best calculated to lead us into war, for under the law now existing American ships can carry any commodity under the sun, even articles declared contraband, right into the ports of the warring nations, except arms, ammunition, and munitions of war. It was that privilege to American shippers that led directly to our entrance into the last war. As was stated here by the distinguished gentleman from Texas [Mr. JOHNSON] a few days ago, under the German unrestricted submarine warfare 26 of our ships were sunk, and when our national pride could endure it no longer we declared war. Only one of those ships carried anything resembling munitions of war. Some carried wheat, some timber, some assorted cargoes, but not munitions of war. As the law now exists, with German submarines roaming the seas again, and with our ships putting out daily with cargoes on the German contraband list, we are in an easy way to go exactly the same route that we went in 1917.

The proposed law stops that and prevents our ships from passing through or into combat areas, but permits the warring nations to come here in their own ships and buy whatever we have to sell on a cash-and-carry basis; and with agricultural conditions as they are and industrial conditions as well, with the list of unemployed of staggering size, certainly our farmers and our manufacturers need to sell. Our shipping industry must make a sacrifice, of course, but it is necessary to keep us out of war and therefore well worth while.

Objection is made that there is a 90-day credit feature in the new bill. In business circles everywhere 90 days is almost equivalent to cash, and in large transactions some time must be given for transfer of credits, clearances, and the like. But there is the provision that should a nation default on one such extension, no further sale will be made during the default. In the emergency the warring nations confront, that provision will be a penalty so severe that, in my opinion, there will be no default.

It is said that the cash feature will not avail us because England and France are unable to buy on such terms. Nothing could be further from the real facts. According to the current monthly review of the National City Bank of New York, England has some four and one-half billions in gold and dollar assets and France three and one-half billions, and this could be supplemented by their sale of securities internally to an almost unlimited amount.

Another likely cause of our entry into the war would be the taking of American lives by one of the warring nations. The proposed bill carries over the feature prohibiting the travel by Americans on ships of warring nations and prohibits any American, and, of course, any American passenger ship, from passing through or into the combat areas. Another sacrifice of our national right, of course; but in a good cause.

I do not believe the mind of man could have fashioned any two prohibitions more certainly destined to keep down the possibility of our being forced into declaring war in the present world crisis.

That part of the public opposing the bill surely cannot understand these two component features of it. They have been the subject of propaganda solely on the feature of the bill repealing the arms embargo, and now let me discuss that for a moment.

I am sincere in my conviction that the failure of Congress at the last session to repeal the arms embargo was a contributing factor to Hitler's brutal and destructive march on Poland. He had been preparing for war steadily for 10 years or more. He had purchased some munitions from us. He knew that from Russia, Hungary, Rumania, from Italy, Finland, Holland, and Belgium he could buy in times of war other war material as he needed it. He had taken over entirely the armed establishment of what had been Austria and Czechoslovakia, and with our failure to repeal the arms embargo he knew that England and France, largely unprepared, especially the former, in their pursuit of peace and happiness in the years past, not looking for and not wanting war, could not purchase a single defensive gun, a single defensive round of ammunition, a single defensive airplane from us—and so he struck. I may be wrong, of course, but I believe as surely as I stand here that had we listened to the President and the Secretary of State at the last session and repealed this measure, proud Poland would be free today and Warsaw would not be in shambles.

From a legal standpoint, the embargo cannot be defended. Not only is it contrary to the custom and usage of this country for 150 years, condemned by statesmen and leaders from Alexander Hamilton to Theodore Roosevelt, but it is not sanctioned by international law.

The Hague Convention, at the conference of 1907, in which England, France, Germany, and America, with dozens of other nations participated, resolved thus on this subject:

> A neutral power is not called upon to prevent the export or transport on behalf of one or other of the belligerents, of arms, munitions of war, or in general of anything which may be of use to any army or fleet.

That is a treaty that all nations participating in the conference signed and solemnly declared it to be the law of the nations. Why are we now called on to revise it, especially when such revision is against the interests of the nations that have our sympathy and in favor of the nation whose government and present rulers we despise, condemn, and abhor?

The works of John Bassett Moore are recognized as the leading and outstanding authorities on international law. He was, as you know, once our Assistant Secretary of State, our observer at the World Court, and among other places of distinction that he filled, strangely enough, was that of the Hamilton Fish professorship of international law and diplomacy at Columbia University, as reference to the flyleaf in any of his books will show. That was a chair and professorship endowed, doubtless, by the illustrious father of our present distinguished colleague from New York by the same name and a member of our committee.

Judge Moore has this to say on the subject:

> If the sale of munitions of war is to be held a breach of neutrality "instantly upon the declaration of war between the two belligerents, not only the traffic by sea of all the rest of the neutral powers of the world would be exposed to the inconveniences of which they are already impatient, but the whole inland trade of every nation of the earth which has hitherto been free will be cast into fetters. * * * It would give to the belligerent the right of interference of every act of neutral domestic commerce till at last the burden would be so enormous that neutrality itself would become more intolerable than war and the result of this assumed reform professing to be founded on the principles of eternal justice would be nothing less than universal and interminable hostilities."
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> For not only the vendor of the iron would have to be prevented from selling to the vendor of the gun, but the miner and machinist would have to be prevented from working for the vendor of the iron. A neutral sovereign would therefore either have to stop all machinery by which munitions of war could be produced for belligerent use or expose himself to a call for whatever damages his failure to do so might have caused either belligerent. Under such circumstances it would be far more economical and polite to plunge into war as a belligerent than to keep out of it as a neutral.

Another eminent authority, Charles Noble Gregory, has this to say upon the subject:

> Such a change of law and practice * * * magnifies the power of the prepared and predatory states, and it hinders and prevents the defense of the pacific states. It helps the carnivorous states, and it hurts the herbivorous states, as it were. It sharpens the fangs of the wolf, constantly used in attack, and it takes away the antlers of the stag, as constantly used for defense alone. It tends to embroil the nations and to destroy their balance and repose. It is a pernicious, unwise, and immoral restraint, an injurious change in a just rule.
>
> It is submitted that our people have a right by all laws, international and municipal, to manufacture and freely sell to all comers munitions of war (except when restrained for special circumstances by special laws, as along our southern border); that this right is founded not merely on the long-established customs of all nations, including our own, on the opinions of statesmen, judges, and scholars and on the express agreement of the nations at the last Hague Conference, but it rests upon considerations of wise and necessary policy, salutory for all peaceful nations and hostile to predatory nations; that it ought, therefore, to be fully preserved and fully exercised for the welfare and safety of all nations seeking to avoid the extremes of militarism, and to devote themselves, without sacrifice of security, to pursuits of peace; that in adhering to, maintaining, and exercising such a right we pursue a policy hostile to no nation and vital to the safety of our own.

Another well-recognized authority, Prof. John Westlake, sets the proposition out in this language:

> Wars now are sudden as conflagrations in their origin and the advantages of preparation and initiative are immense. Why make them vastly greater? Why tempt to secret preparation and sudden aggression by greatly reducing the resources and avails of the defending power? Why aid the wolf and hamstring the lamb? Why, by a change of law and policy, aid and encourage the predatory policy and debilitate defense? Such change must stimulate war and discourage peace.
>
> It is therefore opposed to the general interest of mankind and the present rule is wiser and more pacific, tending to maintain the safety and stability of the nations whose main employments are in the peaceful arts.

I have had on my desk in the past week all the books on international law available at the Library of Congress, and I have found that principle challenged in none of them.

But the argument is advanced that everything else aside to change our law after the war has started would be an unneutral act. In the first place no foreign nation, at war or at peace, can complain about any domestic law that we pass or repeal in peacetime or in wartime. No nation obtained any vested rights by our passage of the present arms embargo. In passing that law we made no contract with them. The legislation was a law governing our own citizens, not a treaty with the nations of the world. In repealing the arms embargo we are not taking sides to any greater extent than we are taking sides now. We are simply saying, by repeal, to all the nations of the world, come and get whatever we have to sell and whatever you can buy, pay for, and carry away. If England and France can come to better advantage, that is no concern of ours. We did not build their navies nor prevent Germany from having a navy equally effective. If it operates to the advantage of France and England to repeal the embargo and permit them to buy munitions here, Germany cannot complain for she already has access by land to purchase arms of a dozen other neutral countries within the sphere of her influence—access to which is denied the Allies. But at the last and in the end, granting that the repeal does help England and France and hurt Germany, I, for one, say "Thank God it does." In the end these democracies in their fight are protecting us. But for the French Army to restrain Hitler at the Maginot line and the English Navy to restrain him on the seas, can any man doubt that we might, indeed, be dragged into war and a defensive war at that? Lifting of the embargo is the best insurance on earth that we can take out for our own peace and security. The sale of arms will not drag us into war. In the World War dozens of nations sold munitions to the belligerents and remained neutral. In the last 2 years we have sold munitions to Japan and China and have not been dragged into their quarrel.

The only agency that can ever put us into war is this Congress by its vote, and as long as this body maintains its equilibrium no war can come.

The people of America honestly opposing the lifting of the arms embargo base their opposition largely, I think, upon the theory that it is inhuman, in time of war, to sell to any nation arms for the destruction of human life. That idea is not sound. Sometimes it may be the humane thing to do. In the language of one of the authorities that I quoted, is it humane to sharpen the fangs of the wolf before the attack and then deny succor to the lamb in which he sinks his teeth? Germany bought munitions from us in time of peace. We knew for what use every purchase was destined. Is it proper to sell to a nation to enable it to prepare for war and reprehensible to sell to an unprepared country when attacked?

Furthermore, we can sell to the warring nations everything on earth that goes into the manufacture of munitions. We can sell cotton, zinc, lead, brass, manganese, copper, steel—everything necessary for war purposes, and all the warring nations need do is to buy it and when they get it home, process and assemble the component parts. I cannot for the life of me see the difference between selling wood for the stock of a rifle and steel for the barrel and selling the gun complete, or brass for the base and lead for the point and cotton to make the powder, and the cartridge complete. The only difference is that we lose the value of the processing and manufacture. We have 10,000,000 unemployed, but with the lifting of the embargo I believe that industry would absorb the most of them. Shall we tell them to just sit around and starve, or go on relief—that we are too good to make airplanes and guns and cartridges and shells, but we are hypocritical enough to sell everything necessary for their manufacture abroad?

And let me make this suggestion: To repeal the embargo and permit our industries to continue the manufacture of airplanes, guns, and ammunition, but geared to a high production basis, would be a great step forward in our national defense. Should an emergency arise for us, there is the whole organization, experienced, efficient, and ready to fill the needs of our Government to the full limit of the demand.

This Nation is as unprepared for war today, proportionately speaking, as it was in 1917. Should we be forced into war, it would take us now, as it did then, a solid year of feverish activity by day and night, entailing the waste of billions, before an American Army would be in shape to strike a single effective blow against a well-equipped adversary. To have a far-flung system of industry geared to mass production of munitions would be a long step toward real preparation.

In conclusion, there is one argument advanced by the isolationists of this day that makes we wince when I hear it. Invariably they refer to our participation in the last war. They mention the hundred thousand dead, the billions lost in treasure, and they say America and the world gained nothing from our participation in the conflict. I will concede that to be true. I will go them a measure better and say that we should never have entered the World War. But once in the war, and the dead having died, and the billions having vanished, who is responsible that no good resulted from our sacrifices? The fault lies with the isolationists and the partisans in Congress of that day. Had the peace of 1918 been followed, as President Wilson urged, by a strong, representative League of Nations and a World Court, with America lending her great weight and prestige, I maintain that the dozen wars fought since would have been settled about the council table before issue was taken on the battlefield.

I was on detached service in Paris during the Peace Conference and had occasion to see President Wilson as he moved from group to group assembled there, his face shining with the high ideal and noble purpose of writing the sacrifice of our dead into a covenant that would bring a new era of peace. And then I saw him a few months later in Washington, when the fruits of victory had been snatched away by the isolationists and the partisans of the day, and a pitiable spectacle of a man he was, that, broken with the realization

that his dead had died in vain, walked with shuffling step and drooling mouth toward his grave.

I am no internationalist and I know that the League and World Court are dead issues never to be revived, but when the opponents of this measure, the isolationists and partisans, seek to buttress their argument with the fact that we gained nothing from the last war, I remember why we did not gain anything and discredit that argument accordingly.

The stand that America should take today is to say to the warring nations, "Your war is not ours, we will have none of it, but in accordance with our custom and usage for 150 years, in accordance with our national dignity and the law of nations, recognized since time out of mind, we are ready to sell to all of you whatever you can buy, pay for, and transport." [Applause.]

The SPEAKER pro tempore [Mr. BEAM]. Under special order heretofore made, the gentleman from Michigan [Mr. HOOK] is recognized for 15 minutes.

FINLAND AND THE UNITED STATES

Mr. HOOK. Mr. Speaker, if I may be permitted the indulgence of the House, I shall quote a very short speech which I delivered at the Finland day celebration at the world's fair on June 24 last:

Mr. Commissioner General, Your Excellency, the Minister from Finland, and all others of high rank participating in this Finland day celebration at the world's fair in New York. As a Member of the Congress of the United States of America, one of the greatest deliberative bodies in the world, I have perceived with satisfaction and extreme pleasure that the two great democracies of Finland and the United States are striving toward the same goal of social justice coupled with liberty under the law. The emblems of these two countries, more than any other, float in the breeze side by side having been conceived on common ground.

The principles of democracy and freedom so dear to the hearts of the people of Finland and the United States of America have their roots in religion. God is our master. Through Christian spirit, with the help of Almighty God, we have established the greatest form of government known to man. Freedom of press, freedom of speech, and the right to worship God according to the dictates of our own conscience, is ours. These we now have and shall keep in Finland and the United States of America just so long as we pledge ourselves that God in His divine mercy will be our guiding light. The whole world is in a turmoil. We hear a cry for neutrality. Neutrality is a state of mind. It cannot be legislated but can be brought about only through the practice of Christian principles and friendship such as is enjoyed between the peoples of the United States of America and Finland.

Although the Finnish language is so very different from ours there are so many other common interests and ties between the two peoples that this has never been a barrier between us. Those of us in America who are familiar with the innumerable fine qualities of the Finns, those of us who have lived among them in America and who are acquainted with the many great contributions they have made to the cultural and public life of our country are proud to point to Finland as the country in Europe where the humanitarian and intellectual principles of liberty and justice are working in reality.

I am grateful for this opportunity to again express my friendship and feelings toward Finland. It is my sincere prayer to Almighty God that the friendly spirit which prevails in both nations last through the ages and that democracy in its unalloyed supremacy shall be ours forever. We are at peace with the world and at peace we shall remain.

It is not my intention, this afternoon, to discuss the technicalities of the neutrality bill as it has been presented to the Senate of the United States or to, in any way, comment upon any of the arguments raised by either side in this most important debate. I need not review the events leading up to the present crisis because that has been covered more eloquently and forcefully than I could hope to do in the few minutes allotted to me this afternoon. I must, however, reiterate that I am still of the opinion that neutrality is a question of policy, not legislation. It is a state of mind. In order to remain neutral we must remain friendly to all nations. We may lay down the rules of what may or may not be done during a conflict between belligerent nations but in the final analysis the people themselves, in their hearts and minds, determine the policy of neutrality; yes, they determine the policy of this or any other nation. The Congress and the administration officials are bound together under one solemn promise—that we shall do everything humanly possible to remain out of any foreign conflict, free from foreign entanglements. It is my most ardent hope that we will strengthen our neutrality policy to the point where we will be safely neutral, to the extent that we will definitely and positively keep out of this war. We must not allow the ideologies of the imperialistic groups in Europe to, in any way, become implanted on this continent. War is a horrible thing, and having worn a uniform in the last war, I will do everything in my power to see that we keep completely out of this war. We should realize our mistakes in the last conflict and act accordingly. There seems to be a division of thought as to how we are to remain neutral. I believe that both schools of thought have one thing in mind, and that is that we keep out of war. If we keep paramount in our minds the fact that we must remain neutral, I feel certain that it can and will be done. As I have stated, neutrality, after all, is a matter of policy which must be set up so that we may meet the changing conditions of the world, because what may be a neutral act today may be an overt act tomorrow. What may be neutral zones on the high seas today may be war zones tomorrow. Therefore, we should not do anything that, in a mandatory way, would stifle and tie the hands of those who hold the responsibility of keeping this Nation neutral and at peace. I may question the judgment of some, and they may question mine but, nevertheless, I cannot question their patriotism or their sincerity to remain neutral and at peace.

From 1914 to 1918 a World War was fought, supposedly, to keep the world safe for democracy. Democracy is a form of government developed in the hearts and the minds of men and women working in the best interests of all the people. During the horrible conflict that was waged in the last war, when men and women on both sides of the Atlantic fought and died on the battlefields, certain nations in Europe remained neutral and at peace. Those nations are traditionally neutral and they can be. They have demonstrated their love of peace. They are the Scandinavian countries in and around the Baltic. The United States of America stretches out a friendly gesture to all nations, and it is the ardent prayer in the heart of every American citizen that peace shall soon be a reality in the world. The United States always has had friendly relations with Russia, both diplomatically and commercially. We ardently hope that that friendship will remain. Out of the conflict of the World War came the fact that many nations became indebted to the United States of America. Among those was the newly founded Republic of Finland and, of all nations, that nation has kept her contractural obligations, and has paid her debts on time.

Finland is the neighbor of Norway, Sweden, Denmark, and Russia. Thus geographically she forms the border between east and west. Finland has through the ages contributed to the benefits of civilization. She has always turned her gaze toward the west and the south. The Baltic Sea has linked her to the outer world, and, although Finland was connected with Russia for over 100 years as an autonomous grand duchy, she never lost her western traits or her national traditions. The United States and Finland have much in common. They are lovers of independence, freedom, and democracy; lovers of peace and progress. Upon the achievement of national independence, Finland drew up a free constitution for herself, and it was democratic United States that provided the model that the legislators followed in many respects. In fact, the relation of the United States and Finland dates back many years even to the extent of blood relationship stretching back for hundreds of years. The swift development of Finland in industry and government has earned the admiration of the rest of the world. Democratic friendship and democratic spirit, as I have stated before, is born in the hearts and the minds of the people. That spirit knows no distance; space is no obstacle. A friendly tie exists and a friendship for Finland has rested in the hearts and the minds of every free-thinking, liberty-loving person in the United States. It is our ardent hope that these liberty-loving, peace-loving people be allowed to live and enjoy life without any interference of any imperialistic government.

It may be well at this time to relate a little of the historical and geographical background which has led up to the present situation in the Baltic. As I stated before, Sweden, Norway, and Denmark have enjoyed the friendship of all nations and

commerce with all nations because of freedom of the Baltic. Finland has always enjoyed these privileges. Like a row of stepping stones from Sweden to Finland across the Gulf of Bothnia, the Aaland Islands occupy a key position. They command both the entrance of the Gulf of Finland, Russia's only ice-free outlet to western Europe, and also the route to the northern Swedish iron mines and Finland's aluminum works. These Aaland Islands after the World War were claimed by Sweden and Finland and were awarded to Finland in 1920 by the League of Nations. In 1921 an international convention decreed the perpetual neutralization and demilitarization of the islands. The signatories to this were Britain, France, Italy, and all the states around the Baltic except Russia. Last year Finland opened negotiations with Sweden to arrange a partial refortification of the islands as a measure of their mutual protection and as a part of a plan to safeguard the independence of the north. Agreement was reached in January, and the two countries then sought permission of the signatories of the 1921 convention to carry it into effect. The last of the signatories to reply was Germany, who in May gave consent but added:

The neutrality of Finland and Sweden in the case of any warlike development affecting the Baltic is a self-evident condition.

It is of factual interest today for all American citizens to observe and evaluate the recent discussions between Finland and Russia. It is of extreme importance that the position of the United States and the feelings and sentiments of our people be fully and completely understood by the world at large.

We can discuss neutrality here on the floor of this House—our people can study and debate the problem day after day—and still one vital factor will never be reached in the debates. This factor, to my mind, is the emotional reaction of our people to any aggressive actions made by any imperialistic power against that sturdy little democracy—Finland.

Our relations with Russia, even though we do not believe in her philosophy of government, have been and, I hope, will continue to be most friendly and cordial. I know that it is the sincere desire of our country to maintain this friendly relationship. I hope that nothing will occur in the Baltic which will in any way so affect the feelings of our people that will damage this relationship. Russia surely knows that any overt act toward Finland will not be pleasant to the American people.

We, more than any people on earth, know and love democracy. We have in our Government processes developed the highest degree of freedom of thought and action for the individual, a government which manifests in its every action the will of its people. These things have been said time and again far more eloquently than I could hope to express them. They cannot, however, be called to mind too often.

It is difficult to present calmly a definite and reassuring formula of American public opinion. We are painfully aware of the rapid changes in public moods and sentiments. At this time every single American is striving to follow the developments in Europe with studied calmness and without undue alarm. So far it has been a magnificent demonstration of the capabilities of our democracy. We know that America's historic contribution to political thought and practice is in our ability to maintain and safeguard the fundamental rights of individuals.

It is only natural that our sympathies lie with countries whose political ideals and thinking is close to our own. It is only natural that we should and do admire those thoughts and practices when they are manifested in other countries.

I am wondering if Russia is completely aware of the strong attachment the people of America feel and have felt toward Finland. We cannot legislate feeling and emotion out of the hearts of Americans. Nor do I for a moment think that any Member of this House believes that we can. The strong feeling of friendship that exists between the United States and Finland should be well recognized throughout the world. This friendship should not be taken too lightly by imperialistic nations bent on extending their power over a smaller neighbor.

There is no doubt of the sincerity on the part of the Baltic states to remain neutral and friendly throughout any conflict. That has been admirably demonstrated.

I might further state that Finland has developed a social-welfare program that is the envy of many people of the world. They fully realize that only in peacetime can they continue to develop the home and the farm that is the backbone of this wonderful little country.

It is rather a phenomenal thing that the American people should in such a short time develop a feeling and friendship toward Finland to such an extent that any interference with her liberty might arouse the emotions of the American people to such an extent that it might endanger our friendship with nations that we sincerely hope to remain friendly with. It is the sincere desire and hope of the people of the United States of America that the Baltic situation may be amicably settled to the satisfaction of all concerned so that Sweden, Norway, Finland, and all others desiring peace may be free to carry on in the interest of humanity and justice as they have in the past. It is our sincere hope that Russia will not do anything that will impair the friendship that exists between the Baltic states, and especially Finland, with the United States. I am especially proud of the fact that the responsible officials of the United States have conveyed to Russia our friendly feelings to our friendly neighbor, the Republic of Finland. Let us hope that Russia will respect the wishes of the Western Hemisphere that Finland be allowed to remain at peace so that a free people may continue in its struggle for life, liberty, and the pursuit of happiness.

LEAVE TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes at the conclusion of the other addresses today.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday next, after the reading of the Journal and the conclusion of the legislative program for the day, I be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Does the gentleman expect to use the time allotted to him today?

Mr. HOFFMAN. No.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to proceed for 20 minutes on Friday next. Is there objection?

There was no objection.

A COUNTRY SICK OF STRIKES

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, with the permission of the House, I shall read an article taken from the Philadelphia Inquirer of Sunday, October 15, 1939, entitled "A Country Sick of Strikes."

A COUNTRY SICK OF STRIKES

How much longer must this country continue to endure constant turmoil in industry, retarding prosperity and throwing numberless skilled workers out of jobs?

How much longer, at a time when 10,000,000 men and women, hungry for work, can't find it, are additional thousands and hundreds of thousands to be denied employment through unnecessary strikes?

How much longer must a large segment of American industry and American workmen continue to live and succeed only by grace of the C. I. O. and John L. Lewis, imperious labor czar, who, among other distinctions, has the questionable honor of fathering that ugly brace of illegitimate union weapons, the sit-down and the slow-down strikes?

We don't know. But we do know that the American people are sick and tired of it all. We believe that to a constantly increasing extent public sympathy with strikes, touched off here, there, and everywhere by unscrupulous labor leaders with the bland unconcern of a man ordering a sandwich, is being alienated.

The right to strike is basic and unquestioned. Men forced to toil excessive hours for inadequate pay or made to suffer under intolerable working conditions have an indubitable right to stop work until their reasonable demands are met.

There are strikes that are wholly justifiable. There are employers with whom no other form of argument is effective. But of the 2,772 strikes in the United States last year, involving 688,000 workers and resulting in 9,000,000 man-days of idleness, a large proportion appeared to be totally unwarranted and unnecessary.

When the strike is used as a knotted club to enforce demands that are not reasonable, when it is employed with scant discrimination by power-fattened union bosses seeking not only to tighten their grip on the workers they so crudely misrepresent but to extend their stifling control over industry as well, then the strike becomes something more than a nuisance—it is a definite menace to the peace and security of the country.

Latest of major industrial conflicts is that which has thrown 40,000 men out of work in the Chrysler automobile plants and 15,000 more in the body plants of the Briggs Co. On the eve of negotiations for a new contract with the Chrysler Corporation, C. I. O. workers adopted a new form of sabotage—for it was nothing less—called the slow-down.

Every second unit on the assembly line went past them untouched, causing a 50-percent cut in production. Their excuse was that production had been speeded up unduly. The company, denying the charge, closed the plants, and the union later filed a formal 5-day notice of a strike, a procedure compulsory under Michigan law.

According to union spokesmen, the notification set forth a demand that the union shall have a voice hereafter in the framing of promotion schedules.

Is that a reasonable demand?

We hold no brief for the Chrysler Corporation, but regardless of the merits of the present situation there will be general agreement that its president, K. T. Keller, is justified in this statement:

"You cannot run a business on a sound basis and produce quality automobiles if men tell their foremen what they will do and what they will not do. You cannot permit them to take into their own hands the running of the plants."

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes.

Mr. HOFFMAN. In the strike in the Chrysler plant to which the article refers, where 55,000 men are out of work, one of the demands is that the union, through Mr. Frankensteen, control the limited production.

Mr. RICH. That is what this news article states. It states that it is contrary to all common sense; it is to the detriment of labor and to the detriment of the plant and the detriment of the public generally.

Mr. HOFFMAN. And the wage there is 40 percent higher than the average wage in the United States in all industrial work.

Mr. RICH. I quite agree. I shall continue with the article:

Grant the union's contention that John Lewis or any insolent labor tycoon has the right to impose upon producers his take-it-or-leave-it decrees in any matters relating not to labor but to management, and you have a fine candid-camera picture of the camel's head slipping under the tent.

What is it all leading to? We know what the vicious sit-down strike did to industry and to the peace and order of the country. Is the slow-down the forerunner of another wave of industrial disorder, with the purpose back of it to dictate, starting with production schedules, every detail of management?

As buying capacity increases, and the demand for new goods is stepped up, and we see some slight chance to dig ourselves out of the quicksands of depression, is production to be impeded, or halted altogether, by demands no business can accede to and continue to live?

At a time when we are making heroic efforts to build up the Nation's defenses, against the possibility of aggression directed against us in a world on fire, will Army and Navy orders for essential mechanical equipment be held up by strikes—slow-down, sit-down, or what have you?

Are we to be given the Hobson's choice of letting labor dictators like John Lewis take over American industry with an iron hand, rule and ruin it, or experience another campaign of destruction, rioting, and bloodshed like the one that brought large sections of this country to the verge of anarchy in the summer of 1937?

Perhaps not. We devoutly hope not. But let those of short memories be reminded that even in our own State of Pennsylvania, just 2 short years ago, the C. I. O. strong-arm tactics in the Johnstown steel-mills strike were such that property was wantonly damaged and human lives placed in jeopardy, while a Democratic State administration, subservient to John L. Lewis, first stood by complacently and then closed the mills, so that men willing to work couldn't work.

What hope is there today for a return to peace in industry? Can nothing be done to improve a situation fraught with danger to the best interests of labor as well as industry?

One step that could not fail to provide a sounder basis for industrial relations would be the drastic amendment, or, better still, the complete rewriting, of the Wagner Labor Act.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes; provided I can get a couple of minutes more time to finish this article?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania be permitted to have an additional 5 minutes.

The SPEAKER pro tempore [Mr. FRIES]. Is there objection?

There was no objection.

Mr. HOFFMAN. Has the gentleman seen this dispatch under date of October 12, the Associated Press, from San Francisco, to the effect that the C. I. O. shouts condemnation of the Labor Board? Does the gentleman know that John Lewis is against the Labor Board?

Mr. RICH. I think the C. I. O. is just camouflaging the issue, because the Labor Board seems to be working pretty well with the C. I. O. They have gotten everything from them that anybody could desire, right and wrong alike. I think that is only camouflage or a smoke screen.

Mr. HOFFMAN. This resolution from the C. I. O. international convention at San Francisco says that the C. I. O. brands the adoption of such policies and such displacement of personnel as unwarranted and an unworthy retreat by the Board.

Mr. RICH. I would say to the gentleman that anything the C. I. O. stands for I am against. For it will ultimately ruin labor, business, and the country. They have too many Communists in their midst in responsibile positions.

Mr. HOFFMAN. Oh, the gentleman surely does not mean that.

Mr. RICH. The C. I. O. stands for the wrecking of the American form of government. I think it would do anything to make this a communistic Nation, and anyone who is for making this anything but a constitutional form of government I am against—I don't care whether he sits in the White House or anywhere else. I am for constitutional government—freedom of press, freedom of radio, freedom of speech, and religious freedom.

Mr. HOFFMAN. Does the gentleman make a distinction between what the C. I. O. says and what it wants or does?

Mr. RICH. I have no confidence in the C. I. O. or anything that it stands for. I say to the Congress that we should not wait until January 3 next to start legislation to revise the Wagner Act and get a new labor law. The editorial continues:

Purporting to be an instrument whose purposes is "to remove the causes of industrial disputes" it is directly responsible for fomenting disputes and encouraging the calling of superfluous strikes.

The Labor Board, set up under the provisions of this act, is judge, jury, and prosecutor. Prosecutor of whom? Of the employer and only the employer every time.

The oft-reiterated charge that the Board as constituted is arbitrary and unfair in its rulings has received abundant support in numberless cases. But no Board could administer real justice while operating under the Wagner Labor Act, because that law is grossly unfair, one-sided, and discriminatory.

We have said it before and we repeat now that there will be no enduring peace in American industry until we have a new labor law and a new labor board.

If Congress fails to meet this situation at the beginning of its next regular session, it will not only be derelict in the performance of a paramount duty, but it will have to bear the responsibility for a continuance of industrial conditions which have become utterly intolerable.

Sooner or later these questions will have to be answered and answered right:

Is the industrial structure of the United States, upon which the life and prosperity of the country are dependent, to be placed completely under the dominion of a handful of self-constituted overlords of labor, to do with as they like at the point of a gun?

Or are the people, through their representatives in Government, going to enact a sound law covering industrial relations—and enforce it?

That is the vital question. Let me read that again. As the majority leader is in the hall listening, I want him to

act, and act now, and not do as stated at the last session of Congress, "There will be no labor legislation at this session." I hope that the fine gentleman, one of the men whom we all like and honor and love, will see that it is necessary that we change the law, because we all like SAM RAYBURN. [Applause.] We know that he is a man who will do things if we can only start him. [Laughter.] We are hoping that he will start this legislation.

Now, let me repeat this: "Or are people, through their representatives in government, going to enact a sound law covering industrial relations, and enforce it?"

That is the question the people of America want to have answered. That is the question I hope this Congress will answer for the American people, so that we can have an enduring peace between capital and labor, between the workingmen and the employers; because, after all is said and done, you cannot have continued strikes in industry and expect industry to succeed. Industry is sick. Industry has just about reached the point where it is giving up. When it quits creating jobs, then what? It is a serious situation. Yesterday I talked to a man who has been in the coal business all his life in the anthracite coal fields. He said that practically every operator in the coal field will be compelled to shut down in the not very far distant future. He made this statement: That all private operators in the coal business have practically gotten out, or have been forced to quit because of labor wars and the 7-hour day, and the only operators that are continuing today are those that are being continued by the bankers, because of the fact that the bankers have loaned money to those coal companies and they are either compelled to operate them or lose all that they have loaned to these corporations; and they may lose all and the miners all lose their jobs.

Now, the question is serious. Are we going to give labor a fair deal, also, at the same time, are we going to give industry a fair deal, and are we going to give the American people a fair deal? That is the question the people of this country want Congress to answer, and I hope we will answer it in a short time before it is too late. And there is no time to lose. [Applause.]

[Here the gavel fell.]

The SPEAKER. Under special order of the House, the gentleman from Indiana [Mr. LUDLOW] is recognized for 15 minutes.

NEUTRALITY LEGISLATION—THE CLASH OF IDEOLOGIES IN AMERICA

Mr. LUDLOW. Mr. Speaker, in this country of ours we have two ideologies in respect to war. Those ideologies have come to the point where they are clashing violently and where America must choose between them. If we adopt as our permanent policy one ideology, sometimes contemptuously referred to as "isolation," but which is not isolation at all, we may safely count on remaining at peace with the world. If we adopt as our policy the other ideology, the interventionist ideology, it will simply be a question of time when it will drag us into war.

I have said that isolation is a misnomer, and it is. The isolation ideology does not suggest or even intimate that America should isolate itself from the world. It merely suggests that we should isolate ourselves from the wars that are eternally brewing in the cockpit of Europe and in other foreign trouble areas of the globe. This we are fortunately able to do because of our detached geographical position.

A nation is no more to blame for isolating itself from war than an individual is for isolating himself from a fight when a fight is not necessary. When the G-men shot down the outlaw, John Dillinger, they sent a rain of lead across a public alley in Chicago. The citizens who were looking on had a perfect right to cross that alley, it being a public reservation, but being practical persons, endowed with a reasonable degree of common sense, they did not do so while the revolvers were barking and the lead was pouring. Those citizens did not isolate themselves from the world. They simply isolated themselves from that fight, and very properly and sensibly so.

The founder of the ideology which kept us out of wars for over a century of our national life and that will continue to keep us out of war for all time if we adhere to it, the misnamed isolation ideology, was George Washington.

Mr. PIERCE of Oregon. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield.

Mr. PIERCE of Oregon. When was that century that we kept out of war?

Mr. LUDLOW. I mean that it has kept us out of many difficulties we would have gotten into if we had not had that philosophy. As a matter of fact, for more than a century prior to the World War our isolation policy kept up out of wars overseas. Thomas Jefferson was one of the most ardent supporters and defenders of this philosophy.

ANOTHER MADMAN IN EUROPE

When Washington and Jefferson were living, conditions in the Old World were not far different from conditions today. A madman was loose in Europe, even more ruthless than Hitler. His name was Napoleon. He will go down in history for his fiendish cruelties, for the misery he caused, for the homes he desolated, for the widows and orphans he made. Under his malevolent sway ancient boundaries crumbled and age-old dynasties crashed like houses of cards. Did Washington and Jefferson advocate American intervention to suppress Napoleon? Not at all. The bug of internationalism had never bitten them. Unlike our modern internationalists they had a very firm conviction that Europe's affairs were none of our business. Jefferson, who had been Minister to France, was very bitter toward Napoleon and wrote many letters denouncing him, referring to him as a "butcher." But Washington and Jefferson thanked God for the wide ocean lying between America and Europe and wisely insisted that America should leave Europe and its affairs severely alone. Napoleon was more brutal than Hitler, but Jefferson did not believe that we should try to wipe out the sins of Napoleon with the blood of American boys. It was the firm and settled conviction of Jefferson and all of the other founding fathers that we should keep out of the whole European mess, then and forevermore. And that, I believe, is good sense today, just as it was good sense 125 years ago.

Said Washington in his Farewell Address, delivered on September 17, 1796:

> Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

And then, to stress how geography happily contributes to help America to maintain perpetual peace and to keep out of foreign broils, he added this striking admonition:

> Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

JEFFERSON'S FAR-SEEING VISION

Remarkably similar to Washington's warning against foreign entanglements was the advice given by Jefferson in his third annual message to Congress when he said:

> Separated by a wide ocean from the nations of Europe and from the political interests which entangle them together; with productions and wants which render our commerce and friendship useful to them and theirs to us, it cannot be the interest of any to assail us, nor ours to disturb them. We should be most unwise, indeed, were we to cast away the singular blessings of the position in which Nature has placed us, the opportunity she has endowed us with of pursuing at a distance from foreign contentions the paths of industry, peace, and happiness; of cultivating general friendship, and of bringing collisions of interests to the umpirage of reason rather than of force.

If we could think of Jefferson as being gifted with divine prescience, we might imagine he was thinking of present world conditions when he wrote:

> But for us to attempt by war to reform all Europe and bring them back to principles of morality and a respect for the equal rights of nations would show us to be only maniacs of another character.

The clash between the Washington-Jefferson ideology which holds that America's supreme destiny lies in attending to our own business, keeping out of foreign quarrels, and building up our moral and economic strength at home, and the modern internationalist ideology which teaches that it is America's duty to help to police the world and to join with certain powers against other powers for world dominion, went through a climacteric period during the consideration of the neutrality legislation at the last session of Congress and the followers of Washington and Jefferson won that important round of the battle when the amendment was adopted placing a mandatory embargo on the shipment of munitions to belligerents. In every Congress of recent years I have introduced a neutrality resolution which would go further than a mere embargo on munitions and would embargo the shipment of all articles, whether munitions or not, to belligerents. True neutrality would require that all supplies be cut off, inasmuch as many articles—food, for instance—are quite as essential to fighting a war as guns, bombing planes, and ammunition, but while Congress has not looked with favor on a general embargo, a long step in upholding the Washington ideology was taken at the recent session when munitions were embargoed.

The Bloom so-called neutrality bill, now under debate in the Senate, runs counter to the general wish of our people that America should keep out of war. It is a shining example of the interventionist ideology. It is based on the theory that it is to the best interest of the United States to line up on the side of certain great powers and against certain other great powers. It would plunge America into power politics up to the hilt. No candid champion of the bill, however ardently he might favor it, ever claimed that it is a neutrality bill. Its proponents frankly admit that it is a bill in the interest of England and France, and its effect would be to make America an ally of the British Empire and France in any future war in which they choose to engage, because it would establish the United States as the arsenal and storehouse of supplics and credits for those countries that control the seas.

From the standpoint of creating a war risk, what could be worse for America? With a superlatively profitable war trade once established, the American interests that are the beneficiaries of the flow of wealth would pull with the strength of a million hawsers to bring America into the war on the side of their commercial allies to protect that trade. We can never keep out of war if we have an enormous stake in the game. Our stake must be in peace and not in war, if we are to remain safe and secure. Britain and France, commanding the seas and assisted by short-term credits, would be in a position to draw on the vast resources of America to wage their wars if the Bloom bill passes. If that bill is enacted and the embargo amendment is repealed, we may look forward to the next step, the placing of our armies at the disposal of Britain and France, for that is what it will amount to in the end anyway. I loathe the dictators for their suppression of liberty and their unconscionable crimes against humanity, and I would like to see every dictatorship on earth abolished, but God did not give America a commission to regulate the world, and if great masses of people prefer to live under a rule of totalitarian absolutism rather than under a form of government which would confer the blessings of freedom upon them and their posterity, what right have we to deny them their choice? We pity them but we cannot control that situation.

EFFORTS OF FOREIGNERS TO DICTATE OUR POLICY

I am heartsick over the attempts of foreign governments to dictate the foreign policy of the United States, and I am still more heartsick over the cooperation they are receiving from some of our American statesmen. This is true as to other foreign policies as well as neutrality. The Manchester Guardian, which many regard as England's leading newspaper, not even excepting the "Thunderer," of London, on July 29 last published the following special from New York:

London dispatches published in the American newspapers today suggest that there is some regret among British Government officials about the manner and the time of the United States' denunciation of her treaty with Japan. The point made is that it is unfortunate that Great Britain was not notified in advance. It is suggested that if Britain had possessed foreknowledge of the American plans, the recent Anglo-Japanese agreement would have been of a different character. The best available evidence is that it would have been impossible to notify the British sooner because the American action was not planned in advance.

Here we have an intimation printed in a leading British newspaper, which ought to give it credence, that British Government officials were put out because the United States did not submit an important trade policy to be visaed by the British in London before it was promulgated in Washington! If these favored nations are able to influence our foreign policy, their next step may be to seek to influence our trade and commercial policy, as Britain seemed bent on accomplishing in this instance, presumably to make our trade and commercial relations with other nations conform to our new role as world policeman. If that happens, what becomes of our boasted independence? I verily believe that Washington and Jefferson would turn over in their graves if they could see how these foreign influences are reaching out to shape our foreign policy to their advantage and to the disadvantage of rival foreign nations. Yielding to these influences saps and weakens our national prestige and makes us in effect just one more combatant in a world of strife, subject to all of the hazard of a combatant's role. We should have just one policy and stick to it and that policy is "America for Americans." I will venture to say that the nations that are trying to use us by inducing us to line up in an alliance with them in both a military and commercial way would not think for a moment of accommodating us in a similar manner if the shoe were on the other foot.

HOW MUCH BETTER AMERICA IS, IF WE ONLY KNEW IT

I wish that every internationalist in the United States who imagines that it is our duty to abandon Washington's cherished policy of isolation and immunity to become a world policeman could take sabbatical leave for 1 year to study conditions in foreign countries. I would like for him to contrast the high wages paid to our workingmen, the highest wages paid in the world, with the pauper wages of other countries ranging as low as 2 and 3 cents an hour in one country I visited recently. I would like for him to contrast living conditions in America where so many people own their homes with the indescribable squalor and poverty seen in so many countries. I would like for him to contrast the freedom of speech, freedom of press, freedom of religious worship, freedom of action which he enjoys in this country with the entire lack of such freedom in other countries, and then I would like to ask him if he wishes to see an international policy installed that will make us a part of these wretched foreign conditions and drag us down to their levels. If we do not watch our step one inevitable fact sooner or later will burn into our minds like a red-hot iron, and that is that all of our misguided good intentions never will reform and uplift power politics, but power politics if given the opportunity will destroy our democracy and drag us down to levels of slavery and degradation that cannot easily be imagined by those who do not realize how the other half of the world lives. If we really appreciate the inestimable blessings of freedom and equality which we enjoy under our priceless Constitution, we will shun power politics as we would a pestilence.

I have no patience with those who for a year or longer have been reiterating with parrotlike repetition that "if another European war breaks out, we cannot keep out of it." Why not? Of course, we can; and if I understand the temper of the American people we will keep out unless some ill-advised action drags us in, contrary to a very set and determined popular opinion. Holland, Denmark, and the Scandinavian countries kept out of the last war and they were right under the big guns. Should it be so very difficult for a nation to keep out that is 3,000 miles from the scene of conflict with a great ocean in between? It was symptomatic of the good judgment of those countries that at the very time the phrase, "We can't keep out of war if it comes," was being bandied recklessly about during the debate on the neutrality bill in the House, the American Minister to Denmark advised our Government that Denmark had notified the contending Euro-

pean nations that if war should come Denmark would be strictly neutral.

One thing certain is that we cannot hope to keep out of the world strife that is boiling in both hemispheres if we allow our citizens to build up a big stake in the war by furnishing ammunition and credits to one set of belligerents and denying the same to another set of belligerents. Aside from the un-Christian aspect of supplying munitions for the destruction of homes and mass killings of human beings, there is always the certainty that we will be pulled into the war to protect our stake.

Now, here are some figures that ought to forever doom such an unneutral proposal: In the 150 years the United States has been functioning as an independent sovereignty, England has been engaged in 54 wars, lasting 102 years, or 68 percent of the time. During the 150 years, France has been engaged in 53 wars, lasting 99 years, or 66 percent of the time. Is it possible that we intend to ally ourselves with these fighting nations by making America the arsenal, storehouse, and source of supplies for them in all of their future wars? And if we do so, how long do you think we will be able to keep out of war? Yet that is exactly what is proposed.

THERE IS ALWAYS WAR SOMEWHERE

I have the greatest respect for President Roosevelt. With many fine things he has done to improve our domestic conditions I am in full accord, and I have supported him wholeheartedly in those accomplishments, but I find it difficult to agree with his views so strikingly expressed in an interview he gave on July 4 last. That interview was summarized in the Washington Times-Herald as follows:

The policy of the administration is to try to prevent war in any part of the world, and that is the first policy of the administration, the President declared.

There is never a time when there are not wars in some parts of the world. Wars have been going on since the dawn of creation and the Almighty has not stopped them. Imagine officials at Washington trying to prevent war in any part of the world, and then imagine, if you can, the commitments we would have to make and the vast expenditure of blood and treasure it would be necessary to pour out in order to make such a policy effective. The Almighty created man with the traits of a fighting animal and there will always be wars. If we project ourselves into every foreign affair, we will find ourselves without friends and without influence, used by some nations, hated and despised by all, and sooner or later involved up to our necks in war.

No; it would be much better to cling to Washington's ideology of isolation, protected by our geographical position, than to try to set ourselves up as an arbiter to settle all of the wars in the world. It cannot be too strongly asserted that isolation does not mean isolation from the world but isolation from war and, contrary to Secretary Hull's announced belief, the placing of a complete embargo on exports to belligerents would not be "ruinous to our economic life."

I am sure that Secretary Hull had not given careful consideration to the statistics of exports when he made that statement. No one expects or wishes to shut off exports to all nations. All that is contemplated is a cessation of exports to belligerent nations just as long as they remain belligerents. Yet, according to the last report of the Department of Commerce on foreign trade, the total of our exports to all foreign countries in 1937, the last year for which statistics are available, was only 7.8 percent of our total production of movable goods. This covers our normal exports to all of the world; and if the ban on exports were applied only to two or even three or four belligerents, the loss in our normal foreign trade would be infinitesimal compared with the home market for our goods. I submit that the loss of this small fraction of our foreign business not only would not be ruinous to our economic life but it would be a small concession, indeed, compared with the frightful burden of debt that will be saddled on ourselves and on our children and our children's children if we become involved in another war. One month of war would cost us more than our profits on foreign trade for 20 years.

A TRUE NEUTRALITY POLICY

So I think it is quite clear that from the standpoint of our Nation as a whole it is good business as well as good morals—and certainly good policy from the standpoint of noninvolvement—to establish a complete embargo on exports to belligerent nations as long as those nations remain belligerents.

A true neutrality policy in harmony with Washington's ideology and designed to keep America a free and independent nation for all time would embrace at least these four cardinal principles:

First. At the outbreak of war between foreign powers, embargoes to be levied on all goods to belligerents.

Second. No American vessel to be used in trade of any sort with any belligerent or in any zone of danger.

Third. American citizens to be ordered to keep out of all danger zones, and if they disobey it will be at their own risk.

Fourth. No discretion to the President or to anyone else to discriminate between belligerents on a basis of moral judgments—in other words, to name the aggressor.

In a majority of cases, if not all instances, naming the aggressor would be tantamount to putting us in the war.

If I were President I would put a check on all sword-rattling Cabinet ministers and their bellicose subordinates and make them either remain silent or talk the language of peace instead of the language of war. That, I think, would be a contribution to the peace and security of America. We should not live in eternal fear of attack from some foreign power, for if we attend to our own business that is never going to happen. If Hitler hesitated so long about attacking Czechoslovakia and little Danzig, right at his doorstep, is anyone so fatuous as to imagine he is coming 3,000 miles across the ocean to attack us?

NO ONE WANTS WAR

If you put the question "Do you want war or peace?" to 100 American citizens, chosen at random, the unhesitating answer in each of the 100 instances probably will be "peace." Nor will you be the least bit surprised by the unanimity of the replies. The surprise and shock would come if some one of the hundred should unexpectedly answer "war." Americans are universally for peace. As a citizen and as a representative of citizens in the Congress of the United States, I am for peace with all my heart and soul. With all the solemnity I can command, my right hand raised to the Father of us all, I declare that unless America is attacked or invaded, unless we are forced into a defensive position to protect our very existence as a nation, I will never vote to send our precious boys into the hell of war. You can count on me for that. And you may be sure that I will not be misled by any fallacious reasoning or false propaganda into accepting as dangerous a situation that may not be dangerous at all as to our own national safety. There are defense wars and there are policy wars, and no internationalists are ever going to cajole or frighten me into believing that it is good policy, in order "to make the world safe for democracy," for us to hurl the flower of our young manhood into the slaughter pens of foreign countries in the settlement of boundary disputes, quarrels between reigning houses, and blood feuds that have been going on a thousand years, and that will be going on a thousand years after we are all dead and gone. I have too much love for our boys to throw their lives away in any such fashion as that.

BLESSED ARE THE PEACEMAKERS

Adequate preparedness is not inconsistent with the Washington ideology of an America free and independent, cultivating friendly relations with all nations and entangling alliances with none. I would appropriate every dollar needed to make our defenses as impregnable as possible, as insurance against attacks which I believe will never happen. Having done that, I would rely on the wisdom of Washington and the other founding fathers and the guidance of Him who said "Blessed are the peacemakers" to lead us safely through all of the trials and tribulations of the future.

This is not a political question. The arms embargo which some of us are seeking to retain was almost unanimously adopted by an overwhelmingly Democratic Congress and

approved by our Democratic President a few years ago. It was considered then to be the very best device to keep us out of war. Now the proposal is to abolish it before it ever has had a test. Surely no Democratic Member can be accused of a lack of party fealty if he votes to retain the embargo provision that had practically unanimous Democratic approval such a short time ago in the calm atmosphere that preceded the outbreak of war. The question now naturally arises, Why change it in the midst of a war? The answer is, To make America the arsenal and supply house of munitions and credits for one set of combatants. Is that neutrality? If that does not lead us straight to the yawning hell of war, I do not know what would.

But I repeat that this is not a political question. It is a great human question, touching the very heart of the humanities. Have we so far forgotten our Christian teachings that we are willing to furnish the instruments of mass murder of innocent women and children who have committed no offense and whose misfortune it is that they have been doomed by a cruel fate to the merciless domination of a godless dictator? Think how thrilled we will be when we read in the dispatches about the devastating work done by a squadron of bombing planes "over there," with an estimate of the number of women and children killed and maimed and the vast destruction to property, concluding with the information that "these planes came from America." Or when we read a heart-rending account of the strangulation of boys by poison gas, with the concluding information that "this gas was made in Pittsburgh." Oh, what has become of our Christianity?

If we repeal the arms embargo, we will be saying in effect to Britain and France: "Move over. We want to be your partner in this war."

A vote to repeal the embargo would be half a vote for war. I have pledged my sacred honor that I will not vote to send our boys into a bloody war overseas, and I will not cast half a vote to send them in. With me a pledge is a pledge, and I will redeem that pledge if I stand alone. [Applause.] Repealing the embargo would put us in the war immediately, in the role of a noncombatant ally of one set of fighting powers, and our role would be likely to change with kaleidoscopic suddenness at any minute to that of a combatant, as the pressures are applied, and the exigencies of the war situation develop. Furthermore, if we let down the munitions floodgates to furnish the lethal instruments of destruction on credit, instead of for cash, as proposed, it will not be long until the Allies will be running their war on American money.

A tourist returning from abroad told me that he did not see a smile in all of Europe.

Before we vote ourselves into the war let us think of the tramp, tramp, tramp of marching armies; of the pall that hangs over every household in Europe; of the fear that grips every heart as men are regimented and sent away to die. Then let us contrast that sad and gloomy and forbidding picture with the happiness and freedom which we enjoy under the American flag. I pray to God that we will not by any ill-considered action transform our land into what their land is today.

From out of the background of history Washington and Jefferson point the way in this crucial hour, admonishing us that we should keep America forever out of Europe and Europe forever out of the Western Hemisphere. If we catch the inspiration of their wisdom and follow their advice, America will be the main hope for the creation of a new and better world out of the ashes of carnage, and will endure forever as the great sanctuary and citadel of human freedom. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal and any special orders, I may address this House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on three different subjects, and to include, first, a statement by the Secretary of the General Welfare Federation in my own home district; second, an editorial by the editor of the Los Angeles Evening News; and, third, a radio broadcast on Hispanic-American Culture by the Librarian of Congress.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FRIES. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein, at the request of the gentleman from New York [Mr. BARRY], two letters which he has written to his constituency explaining his position on the neutrality question.

The SPEAKER. Without objection, the request is granted.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DARROW (at the request of Mr. DITTER), indefinitely on account of illness.

THANKSGIVING DAY

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, on the 2d of October I introduced a bill (H. R. 7556) to make the last Thursday in November of each year a legal holiday—Thanksgiving Day. In view of the fact that if action is not taken at this special session it will be too late for consideration before the pending Thanksgiving, I would like to ask unanimous consent for the immediate consideration of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, this is a matter that has been referred to the Committee on the Judiciary, which committee has not considered it. It has been considered by no other committee, and therefore I feel constrained to object.

The SPEAKER. The gentleman from Texas objects to the request.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 12 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 17, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1104. Under clause 2 of rule XXIV a letter from the Acting Postmaster General, transmitting the draft of a proposed bill to reform the lease for the Sellwood station of the Portland, Oreg., post office, was taken from the Speaker's table and referred to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY of New York:

H. R. 7586. A bill for the relief of Franc Natko, his wife, Margaret Natko, and their infant child, Margaret Natko; to the Committee on Immigration and Naturalization.

By Mr. FAY:

H. R. 7587. A bill for the relief of Ramon Fraguas Gonzalez, also known as Jose Gonzalez, also known as Ramon Gonzalez; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5732. By Mr. FENTON: Petition of the Reverend Francis W. Suretek and members of the Polish-American Citizens Association of Schuylkill County, Pa., requesting repeal of the arms embargo provision of the Neutrality Act; to the Committee on Foreign Affairs.

5783. Also, petition of the Sunbury Unit, Veterans' Welfare League of Northumberland County, Pa., requesting repeal of the Neutrality Act and substitution of a cash-and-carry system, keeping one great thing in mind—America shall not go to war; to the Committee on Foreign Affairs.

5784. Also, petition of the Schuylkill Classis (Schuylkill County, Pa.) Ministerium of the Evangelical and Reformed Church, requesting retention of the arms-embargo provision of the Neutrality Act; to write back into that law all needful cash-and-carry clauses and controls; for peace, to preserve, to maintain, and to promote peace; to utilize all established constitutional, ordinary, and extraordinary prerogatives to their full capacity of American statesmanship for the furtherance of peace; to the Committee on Foreign Affairs.

5785. Also, petition of F. S. Vogelsang and other citizens of Pottsville, Palo Alto, Port Carbon, and Minersville, Pa., to keep the present Neutrality Act intact; to the Committee on Foreign Affairs.

5786. Also, petition of Louis F. Pounder and other citizens of Gordon, Ashland, Fountain Springs, Girardville, Locust Dale, and Ashland, Pa., requesting to have the arms-embargo provision of the present Neutrality Act retained, and to provide strict cash and carry for all other commodities; to the Committee on Foreign Affairs.

5787. Also, petition of the Reverend W. I. Shambaugh, First Evangelical Church of Milton, Pa., and other citizens, to keep America out of Europe's war by avoiding foreign entanglements; to the Committee on Foreign Affairs.

5788. Also, petition of Washington Camp, No. 134, Patriotic Order Sons of America, Port Carbon, Pa., opposing any change in the Neutrality Act, but if a change must be made it be strictly cash-and-carry; to the Committee on Foreign Affairs.

5789. Also, petition of Lincoln Post, No. 73, American Legion, Shamokin, Pa., requesting strict neutrality, and opposing any action that might involve this country in any foreign war; urging that Army and Navy be built strong enough to defend the United States against invasion; to the Committee on Foreign Affairs.

5790. By Mr. GILLIE: Petition of H. J. Gerhardstein and 400 other citizens of Fort Wayne and New Haven, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5791. Also, resolution of the Allen County Republican Labor Club, Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5792. Also, resolution of the Fort Wayne Chamber of Commerce, urging the United States to maintain a fair, impartial, and lasting peace; to the Committee on Foreign Affairs.

5793. By Mr. KRAMER: Resolution adopted by the West Los Angeles Democratic Club, No. 1, to prevent profiteering and demanding that laws be made with adequate penalties applied and enforced to bring prices back to the normal standard and at no time shall they raise unless wages are increased at the same ratio; to the Committee on Ways and Means.

5794. By Mr. McCORMACK: Petition of Edward C. Dullea, of Dorchester, Mass., and 76 others, opposing any change in present neutrality law; to the Committee on Foreign Affairs.

5795. Also, petition of M. A. Albisser, of Roxbury, Mass., and 35 others, advocating retention of present arms embargo; to the Committee on Foreign Affairs.

5796. By Mr. SCHIFFLER: Petition of Charles H. Hawkins and other citizens of Wheeling, W. Va., urging no change in the neutrality law and no cash and carry; to the Committee on Foreign Affairs.

5797. Also, petition of Herbert Stobb and other citizens of Wheeling, W. Va., urging no change in the neutrality law and no cash and carry; to the Committee on Foreign Affairs.

5798. Also, petition of John Kain and other citizens of Wheeling, W. Va., opposing any change in the neutrality law; to the Committee on Foreign Affairs.

5799. Also, petition of citizenship chairman, Mountain State Farm Women's Club, Roneys Point, W. Va., urging that we oppose repealing of the neutrality law; to the Committee on Foreign Affairs.

5800. By Mr. SCHAFER of Michigan: Resolution of the Grand Ledge (Mich.) Lodge, No. 179, Free and Accepted Masons, opposing any changes in the present neutrality law, and requesting that arms embargo be retained; to the Committee on Foreign Affairs.

5801. By the SPEAKER: Petition of Polish Falcons of America, of Pittsburgh, Pa., petitioning consideration of their resolution with reference to the newly established Polish Government; to the Committee on Foreign Affairs.

SENATE

TUESDAY, OCTOBER 17, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Father of Mercies, almighty and most tender God, who hast promised to those who seek Thee with all their heart that, as far as the east is from the west, so far wilt Thou remove their transgressions from them, and that, like as a father pitieth his own children, so is the Lord merciful to them that fear Him: We pray for the daily renewal of the spirit of true joy which the sense of Thy abiding presence alone can give, and for a steadfast heart to meet with constant cheerfulness the anxieties and trials of our life, that joy and trial alike may be sanctified to us as we yield ourselves—spirit, soul, and body—to the fulfillment of our sacred duty to our God, our Nation, and the world. Grant unto us, unworthy though we be, a clear vision of the beauty of holiness and a sure confidence in Him who is the strong Son of God, immortal love, even Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, October 16, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reed
Andrews	Davis	King	Reynolds
Austin	Donahey	La Follette	Russell
Bailey	Downey	Lee	Schwartz
Bankhead	Ellender	Lodge	Schwellenbach
Barbour	Frazier	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gibson	McCarran	Slattery
Borah	Gillette	McKellar	Smathers
Bridges	Green	McNary	Stewart
Brown	Guffey	Maloney	Taft
Bulow	Gurney	Miller	Thomas, Okla.
Burke	Hale	Minton	Thomas, Utah
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Vandenberg
Caraway	Herring	Nye	Van Nuys
Chandler	Hill	O'Mahoney	Wagner
Chavez	Holman	Overton	Walsh
Clark, Idaho	Holt	Pepper	Wheeler
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], and the Senator from Maryland [Mr. TYDINGS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New York [Mr. MEAD] and the Senator from South Carolina [Mr. SMITH] are unavoidably detained.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

SPECIAL COMMITTEE TO INVESTIGATE CIVIL-SERVICE SYSTEM

The VICE PRESIDENT appointed the Senator from Missouri [Mr. TRUMAN] a member of the Special Committee to Investigate the Administration and Operation of the Civil

Service Laws and the Classification Act of 1923, as amended, created by Senate Resolution 198, Seventy-fifth Congress, to fill the vacancy caused by the death of Hon. M. M. Logan, late a Senator from the State of Kentucky.

PETITION

The VICE PRESIDENT laid before the Senate a resolution adopted by the Thirty-first Annual Reunion of the Second Ohio Volunteer Infantry of the Spanish-American War, held at Findlay, Ohio, favoring the maintenance of a strong and adequate national defense in all its branches, and also an efficient merchant marine; condemning nazi-ism, communism, and other alien "isms"; and calling upon the President and the Congress to keep the Nation out of war "except in defense of our liberties, institutions, and ideals," which was ordered to lie on the table.

ADDRESS BY SERGEANT YORK ON NEUTRALITY AND THE ARMS EMBARGO

[Mr. MINTON asked and obtained leave to have printed in the RECORD a radio address on the subject of neutrality and the arms embargo, delivered by Sergeant York on Wednesday, October 4, 1939, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. WALSH obtained the floor.

Mr. AUSTIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Vermont?

Mr. WALSH. I yield to the Senator from Vermont.

Mr. AUSTIN. I thank the Senator from Massachusetts. I desire to make two unanimous-consent requests, and I wish to explain them. It will take me but a moment to do so.

Last night I delivered an address over the National Broadcasting Co. network during the National Radio Forum arranged by the Washington Star. The address related to the pending question. I appreciate the honor that has been offered me by the distinguished chairman of the Senate Committee on Foreign Relations, the Senator from Nevada [Mr. PITTMAN], to have that address printed in the RECORD. I have asked to be excused from accepting his offer, for the reason that I wish to be entirely and wholly responsible for the address being in the CONGRESSIONAL RECORD. Further, I wish to be considerate of the time of my colleagues in this distinguished body, and I think I can conserve that time by putting the address in the RECORD, which will make it unnecessary for me to repeat its substance and material. So, Mr. President, my first request is for unanimous consent to insert in the RECORD at this point the address, the subject of which is Changing Embargoes for National Defense.

The VICE PRESIDENT. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CHANGING EMBARGOES FOR NATIONAL DEFENSE

The United States intends not to go to war, not to intervene, and not to become a belligerent.

In the pending war, the nationals of the United States will be hindered and impeded by their Government in their commerce on the seas with belligerents. They will not have the aid of their Government in that commerce. They will not have even the immunity from interference by their Government which has been the common right of the nationals of all neutrals during all times.

It is absurd to say that the United States intervenes when, by statute, it embargoes its nationals, its vessels on the high seas, and everything it produces.

The scare talk that lifting the embargo means war beclouds rational consideration of the facts and policy. It should be given little weight. It seems to me to be illogical. We cannot become a belligerent and go to war unless some foreign state attacks us, or unless we attack some other state.

On the first alternative, I point to the fact that the Congress is in extraordinary session for the express purpose of enacting additional defense legislation calculated to build up our strength so that no foreign state will choose to attack us.

On the second alternative, you are conscious that the determination of the people of this country to remain at peace is such that we will not become an aggressor and declare war on any state, save as a last defense of our security and the principles which constitute the life of the republic.

During the course of my discussion, I hope to make clear that the legislation which Congress now debates is designed to avoid causes for war, and to remove, as far as possible, from the United States even the chance events which might irritate our own people into warlike fervor. Without an act of Congress, we cannot become a belligerent, we cannot intervene in a military way, we cannot go to war.

We consider the pending question in the light of the settled purpose of Congress to not send our sons and daughters overseas to engage in foreign wars. The last act, even of national defense, is the mobilizing of the youth of America to engage in mortal combat. So let us settle back and calmly consider the choice that we have to make between embargoes.

We start with a true premise, namely: the pending legislation constitutes a substitution of a broad embargo for the narrow embargo which now exists.

The erroneous impression, implicit in the popular slogan "Lift the Embargo, and Substitute Cash and Carry," is corrected through the debate which is proceeding in the Senate.

Now that a state of war has been proclaimed, we are not to choose between embargo and no embargo. We are to choose between two embargoes. The present one prohibits export of arms, ammunition, or implements of war. The contemplated substitute embargo would bar from the seas American vessels, American men, and American articles and materials. If it should become law, nothing American whatever could be in commerce on the high seas between the United States and a belligerent port, between the United States and a neutral port, where the commerce enters or passes through combat areas to be prescribed by the President, because title must change to the purchaser before it leaves the United States. This would avoid the hazard of inflammatory reaction on us from sinking of property.

The deprivation of freedom of our citizens to travel would be extensive, for it would be unlawful, except under rules prescribed by the President, for any citizen of the United States to proceed into or through combat areas or to travel on any vessel of belligerents. This would render remote the provocation from loss of life.

An exception is created favoring Canada. Passengers and articles or materials could be lawfully carried by American vessels on lakes, rivers, and inland waters as well as by aircraft over lands bordering the United States, though such transportation would be subject to such restrictions, rules, and regulations as the President shall prescribe.

The unfortified line, 3,000 miles long, between Canada and the United States moves us to favor the cause of Canada as a protection of our tranquillity.

Moreover, this accords with our ancient friendship and the homogeneity of principles and ideals of our two countries.

The harsh restrictions on vessels include loss of established transportation routes and connections gained in a competitive battle at great cost to our Government and its citizens through 20 years of struggle. In parlance of the sea, "we would not keep the berth warm."

Also included would be the loss to our producers of fruit, cotton, wheat, and other agricultural products, of a delicately balanced refrigerating, storage, transportation, and marketing organism, the repercussions of which must be cushioned with taxpayers' money; the deprivation of neutrals and belligerents, who are dependent upon our natural resources brought to them through American commerce, of diet, clothing, and other necessities of life; the making difficult of procurement for America of strategic and essential materials, because our ships could not afford to go out empty of cargo for the sole purpose of bringing back these materials. These materials are essential to our national defense. They include manganese, aluminum, antimony seed, chromium, coconut-shell char, manila fiber, mica, nickel, wool, optical glass, quartz crystal, quicksilver, quinine, rubber, silk, tin, and tungsten. In addition to these, we must lose freedom of access to 22 critical commodities, such as coffee, cadmium, cork, cryolite, graphite, opium, etc.

Most serious of all the injuries suffered through the severity of the restrictions upon American vessels is the injury to our national defense. The Mercantile Marine Act of 1936, under which we are building up our merchant fleet, was based on its auxiliary service to the United States Navy. A fleet must have fuel; it must, therefore, have tankers with competent speed. A fleet must have feeding and housing also. It must have vessels for hospitalization, for shelter of personnel of small vessels, such as submarines, aircraft, and destroyers. It must have access to basic materials and to supplies. Without a merchant marine a navy could not serve.

Therefore it is to be hoped that the restrictive embargoes on American shipping may be reasonably relaxed by amendment of the pending bill.

But, dealing with the proposed legislation as it stands tonight, I favor its adoption for the following reasons:

It would promote our national defense.

It would make more remote our getting into war.

It would increase the probability of victory of the Allies.

It would tend to shorten the war.

It would keep the battle front far away from America.

It would help to keep the ocean the protection for us that it has been while our vis-à-vis Navy was under the British flag.

The United States has been on the defensive throughout the Seventy-sixth Congress, including this special session. While the Military Affairs Committees of the House and Senate developed a military, naval, and aerial plan for national defense, the committees of both Houses having jurisdiction of our foreign relations were at work trying to promote such governmental action as would keep us at peace and at the same time protect our free institutions and our territory from aggression. The evidence showed at the beginning

of the session an environment of danger—wars proceeding, all the great treaty powers of the world armed and getting ready for mobilization, even the Western Hemisphere penetrated covertly and in peaceful disguise by the dynamic foreign policy of national socialism, having the implications of an effort to set up a world empire. Within striking distance of the Panama Canal, namely, in Colombia, an airways system, of which the crews were at least 95 percent German; a system of air lines being established around Latin America, with adequate bases and stations and stocks of convertible parts adaptable to military planes as well as commercial planes, so that if Germany wanted to fly military versions of the Folke-Wulf planes to Latin America they would there have ready adequate supplies for military use. The parts of the commercial ships ready in Latin America are interchangeable with parts for bombers and for other military planes. If Germany should wish to send a large number of bombing planes through Latin America to our southern boundaries she would have the facilities to do so, she would have the fuel supplies in large reserves, she would have the parts, she would have the replacements, and the personnel, if they were needed.

Such a picture clearly given to the Committee on Military Affairs could not be ignored with prudence. It appeared from the evidence that Germany was sending able technicians to Latin America who had recently been trained in special courses in the economic theories and the political philosophies of their own country, in technique, in diplomacy, and in the language of the country where they were going.

Moreover, the trend of exportation of aircraft was significant. Whereas our Latin American exports of aeronautical products in 1938 increased 19.7 percent over 1937, Latin American sales of totalitarian aircraft gained about 300 percent in those 2 years. This tremendous gain in totalitarian exports of aeronautical products in Latin America was consistent with the foreign policy of Germany recently associated with claims of pressure of population, the so-called natural right to room to live, the search for raw materials, and with geographic and political ambitions of world extent. New World contours had already been etched on the globe by the bayonet of totalitarian powers.

The present war had not yet begun. It was anticipated by some. Nevertheless, the Military Affairs Committee of the Senate was informed that if Germany should get control of Spain and Portugal, establish bases in the Azores, in the Cape Verde Islands, and in the Spanish and Portuguese colonies in west Africa, she would have complete control, so far as the air is concerned, of the eastern half of the Atlantic Ocean. Seventeen hundred of the airplanes that Germany then had were capable of flying from the west coast of Africa to the east coast of South America. Prudence dictated that Congress contemplate the possibility of such progress that she would be able to fly in the near future from the Cape Verde Islands to the United States.

The possibility, even though remote, of Germany conquering England and France, obtaining control of their navies and investing Canada and nearby islands, made national defense a paramount concern of this session of Congress.

The cold facts which confronted us demanded prompt measures to strengthen our Military Establishment. With relatively little debate, Congress appropriated approximately $2,000,000,000 to effectuate the President's plan for this purpose.

Indirectly involved in this study was our national attitude toward the possible belligerents in the anticipated war. This attitude also primarily concerned our national defense. The crash of a bomber being tested on our west coast, in which a French officer perished, precipitated the foreign-policy issue. The identical differences arose over sales of planes to Britain and France, already contracted for, as we are now debating on the so-called Neutrality Act of 1939. It became clear to us that the sale and exportation of military planes to Great Britain and France was a proper element of our national defense, because it stepped up production in this country of such defensive weapons and it did not interfere with procurement for ourselves; it developed the special knowledge and skill of our scientists and workmen, so that we could move forward with the progress of those who learn by experience in their use of the technical improvements which so soon render obsolete the munitions of current days.

Here let me indicate something which I regard as a natural fallacy. Distinguished debaters who oppose the pending resolution argue that we should keep the munitions which we manufacture for our own defense, and that we should not ship them abroad. The answer is: We do not want these particular munitions. If we should ever need munitions, we would want the most modern product of the experience we are now gaining at the expense of the foreign purchasers. If we should ever need munitions, we would want the capacity to reproduce and keep the line coming. We would not want to be dependent on stores of obsolete planes, for example. Therefore, sale to the Allies then and now is an important element of our defensive plan.

I discuss neutrality only briefly because the law of self-defense transcends other rules of international conduct.

Montesquieu, speaking to us with venerable accent and profound wisdom, says:

"Reason is the spirit of the law; if there be no reason, there is no law."

We are familiar with the rule of self-defense, which extends to whatever limit of action may be necessary.

The reason for this in domestic law is the same for international law, namely, imperative necessity.

If we were neutral, the obligations on us as a government would not require us to do what we propose to do in the way of embargoing the intercourse of our nationals with other neutrals and belligerents. Even though international law forbids the supplying in any manner, directly or indirectly, by a neutral power to a belligerent power, of arms, ammunition, and implements of warfare, or of war material of any kind whatever, nevertheless, a neutral power is not bound to prevent the export or transit, by its nationals, for the use of either belligerents, of arms, ammunition, or, in general, of anything which could be of use to an army or fleet.

The rights of a neutral government are thus less than those of its nationals.

In 1935 and 1937, in connection with the neutrality legislation, and during the campaign of 1938, as well as in this Seventy-sixth Congress, I have stated my position publicly—that it would have been better for this Government to repeal the Embargo Acts and return to international law. The foregoing is the essential part thereof affecting the pending issue. The record would have been clearer for posterity. The attitude of America would have accorded with her tradition, namely, an attitude of independence, though not isolation. She would have been free to adapt her action to the changing circumstances. Since it has become apparent that this cannot be done, and that the Government, as such, is about to adhere to restrictive action which it is not bound by international law to take, we are not concerned with the neutrality or unneutrality of the resolution. We are concerned only with the fact that it is in our interest as a sovereignty and for the peace and security of our nationals that we adopt it.

By the Embargo Act of 1937, our attitude, as a government, has the effect of partiality to Germany. It is as effective in interfering with acquisition of arms, ammunition, and implements of war by the Allies as a blockade successfully maintained by Germany. Pro tanto, it is as effective as a fleet of submarines operating against the Allies.

The folly in the act of 1937, which caused a few of us to vote against it, is now more widely recognized. It undertook to bind the United States in advance of the event to a course of action, the need and the consequence of which we could not foresee.

Now, needing the defense value of speedy victory by the Allies, we observe our embargo of 1937 operating against the Allies and in favor of the aggressor.

We now see that we deprive the Allies of rights belonging to them by virtue of their geographical position. As we have pointed out, the exercise of these rights by them would tend to protect our institutions and our peace. The early success of the Allies is vitally necessary to keep the unplumbed depths of ocean between the aggressor and us.

To the extent that the proposed resolution binds us to embargoes in some other future war, it is subject to a similar criticism—that we cannot foretell what our interest may be or what position we should take.

It is my opinion that the resolution ought to be amended to provide for its expiration as soon as the state of war has ceased to exist.

Our present grave concern about the preservation of republican liberty in this country dictates adherence to the exclusive prerogative of this Government to decide as each case arises what character of international conduct this Government will adopt.

Chief Justice Hughes, when Secretary of State, within a few years after the World War, characterized this policy in an address to the American Bar Association, thus:

"Our people are still intent upon abstaining from participation in the political strife of Europe. They are not disposed to commit this Government in advance to the use of its power in unknown contingencies, preferring to reserve freedom of action in the confidence of our ability and readiness to respond to every future call of duty. They have no desire to put their power in pledge, but they do not shirk cooperation with other nations whenever there is a sound basis for it and a consciousness of community of interest and aim. Cooperation is not dictatorship and it is not partisanship. On our part it must be the cooperation of a free people drawing their strength from many racial stocks, and a cooperation that is made possible by a preponderant sentiment permitting governmental action under a system which denies all exercise of autocratic power. It will be the cooperation of a people of liberal ideals, deeply concerned with the maintenance of peace and interested in all measures which find support in the common sense of the country as being practical and well designed to foster common interests."

As a people we would like to have our Government on friendly terms with all states—totalitarian as well as democratic. We would not interfere with the right of every nation to conform to its own beliefs without trespassing upon us, but in both peace and war this Republic must defend itself against dominance by others and against insidious sapping of the battlements of its freedom.

I credit the distinguished opponents of the pending resolution with recognition of the dangers of isolation. I think that it is inaccurate to label them "isolationists." However, there are worthy citizens who have communicated to me the belief that we should adopt an attitude of withdrawal commercially to our continental area for the duration of the war. I believe that it is the general opinion of all Senators now debating the issue that such action would require nationalizing of all production and industry and further centralizing all government in Washington. We are aware of the difficulties of enforcement of that type of embargo, exemplified, as they were, by even bloody resistance during the Jefferson embargo.

As the historian, Bancroft, has so well put it:

"Commerce defies every wind, outrides every tempest, invades every zone."

Moreover, the danger of establishing nonparticipation in the trade and finance of the world is that such action would require a vast financing scheme to further organize control of all business and commercial activities, to cushion the fall of industrial employment, agricultural marketing, and the lack of necessary materials not obtainable here. The dictatorship perfected thereby would insure to us and to our posterity a curse of unhappiness.

Isolation would be almost as dangerous to our institutions as war. By either isolation or war, we would lose much that our forefathers sacrificed to gain and to transmit to us.

To choose the type of embargo provided for by the pending resolution, instead of the existing embargo, would aid in our national defense and would tend to prevent both isolation and war.

It would help this generation of Americans to discharge their high obligation to preserve the Republic and to maintain peace.

Mr. AUSTIN. Mr. President, my second request is that there be printed in the RECORD following the address just ordered printed an amendment which I propose to offer to the pending joint resolution, the effect of which, if it should be agreed to by the Senate, would be to make this so-called Neutrality Act of 1939 expire with the expiration of the present war in Europe. I ask unanimous consent, therefore, to have printed in the RECORD, printed in the usual form, and lie on the table the amendment which I send to the desk.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Idaho?

Mr. WALSH. I yield.

Mr. BORAH. Am I correct in understanding that the amendment offered by the Senator from Vermont touches the question of the expiration of the pending joint resolution?

Mr. AUSTIN. Yes. If the pending joint resolution should become a law, under the amendment, if agreed to, the law would become functus officio on the termination of the war in Europe.

The VICE PRESIDENT. Is there objection to the request of the Senator from Vermont?

There being no objection, the amendment intended to be proposed by Mr. AUSTIN to the pending joint resolution was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. AUSTIN to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz: At the end of the joint resolution insert the following new section:

"SEC. —. Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, this joint resolution shall have no further force or effect; but offenses committed and penalties, forfeitures, or liabilities incurred under this joint resolution while it was in force and effect may be prosecuted and punished, and suits and proceedings for violations of such joint resolution or of any rule or regulation issued pursuant thereto may be commenced and prosecuted in the same manner and with the same effect as if such joint resolution were still in force and effect."

Mr. JOHNSON of Colorado. Mr. President, I offer two amendments to the pending joint resolution, which I should like to have printed in the usual form, printed in the RECORD, and lie on the table until such time as they may be considered by the Senate.

The VICE PRESIDENT. Is there objection?

There being no objection, the amendments intended to be proposed by Mr. JOHNSON of Colorado to the pending joint resolution were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendments intended to be proposed by Mr. JOHNSON of Colorado to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz:

On page 16, line 13, after the word "materials", insert "(other than arms, ammunition, and implements of war enumerated by the President under the authority of sec. 4)."

On page 18, between lines 20 and 21, insert the following new section:

"EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

"SEC. 4. (a) Whenever any proclamation issued under the authority of section 1 (a) is in effect, it shall be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States until all right, title, and interest therein shall have been transferred for cash to a foreign state. The shipper of such arms, ammunition, or implements of war shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath that there exists in no citizen of the United States any right, title, or interest in such arms, ammunition, or implements of war, and to comply with such rules and regulations as shall be promulgated from time to time. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such arms, ammunition, or implements of war. No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such arms, ammunition, or implements of war shall be made the basis of any claim put forward by the Government of the United States. As used in this subsection, the term 'cash' shall not include ordinary commercial credits or short-time obligations.

"(b) Insurance written by underwriters on arms, ammunition, or implements of war and on vessels carrying such arms, ammunition, or implements of war shall not be deemed an American interest therein, and no insurance policy issued on such arms, ammunition, or implements of war, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

"(c) The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is restricted by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

"(d) Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than $10,000, or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245).

"(e) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this section, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"(f) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation."

On page 21, line 15, after the word "credit", insert "(including ordinary commercial credits and short-time obligations)."

Mr. WALSH. Mr. President, for several years, particularly since I have been chairman of the Naval Affairs Committee of the United States Senate, I have been frequently requested to speak on questions relative to our national defense. On these occasions I have stated again and again that I was an advocate of a large, efficient, and powerful Navy, not for the purpose of aggression but for the avoidance of war and the protection of our country.

Never, during these years, have I failed to urge a genuine policy of neutrality, designed for the avoidance of war, as of almost equal importance for our peace as a powerful navy. Nations that are unable to look upon events of a foreign war objectively and map out for themselves a fixed, determined, real policy of neutrality will never be safe from embroilment in the troubles and wars of other nations.

Peace, first and foremost, by assuming the conduct of a true neutral; and secondly, a navy, army, and air force of such efficiency and size as will command the forbearance of all aggressors; these have been my long-continued aims.

A year ago last September at the American Legion National Convention at Los Angeles, on Memorial Day 1938 at Arlington Cemetery, and again on the floor of the Senate on April 17, 1939, and repeatedly on the radio when I discussed the subject of national defense, I asserted that in a world seething with age-old rivalries and ambitions and in which the spirit of war is ever present our country should steadfastly preserve its neutrality. I quote from one of those speeches:

Our own national policy for keeping our country out of war and at peace with the rest of the world rests upon two basic and elementary propositions. One is the observance of strict neutrality whenever and wherever war occurs, and in the meantime and at all times keeping clear of foreign quarrels and entangling alliances. The other is the maintenance of adequate instrumentalities for national defense and, in the conditions now unhappily prevailing throughout the world, adequate instrumentalities for national defense, and adequate land force, sea force, and air force.

These have been my sentiments to this hour. Devoted as I am to the cause of our national defense, in my opinion, a neutrality policy which is sincere, unwavering, and just is

an equally vital correlative to the preservation of peace and domestic tranquility.

The Navy is a physical force operating in the physical field. Neutrality is a state of mind; it operates for peace or war through mental channels. A neutrality that is honest removes animosities and hostilities. A neutrality that is merely a pretense, the use of a name, creates distrust and enmity. The slightest aggressive operation by our Navy could swiftly turn our course from peace to war. In like manner, the elements that constitute a policy of neutrality can sharply convert our attitude from peace to the role of an aggressor. It is the impairment or abandonment of a real policy of neutrality that is a basic cause of war in the world. Because Italy and other European countries have thus far remained neutral, they are not at war.

I believe that every conceivable safeguard should be used to prevent our Nation from being involved in a war that is not of its making, for I place above every other disaster in life the awful sacrifice of human lives that war brings. Nature's catastrophes are at times horrifying, but they affect chiefly the physical forces of life that can be rebuilt, while man-made war crushes and destroys living human beings and the priceless spiritual values of the human family, robs free people of their liberty, and retards for generations the advancement and progress of civilization.

POLITICAL NEUTRALITY

It seems unnecessary to define to the Members of the Senate what is meant by real and genuine neutrality. There is scarcely one Member of this body who has not had to apply a policy of personal neutrality during his political activities. Your own experience, Senators, has taught you that there is only one choice—observe a strict neutrality or commit yourself to one side or the other.

Were those political rivals who declared to you their neutrality honestly neutral when they lent aid and assistance to your opponent? Between men and between nations honest neutrality stands out with all the brilliance and clarity of the midday sun. Pretended neutrality is like the toadstool that in shape and color appears like the mushroom, but hidden in its fibers is the very essence of a death poison.

THE MEANING OF NEUTRALITY

Thomas Jefferson, when Secretary of State in the Cabinet of George Washington in 1793, said that it was a solemn duty of any neutral nation "To prohibit such action as would injure one of the warring powers." He added, "No succor or assistance should be given to either party of foreign wars; no men, arms, or anything else directly serving for war." John Quincy Adams went even further and said, "Neutrality avoids all consideration of the merits of the contest." In no particular does the present proposal to repeal the arms embargo meet the conceptions of neutrality heretofore expressed by these or other American statesmen.

The discussion and consideration of the present neutrality law was based upon a purpose to avoid participation in foreign wars, to prevent a repetition of acts which helped to involve us in the World War—the destruction by belligerents of American lives, ships, and goods on the high seas, and the inflamed feeling of our people because of such incidents.

The nonparticipation policy, withholding of munitions to belligerents, then adopted, we are now asked to change. I inquire at the very outset and in all seriousness, Are we not in seeking repeal placing more importance on our trade than on a policy of absolute neutrality? Is not preserving our peace worthy of any cost or sacrifice in trade at home or abroad? I am not asserting, for it would be unfair, that all those who favor repeal of the arms embargo are thinking of trade benefits. But what answer can anyone favoring repeal make to the assertion that, even if the repeal of the arms embargo is not intended to help promote a business boom, it certainly will permit the sale of implements of war to provide human beings with instruments of death and destruction to use against each other?

To others who assert we must preserve our neutral rights of freedom of trade and freedom of the sea we answer that it is far more important to preserve the rights of the nonvocal millions of Americans who would be the sacrificial victims of war.

Mr. President, we who are against repeal are primarily opposed now to a parade of war weapons from America to Europe because we never again want to witness the parade of dying and maimed American youths that emerged after the World War from Europe to America.

THE BACKGROUND OF OUR NEUTRALITY LAW

This extraordinary session of the Congress has been called to revise the present neutrality law. Before we take action it is appropriate to review in some detail the consideration Congress gave this subject long before the present war. Commencing in 1935 committees of the Senate and House held hearings for weeks and considered every phase of the problem of neutrality. The study was made at a time when the country was relatively free from propaganda and when our minds were concerned solely with devising ways and means for America to avoid involvement in wars.

These studies demonstrated that two courses of action by our country would certainly lead to involvement. These were: First, an acceptance by the United States of world moral responsibility; and, second, the conviction on the part of the American people that the avoidance of war by us was impossible. Those Americans who accept either of these two views are now privately, if not openly, advocating our participation in the present European war, disregarding the fact that the United States has consistently refused to participate in any international scheme that might lead to war as a possible eventuality.

In the study we then made of the subject of neutrality serious consideration was necessarily given to the American world position in contrast with the world position of European countries. The United States has no European problem such as overpopulation; it has no desire to obtain natural resources necessary for self-sufficiency and national defense; it seeks no colonies; it entertains no longing to revenge ancient rivals. None of these European ambitions concern us, and that is why our domestic welfare prompts us to avoid war, and by a rigid policy of neutrality avoid involvement.

The United States, because of its relative physical security, is almost alone among the world powers able to keep itself free from inducements to join its foreign policy to that of any other nation. The situation in Europe is very different. European nations have been forced to make alliances and agreements under special conditions. Though European nations may have no choice between war and peace, the United States' geographical position and nonalliance policy protects it from ever going to war except when attacked.

Our paramount concern then was, and still should be, to keep the United States out of war—out of any war—to preserve at all hazard our own peace and security; to preserve above all else our own democracy.

The sole question before the committees of the Congress and the Congress itself during the years prior to the enactment of our present neutrality law was, What course of action should America determine in advance that would best preserve peace for us when other nations are at war? What course would minimize the risk of our being drawn into a European war? It was clear that the temptation to join hands with friendly and favored belligerents was to be avoided and also the temptation to prevent the establishment of a close community of interest with the warring nations.

Congress had fully in mind that one of the greatest tests of our neutrality policy would be brought about by a European war in which nations particularly friendly to us would be engaged. It was well understood and known that the maximum pressure for participation of the United States in the European war would be exerted if nations particularly friendly to us became belligerents. Briefly stated, the very situation that exists today was foreseen, understood, and considered when we undertook to define our policy of neutrality.

Furthermore, it was well recognized that an effective neutrality policy could not be maintained by the United States without industrial, commercial, and financial costs. Congress,

after weighing all costs—the cost of keeping out and the cost of going in—almost unanimously decided the cost of human lives, human suffering, and human sacrifices far outweighed any cost in monetary losses. To avoid this stupendous cost Congress believed that all possible measures to resist participation in wars not of our making should be put into effect before a crisis appeared.

After full and lengthy consideration of this whole subject, after having the opinions of many expert authorities on international relations and the views of the State Department, Congress almost unanimously decided in the interest of American peace to establish a neutrality law with rigid restrictions. The purpose of the restrictions was solely to reduce the possibility of America becoming involved through the growth of commercial and financial ties with belligerents. This is the background of our existing neutrality law made in anticipation of just what has occurred and to protect us against the present war propaganda.

THE ISSUE

Because a war crisis in Europe has actually developed it is now proposed that we repeal the measures heretofore made to resist our involvement. The present issue, therefore, is whether or not we shall nullify our views and decisions made for our peace in time of peace and become an economic base of war supplies for one of the European belligerents. The issue is, Shall we now, because war has broken out in Europe, change a "thou shalt not" policy of selling arms and munitions of war to a policy of "thou shall"? Shall we change our policy of we "forbid" to a policy of we "permit"? Shall we change our policy of nonintervention to intervention—to the extent of supplying to one of the belligerents destructive war weapons?

Up to this very hour we are at peace. We are not threatened. We are not attacked. We are at peace because the Almighty has separated us from Europe by a vast ocean; because our founders wisely guided us away from European alliances; because "in God we trust," not in the friendships nor promises of nations or men. I inquire what is to be gained, not by certain belligerents, but by America through the proposed change? Will the present embargo on arms tend to keep the United States really neutral longer than will any plan to sell the belligerents war supplies?

THE DANGER OF REVERSING OUR NEUTRALITY POLICY

Mr. President, candor compels me to state that I think of nothing, now that war has swept over Europe, that threatens more certainly to involve us in the present holocaust than deliberately to reverse our present policy of positive refusal to sell war weapons to any or all belligerents, and by solemn enactment offer the output of our munitions' factories for sale, knowing that only one group of belligerents can be our customer. No living being contends that we are morally bound to sell implements of war to any nation at any time. We are free to sell or not to sell. Our declared policy, the present Federal law, now forbids sales.

Instead of pleading here in the Senate of the United States for traffic in arms or war profits, we should be militantly resisting every possible step that will lead to traffic in human lives, the lives of the youths of America.

IT WILL HELP OUR FRIENDS

I am not unmindful of the claim that by opening our airplane and munition factories to belligerents, we will thereby help one side to a quick and perhaps total defeat of its enemy. If this purpose is consummated, repeal of the arms embargo will constitute a direct violation of America's obligation as a neutral. This is easily demonstrated to any unprejudiced mind. Tne present neutrality law was in existence before the war started. It is at this moment in force. To weaken this law now for the purpose of helping one side is a participation in war, one of degree to be sure, but in what degree no one can estimate in advance. It does not require any extended argument or the recital of precedents to demonstrate that when changes in neutrality laws are made during war the purpose of the change is all-important. When the purpose is solely and obviously to preserve our neutrality, such as some of the proposed changes in the cash and carry of commodities, no claim of intervention can be made.

How long would any one of the small countries adjoining the war area of Europe remain at peace, if it declared in advance of war that it would not sell instruments of war, and following the outbreak of the present war, turned its munitions plants over to supply death bombs to one group of belligerents?

Why, if we really seek to be neutral, should we dare, merely because we are not adjoining the war fields of Europe and merely because we are larger in area, population, and wealth, do what we conceive no other neutral nation on earth would dare do unless it deliberately sought involvement in war? Instead of removing existing restrictions to help keep us out of war, we should be striving mightily to increase and multiply such restrictions.

To my mind, repeal of the arms-embargo law would be tragic. It would enormously increase our present serious peril. It is tragic enough to become involved in war by having a public opinion favoring peace, changed to one of war, through the ordinary mute incidents of war, our hatreds, our fears, or our sympathies, but it is criminal to plunge a free people into war by incidents and situations which result from efforts made to sell implements of war. War through financial entanglements is the most indefensible of all wars.

WHO ARE URGING REPEAL?

Mr. President who are those urging the repeal of our arms embargo aside from the Chief Executive and the State Department, whose motives, like our own, we concede to be actuated by what they conceive to be the best interests of the Nation? Others, however, disclose motives that seem to me to be based on other considerations than neutrality. I refer to those Americans who believe we should at once enter the war and who are for repeal of the arms embargo as the first step. They, of course, frankly concede they are opposed to the policy of neutrality. They are for war.

ARMS EMBARGO NOT UNNEUTRAL

Others, whose honorable motives we cannot question, though we think them mistaken in judgment, urge the repeal of the arms embargo for various reasons.

One of the most specious of all the arguments advanced during this controversy is to the effect that the arms embargo is unneutral in that it bears unequally upon the nations now at war. Of course, any restrictions or limitations inevitably bear unequally upon different parties. If we sell only for cash that is prejudicial to those without cash. If we require the purchasers to carry away what they have bought, that is prejudicial to those without transport facilities. If we forbid charter of United States ships by any belligerent that is prejudicial to those who had need for the ships and wherewithal to pay for them. The mere fact that by inevitable circumstances the present arms embargo bears unequally upon the nations at war is of itself no valid argument for its repeal.

The conclusion is inevitable, namely, if the embargo is unneutral to one side, lifting it is unneutral to the other. The purpose of neutrality is to avoid participation in war. Whatever steps a neutral country may take to remain neutral in order to avoid participation in a war will invariably affect the various belligerents unevenly. All will conceive it would be unneutral to embargo the export of arms to Japan while permitting their export to China. Likewise, it would be unneutral to permit the export of arms to either group participating in the recent war in Spain. It would be unneutral to embargo the export of arms in Abyssinia, while permitting their export to Italy. No one has claimed that we were unneutral in these three wars which have occurred under our present neutrality law. The precedents for refusing to export arms, munitions, and implements of war are numerous. During the Franco-Prussian War both Belgium and Switzerland placed an embargo on munitions of war. During the Spanish-American War the Netherlands applied a similar embargo. During the Russo-Japanese War of 1904–5, Sweden did the same thing.

THE TEST OF NEUTRALITY

No nation can be charged with unneutrality for taking action made to apply equally to war belligerents. That is the test of neutrality—does a nation's action apply equally to all belligerents? At no time while the present embargo statute was being drafted or when enacted into law was the claim made that it was an unneutral act. Not the actual war in Abysinnia or that in Spain or China, but the threat of the present war in Europe was the first intimation that the law was unneutral.

It is because we desire genuine neutrality, regardless of its effect upon belligerents, that we are against the repeal of the arms embargo. We insist that our neutrality law be motivated, first and last, by a sincere purpose to avoid being drawn into a war.

But I revert to my original question: How will repeal of the arms embargo help to keep us out of war? Some of the proponents of repeal have an answer to this question which is usually expressed in guarded circumlocution. I propose to deal with it candidly. They rest their case on the assertion that this country is vitally concerned in the outcome of the war in Europe; that our national interests are at stake; that victory for Britain and France and defeat for Germany must be obtained at all costs; that if the war is of long duration, somehow or other we shall be drawn into it; that if we give all possible help to France and Britain now, it will tend to shorten the war and to insure their victory without our actually going into the war; that repeal of the arms embargo is one way to help Britain and France, and that when we do so we are helping ourselves.

I do not subscribe to this thesis. I concede that we are concerned with the duration of the war and its outcome. But I say in all earnestness and with every fiber of my being that the day we officially proclaim to the world our intention of becoming the ally of Britain and France and of making the United States their economic base of supplies, we move in the direction of taking the United States into the war and set in motion a chain of circumstances that in all reasonable probability will result in war. And that is the vice of the repeal of the embargo. It has become a token—a symbol. We in substance and effect, by the very act of repealing the embargo, now that the war has started, proclaim our intention of coming to the aid of Britain and France. We are asked to repeal the embargo in the name of neutrality and under the false disguise of a move for peace, when in fact it is the very opposite.

I do not say that retention of the embargo upon munitions will guarantee our escape from involvement in the present war. There can be no absolute guaranty. I do not say that repeal of the embargo will positively lead the United States into the war. I believe it will tend in that direction. I fear that will be the consequence of repeal. Why take the risk? We have nothing to gain and everything to lose.

THE REAL OBJECTIVE

I repeat that underlying the present drive to obtain repeal of the embargo, underlying all the fine-sounding words about neutrality and international law, and the rights of nations, and about the alleged inexpediency and alleged inconsistency of attempting to differentiate between munitions of war and those things from which munitions may be processed, is the unspoken but dominant consideration, namely, to make the United States a base of supplies for Britain and France in the present war. There is no other real reason for repealing the present embargo. And therein lies our danger. For when we make the United States a base of supplies for Britain and France, when we undertake to provide them with munitions and all other needful war materials, we become to all intents and purposes, and behind a smoke screen of professed neutrality, an undeclared partner with them in the war upon Germany and such nations as are or may become allied with her.

We delude ourselves with the thought that it will not be necessary to send troops and that we shall not have to sacrifice American lives. Our partners will make the sacrifice in lives. All we have to do is to supply the munitions and the foodstuffs; the airplanes but not the pilots; wheat, corn, and cotton, but not "cannon fodder."

But once we become accustomed to the idea that we are partners on the side of Britain and France, the next step follows very naturally—the notion that as a nation we cannot afford to have Britain and France fail. If United States munitions and supplies are not sufficient, we must lend our fleet and finally our soldiers.

I appeal to my colleagues in the Senate to guard against so disastrous a course; and the first step, the unnecessary and avoidable step, is the step which is now proposed—repeal of the embargo.

AID TO THE DEMOCRACIES

Other repealists, at first subtly but now boldly, say "we must aid the democracies of Europe; we cannot remain silent and indirectly give support to the dictators." Let me quote from some of the letters I have received, and which I am sure are similar to what every Senator here has read in his mail:

I believe we should assist the democracies right from the beginning, both morally and financially.

Their war is not just a European war.

If this war should be long drawn out, and if it should develop that Germany was likely to win, I consider it inevitable that we would then be drawn into the war.

Regardless of what some of the sentimentalists and pacifists think, we are undeniably involved in the European situation, whether we like it or not. So, as an American, I feel we must assume our part in this war and preserve our dignity as a nation.

France and England are fighting our battles for us. If they are beaten, the United States will have to do the job.

I firmly believe that the present war is not a private quarrel; that England and France are fighting in the interest of the United States, and if they are defeated our own American liberties that we cherish will be seriously menaced.

Aside from the question of our joining the conflict it would seem to me to be the wise move to help the side whose victory would benefit us most.

Certainly this country cannot stand by and see the democracies beaten.

We feel this country should give every possible aid to France and Britain irrespective of whether it will involve us in this war or not.

We should aline ourselves with England and France, cost what it may.

We need to assist what, without doubt, is now our first line of defense, the British Navy.

Whatever idealistic justification can be urged for this attitude, which is more powerful than peace advocates realize, certainly to translate these sentiments into actual effort by our country to take sides with one of the groups of belligerents is far from real and honest neutrality.

AN OVERT ACT

Mr. President, the Congress is now asked to perform an overt act, to declare to the world that we will hereafter in an official way give practical aid and assistance to the belligerents at war, knowing that only one side can be our customers. Furthermore, it is proposed to make this change of policy now in the very midst of a bitter, vicious, and diabolical war.

A neutrality attitude or law deals solely with the relationship that a peaceful nation entertains toward belligerents at war. If a nation's attitude goes beyond its sympathies and actually aids, supports, and supplies munitions to one side, it is not neutrality; it is intervention; it is a direct move from peace toward war.

To my mind, repeal of the arms embargo at this time is a direct assault upon one group of belligerents, and it is in fact deliberately so intended. It will cause resentment—resentment that has not heretofore been manifest. It is, in my judgment, a positive unneutral act that bears all the germs of war breeding. Whatever might be said in favor of repealing the arms embargo before the war, no one can now justify it as an act tending to help keep us out of war. Why is it now proposed? Its only honest justification should be to promote noninvolvement, and it has no such justification.

THE ISSUE MUST NOT BE CONFUSED

We must not permit this issue to be confused. The assertion is made that those who oppose the repeal of the present statutory embargo on the export of munitions of war to belligerents are inconsistent, in that they are at the same time favorable to unrestricted trade with the belligerents and the

exportation to them of all other commodities and supplies. This assertion is utterly mistaken and false. The fact is that those of us who oppose the repeal of the arms-embargo provision of the present law are insisting and demanding that every single, sound proposal that would strengthen our position of neutrality shall be speedily adopted. We are unalterably opposed to the repeal of the arms embargo because it would seriously weaken—indeed, it would emasculate—the present law and would immediately, definitely, and completely destroy our present attitude of neutrality. Repeal would inevitably be construed by the world, even by those governments it would aid, as a deliberate, intentional move to assist one group of belligerents. We insist that such a course of action would directly threaten our peace, security, and future influence in the world and would destroy the powerful position our Nation ought to assume at the present time—namely, genuine, honest, unmitigated neutrality—not only for the purpose of protecting our citizens from involvement in the horrors of the European war, and also to enable us to be in a position, if and when such an eventuality arrives in Europe, to help reestablish peace and order in the world, but, above all, to preserve intact and undefiled our present democratic institutions.

THE LOST OPPORTUNITY

Mr. President, how sad and tragic is our situation. We have been arguing here for weeks in the United States Senate over the sale of war weapons. What a great opportunity is being lost. To my mind, America should stand like the Goddess of Liberty—strong, erect, holding the torch of peace, illuminating this dark, gloomy, and saddened world with rays of future hope to its wrecked humanity, revealing profound and unmistakable sorrow for the human beings being slaughtered in the present world's cataclysm, towering above the misunderstandings, entanglements, hatreds, and ambitions which precipitated it. We can do this only by remaining neutral, a neutrality that may disappoint friendly nations, but one that the world at large will respect. Let our neutrality be based not alone on our own welfare but also upon the premise that when the time comes we will be in a position to serve the human family, to promote the brotherhood of man, to preserve the spiritual values that have come down to us through the centuries, and to welcome the innocent but misguided men and women of all races back to peace, to progress, to another Easter morn.

It may be said that this is idealism; that it is not possible or practicable. Then, at least let us make the effort and also be practical. Can we not be practical without participating in the hellish plague that is sweeping over Europe? Yes; we can build up our Army, Navy, and air force so that if our expressed ideals do not command the respect of the world and secure peace for ourselves, our impregnable military and naval strength will assure us protection if the time should ever come when all the mad leaders of the world turn on us. At least we will then be fighting unitedly and solely for America, and we will be proud to fight for her.

WE CANNOT KEEP OUT

Let me turn now to certain general observations.

The most pernicious and dangerous thought with respect to the present war in Europe is the thought that our own involvement in the war and our own entry into the war are somehow or other inescapable and inevitable; that much as we may wish to escape, we shall not be able to do so; that whether we get in or whether we stay out rests not with ourselves but with the circumstances and events beyond our control. I challenge these implications. I denounce such doctrine.

I consider this to be an utterly mistaken belief and a complete misconception of the realities. I regard the rapid spread of this idea as tending to jeopardize our immunity from the war and as tending to bring to pass the very thing which we profess to be most eager to prevent, namely, war for the United States.

I am shocked and profoundly disturbed to find how prevalent among many officials of our Government and Members of Congress is the notion of the inevitability of our own involvement in the war in Europe, the notion that we are destined to be swept into it despite all efforts to stay out.

I say with all earnestness that this is an utterly mistaken notion and one which should be promptly discarded. Our involvement in the war is neither necessary nor inevitable. It can be avoided. War must be escaped, if we are to preserve our own Nation and our own democracy, to say nothing of the lives of our own youth who will be sacrificed if we get into the war. We submit that one important safeguard is to retain the present embargo on munitions, and at the same time take adequate additional precautions.

PROPAGANDA VERSUS HELPLESSNESS OF THE PEOPLE

At work in this country today are propaganda and other forces, unable to treat the present war objectively, which would lead us inevitably toward war. Our bewildered and confused people, desiring peace more than anything else in the world, seem unable to comprehend, let alone move to avert, the reality of this situation, which, if the war continues, may slowly but surely bring this Nation to the brink of another international disaster.

Of what avail is the feeble voice of the people against the overwhelming power of propaganda? Of what account is their plea for peace, unorganized, humble, springing not from the counting rooms but merely from the homes, the firesides, the family circles of the great masses of American people who have little to say about creating wars which their sons and husbands must fight? How can they hope, within their limited capacity, to influence the course of legislation? Groups heretofore bitterly irreconcilable toward the administration on recent domestic economic questions, and of diametrically opposite social philosophies, have now come together on this single issue, with the design of immediately legalizing traffic in death-dealing implements and munitions of war which by its operation insures wartime profits to American industrial and banking interests.

PREJUDICES AND PROFITS

How can the voice of the plain people of America hope to reach the ears of advocates of entry into the war who are determined to take sides, as they assert, to save democracy in Europe lest it be destroyed here? As one of them has written to me:

> We feel this country should give every possible aid to the Allies, irrespective of whether it involves us in war or not.

Another writes:

> It would improve business in this country, put a good many people back to work, and bring nearer the balancing of the Budget.

Such citizens have permitted their sympathies, hatreds for certain European leaders, and unfounded fears, or their personal interests, to obscure the consequences of our participation in another European "blood bath." They are immune to rational argument and blind to America's true interests. They substitute bitter prejudice or financial gain for the genuine neutral spirit.

How can the pleas of the people hope to touch the hearts of the calloused groups, prompted solely by financial self-interest, which seek to put us into this war in order to reap profits?

Shall we, their representatives in the Senate of the United States, remain deaf and unmoved by their pleas to resist every step that might involve us in war?

War profiteers are enthused again, as they were before and during the World War, to destroy autocratic aggressive forces in the world and save democracy. These who I dare not believe truly represent the vested wealth of America, the bondholders, the speculators, the swivel-chair brigade of 1917, are again on the march for democracy in other lands, though in times of peace and at home they are its bitterest critics. In peacetime, when the Nation finds it necessary, on the principle of ability to pay, to tax wealth to feed the hungry, shelter the homeless, and clothe the naked of our unfortunate brethren, these very groups charge the Government with confiscatory radicalism. In thinly veiled assertions of protest, they inveigh against democracy, rail against legislators trying conscientiously to perform duty; indeed, most acrimoniously assail our Executive when he, in the spirit

of Christian charity, seeks to aid the impoverished and the underprivileged. In peacetime these are reactionary last-ditch Tories, who despise representative government unless they can control its course. Thank God, these aggressive promoters, profiteers, and speculators do not truly represent the American businessmen, who in the main are humane and progressive.

When war comes, when war stocks boom "on the Street," when steel mills start turning out their tools of destruction, when munitions factories burn with activity fashioning weapons of death, when rising prices threaten inflation, when speculative markets bound upward and offer another chance to reap profits at the expense of the mothers and youth of Europe and America, these groups acquire a sudden passion for democratic institutions, not here in our own country but in other parts of the world. If the claim could not be asserted that democracy were threatened, if some case could not be made out by the propagandists to delude our helpless people into the belief that our security is being jeopardized by the conflict between European powers, these groups would have no grounds whatever, except that of trade profits, for urging the repeal of the arms embargo.

Does anyone conversant with the history of this Nation since 1933 believe for a moment that many of these present-hour lip servants of democracy are supporting this joint resolution because of affection for the general policies and objectives of this administration? Let there be no mistake about it: These groups, apart, of course, from the open advocates of belligerent help for the so-called democracies, are interested in just one thing—the profits of war.

OTHER FORCES SUPPORTING REPEAL

I realize that other forces are supporting this traffic in arms and implements of war. I do not impugn their sincerity or question their right to urge their views, though I seriously challenge their reasoning and their judgment. I am conscious that some conscientious citizens see in the present European conflict a war between subversion, irreligion, authoritarianism, on the one side, and the alleged righteous constructive democratic forces of the world, on the other. This is a superficial view. Religion is too deep-seated in the human breast to be crushed by tyrants.

Others whom I have mentioned possess such devotion for certain foreign governments because of blood ties or cultural affinities that they advocate immediate, direct, and unhampered association with the cause of our former Allies. These are influential and unceasing in urging our entrance into the war, or at least open assistance by furnishing arms to one side of this terrible conflict such as is proposed in this measure. Peace is secondary to most of these groups.

Following these views, we would, in effect, by sending arms to one side in this war, be deliberately rendering assistance to the democratic governments of Europe in the hope and belief that in so doing absolute governments would be destroyed in Europe, and our own democracy thus safeguarded. On this theory, is it not cowardice to stay out of the war, to let other nations fight our cause, and merely send them weapons and ammunition? If we believe the issue is salvation of democracy in America, ought we not, in honor and self-respect, to throw all our resources and strength, including our manpower, behind the cause of the former Allies?

But there is no such issue. Our frontier is not on the Rhine, in France, or any other part of the world. Our frontier is the oceans with which the Almighty has surrounded us. If we must fight against subversive forces of the world, let us fight when our security and liberty are assailed here in America.

NOT A WAR OF IDEALS

Let there be no mistake about another fact: This is not a war for ideals of democracy. In 1917 we entered the war, so our people were told and believed, to preserve democratic government, to sustain democratic civilization. How completely we were deluded in realizing these high aims is too well known to bear reiteration. But today we should not again labor under such misapprehensions. It is plainly manifest that ideals are not the motivating force of this war. Quarrels over territories, struggles for control of subject peoples and their natural resources, the furtherance of nationalistic interests, and preservation of the European balance of power for the victors in the World War are the real reasons for this conflict.

The present disputes arise directly out of the Versailles Treaty, which in spirit, letter, and result abandoned every pretense of adherence to the ideals for which the war was fought. That treaty distributed territories, colonies, and control over hundreds of millions of subject peoples in Europe, Africa, Asia, practically everywhere in the world, on the principle of pirate division of spoils, with little or no concern for the racial, geographical, historical, or ethical rights of millions of innocent, peace-loving minorities.

From such ruthless division of spoils another European conflict was as inevitable as the rising sun. Our people then refused to sanction that treaty. Our people now will not sanction any move by this country, directly or indirectly, to perpetuate its indefensible provisions at the point of the sword. I sincerely believe that the American people, when fully aware of the implications of this joint resolution, will demand immediate and complete protection against involvement in war. They have the right to and may well demand a popular expression on the question of our entrance into foreign wars of aggression.

THE PRESENT LAW NOT UNNEUTRAL

Who can fairly deny that this measure aims to give direct aid to one side of the present war? Strip it of its smoke screens, of the parts in which we are in practically unanimous agreement—the sections which protect our neutrality by limiting the activities of our nationals and shipping in combat zones and in financial commitments—and what is left? Merely a privilege accorded to nations on one side to obtain war weapons, munitions, and destructive implements to be used to wage their war and to maim and slaughter not only the soldiers and sailors of belligerents but, in all certainty, innocent noncombatant population as well.

TERRIBLE PROSPECTS OF RENEWED WARFARE

Who can have the slightest doubt that when this war starts in earnest, as it will if peace overtures are rejected, all restraints will be cast to the four winds, all rules of international law torn up as scraps of paper, as they always are in time of war? Who can doubt that when present time-marking ends and hostilities commence in earnest every weapon, every known device, every species of poison gas, disease-laden explosives, liquid fire, and other inhumane and torturous implements will be used by the belligerents against each other? Who can doubt that unrestricted submarine warfare will be waged by the Central Powers in a desperate effort to stem the stream of war implements and munitions destined to help the other side of this contest, which will flood the high seas as soon as the arms embargo is lifted?

Oh, yes; our munitions factories will hum with activity, profits will pour into the coffers of American bankers and industrialists, and after the war there will be another depression, but in Europe millions of youth will be decimated by these very weapons of death which our Government permits to be sent to help one side in this war, in the hope and with the intent of obliterating the other. Is this not mass murder? Is this not making our Nation a direct accessory to the slaughter of human beings, some of them innocent noncombatants?

The American people will resent, when they fully realize the results of repeal, a situation which makes their Government a direct accessory to the murder of millions of their fellow men, women, and children by bombs and airplanes labeled "Made in America."

NO NEUTRAL RIGHTS UNLESS COMPELLED BY FORCE

Much has been said in this debate about asserting our neutral rights under international law. Neither this Government nor any citizen or business interest thereof has any neutral right or any other kind of right, moral or legal, to trade with belligerents if that trade threatens to plunge this country into war. Neutral rights are no stronger than the will and power to enforce them when they are violated.

War suspends and vitiates neutral rights, because it abrogates international law, which is their sole sanction aside from direct force. Our World War experience taught us that bitter lesson. Let us not be again fooled by partisans and propaganda. We have our neutral duties, which are far more important to our people and the world than any neutral rights. These duties require us to shun and avoid any act or gesture indicating unneutrality which might by any circumstance involve us in war. They forbid us to become jingoists, or to put the proverbial chip on our shoulder.

DIFFERENCE BETWEEN SELLING ARMS AND OTHER SUPPLIES

It is argued, "Why should the United States forbid the shipment of arms and munitions, yet permit trade in cotton, iron, steel, and other supplies out of which arms and munitions can be made?" This argument is weak and technical. It does not strike at the root of this controversy. Bombs and shells, guns, airplanes, and other implements are used for only one purpose—war—killing and destroying. Cotton, iron, and steel and other supplies, while they may be used to make war weapons, are ordinarily used for a hundred peaceful purposes of life having no connection with war. In any event, I am not concerned about any inconsistency, implicit in this argument, as it affects my opposition to the repeal clauses, because I favor and would vote for the suspension of all trade with belligerents if that were necessary to prevent or minimize the chances of our involvement.

What difference will it make to the Central Powers, after the embargo is repealed, that these instruments of destruction were not carried in American ships? What difference does it make in the moral aspects of the question that only the belligerent ships of one side are permitted by this measure to bear munitions to the battlefields of Europe? Whether death-dealing weapons are transported in allied ships or in our own, they are destined to kill millions of young men, millions of innocent women and children, the aged, infirm, and helpless of Europe. Will the Central Powers consider how these munitions are sent to Europe, whether on American or on foreign ships? Or will they deeply resent the actual shipment as an act of discrimination and unneutrality—yes, hostility—and will they not move speedily and use every resource to cut off the supply of war weapons?

Let us contemplate now, not when it may be too late, the possible consequences of this repeal. I have no desire to overdraw the picture, but I desire to explore every possible eventuality.

RETALIATION WILL FOLLOW REPEAL

If the Central Powers come to despise and hate us for this unneutral position, is there any power on earth that will stay their fury and desperation to suppress these shipments at the source? This means submarine, even airplanes off our coast, outside our harbors, lying in wait for munition-laden ships, sinking them indiscriminately. It means convoys—battleships, destroyers, and other craft—vessels of war hounding our very shores to afford protection and escort to vessels bearing death and destruction to Europe. It means battles off our coasts, unrestricted submarine warfare, reprisals, retaliation, the destruction of ships carrying American citizens, the sinking of American ships by mistake, or in the very extreme of desperation without pains of identification, in order to cut off war supplies to our former Allies, which are dealing out death to the people of Central Europe, belligerents and noncombatants alike. It means bringing the European war right to our front door; it means incidents, a repetition of 1917, and finally war—war in which we ourselves will be involved—for the very same reasons and in the very same way that we were involved in 1917.

PREPARED FOR WAR?

Then what? Are we prepared for war? Are we doing enough in a constructive way to prepare for eventualities arising from this war to protect our shores and our homes? We are interested now, in my opinion, largely because of unrestrained sympathies and the lure of gain in sending to Europe war materials which we badly need for our own protection and our own adequate self-defense, which may embroil us in that war and make our whole country the mark for foreign aggression, airplane attacks, internal sabotage, and disorder. But, as every Member of this body knows, we are totally unprepared to fight even a defensive war waged from the air by resourceful enemies which may occur under some conceivable circumstances from both sides of the American continent and from South America. We are totally and pitiably unprepared to wage a war of aggression to be carried on abroad, which would, as before, require transportation of millions of Americans to Europe.

WHAT PRICE GLORY?

In 1917–18 we transported millions of men to France in our own and allied ships. Many of them fought and died there. Many were maimed beyond recognition, and since have lived in suffering and isolation—the mental and physical blackouts of that war. We paid high prices to the Allies to carry these American boys across the seas to stave off certain allied defeat—"to save the world for democracy," as we were told. We even paid high rent for the trenches in which our gallant soldiers fought and died, and for the humble graves, marked with plain wooden crosses, in which our heroic dead lie buried. We did this with elaborate, combined convoys of American and allied battle craft.

NECESSITY FOR BUILDING STRONG SELF-DEFENSE

Instead of spending our time and energy in enacting legislation which will mark us as unneutral and partisan before the world, destroy our moral influence as neutrals, and ultimately surely involve us, we should be giving our attention to building up a strong, impregnable defense, an Army, Navy, and air force greater than any other in the world, a system of national defense embodying an enlarged Navy and Army, adequate coastal fortifications, antiaircraft guns and aircraft that will compel respect from all nations and insure complete protection against any eventuality which may develop out of the chaos and disorder of Europe and Asia. We may some day be the targets for all the maddened tyrants and militarists in the world. Let us be ready. If that happens, we shall all be proud to fight for our own country.

CREDIT AND CARRY REPLACES CASH AND CARRY

I wish to make brief reference to the credit provisions of this measure. We commenced with the doctrine of cash and carry—transfer of title and cash payment in the United States, transport by foreign ships. That was the propaganda to our people. Cash and carry is an insinuating phrase, a harmless, right-sounding phrase. To our people who did not stop to analyze it carefully, it appeared at first blush a fair, impartial solution of our trade problem, if in time of war there is conceded to be a trade problem, if the question of profits out of war should ever be permitted serious consideration. But now our people have awakened to a full realization of some of the realities that would follow this proposal.

First, they observe the introduction of credit provisions. Secondly, they are disturbed about the cash features of the joint resolution. Where is the cash coming from? It was apparent to the international bankers, associated munition-maker industrialists, and sundry mercantile interests seeking profits out of war, that the cash of allied belligerents would not last very long after traffic in arms was legalized. These groups knew, and knew well, that the only resources the allied governments had in this country, apart from private holdings of their subjects, difficult to marshal, were a few hundred millions of dollars in earmarked gold. They were well aware that these sums were insignificant as compared with the incalculable amounts—the billions—required to finance a modern world war. The few hundred millions would be speedily exhausted, and then some other plan for transfer of title and purchase must be devised. Accordingly, the credit clause was inserted in this joint resolution, allowing purchases, transfer of title, and payment in 90 days. Thus this measure became not cash and carry but credit and carry. Now, as we approach a vote on the measure, this revised clause has been abandoned. There are strong reasons why it should be.

CREDITS WILL BE ULTIMATELY PAID BY AMERICAN TAXPAYERS

Any person conversant with international finance and the mechanics of international exchange knows that these credits

are a misnomer and a deceit; that after the first comparatively limited credits are discharged, the remainder never can and never will be paid. Were the World War debts paid? They were credits—credits negotiated to save the Allied Powers, extended at a time of crisis and great moment, when their very existence as independent nations was at stake. Were they ever redeemed? Of course not. Certain foreign governments have since boasted of their balanced budgets; but $12,000,000,000 is still owed the United States since the last war, and is saddled as a permanent debt upon the backs of American taxpayers—ironic evidence of the kind of gratitude our Nation received for saving the Allies from extinction; brazen repudiation of just debts.

It is very easy, indeed, to balance a budget when you repudiate your debts, as our World War Allies have done. But the American taxpayer cannot follow this course. He must struggle and sacrifice to pay, not only to maintain necessary services of his own Government but also for repudiated credits which we gave the Allies in the World War.

CREDIT CLAUSE IS A MYTH—IT PROMOTES WAR

The 90-day credit clause in the joint resolution is a myth. The real result of this clause would be to place the burden of these credits—which would be repudiated and renounced, just as surely as those in the World War were defaulted—upon the American Government and the American taxpayers. There is only one way to accomplish that result unless we repeal the Johnson Act, which now prohibits loans to debtor nations, and that is to plunge the country into war. Then, as in the last war, we will underwrite the obligations of our allies, assume liability for their credits and loans from American bankers, and finance the entire cost of the war. That is the purpose, that is the design, that would be the inevitable result of the credit-and-carry provision. Its excision leaves of all the original contentious clauses only the arms embargo.

WHY PENALIZE AMERICAN SHIPPING INDUSTRY?

If we are going to sell arms to the Allies—and I oppose this policy with all my heart because I believe it means war—why penalize our own shipping industry? In the past, and even now, we have subsidized American shipping. If it is a question of "taking a chance" that deliveries can be made without mishap, which is to me incredible, why not give to American shipping interests, which may be ready and willing to take that chance, the privilege of gaining some of the profits of this nefarious traffic in arms?

If we permit such war supplies to be carried from our shores at all—and we are doing it by the terms of this joint resolution—it will make no difference whatever to the Central Powers whether they are carried in American or in foreign ships. In any event, many of the ships will be ruthlessly sunk, their cargoes and crews destroyed, and we shall get into this war just as easily and just as certainly, no matter which ships are sunk, because American citizens or American interests will be affected in either case, and the "overt act" of 1917, so ardently awaited now by some of our countrymen, will find a most acceptable and welcome repetition.

STRONG NATIONAL DEFENSE AND PEACE

Repeatedly I have stated my belief in a strong, impregnable national defense—a two-ocean navy exceeding in strength and modernity any other in the world, a mechanized, sizable, well-trained army, and a vast fleet of aircraft and skilled pilots, capable of combat on land and sea, which would serve as positive protection for America under any circumstances against any combination of powers. Whether or not we are going to war, let us be prepared to cope with any and all potential enemies.

But why go to war? Is it not unthinkable, unnecessary, futile, something to be shunned as the sting of death? Would it not be more in keeping with our traditions and ideals to promote international peace? Is it not appropriate that America, the stronghold of democracy, the citadel of individual liberty, the lover of humanity and champion of human freedom, should speak out, should cry out in protest against the continuance of bestial slaughter in Europe? While we are enacting this dangerous measure, pregnant with possibilities of gravest trouble for our country, can we not, in the name of the Prince of Peace, speak one word for the cessation of hostilities?

This is not a time for petty feelings toward other nations, toward their beliefs, their forms of government, their differences of opinion with us, or objectives of theirs which we condemn. There is no action short of involving ourselves in this horrible war which we should not willingly take to bring peace again to the world. Can we not speak just once in the name of the poor and helpless of Europe who are making the supreme sacrifices to the god of war? At a time like this we should and must extend all possible good offices in a generous Christian spirit to the belligerent powers. Neither sympathies, personal differences with some nations, diplomatic niceties, or any other petty consideration should deter us from speaking for the cause of peace.

DUTY MORE COMPELLING THAN ANY OTHER CONSIDERATION

Above all, we must be resolute and determined not to be involved in this war, or any but a defensive war to save and protect our own Nation. I exceedingly regret that I must oppose the will of the administration on this question. But deep-seated convictions of conscience and duty must prevail over every other consideration.

As I am given the light to see it, the enactment of this joint resolution, and the events I believe are certain to follow, threaten war for my country. History is simply repeating itself. The days of 1917 are being reenacted. The draft law is already prepared. The blanks for the casualty lists are ready. The Government, finance, industry, all are in a war state of mind, ready to accept the inevitable.

One fact is clear: The great masses of our people hesitate and cringe from this terrifying eventuality. My first duty is not to any foreign government, foreign people, or foreign sympathy; not to any military conflict in Europe against dictators and tyrants, whose philosophies and methods I abhor and distrust. My first duty in this great crisis in our history is to the mothers and sons of America who would be—who will be, as I truly believe—the real victims and sufferers of war; to the youth, the citizens of tomorrow, the future torchbearers of American democracy, who are already sufficiently beleaguered by economic misfortune, without marking them for slaughter. I can never cast my vote in this body to send a single American boy to death on a foreign battlefield in a war of aggression, or to bring a tear to the cheek of a single sorrowing, grief-stricken American mother. Treasure and manpower unstinted to defend our country from the unprovoked attacks of the war-crazed tyrants of the world, but not one penny, directly or indirectly, for foreign wars, foreign destruction, foreign slaughter of American youth.

Therefore, I shall vote against the repeal of the arms-embargo clauses of the pending measure.

[Applause in the galleries.]

Mr. BARKLEY. Mr. President, I must repeat the point of order which I have heretofore made, as I think it is my duty to do, that, under the rules of the Senate, demonstrations by occupants of the galleries are not permissible. I trust that not only will our guests observe the rule but that the Chair will enforce it.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). The point of order just made by the Senator from Kentucky is well taken. The occupants of the galleries are guests of the Senate, and common courtesy dictates that they should observe the rules of the Senate. The attendants in the galleries are directed to enforce the rules of the Senate.

Mr. MALONEY obtained the floor.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Brown	Clark, Mo.	Gillette
Andrews	Bulow	Connally	Green
Austin	Burke	Danaher	Guffey
Bailey	Byrd	Davis	Gurney
Bankhead	Byrnes	Donahey	Hale
Barbour	Capper	Downey	Harrison
Barkley	Caraway	Ellender	Hatch
Bilbo	Chandler	Frazier	Hayden
Borah	Chavez	George	Herring
Bridges	Clark, Idaho	Gibson	Hill

Holman	McKellar	Pittman	Taft
Holt	McNary	Radcliffe	Thomas, Okla.
Hughes	Maloney	Reed	Thomas, Utah
Johnson, Calif.	Miller	Reynolds	Townsend
Johnson, Colo.	Minton	Russell	Truman
King	Murray	Schwartz	Vandenberg
La Follette	Neely	Schwellenbach	Van Nuys
Lee	Norris	Sheppard	Wagner
Lodge	Nye	Shipstead	Walsh
Lucas	O'Mahoney	Slattery	Wheeler
Lundeen	Overton	Smathers	Wiley
McCarran	Pepper	Stewart	

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. MALONEY. Mr. President, I may first say I cannot believe that there is a Member of Congress more anxious to avoid war than am I.

I am not so presumptuous as to believe that what I now say will have any bearing upon the votes of Senators, or any great effect upon the viewpoint of my fellow Americans. I do, however, have a desire to express some of my own views on the important proposal under discussion.

Since I admit to myself that there is little likelihood of conversion to the views I hold, I speak with the hope that my contribution to this important debate will in some degree tend to bring a greater calm to the people of the country, and especially to the constituency which I have the honor, in part, to represent.

My own mind is clear, and my conscience is now directing me without the slightest hesitation. I must frankly say that I should prefer that I had never been called upon to vote on this measure, but I hasten to add that I do it with no doubt of my duty.

It seems to me, and my prayers go with the thought, that there is still some hope for an early peace in Europe. I do not mean that I want to see peace at any price, because to me liberty is still sweeter than life; and until the uncertainties of an Old World gone mad can be adjusted with a reasonable assurance of enduring peace and calm, and until the wrongs are righted, those people who are suffering the bitterness of the struggle are in a better position to try to work out their salvation than are we.

I want to see a peace without indemnity—other than the restorations of the rights which have been taken away—and with no other or greater demands than that all the nations disarm, that the world may at long last live in enduring peace. I want to see no peoples destroyed.

We are not now dealing with a political question, Mr. President. This momentous problem does not in any sense call for the following of a party, the President, or congressional leadership, or the views of a sincere and articulate but not major part of the people we represent. The crying need of the moment is a leadership of conscience, and the demand of the hour that we do what is best for America and humanity. It seems to me we betray ourselves and our country, and our people and humanity, if we hesitate to do what we think is right because we fear to create hard feelings, or fear to trespass upon the views of men who themselves have been viciously careless of the comfort and happiness and rights of those about them.

We cannot worry about what some people in a distant land think of our action here. We have the solemn obligation of doing what appears to be the right thing, though it may seem to tread upon the feelings of some of those across the seas.

This is not a game, Mr. President. We are dealing with a consideration of the horrors and the cruelties of war. We are not bound by rules of a game. International law, as we so bitterly learned in the last war, is just about what powerful governments say it is; and, while I do not think the pending joint resolution in any way affects international law, I wish someone would tell me how we should undertake to repeal an international law which has been carelessly conceived.

Our first duty in this instance is to "mind our own business," and minding our own business means affording a protection to our people, a protection against war, a protection against the staining of our national honor, a protection against loss of the high moral code that has endured for a century and a half, and a protection against the abandonment of Christian ideals. Government is instituted to protect its own people, and, as I see it, that government is cowardly which sacrifices its moral and spiritual values, or the protection of its homes and firesides, because of a fear that it will offend the hopes of rulers beyond its own dominion. Heaven knows that they have not worried about their offenses against us.

At the moment some good people of our country are going through a period of hysteria. Added up, or boiled down, however, the unanimous desire and demand is that we take the path away from war. Men's minds are confused, and the noble, tear-stained, heavy-hearted women of our country, hateful and fearful of war, cannot banish the fear that their sons and loved ones may be called away. It seems to me that this feeling has been to some extent unnecessarily magnified, and, reluctant as I am to say it, that men in high places have unintentionally contributed to the fear. I have felt, Mr. President, and now feel, that some statements have been too intense for safety and comfort, and that while both sides of the debate have been logical to a degree, there has been a carelessness of overstatement which has helped to create heartaches in the homes of the great and the humble.

It is my opinion that the pending measure will in no way increase the danger to us, while almost all admit that there are features of it which add to our protection against war. With portions of the measure I am not in agreement. I believe that in its present form it tends to stifle our merchant marine, and unnecessarily demands sacrifices on the part of American business, and seafaring men, which should at least be lessened. On the other hand, I do not believe that it goes far enough in connection with the matter of payments by those to whom we sell our produce and our products. We should be paid in advance of their shipment. No goods sold to warring nations should go in our ships or in our name. American ships and American people should travel in known danger zones at their own risk, and while such a policy may be a partial surrender of our rights, we must recognize the realities of war. No man, or group of men, should expect his countrymen to share the risks of his quest for profit or adventure. I shall help in the effort safely to liberalize the proposal in the first instance, and to strengthen it in the second.

Lest I be misunderstood, however, let me say clearly that I share the heretofore expressed opinion that the time for legalistic hair-splitting has gone, and all things taken into account, it is clear to me how I shall finally vote.

Like other Members of Congress, I have undergone harsh criticism, and have suffered political threat. Like other Senators, I have neither the time nor desire to take into account the possible personal after effects. I took my oath here with all of the sincerity with which I am endowed.

When a constituent of mine or an occasional constituent of another Senator writes me that he "wants no war," or "wants no blood money," or that Members of Congress "should not harken to the pleas of the munition makers" or "the war mongers," I know that I cannot easily make him understand that I feel just as he does unless I am willing to vote as he asks me to vote. I am sufficiently enlightened to know that there is no present argument against his feeling. Men and women who write in that tone and in that vein are expressing a conviction, and convictions are ever so slowly set aside. I know that the people who feel so intensely on this measure may one day put into effect the threats they have made, but to act otherwise than in accordance with one's judgment and conscience would be as a man washing his hands in the face of the possible threat of Christianity's crucifixion. The European war involves a threat to religion and, as a consequence, to the dignity of man, and it behooves us to be certain that we do not give impetus to the threat by our failure to correct an unfair and unneutral situation which we ourselves created. Whether or not religion was threatened, our duty would be the same; but I point to the true state of affairs fully to emphasize the seriousness of our responsibility.

I have listened as consistently and intently as possible to all of the debate up to this time. I have been attentive to the interesting discussions on the radio, and to the extent

that the hours of the day would permit I have hungrily read everything written on the subject by outstanding students and observers. Let me say, Mr. President, that up to this very moment I have yet to find that Senators opposing the proposal of the Foreign Affairs Committee have logically linked their fear to how we might possibly enter this war. What they have done, however—unintentionally, of course—is to give force to the idea prevailing in some minds that the vote on the pending measure is in effect a vote on the question of whether or not we are to go to war. There are persons who firmly believe that Senators who vote "yea" on this proposal are actually taking the first step toward sending young Americans to fight. Some Senators believe that. They have come no closer to a logical argument, however, than an inference that we will suffer an attack over here.

To me that argument is fantastic. I have patiently waited for an argument which might, even to a slight degree, strengthen the contention that the passage of the joint resolution would be the first step toward war. That presentation is still delayed, and my own conviction becomes the stronger. Let me say again, however, that we should demand cash for what we sell, in order to avoid the possibility of misleading anyone in Europe.

Let me say at this time, Mr. President, that if there is reason for any nations in Europe to believe, or to entertain the serious hope, that at some later date we may enter this war, no ground for such belief has been afforded by those who favor repealing the arms embargo. The encouragement, if there is any—and I hope there is none—has been given, unintentionally, of course, by those who are opposed to the pending measure.

Let me serve notice, if my feeble voice can in any degree serve notice, that we will not later treat seriously any cry that we were willing to sell munitions abroad for a profit while there was cash, but would refrain from selling them when cash was exhausted. I want to make that statement clear, so I shall take the time here and now briefly to reexplain my view on that part of the joint resolution which is the real bone of contention.

I think that, insofar as the question of the arms embargo is concerned, the United States is confronted with a moral responsibility. When I say that, I speak my own views. I know that some Senators anxious to support the Foreign Affairs Committee have an especial desire to give what help they can, short of America's participation in the war, to the nations which are generally regarded as being on the defensive. I cannot harshly criticize them because moral values were cast aside with the destruction of the none-too-powerful little countries of Europe. Granting that those who were at Versailles committed sins against themselves and the world, and sorrowful as we were and still are that they neglected the admonition and pleading of our great national leadership, is there one who will say that the way to set aside what was done at Versailles is by bombing defenseless women and children? Is there one who will insist that the errors of that faulty conference table justified the death of thousands of German young men, and the lives, hopes, and aspirations of Czechoslovakia, Austria, and Poland?

I mention this that I may let it be known that I understand the feeling expressed by other men. That, however, is not the feeling directing my vote.

During the days just behind us I have listened to Senators tell of the black marks on the record of the British Government. Theirs was not a new story to me. All my life I have heard of Britain's persecution of God-fearing and God-loving people. Almost by heart I know the whole story of those subjected to the violent dictation of England's might. My abhorrence of the dark shadows which British leaders have cast upon decent governmental practice has been as violent as England's rule; but I am not so blind as not to know that the English people were not to blame. What the governments of England have done has little bearing upon the present plight of the people of England, or the people of France, or Canada, any more than the good people of Germany, or other nations of the world, can properly be held responsible for the mad aims and doings of a leadership which has shackled them. I insist that we have a moral responsibility to people defending their homes and the lives of their children, because we willingly sold munitions of war to those who have become aggressors, while the present defenders suffered humiliation and sacrifice in an effort to preserve peace and to avoid war.

I point out that under existing law we may sell 10,000 bombing planes to Communistic Russia, but we are compelled to deny to friendly and neighborly Canada the right to purchase a revolver. Mr. President, if I may use the words of a distinguished Senator who has spoken heretofore, "It just doesn't make sense." I am firmly convinced that we should now place at the disposal of these defending people, who have been trying to travel the path of peace, weapons of defense which are still available to their adversaries—not directly available, Mr. President, but indirectly available.

On that simple contention I rest my case and explain my vote.

With respect to the parts of the joint resolution outside of the arms-embargo provision, there is no need for me to take up the time of the Senate to dwell upon its safeguarding features. They are pretty freely admitted by the opponents of the measure. I go on with my remarks only for the reason heretofore given—that I hope to contribute to the comfort and calm of men and women everywhere, and of the boys at school, who, because they love life and want to live it through in a normal way, suffer the fright that is ever present when war clouds gather.

Mr. President, I have lived my life the hard way. I have the firm feeling that the bond of love may be a little more closely knit in the oil-lamp-lighted home, and that the capacity for worry is greater there. My feeling that this is true is based upon the certain knowledge that persons in less fortunate economic circumstances live closer to one another, and that their daily contact makes the threat of the absence of their loved ones more painful to anticipate. I do not mean that love is less strong in the homes of more fortunate persons, but I am confident that the capacity for fear is not so great, and that under stress the emotion is not so strong. Through the Senate I want to address myself to those persons, with the fervent hope that they will find some comfort in my statement.

Mr. President, there is occasion for fear on the part of Americans. There is a reason for a remote fear that we may one day become involved in the war. But the danger is not in the joint resolution, Mr. President. You know, as I do, that the Congress will never take the American people to war, and that the President of the United States cannot take them to war. Perhaps sometime in the future, as was the case in the past, for some reason yet unseen, the American people will decide to take Congress and the President and themselves to war. Personally, I doubt it.

I doubt it, first, because I do not think the war will be of long duration; and next, because I believe we will mind our own business and strengthen our armaments; and that, wild as they may be, the warmakers and the mad warriors of other places will let us alone. We should, however, know that while we can insulate ourselves insofar as mortal combat is concerned, there is another danger. We are certain to feel the economic effects of even a short war in Europe. Our business is bound eventually to suffer.

During the war there is certain to be an artificial stimulation which will give work to American men and acceleration to American business. So let us remember, Mr. President, that America must pursue its way of life when the war business is no more—and may God speed the day! At that point, if the war trade has been heavy, there is danger of a collapse. War profits would then be as worthless as the sands of the Sahara, and then would we suffer the effects of other men's madness and misfortune. We may not be able to avoid such a consequence, although the senior Senator from Wisconsin [Mr. LA FOLLETTE] has given us a plan for consideration. It will not be munitions sales that will build a war business, but rather the sale of the other produce and products of our country. We cannot escape those sales; but let none for a moment suppose that there is no great danger to our national economy.

I say again, however, that that danger is in no way connected with the joint resolution.

It has been pointed out in the debate by one distinguished Senator after another that if we should enter the war we would suffer regimentation and probably repudiation, as well as deflation. Let no one mistake the possible accuracy of those statements. If we should enter the war, we probably could not escape the dangers referred to; but if our Congress and our country will return to a reasonable calm and maintain American courage, there will be no regimentation, because we will not go to war.

The entire Senate is a peace bloc, and will not vote for war except in defense of the United States.

Let the American people keep in mind that some Members of Congress are not beyond the age of participation in war, and let them remember that ever so many Members of Congress have boys of wartime age.

For these reasons alone, and because every man of decency sees other peoples' children through the beautiful picture of his own children, he is not knowingly going to do a thing that would hurt a single American home. It will be ever so much better if everyone will view our problems realistically rather than by way of the stars and the promotion of fear.

I am now about to include in my statement something that may be a bit unusual. I do not intend to commit any Senator by this statement, and I do not know for a certainty who among us will support the pending joint resolution. I have no greater authority for my assumption than information which has come to me by way of the newspapers. The newspapers have given a list of the names of Senators said to be in sympathy with the measure offered by the committee. I have not asked a single Senator how he intended to vote, nor has any Senator asked me how I intend to vote; so if I seem to misplace someone I trust that I may be excused.

Senators favoring this measure, or at least some of them, have been described as interventionists. I do not think that the word was used in a derogatory manner, but when men are called interventionists, and in the same speech the belief is expressed that the enactment of this joint resolution would be the first step toward war, I want to give the people of the country a chance to know more about the interventionists.

I desire that the people know just how much of a personal interest the so-called interventionists would have in a war.

For the comfort of the fathers and mothers of young men of wartime age, let me give them a word picture of the effect that war would have upon Members of the United States Senate. My statement may not be entirely accurate, although I think it is. It should not only prove of tremendous interest to the people of the United States, but I think that it will give them some degree of consolation as they worry about the future of their own children.

Mr. President, the senior Senator from Colorado [Mr. ADAMS] has two sons of military age.

The senior Senator from Florida [Mr. ANDREWS] has one son who has already taken the oath of the Army.

The senior Senator from Vermont [Mr. AUSTIN] has two sons of military age, both of whom are at the present time Reserve officers.

The senior Senator from North Carolina [Mr. BAILEY] has two sons of military age.

The senior Senator from Alabama [Mr. BANKHEAD] has one son of war-service age.

The junior Senator from Mississippi [Mr. BILBO] has a son who is a first lieutenant in the Army.

The junior Senator from Virginia [Mr. BYRD] has sons of war-service age.

The senior Senator from Arkansas [Mrs. CARAWAY], the only mother in the Senate, has two sons who are now in the Army and would be subject to immediate war service.

The junior Senator from Kentucky [Mr. CHANDLER] is a Reserve captain in the Army of the United States.

The junior Senator from Texas [Mr. CONNALLY], who, like many other of his colleagues, was an officer in the World War, has a son of military age.

The majority leader [Mr. BARKLEY] has a son of military age who is at the present time a Reserve officer in the Flying Corps, and subject to call.

The junior Senator from Louisiana [Mr. ELLENDER] has a son of military age.

The senior Senator from Georgia [Mr. GEORGE] has one son who is a naval aviator and another son of military age.

The junior Senator from Vermont [Mr. GIBSON] is himself a member of the Army Reserve and has two sons who are Reserve officers.

The senior Senator from Virginia [Mr. GLASS] has two sons of military age.

The junior Senator from Rhode Island [Mr. GREEN] has five nephews subject to call if war should come.

The junior Senator from Pennsylvania [Mr. GUFFEY] has four nephews subject to Army call.

The junior Senator from South Dakota [Mr. GURNEY], while he has no sons of immediate wartime age, has two boys whose ages put them immediately in the shadow of war should war come.

The senior Senator from Mississippi [Mr. HARRISON] has a son of military age.

The senior Senator from New Mexico [Mr. HATCH] has a son subject to call.

The junior Senator from Iowa [Mr. HERRING] has one son who is a lieutenant in the Reserve and subject to immediate call, and three sons of military age.

The junior Senator from Delaware [Mr. HUGHES] has a son of military age.

The senior Senator from Utah [Mr. KING] has sons of military age and had a son who was an aviator in the World War.

The junior Senator from Colorado [Mr. JOHNSON] is not blessed with sons, but his daughter's husband is a Reserve officer and would be among the first to go if we were so unfortunate as to be engaged in war.

The junior Senator from Oklahoma [Mr. LEE] has a son approaching the age at which he would be called to military service.

The senior Senator from Illinois [Mr. LUCAS] is now a colonel in the Illinois National Guard and served in the last war.

The junior Senator from New York [Mr. MEAD] has a son of military age.

The junior Senator from Indiana [Mr. MINTON] has a son of military age, two approaching the age of military service, and is himself a member of the Army Reserve Corps.

There are comparatively few people in the country who, in the event of war, would be threatened with a greater sacrifice than would the junior Senator from Montana [Mr. MURRAY]. He has five sons of military age.

The senior Senator from West Virginia [Mr. NEELY] has two sons of military age.

The junior Senator from Maryland [Mr. RADCLIFFE] has a son of military age.

The junior Senator from Wyoming [Mr. SCHWARTZ] has three sons of military age.

The junior Senator from Illinois [Mr. SLATTERY] has one son who is a lieutenant in the Illinois National Guard and four sons of military age.

The senior Senator from New Jersey [Mr. SMATHERS] has two sons in military school who will be of military-service age next year.

The senior Senator from South Carolina [Mr. SMITH] has two sons of military age.

The junior Senator from Tennessee [Mr. STEWART] has two sons of military age.

The junior Senator from Utah [Mr. THOMAS] is himself subject to call to military service, and the husbands of two of his daughters are subject to a call to service in the event of war.

The senior Senator from Oklahoma [Mr. THOMAS] has sons of military age.

The junior Senator from Missouri [Mr. TRUMAN] has four nephews subject to call in the event of war, and is himself a Reserve officer in the field artillery.

The senior Senator from Indiana [Mr. VAN NUYS] has a son of military age.

The senior Senator from New York [Mr. WAGNER] has a son of military age.

This does not cover all of those whom the newspapers have stated will vote for the repeal of the arms embargo; but, Mr. President, it is a sufficient list to let the people of the country know that the majority of the Senators of the United States Senate do not feel that the passage of this bill would be the first step toward war.

Sacrifices here would be just as great as in other places, and the homes of the Senators, in the event of war, would be as saddened as the homes of other men.

Mr. President, I, too, am among the Members of Congress with small children, and I have a son who was born in the early afterglow of the World War. At no time during these difficult days have I for a moment been unmindful of the sacrifice his mother would be called upon to make, or his own sacrifice, were the worst to come. Let no one suppose that Members of Congress are different than other people, nor that to them anything else, even life itself, is so sweet as the happiness and preservation of their children.

As I expose my feelings and tell the Senate that, as I see it, this joint resolution is the way of honest neutrality, I do not intend to be critical of the views of those men who want to help the defending nations. I am not trying to avoid the animosity of anyone by way of this speech. I fully understand that in a heterogeneous country such as ours there are some few with a natural fatherland sympathy that they cannot abandon. National sympathies, like religious sympathies, are bound to play a part in the lives of men, especially during periods of stress, and there will be those who conscientiously believe that the leaders in this war have justification for their aggression. They will point to the flaws in the Treaty of Versailles, and they will remember the beauties of their homeland, and many of them may convince themselves that the leaders of their former country cannot be wrong. A national allegiance which is in the blood will not be easily absorbed, so, lest it be thought that I seek the absolution of these people for the step I take, let me make it clear that I am hateful of that leadership which denies men the comfort of their religion, and the consolation of the communion with God that came to them at their mother's knee.

The successful march of the pagan doctrine of certain world leaders would soon destroy our civilization, because without religion God is not closely at hand, and the loss of religion means the ultimate destruction of the dignity of His image and likeness. Without God and a confidence in the everlasting beauties of eternity life becomes meaningless, and when men become subservient to a state to the neglect of the adoration of God and the neglect of His teachings, the end is at hand.

None will deny that the successes of the marching armies might easily result in a devastating spread of the pagan teachings destructive of the devotion to God, which has endured for centuries.

Ireland has been mentioned in this debate. What of Ireland, where religion is so precious that it is made paramount in that country's constitution, and where uncounted thousands have died for their faith and their liberty? Will one say that the Baltic and Balkan states and the other small countries of the Old World could escape the dominating influence of the mighty ones?

So let my position be clearly understood. I want the Allied armies to resist defeat. I do not want any countries destroyed, nor the homes of the German people emptied of their youth.

I do not clamor for a bloody victory for the armies of England and France, but I hope they will be saved from defeat, because their leaders profess and practice a way of life more clearly in keeping with the divine teachings, and because in those countries freedom of thought and worship and expression still prevail.

Mr. President, the original so-called Neutrality Act was drafted because we were fearful of war. It was not carefully drafted, because war was not then at hand. Some of us now insist that it was a grievous mistake, and that, in effect, it is not a neutrality proposal. Let us not be ashamed to admit the mistake we made nor to right the wrong that came as a result of our mistake.

Mr. President, there are at the present moment Members of the Senate convinced that we need a great program of rearmament who just a little while ago scorned the suggestion, and said it was wasteful to build battleships or buy planes. Now they would change. Is that "changing the rules during the game," or after war is started? Not at all. It is changing our policy, at least for them, and not a soul would criticize their new viewpoint.

Mr. President, I am not for a moment fearful of offending anyone in Europe. I dislike to offend people of other countries, and so long as I could I remained still, but when the issue is presented I know that the way toward peace is not the cowardly way. Let me point out that all of the people of Europe, and more especially the leaders of government there, had a notice of the aims of our national leadership before they marched. They knew, just as every Member of Congress knew, that this so-called neutrality proposal was only temporarily set aside when we left for a recess early in August. They must have known that we would be back, because they must have known that our legislation had weakened certain nations, and that there was a determination on the part of some Americans that we would not knowingly continue to condemn people to a weakened defense because of our earlier misguided noble intentions.

I think my heart bleeds a little for the fears of American mothers, and more particularly for those mothers whose boys were born during the last war, or during the immediate dark shadows cast by that war. I can understand the feeling of their plea that "you must keep us out of war." God knows that every Member of this Congress is just as firmly imbued with that desire and intention as they are, and that we are being guided by the light He has given us in this hour of vicissitude. I do not believe our boys will participate in this war, or that they will ever engage in any war across the seas, except by direction of the vote of the American people. On that I shall say "no."

I want to emphasize the fact that in all of our history we have never been guilty of shady diplomacy, and that with God's help we will not now resort to it. For that reason, let us make it clear that we do not want the defeat of the Allies; but also let us make it clear that because we, as a nation, have lived the right way, we do not feel that there is a single compelling reason for adding our boys to the sacrifice that the Allies might be called upon to make. We owe nothing to the nations of Europe. We owe something to humanity, and we want to see religion preserved, and we want to keep faith with the teachings of 2,000 years, but we at the moment, and I hope in all of the after moments, have a deep and fixed feeling that we have earned the right to peace in the United States. Excepting in defense of our homes and our national honor, we will preserve it.

I know little of international law, and that does not matter much at the moment, because my principal interest in law right now is a matter of home protection. It takes a strong national courage to take a firm position on any matter concerning war; but I believe that the position directed by this proposed legislation, in spite of the attack made upon it by people of good intentions, is not only the way of righteousness, but the way of peace and protection.

President Roosevelt has insisted that he is hateful of war, and will avoid this one; and the man is low of character or intellect who really believes that any President of this great Nation would take his countrymen to war for political gain. I believe the President. I am as certain as I can be that his desire for peace is not less than that of any one of our people. I believe it is stronger than that of most men, because the President has known a greater suffering than most men, and he has proven his devotion to the cause of the suffering.

Mr. President, the United States is still a land of rich opportunity. We are blessed with great wealth, and are endowed with noble traditions and institutions. Most precious of our possessions is liberty; and I want to lay emphasis upon

the fact that if we falter in our own faith we endanger liberty. If we see a moral obligation and fail to face it, be certain that it will torment us in the days ahead. There are those who say that we should remain entirely aloof, so that when we are finally permitted to look upon the dying ashes of the fires now raging in Europe we shall be in a better position to help toward a proper settlement and lasting peace. I want to remain aloof. I share their view; but I insist, Mr. President, that if we do not maintain our splendid background of courage and decency, or if we back up too far in the face of a fear that we offend some one, we may be lacking in the necessary strength when the peaceful day does come. I refuse to look at this situation through dark glasses. I prefer to see it in the light of my conscience, with a begging plea that you believe me when I tell you that I hate and fear war as much as any man can.

I am old enough to remember the saddened hours of 1917, and I know that we cannot completely erase sadness and fear so long as there is mortal conflict in Europe; but I say to you, and I just as strongly beg you to believe, Mr. President, that America cannot fail to do right because of a fear of an audacious leadership elsewhere. Our leadership is here.

Europe's need is for spiritual rearmament. Though those there may not like what we do, we can set them an example by doing what they know is right, even though they temporarily hate us for it. If we made a grievous error—and I think we did—it should be corrected even after what some men call a "game" has started. We are not making new rules. We are not associated with this controversy because we want to be. If certain powers may hate us because we pass this measure, is there not a greater reason for other powers to hate us if we fail to do it? Have we any right to believe that by evading a responsibility we should contribute to the cause of peace?

As I conclude my statement, I want to try to leave the thought with those who do me the honor to listen that while I have little fear of war for us, regardless of how Congress finally acts, there is much at stake. We cannot be entirely certain that we are right. Only God knows that. There are no omniscient men among us; and something may happen, even tomorrow, that will make us wish we had longer delayed. We are compelled to act in the light of this day's sun and to meet the situation as it arises. It seems to me that our duty now is to unshackle the greatest power in the world.

I find comfort in the certain feeling that the overwhelming majority of the American people are in sympathy with this proposal, and supporting their national leadership, and want us to do what our Foreign Relations Committee recommends. I find comfort in reports that the overwhelming majority of our newspapers, our Governors, and our writers and teachers are supporting this proposal.

I ask unanimous consent that I may insert in the RECORD at this point a copy of a Gallup poll published last Sunday which seems to bear out my statement.

The PRESIDING OFFICER (Mr. CLARK of Idaho in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

REPEAL OF EMBARGO FAVORED IN SURVEY—GERMAN-ORIGIN CITIZENS ALONE OPPOSE ARMS PLAN

A majority of American voters of all national origins save those of German origin are in favor of repealing the arms embargo, according to an analysis of the voting in a survey by the American Institute of Public Opinion, of which Dr. George Gallup is director. The survey continues:

"Interesting enough, however, nearly half (45 percent) of those with opinions who identified themselves as first- or second-generation German-Americans said they would like to see the Neutrality Act changed. This would permit England, France, and other possible belligerents with control of the seas to purchase war supplies in the United States, while Germany, presumably, would not be able to do so.

"In its continuous studies of public opinion on the question now before Congress, the institute has asked persons in every State: 'In what country was your father born?' This has permitted a correlation with the replies to the neutrality question itself: 'Do you think Congress should change the neutrality law so that England, France, or any other nation can buy war supplies here?'

"Citizens of British, Canadian, and Russian origin are most in favor of changing the Neutrality Act's ban on arms, the survey shows. The Russian-American group undoubtedly includes many persons whose religious sympathies incline them to oppose the Nazi regime.

The results, when correlated, are as follows:

	For repealing arms embargo	For keeping arms embargo
Father born in—	*Percent*	*Percent*
United States	60	40
Great Britain	68	32
Russia	67	33
Ireland	61	39
Canada	60	40
Italy	55	45
Germany	45	55
All others	58	42
National average	60	40

"Another interesting vote is the Italian. Although Mussolini's Italian state has been closely bound to Germany by the Rome-Berlin axis, the survey indicates that a majority of Italo-Americans would like to see the Allies receive the war supplies they need in their war with the German Reich.

"Irish-Americans represented a source of anti-British sentiment in the last World War, but apparently they are much closer to Canadian-Americans in their attitudes today than they are to German-Americans.

"The survey adds considerable new evidence to what is known about the various nationality groups in the United States at this time. In a previous institute survey reported last week, little difference was found among all such groups on the question of sending American troops abroad to join the Allies."

Mr. President, peace will come to Europe again. Peace will come, because the peoples of the Old World will insist upon peace. We shall help them to insist upon it if we now admit our mistake and correct a wrong.

Some of them may hope that we will join the war on their side, but down in their hearts they will not expect that we will do more than be fair with them and be honest with ourselves. Our duty is to write a law to fit our own needs of protection and to preserve our high code of honor as a nation, as we pray for world peace. Let me say that weakness does not bring peace, whether it be weakness in arms and ships or in morality. Let the American people know that the measure we debate does not bring us one step toward war, that in a large measure it insulates our country against war, and that at the same time it restores our high standards of fairness and real neutrality. Let the nations of Europe understand that we are not taking sides. Let them understand as well that we are without fear, and that if, as a result of this measure, they should intensify a campaign of discord in our country, which in some instances has long been under way, we shall punish those responsible.

I have tried, Mr. President, in simple language, to set forth my innermost feelings. I want to say again and again that I hope that the Christian beliefs and practices of Europe will be saved, and that the courageous Polish people and the Czechoslovakian nation, and the other stricken countries, will again live under their own flags.

Mr. President, as I vote "yea" on this proposal, it will be on the basis of what I feel is our moral obligation; the way I think best for my country. I want to unshackle the United States. I want to prove to the rest of the world that we are not lacking in moral values, and that while we have a strong national, naval, and military defense, we will likewise keep our spiritual armament strong and untarnished. This is a measure to maintain America's integrity and to keep us at peace.

I pray that the German people may be saved, because their destruction will not bring back the brave soldiers and civilians of Poland. Those people are now in God's care. The living He intrusts to our care, by way of His having endowed men with an everlasting free will. He taught us not to hate men. He taught us to do right, and showed us the way of peace. As He is my judge, Mr. President, I solemnly and firmly believe that in voting for this joint resolution we do right, and that in voting for it we take what seems to me to be the shortest path to peace. [Manifestations of applause in the galleries.]

Mr. DANAHER obtained the floor.

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reed
Andrews	Davis	King	Reynolds
Austin	Donahey	La Follette	Russell
Bailey	Downey	Lee	Schwartz
Bankhead	Ellender	Lodge	Schwellenbach
Barbour	Frazier	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gibson	McCarran	Slattery
Borah	Gillette	McKellar	Smathers
Bridges	Green	McNary	Stewart
Brown	Guffey	Maloney	Taft
Bulow	Gurney	Miller	Thomas, Okla.
Burke	Hale	Minton	Thomas, Utah
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Vandenberg
Caraway	Herring	Nye	Van Nuys
Chandler	Hill	O'Mahoney	Wagner
Chavez	Holman	Overton	Walsh
Clark, Idaho	Holt	Pepper	Wheeler
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. DANAHER. Mr. President, there can be little doubt in the minds of those of us who have listened to the stirring address just delivered by my colleague, the senior Senator from Connecticut [Mr. MALONEY], that it was one of the most eloquent and moving of the contributions to this debate. There can be no question in the minds of any of us of his complete good faith and his deep sincerity in the position which he has announced. I have not the capacity to urge upon the Senate the position which I take with such a wealth of oratory, with the bouquets of speech we have heard from the lips of my colleague. I am proud of him; I believe that all of us well might be.

I am just practical enough, however, in my approach to the question before us, to urge an answer to such a step as was pointed out by my colleague, and by others who have spoken in favor of repeal of the embargo on arms, who point out that under the present law arms and munitions and implements of war might be sent to Italy or to Russia, perchance, and therefore say, why should we have a law which will permit that?

Mr. President, I am just practical enough, if I may again use the term, to say, we do not have to permit that. All we have to do is to amend our existing law and forbid the exportation of munitions and implements of war to those neutrals. That is all there is to it. That is all that is involved in the matter.

Two weeks ago we heard the distinguished chairman of the Committee on Foreign Relations tell the Senate that the pending joint resolution must be passed without amendment. That suggested to those of us who would recall the days of the so-called spending-lending bill in July how, first, the country had been treated to a discourse that we were to have a self-liquidating projects bill before us, that we were to have something which was not to cost the people any money. But after the debate had proceeded for a few days, all pretext about self-liquidating projects was abandoned, and the bill came out in a new form, being known as the works refinancing measure.

Senators will remember the steps taken thereafter. They will recall how we undertook to dissect the bill to see what its effect would be. First, out came the section dealing with highways. Next, out came the section which would have to do with railroad-equipment trusts and refunding ventures. Before the consideration of the bill was concluded it looked like the sieve it was intended to be in the first place, and it went, properly, to its complete and ultimate defeat.

We have been told that the pending joint resolution contained a cash-and-carry plan. We were told, and the public heard for weeks, that the road to security lay in repealing the embargo on arms and the adoption of a cash-and-carry plan. Yet on the 11th of October the distinguished junior Senator from Nebraska [Mr. BURKE] announced his intention of voting for the joint resolution, and he said that, speaking for himself, he wanted to vote for the joint resolution because he wanted to assist Great Britain and France. But in his conclusion he said he wanted to vote for the joint resolution because it contained a cash-and-carry provision. I asked him if he would yield, and asked him if he would point out wherein in the joint resolution there was the requirement that even 5 cents of cash were to be paid.

There is no cash-and-carry plan in the measure now, and there was not then. The distinguished junior Senator from Nebraska was not able to put his finger upon any such provision, and he said:

> Without having the joint resolution before me, I cannot refer to the exact provisions; but I will direct the Senator's attention to them. He has read them word for word. Does not the joint resolution provide for the passage of title to goods in this country sold to belligerents?
>
> Mr. DANAHER. It does.
>
> Mr. BURKE. What does that involve?
>
> Mr. DANAHER. I want to know if the Senator was basing his remarks with respect to cash and carry on section 2 (c), which appears on page 16, which is the provision which has to do with the passage of title.
>
> Mr. BURKE. That is certainly one of the provisions. If the Senator will tell me what he has in mind, I am sure the Senator from Nevada [Mr. PITTMAN] can answer the question.

So the junior Senator from Nebraska referred the question to the senior Senator from Nevada [Mr. PITTMAN], and I answered:

> I shall be very happy if I may have the answer from the Senator from Nevada.

The Senator from Nevada took the floor, whereupon the Senator from Nebraska said he would yield the floor.

When the Senator from Nevada was hard pressed to point out wherein there were any cash-and-carry provisions in the measure in view of the fact that our presence on the floor had depended entirely on that which had been yielded by the Senator from Nebraska, the alert junior Senator from Texas [Mr. CONNALLY], raised a point of order, and took us both off the floor. I requested that the RECORD show that my question was not answered, and at page 293 the RECORD discloses that I said:

> May I have it noted in the RECORD that the question propounded by me has not been answered?

Oh, we got the answer, Mr. President. We got it yesterday. The senior Senator from Nevada, who 2 weeks ago had a measure which would not require amendment, came in yesterday with an amendment. He took out the specious, spurious representation of a cash-and-carry plan which was involved in section 7 (a). His amendment is on Senators' desks today. That is the first of the amendments. It has to do with the first of the items which must be corrected. The public, which has been told all over the country for weeks that there was a cash-and-carry provision in this measure, and that it was to be found in section 7 (a), finds the chairman of the Foreign Relations Committee himself admittedly amending the measure on his own motion to take out the very section which up to now he has purported to favor.

Mr. President, there has been no adequate revision of section 7 (b) of the measure; but we will come back to that in due course, I can assure you.

As I stated earlier, I am just practical enough in my approach to this question to point out that there is serious agitation upon the part of some Senators to amend the measure to permit American shipping to ply the seas. The present law does not inhibit American shipping in the particulars which are sought by the amendments which are to be offered or have been offered by the Senator from North Carolina [Mr. BAILEY]. There is not any limitation under our present law which would restrict the Senator from North Carolina, and all others interested, in achieving the objective sought by his proposed amendment, or prevent them from getting those very results under the law as it is now on our books.

Mr. President, the point is this. Our present law forbids American vessels to carry arms to belligerents. That is true. That is the way we want it to be. The present law, on the other hand, does not forbid our taking goods to South Africa

or to Australia. It is the pending measure which would do that. It is the spurious idea of protection which has been held out to the American public, as being involved in this measure which does that.

Mr. President, do the people of the United States know that a soap manufacturer in Cleveland, Ohio, cannot send his own soap to another factory he owns in Canada? Do they realize that under the pending measure an American granary cannot send its own grain to its own warehouse in Canada? Under the law which is on the books it can.

All those things were deliberated upon in considered, calm judgment, over a period of years, while this legislation grew and took form. All these items were canvassed, and when the neutrality measures were passed, both in 1935 and in 1937, all these things were taken care of, and they are in our law today for the full and complete protection of the American public.

It seems to me that perhaps I might open up a new subject for the consideration of the Senate. I suppose that Senators, and indeed the public, at least would like to know what protection our present law gives them. I suppose there are those who would like to know just exactly what they are asked to repeal.

Mr. President, in considering House Joint Resolution 306, we should recall that the first and immediate effect if it shall pass will be to repeal the act of August 31, 1935, as amended, the act of May 1, 1937, and the act of January 8, 1937. Before we even contemplate taking off the old and putting on the new, the very least we should do is to ascertain what is provided in the legislation now upon our statute books. This legislation was not hastily enacted but was the outgrowth of many years of considered judgment. It was designed to insure the peace and safety of the United States and of her citizens in the event of a war between other nations. In those particulars in which trial and experience suggested that reasonable legislative safeguards should be corrected for our greater security, amendments were adopted in 1936 and again in 1937. Yet by the pending measure the whole group of statutes constituting the bulk of our law on the subject would be repealed.

The original act was entitled:

> Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war.

That was the title of the act we adopted in 1935. Nor was the title varied when Public Resolution No. 27 was adopted in 1937. There was at no time a claim that the passage of such legislation constituted an assertion of neutrality, nor was the expected or intended purpose of the legislation such as to promote neutrality. Quite the contrary, the legislation upon our books very definitely constituted a statement of policy, a policy which among other points was intended to prohibit the export of munitions to belligerent countries. That was what the Congress decided, that was what the people of the United States wanted, and that is what the President of the United States approved.

When the amendment in the nature of a substitute was filed in the Seventy-sixth Congress, it is interesting to perceive that the proposed resolution, in essence the same as is now before us, was entitled "The Peace Act of 1939." Nobody then called it a Neutrality Act. When this legislation now upon our books was adopted the plain purpose was to make unlawful the export of arms, ammunition, or implements of war to any belligerent state named in the President's proclamation or "to any neutral state for transshipment of, or for the use of any such belligerent state." Also, the law expressly provided that the President of the United States, who, under our Constitution, is charged with the responsibility of administering our foreign affairs, should alike be given the power, and he was given the power, to find "that there exists a state of war between, or among, two or more foreign states." His was the responsibility, his is the responsibility under that statute today.

There was no attempt then to divide the responsibility between the President and the Congress so that either might refuse to act, as is possible under House Joint Resolution 306, pending before us.

In like manner the President was granted similar power with respect to the existence of a state of civil strife in a foreign state; and if such civil strife be found by him to be of such magnitude or that it "is being conducted under such conditions" that the export of munitions would threaten or endanger the peace of the United States, upon proclamation by the President accordingly, the exportation of munitions is barred. There is no such provision in the resolution pending before us. There is no provision whatever with reference to a state of war or civil strife existing in a nation under such circumstances that conditions might lead to our involvement. They have taken that out of the pending measure. They have relaxed that part which we found so essential with reference to the Spanish situation that a resolution was adopted by the Senate January 8, 1937, to forbid the exportation of planes. At that time the chairman of the Committee on Foreign Relations told us that our very peace was being jeopardized by the state of civil strife over there, and, of course, we had to have an embargo, and, of course, it was voted. But now it is out of the measure. Why?

The law upon our books provided for the forfeiture of munitions seized for violation of the law and referred the proceedings back to those sections set forth in the act of June 15, 1917, which have ever since prevailed, and under which the rights of all parties could and would be protected.

Above all, the pending law authorizes the President in so many words "from time to time by proclamation" to "definitely enumerate the arms, ammunition, and implements of war the export of which is prohibited." In any future proclamation he may include articles or materials of the same general character as were listed in his proclamation of April 10, 1936, and, pursuant to the statute, on May 4, 1937, the President issued Proclamation No. 2237.

Mr. President, whatever was in that proclamation he put there. Whatever was omitted from that proclamation he omitted. If there were goods of like character not named in that proclamation within the category defined by him, their omission was due to the fact that he left them out, for the proclamation was solely his.

What did he do in that proclamation? He created seven categories which were classified as arms, ammunition, and implements of war.

The first category was subdivided into six sections. The first included rifles and carbines and barrels for those weapons; the second, machine guns, automatic rifles, and pistols, and barrels for those weapons; the third, guns, howitzers, and mortars, their mountings and barrels; the fourth, ammunition in excess of .22 caliber for the arms, cartridge cases or bullets, and also included filled and unfilled projectiles. The fifth included grenades, bombs, torpedoes, mines, and depth charges, filled or unfilled, and apparatus for their use and discharge; the sixth subdivision included tanks, military armored vehicles, and armored trains.

In category II the President included vessels of war of all kinds, including aircraft carriers and submarines, and armor plate for such vessels.

In category III he listed aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, if designed, adapted, and intended for aerial combat by the use of machine guns or of artillery, or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances known as aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo-release mechanisms.

In category IV he included revolvers and automatic pistols and ammunition therefor, for sizes in excess of .22 caliber.

In category V he listed aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, other than those included in category III. He also included propellers or air screws, fuselages, hulls, wings, tail units, and undercarriage units, as well as aircraft engines, unassembled, assembled, or dismantled.

In category VI he listed Livens projectors and flame throwers, mustard gas, and all sorts of poison gases susceptible for use in wartime.

In category VII he listed propellant powders and all sorts of high explosives.

All this would be done away with under the pending measure. All of the protection which the American people now have under our present law would be repealed. Is it the understanding of the Senate that the cause of democracy will be furthered by the exportation from the United States to certain overseas nations of Livens projectors and flame throwers? Is it the thought of some of the Senators that we should export flame throwers? Do the American people feel that we will help Great Britain and France if we send those countries mustard gas with which to poison and torture the youth of some other nation? Is it not thoughtful on our part to undertake to intervene in a war overseas to save civilization that those who come within its range may know the ravages of phosgene gas? Of course they want bombs over there. Of course they want torpedoes and submarines.

Of course, they want aircraft, to quote the language of the President's proclamation, "for the carrying and dropping of bombs." All those nations will have to do is pay us their money and we will ever take pride in the fact that we saved democracies by shipping flame throwers and poison gas. "Oh, yes; you nations with the navies and with ships to carry away our munitions, come over here, put your money on the line, and we will let you have bombs; we will let you have mustard gas; we will let you have tanks and submarines. We will help you by repealing the embargo on arms to poison those soldiers who march under the aegis of a philosophy that we do not like; and if poisoning is not enough, we will help you throw flames on them. We will act for you for cash in the name of humanity. And in case there may have been developed in our land some new forms of lethal instrumentality that the President did not think of when he issued his earlier proclamation, there need be no worry now, for we are being asked to repeal the embargo on arms, and you can get those, too."

The way our law now reads, it is unlawful for any person to purchase, sell, or exchange bonds, securities, or other obligations of the government of a belligerent state or of a state where civil strife exists. It is unlawful to make any loan or extend any credit to any such government, or to solicit or receive contributions for any such government. The way our law now reads, whatever exceptions are possible for ordinary commercial credits and short-time obligations cannot legally, and do not, operate in favor of munitions in any particular whatever, for they simply cannot be exported. The so-called credit provision of the law upon our books applies only to supplies not named in the President's proclamations.

The way the law now reads there is no prohibition upon the solicitation or collection of funds to be used for medical aid and assistance or for food and clothing to relieve human suffering. That is our law today; and as a safeguard, collections shall be subject to the approval of the President and be made only under such rules as he shall prescribe.

The renewal or adjustment of indebtedness cannot be made to apply in favor of arms and munitions as our law now reads; and the present law applied solely and entirely to such indebtedness as existed on September 3, 1939.

The Congress thought it had created a National Munitions Control Board; and so it had. The Congress thought there could be no exportation of arms except under license granted by the Board; and so it was. The Congress thought that all licenses to export munitions should cease when the embargo proclamation should be issued, and the Congress wrote that provision into the law, and it is our law today.

Then in 1935, after long study in an effort to ascertain the type of incident which experience and history had taught were among the causes of war, the Congress provided, and it is our law today, that no American vessel may lawfully carry arms, ammunition, or implements of war to any belligerent state or to any neutral state for transshipment to a belligerent.

In 1935 the Congress wrote into the law a provision that the President shall have the power, and it shall be his duty, to require a bond so that no vessel, whether domestic or foreign, shall depart from a port of the United States carrying fuel, men, munitions, or other supplies to any warship or supply ship of a belligerent state. As a matter of fact, it has long been our law that "whenever there is reasonable cause to believe that a vessel is about to carry fuel, arms, munitions, supplies, dispatches, or information to any warship of a foreign belligerent in violation" of our laws or treaties, the President may withhold clearance from any such vessel, and it shall thereupon be unlawful for such a vessel to depart, and its departure may be forbidden.

It already is our law that if once a vessel clears from a port of the United States and delivers its cargo to a warship or supply ship of a belligerent state, the departure of that vessel again during the duration of the war may be wholly prohibited.

There is nothing new about the provision dealing with submarines and armed merchant vessels. The pending measure, word for word, without the slightest change whatever, copies our existing law. Thus:

> Whenever, during any war in which the United States is neutral—
>
> And may we be and continue to remain neutral—
>
> the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe.

It is already our law that once the President's proclamation of a state of war shall have issued it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the belligerents named by the President, except under certain specific conditions. That is our law and has been since 1935. Why should we repeal our present law? Why should we reverse a policy of peace and nonintervention?

All of these things we have; all of these provisions are now our law. But in the pending measure we would repeal the embargo on arms contained in the joint resolution of August 31, 1935, as amended, and the joint resolution of January 8, 1937. We have heard all sorts of reasons given why the prohibition contained in the laws of 1935 and 1937 should be repealed.

Mr. President, let me point out a subject which the Committee on Foreign Relations and its members have studiously failed to explain to the Senate.

I perceive that the only member of the Foreign Relations Committee present in the Chamber at the moment is the junior Senator from Texas. I call the specific attention of the Senator from Texas to what I am about to say. I had hoped that the Committee on Foreign Relations would construe this provision of our statutes with me. I call attention specifically to the fact that the committee has wholly failed to explain the provision to which I am about to refer, and that there has never been reference by the committee, on this floor or otherwise, to that provision.

The committee wants the joint resolution passed. It wants to repeal the present arms embargo, which would apply to the current war in Europe, but it does not tell us even one word about an arms embargo not referred to in any way in the pending measure.

Mr. President, on January 31, 1922, the Congress of the United States passed the statute appearing in Forty-second Statutes at Large at page 361. The embargo provisions, particularly, will be found in title 22, section 236. Let me recall this section to the minds of the Senators by quoting:

Whenever the President finds that in any American country, or in any country in which the United States exercises extraterritorial jurisdiction, conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States, and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress.

Mr. President, that statute is on our books today.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Connecticut yield to the Senator from Texas?

Mr. DANAHER. I yield to the Senator from Texas.

Mr. CONNALLY. I do not desire that the Senator yield, but as the Senator from Texas was called out of the Chamber he thought he heard the Senator from Connecticut express a desire to obtain some information from the Senator from Texas. What is it the Senator from Connecticut wants to know?

Mr. DANAHER. I wanted to have it appear specifically that at the moment there was no member of the Committee on Foreign Relations present. I wanted to make the RECORD show that in due course I would come back to this subject when there were such members present. At that moment the Senator from Texas came in, and I was glad to see him; and, so far as I personally am concerned, an explanation from him would probably take the place of that of any of the other members of the committee. Therefore I directed my question to the attention of the Senator from Texas to point out to him specifically what this statute is.

Mr. CONNALLY. May I say to the Senator from Connecticut that the Senator from Utah [Mr. THOMAS] has been in the Chamber all the time, and the Senator from Texas was in the Chamber but was called out momentarily, when, hearing the voice of the Senator from Connecticut, he arrested his motion and remained in the Chamber. What is it the Senator from Connecticut wants to know?

Mr. DANAHER. I thank the Senator from Texas for his mellifluent reference, and I am certain that the Senator from Utah, had I perceived him, would have been able adequately and properly to answer the question just as could the Senator from Texas. Now that they are both here, I will address them both.

Mr. CONNALLY. If the Senator will do that and tell us what it is that he wants to know, I will try to answer him.

Mr. DANAHER. Mr. President, on our books today is the statute which I have read. For 17 years it has been a part of our fixed policy. I want to know if it is the thought of the sponsors of the pending joint resolution that we shall invoke an arms embargo anywhere in the American Hemisphere, north or south, whenever it suits our purposes to take part in domestic strife, and impose such an embargo on arms, north or south, as the case may be, but when there is a European war, which might involve our very livelihood and our very continued existence, we are asked to repeal that principle. That is the question.

Mr. CONNALLY. Let me say to the Senator from Connecticut that I have not examined the statute to which he refers. It is not in the pending joint resolution and has nothing on earth to do with the proposed legislation; but if he will lend me his text for a moment I will be glad to examine it. I understand it is a statute relating to the Western Hemisphere. Its purpose, of course, was to preserve peace and stability here on the Western Hemisphere by not stimulating and encouraging revolutions which might be financed, probably, in the United States or along the border by the purchase of arms and the importation of those arms into those countries. I have not read the text, but I gather from what the Senator was reading that that is the kind of a statute he is talking about. Is that correct?

Mr. DANAHER. Yes.

Mr. President, I should like to direct another question, then, to the Senator, and I will be glad to lend him my copy of the text. I ask, then, does the Senator feel that we can secure the peace and security of the United States in a given instance by enforcing an embargo on the shipment of arms and munitions to such an American state?

Mr. CONNALLY. Let me say to the Senator that the purpose of that act—I thought everybody in the United States knew it [laughter]—is to prevent gun running, to prevent filibustering, except by the minority that is now filibustering in the United States Senate [laughter]—to prevent filibustering expeditions from the United States into Latin-American countries and the fomentation of revolutions and disturbances. For instance, in the past some of the revolutions in Mexico, measurably, have been inspired and financed and munitioned on American soil. So the act referred to was passed, not in the interest of war but in the interest of peace and stability and friendship and neighborliness in the Western Hemisphere.

Mr. DANAHER. By imposing an embargo?

Mr. CONNALLY. If necessary; yes.

Mr. DANAHER. I thank the Senator.

Mr. CONNALLY. By invoking an embargo on the lawless elements that are seeking to stir up war by organizing on our territory filibustering and revolutionary groups who aid and abet revolutionists and procure in the United States arms and ammunition with which to make war on a friendly country. If that is not in the interest of peace, the Senator from Texas does not know what peace is.

I wish to say further to the Senator from Connecticut that he cannot draw any parallel between that kind of action and the present Embargo Act, which, when it passed, was intended to preserve peace and neutrality, but which, under the operation of circumstances as they have afterward developed, has not made the United States neutral as between the warring nations but has made the United States an ally of Hitler and Stalin. That is the kind of thing the Senate is now trying to get rid of, and which the Senator from Connecticut is opposing.

Mr. DANAHER. Oh, then the Senator takes the position that the real purpose of our being here is to get rid of Hitler? Is that it?

Mr. CONNALLY. Oh, no. The Senator, in all fairness, ought to yield to me to make a correction.

Mr. DANAHER. I am happy to yield to the Senator from Texas.

Mr. CONNALLY. That is not the purpose at all. The purpose is to be absolutely fair and impartial between the parties. We are not making war on Hitler, but we do not propose to be his ally and give him aid and comfort which are denied under the embargo act to England and France. That is the answer to the Senator from Connecticut.

Mr. DANAHER. I have since the commencement of this colloquy sent to the Senator from Texas the text of the act to which I referred.

Mr. CONNALLY. I am sending it back to the Senator. The Senator from Texas does not have to carry the texts around in his pocket and refer to them momentarily in order to know, in a general way, what a particular act is. I gladly restore to the Senator the main and most important section of his speech. [Laughter.]

Mr. DANAHER. May I call the attention of the Senator from Texas that that particular embargo provision applies alike to the extraterritorial jurisdiction of the United States. Take, for instance, China. Although hundreds of thousands of Chinese have been slaughtered, we have never invoked the embargo provision against Japan. Quite to the contrary, we have undertaken to continue to supply munitions to Japan at the same time we are making loans to China to help them both carry on that war. What kind of policy is that, I ask the Senator from Texas?

Mr. President, if all the arguments for the repeal of the arms embargo are on the high plane we have been hearing about, why do we wish to retain the power to issue an embargo against some American country? Why do we wish to

retain the power to embargo the exportation of arms and munitions to some American country or a country in which the United States exercises extraterritorial jurisdiction where conditions of domestic violence exist? Why do we think it should be unlawful to export arms under such circumstances, but wish to repeal a law which will make it unlawful to export the same kind of arms and the same munitions in the case of a European conflict?

The only answer is—and it is perfectly apparent from the answer submitted plainly and clearly by the Senator from Texas—that we want to do it in the American continent in the interest of peace and security and in the interest of the protection of the United States and the Western Hemisphere, but with reference to Europe we want to do it, according to him, so that we may get rid of Hitler.

Are we to retain the right to say which of our "good neighbors" will feel the heavy hand of our power and which will not? As might be expected, just as we have found the present law a protection in the Italian-Ethiopian War and otherwise, so, too, have we acted under the embargo clause applying to American countries. On January 7, 1924, we found that there prevailed in Mexico such conditions of domestic violence that the exportation of arms and munitions might promote that condition, so a President issued a proclamation under section 236. Again a President of the United States found such conditions of domestic violence in Brazil that he issued a proclamation on October 22, 1930, and the embargo on the exportation of arms and munitions was made effective.

We have all heard the chairman of the Foreign Relations Committee tell this Senate that the embargo created by our present law "is operating unneutrally" in Europe, and so he wants our present law repealed. But, Mr. President, you have not heard one word about repealing the embargo provisions of our statutes which would operate with reference to an American country, or a country in which the United States exercises extraterritorial jurisdiction. Oh, no; we must retain that provision, we must retain the power to embargo the exportation of arms, we must tell the Senate and the American people, according to the sponsors of the pending joint resolution, that the law now upon our statute books is contrary to American policy.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New Mexico?

Mr. DANAHER. I yield.

Mr. HATCH. I do not desire to interrupt the Senator, but I have been waiting to ask him a question for my own information. He said in his opening remarks that the chairman of the Foreign Relations Committee stated that the pending joint resolution must pass in its present form without amendment. I merely wondered what was the authority for that statement.

Mr. DANAHER. I believe that I used not the word "must" but the word "should." I would want it so to appear in any case. Now with reference to the authority for the statement, let me say to the Senator that when the Senator from Nevada was explaining the joint resolution to the Senate on the opening day that is what he told us.

Mr. HATCH. That is the reason I asked the Senator, because, when he made that statement, my curiosity was aroused, and I scanned hurriedly through the speech of the Senator from Nevada on the opening day, but I saw not a line or syllable which indicated any such thing, and I was wondering if I had overlooked something.

Mr. DANAHER. Mr. President, I will say to the Senator from New Mexico that I do not think so. If I said "must"—and I do not think I did, but if I did—I should not want it so to appear. I thank the Senator from New Mexico.

No, Mr. President; we got this thing just about right when we examined the report submitted by the Committee on Foreign Relations to accompany the joint resolution. You know, Mr. President, when we got that report, down at the end of it was the clue, there was the key, there was the touchstone by which we were to test the purpose of the joint resolution, just as one gradually hears it coming out as we did a few minutes ago from the Senator from Texas.

The committee was of the opinion—

I am quoting from the committee report—

that the provisions in existing law providing for an embargo upon arms, ammunition, and implements of war should be repealed and not reenacted in any form. Therefore such provisions are not carried in the present proposed substitute.

The committee is of the opinion that the United States cannot maintain its neutrality so long as such embargo provisions remain upon our statute books. It is contrary to the accepted precepts of international law, which prescribe that any belligerent may purchase any article or materials in any neutral country.

On the floor of the Senate the distinguished chairman of the Foreign Relations Committee stated that he favors repeal "because the act is not operating neutrally in Europe today." It has become increasingly apparent to the Senate that repeal of the arms embargo is sought for the purpose of aiding certain belligerents in the war now prevailing between Great Britain and France on the one hand and Germany on the other. The purpose of the pending legislation is to enable the United States to sell arms, ammunition, and implements of war to Great Britain and France. The joint resolution contemplates that those belligerents which can establish credits or which can pay cash will be able to buy, while those which have neither credits nor cash cannot buy such arms, ammunition, and implements of war in this country. The joint resolution contemplates that arms will be carried away from this country in ships owned by the purchaser which have a reasonable prospect of reaching their foreign destination under the protection of the navy of the purchasing nation. It is a matter of common knowledge that Great Britain owns such ships and possesses such a navy, and that Germany does not. It necessarily follows that the real purpose of this joint resolution is not to attain neutrality for the United States, not to prevent us from intervening in the current European war, but to furnish arms, ammunition, and implements of war to Great Britain and France.

Necessarily, then, this joint resolution will constitute legislation by the United States of America not for our country but to make it possible that one group of the "belligerents may purchase" such arms as it may require in this country, and hence we are undertaking to legislate for the belligerents upon one side in this war.

A "neutral" is defined as one "not engaged on either side; not taking part with or assisting either of two or more contending parties; lending no active assistance to either or any belligerent." "Neutrality" is defined as the "quality or state of being neutral," and in international law it is defined as "the condition of a state or government which refrains from taking part directly or indirectly in a war between other powers."

It is idle to contend that the United States will be "neutral" if it undertakes to render assistance to one side in that war. It is specious and misrepresentative to call this resolution the "Neutrality Act of 1939" when the real purpose of its sponsors is to permit the United States to render active assistance to Great Britain and France. If that is not the purpose of this legislation, what is its purpose? What possible reason can there be for repealing the existing law, which prohibits the exportation of arms to any belligerent, if it not be to furnish arms to Great Britain and France? As the law reads now and has read since 1937, upon the outbreak of a war it is unlawful to furnish arms to any belligerent. The exportation of such arms is illegal and absolutely forbidden. So the sponsors of this joint resolution wish to be freed from the restraint and the prohibitions of that law, and hence they ask the Senate to repeal the existing law.

They do not come in here and submit to us a joint resolution which would frankly and honestly raise the question of whether or not this country will help Great Britain and France, and if so, upon what basis, and thus give us the opportunity to discuss, as a matter of policy, the proposition of how far, or for what reasons, we should take sides in the European war. They do not raise the question of whether or not the maintenance of Great Britain's imperialism, or the continuance of Great Britain's commercial structure, or even the succession of her form of government, should be made our

concern. What do we know of the aims and the policies of the 13 political parties in France? And if we did know, upon what possible consideration should the United States of America undertake to say that our people will furnish arms and credits to that nation for the maintenance of such policies?

Let us look first and briefly to our position from the standpoint of what repeal of the arms embargo would mean as a matter of international law. As a neutral, the United States was not bound to forbid exportation of arms and munitions to a belligerent. Many directly neutral states have, however, found it expedient and judicious to prevent their nationals from engaging in supplying destructive weapons to a belligerent. Our Nation took the position, and it is now our present law, operating with complete success in the European war, that we had a right to forbid such exportations upon the outbreak of a war. It may be worthy of note in passing that section 245a of title 22 prescribed that—

> Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export * * * arms * * * from any place in the United States to any belligerent state named in such proclamation.

Pursuant to the plain mandate of the statute just cited, our President issued his proclamation. The joint resolution now pending before this body varies the existing law in marked degree. Because it removes from the President his obligation to issue any such proclamation, it divides the responsibility for acting between the President and the Congress, so that neither one is bound to act for the protection of the American people. Above all, there is added a very particular limitation, for the joint resolution provides that in addition to the finding that a state of war exists it must also be found—and I quote—

> That it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States.

So that the question of who shall act, and upon what state of facts, is made nebulous and uncertain, and would be markedly confused. This great weakness in the pending joint resolution must be profoundly explored.

But at least, as the law now stands upon our books, the step demanded by the American people, written into the law by our Congress and approved by our President, has been duly and legally and properly taken. Unless the actual necessities of our status as a neutral shall demand we may not legally, without becoming unneutral, change our position after the war has broken out because of a desire to aid one or the other belligerent. If we should be actuated by motives simply to assist one side in this contest, we would stand as frankly and nakedly before the world as a breaker of treaties as any aggressor or any dictator who has received the condemnation of our people through their spokesman during the past 20 months.

It may be said that we have no treaty and no agreement that we will not furnish arms to a belligerent in a war; but our legislators and our Executive, acting pursuant to their sworn duties, passed and approved our present law, and served notice upon the nations of the world that when a war broke out not involving us we would not take sides. The American people advised all other peoples that we would not be purveyors to their destruction.

Dr. Edwin Borchard, of world-wide reputation, and professor of international law at Yale University, recently addressed the Council on Foreign Relations in Chicago, where he said:

> The proposal to lift the arms embargo cannot be described as designed to insure the protection of American neutrality, for the obvious purpose is to help the Allies to obtain arms, ammunition, and the implements of war. If that is the motive—and the motive in these matters is all-important—then the lifting of the embargo is an act of war and intervention, and it should be debated as such. The assumption that a neutral can change his law so as to help one side beat the other and yet escape the consequences of war is hazardous.

The motive is all-important, says Dr. Borchard. Yes; reason and common sense tell us that the motive back of the pending joint resolution is the touchstone by which we can test the conduct of the American Nation if we are to aline our people upon one side in the war.

The sponsors of the joint resolution have contended that since all belligerents after repeal would in theory have whatever rights they had in 1914, let us say, the pending resolution will not be unneutral. But we are not blind to the plain fact of the matter, and neither our people nor the Congress can be ignorant of what the result would be. Recently Dr. Charles Cheney Hyde and Dr. Philip C. Jessup, professors of international law at Columbia University, said in the New York Times:

> Relaxation of embargoes after the outbreak of war may in fact and in law amount to governmental participation in the conflict. This is obvious if or when the reason for removing a particular embargo is to aid the cause of one or more of the fighting states which will vastly profit from such action because of their command of the seas. In such a situation the neutral purveyor becomes the special support or prop of the favored belligerent, and the government as well as the people of the neutral becomes in reality a participant in the conflict. Such conduct is, under such circumstances, unneutral. * * *

I am not unaware that other authorities have been cited with conflicting viewpoints, but before the present law was passed in 1935 and amended in 1937, the best-informed authorities at our State Department favorably testified at hearings publicly held upon the pending legislation. Whatever doubts might be urged as a result of the conflicting viewpoints of academicians, our State Department, our Congress, and our President long ago resolved those doubts in favor of the existing law. I am confidently persuaded that the views then expressed and crystallized into legislation were then and now are correct, and that the legislation should stand.

Let us next consider briefly the proposition pending before us from the standpoint of policy, of whether we wish morally to make and export munitions to be used for the destruction of people with whom we have no quarrel and who make no attack upon us. Let us also consider the proposition from the standpoint of the possibility of our being drawn into the war, of the need for our selling munitions to certain belligerents, from the standpoint, if you like, of the actual facts of the situation and from the standpoint of what becomes of our neutrality and of our Nation.

Mr. President, we are a nation whose domestic economy for many years has been unstable and threatened. We have domestic policies as well as foreign, even theories of government, upon which our own millions of people fail to agree. It is no doubt true that we do not approve of the tactics, the practices, and even the religion of head hunters in some distant land. It is probably true that we do not approve of the aims, the economy, and the philosophy of Germany; but even if we do not, is it possible to shoot an idea with a bullet? Can it be demonstrated that our ways of thought and our inclinations and ambitions are to be subserved by blasting of people with bombs, made by us, dropped from airplanes constructed and exported by Americans?

Now, Mr. President, let me say to Senators that if we could do so, we should not.

Mr. LODGE. Mr. President, I make the point of order that the Senate is not in order.

The PRESIDING OFFICER. The point of order made by the Senator from Massachusetts that the Senate is not in order is well taken. The Chair requests that the occupants of the galleries be in order and that the Senate be in order.

Mr. DANAHER. I thank the Senator from Massachusetts. Through the law as it now stands, we have for several years served notice upon the peoples of the world that in the event of war between or among nations we would not supply lethal destructive weapons to belligerents. As the law now stands, we are firmly and completely aloof from the war. We sell no arms to either side, and we certainly cannot be drawn into war therefore because of the sale of such munitions. But if we relax our law, if we repeal its present prohibition, and if we undertake to furnish such arms to one side, there exists the ever-present possibility that because we have thus taken sides we may be drawn into the war. Why would we take such a

step? Would we take this step for money? Would we take that risk for credits? Would we do it for gain?

I made inquiry through the Legislative Reference Service of the Library of Congress to discover the facts with reference to exports of munitions and total exports from the United States to Europe during the fiscal years 1914–16, and discovered that several other Senators, some of them supporters of the pending measure, were receiving at the same time identically the same information.

Mr. President, I know, and these other inquiring Senators know, that the ratio of ammunition and firearms to total exports to Europe in 1914 was less than 1 percent, in 1915 was 2 percent, in 1916 was 14 percent, and in 1917, in April of which year we entered the war, it was 18 percent—a constantly increasing ratio year by year. I have seen various estimates of the total amounts of cash and credits now available in this country to Great Britain and France. They aggregate approximately $10,000,000,000. One percent of $10,000,000,000 is one hundred million, 2 percent is two hundred million. Is there anyone anywhere in this country, regardless of the motives by which he is actuated, who would risk sending our boys to France to be killed in this senseless war for a munitions trade of one hundred million or two hundred million dollars? Of course, to state the question is to state its answer.

No, Mr. President, if we are going to send our boys out to die, we will not do it for money. So let us look a little further into this proposition to ascertain why some would risk the possibility of our entrance into this war. Would we undertake the possibility of entering this war, and, therefore, repeal the present arms embargo, on the ground that Great Britain needs arms to be supplied by us? In that connection it should be mentioned that the present law created a National Munitions Control Board, consisting of the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Under the law, every person who engages in the business of manufacturing and exporting arms, ammunition and implements of war must register with the Board and receive a registration certificate and license, and the exportation of arms by any other than a licensed person is made unlawful. The Board is required to make an annual report to Congress, and it is indeed a matter of great interest to examine the figures reported by the Board.

For example, from December 1, 1936, to November 30, 1937, export licenses of arms and the like to Great Britain were $1,833,971. From December 1, 1937, to November 30, 1938, export licenses in favor of Great Britain were issued to the total of $26,611,797.

Mr. President, there has been some claim on the floor of the Senate that we were undertaking to arm aggressor nations at the very time when peaceful nations were not arming. Yet from December 1, 1937, to November 30, 1938, down to 2 months after Munich, export licenses were issued to Great Britain in the total of $26,611,797. Over the same period licenses were issued to Germany in the amount of $189,664. For the first 4 months of 1939 the licenses total only $14,008,980.

Surely Great Britain had at least as much information about the impending war as did the people in this country. Surely it is reasonable to conclude that if Great Britain were in need of arms, ammunition, and implements of war we could expect to find her export licenses increasing month by month. Surely she could have bought safely and legally any and all arms, ammunition, and implements of war up to the date of the issuance of the President's proclamation on September 3, 1939. Until a state of war was declared by the President to exist, there was no limitation whatever upon purchase by Great Britain from us of all the munitions she chose to export. But in May 1939 export licenses were issued for such munitions to be exported to Great Britain in the amount of only $227,152. In the month of June export licenses were issued for exports to Great Britain in the total of $79,633. In the month of July, $71,801 and for the month of August only $321,434.

Mr. President, between the end of April 1939 and August 31, 1939, export licenses were issued to export arms and munitions and implements of war to Great Britain in the total amount of less than $701,000.

That was 2 weeks after our President took to the radio and broadcast a message to an overseas ruler—within 2 weeks. Commencing at the end of April 1939, and running down to and including August 31, 1939, just before the outbreak of the war, export licenses were issued to Great Britain in a total amount of less than $701,000. These are figures furnished to me by the Secretary of State.

This situation will admit of only three inferences, and one of those three inferences necessarily is that Great Britain did not want and does not need munitions from this country. The second of those inferences is bound up in the fact that someone ordered the German steamship *Bremen* detained in New York Harbor for a period of 2 days before there had been a declaration of war. The other of those inferences is bound up in the fact that the American fleet is today, and for several months has been, in the Pacific Ocean.

Mr. President, Great Britain has had no interests in Poland, but she has billions in the Orient, from New Zealand and Australia north and west to India, and up through the Straits Settlements into China.

It is common knowledge that a severe and raging war has engaged Japan for many, many months, and that during the progress of that war the United States has continued to furnish arms, munitions, and implements of war to Japan. There is not a town in the United States, there is not a village or hamlet from which the scrap iron has not been collected to be manufactured into munitions, to be made into slugs, for use by the Japanese Army. At the same time that the United States has been assisting Japan to conduct a war whose necessary result is to deplete Japanese manpower and Japan's economic resources the United States has been making loans to China. This has been done by the Export-Import Bank through the Universal Trading Corporation, as well as directly through the Reconstruction Finance Corporation itself, with the result that we have assisted Japan in making a war and China in continuing it. For whose benefit is all this done? As a part of what policy? How is it that we can invoke an embargo in the Italo-Ethiopian War, but there is talk of repealing it when Great Britain is at war?

How is it that we can further the policy of Great Britain with reference to the Spanish War and invoke an embargo against both sides there, but we are asked to repeal it in the present war? If the United States really wishes to help Great Britain, in what way can we best assist her?

Mr. President, perhaps Great Britain does not want this arms embargo repealed. Is it not about time that we asked Great Britain in what way the United States can best be of help, for it may well be that the last thing Great Britain wants is repeal of the arms embargo. On January 4, 1939, Senator PITTMAN introduced into the RECORD the speech of Rt. Hon. Anthony Eden, delivered in New York City in December, from which I quote:

> Nor are we calling out for help to others nor seeking to lure others to pull our chestnuts from the fire. We have no such intention.

That same day the President of the United States told us that—

> There comes a time in the affairs of men when they must prepare to defend not their homes alone but the tenets of faith and humanity on which their churches, their governments, and their very civilization are founded. The defense of religion, of democracy, and of good faith among nations is all the same fight. To save one we must now make up our minds to save all.

What inference do you draw then from the facts and the figures? It may be well that Great Britain does not need or want the kind of help that sponsors of this resolution would seek to give her.

Suppose we should make the hideous mistake of repealing the embargo upon the exportation of arms and adopt the resolution as it stands, the Japanese need only declare a war upon China and thereupon take possession of all commerce

on the Pacific Ocean. Under the provisions of this joint resolution Japan, with resources at her command, can buy all the arms and implements of war for which she has the ability to pay or for which credits will be extended to her. She has the merchant ships to carry her purchases across the ocean. She has the navy to protect her merchant ships. Then China, without resources and without a navy, will be absolutely at the mercy of her enemy. We would be undertaking, according to the proponents of the resolution, to assist one side whom we deem worthy in the European war, while at the same time we would definitely assist in the creation of a new war in the Orient. Those who would like to see Germany defeated in the Occident would promote a certain ascendancy of Japan in the Orient. Will it be argued that such a result is desired by those who wish to assist Great Britain and France?

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. DANAHER. I yield.

Mr. LUCAS. The Senator from Connecticut has been discussing the Japanese-Chinese situation as it exists at the present time. Is there anyone in the country who does not agree that China and Japan have been in war for the last couple of years?

Mr. DANAHER. Mr. President, I understand, without knowing, and without wishing it definitely ascribed to me, that the President of the United States does not know it, and has never issued a proclamation embargoing arms, ammunition, and implements of war.

Mr. LUCAS. In reply to the suggestion made by the Senator from Connecticut, technically under the Embargo Act which the Senator is defending so vigorously in this debate. there has never been any declaration of war between China and Japan, and because of that, as I understand it, there has been no embargo on arms, ammunition, and implements of war. One of the very reasons why the Senator from Illinois is for the repeal of the embargo on arms, ammunition, and implements of war is because of the fact that for the last few years China and Japan have been able to buy everything that the munitions makers in this country could sell them, and the law we have on the statute books at the present time has in nowise kept China and Japan, if they could negotiate with the munitions makers in this country, from purchasing the war supplies, the death weapons, that the Senator is talking about.

Furthermore, the point made by the colleague of the Senator from Connecticut [Mr. MALONEY] today, a point which the Senator from Illinois made in a radio address the other night, and something which I hope someone who is interested in the continuation of this embargo on arms, ammunition, and implements of war will explain to me, is this: Under the present law we can sell to communistic Russia today all the bombing planes and the implements of death she can afford to buy, and the records will show that during the last 4 or 5 years Russia has bought millions of dollars worth of munitions of war from the United States of America, or from the people interested in the making of death weapons in this country. And, yet, under the present embargo act, as it is on the statute books at this moment, we cannot sell a pound of powder to Canada, which has been our peaceful neighbor for over 100 years.

If I may move into the realm of speculation for a moment, if the Senator will pardon me, I wish to do a little speculating, because as I have listened to the debate in the United States Senate during the last 2 weeks there has been a good deal of speculation and not enough facts, in my humble opinion. And so I presume I will be in order in so doing. Let me premise this bit of conjecture by saying at the outset I hold no brief for imperialistic England, or imperialistic France, or the ideologies of Stalin or Hitler.

The Senator from Illinois is primarily interested in his own America first, last, and all the time, to the end that we shall keep the peace and stay out of this war. But as I try to analyze this law which is on the statute books at the present time, I cannot understand how anyone can justly say that it is a law of strict neutrality as it is applied to all nations at the present time. For instance, if we do not know it, the people of Poland do, that Russia is at war. We sell her anything and everything, and does anyone doubt that some of those supplies will ultimately reach Germany? We sell Belgium all the war supplies she wants. Does anyone believe that she would not in turn send a part of them to England or France if they needed them?

Since speculation and guesswork seem to be working overtime in these debates, let me make one further chance observation. I say that it is not beyond the realms of possibility that before this war is finished Germany will declare war on Finland, and then Mr. Stalin and his bears will move in on that peaceful nation, just as they moved in on Poland, and we will still be selling Russia, and yet under this law we will be unable to sell a single war supply to Finland, the only nation in Europe that has paid her debts.

Those are the things which I say to the Senator from Connecticut have bothered me in connection with attempting to arrive at an honest and intelligent conclusion as to whether I should vote to lift this embargo or to continue the embargo.

I wish to say further, in conclusion, that in my humble judgment the Senators of the United States in this debate have far overemphasized and magnified the importance of the continuation or the repeal of the arms embargo, as far as getting us in or keeping us out of war is concerned. In my humble judgment the cash-and-carry plan so far overshadows either the continuation or the repeal from the standpoint of keeping us out of the holocaust of hell across the way that there is no comparison between the two.

I thank the Senator for yielding to me of his time.

Mr. DANAHER. Mr. President, at the very outset let me thank the distinguished Senator from Illinois for his contribution to this debate. In the judgment of the junior Senator from Connecticut his views are always interesting, they are certainly sincere, and above all he is mentally honest. With that approach I want to undertake, Mr. President, to take up the points mentioned by the Senator from Illinois.

In the first place, he says that, as he understands, the present law did not work with reference to Japan and China simply because a war had not been declared. That is the expression he used. In the first place, Mr. President, the law does not require that war be declared before a state of war shall exist, and that is why the statute adopted the language "a state of war."

That is why those very words are interpolated into that statute, because it has not been the policy in recent years for countries to declare war. They move in on another country. Everybody in the United States, as the Senator says, knows that there was a state of war in China, but officially we did not act. There was nothing the matter with our statute. The statute was there. But, Mr. President, if that is all that is bothering the Senator from Illinois, then I will say to him that I shall be happy to join with him in furthering a resolution which will call upon the President to declare and to issue the embargo on arms against Japan, which will remove that ground of objection.

In the second place, Mr. President, the Senator said that he cannot for the life of him understand how the pending measure would authorize the shipment of munitions to communistic Russia, as he described it.

I will say to the Senator from Illinois that I will join with him in stopping such shipment, because all we have to do is to amend our present law and forbid the exportation of munitions to any neutral country. We do not have to repeal the embargo, which says we may not ship to belligerent countries. So, Mr. President, we will dispose of that point of objection. I know the senior Senator from Illinois will go along with me that far.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. LUCAS. As I understand the proposal of the Senator, assuming that he could satisfy my position, I take it he

would have the Congress amend the statute as it exists at the present time, to meet the objections which I have pointed out.

Mr. DANAHER. Exactly.

Mr. LUCAS. I take it the Senator would not claim that we would then be changing the rules in the middle of the game?

Mr. DANAHER. No; for we should not be relaxing our law.

The whole test is whether or not we are relaxing our law in favor of one side. We as a neutral Nation have the right to tighten up, but we have no right to relax the provisions of our protective statute in the event a war shall have broken out.

Mr. LUCAS. Of course, whether we relax or whether we tighten the law makes little difference, in my opinion. It depends largely upon the attitude of mind of Senators as they view the situation before them. In my judgment, if the suggestion of the Senator from Connecticut was enacted into law we would be doing the very thing which a number of Senators have been protesting against from the time the debate started. In other words, if I have understood the position of a number of Senators on the floor insofar as the embargo on arms, ammunition, and implements of war is concerned, the Congress of the United States can do nothing to promote or affect our own domestic policy and take care of our own general welfare. We must remain stagnant; we must remain sterile; we must remain paralyzed until those fellows across the pond finish their bloody deeds; and after that we can change this law if Congress so desires.

Mr. HOLT and Mr. LODGE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield and, if so, to whom?

Mr. DANAHER. I yield to the Senator from West Virginia.

Mr. HOLT. I do not believe it is necessary to repeal the law to put the arms embargo in effect in connection with the situation between Russia and Poland. When Russia went into Poland she declared war against Poland, whether she did it by letter or by arms. It does not require any change in law to put the arms embargo in effect in that situation. Why should we indict a law because the President fails to administer it?

The situation is the same with respect to Japan and China. The law actually covers the situation; but the administration will not touch it, because the President himself has failed to do so. It is not the fault of the law.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. I appreciate the contribution from the Senator from West Virginia, and I can understand exactly how he feels about the President of the United States in connection with the enforcement of the Embargo Act; but I undertake to say that there are a number of Senators who, if the President of the United States issued a proclamation embargoing arms, ammunition, and implements of war to Japan, China, Russia, or any other nations which might be at war but have not so declared, and have not advised the world officially that they are at war, they would be among the first to declare that President Roosevelt was again usurping power and arbitrarily exercising authority which he does not have under the present law. This has been a charge made against him over and over again.

Mr. HOLT and Mr. LODGE addressed the Chair.

The PRESIDING OFFFICER. Does the Senator from Connecticut yield; and if so, to whom?

Mr. DANAHER. I yield first to the Senator from West Virginia, simply in order that he may conclude his colloquy with the Senator from Illinois. I thank the Senator from Massachusetts [Mr. LODGE] for his forbearance.

Mr. HOLT. Mr. President, the President of the United States declared an embargo in the Italian-Ethiopian War. There was no declaration of war in that instance. In the Japanese-Chinese War the Japanese are just as much aggressors as was Italy in the former case. The only difference is that England wanted us to declare an embargo in one instance, and in the other she did not; and we listened, as usual, to the voice of Downing Street instead of the voice of Main Street of America.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Massachusetts.

Mr. LODGE. I should like to submit to the Senator from Connecticut this thought, which was brought into comment by the interesting idea propounded by the Senator from Illinois: It is not truly accurate to speak in terms of changing the rules while the game is in progress. Is it not a much more accurate phrase to say that we should not change the balance of power while the war is in progress? It is not so much changing the rules. It is changing the balance of power. If we change the balance of power while the war is in progress, then it seems to me that by any sincere or fair test we are being unneutral.

Mr. DANAHER. I thank the Senator from Massachusetts for his observation. Answering that particular comment in my own way, let me say that war is no game. War is a hideous, foul destruction of human beings, life, and property.

Mr. President, under the rules of international law we find our answer—the international law, if you please, to which the President in his message said he wished to return. He told us that we ought to return to international law; that that and the repeal of the arms embargo were the crux of the problem confronting the Congress. Under the rules of international law—not the "rules of the game"—if once a nation has taken the position of a neutral and a war shall have broken out, that neutral may not change the rules of its announced position. It may not change its status motivated by any desire to help one side in the war without thereby becoming unneutral in the eyes of international lawyers and in the eyes of history. We as a nation certainly do not want to stand as naked as a treaty breaker in any such aspect.

Mr. President, I think that the contributions of the various Senators who have participated in the colloquy in the past few minutes have served, perhaps even better than my own argument, to point up the proposition I have submitted. It seems to me it is perfectly clear what inference we ought to draw from the facts and figures with reference to the purchases by Great Britain over the past few months. It seems to me perfectly apparent that it well may be that representations of a sort not known to us have been made and entered into, on the strength of which she has acted.

I wish to refer once more to the President's message in January of 1939. He told us then:

> We have learned that God-fearing democracies of the world which observe the sanctity of treaties and good faith in their dealings with other nations cannot safely be indifferent to international lawlessness anywhere. They cannot forever let pass, without effective protest, acts of aggression against sister nations—acts which automatically undermine all of us.
>
> Obviously they must proceed along practical, peaceful lines. But the mere fact that we rightly decline to intervene with arms to prevent acts of aggression does not mean that we must act as if there were no aggression at all. Words may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind. There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments the aggregate sentiments of our own people.

Mr. President, at a time when we in this Nation are not embroiled in war; at a time when our own law securely prevents our intervention by supplying arms to either side, will the Senate now say that we should abandon the reasonable and proper safeguards to make a condition of safety sure, and enter upon a course wherein we undertake to adopt methods "short of war"?

Mr. President, I cannot believe it.

In this connection it may be well worth while to consider for a few minutes section 7 (a) of the pending joint resolution. It will be remembered, Mr. President, that up until yesterday the majority of the Senate Committee on Foreign Relations, who had sponsored the pending measure, were trying to cause us and to cause the country to believe that the financial transactions section contained within it a cash-and-carry clause. I mention the matter specifically at this time because the distinguished senior Senator from Illinois said that he felt that

the issue should not turn on repeal of the arms embargo. He feels that the most important possible safeguard is the cash-and-carry clause of the joint resolution. I think I quote in essence what the Senator said.

Mr. President, I cannot find in the joint resolution reference to any payment of cash. I cannot find in the joint resolution a reference which would limit the transfer of title conditioned upon the payment of even a 5-cent piece in cash. I should like respectfully to ask the senior Senator from Illinois where he has found any such provision in the joint resolution. I think what he meant was that we ought to have some such provision in the joint resolution. Is not that what the Senator meant?

Mr. LUCAS. I am sure the Senator knows that before this debate is over there will be a cash-and-carry provision which, in my opinion, will not only satisfy the Senator from Connecticut, but will satisfy the American people. The provision as it exists at the present time is not satisfactory to the Senator from Illinois. I have never made that statement before to anyone; but I will say coldly and bluntly that the cash-and-carry provision as it is written in the pending measure is not satisfactory to me. I understand that the Senator from Nevada [Mr. PITTMAN], in due course of time, will move to amend the measure so that it will be approved by the Senator from Connecticut; and I know that when it is satisfactory to him it will be satisfactory to me.

Mr. DANAHER. I thank the Senator from Illinois from the bottom of my heart. I knew, mentally honest as he is, that he would so state; but actually, Mr. President, the joint resolution is still speaking in futuro. Cash and carry is not in it, and, as the Senator from Illinois says, if we are ever going to have a cash-and-carry provision put in the measure, apparently the Senator from Nevada will have to come up with another amendment to bring the joint resolution within the cash-and-carry purview, which the country was told was already in it.

Mr. LUCAS. Mr. President——

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. I think the Senator from Connecticut should be a little more charitable to the Senator from Nevada, who is not now present. I think the Senator from Connecticut knows well enough that seldom a bill comes to the floor of the Senate that is not amended. Now I think the point with reference to the 90-day credit feature will probably be the only serious objection the Senator from Connecticut will have and whenever he is satisfied upon that question, in the final analysis, he will support the Senator from Illinois in the belief that a cash-and-carry provision, if it is so written as to satisfy him beyond any shadow of doubt, is more important than either the repeal or the continuation of the arms embargo. I hope the Senator will vote his convictions on the arms embargo, which will be for its continuation, but after that I hope he will seriously weigh the question of cash-and-carry and see if he cannot, in the last analysis, determine that the latter is more important and finally vote for the pending joint resolution, assuming always that the provision for the arms embargo shall be repealed.

Mr. DANAHER. Mr. President, I first want to thank the Senator from Illinois. I know he did not mean to imply that I was uncharitable to the Senator from Nevada [Mr. PITTMAN], for whatever I happened to say at the time I have said in his presence, and if it were a case of repeating it I should be glad to do that when he is present; so there is no question on that point I am sure.

In the second place, I did submit to him specifically the other day wherein in the joint resolution could he find anything that required payment of cash so as to come within the so-called cash-and-carry idea. It is not there.

Mr. BARKLEY and Mr. HOLT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield, and if so, to whom?

Mr. DANAHER. I yield first to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, while I do not wish to prolong the Senator's discussion of this matter by injecting myself into his speech, yet it ought to be said, in order that the record may be clear, that there has never been a law enacted by Congress that required the payment of cash for arms, ammunition, and implements of war. There has never been a measure introduced by anybody, even by those who oppose the pending measure that would require the payment of cash in the ordinary sense of the word.

The Committee on Foreign Relations, when this matter was before it, put the 90-day provision in as a restriction. Some of those opposing the measure, and who opposed the repeal of the arms embargo in the committee, took the position that 90 days was not sufficient, that 120 days was really necessary in order that transactions regarded in international trade as cash might be cleared across the water. But there was so much confusion in interpretation—honest confusion, I am sure—on the part of Senators, and the outside world also, it being contended by some that by the mere mention of a 90-day period we were granting something rather than making a restriction in the law as it has heretofore existed, and as provided in bills which have been introduced, in order that that matter might not be a source of confusion and misunderstanding and misrepresentation, the Senator from Nevada offered an amendment to eliminate it altogether.

The Senator from Connecticut is right—and he would be right if he made the same statement concerning all other laws which have heretofore been enacted with respect to the so-called cash and carry—that "cash" has been a misnomer from the beginning. It was a colloquialism that was attached to it largely by the newspapers, for the word "cash" was never inserted in any bill or in any law on the subject. Theoretically checks given in payment of goods are supposed to be cash, but I think everyone realizes that if we were to require customers abroad to bring money in the form of cash, currency, as does the housewife who goes to market with a basket and pays for groceries by giving the money, it would be utterly impossible to carry on any form of international trade in that way. But neither the pending joint resolution or any other measure or the law itself that has been enacted heretofore ever used the word "cash." I repeat, it has been a colloquialism that has really given a wrong impression to laws that have been enacted and measures which have been introduced.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Wisconsin?

Mr. DANAHER. I yield.

Mr. LA FOLLETTE. In order to keep the record straight, let me say that I think I attended every meeting of the Foreign Relations Committee which took place where the members of the committee were invited. I wish to say that I think the Senator from Kentucky must be confusing a full committee meeting and a meeting of members of the committee who were in favor of the repeal of the arms embargo which met to draft the joint resolution, when he said that there was some suggestion that the credit clause should be extended to 120 days, and that he was in error when he credited that suggestion to members of the committee who were opposed to the repeal of the arms embargo.

Mr. BARKLEY. I will say to the Senator from Wisconsin, if the Senator from Connecticut will permit me, that I distinctly recall one of the outstanding Members of the Senate and of the committee who opposes repeal of the embargo who suggested in the full committee that the joint resolution should really provide 120 days instead of 90 days. Another member of the committee, who is also an outstanding opponent of the repeal of the embargo, suggested that even if 120 days were put in, Congress would later have to extend it, because that would not be sufficient to carry on international trade even on a supposed cash basis.

We have eliminated all that by the amendment which the Senator from Nevada has offered, and it is a moot question now; but I mention it only to show that even some of those who are opposed to repeal were not opposed to the 90-day provision or even a longer time. I do not care to reveal the names of the members of the committee without their consent, but I think we all remember that discussion.

Mr. LA FOLLETTE. Mr. President, I merely want the RECORD to show——

The PRESIDING OFFICER. Does the Senator from Connecticut yield further?

Mr. DANAHER. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I merely want the RECORD to show that my recollection does not serve me as that of the Senator from Kentucky serves him in connection with the statement he has made. Of course, if the Senator does recall it, I would not dispute what he says, but I thought I had been present at every meeting to which the full committee was invited.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from California?

Mr. DANAHER. I yield.

Mr. JOHNSON of California. I want to stand with the Senator from Wisconsin [Mr. LA FOLLETTE] in that respect. I have no recollection of any meeting that I attended—and I attended all that I was permitted to attend but one—when that question was brought up or when anything was said about the cash-and-carry problem.

The Senator from Kentucky says that in none of the laws that have been enacted regarding cash and carry has there ever been any provision with respect to the time of payment of the amount that might be charged foreign purchasers. Heretofore we have never had a law, save one, which embraced the cash-and-carry idea; and if he will read Mr. Baruch's dissertation as to why he presented that suggestion, he will see that it referred to cash and carry; that it did not refer to credit and carry. The reason for this amendment is that the chairman of the Foreign Relations Committee saw that it was impossible to pass the joint resolution with the provision it originally carried. So he proposes now to strike out everything in relation to credit and leave it a cash-and-carry proposition.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield further to the Senator from Kentucky?

Mr. DANAHER. I yield.

Mr. BARKLEY. I am not going to enter into a dispute with my friend from California about something that I recall very distinctly happened in the committee but which he does not recall. I could give the Senator, in private, the names of the Senators to whom I have reference.

Mr. JOHNSON of California. Does the Senator mean me?

Mr. BARKLEY. No; I do not.

Mr. JOHNSON of California. Does the Senator mean the Senator from Wisconsin [Mr. LA FOLLETTE]?

Mr. BARKLEY. No; I do not mean either one.

Mr. JOHNSON of California. They are the only two to whom I referred.

Mr. BARKLEY. I realize, of course, that the Senator from California and the Senator from Wisconsin are both important and outstanding members of the Foreign Relations Committee and are both outstanding opponents of repeal. There are also others.

Mr. JOHNSON of California. Yes; and there stands the Senator from Kentucky.

Mr. BARKLEY. Yes.

Mr. JOHNSON of California. He is not an outstanding foe of repeal, but he is an outstanding proponent of repeal, and I yield to him my meed of praise for standing just that way.

Mr. BARKLEY. It is mutual, I will say to the Senator.

Mr. JOHNSON of California. I thank the Senator.

Mr. BARKLEY. But now, getting back to cash, regardless of what Mr. Baruch said in his testimony before the Foreign Relations Committee, the provision of the law on the statute books which expired on May 1, as the Senator from California and all other Senators will recall, did not require cash payment; it only required that title should be transferred to the purchaser.

Mr. JOHNSON of California. Quite so.

Mr. BARKLEY. The word "cash" was not used.

Mr. JOHNSON of California. No.

Mr. BARKLEY. And the requirement to pay "on the barrel head," as we say, or to give a check at the time of the purchase was not in that law. The only requirement was that title should pass, and if an American manufacturer wanted to give his product to a foreign government there was nothing to prevent it in the law as it was passed and as it expired the first of last May, which contained the original so-called cash-and-carry provision.

I may be dealing in technicalities; but the point I was attempting to make was that with the amendment which the Senator from Nevada has offered—and which, I suppose, will be adopted—the joint resolution on that subject then will be practically in the same terms as the law which expired on the first of last May, with some modifications; and that the provision of the joint resolution on the subject of financial relations, preventing the flotation in this country of bonds or the sale of obligations of any belligerent or any foreign country or its subdivisions or any agent thereof, was not supposed to apply to the ordinary checks and drafts that are used in international transactions of commerce. It was supposed to apply to the public flotation of bonds, or even to private sales of bonds, obligations of governments, their political subdivisions, or agents representing them.

Mr. JOHNSON of California. Is not the Senator wandering far afield at the present time? We now have an academic question before us—that relating to cash and carry as the amended joint resolution has it. There is very little profit to be derived from discussing it. I should be delighted to discuss it with the Senator, because I have some very fixed views upon the subject; but I feel that the time of the Senator from Connecticut is being needlessly taken up.

Mr. BARKLEY. I am sure the Senator from Connecticut will appreciate the solicitude of the Senator from California with respect to his time; but he himself has been rather prodigal with it.

Mr. JOHNSON of California. He has listened to everybody.

Mr. BARKLEY. The only point which I wished to make—it may be needless—was to emphasize the fact that the word "cash" now is, and always has been, a misnomer in connection with this legislation.

Mr. JOHNSON of California. I do not concede that for an instant. From the time this kind of project was suggested we have heard all the time cash and carry, with the rat-a-tat-tat of the cash on the barrel head that could not be mistaken. From the highest to the lowest in the Government it has been cash and carry. Then a measure comes out which is not cash and carry at all, but which is credit and carry. Then the Senator from Nevada [Mr. PITTMAN], the able chairman of the Foreign Relations Committee, yesterday amends the joint resolution—a very wise precaution on his part—and we shall have, before we get through, cash and carry again; and cash and carry will be what we shall call Mr. Baruch's scheme, as he intended it to be called.

Mr. HOLT and Mr. CLARK of Missouri addressed the chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield; and if so, to whom?

Mr. DANAHER. I yield first to the Senator from West Virginia.

Mr. HOLT. Mr. President, so that we may not be confused, I wish Senators, in discussing the Foreign Relations Committee in the future, would state which Foreign Relations Committee they mean—the one of the Senate or the "nonpartisan" Foreign Relations Committee which drafted the pending joint resolution.

Mr. CLARK of Missouri. Mr. President——

Mr. DANAHER. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I do not wish to take the Senator's time; but I have just returned to the Senate Chamber after a very brief absence to interview a constituent in the reception room, and have been told that the Senator from Kentucky [Mr. BARKLEY] made the statement that in the Foreign Relations Committee an opponent of repeal of the

embargo had said that 90 days was not enough time; that it ought to be 120 days.

Probably the Senator from Kentucky refers to a remark which I myself made, because I was the only one who made any remark which could possibly be so misconstrued. When the Senator from New York [Mr. WAGNER] suggested that he was not willing to allow so long a period of credit in the provision as 90 days, and it ought to be cut to 60 days, I said that I was opposed to any period of credit whatever if it was going to be a cash-and-carry provision, and if we were going to have credit at all it did not make any difference whether it was 60 days or 90 days or 120 days; no matter what the period might be, it would be simply another method of beating the devil around the stump. I never said, and I did not hear anybody else in the Foreign Relations Committee say, that 90 days was not enough, and that we ought to have 120 days.

Mr. DANAHER. Mr. President, interested and intrigued as I was by the comment of the Senator from Kentucky, I should like very much to ask him, if I may, a question regarding section 7 (a) as it will stand when amended. It is on page 21. Can the Senator find anything in section 7 (a) which will forbid the Reconstruction Finance Corporation or the Export-Import Bank from making a loan to a foreign government, or an agency thereof?

Mr. BARKLEY. Mr. President, I have not given thought to that section in the light of any possible loan on the part of the Reconstruction Finance Corporation, but I should say that the provisions of section 7 (a) would apply to the Reconstruction Finance Corporation, or to any other agency of the Government, as rigidly as they would to any other creditor or manufacturer or agent of industry in this country that might be in the business of furnishing materials or supplies to any belligerent in the present war.

Mr. DANAHER. I thank the Senator, Mr. President. That is the construction with which I, too, will agree, and I am glad to hear that view from the Senator from Kentucky.

Now I will ask him one other question with reference to the same subject matter, if I may—whether or not, on the other hand, there is any prohibition of the use by our Treasury Department of our stabilization fund for the purpose of maintaining the currencies of Great Britain and France.

Mr. BARKLEY. Of course the Senator knows that the law which created the stabilization fund prescribes the uses to which it may be put, and that in the main it is for the purpose of maintaining the American dollar and protecting the commerce of the United States against possible decline in the value of foreign currencies so as to put our manufacturers at a disadvantage. Whether the mere fact that Great Britain and France are at war ought to operate to stop the operation of the stabilization fund, or ought to prevent the Treasury from carrying on its normal activities with respect to the fund, is a subject about which Senators may have different opinions. In my own judgment, without further evidence and further experience, I do not believe the normal operation of the stabilization fund ought to be interfered with merely because there is a war in Europe.

Mr. DANAHER. I thank the Senator from Kentucky.

Mr. CLARK of Missouri. Mr. President——

Mr. DANAHER. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. It seems to me that the inquiry of the Senator from Connecticut as to the stabilization fund and its uses is an extremely pertinent one, particularly in view of the fact that Congress at all times has been refused any information as to the operation of the stabilization fund.

We all know that there is something over $2,000,000,000 in the stabilization fund. We also know that during the last war Great Britain spent in the neighborhood of $2,000,000,000—not quite that much, but in that neighborhood—in sustaining sterling exchange. I think it is a matter of the utmost importance for Congress to find out whether our $2,000,000,000 in the stabilization fund is going to be used in this war to support British sterling exchange.

I may say to the Senator that I am preparing to address the Senate at some length upon that very subject; and I do not think this session of Congress ought to adjourn until we find out what is going on with the stabilization fund, and find out whether, in effect and in fact, it is being used to sustain British and French exchange, which, as I say, cost nearly $2,000,000,000 in the last war.

Mr. DANAHER. Mr. President, I am delighted to know from the Senator from Missouri that he contemplates an exploration and a dissertation upon this subject; and I shall make no further reference to it at this time. I shall certainly wish to be present to hear his remarks, for I agree with him that in the joint resolution now pending before Congress there is no limitation whatever to forfend against the money of the taxpayers of the United States being used to maintain the currencies of the nations referred to.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. Yes; I yield to the Senator from Kentucky.

Mr. BARKLEY. Inasmuch as this matter has been brought into the discussion, I do not want to leave it without an observation.

The stabilization fund in its normal operations constitutes a day-to-day activity. It would be utterly impossible for the Treasury Department to keep Congress informed from day to day or from week to week about its operations, although the Treasury Department does make a report to Congress from which it can see what the Department has done during the period of the report. The stabilization fund was not created for the purpose of aiding England or France or any other country to maintain its currency, but to enable the American people to maintain their currency if it was necessary to protect our people against the abnormal decline of foreign currencies that might interfere with the sale of our products in the markets of the world. The stabilization fund is an American protective device, and not a device for the protection of any other country.

Mr. DANAHER. Mr. President, I thank the Senator from Kentucky; but I recall that when we had hearings before the Committee on Banking and Currency, and Secretary Morgenthau was there, the distinguished Senator from Delaware [Mr. TOWNSEND] questioned the Secretary of the Treasury at considerable length with reference to this subject, and the Secretary of the Treasury then stated:

> We in the Treasury are not preparing for war.

The distinguished senior Senator from Virginia thereupon interposed:

> Well, you had better be!

And the Secretary of the Treasury thereupon said, in effect—I am not quoting him, but I am paraphrasing his remarks from recollection—that he saw no reason for a difference between the operations of the stabilization fund in time of war and its operations in time of peace. The fact of the matter is that while we are protecting the American dollar, as the Senator from Kentucky says, we are protecting it in terms of the French franc, and we are protecting it in terms of the British pound.

Mr. BARKLEY. Only as they relate to international dealings between the business and commercial and industrial interests of the United States and those of the foreign country.

Mr. DANAHER. Which brings me precisely to section 7 (b) of the pending joint resolution.

Section 7 (b) says:

> The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

Mr. President, whatever orders they want to put in, whether it be for grain, or cotton, or munitions of whatever kind, no matter whether they first put those orders in last June or whether they placed them in November, they constitute indebtedness when the contract has been acted upon, they constitute a state of indebtedness which is not inveighed against in the pending measure, which is not forbidden. There are no limitations on it, but expressly, and in so many words, even though the Senator from Nevada would

undertake to amend section 7 (a), he does not touch 7 (b). He has purposefully and intentionally written into this measure an exception, so that all indebtedness on whatever account will be taken out of the measure just so long as it exists on the date in the future when the President issues his proclamation. Consequently, when gentlemen talk about the stabilization fund, and talk about the maintenance of the American dollar, and talk about it being in furtherance of a domestic policy, for what possible purpose was section 7 (b) inserted if it was not intended to refer to such indebtedness as might be incurred by a foreign state, or a subdivision or agency thereof?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. CLARK of Missouri. Under section 7 (b), to which the Senator has just been referring, is it not entirely possible that any nation might exchange with its own nationals new bonds, new securities, on any basis it might see fit to adopt, for old securities issued prior to the date of the declaration of war or the President's proclamation, and then use those old securities in refinancing its obligations in this country to enable it to purchase munitions or anything else?

Mr. DANAHER. It goes further; it permits the incurring of indebtedness on any account whatever. All that is needed is to have the indebtedness incurred between now, or some date in the past, and the date in the future when the President is called upon to issue his proclamation, and all such indebtedness is taken out of the operation of the proposed law.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. Gladly.

Mr. BARKLEY. Of course, it is always possible, in the enactment of any statute, to find some theoretical hole through which somebody might jump. It was not supposed by the committee that we could, by the enactment of a law, change the terms of any obligation issued heretofore. At least, that was one of the considerations that entered into the drafting of this section. They are not obligations necessarily between governments. There is nothing in the joint resolution which authorizes any readjustment of the debts due the United States by the nations of Europe, or of any other part of the earth, because those debts have been refunded under an act of Congress, and the very act itself provides that the debts cannot hereafter be readjusted for any amount below the face value, with interest on them, except by another act of Congress. So that it could not refer to the debts due the United States by the nations of Europe, from one government to another.

It probably should not be made to apply to credits, whether they are for 90 days, or whatever their terms. As a matter of fact, all sales which have been made by American industry to the nations of Europe have been on a cash basis up to now, so that there are no such outstanding debts as the Senator might fear. But even if there were some, they might run 4 months or 6 months. We did not suppose that by the enactment of the law now we could change the terms of those sales, and we should not attempt to change the terms of those sales by an ex post facto law, one passed after a transaction had occurred.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Florida?

Mr. DANAHER. Not at the moment. I should like to ask a question of the Senator from Kentucky. As long as the Senator from Kentucky has stated that there is a theoretical hole in this particular section, will the Senator grant to me, for purposes of discussion, that it is a hole, whether it is theoretical or not?

Mr. BARKLEY. I do not grant that. The Senator can assume it.

Mr. DANAHER. The Senator called it a theoretical hole.

Mr. BARKLEY. I said it might be.

Mr. DANAHER. Very well, it might be, then.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DANAHER. Not for just a moment. I desire to point out to the Senator from Kentucky what the present law provides in section 245 (a), subsection (b). Has the Senator a copy of it before him?

Mr. BARKLEY. I think it is in the report of the committee.

Mr. DANAHER. At any rate, let me read to the Senator the language just as it appears:

> The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

That is the present law.

Mr. BARKLEY. That is plain.

Mr. DANAHER. But what is the different effect under the present law as compared with the pending joint resolution? Let me point out to the Senator that the moment the President of the United States issued his proclamation on September 3, 1939, the present law became effective. Did it not become operative?

Mr. BARKLEY. Yes.

Mr. DANAHER. Consequently, on that day section 245 (a), subdivision (b) went into effect, and therefore froze all indebtedness then existing. That was the purpose of it.

Mr. BARKLEY. Not necessarily. But even if that be true, of course, the measure now under consideration repeals the law from which the Senator has read this section.

Mr. DANAHER. That is correct.

Mr. BARKLEY. And a new proclamation would have to be issued under the new law.

Mr. DANAHER. That is correct.

Mr. BARKLEY. Therefore whatever had been "frozen" would thaw out, probably, before another proclamation was issued under the new law.

Mr. DANAHER. Which is precisely what the Senator calls a theoretical loophole, and precisely why I say that if the desire is to make that law operative, all that is necessary is to put into the pending measure a provision that the proclamation date of September 3, 1939, shall control. Why are not the proponents of it doing that? If they really want to limit credits, if they do not want indebtedness to be incurred between now and the future date of the proclamation, why do they not make it effective as of September 3, 1939? That is the law.

Mr. BARKLEY. Because each law and each proclamation issued under the law stands on its own merits, on its own bottom, and it is not necessary to go back into the past and say, in a new proclamation issued in the future, that the situation which existed on the third of September or on any other previous date shall apply to the new law or the new proclamation.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DANAHER. I thank the Senator from Florida for his indulgence. I am glad to yield.

Mr. PEPPER. The Senator from Connecticut, of course noting the first few lines of section 7 (a), observed that it is in that part of the section the prohibition is contained; that is to say, the prohibition against the extending of credit to any private individual or corporation in the United States "to purchase, sell, or exchange bonds, securities, or other obligations of the government of any State named in such proclamation, or of any political subdivision of any such State." Let us suppose that obligations extend from one of the foreign governments to citizens of the United States who have bought, for example, Canadian bonds, or suppose they have bought the bonds of a Canadian municipality, and suppose the Canadian Government or the municipality finds it desirable or necessary to propose to its bondholders the refunding of its outstanding bonded obligations.

Under the prohibition contained in the first part of section 7 (a) it would be unlawful for any American holder of any such security to agree to a refunding of those obligations, because the exchange or the purchase, or, probably, by implication, the receipt of any obligation of that character is forbidden by section 7. So in order to make it possible for private individuals who are the holders of such bonds to agree to a refunding, if they desire to do so, an exception

out of section 7 had to be carved, or it had to be made clear that refunding obligations were not forbidden by the provisions of section 7. So that was taken care of by the language of section 7 (b), which reads as follows:

The provisions of this section—

That is to say, the prohibitions contained in 7 (a)—

shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

That is not a prohibition; it is merely the allowance of an exception to the prohibition which appears in the first part.

If the Senator from Connecticut were trying to take care of that situation, how would he word the language of the joint resolution?

Mr. DANAHER. The Senator from Florida is asking me now as to how I would protect American bondholders, or foreign nationals, if you like, who live in this country; and, of course, it is possible to permit their being protected. There is no question about that. But the point about this whole law and this whole joint resolution is that if the intention really had been to make it applicable to a state of affairs which existed when the President's proclamation was issued on September 3, 1939, why does not the joint resolution so state?

Mr. PEPPER. I doubt if that provision of the measure has any reference at all to the proclamation in that sense. It does not confer any affirmative authority to buy bonds or securities. It merely provides that where securities have already been issued and the purchasers or the owners of the security are willing or agreeable to an adjustment of the obligations by refunding, for example, they may do so without violating the law. What is wrong with that sort of a permission to any bondholder?

Mr. DANAHER. Mr. President, that is simple. The way the law reads at present, it was provided that the President would have the power in his discretion to make exceptions from the operation of this particular section, in the present law, understand, with reference to commercial credits, short-time obligations in aid of legal transactions and of a character customarily used in ordinary peacetime commercial transactions. That is our law, and when we take section 245 (b) with reference to 245 (a), and use the words "such indebtedness," we apply to any indebtedness inveighed against in section 245 (a). That is what the term "such indebtedness" applies to.

Mr. PEPPER. Let us make it clear, in the first place, that there is not any authority for any new purchases of bonds by Americans granted. So I suggest that if that is true, what difference does it make in the mind of the Senator from Connecticut what is in subdivision (a), which does not permit American citizens to become purchasers of new bonds of foreign governments, but permits only refunding operations? It permits only refunding operations. Why should we object to the bondholder having the privilege of agreeing to a satisfactory refunding obligation at any time?

Mr. DANAHER. Mr. President, of course, if the Senator from Florida can gloss over the fact that the remainder of that section has to do with making loans, extending credits, and all the other phases and methods of incurring the indebtedness, of course that is all right; he can do that. Of course, sales on credit are included, but above everything we find in this language that it applies to the making of any loans, the extension of any credit, and consequently there is no limitation upon any such thing, and debts can be incurred, and orders can be placed, and that indebtedness will be such as is contemplated by section 7 (b).

Mr. PEPPER. In the first place the indebtedness which may get the advantage of section 7 (b) is indebtedness which must have existed at the time of the President's proclamation. Then, the indebtedness that may be incurred with the permission of the President, which is referred to on page 22, that is the short time indebtedness of 90 days, or not to exceed 90 days, cannot come into operation until after the President's proclamation. That is to say the President has no power to act under this law until his proclamation of a state of war first has been made.

Mr. DANAHER. Which he may never issue.

Mr. PEPPER. Therefore, if the proclamation to be effective must precede the allowance of the credit, as under the language of the measure it obviously must, the provision of section 7b can never refer to the short-term indebtedness that is provided for at the top of page 22, and can only apply at any time to the indebtedness that existed at the time of the President's proclamation, and that is old indebtedness that is funded or evidenced by security.

Mr. DANAHER. Mr. President, the Senator from Florida is about 30 hours too late. The Senator from Nevada yesterday introduced an amendment which strikes out all the language the Senator from Florida is talking about, commencing on line 16, page 21, and running to line 11, page 22. The Senator will find that amendment on his desk. It was submitted yesterday by the Senator from Nevada.

Mr. LUCAS rose.

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. PEPPER. Mr. President, before that——

Mr. DANAHER. Just a minute. I wish to yield to the Senator from Illinois. I ask the Senator's indulgence.

Mr. LUCAS. What is worrying the Senator from Illinois is what is going to happen to the obligations and transactions which are carried on between September 3, the date that the President issued the proclamation of neutrality, and the date of the next proclamation, because, as I understand, in the event this law is passed we repeal the present Neutrality Act, which would in effect permit any obligations during that time negotiated to become in such a state that they could be freely exchanged here and there and everywhere.

Mr. DANAHER. Mr. President, the Senator from Illinois has exactly stated the legal situation. He is exactly right, and consequently all of those orders, all of those contracts within that period of hiatus, are contemplated by section 7 (b). That is just exactly where I say that the whole door is open wide without any limitation on credits of any kind whatever.

I should like to yield now to the Senator from Florida.

Mr. PEPPER. If the Senator will excuse me for a moment.

Mr. LUCAS. Will the Senator yield to me for one further question?

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. I do not know whether the Foreign Relations Committee has seriously considered this point or not. I presume they have. But I should like at this particular time to offer for the consideration of those who are vitally interested in this question two short amendments, if I may be permitted to read them into the RECORD at this point.

Mr. DANAHER. I am sure there will be no question. Does the Senator apprehend that the Senator from Connecticut would lose the floor if he should permit that to be done?

Mr. LUCAS. Oh, no.

Mr. DANAHER. The Senator from Connecticut does not either.

Mr. LUCAS. I suggest that there is a possibility of curing the defect which the Senator speaks about, and I trust that the Foreign Relations Committee will give the question consideration, because I think it is important. Therefore I submit the following:

On page 21, line 14, after "proclamation", insert "or issued after the date of any proclamation issued under any prior neutrality law after September 4, 1939, and prior to the date of enactment of this joint resolution, in the case of any state named in any such proclamation, or any political subdivision of such state, or person acting for or on behalf of either."

And, I may say to the Senator from Connecticut, if the amendment should be deemed important a further amendment should be made. I submit, on page 22, the striking out of lines 12 to 14, inclusive, and inserting in lieu thereof the following:

(b) The provisions of this section shall not apply to a renewal or adjustment of indebtedness in existence on: (1) The date of any proclamation issued under any prior neutrality law after September 4, 1939, in the case of any State named in such proclamation, political subdivision thereof, or person acting for or on behalf of

either; or (2) the date of any proclamation issued under section 1 (a) of this joint resolution in the case of any other State named in such proclamation, and any political subdivision thereof, or person acting for or on behalf of either.

This amendment would correspond to the previous one. I merely submit both for whatever they may be worth, doing this solely in the hope that I have made a constructive contribution to the pending bill.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. PEPPER. Do I understand correctly that the chief ground of the objection of the Senator is that the provisions of this law will probably postpone, as it were, the prohibition of existing law, or relax those prohibitions, and he is trying to freeze the period as of September 3, the date of the previous proclamation?

Mr. DANAHER. No. I am certain, Mr. President, that the Senator from Florida has misapprehended in two particulars. One, it certainly is not my chief objection to this measure. My chief objection to this measure is that it would repeal the embargo on arms. We have discussed that.

But to come back to the particular point, the second proposition, does not the Senator know that warehouses in New York, that ships in New York, are loaded with merchandise, ready and waiting and expecting that the existing law will be repealed, and that this measure will be passed, and permit the shipment overseas of munitions and supplies? Does not the Senator know that since September 3 orders have been placed and continue to be placed in this country?

Mr. PEPPER. What is the pertinence of this possibility to the argument which the Senator is making?

Mr. DANAHER. There is no limitation on the placing of orders. There is no question that it has been represented to the public that this measure contained a cash-and-carry provision. The distinguished Senator from Kentucky blamed that on the press. He said the administration was not to blame for it. He said the press did it. He said the administration never called it a cash-and-carry measure, but the newspapers did that.

Mr. PEPPER. I thought the Senator was complaining about the permission or exception carried in section 7 (b).

Mr. DANAHER. Yes.

Mr. PEPPER. In case the measure were adopted, I ask the Senator if he does not believe that the President's proclamation of the existence of a state of war in Europe would be practically, if not certainly contemporaneous, if it did not even precede the effective date of the legislation we are now considering?

Mr. DANAHER. May I ask if the Senator means the future proclamation to be issued under section 1 (a)?

Mr. PEPPER. Yes.

Mr. DANAHER. That is assuming the joint resolution should pass.

Mr. PEPPER. Yes.

Mr. DANAHER. Of course, I should expect the President would issue a proclamation. I trust he would do so; but the pending measure does not require him to do so.

Mr. PEPPER. Let us suppose, then, this case, that the measure became law by its passage by both Houses of Congress, and its signature by the President. Does the Senator not think that at once the President would issue a proclamation under section 7 (a) which would announce a state of war to exist, which would make immediately effective the provisions of this law?

Mr. DANAHER. I should hope so.

Mr. PEPPER. Very well. If that be surmised, section 7 (b) says "The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation"—that is the proclamation we are discussing.

Mr. DANAHER. That is correct.

Mr. PEPPER. So there would not be any authority or opportunity on the part of anyone to incur any of this questionable indebtedness insofar as section 7 (b) is concerned after the date of that proclamation.

Mr. DANAHER. From that date forward. That is correct.

Mr. PEPPER. Very well. If the Senator admits that, then what the Senator is concerned about is the period between September 3 and the date of the proclamation which may be made under this measure, is that correct?

Mr. DANAHER. No. I knew what the Senator was going to say, if he will pardon the interruption. What I object to is the constant reiteration in one circle or another—we have heard it from Senators right on the floor of the Senate—that there is a cash-and-carry provision in this measure, and the public has been led to think that there is a cash-and-carry provision in this measure, and I say to the Senator, and the Senator will agree with me, I am certain, that there is no such provision, and that there is no such requirement in this measure.

Mr. PEPPER. May I pursue the inquiry a little further?

Mr. DANAHER. Yes.

Mr. PEPPER. The Senator quoted a moment ago from the existing law. The law, as I understood the quotation, forbids the extension of credit under its terms.

Mr. DANAHER. That is correct.

Mr. PEPPER. So the Senator admits that there is now a law on the statute books which forbids the extension of credit since September 3 or 4, the date of the previous proclamation?

Mr. DANAHER. Curiously, however, limited to those things which are covered by the act. It will be recalled, Mr. President, that it applies only to the embargo on arms, ammunition, and implements of war, and nothing else.

Mr. PEPPER. At least under the existing law no credit can be extended to any Government for the purchase of arms, ammunition, and implements of war?

Mr. DANAHER. Not legally.

Mr. PEPPER. All we are dealing with is the law.

So, Mr. President, what is the complaint the Senator has with regard to section 7 (b)? That is what I addressed myself to in the beginning. I tried to suggest that the committee was dealing with a situation in which it knew that thousands, if not hundreds of thousands, of American citizens, in the enjoyment of their rights, have from time to time bought the bonds of governments or political subdivisions of governments which are now engaged in war; and we were trying to preserve the rights of those American citizens to accept refunding bonds, provided they agreed to do so as private individuals. The Senator was complaining about section 7 (b) and pointing out some vice it had. If the Senator wishes to address himself further to section 7 (b), I should like to hear him. However, if he is going to discuss the general question of cash-and-carry, I will say that I did not address myself to that question.

Mr. DANAHER. Mr. President, as I get on with this address I think I ought to ask Senators to reconsider the basis upon which they have approached the problem. I am certain that the minds of very few Senators are foreclosed upon this point. I prefer to think, with the Senator from Illinois, that as we canvass these situations together we may find various situations which ought to be corrected and various provisions which ought to be amended. Yesterday the Senator from Nevada himself offered an amendment; and there are yet other phases of this measure which very definitely ought to be explored.

I feel that undoubtedly the individual approach of many Senators to the question may have been influenced by a deep-seated sympathy for Poland. There is no one among us who would not thrill at the thought of the unsung hero who marshaled his gallant forces at Warsaw. But only a week ago last Sunday evening I heard a Senator tell a Nation-wide radio audience that he wanted to see Hitlerism crushed.

Mr. President, who will do the crushing? Suppose it appears that Hitlerism ought to be crushed. Who will do the crushing? What do you think were the feelings of those defenders of Warsaw who daily scanned the skies in vain for the sight of the airplanes of their Allies? Who is to crush Hitlerism? Are we? Are arms, ammunition, and implements of war to be sold on credit so that yet other

peoples, with whom we have no war, may be crushed? Is that to be the contribution of the United States to the crushing of Hitlerism? The sponsors of the joint resolution tell us that we will not pull the trigger. We will not bomb cities from the air. We will merely load the guns. We will merely make the bombs, and we will merely create engines of destruction that a people who have not wronged us as a nation shall be crushed; and we are to do it all—God save the mark!—in the name of keeping out of war. The way the joint resolution is drawn, we are not even to do it on a cash basis.

My own little girl recently said to me, "Daddy, what is the use of my studying history?" If that little girl is not getting any more from the study of her history than the proponents of this particular measure seem to have derived, it seems to me that her question is very apt. We extended credits before. We sold munitions before. We extended those credits, and we exported those munitions to the same nations who are now to get them.

At that time, in 1918, Sir Arthur Balfour said—and I quote:

> I do not believe that the whole history of the world shows anything quite parallel or equal to the action of America in this war.

Said Marshal Foch on August 24, 1918:

> You may tell the American people their soldiers are admirable. They ask nothing better than to go to their death. They can be reproached only with rushing ahead too fast. It is necessary to hold them back. Their ardor is unfailing.

But in 1926, Mr. President, the London Daily Mail said:

> The British nation has been turned into a debt collector to the United States in Europe; but, unlike most debt collectors, we get all of the odium and none of the benefit.

The London Morning Post said:

> Even if Europe is left with enough to buy one cotton shirt monthly, meat once weekly, and a pair of American shoes yearly, there will be a growing feeling of resentment against this Good Samaritan.

The London Daily News said in 1926:

> It is just as well that Americans could understand how their action in regard to the debts is regarded throughout Europe. It may have contributed to make them the richest people in the world. It has made them out of all comparison the most unpopular.

Mr. President, I have in my hand a photostatic copy of the Washington Herald of August 1, 1926, which I procured from the Library of Congress. It is filled with extracts from leading journals in both France and England, showing the condition of affairs when Uncle Sam became "Uncle Shylock" to Europe.

I wish there were space in the CONGRESSIONAL RECORD properly to represent this entire page, but I would not think of asking unanimous consent to incur the expense involved. I ask those who are interested in the record of exactly what happened when our debtors turned on us in 1926, and what they said about us, to go to the Library of Congress and there find extracts—in fact, the original documents—which will show what happened in 1918 and 1919, when we made loans and credits to the Allies.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. PEPPER. I am very much interested in the citations which the Senator is reading. I think it would be of benefit to everyone if he would give the name of the publication and the page, so that we may observe them.

Mr. DANAHER. I shall be very glad to do so. They are contained in the Washington Herald for Sunday, August 1, 1926; and apparently the pages are 2 and 3.

The PRESIDING OFFICER. Does the Senator desire to insert the matter referred to in the RECORD?

Mr. DANAHER. Mr. President, I fear that the value of the publication as such would not warrant the great cost involved. I shall not ask that it be inserted in the RECORD; but I have given the citation for reference in case anyone wishes to examine it further. There are many extracts, of which I have read only a few typical samples.

Mr. President, there is one other point with reference to the discussion the Senator from Florida and I had a few minutes ago, and that has to do with the date of the issuance of the proclamation. I wish the RECORD to show section 1 (a) of the pending measure so that Senators may be able in their own due time to make reference to it. It reads:

> SECTION 1. (a) That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

Consequently, Mr. President, the way that language is worded, it is possible for the President to refuse to find that it is necessary. Notice in line 5 the word "necessary." It does not say "wise." It does not say "expedient" or "judicious." It says "necessary." Consequently, if the President shall find that a state of war exists, but fails to find that it is "necessary" to issue the proclamation, he may fail, and even refuse to do so.

Mr. AUSTIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Vermont?

Mr. DANAHER. I gladly yield.

Mr. AUSTIN. The distinguished Senator from Connecticut called this phrase to my attention much earlier in the session, and I thank him for giving it the emphasis that he has in both of his discussions. I think it is worthy of reflection at this point that here is set forth in the joint resolution the purpose of the joint resolution; namely, national defense. The President must not only find the existence of a state of war between two foreign states, but he must find the necessity on the part of the United States—

> to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States.

I thank the Senator for permitting me to call attention to that matter.

Mr. DANAHER. I thank the Senator from Vermont for his observations.

Mr. President, since the section with reference to credits has to do entirely with the issuance of the proclamation in advance, or—to state it in another way—the issuance of the proclamation is a condition precedent to the operation of section 7 in its entirety, it may be, therefore, of interest to see just exactly what has been done in times past, in order to find a clue to why section 7 (b) is in the joint resolution.

According to reports of the Munitions Control Board sent to me from the Secretary of State, Great Britain, in January of this year, bought from the United States and took delivery of revolvers and automatic pistols to the total value of $106.13; in February, none; in March, $59.50; in April, none; in May, $33.58; in June, $472.69; in July, $45; and in August, $248.38. Remember, these shipments were made this year up to and including the 31st day of August, up to the very commencement of the war itself.

It is reasonable to assume that no credits were asked for these purchases. It is reasonable to assume that cash was paid and, Mr. President, I believe the distinguished chairman of the Committee on Foreign Relations has made inquiry of the Secretary of State, and that a release was prepared with reference to that subject. I think the Baltimore Sun carried the story in Mr. Essary's column last week. I ask at this time unanimous consent, if I may have it, to submit later, to be included in the Appendix of the RECORD, the article which appeared in the Baltimore Sun on this particular subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DANAHER. Mr. President, under section 7 (b) I claim that there is no limitation upon the placing by Great Britain of orders for unlimited amounts of revolvers and automatic pistols for use by her in the war. She may so contract with American producers that an indebtedness will

be created. She may write the terms of that indebtedness in any way that the contracting parties decide upon.

Mr. President, is it not perfectly clear why Great Britain was not arming in these particulars, notwithstanding the approach of the war? And is it not perfectly apparent now why the sponsors of this particular joint resolution have incorporated section 7 (b) in it?

Mr. President, according to the records, Great Britain took shipments from the United States in January of this year of ammunition for rifles in the total amount of $1,019; in February, $46; in March, $4.06; in April, $16.86; in May, $27,536.39; in June, $6; in July, $807; in August, $222.01. Remember, Mr. President, that in January our Chief Executive told us that—

> A war which threatened to envelop the world in flames has been averted, but it has become increasingly clear that peace is not assured.

Two weeks ago he told us that—

> By April new tensions had developed; a new crisis was in the making.

Surely Great Britain must have known at least as much about the possibilities of an impending war as we in this country knew; but such war orders, of course, need not be placed if unlimited indebtedness could be incurred without the slightest limitation whatever. Not even would the provisions of section 7 (a) apply, just so long as the indebtedness "may exist on the date of such proclamation."

In the 8 months ending August 31, 1939, Great Britain bought from us, in anticipation of those darker periods that may lie ahead, high explosives averaging about $34,000 per month. Does Great Britain anticipate that the United States is to grant to her unlimited credits under which to prosecute her war?

In the 8 months of this year for which records are available Great Britain has taken delivery from us of aircraft adaptable to aerial warfare in the average amount of approximately two and one-half million dollars per month. Mr. President, under contracts already placed, under conditions of sale yet to be arranged, there is no prohibition whatever upon the incurring of indebtedness in any conceivable amount only so long as that indebtedness may exist on the date of the proclamation.

The significance of all this becomes apparent, Mr. President, when we recall that in his message to us on September 21 the President told us that there must not be a possibility of the creation of credits. He knew what the situation was between 1914 and 1915. He stated in his message to the joint session of the Congress that one of the objectives to be achieved by us—in fact, he called it his fourth objective—was the preventing of war credits to belligerents. When credits became extended in 1914, bond issues were floated. Loans were obtained. When we continued to ship arms and supplies to the Allies, while stringent necessity constantly reduced other belligerents, the sinking of ships began. In a thousand ways propaganda gradually whipped up American sympathy to a frenzy of interest. How rapidly it can be done again will become evident from realizing how rapidly it happened before.

Yet the sponsors of this joint resolution would undertake to imply to the Senate that section 7 (a) would grant our country protection against the extension of credits to belligerents. In making the point in his message that the extension of such credits should be prevented, the President clearly had in mind what every Senator here must know, that as credits continually increase, and as indebtedness mounts, the tendency will naturally be for us to undertake to protect our credits, to make sure that our debtors will not lose in the fight, in order that they may be in position to repay us. History has amply demonstrated to us that such a situation can be, as it has been, one of the factors operating upon the minds of our people as a possible inducing cause of our entry into war.

In November of 1916 President Wilson was reelected on the platform that "He kept us out of war"; yet less than 5 weeks after his inauguration as President in 1917 the United States was in the war. I saw it happen then. I do not want to see it happen again.

If we unmask all pretense and discuss this legislation further from the standpoint of helping Great Britain and France, additional considerations engage our attention. Suppose Great Britain and France should win the war: Is it our thought that we should thereupon join them in destroying Germany? What would we decide to do—return Germany to her status of, let us say, 1860? Would we be satisfied if the armed power of the German people were confiscated? Would we thereupon undertake to destroy the Nazi libraries? Would we remove from the hearts of the German people their thoughts of years of starvation consequent upon our last effort to write a peace for Europe? Would we abstract from their thoughts the Nazi philosophy; or would we again, in the name of humanity and civilization, attempt to create a "democratic" government within her borders? Or can it be expected, Mr. President, that we would think, "with Herr Hitler out of the way, the German people will now be free"? Or may it not become apparent that with the British people bearing the highest taxes ever known, they may, with their French Allies, come through a devastating war, the flower of their remaining manhood gone, their economy devastated, and then find that Russia has risen to be the greatest menace of all?

The brutal, hideous truth of the matter is that we may yet find, like a ghastly joke, like a grim grotesqueness, that Great Britain will be forced to maintain—in fact, create—a strong Germany against the onrushing Russia; and then, Mr. President, in what position would the United States find itself were we to repeal the existing legislation? We do not know the Russian aims, except as we see Russia plunge upon prostrate Poland and dismember her bleeding corpse with cannibalistic glee, meanwhile effectively countering Germany's eastward march.

Or do we recall, a few short years ago, that the United States Senate itself approved the British protectorate over Palestine, only to find a policy in whose making we had no voice refute the aims and hopes and aspirations of thousands of persons who innocently and in good faith had acted on the British declaration?

There are in this Chamber Senators who can easily remember the destructive war which resulted in the loss of the lives of thousands of Boers—white men, civilized men, who lost their homes, their farms, their gold and diamond mines, their government, to British imperialism.

Not one here fails to remember that the United States, which entered the World War in 1917, came out of it with loss and debt, leaving thousands upon thousands of our boys enriching the mud of France, while Great Britain emerged in possession of practically every single military outpost in the world.

There is not the slightest justification in morals or in law for the people of the United States even to risk the possibility of being drawn into this war.

In any case let us assume that we are willing, indeed, to engage to furnish arms to Great Britain and France, but that we will remain adamant in our refusal to send our troops to help. The very least our diplomacy could and should do in any such given circumstance is to demand in advance that both Great Britain and France cede to us all island possessions which might constitute bases for foreign attacks upon our shores, for if we should remove such properties adjacent to our country, and necessary for its defense, from the possibility of their being transferred in a peace to an enemy nation, we would at the same time remove the possibility and the requirement of our going to war to defend against the seizure of those islands by an enemy nation. Under the Monroe Doctrine we would have no course to do other than act in our own protection and to go to war. Therefore, Mr. President, if we will remove that possibility in advance we can, if we debate the issue honestly and fairly, establish a quid pro quo, just as Great Britain herself does in every international stratagem in which she is involved.

I might illustrate by recalling that in the Spanish conflict Great Britain made a loan of $20,000,000 to Franco, but

before doing so she obtained the right to enter the Pyrenees Mountains and abstract therefrom iron and copper ores. So she undertook, the moment she made a loan, to begin to "draw down"; and "draw down" she did. She sent a mission to Russia having in view possibly a loan to Russia, and only last Thursday a new trade agreement with Russia was announced by Great Britain.

Yet it is proposed that we consider even the possibility of going into this war by furnishing munitions, arms, and implements of war without even taking the elementary precaution to make sure that if Great Britain should lose the war we would not be drawn into a defensive war of our own.

The very least we could do, it seems to me, would be to take those first important steps for our own protection.

Mr. President, there is only one other point I wish to develop. In March of the present year testimony was read into the RECORD from General Arnold, Chief of the Army Air Corps, who told us that there were 879 combat planes in the hands of the United States Army. We had under discussion at the time the President's recommendation of an appropriation of $300,000,000 for the creation of a 6,000-war-plane force. It was contemplated that we could build up to 3,000 planes by 1941. We had at the time 879.

If there be any possibility of an attack upon our shores—and I personally think it is grotesque and fantastic even to imagine such a thing—if there be any such possibility, we are the ones who need the munitions, and we are the ones who need the planes. I submit that a strong America will be an efficient bulwark against any attack on our shores.

I agree with Colonel Lindbergh that the repeal of the arms embargo is a step toward war. I believe that next would come the extension of credits, next would come the sending of men, completing our actual involvement in the war itself.

Mr. President, I believe the pending joint resolution is defective in the particulars which I have taken pains to illustrate, and I hope, and I want the RECORD to show that I hope, that it will be defeated.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, October 18, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 17, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God, the Father Almighty, Maker of heaven and earth, let Thy holy silence sink deep into our hearts that the truth we know may be the candle of the Lord. Hush all our complainings and discontent and give the garment of praise for the spirit of heaviness. Let us rejoice and be glad that we have a part in the world's great work. Renew the life of Thy church everywhere, quicken its devotion and passion for the souls of men. Take the beam out of our own eye that we may see clearly to cast the mote out of our brother's eye. Restrain the wayward, relieve the oppressed, the poor, and be the toilers' friend. May pride, oppression, and all godless ambitions be remembered only as the things of the night. Let all who love the Lord Jesus stand for those virtues which build up the human heart in truth, honor, fidelity, love, and obedience to God. In the name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two letters, one signed by Francis B. Denton and the other by Gordon Auchincloss in answer to a letter placed in the daily RECORD a few days ago purporting to be signed by Col. E. M. House. In this connection I also ask unanimous consent to include an editorial on the same subject from the New York Times of date October 14, 1939.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address made by Dr. Nicholas Murray Butler. I have received an estimate from the Public Printer to the effect that it exceeds the amount permitted ordinarily. I therefore renew my request at this time.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therewith a very splendid address on the need for an increased air force in this country delivered by Mr. Horner, the President of the National Aeronautics Association.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address I delivered last night at Station WOL, Washington, over a national network, on the subject, Our National Defense.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. LEMKE asked and was given permission to extend his own remarks in the RECORD.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therewith an editorial appearing in the Washington Times-Herald of this date.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein quotations from a speech made by the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes after the conclusion of the other special orders for the day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the special order of the House heretofore made the gentleman from Connecticut [Mr. MILLER] is recognized for 45 minutes.

NEUTRALITY

Mr. MILLER. Mr. Speaker, before I proceed with the remarks I have prepared on the subject of neutrality, I wish to refer briefly to three subjects that have already been discussed here in the House.

I followed with a great deal of interest the questions asked by our colleague from Texas [Mr. THOMASON] regarding a letter inserted in the daily CONGRESSIONAL RECORD by the gentleman from Montana [Mr. THORKELSON]. Twenty-one years ago Colonel House befriended me when I was 3,000 miles from home. I have always had a very warm spot in my heart for Col. E. M. House. For that reason, if for no other, let me state that I have read what purports to be a letter written by Colonel House inserted in the daily RECORD by the gentleman from Montana, and I want to state for the RECORD that I sincerely doubt its authenticity and feel very sure that the letter could not have been written and was not written by Colonel House. At this time when we are starting debate on a bill that is going to have a great effect on the future peace of this country, it seems to me to be ill-advised to insert in the

CONGRESSIONAL RECORD anything that would stir up racial or religious hatred. I express the hope that the gentleman from Montana [Mr. THORKELSON], in view of all the circumstances and in view of the fact that he has stated on the floor that he does not know positively that the letter is authentic, that of his own volition he will withdraw that letter and keep it out of the permanent RECORD of the House.

Mr. THOMASON. Mr. Speaker, will the gentleman yield at that point?

Mr. MILLER. I yield.

Mr. THOMASON. Mr. Speaker, may I say to the gentleman from Connecticut that I hope he and every Member of the House will read certain letters I will insert in the RECORD today under permission granted me a few minutes ago, one of them being from the secretary to the late E. M. House, who served him, I believe, some 40 years, and the other from his son-in-law, stating in very positive terms that that letter is a spurious document. So I join with the gentleman in the request that he makes and the hope he expresses, because it does seem to me that of all documents in this day and time that should reflect the absolute truth it is the CONGRESSIONAL RECORD. I am sure every Member of the House at all times, when he knows the facts, wants to preserve that as an honest, truthful record. I hope my friend will read these letters I am putting in the RECORD today which condemns that as a spurious document.

Mr. THORKELSON. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Montana.

Mr. THORKELSON. When I put the letter in I did not say it was Colonel House. I made no claim to that effect. Another thing, I said to disregard the signer at the end of the letter, and in my remarks, if you will turn to the RECORD, I made that statement. I said to only read the substance matter of the letter and then compare that with conditions that have happened in the past 20 years. I have looked it up. It is stated in the letter that General Rodman was knighted by the British Government and the record is over here in the Congressional Library.

Mr. MILLER. I cannot yield any further unless the gentleman wants to withdraw the letter.

Mr. THORKELSON. I just wanted to clear that up.

Mr. MILLER. The gentleman stated on the floor of the House that the letter was signed by E. M. House, and in response to a question asked by the gentleman from Texas [Mr. THOMASON], he stated it was the Colonel House who was associated with President Wilson. His answer may be found on page 391 of the RECORD. I hope it will not be necessary to object to future unanimous-consent requests, which may be made by Mr. THORKELSON, which many of us feel constrained to do, unless the letter is withdrawn.

I had not intended to refer to the matter brought before the House a few days ago and referred to again yesterday, the formation of a committee known as the National Committee To Keep America Out of War, but apparently that is going to be brought up from time to time and I take this opportunity to say that I for one can see no objection to any group, even if they are Members of the House, forming themselves together as a committee for this purpose. I was invited to attend the meeting and I did attend the meeting at which time this committee was formed. I want the RECORD to show I am proud to belong to such a committee. The thought has been expressed that those who join such a committee imply that those who are not members of the committee want to lead the country into war. If some of us want to form an organization to perpetuate wildlife, that does not mean that all those who do not join that organization are in favor of the elimination of wildlife. In the remarks of the gentleman from Tennessee yesterday he referred to that same matter. It seems to me it is the old story of those who are on one side insisting they are simply sending out facts, while the other side is issuing propaganda. It is the old saying, "My organization and the other fellow's gang."

I checked up on this matter and find that the stationery used by that committee has been paid for either by the committee or through contributions received by the committee. No material has gone out under the name of that committee under anyone's frank. The postage has been paid on all mail put out relating to the work of the committee. I heard an offer made to the committee by a man who on his past record could have made good who offered to go out and raise $100,000 for the purposes of the work of that committee, which offer was declined because there was no need of any such huge sum. There are a great many people, however, who feel they want to contribute to such a cause.

Mr. KITCHENS. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Arkansas.

Mr. KITCHENS. I do not doubt the sincerity and desire of the gentleman who is speaking, but this particular organization has sent out, as I understand it, letters seeking contributions to enable it to carry on certain propaganda.

Mr. MILLER. To put out facts, if I may correct the gentleman.

Mr. KITCHENS. Are those contributions to be limited to people in this country and not to be accepted from people like this bund outfit up here? It is stated that this country is being flooded with propaganda by agents of Russia, Germany, and other countries. Will that committee accept funds from those agents?

Mr. MILLER. If the gentleman will read the names on that letterhead, I think he will feel perfectly confident they will have nothing to do with any German bund or any subversive organization.

Mr. KITCHENS. How can they tell?

Mr. MILLER. The committee will check the source of all donations.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. That committee will not try to sell the economic royalists our President's autographed books for $250 each, through the Postmaster General, and shake down millions of dollars of campaign funds for New Deal political propaganda purposes, which include distributing portions of the CONGRESSIONAL RECORD by majority employees under the dome of the Capitol at an expense of many thousands of dollars.

Mr. HOFFMAN. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Does the gentleman himself, or any Member on the floor now, know of any Congressman, whether or not he solicits a contribution, who would refuse one to his campaign fund so that he might be reelected, or who would refuse to send out from his own office in the House Office Building his own campaign material? Tell me the difference.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. I think the gentleman from Michigan has put his finger on the point. There is not any difference. It is a political campaign and that is what I objected to.

Mr. HOFFMAN. Does not the gentleman from Virginia permit his secretary to send out letters written on the Congressman's time to his own personal friends? What is the difference?

Mr. WOODRUM of Virginia. Asking for funds to influence legislation?

Mr. HOFFMAN. He uses Government time and Government stationery to answer his own personal correspondence.

Mr. WOODRUM of Virginia. Oh, yes.

Mr. HOFFMAN. Then the gentleman kicks on sending out letters asking for contributions to send out arguments designed to keep us out of war?

Mr. WOODRUM of Virginia. I kick on taking up a collection for a committee under the dome of the Capitol to influence legislation pending before the Congress. It has never been done before in the history of the Government and it ought never to be done again.

Mr. HOFFMAN. From the Postmaster General, who is also chairman of the National Democratic Committee, right on down the line—from the Government offices on Government time this administration solicits contributions for political purposes, and to aid in getting those contributions official pressure is applied. Does not the gentleman aid his

campaign by accepting contributions for his own election to further his own views and the views of his party?

Mr. WOODRUM of Virginia. Yes.

Mr. HOFFMAN. Surely; and what is the difference?

Mr. WOODRUM of Virginia. Does the gentleman admit that this is a political campaign? That is what I think it is.

Mr. MILLER. Now that we have disposed of that subject for the time being, at least, I should like to express the hope that when the neutrality bill, House Joint Resolution 306, finally reaches us in the House, we can have adequate time to consider and debate the bill properly. I certainly express the hope that when the bill reaches here partisanship will be completely eliminated. I would like nothing better than to see a row of chairs put right in this center aisle so that we can eliminate any division between the two parties. I would like to see the minority and the majority leaders exchange seats during this debate simply as a symbol that there is to be no partisanship.

I do not believe anyone on my right need feel any obligation or responsibility or loyalty to the President because he proposed certain provisions of the bill, and certainly no Member on my left should feel called upon to oppose any provision of the bill because it was proposed by the President, who is leader of the opposition party,

I asked for this time this morning, Mr. Speaker, not because I thought I had any great words of wisdom to impart but because I hoped to be able to make a few thought-provoking suggestions, and possibly raise a few questions in the minds of those who are in favor of repealing the arms embargo.

My good friend the gentleman from Texas [Mr. LUTHER A. JOHNSON], a few days ago, referred to the mail that he had received on this subject and mentioned that a good deal of it was undoubtedly put out by some organization that wanted to influence the outcome. I, too, have received an unusually heavy mail; at least, I am told by men who have been here a great many years that it is a heavy mail on any subject. Up until a few days ago; that is, from the opening of this special session until last Thursday, I have received from my district 3,212 letters or postal cards—that is, individual communications, and not including petitions—and only 373 of those were in favor of repealing the arms embargo.

I believe I should point out that I represent a district that has, within its limits, several munitions factories, and one of the largest manufacturers of aircraft engines and propellors. Among that mail were letters from men who are employed by a munitions factory, and by an aircraft factory, and these men said that while, undoubtedly, the repeal of the arms embargo would aid them in that they would get more money and would get overtime, they did not feel that the gamble was worth while, and they therefore urged that the embargo be continued.

Reference has been made to organized minorities sending these communications to Congressmen. I believe we can admit that that is just about 50-50—both sides are guilty. Out of the 373 communications I have received in favor of repeal, 126 were in the form of the postal card I hold in my hand, with my name and address printed on one side and the message printed on the other, leaving simply a space for the signature of the constituent. The message is this:

> It is your duty to uphold the President of the United States. Vote for the repeal of the embargo provisions of the Neutrality Act.

Certainly any constituent has the right to sign this card, but undoubtedly it would be classified as organized propaganda inasmuch as it was printed by some individual or organization. Further, I do not believe the question before this House is whether or not we are to uphold the President of the United States. This is something that each Member of the House and the other body must decide in answer to his own conscience, and to his own constituents. It is not a case of upholding or defeating the President of the United States.

I should judge from a good deal of the mail I have received that many who have written to me are hysterical. One might think that we were considering a declaration of war, rather than the enactment of neutrality legislation. I am not surprised that there is a good deal of hysteria throughout the country. There is a lot of it in my district. And why should there not be a good deal of hysteria when we read items such as the one printed in the Washington Post a week ago yesterday, purporting to be a War Department release, in which it was stated that the War Department had sent men to Chicago to issue instructions on the duties of a draft board. These things stir people up. If the people read that instructions are going out to potential draft boards, they, of course, think that war is just around the corner.

They also read that control of the Panama Canal has been taken away from the civil body and turned over to the Army, whereas the Panama Canal Act states definitely that this shall be done only in case of war or when war is imminent. There, again, it is not surprising that those who are aware of this situation rightfully feel that in the opinion of their Government war is imminent.

Throughout all the thought I have been able to give to this subject of neutrality, and throughout the debate I have listened to in the other body, and the excellent addresses that have been made on this floor, there keeps recurring to my mind this thought, "If only we could be sure"; because I am positive there is not a man in this body or connected with this Government in any capacity who would willfully or intentionally do anything that would lead this country into war.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I wish to inquire whether the gentleman does not believe it is a wise move on the part of our Government, in view of the espionage that is now going on in our own country, to take every precaution to preserve the Panama Canal and prevent any incident there that might obstruct it.

Mr. MILLER. Certainly, the Panama Canal should be protected, but I believe it could be protected under the control of the civilian authorities with the help of the Army. The Panama Control Act very distinctly states that control shall be turned over to the Army only in case of war or when war is imminent. I do not feel that war is imminent and we do not want the people throughout the country to believe that this is a step taken because war is imminent, because to many that means just tomorrow.

Mr. LUTHER A. JOHNSON. It is not a question of whether the civil or the military authorities do the work; it is a question of getting the results down there. It is highly important, as the gentleman will admit, to preserve the Panama Canal.

Mr. MILLER. Right; but I believe it could be done under civil authority.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield for a brief question?

Mr. MILLER. Yes.

Mr. DICKSTEIN. Does not the gentleman know that we have already convicted about eight or nine spies in this country representing foreign governments, who had in their possession certain plans for the purpose of destroying certain things that were quite important to our national defense?

Mr. MILLER. Yes; but most of those arrests and prosecutions were made by civil authorities and not by the military intelligence, and I believe control of the Panama Canal should have continued as it was.

Mr. DICKSTEIN. Do you not believe, in view of the fact which I have stated here two or three times, that we had at one time over 300 spies in this country representing foreign governments, that the Panama Canal would be the finest spot in the world to seek to destroy?

Mr. MILLER. I agree that it should have every possible protection. There is no doubt about that.

It seems to me considerable effort has been made on the part of some columnists to convey to the country the thought that this neutrality battle is all over. I read a few days ago—a week ago today, to be exact—an article by Jay Franklin appearing in a Washington paper, in which he said that the debate in the other body had petered out and that there

was only a lackadaisical interest in the debate on the neutrality resolution.

There is not a Member of this body who has gone over to the other body since the debate was opened but has seen a line extending all the way down stairs, with people from all over the country trying to get into the galleries. To be sure, there are empty seats, possibly, in the diplomatic gallery or certain sections that are reserved; but John Q. Public is very much interested in that debate, and the fight is far from over. All we have to do is to witness the interest evidenced on the part of the people who visit Washington, as well as those who write to us.

Before long we will have here in the House a Bloom bill; in fact, there is now nothing left of the Bloom bill as we passed it in the House but the title, and for that reason I have expressed the fear we will not have adequate debate when that bill comes back here.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. PITTENGER. Has there been any assurance given on the part of the leaders that some program is going to be worked out so that the bill can be debated fully?

Mr. MILLER. I have not had any such assurance, but I have confidence that the leaders on both sides of the House will insist on adequate debate under the rules of the House, and I will be very much surprised and disappointed if that does not happen.

There has been an effort on the part of a good many who have addressed themselves to the subject of repealing the arms embargo to misstate the issue now before the Congress. It is not a question of whether we shall repeal or whether we shall keep the arms embargo or whether we shall repeal it or shall accept the new resolution, House Joint Resolution 306. Certainly we can continue our arms embargo and then add other provisions or other measures that have been proposed that would certainly strengthen our neutrality. We can have the arms embargo and also have these other protective measures. The thing I am afraid of is that if we repeal the arms embargo we will start a chain of events that we cannot stop—a chain that will take us into war.

It has been said that the democracies of Europe are fighting our battle; that they are upholding democracy, that they are going to stop Hitler, that they are fighting our war. If there is any Member of the Congress who feels that is true, that it is a question of whether democracy shall survive, then why should we debate the provisions of a neutrality bill and discuss cash and carry? If I thought that on the outcome of this war depended the future and the continuation of democracy, as we know it in the United States, I would not waste any time discussing cash and carry. I would not say to those who are fighting our battles, "Yes, we will help you with munitions, providing you put the gold on the barrel head." If I felt that way I would be tempted to rush home and take the hand controls off the old "Chevvy" and put them on an airplane and go over and fight our own battle.

I think this country and the world generally recognizes the difference between arms and ammunition and other commodities. Arms and ammunition fundamentally and primarily are commodities of death, but all other commodities are fundamentally commodities of life. The criticism has been offered that our neutrality does not go far enough, that we embargo arms, ammunition, and implements of war, and then permit the unfinished material to be shipped to Europe. As I read the Neutrality Act, as it is now on our books, I see no reason why the President cannot add to the embargo list those materials that can be used to make implements of war. As a matter of fact, I think under any reasonable definition, copper tubing could be held to be of like character to copper shells, and if it is the failure of our Government that we have not gone far enough, certainly we can go further without repealing the act.

I have been interested to read a good deal of the diplomatic correspondence that passed between this Government and the Governments of Great Britain and France between 1914 and 1917, and through all of that diplomatic correspondence what is the only subject of controversy? It is not wheat, it is not cotton, not corn, but it is munitions—traffic in arms, and we find throughout that correspondence that that particular topic always recurs. Therefore, it is reasonable to believe and understand that our arms embargo is a symbol of honest neutrality. I ask you to think back to 1914, to 1917, and particularly during the fall of 1916, when President Wilson was re-elected on a platform or the slogan that he kept us out of war. I believe President Wilson was absolutely honest in his desire to keep this Nation out of war. I believe from reading the remarks of Members of Congress in this House, made in 1916, when they said they would support this measure or that measure, they would vote for this or that, but they would not vote to actually participate in war that they were sincere, and still, in less than 5 months from the time Mr. Wilson was elected in 1916, because of events beyond his control, we were actively in that war, and that is why I think there is very real danger that we are starting on a series of events, starting a chain of events, that will lead us into a position where we will have to eventually get into the war, that we will be taking the first step toward war if we repeal the embargo.

I shall read now a few quotations, very brief quotations, taken from the CONGRESSIONAL RECORD and some from correspondence between our State Department and the British State Department. First I read from the memoirs of Lloyd George in which he said:

> If we were interfering with America's potential trade with our enemies, at least we were providing her with a magnificent market in Britain, France, and Russia, which stimulated her industries to an unprecedented level of activity and profitableness. This fact had its influence in holding back the hand of the American Government whenever, excited to intense irritation by some new incident of the blockade, it contemplated retaliatory measures.

Further I read:

> Thus by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our case was lost. While British diplomacy maneuvered with skill to involve American industry and finance in the munitions traffic, it is certain that American business needed no compulsion to take war orders.

That is a quotation from the Life of Woodrow Wilson, by Ray Stannard Baker. Then further on we read of a cablegram sent by Ambassador Page to the Secretary of State in which he makes this dire prediction:

> Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and panic averted. I think that the pressure of this approaching crisis has gone beyond the ability of the Morgan financial agency for the British and French Governments.

That is from a cablegram from our Ambassador to President Wilson.

Mr. WOODRUFF of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. WOODRUFF of Michigan. As a matter of fact, was not that message given to the President of the United States less than 1 month before President Wilson appeared in this Chamber and asked the Congress to declare war on Germany?

Mr. MILLER. Less than 1 month.

> Thus by the end of 1914 traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of war had reached the vanishing point.

That from Ray Stannard Baker in his Life of Woodrow Wilson.

Now, is it not reasonable to say that if we repeal the arms embargo, in view of what took place in this country in 1914 to 1917, that we are, in all probability, taking the first step to war; that we are starting on a series of events which might well repeat the history of 1914 to 1917? That our whole economic set-up, that our industries, that our capitalistic structure will be geared up to supplying the European countries with war material, and no matter what happens we will find that we are facing a situation where we may then realize that we made a mistake in this special session, and we will

not be able to do anything about it in 1914, and more than could the Congress and the President in 1916 and early 1917.

I believe that this recent history is in the minds of those who say flatly that the repeal of the arms embargo is a step in the direction of participation in the existing war.

One more word about this thought that we do not go far enough in our embargo: At the present time we prohibit the sale of narcotics, but not other harmful drugs, such as veronal and barbital, that we know are harmful; and then we find marihuana being sold throughout the country. But does anybody get up here and say we do not bar veronal or barbital, and they are harmful to young people who are buying them, and wrecking their lives? Just because we do not bar those things nobody proposes that we lift the ban that we have on narcotics. Is it not just as reasonable to say that if we do not go far enough in our arms embargo, that the sensible thing is to go a little further? If those who feel that our present law is unneutral because Germany can obtain munitions coming from the United States, through other neutral countries, a very simple amendment would correct that evil, and it could be passed almost overnight. We would simply say that in the future we are going to embargo arms, ammunition, and implements of war to all countries. Then there will be no question of any of it getting into Germany illegally or getting into France and Great Britain illegally.

Mr. WOODRUFF of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MILLER. Gladly.

Mr. WOODRUFF of Michigan. As a matter of fact, does not the gentleman believe that inasmuch as it is the belligerents themselves who determine for themselves and for the rest of the world what contraband of war is, that we should confine our embargoes to everything that either of the belligerents may determine to be contraband of war?

Mr. MILLER. I honestly believe that. I said on this floor in June that as far as I was concerned, the profit on our foreign business with those countries at war is such a comparatively small sum that if I could have my way I would stop doing business with countries during the period of time they were at war. I would not worry about any financial loss.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. VAN ZANDT. Does the gentleman have the figures, in dollars and cents, covering arms and ammunition purchased by France, Great Britain, and Germany prior to the declaration of World War No. 2?

Mr. MILLER. I am sorry I do not have them here.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. PATRICK. Is it not true that an army marches on its stomach today, the same as it did in Napoleon's day?

Mr. MILLER. Of course it does; but I have tried to point out that in the minds of the people of this country and the world generally there is a difference between arms, ammunition, and implements of war, and food.

Mr. PATRICK. Where is the point of demarcation between the things that will aid a country at war and the things the gentleman first mentioned? In other words, if we follow the logic of embargo, why sell anything to any nation that is at war?

Mr. MILLER. I said I would like to do that.

Mr. PATRICK. Then, following that further, as other neutral nations do carry that on through, if the logic of the position taken by the gentleman is sound, why, then, when nations are at war, should this country sell anything to anybody?

Mr. MILLER. I just finished saying that is exactly what I would like to do, and the gentleman from Michigan [Mr. WOODRUFF] said he would like to embargo everything that is on the lists of the belligerent nations as contraband.

Mr. WOODRUFF of Michigan. As a matter of fact, I think the gentleman will agree that the belligerents themselves determine what shall be considered contraband of war, and I just said so.

Mr. MILLER. Yes. I now yield to the gentleman from California.

Mr. GEYER of California. I like what the gentleman has said. I like his philosophy today. I am particularly concerned with just exactly what his action would be if he would embargo everything to all warring nations, on the resulting unemployment, when I am mindful of the votes the gentleman cast when our W. P. A. bills were up here, to put 1,000,000 people off and refuse to put the other 1,000,000 on. I am wondering how the gentleman would react to that.

Mr. MILLER. I shall be pleased to answer the gentleman's question by saying that the goods that we will deliver to the countries now at war during the period of time they are at war will not amount to the snap of a finger in our unemployment problem.

Mr. GEYER of California. I think the gentleman is mistaken.

Mr. MILLER. It would not be the first time.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. ALLEN of Pennsylvania. Does the gentleman from Connecticut realize that for the past 10 years 40 percent of our export trade went to the British Empire and Dominions?

Mr. MILLER. Yes; I so understand. I would, however, rather pass that up than to have this country become involved in trade in the implements of war. In my opinion, we would be better off if we did not do business with belligerent nations at all during wartime, but at the same time I would insist that belligerent nations not interfere with our right to trade with neutrals. By developing trade with the neutrals we would far more than offset any loss we might sustain by stopping business with the belligerents.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield further?

Mr. MILLER. I yield.

Mr. ALLEN of Pennsylvania. Does the gentleman realize the disastrous effect of the embargo which was enforced in the administration of Thomas Jefferson? It nearly paralyzed our whole economy.

Mr. MILLER. There is a great difference of opinion about that. I do not think the gentleman's statement is necessarily absolutely correct.

Mr. ALLEN of Pennsylvania. Will the gentleman indulge me a moment further?

Mr. MILLER. Certainly.

Mr. ALLEN of Pennsylvania. Does the gentleman really believe that the United States, dependent as it is on imports of tin, nickle, manganese, and rubber, can isolate itself from the rest of the world? Suppose, in retaliation for this complete embargo, which it virtually would be, these other nations cut off our imports of those essential raw materials?

Mr. MILLER. Has there been any threat of retaliation because of our embargo?

Mr. ALLEN of Pennsylvania. Certainly they are not going to take it lying down.

Mr. MILLER. They have so far.

Mr. KITCHENS. Mr. Speaker, will the gentleman yield?

Mr. MILLER. For a brief question; yes.

Mr. KITCHENS. Does the gentleman realize that embargoes of one character or another have caused practically all the wars of the world?

Mr. MILLER. I do not agree with the gentleman.

Mr. LELAND M. FORD. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. LELAND M. FORD. Does the gentleman realize that if we were to embargo all these things it would have a tendency to drive that part of American industry which makes these munitions into foreign countries—into Argentina, Brazil, Canada—and that that would become a very live threat to our market in the depression that would follow the war? They would then put themselves in competition with our domestic manufacturers, and on the basis of competition get the greatest market in the world, the American

market. They would destroy our market by reason of their low-priced labor.

Mr. MILLER. I may say to the gentleman that so far as I am concerned, I am perfectly willing to banish from this country wartime trade in munitions.

As to the balance of the gentleman's question, I may say that I believe there is not a country in the world doing business with us today because they love us. They are buying from us because we have what they need at a price they can pay. They will continue doing so after the war is over.

Mr. LELAND M. FORD. That is true; but after the war the industries which have moved to those foreign countries will turn their machines from the manufacture of arms, armament, and ammunition into the manufacture of machinery and the commodities of peace, competing for the greatest market in the world. They will not bother us while war is on, but after the war is over they will flood our market with their cheap goods.

Mr. MILLER. Along that line let me read, in answer to the gentleman's question, what President Wilson said on the 26th day of October 1916 in a speech at Cincinnati, Ohio. He said:

> If you take the figures of our commerce, domestic and foreign included, you will find that the foreign commerce, even upon a modest reckoning of our domestic commerce, does not include 4 percent of the total; and the exports in munitions—and not merely in munitions but in everything that goes to supply arms—draft animals, automobiles, trucks, food directly intended for that purpose, shoes, clothes, everything that is needed by the commissary of an army—that all of these things put together do not constitute 1 percent of the total of our commerce.

Mr. LELAND M. FORD. I realize that that is true, and I, too, do not care about the 1 percent of our exports. The thing in which I am interested and about which I am fearful is the 99 percent of our market and the way it will suffer from competition from the outside. Their cheap goods will be imported into this country; we will not export. Those cheap goods will have a disastrous effect on the 99 percent of our own home market.

Mr. MILLER. The gentleman must remember that this is wartime, and those nations and people are not going to be bothering much about foreign trade while the war lasts.

Mr. LELAND M. FORD. But after the war they will get it.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 15 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CORBETT. While the gentleman is interrupted will he yield briefly?

Mr. MILLER. Gladly.

Mr. CORBETT. I would like, only because I happen to have done exhaustive research work in the period of history covered by the Jefferson embargos, to correct at least in part the impression that is left by the statements that the Embargo and Nonintercourse Acts helped involve us in the War of 1812 and certain other sequences. It is a matter of record that the Jeffersonian embargo was put into effect in 1807 and continued in effect only until 1809. The Nonintercourse Act was adopted as regards England and France as economic sanctions in order to force France to withdraw the Berlin and Milan decrees and in order to force Great Britain to withdraw the famous orders in council. In other words, those two measures were basically designed as economic warfare against England and France. If we recall our history a bit further, England and France were notified that if they withdrew their restrictions regarding our commerce we would withdraw our restrictions regarding theirs.

In the year 1810 France, by subterfuge, withdrew the Berlin-Milan decrees, and we lifted the Nonintercourse Act as regards that country. We might as well know once and for all that the embargo under Jefferson was an economic sanction and not a neutrality measure. Further, we might as well know that the embargo only affected the commercial sections of our country, and while it was economic hardship on those particular sections, the rest of the country suffered none at all in what was the most prosperous period, 1792 to 1812, in the history of the United States. I submit any reliable historian on that point.

Mr. MILLER. I thank the gentleman for his contribution, and I hope that in the next few days we can perhaps have that matter debated, because it is an interesting period in our history and of particular interest at this time.

Let us leave the subject we are discussing for the moment and direct our attention to the reasons this country had for the adoption of the Neutrality Act in 1935 and the amendments in 1936 and 1937. It seems to me that we adopted the neutrality law in 1935 for just one reason, because it was our thought it would be a step in the direction of keeping the United States out of some future foreign war. We never hoped it would stop wars in Europe, but we did hope, and I believe the Congress was right at that time, in believing it would keep us from becoming involved in any foreign wars.

Back of that I think the exposures of the Nye committee had a good deal to do with the action of the Congress at that time. Then, too, I think it was partly at least in response to requests of veterans' organizations in this country. I know for several years prior to 1935 the American Legion and the Veterans of Foreign Wars urged the adoption of a Neutrality Act. For these three reasons the bill was finally adopted in 1935, reenacted, approved, and amended in 1937.

There are many Members of the present Congress who voted for that Neutrality Act. I could insert in the RECORD editorials from newspapers in 25 leading cities of the United States approving the action of Congress in 1935 and 1937. The President of the United States in the strongest possible words approved the neutrality legislation in the Chautauqua, N. Y., address referred to by my colleague from New York [Mr. REED], where he made the much-discussed fool's gold speech.

It is well to be reminded of that, because the President in his message to Congress gave us as his unalterable opinion that repeal of the arms embargo would most likely keep us out of war. He based that statement on the fact that he had for a number of years been a student of international affairs and world peace. It is reasonable for all of us to believe that the major part of that "large number of years" or "long number of years" must have been prior to 1936. Yet in 1936 he said that this neutrality legislation had put new tools in his hands, tools he could use to keep us out of some future war. He issued the warning that the thing we had to fear most if war broke out on some other continent was the fact there would be thousands in this country who, through a desire for fool's gold, would urge repeal or evasion of the Neutrality Act. It is tragic to think of those who felt that way in 1936 now leading the move to repeal the act, perhaps not for fool's gold. I would not for a moment charge, and I do not think, that the President of the United States would willfully and intentionally do anything to involve us in a war.

However, being human, I think he may err, and from that error—and I believe this House has certainly indicated a belief that a repeal of the embargo would be an error—we might become involved in war.

In the President's message and in some addresses made on the floor of the House it has been urged that we repeal the arms embargo, repeal certain other parts of our Neutrality Act, and go back to international law. Most of us know that international law is simply what the most powerful nation in the world, the nation having control of the seas, chooses to say it is. It is rather interesting to note what one of the leading proponents of the new resolution had to say about our relying on international law in 1937. Speaking at the University of Nevada, Senator PITTMAN said:

> They proclaim we shall rely on international law. We will have our own restraining laws during war. We relied upon international law prior to the World War, and it was our undoing.

What has happened since to change the minds of these people who felt just 2 short years ago that to rely on international law would be our undoing, as it was in 1917?

I would like to ask this question, and I pause for any Member of Congress to answer: Is there any Member of this House who voted for the Neutrality Act of 1937 who heard any great amount of criticism of his vote when he went back home? I did not hear any. The man who represented the district I now represent came back and, like most of the Members of Congress in 1936 to 1938, was proud of his part in placing on our statute books the neutrality law.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Quite to the contrary. The Members of Congress who voted for the Neutrality Act were praised by their people for enacting a law which was one step in the direction of keeping this country out of any foreign conflict.

Mr. MILLER. It was used by Members of this House on both sides. They were proud of the part they played in the writing of that legislation.

It has been stated during the discussions we have had in the House that we should have dealt with this subject last June; that we should have passed the Bloom bill; then we would not have had to come back in special session. Still, it is said that one of the most important parts of this new resolution is the restriction on our shipping. The record of this House will show that if there is any responsibility for leaving the subject of the restriction of shipping out of the Bloom bill, that responsibility must lay with the majority members of the Foreign Affairs Committee. I quote from the CONGRESSIONAL RECORD, volume 84, page 7990, the words of my good friend the gentleman from Texas [Mr. LUTHER A. JOHNSON], where he stated:

> Mr. Speaker, for the information of the House, I am authorized to announce, in order to eliminate certain features of the bill which are objectionable to some Members of the House, the acting chairman of the committee [Mr. BLOOM], after consulting with a majority of the Democratic members of the committee, and with their concurrence and support, will offer amendments to change the bill as reported in the following particulars:
>
> (1) In section 2 of the bill, strike out the provision making it unlawful for citizens of the United States to travel on vessels of belligerent nations, and substitute in lieu thereof "that no citizen of the United States shall travel upon vessels of belligerent nations, except at his own risk."
>
> (2) Strike out all of section 3, relating to areas of combat operations.

If we had passed the Bloom bill as it was recommended to this House by the Committee on Foreign Affairs, in my humble opinion, we would still have been called back in special session to enact these necessary shipping restrictions.

Mr. CHIPERFIELD. Mr. Speaker, will the gentleman yield?

Mr. MILLER. Briefly.

Mr. CHIPERFIELD. Is it not also true that administration forces took out section 9, which made it unlawful for American ships to carry arms, ammunition, and implements of war to belligerents?

Mr. MILLER. I believe so; I am not sure.

There is no question in anybody's mind but that the vast majority of the citizens of this country have a very strong feeling in favor of the Allies, in favor of Britain and France, and that they want to see Hitler defeated, and Hitlerism and all it stands for eliminated from the face of the earth. With this sentiment I wholeheartedly agree. Let the most profane man in this House express his opinion of Hitlerism, and I will gladly accept it without dotting an "i" or crossing a "t."

While it may be all right and undoubtedly is all right, although not good psychology, for the people of this country to have that strong feeling, I do believe that when a Member of Congress comes up on Capitol Hill and goes to his office, or comes through the door onto this floor, he should bear in mind, always, that he is dealing with friendly nations. As far as I know, our diplomatic relations are not even strained with any nation on the face of the earth. We must keep before us the thought that we as Members of Congress, at least, are writing legislation that will affect not unfriendly but at least at the present time friendly nations.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. The gentleman has expressed his abhorrence of Hitlerism.

Mr. MILLER. Right.

Mr. ALLEN of Pennsylvania. Does not the gentleman realize that the present arms embargo certainly plays into the hands of Hitler?

Mr. MILLER. I do not know. I believe I can prove that it does not.

Mr. ALLEN of Pennsylvania. Some nations are strong land powers.

Mr. MILLER. Yes. Will the gentleman allow me to come to that point a little later? I have it here. If I do not cover it, I shall be pleased then to yield to the gentleman.

As we go on in this debate, I think I can truthfully say I do not care a rap what effect our legislation may have on Britain, France, Germany, Russia, or any other country on the face of the earth; but it does seem to me that we are reaching the point in this discussion, judging from the discussions on the radio, in the other body, and on this floor, where the question is becoming, not one of neutrality, but of how far we can go in "an act short of war" to aid the side the majority of our people want to see win. Let me quote very briefly statements made during this debate on the radio and elsewhere by leaders of the group that favor repeal; statements that, in my humble opinion, indicate that these men are not neutral and are not trying to write a neutrality act, but instead are trying to write legislation that will aid the Allies. I quote:

> Americans must do everything they can to hasten the victory of the Allies.

That by a Member of Congress, who must vote on this bill. Is that neutrality? Maybe it is right, but it is not neutrality.

> We must make it possible for Great Britain and France to get supplies. We do not need to ask whether the bill is neutral.

And again:

> The present law is not working neutrally in Europe.

And again:

> Let us forget impartiality, hence neutrality, and take sides and fight.

In my humble opinion, that is not neutrality.

> The Neutrality Act to which today we are considering amendments never was a neutrality act. It should have been called an act to keep the United States out of war.

In the name of all that is holy, what is the matter with that? If that is what the act is that we have on our statute books, then let us not amend it; let us not repeal it; let us keep the act we have which, as one opponent of repeal says, is an act to keep the United States out of war.

Another quotation:

> It favors the belligerents that we want favored by giving them a chance of coming here with their ships and buying our goods.

Then the quotation goes on that the present law has not worked neutrally in Europe.

It was said yesterday that we give aid to the aggressor and deny it to the victims of the aggressor. Those were not the exact words of the distinguished gentleman from Tennessee, who expressed it much better than I can, but that was his thought—that we before the war aided in the arming of Hitler and now we have denied to his victims the munitions they may need.

These points are easy to check. It is interesting to note that in the last 8 months this country has shipped abroad a total of $58,500,000 worth of arms, ammunition, and implements of war, $22,664.94 of which went to Germany and the balance to Great Britain, France, and her allies. If that is all that is bothering us, as I said in the early part of my remarks, a simple amendment barring the shipment of munitions to neutrals would carry out our purpose.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield to the gentleman.

Mr. ALLEN of Pennsylvania. Germany did not have to come over here and buy those arms from us. She took them

when she took Czechoslovakia and Austria. She took the great munitions factories of Europe by aggression.

Mr. MILLER. I will say to the gentleman that 2 years ago, which was before Hitler took Czechoslovakia, Germany was armed to the teeth, and I think the gentleman will agree with that.

Mr. ALLEN of Pennsylvania. Will the gentleman answer one question for me?

Mr. MILLER. If I can; yes.

Mr. ALLEN of Pennsylvania. Does the gentleman think that Hitler wants the present arms embargo repealed or maintained?

Mr. MILLER. Well, if I answer that with just the thought that comes to my mind, you may say that I am rude, but I honestly feel that I do not give a darn what he wants. [Applause.] I do not mean to be rude.

Mr. ALLEN of Pennsylvania. Does not his attitude or the attitude of his controlled press show that the arms embargo is a great aid to him at the present time?

Mr. MILLER. The controlled press?

Mr. ALLEN of Pennsylvania. His controlled press.

Mr. MILLER. That is something that we might be able to debate in the next few days, and the thought was expressed by the gentleman from Mississippi [Mr. RANKIN], I believe yesterday, that because of the submarines in the Atlantic it was quite possible that the shipment of munitions through the Pacific and then into Germany would be much easier than such shipments to the Allies, which was an interesting thought.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. DONDERO. As a member of the Foreign Affairs Committee for 2 years, does not the gentleman think that we exhibited a good deal of short-sighted statesmanship in this Chamber in not visualizing in advance the exact situation that confronts us today?

Mr. ALLEN of Pennsylvania. The gentleman knows how I feel from the amendment which I offered at the last session.

Mr. MILLER. I was coming to that and was going to say that when the matter was before the Congress in 1935 and 1937, we knew then that Great Britain and France were sea powers and that Germany was a land power, and that these other land powers conceded that they were going to be the victims of the Versailles Treaty, and the proponents of the Versailles Treaty knew that. We knew that in 1935 and 1937, and still we wrote the law, knowing that and knowing what the most likely outbreak was going to be.

I think I have time for just about one more thought. Within 48 hours of the opening of this session I made inquiry of our State Department and asked one of the able men over there if he would suggest to me four or five names of men whom they considered outstanding authorities on international law, because I am not even a common garden variety of lawyer and I wanted some good advice. I had submitted to me five names—Professors Jessup and Hyde, of Columbia, and Professors Beamis and Griswold, of Yale, and another one whose name I do not recall, but he was secretary of the Wickersham committee in 1926, a committee appointed to codify international law. I wrote these gentlemen and asked them whether, in their opinion, repeal of the arms embargo under existing circumstances would be an unneutral or an unfriendly act, and all five of them said it would be, and Professors Jessup and Hyde have outlined their position in letters appearing in the New York Times, which have been inserted in the CONGRESSIONAL RECORD.

It is interesting to note that they all agree that we cannot repeal the arms embargo, but none of them say that we cannot change our Neutrality Act. We can change our Neutrality Act to strengthen it, but we cannot change it in order to help one or the other of the belligerents, and this, in my opinion, is the difference between repealing the embargo and putting into effect the cash-and-carry provisions on other commodities that may be just as useful, because the cash and carry is distinctly a strengthening of our neutrality, and writing into law the terms under which we will sell those commodities, and it does not in any way deprive any nation from getting supplies, because every Member of the House knows that every country can, if it wants to, put its money on the line for the supplies they need from the United States.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. MILLER. Yes.

Mr. HOUSTON. Would the gentleman tell us in dollars and cents how much was spent by the Allies in this country during the first World War for guns and ammunition?

Mr. MILLER. I have not the figures here.

Mr. ALLEN of Pennsylvania. Mr. Speaker, if the gentleman will yield, while I cannot answer the question as the gentleman from Kansas puts it, I can say that our sale of arms and ammunition amounted to less than 10 percent of our total exports.

Mr. MILLER. I was going to say that I think we overrate arms and ammunition, and, as a matter of fact, many of the Members here will remember that we could not furnish our own arms and ammunition even when that war closed because we were still using French planes and French guns.

Mr. HOUSTON. And we were drilling our soldiers with broomsticks.

Mr. MILLER. Yes.

Mr. HOUSTON. I do not think in the event of repealing this law we will sell any guns and ammunition to amount to a tinker's dam.

Mr. MILLER. Yesterday my colleague from Tennessee [Mr. COURTNEY] expressed the thought that repeal would improve our national defense. The effect repeal of the arms embargo would have upon our national defense is one thing that would cause me to vote against repeal, and I base that statement on the experience of 1914 to 1917, because we find in 1917, when we went to war, that our munition factories were geared up and tooled up for foreign governments. Most of those factories were in my own State of Connecticut, and when our own Government wanted rifles we found that it would take so long to change over from the tooling necessary for Enfield to turn out Springfields that our own Government had to take Enfields, admitting that they were an inferior rifle; and when we were discussing the preparation for bringing our aircraft up to the strength we think it should have it was brought out that it would be impossible to meet our own needs in less than a year, and I am informed by the best opinion that I can get that, with our own aircraft industry geared up as it is, it will take about 14 months to turn out our own needs.

The SPEAKER pro tempore (Mr. POLK). The time of the gentleman from Connecticut has expired.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. MILLER. Yes.

Mr. MURDOCK of Arizona. Has the gentleman in mind answering the question put a moment ago, whether the keeping of the embargo is and will be a definite aid to Hitler?

Mr. MILLER. I shall try to answer it. It is a matter of opinion.

Mr. MURDOCK of Arizona. I am waiting for that answer, as it is a matter of great interest to me. I certainly do not want to aid the dictators. I hold that our own long-range interests and safety are paramount.

Mr. MILLER. I do not think it has any effect on Hitler. I think Hitler is armed to the teeth and that with their resources they do not need our munitions.

Mr. MURDOCK of Arizona. I wanted to get the gentleman's view on that point.

Mr. MILLER. It is only a matter of opinion.

Mr. PIERCE of Oregon. Mr. Speaker, will the gentleman yield?

Mr. MILLER. Yes.

Mr. PIERCE of Oregon. I do not want to interrupt the interesting discussion, but is it not a well-known fact that there are many airplanes now on the Atlantic border ready to be shipped across the ocean if the embargo is repealed?

Mr. MILLER. Yes.

Mr. PIERCE of Oregon. Is not that an aid to Hitler, in denying England and France those planes?

Mr. MILLER. I may be all wrong, but I have tried my best to find out, and I honestly doubt that there is any shortage of airplanes or munitions in either Great Britain or France, and the probabilities are that there will not be for at least a year. I think they are well equipped for a year, which would cause me to believe that there is no need for rushing into this thing. Circumstances may change, and, rather than see Hitler win, we might want to take some other position.

Mr. PIERCE of Oregon. Is it not a well-known fact that they have millions of money in this country, put here months ago, with which they bought these planes?

Mr. MILLER. Yes.

Mr. PIERCE of Oregon. And if what you say is true, why did they buy many planes many months ago?

Mr. MILLER. For a long war, I would say.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. AUGUST H. ANDRESEN. They have been selling us gold for the last 4 years and we have been paying them a premium of $14 an ounce on it. They have sold about $8,000,000,000 worth of it——

Mr. MILLER. Let us not get into gold. [Laughter.] I would like to insert this letter in the RECORD. It tends to prove that our Government in 1915 took the position that to repeal the arms embargo, or in that case it was to put on an arms embargo, would be an unneutral act. I want to quote from this letter of the Secretary of State in 1915, in which he replied to Germany's objection to our furnishing ammunition to the Allies. The Secretary of State said:

> This Government holds that any change in its own laws of neutrality during the progress of a war, which would affect unequally the relations of the United States with the nations at war, would be an unjustifiable departure from the principle of strict neutrality. The placing of an embargo on the trading in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States.

It is just as true today, in reverse English, as it was in 1915. It has been said on this floor that every other neutral who can do so, is selling arms to warring nations; particularly, it has been emphasized, to Hitler. There again I sat down and wrote to 12 of the embassies in Washington and asked them what legislation their countries had and whether they were embargoing arms at the present time, and in some cases whether they did during the World War. I found out from those various embassies that at the present time Belgium, Denmark, Sweden, Holland, the Netherlands, and numerous South American countries are not permitting the shipment of arms, munitions, or implements of war beyond their own borders. Most of them are what we would like to think of as the great neutral powers of Europe. It is with those powers and countries like that, countries like Switzerland, that I want to see the United States at least tied up with in thought.

Now, suppose the Congress in its wisdom decides, whether it is neutral or not, we are going to pass this resolution, and we do not care whether it is neutral. I would like to direct attention to the Pacific coast, because I am sure the people of this country who want to aid Britain and France do not want to aid Japan. That is just what you will do if you repeal the arms embargo, because you take away from Japan the only excuse they have for not declaring war. They would then declare war, and in the Pacific Japan is the country that controls the sea, and China, the victim of the aggressor, is the country that will suffer. We cannot legislate for the Atlantic in one way and for the Pacific in another. I would like to have time to develop the effect of repeal of the arms embargo on Japan. Perhaps that can be done at some other time.

One other thought: About 10 days following the address of the President of the United States to Congress, I went to the Library to see if I could find out the reaction of the European press, because, after all, we like to know what the people of the world are thinking about us. Without exception, every paper I found took the position, and I think rightfully so, that the United States was taking sides; that we were going in with our own Allies to a limited extent; that we were going into the war on the economic front against Germany.

That came up in 1914 to 1917. It is surprising how many of these things we face today we can find the answer to in the history of 1914 to 1917. On May 8, the day after the sinking of the *Lusitania*, Ambassador Page reported that the official opinion in Great Britain was that the United States must declare war or forfeit her self-respect. The President said it was a serious thing to have such things thought, because everything that affects the opinion of the world regarding us affects our influence for good. That is just as true today.

I saw an interesting quotation the other day from the Windsor Daily Star, in which they say that the arms-embargo clause of the Neutrality Act will be repealed "for a starter" and "next, America will be in the war along about the middle of January."

If I can express just one closing thought: I hope that we can try to keep our feet on the floor; that we will not be influenced by partisanship, and that we will not get unreasonable. I saw a statement the other day referring to Lindbergh's speech the other night in which it stated, "Lindbergh's speech encourages the ideology of the totalitarian governments and is subject to the construction that he approves of the brutal conquest of democratic countries through war or the threat of destruction through war." It is those unfavorable and unreasonable statements that affect the thinking of this body and the people of our country. To say that anything that was said in Lindbergh's speech could fairly have that construction put on it is beyond me.

So I just want to express this thought: That while we are waiting for the other body perhaps we can give some thought and consideration to the matter that is now before the Dies committee. In other words, that we put our own house in order; that we can remove from this country those who are here in an effort to undermine our Republic, to spread nazi-ism and communism; and if we would direct our efforts to that there would not be any time wasted and we would be very busy Members of the House between now and the time the bill comes from the Senate.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. HILL. Why do not those of you who oppose repeal of the embargo, in order to be consistent, insist on the embargoing of all goods that may be considered contraband?

Mr. MILLER. If the gentleman was here during the last hour he will remember that I said definitely that I certainly did favor that.

Speaking of embargoes, many of us seem to have forgotten that we have an embargo on helium gas, but I hear no agitation to withdraw it because that would help another side from the side many proponents of repeal want to help.

I thank the Members of the House for their attention. As I said, I had no words of wisdom, but if I have created a little thought and discussion it has been worth while. I know I have enjoyed these informal discussions very much this past week, and I hope they may continue. [Applause.]

The SPEAKER pro tempore. Under the special order of the House heretofore entered, the gentleman from New York [Mr. REED] is recognized for 15 minutes.

WAR AND THE RECIPROCAL-TRADE AGREEMENTS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain tables to which I refer.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, the country, and particularly the House of Representatives, has become so absorbed, so excited, about the war now raging in Europe that I fear we are forgetting some of the important things relating to our country here at home. We have some very serious domestic problems, and much as we may be interested in the question of neutrality, we must not forget those large groups in this country which, perhaps, are suffering great injury at the present time.

While the debates in the Senate concerning the embargo are attracting national attention, a situation has come about of which the administration must be cognizant, and which threatens the gravest damage to American agriculture and American manufacturing.

Unobserved, undetected, amid the excitement of the conflict abroad and the discussion of the proposal to repeal the embargo, this situation concerning the trade treaties has not only come about but has practically reversed, in our trade with several countries, the position of the United States—to the grave detriment of agriculture and manufacturing interests.

I therefore, Mr. Speaker, believe it is of exceeding importance to expose this situation to the gaze of the country at this time. It has already come to my attention that industrial leaders are much alarmed over this and are endeavoring to set up machinery to protect them from day to day against impending disaster. Unfortunately, the farmers of this country have no means of setting up such instrumentalities to protect themselves. The Congress of the United States is their only hope. Are we going to neglect them? Are we going to abandon them to the ravages of foreign competition?

I want the Members who are interested in this farm problem to give thought and attention to this. I must admit that these things had not occurred to me until a few days ago, but I know how the dairymen in northern New York and other parts of the United States are suffering these days; I know how hard they are pinched; I know that our farm markets are being invaded, and there must be some reason why this is so at this special time.

The major effects of any war are felt by the belligerent nations. There are, however, serious repercussions which materially affect the trade and commerce of neutral nations. New forces are brought into play which make it necessary for every country to examine its trade policy in light of changed conditions, and trade conditions are changing with lightning rapidity.

For 5 years the United States has been operating under the reciprocal trade agreements program. This program was designed to increase our foreign trade by reducing American import duties in return for which foreign countries reduced duties on goods from the United States. These treaties were concluded in peacetime and assumed a continuation of normal trade and economic activity in the world. Even in normal times the agreements have proved a real hardship to many American producers. Since hostilities began, new elements have entered the picture which should provide additional hardships to domestic producers.

By far the most important immediate effect of the war is the depreciation of foreign currencies in relation to the American dollar. Thus it will be noted that from November 19, 1938, to September 15, 1939, less than a year, the British pound declined 21.1 percent in relation to the dollar; the French franc declined 66.8 percent from May 9, 1936, to September 15, 1939, in relation to the dollar; and the Canadian dollar declined 9.7 percent from November 19, 1938, to September 15, 1939, to mention only a few examples.

The following table shows all the European countries with which agreements have been concluded, and Canada; the date of signing the agreements; the average weekly exchange quotation most closely approximating the date of signing; the exchange quotation as of September 15, 1939; and the percentage change between the two periods:

[In dollars]

Country	Date agreement signed	Average weekly exchange quotation		Exchange quotation on Sept. 15, 1939	Percent change
Belgium	Feb. 27, 1935	0.2350	(Feb. 23, 1935)	0.1706	−27.4
Sweden	May 25, 1935	.2563	(May 25, 1935)	.2382	−7.1
Netherlands	Dec. 20, 1935	.6790	(Dec. 21, 1935)	.5316	−21.7
Switzerland	Jan. 9, 1936	.3278	(Jan. 11, 1936)	.2263	−31.0
France	May 6, 1936	.0658¾	(May 9, 1936)	.0219	−66.8
Finland	May 18, 1936	.0220	(May 16, 1936)	.0203	−7.7
United Kingdom	Nov. 17, 1938	4.72 1/16	(Nov. 19, 1936)	3.73	−21.1
Canada	——do——	.9921	(Nov. 19, 1936)	.8962	−9.7

Source: The Annalist, annual numbers for 1936, 1937, and 1938; the New York Times, Sept. 16, 1939.

Depreciation of one country's currency in relation to another imposes a heavy burden on the country whose currency remains at the old level. The effect is two edged. In the first place, it raises the price of American goods to foreign buyers in terms of their own money. As an example, if an article costs $5 in American money, English merchants formerly were able to obtain it for approximately £1. Today the same article would cost approximately £1⅛, a 20-percent increase in price. Not only should this mean a decline in demand for American goods but also a large diversion of trade from the United States to other countries which compete for the British market in the same goods. As an example, prior to the British-American agreement, Canadian lumber enjoyed a 10-percent preference in the British market. Under the terms of the agreement, this preference was reduced to 4½ percent. Even under this rate, American lumber producers had real difficulty competing with Canada. Today, however, Canada's preference is greater than at any time. The Canadian dollar has depreciated 9.7 percent in relation to the American dollar. Add to this the preference of 4½ percent and Canada has what amounts to a preference of over 14 percent.

The second and most important effect of trading with countries having depreciated currencies is the new ease with which they can sell to us. Depreciation of one currency in relation to another has the effect of reducing the price of articles imported in terms of United States dollars, or, expressed in another way, of reducing the tariff on the articles. As an example, if an article cost £1 in England, American importers had to pay $4.72 for it at the time of signing the agreement. Today, however, this article costs but $3.73. Carrying the example further, if the duty on the article is 10 percent ad valorem, the total cost of the article to the American importer at the time of signing the agreement would have been $5.19. Today this same article, after payment of duty, costs but $4.10, 62 cents less than it would have cost had the article been duty free a year ago. Thus we are actually subsidizing imports of goods which we produce.

There is a partial remedy for this situation. In all the agreements concluded with the European countries and Canada, provision is made for termination of the agreement if at any time variations should occur in exchange rates which either Government considers so substantial as to prejudice its industries or commerce. This is, of course, a discretionary provision as Congress set no limits of variation. It would seem, however, that variations of 7 to 67 percent would eliminate all exercise of discretion and make negotiation mandatory.

It will be said by many that, though depreciation would impose hardships on American producers in normal times, in times of war belligerents are too busy supplying their own needs and neutrals are supplementing belligerent needs rather than trading with other neutrals. Experience in the World War, however, does not bear this out. From 1913 to 1919, United States dutiable imports increased 46.1 percent. Dutiable crude foodstuffs, however, increased 101.9 percent and dutiable manufactured foodstuffs increased 165.2 percent. Over this same period dutiable finished manufactures declined 18.8 percent.

Total imports of dutiable goods and imports of selected dutiable economic groups, 1913 and 1919

	1913	1919	Percent change
Total	$825,484,000	$1,205,662,000	+46.1
Crude foods, etc	31,917,000	64,444,000	+101.9
Manufactured foods	183,354,000	486,304,000	+165.2
Finished manufactures	311,057,000	252,602,000	−18.8
All other dutiable imports	299,156,000	402,312,000	+34.5

Source: Statistical Abstract of the United States.

This adequately indicates the conduct of belligerents during war. Crude materials and foodstuffs require little manpower and are thus used to build up foreign exchange with which to buy finished manufactures, which require many men and heavy plant investment. The heaviest part of the burden, therefore, will probably be borne by the farmer. Canada, possessed of valuable tariff concessions and a depreciated

currency, may well flood this country with agricultural products in sufficient volume to break our prices.

In conclusion, a program which permits goods from countries which have depreciated currencies to enter the United States at duties which in many cases have been reduced 50 percent is diametrically opposed to the best interests of American agriculture and industry, and the State Department should avail itself of the privilege of negotiation or repeal of the various agreements looking toward fairer treatment of American producers.

Mr. Speaker, unless the administration moves forthwith to terminate the affected treaties, then the only hope of American agriculture is for the Congress to refuse to renew this policy when the act expires in June 1940.

If it were not for the fact that this special session will consider no subject other than neutrality, I would introduce a resolution calling upon the administration to exercise the right to terminate the treaties in accordance with their provisions for the protection of our domestic interests.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. CRAWFORD. As a matter of fact, we know about as well as we know anything that the State Department—and the administration, too, for that matter—is going to march straight ahead in the consummation of these trade agreements. Taking the gentleman's presentation here, which I think is an outstanding one, we find the following situation: Our State Department this very day is holding hearings on the Argentine trade proposal. In the August 23 announcement, Under Secretary of State Welles said that he feels that the consummation of that trade agreement will be one of the outstanding accomplishments of this administration in the field of international relations. He takes the position that this is the opportune moment in which to consummate the agreement. He takes the position that it will accelerate and better perfect the good-neighbor policy. The Secretary also takes the position that the trade agreement is necessary in order for us to regain trade which was taken away from us at our expense by "certain European countries," as he designates them. When we get into the inside of the proposition, however, it appears that England went to Argentina and said: "We propose to invest hundreds of millions and perhaps one or two billions of dollars in your territory; we are your largest customer; we take the greatest percentage of your total exports; we, therefore, want you to allocate certain amounts of your exchange, which is created by our investment and our buying of your goods, for the purchase of English-made goods."

I now want to submit this question to the gentleman from New York: If England is to ship manufactured goods to Argentina as best she can under the circumstances, if England is to continue investing great sums of pounds sterling in Argentina, as she has done heretofore, on what ground can the State Department hope to recover the trade of Argentina in our favor as against its going to Britain, when we are not in position and when it is not our policy to make similar investments in Argentina, when it is not our policy to purchase from Argentina the foodstuffs and the raw agricultural products which England necesarily must have; in other words, is there not a fallacy in the State Department's proposal to put into operation trade agreements at this time which brings in only agricultural products to compete with the American farmer? Will the gentleman comment on that?

[Here the gavel fell.]

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I agree with the gentleman from Michigan. Any time a person takes the floor here and states his honest opinion in regard to the effect of trade agreements, there is a certain group here that feels he is talking politics. I am interested in the farmers of the country. I represent a farm district and I know they are the backbone of the country. I also know their market is being taken away from them and laudable as the idea may be on the part of the men down there in the office of the Secretary of State, who think they are going to placate these people in South America, that they are going to create a greater trade and finer international relations, that may be true, but just so long, of course, as we will furnish the money, just so long as we will lend them money, and just so long as we will give them our hide and our soul they will smile and applaud us. Let me give you one thought in this 1 minute, and this is a rule you can put down as absolutely sound. The buyers of the world are going to buy where they can buy the cheapest, where there is the lowest cost of production.

[Here the gavel fell.]

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED] may be permitted to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. HARE. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from South Carolina.

Mr. HARE. Does the gentleman think that returning to the high protective tariff of 1930 will restore trade relations to what they were in 1929, or would that follow the action that took place after the 1930 tariff?

Mr. REED of New York. As I stated, just the minute you talk about a trade agreement, or the tariff itself, of course, you immediately get into a political discussion. If you are really and truly interested in the welfare of your country and dismiss politics, you must then admit that we have the best cash market in the world. There is only one answer. If you are going to keep that market for your people, you have to protect it. If you open it wide to the rest of the world, you are going to injure the farmers of this country.

Mr. HARE. We tried that in 1930, I think.

Mr. REED of New York. I want to say one thing more in regard to the question of buying. It so happens that away back in December of 1917 I sat in a group of men who were interested in conducting the war in England. It was a round-table discussion. It was a luncheon. I happened to sit next to the man who did all of the buying of the food for the British Empire during the war. He told me with great enthusiasm that they had contracted for all the beef they would need from South America for 4 years of war. Why were they doing that? Because they could get a better bargain. They will do it with everything else they may need. They will go into the market where they can buy the cheapest. We must not import foodstuffs to the detriment of our own farmers. The only ones who made anything out of the last war prices to speak of at all were the speculators. The farmers did not get a high price for their wheat. The speculators had contracted for it at a low price. They extended their acreage, just as your own President said at Chautauqua last year.

[Here the gavel fell.]

TRADE AGREEMENTS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to speak for 1 minute.

The SPEAKER pro tempore. Is that agreeable to the gentleman from Alabama [Mr. PATRICK], who has time to address the House?

Mr. PATRICK. Yes. Let him talk as long as the Members will listen to him.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN]?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I thank the gentleman from Alabama [Mr. PATRICK] for his courtesy.

I want to back up what the gentleman from New York [Mr. REED] said in his speech just now concluded. There are several Members here who were present yesterday at the

hearings before the Committee for Reciprocity Information. The Senator from Texas made the statement at that time that had he known what he knows today he would never have voted for an extension of the right given to the administration to enter into trade agreements. He further stated he regrets today his vote upon that issue.

Mr. Speaker, it is my firm conviction, my personal opinion, that the proposed Argentine trade agreement is one of the most serious questions facing the Nation today.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MAPES. Mr. Speaker, I ask unanimous consent that on Monday next after the reading of the Journal and disposition of matters on the Speaker's desk, and at the conclusion of other special orders heretofore entered, my colleague the gentleman from Michigan [Mr. ENGEL] may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. MAPES]?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that on Tuesday of next week, after the reading of the Journal and following any special orders heretofore entered, the gentleman from Pennsylvania [Mr. ALLEN] may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER pro tempore. Under a previous special order, the gentleman from Alabama [Mr. PATRICK] is recognized for 25 minutes.

NEUTRALITY

Mr. PATRICK. Mr. Speaker, my reason for getting this time today is to discuss with you the subject we all have on our minds, the subject the whole country is talking over at this time, neutrality. Everybody is thinking about it. What the people of the country want is a workable neutrality, not merely a theoretical neutrality.

The Europe of today is suffering a relapse into the Europe of yesterday. The lion and the unicorn are at it again. They have been at it repeatedly for several thousand years and are at it again. It is a temptation to us to say, "What will happen to us if the lion wins or if the unicorn wins?" and then start trimming our sails with an eye to this or that result; but I suppose to be 100-percent neutral we should have to deny ourselves of even this privilege.

The country we live in and the people for whom we are voice and vote here today have convinced us of one thing, that they do not wish to get into any war, so the question up to us is simply this: How are we going to handle this matter? How may we conduct our business so that we stand the slightest chance of getting into the war? How should we as Representatives of this Nation behave ourselves? How may we best recognize peril and avoid its consequences? These are merely different ways of stating this one question. America is anxious for peace and is willing to behave itself so that it may hold onto peace, but that may be a great deal more easily said than done.

Our imagination is moved as we see the peoples of Europe dancing around the spluttering powder keg as we witness the ceaseless conflict, the confusion of purpose, strange echoes of controversies that ought to have been long forgotten, leaders willing to see a world on fire rather than give up a point, the mad desires; yet all this is our own world, our own little world, the world we live in. These are our kinsmen; indeed, the folks from whom we sprang, relatives, and we must live with them and deal with them as neighbors and be thankful to high heaven the ocean is as broad as it is. We must watch for the guiding light of our star of safety and lift our hearts to the Lord of Hosts. We must seek the best peace counsel, but what is the best peace counsel? What is before us? What are the conditions of our present embargo law and how does it work? What does it purport to do and what does it actually do? Does it do what it is set up to accomplish? What is this cash-and-carry amendment so anxiously recommended by the President and the Secretary of State and how will it work? Are the Senators and Congressmen, representing the people in Washington, running about, one bunch trying to do everything the President says without due consideration and another group opposing the President regardlessly? What is the whole picture here?

To begin with, this war does not look like any breakfast spell. It looks as if the world is in for a long, hard, heavy war—one that will take an awful toll. We in this Nation must make plans that will stand up and endure the whole siege and still hold us in peace and security, even when the noise of a warring world is thundering in our ears; all no doubt through long months and through peculiar shifts and changes that we cannot see or understand. We must watch that we do not do that which seems neutral today, but which plants seeds that will prickle us tomorrow. We must consider the probable rebound and the natural reaction of every blow we strike today for peace and neutrality.

Our primary question is the proposed repeal of the arms-embargo section of the Neutrality Act. As you know, this act was adopted by Congress and became law in 1935. Then, in 1935, there was added to the law the cash-and-carry provision, inspired, I believe, by the war at that time going on in Spain.

The act then underwent an overhauling at the hands of the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations, and then became the law of the land. The main amendment inserted in the 1937 act dealt with a certain commodity embargo; indeed, it was a cash-and-carry provision. Remember, this was in 1937. This provision prevented any shipment of general supplies and commodities under our flag on any vessel of ours to any nation at war.

Unfortunately, however, when passed, this cash-and-carry provision was placed on only a 2-year basis, and, again unfortunately, it expired on May 31 of this year. Then was when our present law took on its present status. Very many persons who have written and wired their Congressmen and who are still doing so do not seem to know this, a fact often revealed by their communications. So I am afraid that Mr. FISH's specially built committee overlooked the active emphasis on this point. The group hatched up here by Mr. FISH; that is, under the special Fish hatchery, has perhaps not covered the entire ground. Of course, there is a lot of ground to cover; it encircles the globe.

The neutrality law as it now stands allows any and all of the makings of munitions of war to be shipped to any or all fighting countries right today, on our vessels, manned by our seamen, under our flag, and that is now being done every hour. The cash-and-carry plan would not allow this. It would not permit anything to be shipped to a warring country.

As you know, the bill under consideration is House Joint Resolution 306.

Here is exactly how that part of it reads. This is section 2 (a) of the cash-and-carry plan:

> It shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

Then section 1 (a) provides that upon a proclamation of the President or the Congress by concurrent resolution declaring a state of war to be in existence, the cash-and-carry proposal is to be levied against any nation involved.

They not only can, but now are, doing a tremendous traffic on the seas. This is one hundredfold more dangerous than the cash-and-carry plan that is proposed. Let us suppose something happens that is most likely to happen. I know we are not convinced by one of these remote things that may happen, but let us take as an analogy a thing that not only can happen, but is most likely to happen. Suppose under the embargo as it stands, a shipment is going from America to the heart of Europe, which is being done now in our ships, and suppose when it gets out it may have on it mercurochrome, iodine, or other medicines, or it may have foodstuffs, or may have the makings of the high explosives that are instruments of death, for that matter. As a matter of fact,

as far as the facts are concerned, one may now put on one vessel everything required to make the most deadly instrumentality of war, just so you put one thing in one part of the vessel and one thing in another; and you know the nations of Europe are not going to order from us, in the first place, if they have the makings in their own nation.

So that is the trouble with an embargo. Embargo legislation was entered into in good faith by Thomas Jefferson. He espoused the cause, and it was begun as a partial embargo and in developing the theory they made it a long embargo, and you remember they called it the "O grab me law," and New England threatened to secede from the Union before it was over. That was one flag of Thomas Jefferson that did trail in the dust, and in the very last months of his administration he worked hard to wipe that blot, as far as he could, from the escutcheon of his administration.

So when we analyze it, the embargoes are not so good.

Now, take the example. What would happen? If a vessel got out on the high seas, beyond the 3-mile limit, manned by American boys, floating the American flag, and it was scuttled and sent to the bottom, what would be the reaction here? Warlike, indeed. We would wail that the American flag had gone under the waters. Streamer headlines would be in all our papers and in our motion picture shows, and in a little while with two or three affairs like that happening we know what the result would be—war.

Then take the cash-and-carry plan and let the same thing happen, even though it were a loaded cannon or assembled armored planes or motortrucks, and the vessel should get beyond the 3-mile limit only to be mined or torpedoed and blown up on the high seas. What would be the reaction here—warlike? No, indeed. No; our ship would not be sunk, our boys would not be drowned, our flag would not be sent beneath the waters. We would have the money, and it would not be our vessel and, therefore, there would be no reaction of consequence.

This is the reason, in my opinion, Mr. Speaker, that the President said that this is the peaceful way, and I ask you what sense there is to a theory that, with over 10,000,000 people now out of work here, we shall hold to a law that results in having things done in Europe and Canada and other places that would ordinarily come here where the manufacturing should naturally be done? What is the difference, in the last analysis?

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Yes, I yield to the able Congressman from Georgia.

Mr. COX. I am interested to know if the gentleman contends that the arms embargo provision of our present law is in itself unneutral and, if so, why? And what is the gentleman's opinion as to the reason for this urgency for the repeal of that provision of the law, and entering upon the sale of our war materials?

Mr. PATRICK. I shall gladly answer that.

Mr. COX. In other words, if the gentleman will permit me to amplify the question, is the matter we are now considering, in the opinion of the gentleman, really in the interest of peace, or is it an effort to obtain business, and to express a sympathy for England and France at the risk of the peace and security of this Nation?

Mr. PATRICK. The repeal of the present embargo and the enactment of the cash-and-carry plan that will let us sell our own stuff, and sell it at our own door, is, in my opinion, more free from any element of intervention than any other course open to us; and when it comes to a practical application of it, it is less hypocritical than any other system that has been advanced, and is directed more logically and consistently toward peace than anything else advanced.

Mr. COX. Are we attempting to promote peace or advance the needs of business?

Mr. PATRICK. We are endeavoring to advance the cause of peace; but, incidentally, since this comes up, and does no harm—and it may be that it is not wise psychologically to discuss it—business can be taken care of and peace advanced at the same time. But in the event that that does not follow, I would strike out the business bid first.

Mr. COX. How are we advancing the cause of peace when we associate ourselves with one of the belligerents? In other words——

Mr. PATRICK. Oh, all right; the gentleman has asked enough. The gentleman from Georgia has asked as much as I am able to answer now, and perhaps more. I do say this: That whenever we inaugurate a cash-and-carry plan we are then doing only the natural thing. We cannot be concerned, if we are sincerely neutral.

Mr. COX rose.

Mr. PATRICK. Oh, do not butt in, please, at least in the midst of a sentence. The gentleman used to be a school teacher, and I am sure he understands what I am driving at. Whenever the cash-and-carry plan is being employed, and whenever we are making our own stuff and selling it here to whoever comes and buys, we are only carrying out a natural thing, because then we are saying to whoever may come here that we are not responsible for whoever has the advantage on the high seas today. We do not know who may succeed next month and get the advantage, and we should not concern ourselves with that, if we are sincerely trying to pass a neutral law. We cannot legislate by the measure of conditions in Europe. Besides, we could not possibly, and should not wish to, have anything to do with that; and so if we are going to do a sincerely neutral thing, we should do it in looking after our own affairs. We do not want to drive business into Europe or into Canada that will stay there and injure our business here after peace is restored.

Mr. COX. The gentleman speaks of the cash and carry. Would the gentleman have us abandon the doctrine of freedom of the seas, to which we have always adhered? In other words, must we, in the interest of maintaining a strict neutrality, altogether abandon that doctrine?

Mr. PATRICK. No; that merely means that we could go out there, we have a right to go out there, but we do not wish to go out there and have our heads knocked off.

Mr. HARE. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Yes.

Mr. HARE. Referring to the pertinent inquiry of the gentleman from Georgia [Mr. Cox] as to whether or not this contemplated action is for the purpose of increasing business or an effort for peace, does not the gentleman feel that in view of the circumstances now existing under the existing Neutrality Act, from the standpoint of business, it would materially decrease more under the proposed plan than under the existing plan?

Mr. PATRICK. The gentleman means that we would have less neutrality?

Mr. HARE. No; I mean that we would have less business under the proposed plan than under the existing plan; and therefore it could not be, and it is not primarily, increased business.

Mr. PATRICK. Of course I think the gentleman is right. It will hurt our merchant marine, but we cannot help it. We are doing this to promote peace.

Mr. COX. I appreciate the gentleman's feelings, and I am sure that I indulge the same feeling toward the belligerents. I have great sympathy for England and France. As an individual I am free to express that, but as a Member of Congress representing the people I have to be very careful in expressing it in the blood of somebody else's boy or in the blood of the young men of this country.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I shall yield to the big chief from Wisconsin in a minute. The reason I am opposed to the present embargo is because, in the last analysis, it is only an innocuous gesture.

It is like putting a fence around the front yard but none around the back yard. It makes a pretense, it seems to me. It is like the baseball manager who took his boy along and pitched him every game that came along. They said to him, "Why on earth do you keep pitching Potsby Botts? He hasn't got a thing on the ball." The manager said, "I know it, but he has such a lovely wind-up." [Laughter.] So that is the way with the embargo.

Mr. COX. I am in accord with the gentleman's views about the law. I think it was a very foolish act for the Congress to have adopted, and I think it ought to be repealed, but I am worried about repealing it now, you understand.

Mr. PATRICK. The gentleman from Georgia knows it only went into effect the first of May. We had cash and carry for 2 years up until then. Germany came here and bought stuff for those 2 years and before, and laid it in well. Now, would it be unneutral for the United States to say to the nations who do not want to fight, the nations who wanted peace and who did not buy ammunition during that time, when we have lined the larder of the other people, now when the time comes when they want to buy something from us we say, "We will not sell it." Is that not unneutral in itself? Is not that unfair? Would that not be an unwholesome and unbalanced method of doing business?

Mr. COX. I agree that we can take the position that what we are now doing is continuing a question that we initiated when there was no war in Europe as between the present contending parties.

Mr. PATRICK. I thank the gentleman.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. LUTHER A. JOHNSON. On the question that is frequently raised, that repeal of the embargo now, after war has started, might be unneutral for the reason that it will hurt Germany, let me suggest that if that be true, then the converse of that proposition is true, that we could not change our law or invoke cash and carry because that would be hurtful to the other countries. In other words, that doctrine means that after war breaks out we are handcuffed, and we cannot change our neutrality law because it might help somebody.

Mr. PATRICK. Exactly.

Mr. LUTHER A. JOHNSON. It is our domestic law and we can change it any time we want to.

Mr. PATRICK. That is correct. I thank the gentleman.

Mr. COX. And we should make our own welfare our first concern and legislate without regard.

Mr. PATRICK. Yes. Thank you very kindly. How true that is. How vital that is, not only now, but as a precedent on subsequent legislation, that we attend our own spinning, and that we learn to pass laws for ourselves. If we try to cut our garment to the changing winds of an ever-changing map of Europe, and if we pass laws or withhold laws because of some condition that arises in that peculiarly miasmic place they call Europe, we will always be having the running fits; we will always be with the blind staggers in this Nation. So we cannot afford to attempt that sort of measure. It seems only folly when it is said that because this was the law a few days ago we should not change it. Suppose this is the beginning of a hundred years' war. They had one once. Would we have to be stymied and tied here with our eyes bulging and not even able to do business on a businesslike basis? It is not the American way. It never will be the American way. We can be neutral. We can do what we want to, and yet be ourselves and have an independence that is our own and stand on our own feet and fight our own battles. Who says that we cannot make and sell our own stuff at our own front door, in our own land, our own products to our own buyers? Sell them to whoever may come, from whatever source, as long as they put the money on the barrel head and take it home themselves and do not involve us. [Applause.]

[Here the gavel fell.]

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. SCHAFER of Wisconsin. The gentleman then maintains a position that it is not essential to repeal the existing arms embargo of our Neutrality Act in order to remain neutral or in the interest of peace?

Mr. PATRICK. I think the most peaceful and neutral thing we could do would be to repeal the Embargo Act.

Mr. SCHAFER of Wisconsin. In what respect?

Mr. PATRICK. It is like the Shakespearian character, Honest Iago. It does not hold to the very virtue that it announces itself most highly to proclaim.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield for an answer to that question?

Mr. PATRICK. Gladly, to the distinguished Texan.

Mr. LUTHER A. JOHNSON. With reference to the reason why the repeal of the embargo may be helpful to our own basis, the gentleman well knows that the only two times an embargo has been invoked were in the Italio-Ethiopian War and in the Spanish Civil War. Representatives of the State Department testified before our committee on the hearing on this bill that it was exceedingly difficult to enforce that law because the law provided that shipments could not be made to neutral nations for reshipment to belligerent nations, and it was practically impossible to determine when the shipments were to be reshipped.

If that be true of the minor wars, how much more so is it true in the war that is now going on? In the enforcement of any embargo it would be charged that we were unneutral because we might permit it as to some but not as to others, and the injured country would say, "You permit it in the case of the other country but not in our case."

Mr. PATRICK. I thank the gentleman. I am in favor of clearing up some of this difficulty. The situation just becomes more involved and complex, so much so that the end is not in sight; we cannot see where the measure stops. You can see the difficult position into which we are getting. Why can we not do the open thing, the sincere thing, the businesslike thing, and yet the intelligent thing, the thing that is more peaceful? It seems such folly for us to attempt to do something that will not stand the test of analysis. That is the only foundation worth standing on. Those who believe in superficial logic will walk up to a Senator or Congressman and say: "Well, Larry, how do you stand on this keeping us out of war?"

"Well," says the Senator or the Congressman, "I am for an embargo against selling high explosives or implements of war to a warring country." And the superficial, light-hearted man goes whistling down the street, without analyzing it, and says: "Well, good old Larry is trying his best to keep us out of war." I honestly believe that is all that has held up the antirepeal forces thus far.

I walked over to the Senate line last Friday afternoon with those going to hear the debate, and talked to more than 20 men. One was from Michigan, two were from Texas—a number of States were represented. I was amazed at their replies. I asked if they knew one another, for I thought there must be an agreement among them. They were strangers to each other. Out of the whole 23 or 24 I found only 4 men who were not wholeheartedly in favor of repeal of the embargo and enactment of the cash-and-carry plan.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the distinguished gentleman yield?

Mr. PATRICK. I yield.

Mr. SCHAFER of Wisconsin. If Hitler's government, if Moscow and Japan brought money here and laid it on the barrel head, would the gentleman be in favor of selling them arms, munitions, implements of war, and war supplies to carry away?

Mr. PATRICK. The word "everybody" means just what it says.

Mr. SCHAFER of Wisconsin. The gentleman would be willing to sell to them, would he?

Mr. PATRICK. Is the gentleman serious in his question?

Mr. SCHAFER of Wisconsin. Yes; I am very serious. If Moscow, Germany, and Japan want to purchase arms, munitions, or implements of war, and war supplies and came here and laid cash on the barrel head, would the gentleman sell to these countries.

Mr. PATRICK. The gentleman is using "Moscow" figuratively, meaning the Soviet Union?

Mr. SCHAFER of Wisconsin. Yes; I mean the Soviet Union, which is now engaged in war.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I have not gotten the gentleman's full question yet.

Mr. SCHAFER of Wisconsin. Under the gentleman's proposal of selling arms, munitions of war, war supplies, and implements of war with the only restriction that cash must be laid on the barrel head, would the gentleman be in favor of selling them to the Soviet Union, Germany, and Japan?

Mr. PATRICK. Certainly; if they wanted to buy and carry them away.

Mr. SCHAFER of Wisconsin. They would have to carry them away themselves.

Mr. PATRICK. Yes; certainly. Neutrality is neutrality.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I must yield first to the gentleman from Texas.

[Here the gavel fell.]

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that I may proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SOUTH. Is it not a fact that the question of the gentleman from Wisconsin answered itself?

Mr. PATRICK. I think so.

Mr. SOUTH. The gentleman from Alabama or any other Member of Congress would not have the right to say which nation would be hurt. When the law is passed it will speak for itself and will be equally enforced as between the several nations. The thing we are trying to get away from now is an effort to discriminate as between various nations. Certainly if the law is repealed it will be lawful to sell to any and all nations. The nations named by the gentleman can buy on the same terms and under the same conditions as any other nation. Is not that true?

Mr. PATRICK. To be sure, and I thank the gentleman.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. DICKSTEIN. The gentleman is making a splendid address. I think it is very enlightening. In connection with statements that have been made, is it not a fact that during the last 4 or 5 years the German Government and other warring powers have bought from us great quantities of steel and iron, the very things they need in war, and are now using it against the democracies and against civilization? For the last 4 years this iron and steel has been taken right out of New York Harbor to Germany to be used in this war for which they were then preparing.

Mr. PATRICK. We knew it, for did we not see the war clouds rising all the time?

Mr. DICKSTEIN. Certainly.

Mr. PATRICK. And now since we sold to them all the while and knowing they were preparing for war—and also to Japan—are we now to deny the same materials to the nations which tried to be peaceful?

We cannot now shut our gates in the faces of friends, but to keep them open to our friends we must keep them open to all, and that is exactly the position we want to take. Not to do so would be to do an unneutral act and at the same time would be doing exactly what was done when Jefferson was President of the United States; that is, throttling our own industry and putting an "Oh, grab me" sign on America and its business.

Mr. MILLER. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Connecticut.

Mr. MILLER. Will not the gentleman admit that in the last 4 years or the last 7 years we have sold more munitions, more steel, and more scrap iron to the so-called Allies than we have to the Hitler-Russian Government?

Mr. PATRICK. What difference does that make? We are neutral, are we not?

Mr. MILLER. Then answer this question: Is it any more neutral to sell to all nations than it is to refuse to sell to any nation?

Mr. PATRICK. I do not know what the gentleman has in mind. Some nations are at war, while some are not.

Mr. MILLER. I meant to nations at war.

Mr. PATRICK. No.

Mr. MILLER. Why not leave the act as it is? It is neutral.

Mr. PATRICK. Because we are thinking for ourselves. I answered that, if the gentleman will observe. We have sold all these years to the aggressor nations that have already feathered their nests. Now come the nations who hoped for peace and did not feather their nests—and what are we going to do? Are we to supply the belligerent nations and deny supplies to the nations that are naturally peaceful?

Mr. MILLER. Does not the gentleman honestly believe that the so-called Allies have been just as busily arming during all these years as the so-called aggressor nations?

Mr. PATRICK. I do not believe that; no.

Mr. MILLER. They have told us they could not pay their war debts on that account.

Mr. PATRICK. But we have their money over here.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Can the gentleman tell me if he has heard any explanation given by those who oppose repeal of the arms embargo with reference to what reason there should be for not treating arms, ammunition, and implements of war like we do other commodities that are branded as contraband; if they are all subject to search and seizure, why not treat them all alike?

Mr. PATRICK. I would like to have some gentleman who wishes to support the embargo spend about 20 minutes on that subject. I am sure it would take at least 20 minutes for him to develop it.

Mr. SOUTH. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Texas.

Mr. SOUTH. Further commenting on the question raised by the gentleman from Ohio, is it not true that we would appear at least to be more unneutral, and I think would be less neutral, if we would undertake to retain embargo in that it will certainly put this country in a class by itself with reference to other major world powers and any time we adopt a policy that is contrary to the policy adopted by other major world powers do we not immediately become a target at which the several different nations in the world will shoot? And might that not within itself probably involve us in difficulties?

Mr. PATRICK. I think so. However, I am not well enough acquainted with the embargo acts of other nations to discuss them as one well versed upon that subject.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MURDOCK of Arizona. Mr. Speaker, at the conclusion of any previous orders heretofore entered, I ask unanimous consent to proceed for 10 minutes today.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

The SPEAKER. Under a previous special order, the gentleman from New York [Mr. DICKSTEIN] is recognized for 5 minutes.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert certain extracts from a report on the American German youth movement in the United States.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes in addition to the 5 already allotted me. In other words, I would like to speak for 8 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I rise at this time to make certain observations with reference to matters having to do with the interests of America, and what I may say is not

to be treated as a criticism of a certain investigation of un-American activities. In these times we should not criticize, but should try to constructively advise, even a committee of Congress, regarding certain things that should be done and should not be done. In this spirit I stand here today to say that there have been certain matters appearing in the headlines of the press which I think go beyond the jurisdiction of the resolution providing for the committee to investigate un-American activities.

May I call attention to the fact that the committee allowed a witness to testify with respect to what happened in Russia 10 or 15 years ago. This witness was a man by the name of Krivitsky, who, in my own opinion, is nothing but a "phony." He is an alien in this country. He is here to sell his wares. He prepared these articles for certain publishers; if the facts are not correct, the articles are libelous under our laws. In order to protect the publishers involved as well as himself, Krivitsky gave testimony before a congressional committee, which would give the articles immunity under the Constitution.

There was another witness—a criminal who admits he served in prison—who took the stand. He claims to have been a Communist; and I want to state most emphatically at this point that I have no use for communism or any other foreign "ism," nor would I attempt to protest any lawful exposure of their subversive activities. On the contrary, I would be glad to help. This man stated that the Communist Party 13 years ago borrowed $1,700,000 from a man by the name of Rothstein, a gambler, to fight labor troubles in New York City. The committee allowed that witness to besmirch the police department of my city, the police commissioner, and indirectly the mayor, because this ex-convict stated the $1,700,000 was borrowed from this gambler to buy police protection and to finance the strike. It is highly questionable, and no proof thereof was obtained by the committee that a gambler of Mr. Rothstein's reputation should lend any money to anyone except members of his own gang or clique. But, assuming that to be true, what evidence was there presented of the bribe to police of the city of New York? Why should civil servants be exposed to serious charges of bribery without definite evidence to prove their guilt?

Mr. Speaker, the police department of the city of New York is composed of almost 24,000 men, who are the finest type of police officers and the finest type of Americans you have ever come in contact with; and that goes for a fine mayor and a fine police commissioner. It is unfair, and the committee should not have allowed such evidence to go into the record, unless it had actual proof of this corruption. This matter was investigated 13 years ago by the city of New York, and no corruption was found, and there was no proof that any money was loaned by Rothstein or anybody else. This testimony besmirched the police department of the city of New York, and there is no way for the city of New York or the 24,000 police officers, who are trying to do their duty, to defend themselves from accusations before a congressional committee.

What is important to me, Mr. Speaker, is to protect our own United States. Why does not the Dies committee or some other committee give us some real facts—not about what happened in Russia 13 years ago, or whether 400,000 or 500,000 persons were purged, as Krivitsky said? We are not a bit concerned about that. We are concerned with our democratic principles here in the United States.

What is going on today? What are the Communists doing today that in any way affects our people and our form of government? What are the Nazis doing today, and what are all "isms" doing today, and what can we do to eradicate these evils?

Let me repeat that I have the greatest fondness for the members of this committee and its chairman. As I said in my opening remarks, I have no criticism to make against them. I think they are trying honestly to do a good job, and they have given us much light on subversive activities. I am making this observation for the purpose of helping the committee. Why do they not go into the question of alien youth movements in this country? There are at least 50,000 children between the ages of 4 and 14 who are members of an organization under the leadership of Fritz Kuhn—an organization which implants in their hearts the idea that the Nazi government of Hitler is the best government for them, and that they must follow the teachings and the principles of this so-called government.

If the investigators of the committee were investigating this youth movement, they would find a communication by Fritz Kuhn, which I shall place in the RECORD, in which he addresses this youth movement. As I said a moment ago, there are at least 50,000 children in this organization, and some of them refuse to salute our flag. In their hearts is imbedded the spirit of "Heil Hitler" and of war. If the committee would take the trouble to investigate, they would find that some time in June 1939 Mr. Kuhn, who claims he is the leader not only of the German Bund in this country but also of the American-German Youth Movement, addressed a communication to the members of that movement. I have a copy of it here and you will read it in the RECORD. In this communication he tells them to carry on in the same philosophy and under the same principles as the Nazi government, and to do what Mr. Hitler tells them to do. I shall also place in the RECORD at the conclusion of my remarks information about certain activities of the girls' youth movement. There are at least 25,000 girls in this country who are having instilled in them the spirit of hate and intolerance by the so-called Nazi Bund under the leadership of Mr. Fritz Kuhn. These are the problems we should investigate and these are the conditions we want to eradicate in this country. These are the facts the Congress and the people of this country would like to know. We are not concerned with anything else but America. [Applause.]

Mr. Speaker, the documents to which I referred a moment ago are as follows:

[From Ten Years German Youth in U. S. A.]

(Editorial)

DEDICATED TO OUR YOUTH AT THE TENTH ANNIVERSARY OF THE AMERICAN GERMAN YOUTH MOVEMENT

In the comparatively short period, 10 years, a proud and zealous movement has been built up, thanks to the cooperation of the forerunners of the German Youth in America and its friends and patrons. All those who prophesied defeat not believing on the preservation of our folkdom to last for times thereafter were greatly mistaken. Numerous Youth camps have been made possible without greater funds. German schools have been erected by dozens of cities, where the adherents of old times had long ago given up the fight for preservation of our folkdom.

All these accomplishments mean, of course, only a start, a small beginning, but the hitting success within such a short time does prove that the spirit which has been planted by Adolf Hitler into the heart and mind of the German people in the homeland, will be well able to bring about a unit of world opinion and a renewing of the will to live of the American Germandom.

The entire, great, healthy kernel of this German-American can be easily comprehended. This beginning will be for you, you boys and girls of German origin in America. Some day you will take over the work to continue the construction.

To your day of honor 1939. Sieg-heil. Free America.

FRITZ KUHN, *Bund Leader.*

[From Ten Years German Youth in U. S. A.]

FIVE YEARS OF GIRLS' DIVISIONS IN UNITED STATES

It was 4 years on January 12 when the first call for a girls' division was sounded. Erna Dinkelacker and Tilde Richter called the girls to a meeting. The new movement grew fast.

Erna Dinkelacker took over the general leadership of the girls and Erika Wagebusch became group leader.

In June 1934 they had 33 girl members present. Today the membership goes into hundreds of hundreds.

"German girl, you belong to us." This call sounds all over the country. As much as the boy belongs to an organization so does the girl. The girls here in this land are exposed to extreme superficiality. When you see these young dolls on the street smeared with powder and paint, you can't distinguish a girl of 15 or 16 years of age from one at the end of her twenties. There is nothing young about them. They look all tired out with movie manners making them disgusting to look at. A man who thinks can't visualize such a doll becoming sometime a real comrade for life and a mother of a coming generation. The influence of a folk currupting race has already done "good work" in this country. And the American woman has already entered into this whirl of decay inasmuch as some warnings are sounded now and again, but these voices are too weak.

But the voice of the youth division has saved many girls. We often saw them come to us with painted fingernails and lips but after some home meetings the warlike paint was vanished.

But not only the painting vanished. There is a difference in the stride of our girls which is now sound and firm. They now come back from camps and sport places with a natural color. They don't need any more paint.

We want girls who know their task, which is to be the guardian of the old German inheritance, who are to keep German customs, German manners, and before all to faithfully keep their German blood pure.

For all that we march and are proud to know that we are helping to build up Germandom in America.

We know that nothing can hold us back. Through night and fog, carrying the black flag with the white sign of victory shining on it we march proudly and silently into the fifth year of battle, marching on toward our goal.

JANUARY 1938.

[From Ten Years German Youth in United States]

GERMAN YOUTH IN NORTH AMERICA 10 YEARS

Today is the anniversary of the day on which the foundation was laid to a youth movement by a small group of German boys. Something which seemingly appeared still impossible on March 1929 was just the thing we longed for with all our hearts, namely, the unifying of the entire youth of German origin in North America. It has been of unspeakable effort to accomplish a planned structure which at the same time had to be based on a healthy foundation. On the one hand, we lacked the means by which to accomplish anything. On the other hand, we were boys at the age of about 12 to 24, who had to create everything from within themselves, and sometimes got a headache from planning how to go about things. The manifold opposition also was not just the thing to further our growth, but perhaps at the same time was to spur us and to give us the tenacity for reaching, step by step, our great zeal.

While black, red, and gold still were the colors of Germany, the German Youth in United States bore the colors of an awakening Germandom.

[From Youth Movement Develops]

YOUTH ORGANIZATIONS

The first motion of the national force of American Germandom fell in the year 1933, and found its first expression in the newfounded bund of Friends of the New Germany. We saw in it a new mutual zeal in fighting for a unit of the entire German nationality. With this the German boys' division as a youth movement became a youth organization brought upon a broader foundation with the unification of the bund. From the boys' division until now, comprising only Greater New York, grew the youth division, which soon was to extend all over the country. Youth divisions were founded in all cities in which the bund already had local groups. Boys and girls from 8 to 18 years of age were admitted to them. This was, of course, only made possible with the help of the bund, which brought about a tremendous development of these youth divisions. While before 1933 the boys' divisions comprised more or less a selection of boys destined to become later the leaders of the youth, the youth division, therefore, could use these boys after 1933 as leaders, operating the then blooming youth division on a broader foundation.

FROM COAST TO COAST

Nineteen hundred and thirty-four was the year of development. The idea of the boys' division was brought about all over the land. In far-off cities the flag of the youth would fly. Until now groups of German boys' divisions existed only in greater New York—Manhattan and Brooklyn. The task now was to build up the boys' division in other cities too. On the first "day of youth" in April the order to attack was given. Soon after a beer truck, packed with 40 boys in uniform, instead of beer boxes, went off in the direction to Buffalo. There, in the city of Niagara Falls, Eberhard von Nasse was living, the founder and protector of the boys' division. With his help a third division could be formed.

Forty boys in a beer truck traveled 675 kilometers to Buffalo. The truck broke down several times. At last we had to send it away and we continued on foot to Buffalo. At last, after 24 hours, we reached Buffalo. A score of people were waiting for us. A hot supper for refreshment, and then into the quarters. The next evening our youth festivity took place, resulting in 20 new memberships for the boys' division. So division 3, Buffalo, was formed.

Soon after some boys of New Jersey contended to create the fourth division. A couple of boys entered into it and division 4 was founded.

On July 1934, an advancement was made to the oldest city of the American Germandom, Pennsylvania. The division 5, Philadelphia, was founded. A couple of boys of the boys' division of Brooklyn went to Philadelphia, explaining to the local group of the bund the necessity of a boys' division, found a home for it, appointed a youth leader, and went away again, leaving behind a division of 15 men. So division 5, Philadelphia, was founded.

Within a short time, in nearby Newark, N. J., a boys' division was founded. Nassau County, Long Island, followed as division 7, built up also by the nearby Brooklyn.

Even in the Middle West, the spirit of an awakening youth of German origin was being exercised. Division, Detroit, Mich., was created, and soon after a division in Chicago, the great city of the Middle West.

So, at the end of 1934, 10 boys' divisions were founded from coast to coast, being one in will and faith, who are to lead the way for a great American-German future.

Besides those successful boys' divisions stands, already, the beginning of the girls' divisions. In the midst of a feverish soliciting of the boys, the girls' division came to life, and for the German girl in the United States an organization was created.

BOYS' DIVISION, SECTION 3—BUFFALO

Some days ago we received your first newspaper. General astonishment, especially about the closing article.

"Section 3 in Buffalo shall show what they accomplished up to the present time. What are we able to do? Well, we are not farsighted here (perhaps you in New York are). Therefore, we couldn't report our activities until now. But it has made a tremendous impression upon us that our guardian (?) has already published a newspaper. Big Eberhard, as the mother of our company, however, told us already about the necessity of having some day our own newspaper. But, that this plan should come true so soon, that we hadn't expected of you New Yorkers.

But, you want to know of us, what we are doing here. Of course, we still are very young. Just 3 weeks ago we had you with us here, and you inspired the desire in us to work in Buffalo also, in the spirit of the boys' division. But we have accomplished already a great deal. On our last journey we have been represented by 14 men. To get 14 German boys together within 3 weeks—that means something. It proves how strong and lasting the reaction of your visit with us in Buffalo has been. To this very day we always speak of you, and wish that we already could be like you. We already dream of the summer camp where we can be with you, where we can play with you, where you can show us the genuine spirit of the boys' divisions. We look forward to the day when we will see you again. You have awakened in us a great longing by your proud German spirit, while you were with us in Buffalo. We hope to see you again soon—that is the wish of all of us.

Division 3 marches—you can be sure of that. Last Sunday we went hunting, then some games, hand ball, and so forth. Then, for the first time in this year, bathing.

The SPEAKER pro tempore (Mr. BYRNS of Tennessee). Under a previous special order, the gentleman from Arizona [Mr. MURDOCK] is recognized for 10 minutes.

PROPOSED TRADE AGREEMENT WITH THE ARGENTINE

Mr. MURDOCK of Arizona. Mr. Speaker, I have listened with great interest to the remarks of the gentleman preceding me this afternoon in regard to the problem of neutrality and also with regard to the subversive influences we must combat. Earlier in the day the gentleman from New York spoke of a still greater problem, as he thought, or one equal to these, confronting us, when he called attention to some of the trade agreements now being contemplated, and I should like to say just a few words about prospective trade agreements.

I also went yesterday to present my statement to the Committee for Reciprocity Information in connection with the proposed trade agreement with the Argentine. I find myself in somewhat of a predicament in this respect, that in general I favor trade agreements where they can be mutually profitable and beneficial, but they must be reciprocally helpful to obtain my approval. I feel that if we enter into trade agreements with industrial or semi-industrial countries, there is a chance of our reaching agreements which may be mutually helpful, since we are semi-industrial ourselves. I do not hesitate a moment to condemn a trade agreement or a proposal for such an agreement if it seems that it is bound to be harmful to any considerable portion of our people.

I wish to say in all fairness to the present study that we should remember that the committee now is really studying the various items of this proposed agreement, and we should not act on the assumption that the proposals have already been incorporated into an agreement. I hope that most of the items studied will not be included. I also wish to say, as I did yesterday to the committee, that these men have my great sympathy in their huge task on such a complicated measure. I expressed to them a profound and sincere hope that their judgment will equal their patriotic intent in their study. That is my feeling in the matter.

The reason I am particularly alarmed about this proposed trade agreement with the Argentine is that we now are contemplating making such an agreement with a great agricultural empire, we ourselves also being a great agricultural

people. The Argentine lies about as far south of the Equator as we are to the north, and, except with reverse seasons, that area has about the same climatic conditions and the same agricultural production. The agricultural products of the two countries are highly competitive.

I fear that too many of our leading experts are apt to overlook the fact that a large part of our country west of the one hundredth meridian is semiarid, and nine-tenths of it is fit agriculturally only for grazing; also that livestock, cattle, sheep, and wool production is the basic production of that area out in the far West. This is exactly what the Argentine produces, and that is what my people fear. Western cattlemen and sheepmen are struggling with their backs to a wall. Our Government has placed many restrictions lately around our western livestock industry. If we should be so unwise as to throw against them the competition of the Argentine, which God forbid, the livestock industry will vanish from our West.

Cattle and sheep have been the basis of the early economic life of Arizona, not considering now the rich mineral deposits. So what I would like this committee engaged in the study to suggest—and I shall back the policy so long as this is carried out—that we seek out those nations which produce different products from our own and which we need, with a view of so arranging lessened duties that there may be profitable trade between us. I love my neighbors, but there is a limit to the love I bear my neighbors. I am not willing to cripple any American industries, certainly not the basic industries of my State, in order to encourage trade.

I know, of course, that the committee is looking at the good of the whole country, but it cannot be for the good of the whole country to cripple the livestock industry or the mining industry or the agricultural industry of half of our people. Just as an example, in the irrigated valleys of the southern part of my State we have been growing cotton. There is a surplus of cotton. We have been trying to get away from it. Down in Yuma County, where it costs about $120 or $130 per acre to bring the desert into cultivation through the reclamation process, we have now turned thousands of acres to the production of flaxseed. Down there we can produce 25 bushels per acre at a cost of about $1.08 per bushel. This compares with certain other parts of our country where 6 bushels of flaxseed are produced per acre. It was at the invitation of the Department of Agriculture that the farmers down in Yuma County, Ariz., turned their acres not to cotton, not to wheat, but to flax or alfalfa. Incidentally, I may say that one-tenth of all the alfalfa seed of this country is grown on the few tillable acres in Yuma County, Ariz., and there are not enough acres down there tilled to equal one big wheat ranch in Montana. If we should lower the duty on flaxseed or on alfalfa seed from Argentina, we would ruin these farmers and jeopardize Uncle Sam's investment in those valuable lands.

Mr. Speaker, we started in the beginning of this Republic as practically a 100-percent-agricultural people. Gradually we have become urbanized and industrialized. I do not want this Nation to be completely urbanized or industrialized. I believe that a composite mixture of economic elements give us strength. I want a variegated industry and I do not feel that we would be doing the economics of this country justice by destroying our farmer class, our stock raisers, in order to build up our industries, even though they should be built up. So in order that we may continue to be half industrial and half rural, as we have been, I prefer that the farm and the factory in this country be mutually dependent on each other, and this is a policy which I think is a wise national policy. I never want to see the day when the cities of America are dependent upon the pampas of the Argentine.

Right now, of course, we would like to cultivate a good-neighbor policy with Latin America to the south of us—yes; more particularly that part of Latin America lying near the Equator which produces, as Central America does and as Brazil does, products which we need. Yes; we have no bananas! I think I could grow them in my own back yard in Tempe, Ariz., but I do not want to do so. I prefer that we get them from Central America. We grow no coffee. We grow no rubber, at least not from trees, although we can produce that in some parts of the Southwest. Truly we can produce rubber in Arizona, but it is not an established, pioneer industry, which we would kill by getting rubber somewhere else.

So I wish that in our reciprocal-trade agreements we could see to it that we trade that which we have for that which we want from other countries and cannot produce here.

Now, in regard to the Argentine, there is one thing that particularly strikes me very unfavorably, and that is that a great deal of American capital has gone into the Argentine. American packing concerns have gone down there and they have exported American capital to build their plants. They used cheap foreign labor, depriving our own people of those jobs, and now they want greater freedom to ship their finished products into this country. I have no sympathy with that sort of trade agreements.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Arizona be extended for 10 minutes.

The SPEAKER pro tempore (Mr. BYRNS of Tennessee). Is there objection?

There was no objection.

Mr. MURDOCK of Arizona. I do not know that I care for 10 minutes, unless there are questions to be asked.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK of Arizona. Yes.

Mr. HOUSTON. What proportion of canned beef comes in from the Argentine that is used in this country today? What is the total consumption?

Mr. MURDOCK of Arizona. I am unable to answer that; I have not the figures. I understand, however, that canned Argentine beef is quite frequently found on the shelves of our storehouses.

Mr. HOUSTON. Is it not a fact that there is not enough imported here to take care of the requirement of the Marine Corps for 1 day?

Mr. MURDOCK of Arizona. If that is true, I am glad to know it. I am unaware of the exact situation. I might say to my friend from Kansas that it is not alone the amount that is shipped in but it is the threat that forces down the price of our meat. It is true, perhaps, that we would not include fresh meat, and certainly no live animals, from the Argentine, because we fear the foot-and-mouth disease. However, if we admit the byproducts, we might do something that will in turn reflect itself in the price of meat, because it is not the meat of the animal which tells the whole story. I am reliably informed that a packing house will pay more for a live animal than it gets for the meat which that animal produces, making its profit out of the byproducts; so that if we admit the byproducts from Argentine, we might as well admit the fresh meat or the live animal, because the effect would be the same.

Mr. HOUSTON. Is it not a good deal like the woman who reached into her husband's pocket and got out his pay envelope. He got sore about it, and his wife said, "What are you sore about? There is nothing in it." The husband said, "No; but it is the principle of the thing." Is not that about all there is to this?

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK of Arizona. Yes.

Mr. KUNKEL. I was looking at some figures which the gentleman from Wyoming [Mr. HORTON] had, and which showed that there were two and a half million pounds imported from Argentina into this country in June of this year, and three and a half million pounds in August of this year, and those figures do not include imports from Brazil and other South American countries, which are considerable.

Mr. MURDOCK of Arizona. In conclusion I want to affirm my belief that trade between nations is a means of peace, and that such is one way to promote peace, but if we permit our capital to go into other countries to exploit their labor in order to make profits, that is not a means of good will, but a

very potent means of ill will. That is one thing that I wish we might take steps to prevent to the extent it is now going on. [Applause.]

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 2 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Wednesday, October 18, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. CARTER introduced a bill (H. R. 7588) granting to the Vice President and Members of Congress the privilege of franking official correspondence not exceeding 1 ounce in weight by air mail, which was referred to the Committee on the Post Office and Post Roads.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Ohio, memorializing the President and the Congress of the United States to consider their resolution dated October 10, 1939, with reference to national defense; to the Committee on Foreign Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5802. By Mr. COFFEE of Washington: Resolution of the American Communications Association, Marine Local No. 6, T. J. Van Ermen, secretary, of Seattle, Wash., urging that Congress keep America out of war; maintain the Bill of Rights to protect labor's civil liberties against any and all emergency measures; and urging that belligerent resistance be made to all efforts to curtail, eviscerate, or destroy labor legislation; to the Committee on Foreign Affairs.

5803. By Mr. KRAMER: Petition containing answers to questions submitted to Bakery Drivers Local 276, American Federation of Labor, Los Angeles, Calif., by the Special Committee to Investigate the National Labor Relations Board; to the Committee on Labor.

SENATE

WEDNESDAY, OCTOBER 18, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend William S. Abernethy, D. D., minister, Calvary Baptist Church, Washington, D. C., offered the following prayer:

Lord, Thou hast been our dwelling place in all generations. Before the mountains were brought forth or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God. And because Thou art God, maker and upholder of the universe, the same yesterday, today, and forever, the Changeless One, we turn to Thee at this moment. When we feel our insufficiency, grant us wisdom. When we lose our way, be Thou our guide. When we are weak, make us strong.

In this hour of crisis, give to those who bear great responsibilities of state wisdom equal to the need. May the eyes of this Nation ever be turned Godward, we beseech Thee. Thou art our hope and our salvation. May we in this favored land not disappoint Thee. In the name of Christ, our Lord, we offer this prayer. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, October 17, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Caraway	Herring	O'Mahoney	Wagner
Chandler	Hill	Overton	Walsh
Chavez	Holman	Pepper	Wheeler
Clark, Idaho	Holt	Pittman	White
Clark, Mo.	Hughes	Radcliffe	Wiley
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New York [Mr. MEAD] and the Senator from South Carolina [Mr. SMITH] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

INVITATION TO ATTEND CONFERENCES ON INTER-AMERICAN CULTURAL RELATIONS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of State, which was ordered to lie on the table and to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, October 16, 1939.

The VICE PRESIDENT,
United States Senate.

MY DEAR MR. VICE PRESIDENT: The series of conferences on inter-American cultural relations arranged by this Department has awakened such widespread interest in all parts of the country that I take pleasure in calling these gatherings to the attention of the Members of the Senate. The purpose of the conference is to enlist the cooperation of the leading private agencies in the United States toward the development of deeper and sounder understanding with the other American republics. I should like to invite all Members of the Senate to attend such of the sessions as may interest them.

The conferences are as follows:

October 18 and 19: Conference on inter-American relations in the field of music, to be held in the Whittall Pavilion, Library of Congress. A program is enclosed.

November 9 and 10: Conference on education and inter-American cultural relations, to be held at the Mayflower Hotel. The program will soon be announced.

November 29 and 30: Conference on books, libraries, and translations. The program is now in preparation.

The Department is gratified at the attention which these conferences have received, and believes they may make an important contribution to the advancement of peace and friendship among the American nations.

I am, my dear Mr. Vice President,
Sincerely yours, CORDELL HULL.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by the executive committee of the American Legion, Department of Georgia, endorsing and approving the plan of the Andersonville Memorial Association for the establishment of a memorial garden at Andersonville, Ga., the placing of bronze markers explanatory of the history of Andersonville (site of a Civil War Confederate military prison), and the erection of an heroic monument in stone, dedicated to peace and union—all "to be commensurate with the virtue of the dead who lie buried there and with the im-

portance of the Andersonville story in our national life," which was referred to the Committee on the Library.

He also laid before the Senate a letter in the nature of a petition from Hays H. Lincoln, of Carbondale, Pa., praying for the adoption of a cash-and-carry plan in pending neutrality legislation, which was ordered to lie on the table.

Mr. TAFT presented a ballot published by the Cleveland (Ohio) Press asking for an expression of views with respect to proposed amendments to the Neutrality Act, and stated that 3,117 ballots had been received by him as a result of this poll, which was ordered to lie on the table.

Mr. WILEY presented the following joint resolution of the Legislature of Wisconsin, which was referred to the Committee on Finance:

STATE OF WISCONSIN

A joint resolution memorializing the Congress of the United States to protect the domestic fox- and fur-raising industry

Whereas in Wisconsin and in the United States, there has been developed a domestic fox- and fur-raising industry in the last quarter of a century which constitutes a national business amounting to millions of dollars and which employs large numbers of people;

Whereas the fox- and mink-pelt production of this country has been primarily sold to the people of our country in the past with only relatively small foreign imports of fox and mink pelts;

Whereas foreign countries which produce approximately five times the number of fox and mink pelts produced in this country, have to a very large extent, lost their markets on account of the European war;

Whereas foreign countries are now making arrangements to dump this vast world supply of fox and mink pelts onto the United States market which can only reasonably absorb our own production;

Whereas the dumping of this vast quantity of foreign fox and mink pelts onto the United States market will practically ruin the majority of the fox and mink farmers of our country; and

Whereas there is no reason why fox and mink raisers of our country should have their industry destroyed by the dumping of foreign pelts: Now, therefore, be it

Resolved by the assembly (the senate concurring), That this legislature strongly urges the President of the United States and the proper Federal agencies to set up a quota on importing fox and mink pelts not to exceed the last 3 years' average of fox and mink pelts shipped into this country; be it further

Resolved, That restrictions be placed on processed fox and mink pelts which would prohibit the flooding of the American market with these products and thus ruin our domestic fur industry; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Secretary of State, the Tariff Commission, and to all Members of Congress from Wisconsin.

BILL INTRODUCED

Mr. HAYDEN introduced a bill (S. 2988) for the relief of Bessie Sharrah, which was read twice by its title and referred to the Committee on Claims.

ADDRESS BY SENATOR LEE ON AMERICA'S NEUTRALITY

[Mr. LEE asked and obtained leave to have printed in the RECORD a radio address on the subject America's Neutrality, delivered by him on October 17, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY ON MOBILIZATION FOR PEACE

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address on the subject Mobilization for Peace, delivered by him on October 17, 1939, which appears in the Appendix.]

ADDRESS BY HON. SAM G. BRATTON ON THE NEUTRALITY ISSUE

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address on the neutrality issue delivered by Hon. Sam G. Bratton before the Kiwanis Convention at Albuquerque, N. Mex., which appears in the Appendix.]

EDITORIAL FROM SATURDAY EVENING POST ON NEUTRALITY ISSUE

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial entitled, "Phantasy of a Bloodless Sword," published in the Saturday Evening Post of October 14, 1939, which appears in the Appendix.]

ARTICLE BY JOSEPH C. FEHR, ESQ., ON WORK OF MIXED CLAIMS COMMISSION

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an article by Joseph Conrad Fehr, Esq., of the District of Columbia bar, relating to the work of the Mixed Claims Commission, and published in the October issue of the American Bar Association Journal, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306) Neutrality Act of 1939.

Mr. HOLT. Mr. President, the issue before the Senate is, Shall we do away with the arms-embargo provision of the existing law which makes it unlawful for us to sell arms, ammunition, and implements of war to nations at war? I may say that many people feel that we cannot stop our ships and seamen from going into the war zone without repealing the arms embargo. The arms embargo has nothing at all to do with that. Such a provision can be written into the law without changing the arms embargo. Others say that we should sell material other than arms, ammunition, and implements of war on a cash-and-carry basis. That can be done without changing the arms embargo. It is an entirely separate provision of the joint resolution. I hear others say that Americans should be prohibited from traveling on belligerent vessels; that the joint resolution should prohibit the solicitation of funds for nations in war; that submarines and armed merchantmen should be barred from our ports. All these prohibitions are already in the present law or can be put in it. The passage of the joint resolution now under consideration will have nothing to do with the provisions just mentioned except to continue or put them into force.

This argument reminds me of an incident that could happen to any of us any day. If a man is wearing a raincoat in the rain and decides he also wants an umbrella, it is not necessary for him to take off the raincoat in order to use the umbrella. We can provide all these safeguards for neutrality and at the same time keep the arms embargo, but what we are asked to do is to take off the raincoat as soon as we raise the umbrella. The issue, in plain language, is, Shall the United States of America become a merchant of death? That is the issue.

Now I desire to read a quotation which I think aptly covers the present situation. It is as follows:

> At this late date with the wisdom which is so easy after the event, we find it possible to trace the tragic series of small decisions which led Europe into the Great War in 1914 and eventually engulfed us and many other nations. We can keep out of war if those who watch and decide make certain that the small decisions of each day do not lead toward war, and if, at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

Those are the words of President Roosevelt.

Congress is now in special session to make a decision—not a small one but an important one—one that will determine our future action in the European war of 1939. When we refer to European wars it is necessary to use dates, because they come so often.

The issue is repeal of the arms embargo. The arms embargo was written into law by our Congress in time of peace, long before the start of the present war. It was the result of a long, detailed investigation of the munitions trade by a committee of the United States Senate, the publication of letters and papers of public figures who were active in the period of the war, and the exposure of propaganda. It was written long before the sides had been chosen. It was written when our thoughts were of America and not of Europe. It was written in peace, not in war. The Neutrality Act was not written to assist England, France, or Germany. It was written to protect America.

The American people know the effect of the last war. They know the thousands of boys who never returned, the thousands more who did return crippled, gassed, and destroyed. They know the depression that blighted our economic life, throwing many, many men into the bread lines. They were determined that they should not be involved in another foreign war, and that we should not again send American soldiers to the battlefields of Europe. It was under such conditions that the Neutrality Act was passed.

I feel that by repealing the arms embargo we shall make a mistake. I believe it will be a step directly toward war.

YOUNG AMERICA PAYS OUR MISTAKE

If we make a mistake, we will not pay the penalty—no! The Members of the Senate will not pay the penalty if we

make the mistake of taking the American people into war. No; we are exempt from military service. But if we make a mistake, millions of young men who have no part and no voice in casting this vote will pay the penalty, many the ultimate penalty of death.

What is the reason for repeal of the arms embargo? There are only two reasons, and we all know it: The first reason given by those who want to repeal the arms embargo is that we should help Great Britain and France to defeat Germany. The second reason is that we can make a little profit out of the sale of munitions. Those are the reasons. All other reasons go back to the root of those two things—either men who are interested in the victory of England and France or those who feel that we can make some profit out of the war. Those are the reasons for the repeal of the arms embargo.

Some of you say, "We are not in war. We are not declaring war." No; we have not yet made a declaration of war, but we are edging up to the point where, when an incident occurs, we can make a declaration of war and hope to have the people of the United States feeling that we are again fighting for democracy.

Let me read to you a statement by Woodrow Wilson, made in New York in 1916, and compare it with the letters you are now receiving. This is what President Wilson then said:

I get a great many letters, my fellow citizens, from important and influential men in this country, but I get a great many other letters. I get letters from unknown men, from humble women, from people whose names have never been heard and will never be recorded, and there is but one prayer in all of these letters: "Mr. President, do not allow anybody to persuade you that the people of this country want war with anybody."

Those are the words of President Wilson delivered on the 30th of June 1916, less than 1 year before America declared war on Germany.

Less than 3 months before the declaration of war in 1917, what did President Wilson say to the American people? I quote him:

There will be no war. This country does not intend to become involved in this war. We are the only one of the great white nations that is free from war today, and it would be a crime against civilization for us to go in.

Just before we declared war. Of course, it is easy for us to sit back and say, "There will be no war"; and yet we definitely know that the step we are taking brings us close to the precipice of war. We know that it is definitely a step toward war. Oh, yes; we are getting the people ready for it.

Let me go back to 1914 and read to you a conversation of an American in France, shown in the historical papers of Hanotaux, the French historian. He quotes Mr. Robert Bacon. This is the exact language:

In America * * * there are 50,000 people who understand the necessity of the United States entering the war immediately on your side. But there are 100,000,000 Americans who have not even thought of it. Our task—

Now, listen; this was in 1914—

our task is to see that the figures are reversed, and that the 50,000 become the 100,000,000. We will accomplish this.

Change the 50,000 who want war with the 100,000,000 who do not want war. That process is under way in America today. Do not fool yourselves. Do not be like an ostrich and stick your head in the ground. The war propaganda is at work in America today. Of course, Lord Beaverbrook just came over to gossip, you know. He left England in time of war just to gossip about some Canadian retreat that he had. Oh, yes. You may believe that if you want to, but I do not. Lord Beaverbrook is over here hoping and helping to see that we become interested in the war.

What did Col. Frederick Palmer, the official historian of the World War, say about the propaganda that is loose in America today? I quote him. Certainly Colonel Palmer is not pro-German. I understand he served in the American forces in the last war. This is what he said:

The Allies' propaganda in America has been excellent in this war so far. My recollection of a historian's aching eyes in reading more than 100,000 official documents about the causes of our entry and our part after our entry singles out many phrases being uttered today which duplicate those of the winter of 1916–17.

ROPING US IN

And so they do. We again hear that we must help the democracies—the same thing they told us in 1915 and 1916—and we hear that we must stop Hitler. In 1916 and 1917 we heard that we must stop the Kaiser. But let me read you from an English journal—not recent, but last year—on getting America into the war. Let me read the words of Hilaire Belloc in G. K. Chesterton's Weekly of the 6th day of January 1938. This is what he says:

It is commonly said up and down Europe that we can make the United States do what we like. That idea is based upon the vague and most misleading word "Anglo-Saxon," but also upon the actual and recent experience of the last 20 years. We got the United States into the Great War on our side, and, what was more extraordinary, we managed, in the debt business, to make France the villain of the piece. We have got them to feel with us against the modern Italy, and we have got them to talk of ourselves as a democracy.

This is what Mr. Belloc says:

Can we rope them in to fight, or threaten to fight, the Japanese? It is a question of most poignant interest, and it is a question that will be answered in a comparatively short time one way or the other.

Then he says:

The advantages we have in the working of American opinion and policy are very great, and they have been used in the past with so much success that those who think we shall still win the trick have much to say for themselves. We are the only people of the Old World who use the same printed word, and largely the same spoken word, as the Americans.

How did Sidney Rogerson tell the English people they were going to get us into the war? What did he say? Let me read from his book on how we were going to get into the war. He said:

Fortunately, with America our propaganda is on firm ground.

This was not a man writing to America. It was a man writing in England—not in American books, not in American newspapers, not in American documents—but an Englishman talking to Englishmen; and this is what he said:

Fortunately, with America our propaganda is on firm ground. We can be entirely sincere, as our main plank will be the old democratic one.

Again I hear Senators say, "Oh, we must help England; we must repeal the embargo, because we have to help England save the democracies of the world." Why do they not call England the "British Empire" instead of "England, the democracy"? Oh, no; the word "England" sounds more democratic than "the British Empire."

Let me go ahead with what Sidney Rogerson said about how the English people were going to get us into the war; and when we go into it, remember just what he said they were going to do. This is what he said:

We shall, as before, send our leading literary lights and other men with names well known to the United States to put our point of view over the dinner table.

In other words, "Give them oysters and propaganda at the same time. Fill up their stomachs with food and fill up their brains with English propaganda"; and do not think they are not doing it. Notice these little tête-à-têtes with English statesmen in America today. Oh, no; they are just over here to be nice. They have just come over to make America think they are interested in America.

This is what he said:

We should exploit to the full the views and the experiences of American nationals who might be serving in our forces or those of our Allies. We should make much of them.

This is how they love the American soldier:

We should make much of them, decorate them, single them out for mention in dispatches and the press, and use their stories as propaganda material to their own people.

In other words, have the American soldier come back to the United States decorated, in order to get more American soldiers across the Atlantic Ocean. Of course, we are not declaring war today, but we are going down the path to the

place where it is easy to declare war. We did not declare war in 1914, but we were in war in 1917.

Oh, what are we doing today? We are deserting the fundamental foreign policy of America, which has been our security for peace throughout American history.

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from West Virginia yield to the Senator from Missouri?

Mr. HOLT. I am glad to yield.

Mr. CLARK of Missouri. I do not wish to anticipate what the Senator will doubtless come to later, but in connection with this prognosis of propaganda to be used in the war, the Senator undoubtedly is familiar with the fact that after we got into the war in 1917, after we had burned our bridges behind us, after some officials of the Government had been informed of the secret treaties, about which we knew nothing before we got in, laying the scenes of the present conflict in Europe, Sir Gilbert Parker, who had been the head of the British propaganda efforts in the United States, wrote an article for Harper's magazine, in which he set out some of the methods of propaganda by which we had been lured into the war; but we were already in then. We were told—and he made no bones whatever in this article—in this article in Harper's magazine—in 1918, I believe it was—of describing some of the methods which had been used in tolling us down the road to war—methods which have been very much more explicitly exposed in well-documented phrases by Prof. H. C. Peterson, of the University of Oklahoma, in his book, Propaganda for War, published in the last few months.

Mr. HOLT. I thank the Senator from Missouri. Speaking of propaganda, I realize that there is German propaganda in America under the name of the Bund, but it is under its right name, it is a German organization. The trouble with English propaganda is that it is masquerading as Americanism. That is the danger. Look at the Rhodes scholars who are editors of papers, and see where they stand in the matter of helping democracy. Oh, yes; it can be seen right here in the city of Washington.

Let us look at all these unions for propaganda. When a start is made investigating the propaganda of Germany, I will go along, it should be unmasked; but let us take the cloak off these English propagandists who are saying they are old-time settlers of America. There is the danger of the propaganda. The English propaganda is the termite within America that is trying to get us break down our foreign policy. I would rather have an enemy in the open—like the Bund—at which we can strike, and which we should destroy in America, than this English propaganda, which does its work so nicely over the dinner table, and in the newspapers, and at the parties they give to Americans. Which is the worst propaganda in the United States? We all know what is the worst. It is that kind of slick propaganda for which the English have always been famous.

Turning back to the foreign policy of the United States, the two pillars of our foreign policy have been George Washington's Farewell Address and the Monroe Doctrine. George Washington, in his Farewell Address, used these words, and they are sound:

> Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.
>
> So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications.

George Washington must have been thinking of 1939, because our foreign policy today indicates an enmity and antipathy for one set of nations and certainly love for another set of nations. George Washington predicted the danger which would be the outcome of that. He predicted what would happen. He said we would be involved by slight incidents which might occur. He also made this important statement:

> Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side and serve to veil and even second the arts of influence on the other.

Does that not look at present-day conditions? Does it not fit perfectly? What else did George Washington say? This is something in which some Senators may be interested, as showing the feeling of some American people:

> Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

George Washington told what would happen in 1939. He had foresight. Yet we hear some say, "That is too long ago; that is too far back. The rule of conduct is too old." Rules of conduct were laid down thousands of years ago in the Ten Commandments and in the Golden Rule, and those rules of conduct are just as good today as they were when they were announced.

At election time we do not hear individuals laughing at Washington's Farewell Address. They laugh at it only in the cloakrooms of the United States Senate. That is the place where they laugh; not out before the people.

The second pillar of our foreign policy is the Monroe Doctrine. I know some think the Monroe Doctrine is only a one-sided affair. They think the Monroe Doctrine applies only to foreign nations keeping out of the Western Hemisphere. But what is the Monroe Doctrine? It is not only our protection in the Western Hemisphere. Let me read from it:

> Our policy in regard to Europe remains the same, which is not to interfere in the internal concerns of any of its powers; to consider the government de facto as the legitimate government for us, to cultivate friendly relations with it, and to preserve these relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. In the wars of the European powers in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparations for our defense.

John Adams said what would happen to the American people, and in a letter to Secretary Livingston he made this statement:

> America has been long enough involved in the wars of Europe. She has been a football between the contending nations from the beginning, and it is easy to foresee that France and England both will endeavor to involve us in their future wars. It is our interest and duty to avoid them as much as possible and be completely independent and to have nothing to do with either of them but in commerce.

He knew more about the events of 1939 than some Senators who are alive in 1939.

Let me read what Thomas Jefferson said:

> But for us to attempt by war to reform all Europe and bring them back to principles of morality and a respect for the equal rights of nations would show us to be only maniacs of another character.

Our foreign policy has been based on the sound principle of being friendly to all nations, of maintaining friendly relations, until the present administration. Then we find a changed policy on the part of the President of the United States. When the President went to the people in 1936, he did not tell them that he had an interest for England and France and wanted to destroy Germany. At Chatauqua, N. Y., he rose and said:

> I hate war. I hate war.

That was his campaign cry of 1936. He wanted us to stay on this side of the Atlantic then. But by 1937, when he got the mandate—the mandate about which we have heard so much—the foreign policy seemed to have been changed, at least publicly.

QUARANTINE AGGRESSORS

He went to Chicago to dedicate a bridge, and there he told us that our foreign policy should be "to quarantine the aggressor nations." "To quarantine the aggressor nations!" Not to stay out of the embroilments and entanglements of Europe, but to get in and "quarantine" the aggressor nations.

Mr. President, how are we going to quarantine them unless we send American boys to do the quarantining? Oh, it is said, "We can do otherwise." But history has shown that whenever it is undertaken to quarantine any nation, the soldiers are the ones who have to do the quarantining.

So in 1937 we find that the foreign policy has changed; and then in January of this year the President delivered a speech which most of us heard. From it the Senate can see the background of why we are asked to repeal the arms embargo. This is what he said:

Obviously they must proceed along practical, peaceful lines. But the mere fact that we rightly decline to intervene with arms to prevent acts of aggression does not mean that we must act as if there were no aggression at all. Words may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind. There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments the aggregate sentiments of our own people.

Let me repeat the last sentence of the President's statement, and see if Senators can find what is at the root of the desire for repeal of the arms embargo:

Wars may be futile, but war is not the only means of commanding a decent respect for the opinion of mankind. There are many methods short of war—

Not in it, but just short of it; right to the precipice of it—

There are many methods short of war but stronger and more effective than mere words of bringing home to aggressor nations the aggregate sentiments of our own people.

That was the statement made by our President in January of this year. In other words, go to the place just short of war; right to the place where we might skid into the war.

ENDORSES INTERVENTION EDITORIAL

Now, let me show the Senate another instance of the President's foreign policy. The Washington Post is edited by a Rhodes scholar and is, of course, very much interested in "democracy" in America on that account, as well as in the preservation of "democracy" across the sea. The Post editor wrote an editorial about the foreign policy, called "The Collective Pronoun." Here is what it said:

"I'll be back in the fall if we don't have a war"—

I do not have to tell the Senator who said that—

These words, spoken by President Roosevelt to the group assembled at Warm Springs to see him off for Washington, were seemingly wholly unpremeditated. Actually it is proper to surmise that serious consideration preceded their utterance. None knows better than the President that his office makes his most casual public observation subject to interpretation as a matter of national policy. And no President was ever more skillful than Mr. Roosevelt in making the most of every opportunity to give a positive direction to public thinking on important issues.

Then it goes on to say:

Most Americans realize today that the sweep of events has now brought Europe to the very verge of war. What is insufficiently realized is the tremendous implications of the impending catastrophe for every citizen of this country. In spite of the best-informed warnings to the contrary, many still believe that another World War might leave the United States relatively undisturbed. In spite of the virtual certainty of American involvement—

Get that, Senators.

In spite of the virtual certainty of American involvement—

Yes; in the name of peace, Mr. President—

In spite of the virtual certainty of American involvement, there are many who would seek to achieve isolation by panicky legislation or to seek shelter behind other paper guaranties of immunity.

To those who would protect themselves by closing their eyes the President addressed his warning. Spoken to a little group in Georgia, it is equally applicable to Americans everywhere. "If we don't have a war," Mr. Roosevelt will revisit Warm Springs at Thanksgiving. But all personal plans, all future projects are subordinate to that "if." The same, in one degree or another, holds true for all of us.

There is speculation as to what the President meant by "we."

We were going to have a war; remember that.

Did he mean if the United States is itself engaged in hostilities, or merely if a major conflict is raging overseas? Those who have followed Mr. Roosevelt's thoughtful speeches on the conditions necessary for peace will understand his choice of a pronoun. By "we" he undoubtedly meant western civilization.

Are we not a part of the western civilization?

By "we" he undoubtedly meant western civilization.

In his statement, "I'll be back if we don't have a war," he linked "we" up with western civilization. "We'll be in it." I proceed with the editorial:

A war affecting its foundations would immediately affect us vitally, whether or not the United States was at the outset physically involved.

Let me repeat that. Here is the editorial which President Roosevelt endorsed as his foreign policy. First, that we could not keep out, and that we—western civilization—were going to have a war. But let me read this sentence:

A war affecting its foundations would immediately affect us vitally, whether or not the United States was at the outset physically involved.

Get that.

Whether the United States was at the outset physically involved.

In other words, we are going to get in the front door before we get hit. This is the editorial which when he read the President said he nearly fell out of bed, because it was so close to his viewpoint of foreign policy. We are going to have a war. And who are "we"? Western civilization. We are going to have a war "whether or not the United States was at the outset physically involved."

The editorial proceeds:

But there was a greater value than its stimulus to national thinking in the President's passing remark on Easter afternoon. Until it has actually started another world war is not inevitable. It can still be averted if the free nations are willing to show that they will take a stand before it is too late.

Who is to determine which are the free nations? When did the United States become the censor for the entire world?

Pressure from the Berlin-Rome axis will not ease until it reaches the point of serious resistance. Then only can a different and honestly conciliatory attitude be expected from the dictators. Nothing less than the show of preponderant force will stop them, for force is the only language which they understand.

Who is going to have a war? We are going to have a war. Who are we going to stop? The dictators. We are going to stop them by force. And who is to apply that force? We, with American soldiers?

Mr. President, no one can read that editorial without realizing that when the President said that was his notion of foreign relations he meant that we were going to go in and stop the dictators by force, if necessary. And who did he mean by "we"? By "we" he said he meant western civilization.

Senators, I am quoting the President; he endorsed the editorial. Well, here is what the newspaper said the next day, and I want to read it. It is from the Washington Post of April 12, 1939. The heading is:

PRESIDENT ENDORSES POST EDITORIAL ON FOREIGN POLICY—GOOD, CLEAR, HONEST, HE TELLS NEWSMEN; HIS "IF WE DON'T HAVE WAR" TALK AN EFFORT TO PRESERVE PEACE BY PREPONDERANCE OF POWER

President Roosevelt stamped with his hearty approval yesterday a newspaper editorial calling for a "preponderant show of force" by democratic nations to halt the dictators and prevent war.

The editorial, appearing yesterday morning in the Washington Post (independent)—

Get that—independent. Yes; "the editorial appearing yesterday morning in the Washington Post (independent)." Oh, no; there is no politics in war. Do not be fooled about that—

The editorial, appearing yesterday morning in the Washington Post (independent), said that the world war "can still be averted if the free nations are willing to show that they will take a stand before it is too late."

The President ordered the editorial inserted in the minutes of his press conference, saying it was very good, very clear, and very honest. He said it had not been inspired by him, but that he had almost fallen out of bed when he read it yesterday morning.

So that is our foreign policy—that we, by force, should stop the dictators, and should go to war to do so. Who are "we"? Western civilization, meaning also the United States of America. The President said, "I think so much of this editorial that I want it put in the minutes of my press conference because it is so good, so clear, and so honest. When I read it I nearly fell out of bed." Mr. President, that is the President's policy.

Then we talk about neutrality. This is not neutrality. It never was meant to be neutrality. We all know the difference. If the American people had a microphone in the cloakrooms of the United States Senate, they would learn a great deal about what is going on in Washington because we in the cloakrooms knew that repeal of the embargo was not for the purpose of neutrality but to help England and France. We all knew that.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. HOLT. I shall be glad to yield to the Senator from Oregon, and then I wish to put the remainder of the editorial in the RECORD.

Mr. HOLMAN. I will wait until the Senator has completed the reading of his editorial.

Mr. HOLT. Mr. President, this is not mine. Do not hold me responsible for it. I had nothing to do with it. I do not believe in it. I do not believe it is our duty to set ourselves up as the judge of the world's conduct. It is nice for a man sitting in Washington to say that we should stop war by force, but the collective pronoun "we" does not mean "us." It means the boys between 20 and 35. Those are the ones it means.

Let me now proceed with the editorial:

HIS VIEWS FOR POSTERITY

He added he wanted it inserted in the press conference minutes so that posterity might see what his views had been.

He was not satisfied to tell the Post that he thought the editorial was good, but he was going to put it in his minutes, and then put it in that building up in Hyde Park for posterity, so that his views on foreign policies might be known.

Then the article continues at length. It quotes from the editorial I have previously read. Mr. President, it is not necessary to read it at this time. In order that posterity may know the President's position on foreign affairs, I ask unanimous consent that this article be put in the CONGRESSIONAL RECORD for embalming.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Is there objection to the request of the Senator from West Virginia? The Chair hears none, and the article may be printed in the RECORD.

The article is as follows:

[From the Washington Post of April 12, 1939]

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HIS VIEWS FOR POSTERITY

He added he wanted it inserted in the press conference minutes so that posterity might see what his views had been.

While the President spoke news dispatches from London were saying that Prime Minister Chamberlain was pursuing an appeasement policy toward Mussolini, having decided to give him "one more chance" to keep the peace. Whether the President knew of this British decision when he pointed to the Post editorial, and whether his words would tend to strengthen the British attitude toward the dictators remained undetermined.

The Post editorial was based on Mr. Roosevelt's remark as he left Warm Springs, Ga., recently:

"I'll be back in the fall if we don't have a war."

It said this was no casual utterance. "Most Americans realize today that the sweep of events has now brought Europe to the very verge of war," it commented. "What is insufficiently realized is the tremendous implications of the impending catastrophe for every citizen of this country.

"In spite of the best-informed warnings to the contrary many still believe that another World War might leave the United States relatively undisturbed. In spite of the virtual certainty of American involvement, there are many who would seek to achieve isolation by panicky legislation or to seek shelter behind other paper guarantees of immunity."

To these persons the editorial said the President had addressed his warning. His use of the word "we," said the editorial, undoubtedly meant western civilization.

"A war affecting its foundations would immediately affect us vitally, whether or not the United States was at the outset physically involved," it added.

Speaking of the way to avert war, the editorial asserted:

"Pressure from the Berlin-Rome axis will not ease until it reaches the point of serious resistance. Then only can a different and honestly conciliatory attitude be expected from the dictators. Nothing less than the show of preponderant force will stop them, for force is the only language which they understand. But, like less exalted bullies, force is to them a real deterrent."

By using the word "we," the editorial said, "the President told Hitler and Mussolini, far more impressively than he told Warm Springs, that the tremendous force of the United States must be a factor in their current thinking. He told the axis powers that the administration is far from indifferent to their plottings. He made it plain that a war forced by them would from the outset involve the destinies of a nation which, as they fully realize, is potentially far stronger than Germany and Italy united."

To make that plain at this crucial time, the editorial pointed out, is to help in preventing war. "To make the dictators realize that there is a limit to unresisted aggression is in itself to set that limit. It is on that incontrovertible reasoning that the French have stiffened their policy. It is on that reasoning that the British are laying down a dead line. It is on that reasoning, through the application of which peace can still be saved, that President Roosevelt properly links the United States with the eleventh-hour effort to avert a shattering disaster."

The President had previously refused at his press conference to comment on the European situation. His only remarks on foreign affairs were confined to approving the project announced Monday by Senator BYRNES (Democrat), of South Carolina, for exchanging American surplus cotton and wheat for strategic war materials of other countries.

When a correspondent insisted on inquiring whether the Chief Executive had absolutely nothing to say on the foreign situation, Mr. Roosevelt promptly made the editorial his own opinion.

Mr. HOLT. I now yield to the Senator from Oregon.

Mr. HOLMAN. Mr. President, I appreciate the generosity of the Senator in yielding to me in order that I may make an observation prompted by the logic of his remarks.

Presumably it is proposed to amend the present Neutrality Act so that this Nation may assist England and France in the present European war.

Recently the fact has come to light that Germany is introducing a new technique in naval warfare, with some rather startling results in the sinking of the great British airplane carrier *Courageous* and the superdreadnaught *Royal Oak* and damage to other battleships of presumably first magnitude. Should the new German technique of airplane and submarine warfare prove successful and the mastery of the seas thereby be transferred from England to Germany, would those who now advocate a change in the present Neutrality Act so that whoever controls the seas may come to our shores to get arms and munitions to carry on the war then and in that event advocate a change in the Neutrality Act so as to prevent Germany from obtaining arms, ammunition, and implements of war with which to slaughter the people of England and France? In other words, I propound the question: Should the American policy blow hot and cold as the ebb and flow of battle goes on in Europe?

Mr. HOLT. Answering the Senator from Oregon, I say that those who want to repeal the arms embargo to help England and France would then want us to stay in continuous session so as to watch the battle front every hour and change the arms embargo, depending upon the outcome of the war; in other words, to blow hot and cold. It is necessary to put in an intermediate stage—to blow medium. [Laughter.] We do not blow hot and cold. We blow hot, then medium, then cold. We have to prepare the people for it.

Talk about changing the embargo. The only reason in the world why we are in session—and there is no need of trying to fool the people—is to help England and France defeat

Germany in the war under the name of neutrality. Talk about changing, blowing hot and blowing cold. Mr. President, have you ever noticed how the administration blows hot and cold about communism? Communism now has its whiskers back on.

It is a terrible thing because it is now against England. But when England was supposedly planning a trade agreement with Russia there was no word from the administration about communistic Russia. Oh, no. We are now preparing to get rid of all the Communists in the Government. A few months ago the administration denied that there were any Communists in the Government. In other words, the blowing hot and cold depends upon the draft from Downing Street, not from Main Street. It is not the winds of the Atlantic Ocean which bother us. It is the piped circuit from Downing Street.

I will say to the Senator from Oregon that if very many more *Royal Oaks* are sunk we shall be constantly in session.

Mr. CLARK of Missouri. Mr. President, will the Senator yield.

Mr. HOLT. I yield.

Mr. CLARK of Missouri. The Senator is undoubtedly familiar with the fact that occasionally we have conflicting breezes from Downing Street on the same day. For example, one day last week we had the announcement that Great Britain had just that day consummated a trade agreement with Mr. Stalin and Communist Russia, and on the very same day the speech of Prime Minister Chamberlain was made in the House of Commons in which he stated that it would be a stultification and dishonor to Great Britain to make peace with Germany, because she had invaded Poland.

I myself am unable to understand—perhaps the Senator can explain—why it would be a stultification of British honor to make peace with Germany, because she invaded Poland, while at the same time making a reciprocal-trade agreement with Russia, which had also invaded Poland and gotten away with a little more than half the "swag."

Mr. HOLT. British honor is based on British imperialism. Britain has no more use for its honor, except as it protects its colonies and the financial interest of England, than Hitler has for Nazi honor. We cannot believe either of them. I intend to discuss that point a little later.

CONFERENCE OF AMBASSADORS

With respect to this administration being neutral, let me read from Raymond Moley. Many Senators used to know him pretty well. He wrote a book called After Seven Years.

I am quoting Raymond Moley, because I was not called into the conference. Do not be fooled about that. Mr. Moley said:

> After Munich, Roosevelt at once summoned home our ambassador to Berlin. There were consultations with Ambassadors Phillips, Kennedy, and Bullitt. The consensus seems to have been agreement that the time had come to do "something practical," to stop Germany, Italy, and Japan, and to assist England and France. That "something" was to be a revision of the Neutrality Act to permit France and England to buy guns and munitions in this country.

This book was written at the time the discussion was going on. I continue:

> And the reason for that frankly and designedly unneutral step, it presently appeared, was no longer the "lawlessness" of the axis powers so much as it was the belief that only by throwing our weight on the side of England and France could we protect our own interests.

Behind the scenes, the President called in the ambassadors; and in order to find something practical to stop Germany, he took steps on one side of this conflict in the name of neutrality.

Mr. Moley continues:

> Ambassadors Bullitt and Kennedy then went off to Florida. When they had spent some weeks there it was suddenly discovered that they were in possession of burning secrets which must be communicated to the House and Senate Military Affairs Committees.

Perhaps one of those submarines was down in Florida. I do not know. Submarines have been seen all over the country. An investigation of submarines was made out west, and it was found that they were not submarines at all, but only snapping turtles sticking their heads out of the water looking for air. [Laughter.]

Mr. Moley continues, after telling about Ambassadors Bullitt and Kennedy going down to Florida:

> When they had spent some weeks there it was suddenly discovered that they were in possession of burning secrets which must be communicated to the House and Senate Military Affairs Committees. There followed a magnificently publicized dash back to Washington, intended to convey the idea that a world calamity was in the offing, and, on January 10, 1939, the imparting of information presumably so sensational that it could not be made public.

Continuing with Mr. Moley:

> Observers recognize in these dramatic maneuverings signs of a State Department campaign to "educate" the American public to the need for a stronger foreign policy.

I am sure no one would say that Mr. Ernest Lindley is antagonistic to the President. Certainly nobody could say that. This is what he said in one of his columns:

> It must be recorded that there are men in the Roosevelt administration who think that this is our war, and, so believing, can be expected to urge that we give Great Britain and her allies whatever help may be necessary to bring them a victory.

Have we not heard on this floor the contention that this is our war?

On the other side of the Capitol, when the question of the neutrality joint resolution was under consideration this spring, the Secretary of State and the representatives of the State Department were asked many questions. In the minority report of the committee on the other side of the Capitol the question was asked, "Why should we repeal the arms embargo?" This is what was said:

> When representatives of the State Department were asked whether there was any change in the international situation which would cause Congress to repeal the provision for an arms embargo at this time, our committee was told that Hitler's taking over of 27 munitions plants in Austria, and the Skoda works and 11 other plants in Czechoslovakia, justified the change.

In the name of neutrality? No; because Hitler had gotten some munition factories. Therefore, the United States should become the arsenal for England and France. I was not present, but this is from the report of the minority of the Foreign Affairs Committee on the other side of the Capitol.

WHY THE SECRECY?

Why is all this hush-hush secrecy if we are not on the way to the precipice of war? Why should the American people not know the facts? Why should reports of committees not be revealed to the American people? Let any Senator try to get from the War Department the report on its mobilization plans; let him see if he can get even a photostatic copy of it. The only one, I understand, who has a copy is a newspaperman. If we are not on the way to war, why should not the American people know the facts? The President said the other day, when he referred to a submarine being off the coast of Florida, "I am going to tell the American people all the facts about it." If he wants to tell them all the facts, why does he not tell the American people about the mobilization of industry as planned by the administration? In the administration we have internationalists who will give the people of Europe democracy if they have to kill them to do it. Oh, yes; we have internationalists right here who are interested in protecting democracy.

Now, let us look at the democracy we want protected and which in 1917 we protected after 100,000 American boys were killed. What State Department officials were in the front-line trenches at that time? They were fighting for democracy 3,000 miles from the front-line trenches. Let us consider the secret treaties to which my friend from Missouri referred. I quote this reference from The Intimate Papers of Colonel House:

> Grey thought that France would insist upon Alsace Lorraine. The French believe the Allies will win and that they can impose the terms of peace upon Germany; later, perhaps, they would find that to impose peace conditions upon Germany would necessitate continuing the war for a number of years, and when that was realized they might be willing to make concessions.
>
> He did not know the mind of Russia, but he believed by giving them Constantinople and the Straits they would be willing to acquiesce in almost any other terms that might be agreed upon.

The American boy who was in France was not told about the secret treaties; he was not told about the diplomacy of Europe. He died thinking he was fighting for the democracy of England and France and the other Allies.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from West Virginia yield to the Senator from Missouri?

Mr. HOLT. I yield.

Mr. CLARK of Missouri. I think the Senator is mistaken as to the purpose of that war. The avowed purpose of it was to engage in a "war to end war," "to make the world safe for democracy." I think that the experience of today shows how hollow those slogans were, but that was the avowed purpose of our engaging in the last war, namely, to engage in a "war to end war" and "to make the world safe for democracy."

Mr. HOLT. The Senator from Missouri is correct. That is what the boys were told. It will not be long until the slogan in America will be "Stop Hitler; let us make the world safe for democracy so we will have no more mobilizations and end all war." Does that compare favorably with the statement of Daladier, that "we must crush Hitler so that we will not have to mobilize every 6 months." A war to end all wars. No; it was not a war to end all wars; it was a war that provoked the present war. Go back to the causes of the war of 1939, and we find them in the Versailles Treaty. That is a cause of the World War of 1939. This war is only another one of the ever-recurring wars in Europe.

Let me quote what Mr. Baker said about the secret treaties:

> In America we knew little and cared less about these European secret treaties. Our national interests were at no point affected by them. * * * Everyone knew, indeed, that Italy had driven a hard bargain when she came into the war on the side of the Allies. But this was war, and in war anything may be necessary. * * * Even the State Department of the United States, which is the organization especially charged with the duty of knowing about foreign affairs, seems to have had no interest in these secret treaties, and if Secretary Lansing is to be believed, little or no knowledge of them. * * * While the President must have known in general of these secret agreements, for he often excoriated the practice of "secret diplomacy," he apparently made no attempt to secure any vital or comprehensive knowledge.

Then he says further:

> When Mr. Balfour came to Washington as the British commissioner in 1917 he explained certain of these treaties to Colonel House. Colonel House, however, said he was not particularly interested, because it seemed to him more important to bend all energies to the winning of the war.

Oh, no; it was not necessary to pay any attention to those secret treaties—those treaties that lined up the powers of Europe in the war of 1917; those treaties under which, long before the war, the nations parties thereto said, "We will take a part of this country and you take a part of the other country." The Senate may take my word that 20 years from now it will be found that there have been and are now more secret treaties in Europe; and yet we are sticking our nose into Europe in order to "save the world for democracy" and favoring a "war to end all war." That is the No. 2 war to end all wars.

And what does Ambassador Page say? Did Great Britain go to war in Europe in 1914 because of the violation of Belgium's neutrality? Let me quote what Ambassador Page said:

> Page admitted that the British would have been found fighting with France even if France had violated Belgium.

Let Senators appreciate the force of that statement:

> The British would have been found fighting with France even if France had violated Belgium.

We were then told about "poor, bleeding Belgium," and in 1939 we are told about "poor, bleeding Poland." Ah, at the expense and cost of the lives of American boys?

Do you think, Mr. President, they were fighting for honor and for democracy over there? George Bernard Shaw expressed what the world knows to be true about England. Here is what he said:

> If our own military success were at stake, we would violate the neutrality of heaven itself.

Note that, Senators. If British military success were at stake at the counter, the neutrality of heaven itself would be violated.

ENGLAND'S TERRITORIAL GAINS

Lloyd George said that England did not seek "one yard of territory."

Does not that sound like Chamberlain? I will tell you what England got out of the World War and why England was fighting for democracy. England got 994,950 square miles of territory, 25 times the size of Czechoslovakia, 6 times the size of Poland, and that in a war for democracy. England was fighting to crush Kaiserism in 1914–17, and in the meantime she picked up almost a million square miles of territory where she could promote democracy.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. HOLT. I yield.

Mr. LUNDEEN. After crushing Kaiserism, the British King is now sending birthday greetings and congratulations to the German ex-Kaiser at Doorn. It is all right now, after they got a million square miles of territory.

Mr. HOLT. Oh, yes, Mr. President; but that was a family quarrel. There was "Cousin Nicky" of Russia and "Cousin Willie" of Germany and "Cousin George" of England, all of the same line of Queen Victoria. I repeat, it was a family fight in 1914–17. England, a great democracy, the British Empire, a great democracy that we have to take a chance of getting into war to save.

Let me give some figures. England has 50,328 square miles of territory; but how much territory does she control? England, with 50,000 square miles of territory, controls 13,253,240 square miles of territory in order to promote democracy in India.

Mr. LUNDEEN. Mr. President, will the Senator yield there?

Mr. HOLT. Yes; I am glad to yield.

Mr. LUNDEEN. That is about four and a half times as large as the United States, is it not?

Mr. HOLT. I cannot say, offhand, as to that.

Mr. LUNDEEN. It is approximately so. We have a little over 3,000,000 square miles, have we not?

Mr. HOLT. That is correct.

Mr. LUNDEEN. And the 13,000,000, whatever the figure was——

Mr. HOLT. Thirteen million two hundred and fifty-three thousand two hundred and forty square miles.

Mr. LUNDEEN. The bleeding British Empire, this empire with nearly 600,000,000 people, this empire whose sword has been dripping with the blood of enslaved and oppressed peoples for a thousand years, has territory four and a half times the size of the United States. Britain, I say, does not come into this war with clean hands.

Mr. HOLT. Yes. Here is England, with 37,354,917 population, controlling 494,870,104 individuals in the name of democracy; and then we are to get close to war, where we may be shoved in, in order to save democracy by saving England.

What about France? France herself has 212,659 square miles of territory, but the French Empire is not in France alone. It has 4,613,315 square miles of territory—an empire that went out with sword in order to make the world safe for democracy throughout the centuries.

Mr. LUNDEEN. Mr. President——

Mr. HOLT. I yield to the Senator from Minnesota.

Mr. LUNDEEN. The French Empire is more than a million square miles larger than the United States, is it not?

Mr. HOLT. That is correct. Furthermore, the democracy they gave to Syria! Oh, was not that democracy? I intend to discuss that subject a little later on, but here is a group of individuals wanting to make the world safe for democracy by making it safe for England and France.

VERSAILLES TREATY

What is the cause of the trouble in Europe today? It goes back to the Versailles Treaty, when those men who deserted

honor, forgot ideals, sat down to carve up Europe to their own fancy.

What did Signor Nitti say about the Versailles Treaty? He said:

This cursing of the guilty people has no parallel in modern history. We must go back to the early ages of mankind to find anything of the kind.

That is what the Italian historian said.

Furthermore, let me read what H. G. Wells said about it. He said:

Germany, exhausted and beaten, surrendered in 1918, upon the strength of these promises and upon the similar promises in President Wilson's 14 Points, but the Conference at Versailles treated promises as "scraps of paper." The peace imposed on the new Germany was a punitive peace.

It is now said that Hitler treats treaties as scraps of paper. Of course they are; but how were treaties treated in the Versailles conference? What happened? Not since Rome punished Carthage was there such a treaty placed on any people as the Allies placed upon the German Empire in order to destroy it. Hitler was caused by the Versailles Treaty. He was the boil on the body politic of Germany, caused by the bad blood that came as the result of the poisoning of 1917. You may cut out the boil, but the blood is still infected.

No; Hitler is just a symbol. He is the man in the way of the control of Europe by Great Britain.

Let us see what the magazine Time says by way of tracing the conditions in Germany which caused the present condition in 1939. This is what it says:

Defeated, exhausted, blockaded, Germany passed through a staggering cycle of panics, revolutionary and counterrevolutionary outbreaks, financial debacles, governmental upheavals. Her army was disarmed, her fleet scuttled, her merchant marine forfeited, but 62,000,000 Germans nevertheless remained to be fed, clothed, housed, organized in some political community. Europe's new states outside Germany emerged slowly, bumped shoulders, clashed over boundaries, made alliances. But Germany remained Europe's central problem, while Russia was still split with civil war. For the first 5 years of peace, from the armistice to the Ruhr, the biggest development in Europe, outside of Russia, was France's policy of keeping Germany weak.

Weak, Germany certainly was. At the war's end, after the Versailles Treaty, she had lost:

One million and seven hundred thousand killed in battle, 4,200,000 wounded, 1,150,000 missing.

Alsace-Lorraine, most of Posen, and West Prussia, all her colonies, other territorial concessions.

Eighteen million of her population, over 1,000,000 square miles of her territory, 45 percent of her coal, 65 percent of her iron ore, 15 percent of her arable lands, 10 percent of her factories, 5,100,000 tons of her merchant fleet.

To France she agreed to deliver 105,000 tons of benzol, 150,000 tons of coal tar, 90,000 tons of sulfate of ammonia, 500 stallions, 30,000 mares, 2,000 bulls, 90,000 cows, 1,000 rams, 100,000 sheep, 10,000 goats, and she agreed to pay (but paid only in part) $5,000,000,000 reparations before May 1921.

But 62,000,000 Germans weakened to desperation seemed as menacing to the rest of the world as to France in her post-war mood they seemed reassuring. Inside Germany political chaos became almost normal, marked by Communist and reactionary uprisings.

Further, it says:

Outside Germany the states created by the Treaty of Versailles and the treaties which followed it were linked to France in a chain of alliances. Poland and France in the treaty of February 19, 1921, pledged themselves to mutual assistance in the event of German aggression. When Belgium and Czechoslovakia also signed with France, the ring around Germany was closed. When Czechoslovakia, Yugoslavia, Rumania formed another such ring around Hungary—and this ring was coordinated with the other by the Franco-Czechoslovakian alliance—French security against possible German ambitions seemed as solid as diplomatic measures, military might, economic dominance could make it.

Also, it tells us:

And when Poincaré, on January 11, 1923, sent French troops to seize 80 percent of Germany's coal, iron, and steel sources, in "the mad and ruinous Ruhr episode," Great Britain's criticism swelled, Great Britain's sympathies shifted. Lloyd George, who 4 years before had been reelected on a platform of punishment for Germany, later called it "* * * the dismal and tragic episode of the Ruhr occupation," and said that it caused "untold misery to many millions of Central Europe, had put back the clock of post-war reconstruction throughout the world, intensified unemployment problems and industrial depression, and had signally failed in its main object of extracting reparations from Germany."

For 600 of the maddest days in history French troops patrolled the Ruhr; 147,000 German citizens were driven from the district in 11 months.

Burgomasters of every major city in the land of 4,000,000 people were expelled or imprisoned.

Funds and records of manufacturing companies were seized and their offices taken over; at least 100 people lost their lives, newspapers were suppressed, 19,000 officials in the area of the French-sponsored "Autonomous Government of the Palatinate" were deported.

In Munich, Ludendorff and Hitler attempted to set up a dictatorship. German workers in the Ruhr downed their tools, supported by the German Government, which printed more paper currency to pay them.

Germany's economy was swept away in an avalanche which threatened to break the ring around her, sweep over Europe. In December, shortly before the French occupied the Ruhr, a United States dollar would buy 7,000 marks. In a month it would buy 50,000. By June it would buy 100,000. Prices were quoted by the hour, workmen paid by the day, savings wiped out, housewives rushed to spend money before nightfall, knowing morning would make it worth less. In August one United States dollar would buy 5,000,000 marks. By the middle of November the United States dollar was quoted at 2,500,000,000,000 in Berlin, and 4,000,000,000,000 at Cologne 300 miles away.

Oh, yes; this was the kind of peace that was imposed on a people destroyed, starved to death, and the natural result would be Hitler. The natural result would be nazi-ism. It rises out of the ruins and desolation of such a punitive peace as that.

May I quote what the Manchester Guardian, an English paper, said about the treatment of Germany?

The root factor in the situation is that the German masses are exhausted and starving. You have only to see the children in the German slums, all head and no body, with thin necks and gray, ghastly skins, to realize what a magnificent weapon a blockade is. In Berlin there are scores of thousands of children who have never tasted milk.

That was the peace of the democracies—the democracies we are expected to go over and fight for.

We all realize that Hitler came out of the crushing of Germany. Hitler was the result of the terrible persecution not by the Nazis but by England and France in the occupation and destruction of Germany, so that Germany would never rise and bother them as a foreign power. We realize that out of that came Hitler; and when Hitler was rising to power who armed him? Who armed Hitler? We find that part of the arming of Hitler was done in France and in England. Hitler got his first arms from the countries which are now seeking to destroy him.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HOLT. I shall be glad to yield.

Mr. CLARK of Missouri. I think the statement the Senator has made is absolutely accurate; but I should like to call the Senator's attention to the fact that the United States of America can by no means claim lack of guilt in arming Hitler. I may say to the Senator that during the munitions investigation it was accidentally discovered that the United States had been permitting the sale to Mr. Hitler, or to Hitler Germany, of certain very essential airplane parts, and that when it was proposed to develop that matter the Secretary of Commerce of the United States came before the Munitions Committee in executive session and urged that we not disclose it, and stated that he had given the information to us in a confidential way, so that only a portion of it actually got into the record of the Munitions Committee hearings.

Mr. HOLT. I should like to ask the Senator from Missouri if it is not true that pressure was also brought to bear on the committee not to make public the part that J. Pierpont Morgan had in buying munitions during the war.

Mr. CLARK of Missouri. There is no question about that. I will further say to the Senator that such very great pressure was brought to bear on the Munitions Committee with regard to the secret treaties, in view of the fact that the communications had been sent to us as confidential communications, that the committee never was able to make public the correspondence with regard to the secret treaties

which came to the attention of the State Department very shortly after our entrance into the war.

Subsequently, however, by some process with which I am not familiar, a leading American newspaper service obtained copies of the correspondence with regard to the secret treaties, showing the correspondence between Mr. Balfour—afterward Earl Balfour—and Secretary Lansing, which disclosed clear warning to the United States as to the secret treaties very shortly after we entered the war. How that correspondence was obtained by this news service I am not advised, but I think there is no doubt on the part of anybody who has ever read the correspondence that it was substantially correct.

Mr. HOLT. I thank the Senator; and I will say when history is written about our foreign policy in this period we shall find out many things we do not know today. We may find out that Anthony Eden was not over here just to make a speech to the manufacturers' association. We may find out that Lord Beaverbrook was not over here just to gossip. We may find out that the King and Queen were not over here just to look at the grandeur of the American Continent. Oh, the parade that has been going on!

WHO ARMED HITLER?

But going back to the arming of Hitler, let me quote something about the arming of Hitler, and show that the French and British Governments helped arm Hitler. This is an extract from a book on the subject, Merchants of Death, by H. C. and F. C. Hanighen—pages 244–245:

The rise of Hitler and the Nazis in Germany was also the signal for the arms makers in other countries to offer their services and wares to a worthy cause. The British, as noted, received an order for 60 of their superior airplanes. * * * M. Sennac charged at the Radical Socialist Congress on October 14, 1933, that Schneider had recently furnished 400 of the latest model tanks to Germany, routing them through Holland in order to avoid suspicion. France is also supplying raw materials for explosives to the Germans. The Dura factory at Couze St. Front, near Bordeaux, is shipping thousands of carloads of cellulose to Germany every year. This factory is mainly under British ownership. Its contract with Germany stipulates that the cellulose must be used for the manufacture of peaceful products, but it is hardly a secret that it is utilized for making explosives. The I. G. Farben Industrie in Germany, which manufactures explosives from this cellulose, is owned, to at least 75 percent, by French capital. These facts are known in France, but nothing is done about them, because the Dura factory is one of France's chief explosive factories in case of war, and because American manufacturers would immediately fill the German orders if the French did not. As for the French control of the German chemical industry, the Government does not insist on the withdrawal of French capital for the simple reason that the British would immediately replace the French.

There is one thing after another showing how England and France, not proclaiming their great antagonism for Hitler, helped arm Hitler in Europe. They knew about the Treaty of Versailles. They created a Frankenstein, which is now bothering them.

ENGLISH ATROCITIES

Some say we should help England and France because of the terrible atrocities Germany is committing and has committed in Poland and has committed in Czechoslovakia. I want my position clear, unmistakably clear. I condemn with all the power that is in me any of the persecution and any of the atrocities of which Germany has been guilty in Czechoslovakia and in Poland. But remember that England's hands are not clean. Let me give a few instances of the atrocities committed by England, the country to defend which we are to get close to war. Here is one from Ireland. The British Empire was so nice to Ireland! I quote from the book, Ireland's Case:

O'Donovan Rossa, when in English prisons, serving his life sentence, and protesting against the indignities to which he and his fellows were subject, frequently had his hands chained behind his back for days together, in solitary confinement. And to eat the bits of food that were thrust to him through the bars, he had to go on his knees and lap it up like a wild beast.

Mr. President, that did not occur under the control of Germany; that occurred under the control of Great Britain.

Here is another one:

Michael Davitt, the one-armed man, tells how he and his fellow political prisoners in English dungeons, in order to get a mouthful of the fresh air for which they gasped, had oftentimes to lie on their stomachs on the floor of their cell and put their mouths to the slit at the bottom of the door. And on passing a garbage barrel when the keeper was fortunately not watching them, the prisoners grabbed from it the dirty ends of tallow candles, and secreted the tid-bits, which at the first opportunity they ravenously devoured.

The treatment of Irish political prisoners in English dungeons has been universally so brutal, so savagely unhuman, so much worse than anything the world is aware of, that it is no wonder these Irishmen emerge from the English dungeons—whenever they do emerge—incurably invalided, crippled, blind, and insane. For some, the jail door opened to the tomb. For others, far worse—it opened to the madhouse.

There is no question of persecution. Persecution is not the sole attribute of Germany. Despicable and despisable as their persecution may be, persecution has been employed by others. Let me give another instance of the lovely attitude of England; let me tell something of their justice in Africa.

On a cross solidly constructed at 15 paces from the gibbet they are preparing the punishment of flagellation. The first sufferer strips to the waist, passes his head in the iron collar, stretches out his arms, which they bind to the cross, and on his bare torso the kurbash descends rhythmically to the sound of the voice that counts the blows and of the cries of pain which each of them wrings from the sufferer; the bronze skin tumefies, splits in places, the blood spurts; it is sickening, horrible. The expiation finished, with great effort the fellah can stand upright.

A second man succeeds him, who cries out still more desperately; the third one is literally contorted under the lash; he loses consciousness, the doctor stops the flogging. Meanwhile the man hanged has given up the ghost. The small cord turns on its pulley and is fasted to the buckle of the leathern waist belt of the victim who is hauled up to take off the slip knot; they untie the feet and hands, and, on a litter brought by the assistants, they lay out the corpse to take it away to a tent provided with winding sheets and coffins.

BOMBING OF DAMASCUS

Mr. President, that was English democracy. And France does not have clean hands when it comes to the question of persecuting people. Let me read about the action of France in Syria, not a hundred years ago, but less than 15 years ago. I quote from the Literary Digest of 1925:

The screaming and bursting shells that spattered the streets of Damascus with the blood of innocent men, women, and children sent a thrill of horror throughout the civilized world—a horror not lessened by the fact that the shells were fired from the guns of a Christian nation. And the work of the artillery was supplemented by bombing airplanes and by tanks that spit machine-gun fire as they lumbered through the historic streets of what is said to be the world's oldest inhabited city.

When there is talk about Germans bombing the other countries, let us go to Damascus and look at the graves of the Syrians who were killed by the bombs of France. The article in the Literary Digest proceeds:

This exhibition of "frightfulness" began on Sunday night, October 18—2 days after the initialing of the European security pacts at Locarno—and continued until late Tuesday afternoon. An eyewitness quoted in an Associated Press dispatch describes the period of the bombardment as one of "unforgettable horror," tells of hundreds of dead bodies lying in the streets, and estimates that "at least 2,000 were buried in the debris of the wrecked buildings of Damascus."

That was not in Warsaw; it was in Damascus. Who was stationed there? General Gamelin, now the head of the French forces on the western front, was stationed there, according to Time.

In the name of democracy, in the name of civilization, in the name of Christianity, these things happened.

Now let us go back and see how lovely England has treated her subjects. Let me read about some of the instances of England's wonderful treatment of the people. I am giving actual quotations:

ATROCITIES BY THE BRITISH SOLDIERS IN THE BOER WAR

An officer in the field (December, 1900): "It was sufficient that arms were discovered; firewood was at once collected; the wife and little children, bedridden old men and women were ordered out without a moment's respite, and the homestead burned before their eyes. It was midwinter, and the nights were indescribably cold, and in these thinly populated districts there were often no neighbors to

give shelter. It was murder as cold-blooded and deliberate as if they had been placed against a wall and shot; worse, indeed, because their sufferings would have been sooner over." (Walsh.)

That was English democracy. Here is another, quoting an English soldier:

"Later on houses were burned on all sorts of pretexts, until farm burning became the daily business of soldiers." A lieutenant testifies (Ottawa Citizen, Jan. 7, 1901) that, "We moved on from valley burning, looting, and turning out the women and children to sit and cry beside the ruins of their once beautiful farmsteads. * * * We burned a track 6 miles wide through these fertile valleys and completely destroyed the village of Wilport."

Morning Leader, June 11, extract from a letter "* * * but it was grand sport chasing young cockerels and chopping geese's heads off, hearing pianos play as they rolled upside down into a fire lit in the middle of the room, piling pictures and brackets, etc., on a deal table and then putting a straw mattress underneath to start the blaze."

War gods are not heroes, but frequently incendiaries. Here is a part of an order in the Boer War: "Unless the men * * * surrender * * * the whole of their property will be confiscated and their families turned out destitute and homeless" (dated Kingersdorf, July 9, 1900).

"When the flames burst from the doomed place the poor woman threw herself on her knees and bared her breasts, screaming 'Shoot me; shoot me. I have nothing more to live for now that my husband is gone and our farm is burned and our cattle taken.'" (Morning Leader, May 21, 1901.)

Was that in the name of democratic England? That was the order given in the fighting "for democracy" the Boer republic? He said they were to take no prisoners, that is, if the Boers surrendered, they were to be shot down. This in a civilized democracy, about which there is so much talk!

I wish to read one from another soldier:

In the last two fights we used the bayonet freely as we advanced, and the Boers appealed for mercy in vain.

That was not in Poland, not under German control, but under democratic England.

Here is another one:

A Boer was taken; he then threw down his rifle and asked for his life, and for an answer got a coarse jibe and was spitted, unarmed, on the bayonet of an English soldier.

Mr. LUNDEEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. HOLT. I yield.

Mr. LUNDEEN. I understand the Senator is speaking of the Boer War.

Mr. HOLT. That is correct.

Mr. LUNDEEN. If I remember correctly, the Boers had a population of just about the size of my home city of Minneapolis, about half a million people. But they stood off the British Empire for 2 years, and the British were unable to conquer them until New Zealand, Canada, Australia, and South Africa came to the aid of the Empire in the war. What was the war about? It was to gain control of the gold supply of the world. We hear talk about our gold deposits, but the British Empire produces more than half of all the gold in all the world.

Mr. HOLT. And we buy it.

Mr. LUNDEEN. At a premium. They produce most of the diamonds of the earth. The mines at times have to be shut down so that the market will not be overloaded with their diamonds. Yet they cannot afford to pay their honest debt to the United States. And France, with a million square miles more territory than we have, charges rent on the graves where our heroes rest. Some effort has been made to show that the Government is not paying that, but that American money is paying it. That is the type of empires supposed to be the captains under whom we are to be the first lieutenants. I am not sure but that we will be the corporals after awhile. This enormous wealth, which has been piled heaven high by these empires, does not satisfy them. They must go out into the world and expand.

The Senator speaks of cruelty. Take the example of the treatment accorded the German nation after the war was over. I do not know whether the Senator has mentioned that or not. There were 2 years or more of starvation, and boldly they boasted that they were going to starve that generation of Germans so that they would grow up diminutive and dwarfed.

Mr. HOLT. In the name of democracy.

Mr. LUNDEEN. Suffering from malnutrition and privation, and starvation, all in the name of saving the world for democracy and making the world safe for—shall we say—the British Empire.

Mr. HOLT. I thank the Senator. I wish to read just a few more instances, not of Poland, not of Czechoslovakia, not of things committed by Germany, but of things committed by England. Here is an exact quotation from an English soldier:

Man hunting is better than football, and that he is enjoying himself very much.

A wounded colonel cried out to his men, "Exterminate the vermin. Give them hell, boys. Make them dig their graves, and then shoot them into them"—in the name of democracy.

Yes, Mr. President; then one order went out, "Do not kill them but tear them to pieces with your bayonets." That did not occur in Poland, not in Czechoslovakia, not anywhere under German control, but under the control and in the cause of English democracy.

This is what another British officer said:

After the enemy were driven out, one of our squadrons pursued and got right in among them in the twilight, and most excellent pig sticking ensued for about 10 minutes.

Now, listen:

Most excellent pig sticking ensued for about 10 minutes, the bag being about 60. One of our men stuck his lance through two, killing them both at one thrust. Had it not been getting dark we would have killed many more.

Mr. President, that was in the name of civilization—in the name of democracy. Yet we speak of the atrocities now being committed and listen to propaganda concerning them. No one can uphold such atrocities, but I say to England and to France, "You, too, do not have clean hands, and I, for one, am not going to vote to go in the back door or the front door of war to help you again in a false cause of making the world safe for democracy."

ENGLAND'S BETRAYAL OF CZECHOSLOVAKIA

It is said we have to stop Hitler because we cannot believe his word. Was the English word in connection with Czechoslovakia worth a great deal? Let me read the words of the Czechoslovakian leader after the Munich crisis. This is what was said by the Czech Minister of Propaganda of the terms forced on that great little country by the "democracies" of Europe:

For if our Government, with the President of the Republic at their head, had to decide to accept such cruel conditions, it was because they wished to spare the whole population useless bloodshed.

It is not lack of courage that has prompted our leaders to make this decision—which has stabbed us all straight to the heart. Often more courage is needed to live than to commit suicide. In the whole world there cannot be any decent men who could say that we have behaved as cowards when we authorized our Foreign Minister to tell France and Great Britain that we have decided to make this sacrifice for the sake of world peace.

Oh, what did Dr. Krofta, the Czechoslovakian Foreign Minister, say about the sell-out of Czechoslovakia—not by Germany but by England and France? Here are his exact words:

This case is unique in history. Our friends and allies have imposed on us such terms as are usually dictated to a defeated enemy.

How was Czechoslovakia destroyed? It was not destroyed by Germany alone. It was taken into the conference room and there on the operating table France, Italy, Germany, and England assassinated Czechoslovakia. The blood of Czechoslovakia is not alone on the hands of Germany. It is on the hands of two countries we are supposed to go across the sea to save because we cannot believe the words of Adolf Hitler.

Mr. President, can we believe the words of Chamberlain? The Czechoslovakians thought they could believe the words

of Chamberlain, but he "sold them down the river" when British imperialism was at stake. And do not worry, they will sell any country in the world down the river when British imperialism is at stake. Do not think that we are experts at dodging the duplicity of the English Government. We have paid the penalty dearly for believing in England. We will pay it again.

ENGLAND IN PALESTINE

Shall we believe the word of England? Remember the word England gave in Palestine to the Jews. England lied to both sides. She lied to the Arabs and lied to the Jews. Yet it is said we have to go to the aid of England because we cannot believe the words of Hitler. The Holy Land has been a tragic chessboard for Great Britain's game of opportunism and duplicity. When it suited the purpose of British imperialism did they live up to their treaties; did they live up to their Balfour declaration? No; when it became necessary they sold the Jews down the river just as they would sell anyone down the river when it suited them. And we know that the latest British White Paper on Palestine terms it in cold print, "the sacrifice to the imperial interest of a solemn obligation."

Here are the words of an American Jew, Dr. Soloman Goldman, about the word of England when it came to their imperialism. He said:

American Jewry is dismayed to find that the British Government, which was moved by a sense of justice and humanity two decades ago to give to the Jewish people a promise for the reestablishment of the Jewish national home in Palestine, has now seen fit, in a period of gravest crisis and need for the Jews in many lands of persecution, to revoke that promise and in this very act give evidence of the bankruptcy of civilization and the triumph of might over right, terror over heroic self-restraint.

Then he goes on to say:

The issuance of the Chamberlain White Paper represents a unilateral action of nullification of pledges made to the Jewish people on behalf of the entire civilized world.

I ask here, Whose word was being violated? Not Hitler's word, but the word of Great Britain, the country for which we are to help make the world safe for democracy.

Oh, we find in going through the account that the terrorism against the Jews under the control of England in Palestine is just as bad as the terrorism against the Jews and Czechs in Czechoslovakia. No one could uphold what either country has done. But I say it is not America's duty to get in with the gangsters of Europe, who have no more use for America than they have for the Jews of Palestine, the Czechs of Czechoslovakia, or the peoples of Poland. They have no love for America. Their interest is imperialistic—British imperialism against German nazi-ism. Senators may take their choice. I take neither. I say America's hope is in staying away from both of them. When two gangsters fight in the cities of the United States, it is not my duty to come in and give an arm to either one of them. But that is what we are asked to do.

Mr. President, what has been England's stand in the Orient? England signed a Nine Power Treaty to protect China, but when Japan marched into Manchuria where was England? She was where she was when Poland was invaded. She was sitting back in England, sitting back in silence, and hoping that things would come out all right. Oh, yes; and also we found out that we had stuck our neck out. England said, "Get in there, United States, and protest against the violations of the Nine Power Treaty," and pro-British Henry Stimson, who loves England next to the United States—or almost as much—stuck his neck out and said, "Oh, no; there must be no violation of the Nine Power Treaty." England then kept shoving him in, shoving him in closer, and he kept saying to Japan, "You cannot bother Manchuria," but when he looked around England was not close to him, so he had to retreat also.

Mr. President, we have thus seen examples of the betrayal of America and betrayal of other nations by the British Empire. These betrayals by the British Empire have not only taken place in the last 25 years, but for centuries upon centuries upon centuries. Vincent Sheean said this in his recent book:

Such a war will take place when or if the Fascist powers directly attack the immediate possessions of France and England, and not before; that is to say, it will be an imperialist war, fought for no principle except that of empire. The principles all went by the board in September 1938. So did the treaties, the promises, the obligations, and the frontiers; so did the structure of international law as hitherto known and partially observed. The naked greed and selfishness of all the European imperial states are so hideously exposed by the events of 1936–39 that an American must hesitate before expressing a preference between them.

Then he goes on to say in this book, which was written after he had been a correspondent in Europe for years:

From that night on I knew that France and England would never fight for anything worth fighting for; that their resistance, when it came, would come for their moneybags or their empires, never for a principle of any consequence to the human race; that no pledged word, no law, and no reason could henceforth count in the processes by which governments determined the fate of mankind. And that in the end the material catastrophe would come, that it would be far worse than it might have been this week, and that our incalculable common loss by this surrender was in vain, were certainties cold and deadly in the blue light, irrefutable in every dawn from that to this.

Oh, yes; we do not have to go beyond our borders to know of betrayal by Great Britain, and her failure to keep her word. We know about that in connection with the war debts.

It will be recalled that sometime back after the war we had an agreement with Great Britain to pay their war debt. We received a polite note saying, "We are sorry; we have no money." We had her solemn word that she would pay. She now says she has the money to buy arms and munitions with which to kill. But she did not have enough money to pay the debts honestly incurred by her.

Do not worry, Mr. President. If we repeal the arms embargo, it is a short step from cash to credit. That credit will be paid by the people of the United States, and again we shall have other war debts—if the United States Government itself exists after the war.

We are to go to Europe in order that England and France may save democracy. Do you realize that if the United States of America had been fighting shoulder to shoulder with Great Britain and France since the start of the Government in 1776 we should have been in war 121 of the 144 years up to the end of the last war? Do you know that France or England, or both of them, have been in war for 121 years and at peace for 23 years between 1776 and 1918? I refer you to the able speech of the Senator from California for a list.

Is it our duty to fight the wars of England and France? It is said we are not doing it. Mr. President, we are taking the first step toward doing it. We are in economically when we repeal the arms embargo, and we know that that is the case. The Machiavellian philosophy of diplomacy in Europe cares not about the United States. It cares not at all, because it realizes what the United States will do.

It is said that we should help England and France because they are democracies. When I picked up the newspaper this morning I noticed the headline "Turkey To Join Allies." We shall now hear that Turkey is a democracy. When Russia was with England we found out that Russia was a democracy. Now that she is with Germany, she is not a democracy. We shall have to change the dictionary definition of democracy. According to us a democracy means any government lined up with the British foreign policy. We shall have to change the definition from time to time. Of course, Rumania is a democracy!

Are we going to fight for all these countries? If Russia gets in on the right side, she can become a democracy overnight; and, of course, the penalty will be that we must fight for "democracy" in Europe.

PARALLEL FOREIGN POLICY

Mr. President, do you think we are not on the way into the battle in Europe? I charge, without fear of successful contradiction, that for some time the foreign policy of this administration has been tied to and parallel with the policy of Great Britain and France. Let me read a press dispatch of April 6, 1937, from Paris. This is what it says:

PARIS, April 6.—France and Great Britain, in fear that war may come to Europe again, have become more insistent in wooing the

support of the United States for such an eventuality today, 20 years after America entered the World War.

So fixed has the idea become that the United States would once again come to the aid of her former Allies that no speech on international politics by French and British statesmen is complete without some reference to "the ties that bind us to our brothers in the great democracy over the water."

That is just "soft soap," trying to get us over. "The ties that bind us!" Once before it was, "Lafayette, we are here." Now we can say, "Lafayette, we have been there."

Both Great Britain and France have based their efforts to insure an alliance with Washington through appeals to a common democratic form of government.

The French in particular have emphasized that the United States can ill afford to have her "two outposts of democracy"—France and Britain—beaten by an array of Fascist powers, which would then be free to turn their attention toward America.

I have heard certain Senators now listening to me say that they would vote for repeal of the arms embargo because they felt that England and France were outposts for democracy, and that if we did not help France and England Germany would come over after us.

Let me again repeat what France said in 1937:

The French, in particular, have emphasized that the United States can ill afford to have her "two outposts of democracy"—France and Britain—beaten by an array of Fascist powers, which would then be free to turn their attention toward America.

It will be said that that is the French attitude and that Americans are not responsible for it. But we are responsible for Bill Bullitt. He is our Ambassador over there, is he not? That is, between cocktail parties he is. [Laughter.] Let me quote what Bill Bullitt said, as quoted in the New York Times of September 4, 1938:

BORDEAUX, FRANCE, September 3, 1938.—United States Ambassador William C. Bullitt caused a sensation at a city hall banquet here tonight by declaring France and the United States were "indefectively united in war as in peace."

Remember, this is our Ambassador to France making an extemporaneous speech.

His extemporaneous speech was cheered by Foreign Minister Georges Bonnet, Minister of Colonies Georges Mandel, and Minister of Pensions Auguste Champetier de Ribes, as well as three senators and eight deputies who were present.

He was cheered because he said that we were united with France in war and in peace. Continuing with the article from the New York Times—and certainly the New York Times is not worried about internationalism—this is what it said:

Mr. Bullitt, who was not scheduled to speak, followed M. Bonnet, who had declared that he and Premier Edouard Daladier were doing their utmost to preserve peace "throughout the current crisis over German aims in Czechoslovakia."

France and the United States, Mr. Bullitt said, "are united by our devotion to liberty, democracy, and peace."

"We are united," he went on, "by our old friendship, by the aid we brought each other in our hour of distress. Today we are working together to save peace.

"At this time the unity and calm with which France contemplates the future have awakened the admiration of the whole world.

"It is no secret the people of the United States have a most profound sympathy today for the people of France."

Listen to this:

Most of Mr. Bullitt's speech was devoted to a eulogy of Bordeaux wines, of which wine-growing guests at the banquet said he showed "astounding knowledge."

[Laughter.]

There is no doubt about it. He knows more about the Bordeaux wines in France than he knows about the American people, if he thinks the American people are united with France in time of war and in peace. We are not united, and should not be united, with any nation in the world except in protection of our own people on this side of the Atlantic Ocean.

Let me go ahead and quote from the New York Times about Bonnet. On September 5, 1938, Bonnet asked the United States to help in peace. This dispatch is also from Bordeaux, France. That is where the great wines which I mentioned a moment ago are produced: I read:

BORDEAUX, FRANCE.—Standing beside the monument erected at Pointe de Grave by French subscription "to the glory of the American soldiers under General Pershing who came to defend the same ideal of right and liberty that inspired the volunteers of Lafayette," Georges Bonnet, French Foreign Minister and formerly Ambassador to Washington, made this appeal today to Americans of the present day:

"I have been moved but not surprised recently to hear your countrymen declare that if France were again attacked they would come again to her defense."

Think of that, Mr. President! Did you know that we were to go to the defense of France? Georges Bonnet knew it, and said so publicly, as quoted in the New York Times. Let me repeat his statement for emphasis:

I have been moved but not surprised recently to hear your countrymen declare that if France were again attacked they would come again to her defense.

We would go to her defense. Oh, yes!

What did the French Air Minister say after the crash of the plane disclosed that we had a secret agreement with the French and English Governments on the airplane deal? This is what the French Air Minister, Guy La Chambre, said to the French Chamber of Deputies after the airplane crash:

I take this opportunity of thanking the great American democracy and its leader, President Roosevelt, for the way they have shown that they are thinking of one thing in this matter—how best to serve France.

Let me repeat that. This is Guy La Chambre speaking to the French Chamber of Deputies:

I take this opportunity of thanking the great American democracy and its leader, President Roosevelt, for the way they have shown that they are thinking of one thing in this matter—how best to serve France.

That is the trouble on the floor of the Senate. Too many are thinking how best to serve Great Britain and France. Let us think how best to serve America. Let us think of the American boys before we think of how best to serve France and how best to serve England.

Let me give a few facts about our agreement and understanding with England. Mr. President, you will remember Anthony Eden, a fine-looking man, who came over to deliver a speech to the Manufacturers Association in New York. He also wanted to see the grave of his great-great-grandfather, who, I believe, is buried over in Maryland—at least, it is close to Washington. He came to this country to deliver a speech, but this is what Mr. Eden told Parliament on December 21, 1937:

We are constantly and daily in close consultation with the Government of the United States. Over and over again, we have taken either parallel or similar action and that in itself is an indication of the closeness of such collaboration.

Will it be said that we do not have understandings? Mr. Eden thinks so; and he should know.

Here is a dispatch from London, dated January 28, which reads:

Britain was quick tonight to catch the significance of President Roosevelt's call for the vast expansion of the United States Navy. * * * It was almost as if Britain had won a war victory; for Britain calmly assumes that every new American battleship, every cruiser, destroyer, and airplane helps to safeguard the security not only of the United States but of Britain and all peacefully intentioned nations.

Did Senators know that our battleships and other naval vessels were considered by England as a great help to her? Yet that is what was said in London when we were considering increasing our Navy. Let us consider all these things together. This is what Lord Plymouth told the House of Lords on February 12, 1938:

The British Government has been in constant consultation with the Government of the United States in connection with events in the Far East. Action has been taken independently, but it has almost invariably been along parallel lines.

That is what they are asking us to do—to go along "in a parallel policy" by repealing the arms embargo to help England and France. Did not Mr. Moley tell us that the American ambassadors came back to the United States and had a conference with the President, and it was there decided what was practicable to do to stop Germany? If any Senators want to read that, it is found on pages 379 and 380 of his book,

After Seven Years. We were to determine what was best to help stop Germany. When were we set up to stop any nation except a nation that stepped upon us? When were we put on the throne as the judge of the world? When were we supposed to determine who was Satan and who was the Angel in the affairs of Europe? What authority has the United States Government to do that? Yet some want us to do it.

OUR ASSURANCE TO SUPPORT ENGLAND

Here is another quotation from a British newspaper of February 9, 1938, which I wish to read:

Great Britain has assured the United States of support in the event of direct action in the Far East.

Let Senators understand the force of that. Great Britain was going to help us in the Far East if we took action. We were not going to help Great Britain, but we were supposed to lead the parade.

Great Britain has assured the United States of support in the event of direct action in the Far East, Prof. Gilbert Murray, chairman of the League of Nations Union, said today in an address to the National Liberal Club.

"I have reason to believe on good authority that we have given the American Government assurance that we are ready to support them in any action which they may take facing any risk," Professor Murray said.

"The trouble is," he continued, "that it was a confidential communication of the government that most people here do not know of and the great American public does not know it or believe it for a moment."

Let me repeat that again. In February 1938 we were to go into the Far East to help Great Britain, and Professor Murray said:

The trouble is that it was a confidential communication of the government that most people here do not know of and the great American public does not know it or believe it for a moment.

I thought foreign relations of America were an open policy—an open book. How do we know that there have not been other secret communications for which American boys will pay the penalty on the battlefields of France?

This is what he says—and he refers to that great democracy Russia. I quote from the same article:

We could go in with America, and I think I may say there is reason to believe it is perfectly certain that if we went in with America, Russia would be on our side to support us.

That speech was made in February, 1938. Terrible communism! Secret communications! If America went in, Russia would go along to make the world safe for democracy.

What has Winston Churchill, a member of the present World War cabinet of Great Britain and one of the outstanding authorities in England, said? He is quoted in the newspaper of March 7 as follows:

Because of these arrangements—

Did you know, Mr. President, that we had any arrangements with Great Britain?

Because of these arrangements and the fact that the United States Navy was not being allowed to fall behind British expansion, we are entitled to match our naval power against the power of European countries.

We therefore are in far stronger position at sea relative to any navy in Europe today or to any likely combination of navies in Europe than we were with the larger fleet which we had in 1914.

In other words, with the American Navy and the British Navy—and did you know, Mr. President, they are together? Winston Churchill says, with these arrangements the two navies are together and that Great Britain has the largest navy in the world.

When the President of the United States delivered his "quarantine" speech in Chicago, do Senators recall that the New York Herald Tribune, which certainly on matters of foreign policy cannot be considered to be on our side, on October 6, 1938, reported that a copy of Mr. Roosevelt's speech was delivered to the British Foreign Office before he gave the address?

Did you realize, Mr. President, that the Outer Bridge speech of the President of the United States, about quarantining nations and engaging in war, was given to the British Foreign Office before he delivered the address? Why should the American President or his assistants give to the British Foreign Office his statement on foreign policy? Let such statements be given to the American people, for they are the ones who will die if we make a mistake; they are the ones who will pay the penalty.

What did Stanley Baldwin say? He said this:

Never so long as I have any responsibility in governing this country will I sanction the British Navy being used for an armed blockade of any country in the world until I know what the United States is going to do.

That is what Stanley Baldwin said. Great Britain was not going to use the English Navy until she found out what the American people were going to do.

Now let me quote from Step by Step—and it is step by step—a book written by Winston Churchill, who is one of the leaders of England. I quote from page 111 of his book; this is what he said about the neutrality bills back in 1937:

The various neutrality bills which have been passed or discussed in Congress all seek to prevent by various methods a repetition of the past. Rather than be drawn into another Armageddon, it may be that the United States will forbid their citizens to traffic on the high seas with any belligerents at all. A kind of neutrality is now being considered which appears at first sight to be isolationist and impartial in the last degree.

Listen to this. This is what Winston Churchill thinks of cash and carry. He said:

The doctrine of cash and carry—

I should not call it cash, because the administration says it is not cash now; but returning to the quotation from Winston Churchill:

The doctrine of cash and carry means that no American ship will carry supplies to the warring countries, but if these countries choose to present themselves in ships at the American doorstep with ready money in their hands they will be allowed to buy nonmilitary supplies. This arrangement certainly has the merit of rendering to superior seapower its full deserts. It avoids for Great Britain, if engaged in war, the danger of any disputes with the United States such as caused so much anxiety in 1914 and 1915. It may be a rather chilling comfort, but it is a comfort none the less.

That is what Mr. Churchill thought about cash and carry, which really should be called clash and bury, for that is what it will be.

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Missouri?

Mr. HOLT. I yield.

Mr. CLARK of Missouri. The Senator probably heard the message delivered by the President of the United States on September 21 on the occasion of the first meeting of the present session of the Congress, in which the President referred to the policy of President Jefferson with regard to embargo as a ghastly mistake which led the United States into the War of 1812, a statement which I think cannot be substantiated by any historical facts. Nevertheless, did the Senator ever stop to consider the fact that the so-called embargo of the Jefferson administration was almost an exact counterpart of the present cash-and-carry proposal without any arms embargo? The so-called embargo in Jefferson's administration had nothing whatever to do with an arms embargo. It was an embargo against American shipping carrying commodities to belligerents. Therefore, if that caused the War of 1812, which, as I have said, is a suggestion to which I do not agree, nevertheless it is very strange that the administration should now return to precisely the same proposition that the President said caused the War of 1812.

Mr. HOLT. I thank the Senator from Missouri.

Mr. REYNOLDS. Mr. President, will the Senator from West Virginia yield to me?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from North Carolina?

Mr. HOLT. I yield with pleasure.

Mr. REYNOLDS. I wanted to inquire of the able Senator from Missouri, if my recollection is correct when I state that we have been told through the pages of history that the embargo, to which the Senator referred a moment ago, during that administration actually kept the United States out of the War of 1812 for approximately 5 years theretofore?

Mr. CLARK of Missouri. That has always been my impression.

Mr. REYNOLDS. That was my impression about the matter.

Mr. CLARK of Missouri. As to the exact character of the act, I refer the Senator to volume 2 of the United States Statutes at Large, page 451 and page 701, showing conclusively that those acts of the Jefferson administration were in no sense equivalent to the arms embargo of the present act, but were simply inhibitions against American shipping, very closely analogous to the so-called cash-and-carry provision of the present measure.

Mr. REYNOLDS. And, as a matter of fact, my recollection is that as a result of the action taken by the American Government at that time, our entrance into the war was delayed about 5 years.

Mr. CLARK of Missouri. Certainly it was only some time after the embargo was lifted that, as a result of attempting to assert conflicting claims against two belligerents, England and France, either one of whom we might logically have gone to war against, we were finally dragged into war.

Mr. REYNOLDS. That was my recollection.

Mr. HOLT. In other words, we did not go into war when we had an embargo. We went into war when we lifted the embargo.

Going back to Winston Churchill and his Step by Step, on page 164 of his book he says:

There can be no doubt that the United States sentiment is far more favorable to Great Britain than it was in 1914.

Why does he say "1914" if he does not mean war?

This is what Mr. Churchill says:

There can be no doubt that the United States sentiment is far more favorable to Great Britain than it was in 1914.

CHURCHILL FAVORS CASH AND CARRY

And, going ahead, on the 10th day of December 1937, Mr. Churchill said:

There are, however, ways in which the United States, without exposing herself to the risk or toil of war, can give effect to the moral feelings of her people and Government and powerful aid to causes which she deems righteous. The interpretation placed upon United States neutrality in time of war would be of immense consequence to Great Britain and France. The principle embodied in recent American proposals of cash and carry is highly favorable to any power possessing the command of the sea.

Let me repeat the last two sentences:

The interpretation placed upon United States neutrality in time of war would be of immense consequence to Great Britain and France. The principle embodied in recent American proposals of cash and carry is highly favorable to any power possessing the command of the sea.

On August 4, 1938, Mr. Churchill made this statement:

The debt question, on the other hand, has encountered a new complication. The isolation forces in the United States are not favorable to a settlement which would free Great Britain from the ban imposed upon foreign loans to defaulting countries by the Johnson Act.

I call the attention of the Senator from Minnesota [Mr. LUNDEEN] to that quotation:

The debt question, on the other hand, has encountered a new complication. The isolation forces in the United States are not favorable to a settlement which would free Great Britain from the ban imposed upon foreign loans to defaulting countries by the Johnson Act.

We are not in favor of again opening up the vaults and letting England come over here. We isolationists are not in favor of that.

Then Mr. Churchill goes ahead:

These forces would naturally press for the most rigorous terms and make it difficult for a reasonable compromise to be reached. The stirring of this question at this juncture and when congressional elections are already looming, would not be helpful.

Get that. Winston Churchill knows the truth about American politics when he says, "We are going to cut down the debt and try to cancel it," but—

The stirring of this question at this juncture, and when congressional elections are already looming, would not be helpful.

No; not to the reduction and not to the cancelation of war debts which are honestly due us.

But now let us go to this year and read what Winston Churchill said.

Speaking about the President's message, he said:

It would not, however, be right to look only upon the darker side. The remarkable action of President Roosevelt, undoubtedly sustained by the Government and people of the United States, in letting it be widely known that not only American moral support but also practical aid in munitions and supplies will be accorded to the western democracies should they become the victims of unprovoked aggression is a potent stabilizing force.

We did not know that we had made that agreement, but Winston Churchill, on February 9 of this year, made this statement. For emphasis, I repeat it. This is what Mr. Churchill said. He knew more about what was going on than the Senate of the United States did. These are Mr. Churchill's words:

It would not, however, be right to look only upon the darker side. The remarkable action of President Roosevelt, undoubtedly sustained by the Government and people of the United States, in letting it be widely known that not only American moral support but also practical aid in munitions and supplies will be accorded to the western democracies should they become the victims of unprovoked aggression is a potent stabilizing force.

Where did Mr. Churchill get his information? Was it given to any Senator? I never heard any Senator say, back in February, that we were going to help England and France by lifting the embargo on munitions and supplies; but on the 9th day of February 1939 Mr. Churchill said he knew it, and it would be a great, potent, stabilizing force for Great Britain.

Mr. BORAH. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. HOLT. Yes.

Mr. BORAH. Does the Senator recall the date of Mr. Eden's visit to the United States to deliver a lecture on democracy?

Mr. HOLT. No; I do not. I have it, however. I quoted from it a moment ago.

Mr. BORAH. I will not bother the Senator to look up the date.

Mr. HOLT. I appreciate the Senator's inquiry; but I want to say that the Senator who introduced the proposed change in our Neutrality Act is the Senator who put Anthony Eden's speech in the CONGRESSIONAL RECORD on the first day of the session. However, Anthony Eden, you know, came to the United States just to deliver a speech, and he just wanted to talk about democracies; but he seemed to get the train to Washington all right. He did not stop in New York alone. He got the train to Washington, and he did not go back to England until he had talked to people here in Washington. Of course, he just gossiped, as Lord Beaverbrook did.

But let us go back, now, to Winston Churchill. On April 13, 1939, Mr. Churchill said:

If the Nazi domination were successful in beating down the resistance of France and the British Empire, possibly assisted by the United States, there would, of course, be much loot to share.

They always have that in there—"loot to share." But, now, listen: In April 1939, Mr. Churchill thought we were going into the war. He said:

If the Nazi domination were successful in beating down the resistance of France and the British Empire, possibly assisted by the United States, there would, of course, be much loot to share.

Now let me read a press dispatch of April 13, from London, from the International News Service. This is what it said:

LONDON, April 13.—Displaying a resolution which his foreign secretary said was shared by most states of Europe and the United States, Prime Minister Neville Chamberlain today announced a Franco-British pledge of aid to Greece and Rumania in event of aggression and warned Germany and Italy to keep their hands off the Mediterranean.

Now, listen. This is the statement of the Prime Minister of England. Did you know we had an agreement to protect

Greece? Did you know we had an agreement to tell Germany and Italy to keep their hands off the Mediterranean? I read what Prime Minister Neville Chamberlain said, according to a London dispatch, on April 13:

Displaying a resolution which his foreign secretary said was shared by most states of Europe and the United States, Prime Minister Neville Chamberlain today announced a Franco-British pledge of aid to Greece and Rumania in event of aggression and warned Germany and Italy to keep their hands off the Mediterranean.

Addressing the House of Lords a few minutes after Chamberlain had announced this dramatic new departure in British peace policy on the Continent, Foreign Secretary Halifax said:

"The judgment of His Majesty's Government is not only shared by the overwhelming mass of opinion in Britain but by most states of Europe and by the United States."

Did you know that we had that agreement? England knew it but we did not. Yet the advocates of this measure say that we are not on the way to war, though we have an understanding. Of course, they want us to feel that our first line of defense is the British Empire. Of course, they want us to feel that our front-line trenches are next to the Rhine.

We have heard on the floor of the Senate, and we have heard on the radio, and we have heard in many places, "Oh, if we do not stop Germany, after she whips England and France she will come over here and get us. She will destroy the United States Government and destroy the people of the United States."

When is she coming? How is she coming? She may have enough ships to get the soldiers over here, but she has not enough ships to carry enough wheelbarrows to wheel us back in them. Oh, no; there is no danger of invasion. This is the same argument, however, which was used before the World War. I quote from the Life and Letters of Walter H. Page, by Burton J. Hendrick. This is what Mr. Page said:

If Germany wins, the war lord will set out to bestride the world, and we shall have big armies and big navies indefinitely and periodical great conflicts. The Monroe Doctrine will be less than a scrap of paper—the mere faded breath of a dead man.

Does not that sound to you like the statement of the Senator from Florida [Mr. PEPPER] and others about the danger to the United States if Germany wins the war? Of course the Senator from Florida was not original in that statement. The first time that was said in the present controversy was when it was said by Philip Kerr, Marquis of Lothian. He was sent over here, you know, just at this time not for any particular reason, but just because he knew more about Anglo-Saxon relations than some others, and he was sent over here to discuss those things just at this time. I do not want anybody to think there was anything wrong with that; but Lord Lothian was one of the first ones who expressed that view recently, and his words are now being echoed by the administration. Let me quote the lord himself. This is what he said:

The British Commonwealth is the United States' outer ring of security. * * * If it disappears or is smashed by the Fascist states, so that Gibraltar, the Suez, Singapore, Capetown, and the Falkland Islands fall into the hands of Germany, Italy, or Japan, then, as the British Empire disintegrates, the military powers would crowd around the United States.

So do not give Senators credit for that doctrine. It came from Lord Lothian. Let me again quote Lord Lothian—or I should give him his name—Mr. Philip Kerr, Marquis of Lothian. I ask my colleagues to see if they do not hear the same type of argument now, that if Germany is not destroyed, some moonlit night the Germans are going to slip over here and get us and take us all back to Germany, and make us Nazis. [Laughter.] The fear and the scare go over the country. Let us see what Lord Lothian said:

So long as the British Commonwealth exists the United States is secure. But suppose that in another world war it seemed likely that she would be defeated, and suppose totalitarian dictatorships seemed likely to become the heirs of British and French possessions bordering on the Atlantic (including Central and South American territory) and in the Pacific, could the United States remain indifferent to the outcome? These questions are not a mirage. They were presented in 1916. They may be presented again.

So, when people use the scare doctrine, stating that Germany is coming over here after us, they are repeating the words of Lord Lothian. But I must tell something Maj. Gen. Smedley Butler said:

If Hitler and the German Army came to the American shores to invade America, before they got back to Germany the people there would be speaking Polish, French, and Russian.

There is not a war lord in Europe who can get out of the borders of his country. We have no danger from invasion from without. What we have to meet is danger from within. Those people who are trying to shove us across the Atlantic Ocean into the war under the guise of Americanism—they are the ones to be feared. The British-American scholars, these British-American editors, these British-American after-dinner tea experts—they are the ones of whom we have to be careful in America.

Let us consider the danger. It is said I am not a military expert, and that is true. It has been said Colonel Lindbergh is not a military expert. I do not understand why the United States Army called him to duty if he was not of any benefit. I think they should have called the junior Senator from Texas [Mr. CONNALLY], because he knows so much more about military affairs than does Colonel Lindbergh. The Army made a mistake when they did not call in the junior Senator from Texas for military advice instead of Colonel Lindbergh. But, be that as it may, let us look at some of the danger of invasion. Admiral Yarnell, before the Committee on Foreign Relations of the United States Senate, made this statement:

The inhabitants of the Pacific coast can sleep quietly in their beds until Japan builds a navy twice the strength of the United States.

I am sure that the Senator from California is worried lest he will wake up some night and find Hitler peeping in his bedroom. [Laughter.] Some have been using the scare doctrine. They do not tell how the enemies are coming over, but they are coming in some way, we are told.

Now, let me read what Gen. Johnson Hagood said:

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. REYNOLDS. A moment ago I heard the Senator make a very interesting statement, a statement which I believe is 100-percent correct, in addition to the other very correct statements he has made on the floor of the Senate this afternoon. The one to which I particularly refer was the statement made by him only a moment ago to the effect that in his opinion our danger would not come from without but that it would come from within.

I desire to repeat that I agree with the Senator 100 percent in his statement to the effect that our danger lies within the borders of continental United States, and as proof of that I have but to recall to the attention of the Senator the fact that the press of the country only a few days ago revealed to us that, holding key posts in the United States Government, are more than 2,800 Communists; and I say that that is a shame. We are holding ourselves up as being the greatest democracy in all the world, and there are those who say that in order to maintain democracy throughout the world the United States of America should go to the aid of our brethren across the seas. Yet in our midst it is revealed by a committee of Congress, 2,800 Communists, believing in the so-called democracy that exists in Russia, are occupying important positions in our own Government.

It is true that the danger is from within.

Let me cite another instance to prove that. Since the war broke out in Europe on September 3, I have been advised of one great corporation in eastern America which, frightened by the danger of sabotage, has given employment to some 2,000 extra policemen and patrolmen to guard their property against the enemies of this Government who are seeping in daily, crossing our borders in violation of the laws of this country.

The able Senator from West Virginia will recall with me that not so very long ago the Bureau of Investigation of the Department of Justice gave employment to several hundred

additional young men in order to search out and find the spies who are infesting our land.

It is true that the danger is from within, and I desire to repeat now, in the Senator's time, as I stated upon the floor of the Senate a few days ago, before we attempt to send the sons of American mothers across the broad expanse of the Atlantic Ocean to destroy nazi-ism in Germany or communism in Russia, we should wipe them out in this country, because they are gradually but surely undermining and destroying the very foundations of the Government we love.

I thank the Senator.

Mr. HOLT. Mr. President, I thank the Senator from North Carolina, and I wish to say that when some of us were trying to weed out the terrible Communists about whom we hear so much now, and weed out the enemies from within, neither the administration nor any of its supporters lifted a finger to help us. When we made an effort to stop increased immigration in order to keep aliens from coming into this country, until Americans had jobs, the administration did not lift one finger to help us. But now that Russia is against England, it has become terrible. Therefore, the best way to get a job in some of the departments of the United States Government was to be a "fellow traveler," or to hold a card in the Communist Party. But if one holds such a card now it is not at all popular. The question of communism has now become a bugaboo, because it serves the purpose of some to have it a bugaboo. I do not know how soon again, after they put the whiskers on the Communists, if Russia goes in with England, they will shave the whiskers off and put them in strategic positions.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. HOLMAN. I wanted to comment on the question of the danger to our country lying within it. I wish to call attention to the fact that no government in history ever survived bankruptcy. I concur in the remark of the Senator from North Carolina regarding the danger confronting us from a lack of enforcement of the immigration laws; and I speak as a member of the Senate Committee on Immigration.

Mr. HOLT. Mr. President, we have heard today on the floor of the Senate about the danger from Russia, and we heard the other day about how Russia was going to attack Finland and how we had to go to help protect democracy from this great monster. Let me tell the Senate what England did. Lloyd George, on the third day of April of this year, made this statement in the House of Commons:

> If we are going in [to help Poland] without the help of Russia, we are walking into a trap.

Russia was not so bad then, was she? Not at all. Then, on May 25 of this year, when Mr. Anthony Eden was speaking—Mr. Anthony Eden, that handsome, fine-looking gentleman, whose pictures so many love to look at—he made the following statement, as appears in the Birmingham Post:

> If an effective resistance to aggression is to be organized in western Europe, Russia's whole-hearted cooperation is indispensable.

Russia was not so bad then, when they were helping England, according to Lloyd George and according to Anthony Eden. When did Russia get bad? When did the rot get into the apple?—just recently? or was it a long time ago?

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Missouri for the purpose suggested by him?

Mr. HOLT. I yield to the Senator from Missouri for that purpose.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Caraway	Herring	O'Mahoney	Wagner
Chandler	Hill	Overton	Walsh
Chavez	Holman	Pepper	Wheeler
Clark, Idaho	Holt	Pittman	White
Clark, Mo.	Hughes	Radcliffe	Wiley
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present.

Mr. HOLT. Mr. President, before the quorum call I was discussing the question of national defense and whether or not we would be in danger of invasion by Germany in case Great Britain and France lost the war. I said that it had been stated quite freely by a number of Senators that such a danger existed, but that doctrine was not new; that they had only used the words of Lord Lothian, the British Ambassador. I have just quoted Admiral Yarnell to show the lessening of that danger.

Gen. Johnson Hagood had this to say:

> No army could come across the Atlantic ocean, because there is no nation that has a sufficient army and at the same time a sufficient number of ships and a navy to support it.

Of course some persons try to scare us by saying that enemy forces will try to penetrate South America. The best way to look at that scare is to look at the geography books. By glancing at the map it will be found that no cannon on earth can shoot from South Africa to the United States of America.

If the enemy were in South America it would in some instances be as far away and in others farther away than if it were in Europe. But those who make such assertions hope that by propaganda setting forth the danger for America they can make the American people do something they would not otherwise do, something they would not do if they were not afraid.

Mr. President, it is asserted by some that enemy forces would attack from the west and east at the same time. Speaking of a possible attack from the east, President Roosevelt, writing in Asia magazine, made this statement:

> If, with a fleet double the size of Japan's and our vastly greater resources, invasion of the western shores of the Pacific was admitted to be probably impossible, certainly impracticable, for us, how much more formidable was the corresponding problem presented to the military strategists of Japan.

How can we be successfully attacked from the East? Some may say the invaders will go to Alaska and attack us from Alaska. Of course, those who say that do not tell us how Japan is going to get past the Canadian Rockies. I suppose she is going to fly her big tanks over the Canadian Rockies. Or if she cannot fly them over, she will outfit all the Japanese soldiers with snowshoes so they can climb over the mountains in the wintertime and get at us in that way. Anyone who has been through Canada knows that the assertion of the possibility of an attack by way of Alaska is absolutely nonsensical. However, it is not unusual to hear nonsense these days.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. CLARK of Missouri. What the Senator is saying about the possibility of a Japanese attack upon the United States through Alaska reminds me very much of the expression attributed to Napoleon when he said that he had figured

out seven different ways to land an army in England, but he never had figured out a way to get an army out of England.

Doubtless the Senator is a little too young to remember the old predecessor of the German war scare and the fear of Germans coming over and attacking the United States. I refer to the Japanese war scare. Thirty years ago that was the great war scare. The Japanese were expected to come over at any time and attack the United States, take all the United States west of the Rockies—perhaps more—and hold it indefinitely. That was at a time when Great Britain was the hard-and-fast ally of Japan for both offensive and defensive purposes. However, the people of the United States were not sufficiently scared to sleep under the bed at night. As a matter of fact, even when Great Britain was the hard-and-fast ally of Japan, Japan never did come over here and attack us and never did take the Pacific coast and keep it. I think, in view of that experience and in view of the recurring fear of German attacks on the United States for the past 25 years without anything developing, the people of the United States may have a certain sense of security in the two great oceans with which God has blessed us for defense, in the tremendous magnitude of the manpower of the United States, and in the naval and air forces with which the people of the United States have provided the Government.

Mr. HOLT. I thank the Senator from Missouri. It is very interesting to know that the English Channel, small as it is, has kept England free from invasion for nearly a thousand years. We are protected by 3,000 miles of water, and yet we hear talk about Germany coming over here to attack us. Of course, I suppose some of us could be so naive as to believe that Hitler is teaching every one of his German soldiers how to swim so that they can swim over here and get us and take us back.

Oh, yes; the question of the danger of invasion is just another one of the propaganda "gags" to get us to go over on the other side before Germany comes over here. I think we are in a much stronger position to meet attack on this side than we would be if we went over there. Even in baseball it is said that it is better to play on your own field. I do not know; but I know that whenever I was in my own backyard I could call a boy more names than if I were in his backyard. If we are on this side of the Atlantic, we are safer than if we are on the other side of the Atlantic.

During the World War we had the English Navy to help us; we had the French Navy to help us; we had our own Navy, and 2 other navies. We had 5 navies to transport American soldiers to France. We were guarded by patrols of the battleships of those nations. We landed in a friendly port, either in France or in England. We were protected until the time we reached the front-line trenches. Yet with all that protection the greatest number of men the United States ever took to Europe in any single month was 306,000. During the war we took fewer than 10,000 soldiers a day to France. Would we be in danger of 10,000 soldiers coming to the ports of the United States? How would they get into our ports? Smedley Butler said they might dump the tanks overboard half way across the ocean and meet them on Broadway. [Laughter.] But I do not see, and I do not believe anybody with any sound degree of intelligence can prove to anybody else of sound intelligence, that we are in danger of successful invasion. Furthermore, if we are in danger of attack, the way to destroy our defense is to go over there. Let us build our defense in the United States of America instead of over there.

I am not one of those who believe that our frontier is on the Rhine. I find that those who feel that our frontier is on the Rhine stay on this side of the Atlantic when war comes.

I am sorry I was not present in the Chamber yesterday to hear the talk about how we would not vote for war because many have sons. Of course, I have no sons. I am not even married. But the argument was that because many have sons we would not vote to send the boys to war. Mussolini has a number of sons.

It is nice for us to sit here and say that we should use force, and should stop the dictators.

SENATORS EXEMPT FROM DRAFT

We are not going to stop them. Let me read what the draft law is. Who is exempt from military service in time of war?

> The Vice President of the United States, the officers, legislative, executive and judicial, of the United States and of the several States, Territories, and the District of Columbia shall be exempt from the selective draft herein subscribed.

We can be very brave in this air-conditioned Capitol. We are exempt. Who ever heard of a son of a Senator being a buck private in the trenches? There may be, but I do not know of any such. The President's sons all have commissions, all the way from lieutenant up to colonel. But the boys of West Virginia will go in as buck privates. While we are talking about involvement in war, I want to see an amendment of the draft law so that we cannot sit back in safety and exempt ourselves from the draft and send other boys to the trenches of France, where some say our frontier is. I wish I had been present yesterday so that I might have had the opportunity to read the law.

In speaking about bringing men over here in a war, it must be remembered that 1,350,000 tons of shipping were required to carry the supplies of the United States Army alone during the war; 3,600,000 tons of shipping would be required to carry 300,000 men across with sufficient supplies, I am told. Between the months of April and December 1917, we carried only 49,515 men to France. And yet we talk about the danger of invasion. I would rather take the word of the military experts of the United States than that of the so-called military experts of the Senate.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. CLARK of Missouri. In addition to the remarkable figures the Senator has just read concerning our transportation of a military force to France during the years 1917 and 1918, I should like to suggest to the Senator that that case is not entirely analogous, for the reason that we were landing in a friendly country, behind a tremendous force of the Allies, and it was not necessary for us to take mechanized equipment, or armament to any substantial extent, because we obtained our cannon and our equipment for the most part after we landed in France, from the British and French.

An invading force coming to this country would be required not only to transport its manpower and supplies, which we necessarily had to do, but would also be required to transport cannon, munitions, and the highly mechanized equipment on which European armies now depend, which was not at all necessary for us in 1917 and 1918. So the discrepancy is even greater than the figures, shown by the Senator, demonstrate.

Mr. HOLT. I thank the Senator from Missouri.

It is said that we shall not have war because we are personally interested. This morning I picked up a newspaper and noticed this headline: "House of Lords flees to cellar." They were the ones who voted to send the English boys to the trenches of France. Let me read:

[From the Washington (D. C.) Times-Herald of October 18, 1939]

HOUSE OF LORDS FLEE TO CELLAR

> LONDON, October 17.—The sedate House of Lords moved with unwonted speed today. After a German plane was sighted over the Firth of Forth, air-raid alarms were sounded from Yorkshire coast towns to Chatham on the Thames. Quicker than you can say "Firth of Forth" the Lords suspended their sitting and retired to the basement of the Parliament Building. They came out only after getting word that the alarms were not meant for London.

Oh, yes; it is brave to sit back and send boys to die in the trenches; but, as the article says, the House of Lords got to the basement of Parliament before you could even say "Firth of Forth." But the boys in the front-line trenches did not get there.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. REYNOLDS. I am wondering if Mr. Winston Churchill was one of the gentlemen who fled to the cellar.

Mr. HOLT. I understand that three men were hurt in his efforts to reach there first.

Mr. REYNOLDS. A moment ago the Senator mentioned Mr. Churchill. At this time, with the Senator's permission, I desire to bring to his attention a statement made by Mr. Winston Churchill to an American newspaper publisher about a year ago in reference to the appreciation of the British for the assistance provided them during our participation in the war from April 1917 to November 11, 1918.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. BARKLEY. In the interest of accuracy, it ought to be stated that Mr. Winston Churchill is not a member of the House of Lords.

Mr. REYNOLDS. But he is a member of Parliament.

Mr. BARKLEY. Yes.

Mr. REYNOLDS. I understood the newspaper article to state that the members of Parliament fled to the cellar.

Mr. BARKLEY. The newspaper article referred only to the House of Lords.

Mr. HOLT. You need not worry, Mr. President. The House of Commons was already in the basement. [Laughter.]

Mr. REYNOLDS. They were already there?

Mr. HOLT. Yes; they were already there.

Mr. REYNOLDS. Mr. President, will the Senator yield further?

Mr. HOLT. I gladly yield.

Mr. REYNOLDS. With the Senator's permission, I should like to read from the CONGRESSIONAL RECORD of June 19, 1939:

During a recent trip to Europe, Mr. Winston Churchill, First Lord of the Admiralty in the British Cabinet during the World War, invited Mr. Griffin to call on him at his home in London. During the course of a long visit Mr. Churchill asked what were some of the questions uppermost in the minds of the American people regarding Anglo-American relations. The questions were asked by Winston Churchill of Mr. William Griffin, his American guest. Mr. Griffin told Mr. Churchill that the outstanding issue in the United States that was disturbing Anglo-American relations was England's failure to pay her war debt.

Mr. Churchill then said to Mr. Griffin:

"I think that England should pay every single dollar she has borrowed from your country. But before paying in full she should be allowed to deduct half the cost of all the shot and shell she fired at the Germans from the time America declared war until she put soldiers in the front-line trenches over a year later."

Asked if we allowed England to make the deduction in question, how much it would amount to, Mr. Churchill answered: "I was in a position to know just how much it cost England to carry on the war, and, according to my figures, England should be allowed to deduct $4,900,000,000 from the debt America claims England owes her before a final settlement is made. When you declared war you became partners in war, and therefore your country should be willing to bear its just cost of carrying on the war."

Mr. Griffin then told Mr. Churchill that it was our opinion that America had saved the British Empire from destruction and from overwhelming defeat. Mr. Churchill disagreed with him regarding America's contribution toward winning the war and stated unequivocally that although he was enthusiastic over our declaration of war, he could now see that it was all a horrible mistake and that we should have stayed at home and attended to our own business.

Mr. HOLT. He said that after the war, did he not?

Mr. REYNOLDS. He said after the war that we should have stayed at home and attended to our own business and kept our nose out of their business.

Mr. Churchill said England would not have lost the war, because, said he:

"We would have made peace with Germany in the spring of 1917, and by so doing would have saved over a million British and French lives."

* * * * * * *

"America's entrance into the war was disastrous not only for your country but for the Allies as well, because had you stayed at home and minded your own business we would have made peace with the Central Powers in the spring of 1917, and then there would have been no collapse in Russia, followed by communism; no break-down in Italy, followed by fascism; and nazi-ism would not at present be enthroned in Germany. If America had stayed out of the war and minded her own business, none of these 'isms' would today be sweeping the Continent of Europe and breaking down parliamentary government."

Mr. HOLT. Of course he said that after a hundred thousand Americans were killed in the effort to "make the world safe for democracy."

Mr. FRAZIER. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from North Dakota?

Mr. HOLT. I yield.

Mr. FRAZIER. According to newspaper stories, about 10 days ago or so, since the present war in Europe started, Mr. Churchill has repudiated that statement entirely and has said he never gave out such a statement.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. HOLT. I yield to the Senator from Minnesota.

Mr. LUNDEEN. I was wondering if the Senator from North Carolina stated where we could find the statement of Mr. Churchill to which he has referred?

Mr. REYNOLDS. It is in the CONGRESSIONAL RECORD of June 19, 1939, page 7452, and there are also statements made by Lloyd George, and others.

Mr. HOLT. Mr. President, to bolster that let me quote from Winston Churchill's own book, The Aftermath, page 104. This is what he thought of the Americans:

Even in this month of extreme American effort, nearly four British, French, and Italian soldiers were falling every day to one American. The stake of the United States in the European scene was incomparably small, yet here was a direct threat that if Great Britain, France, and Italy did not swallow the 14 points whole, whatever they might be, or be claimed to be, the United States would withdraw from the line, make a separate peace with Germany and Austria, leave the scene in perfect confusion, and condemn the world to another year of war. It is a measure of Lloyd George's quality when acting for his country that he did not quail before this unwarrantable pressure.

That is what Winston Churchill thought about us after the war, but Mr. Churchill does not now entertain that view. Let me quote also from Mr. Churchill's book, on page 478. This is what he there says:

President Wilson sought to play a part out of all proportion to any stake which his country had contributed or intended to contribute to European affairs. * * *

The influence of mighty, detached, and well-meaning America upon the European settlement was a precious agency of hope. It was largely squandered in sterile conflicts and half-instructed and half-pursued interferences.

That is what Mr. Churchill thought of our entrance into the war. But now when we can be of help to England, now when we can sell supplies, followed by the sending of men, we do not hear such a statement from Mr. Churchill.

Now as to the question of danger to America. Because of propaganda the thought of danger is absolutely sweeping America, but it is a definitely attempted propaganda effort on the part of England in order to influence us. I cannot help but repeat to the Senate some of the words that were written by a Kansas editor about that. This is what he said, and I think they are very touching words:

I don't want to get poison gas in my lungs. I don't want a piece of shrapnel in my stomach. I don't want my legs riddled by machine-gun bullets. I don't want maggots crawling in my brains that have been laid open by a splinter from an aerial bomb. I don't want to die. I am 37 and want to live. I hate those who have brought the United States closer to war today than it was in 1915. I wasn't old enough to fight then, but I was old enough to watch the war hysteria being aroused until it tempted the United States into a ruthless struggle for power in Europe. And I was old enough to see what it cost then and since.

That's why I hate those who today are deliberately stirring emotions in favor of one side or another in that bloody European conflict which again is on the verge of breaking out of council chambers and onto battlefields. Officials of our Government who already have taken sentimental sides, members of Communist and Fascist organizations alike, those with munitions to sell, open and secret agents of other nations, professional busybodies, and all others in this country who have been knowingly rousing passions, I damn alike.

These passion rousers have done their work well. There are tens of thousands whose dreams tonight will be filled with gray-clad legions marching down through Canada to spread desolation in their wake, with skies black with bombing planes and with battleships flying the flag of the rising sun shelling the whole west coast. In waking hours they fear secret agents of foreign powers are about to poison the water they drink or are busy raising armies of hyphenated citizens which very soon will ravish their wives and daughters

and make them slaves. They are almost ripe again for that old catch phrase, "making the world safe for democracy." These I do not hate; I pity.

Because there are so many with such thoughts as those, I am personally afraid. I fear their emotions have betrayed them so far there is no turning back. If that isn't true, there is only one thing that will save them and me. One thing alone can stop all of us from repeating even more tragically the tragic mistake of 1917. That is some rational thinking.

Oh, we know that there are many in America who feel that we are going to be invaded. Does anybody here say that to repeal the arms embargo is a step away from war? How can we supply a club to a man fighting and at the same time say we want to stop the fight? How can you supply a gun to kill someone and still say, "I did not have a part in the killing?"

Of course we add fuel. Let me quote the words of the Secretary of State at that particular time. This is what he said about the danger of that course, and I want to read it:

To us that seemed absurd, and we said so.

I am quoting from the statement of Hon. Cordell Hull at page 42 of the hearings before the Foreign Relations Committee in 1936.

We could not see how a neutral could deliberately help to feed the fires and flames of war by delivering the essential materials right straight to the belligerents, helping not only to carry on war but to prolong it indefinitely; and nobody knows much better than we, that every day that war is prolonged, the danger of the war spreading would be increased, with increased dangers to us of being involved.

We all realize that that is the case. We are supplying guns, ammunition, and implements of war, for what purpose? Not to stop the war, but material that will prolong the war.

FAILURE TO ENFORCE NEUTRALITY ACT

Oh, you say, "But the arms embargo act has not worked, because it has not worked in Japan and China." As I said yesterday on the floor of the Senate, the failure to put the arms embargo in effect as to Japan and China was not the fault of the law; it was the fault of the President of the United States to declare the state of war. Everybody in the world knew there was a war in China, everybody knew there was a state of war existing, except the President of the United States. He could have immediately stopped many of the bombing planes from America that killed Chinese citizens if the embargo had been put into effect.

You say, "There was no declaration of war." I realize that there was no declaration of war; but was there a declaration of war when Italy invaded Ethiopia? No; there was no declaration of war, but the President of the United States put into effect the arms embargo on the 5th day of October 1935. The number of the proclamation is 2141. Not only did he put the arms embargo in effect in the Italo-Ethiopian trouble, but he issued a proclamation warning American citizens against traveling on the vessels of belligerent nations. That proclamation, No. 2142, was issued on October 5, 1935.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. HOLT. I yield to the Senator from North Carolina.

Mr. REYNOLDS. In view of the fact that the Senator a few moments ago mentioned Mr. Anthony Eden, who was good enough to honor us with his presence in this country after Great Britain found she was likely to be again involved in war, and in further view of the fact that the Senator from West Virginia has just mentioned the difficulties that were going on in Ethiopia, the Senator will recall that in 1935, according to my best recollection, the British had a considerable amount of tonnage in the form of warships in the Mediterranean. At that time Italy was making aggressions in Ethiopia; and at that time the Senator no doubt will recall that Mr. Anthony Eden was insisting that the United States of America join Great Britain in the enforcement of sanctions in reference to oil going to Italy for use by Italy in her conquest of the Abyssinian territory. At the same time that Anthony Eden was endeavoring to get us to join Great Britain in the enforcement of sanctions on oil to Italy, the British were selling, weekly, thousands upon thousands of dollars' worth of gasoline and oil to the Italians for the purpose of their carrying on their conquest of Abyssinia.

I may also state to the Senator that it is my understanding that at the present time the British have 100,000 Indian troops, the larger number from the state of Kashmir, in north India, guarding several miles of the Suez Canal from north to south. A great many of those troops at present are at Aden, Arabia; and I have several times heard the opinion expressed that if Great Britain succeeds in forcing Italy on her side, she will do so by closing the Mediterannean between Casablanca and Gibraltar and refusing the admission of any Italian ships to the Suez Canal. By doing that, Italian ships naturally would be locked in the Mediterranean and in the Adriatic, which has been made, as a matter of fact, nothing more or less than an Italian lake since Italy took over Albania several months ago.

It has been further said by observers who have recently traveled in that section that if the British do close the seas to the Italian merchant marine and the Italian Navy outside of the Mediterranean, she will thereby cut off any food supplies or ammunition going down to Abyssinia. They further have observed, from information they stated they had in hand, that the British had made arrangements to transport thousands upon thousands of rifles and light artillery and machine guns for the purpose of placing them in the hands of the Abyssinians, who have been partially conquered by the Italians, so that the Abyssinians may, with the arms provided by Great Britain, reconquer in whole that portion of the Abyssinian empire which was taken over by the Italians, and, that being done, that Great Britain then will herself take over Abyssinia, being interested in it because Mussolini on several ocasions has threatened to cut off the headwaters of the Nile, thereby destroying a portion of the Egyptian Sudan, and further interested because, as the Senator will recall, Abyssinia is just north of British Somaliland, and Great Britain would be interested in that territory.

I thank the Senator for permitting this interruption.

Mr. HOLT. I thank the Senator from North Carolina very much. There is no doubt about it; England has played either with the aggressors or against the aggressors, depending upon whether or not the aggression touched her. The English hate aggressors when the aggressors touch or approach a single foot of the British Empire. But where were the British when Czechoslovakia was destroyed by an aggressor? They were sitting around a conference table, agreeing to that aggression. And in the Italo-Ethiopian war, when it suited England's purpose, the British put on the sanctions, and then they took them off, depending upon whether or not it helped England.

But going back to the question of our part in that matter, the President issued a statement and put into effect the arms embargo in the Italo-European War, and this is why he did it. I quote the words of his statement on October 5:

In view of the situation which has unhappily developed between Ethiopia and Italy, it has become my duty under the provisions of the joint resolution of Congress approved August 31, 1935, to issue, and I am today issuing, my proclamation making effective an embargo on the exportation from this country to Ethiopia and Italy of arms, ammunition, and implements of war. Notwithstanding the hope we entertained that war would be avoided, and the exertion of our influence in that direction, we are now compelled to recognize the simple and indisputable fact that Ethiopian and Italian armed forces are engaged in combat, thus creating a state of war within the intent and meaning of the joint resolution.

He recognized that Italy and Ethiopia were fighting without a declaration of war. Why has he not recognized Japan's invasion of China? Is it trade? Why has he not put the embargo in effect against Russia? Is not Russia in a state of war with Poland? Has not she done just the same thing that Italy did in Ethiopia? Oh, yes; but the arms embargo is not invoked against Russia. Why? Because it suits the purpose of the advocates of this measure as a good propaganda element to say that we can sell to Russia. Is that why? There is war between Russia and Poland today, and it is the duty of the President of the United States to put an embargo on the exportation of arms, ammunition, and implements of war to Soviet Russia. Why does he not do it?

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. HOLT. I yield to the Senator from Minnesota.

Mr. LUNDEEN. I believe yesterday the press reported that fighting is still going on in eastern Poland between the Soviet and the remnant of the Polish Army. I was rather surprised to read it; I thought the fighting was all over; but it seems that there is still a sort of skirmishing going on in the rather sparsely settled country in the eastern part of Poland. Prior to that there were rather sizable conflicts between Soviet and Polish troops, when the Soviet troops first marched into Poland.

I mention this fact because some persons have an idea that there was just a parade of Soviet troops into Poland. As a matter of fact, some real fighting was going on.

Mr. HOLT. Poland knows that there is war with Russia; the world knows that there is war with Russia; but the President of the United States seems not to know it. Why does he not put into effect the embargo on arms, ammunition, and implements of war going to Russia? Does it stand in the way of propagandizing the repeal of the arms embargo? Do not Senators think the Polish soldiers who were killed by the Communist armies as they marched into Poland knew a war was going on there?

Why has there been a difference? All we can do is to put the law on the books, and it is the President's duty to enforce it. He should have put the embargo on arms into effect against Japan, as Japan marched into China. But it was not done.

Now I wish to go to the question of the war trade, but in closing about these men who represent us in Europe, this foreign-affairs group, whom do we have, and what has their statement been? We have Tony Biddle and Bill Bullitt, and a group of social tea hounds. Do they give us that which suits their purpose? Poor Tony Biddle.

It did disturb him when Warsaw was bombed. He had to cancel some of his cocktail parties. He had to stay away from the teas that were given. After Mr. Biddle, in Poland, and Mr. Bullitt, in France, get through with 4 o'clock teas and 6 o'clock cocktails, it is too bad for America by 9 o'clock. [Laughter.] It is time we were getting a few American ambassadors who think, not best how to serve the country they are in, but how best to serve the United States of America. Look at the collection of some of our ambassadors and it will be possible to see the reason of our confusion in foreign affairs.

Now, let me discuss the other point. That we should repeal the arms embargo because it will give trade to the United States, because it will mean cash, that it will give us some money. That is the second reason given for the repeal of the arms embargo.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. HOLT. I yield.

Mr. LUNDEEN. Before the Senator leaves the Ambassadors, I am wondering whether my recollection serves me correctly. It seems to me we had an Ambassador in Germany just before the World War by the name of Gerard, who, when he was withdrawn, did not return to the United States right away. He first went over to visit the King of England, the Emperor of India, and knelt down before him and was knighted, was made a Knight of the Bath, a member of the British nobility, as near to royalty as he could get. Then he came home and ran for President in South Dakota, my native State, but he received short shrift at the hands of the South Dakota farmers and never ran for President again.

Mr. HOLT. I thank the Senator from Minnesota. We all realize that our foreign affairs have been conducted with too much emphasis on the tea and cocktails and not enough emphasis on American interests, or the people who are not interested in tea and cocktails.

I realize how easy it is to spread propaganda, and our ambassadors have furthered that propaganda. When we send an ambassador to France or an ambassador to Poland, we send him as our representative.

OUR WAR TRADE, 1914–17

Now, as to the point about the arms embargo, and the effect it has on the trade of America, can we not see the deadly parallel between 1914–17 and today? Can we not see that we are going down the same identical path? Can we not see whither we are now starting, by opening up the munitions factories to sell machines of death? Are we not going down the path we started on 22 years ago? Let me read something about the conditions in 1914 to 1917. We started to sell munitions, arms, implements, and supplies of war, and writing in May 1916, Ray Stannard Baker, in his Life of Woodrow Wilson, used this language:

> Trade between the United States and the Allies had become the great artery which, flowing westward, fed American war prosperity, and, flowing eastward, sustained the life of the allied armies and populations. Diplomats and statesmen alike dreaded any policy that threatened to contract that life-giving stream. Even the boldest pronouncements and demands of the President fell short of being vital. Nevertheless, there was always the danger, which the diplomats of the belligerent nations had to watch narrowly, that some outrage would prove a breaking point, or that this strange President, with his ideals and his moral convictions, might—there was horror in the thought—bring his vast nation into the war on the wrong side.

It brought us to the point where an incident could get us into war.

We were in the war trade. It was under the name of neutrality. In the Intimate Papers of Colonel House one finds the following:

> Allied public opinion was forgetful of the assistance brought to the cause of the Entente by the United States, which, by a slightly stricter interpretation of the role of a neutral, President Wilson could have prevented—the enormous loans, the shipment of munitions.

What did Ambassador Gerard write Colonel House? According to that excellent book Propaganda for War, by Professor Peterson, we find he wrote the following:

> There is no doubt * * * that a real neutrality would stop the sale, but would our people "stand" for such a curtailment of American industry?

We find this in the New York Times of October 20, 1916:

> Only 3 weeks before the election the British Chancelor of the Exchequer displayed the bare bones of the situation when he declared (October 19) that the British would need to spend nearly $10,000,000 daily, for every working day, for their purchases in America.

Why did the British purchasing agent wait until 3 weeks before the November election in 1916 to make the statement? Was it to convince the people of the need of British purchases, and therefore tie us up with their victory?

In Professor Peterson's book, an interesting story is told. It follows:

> A correspondent of Sir Gilbert Parker wrote: "Within earshot of my own house 16,000 workmen are busy, day and night * * * making munitions for England. Other factories of * * * (munitions?) and other war supplies are being enlarged or built new in this one city of New Haven." Could it be other than that these thousands of workmen and people dependent upon them should be friendly to the British and anxious to have them win—even if it finally took American assistance?

Today we are grabbing for the profits, and, just like the mouse that grabs for the cheese in the trap, we are not going to get the cheese before our neck is caught. We are grabbing for the bait, and we are grabbing at profits.

Let me quote further from Ray Stannard Baker:

> The British would probably have to sell or pledge their very industrial empire to American bankers in the form of stocks and bonds of British factories: and beyond that, since the complicated economic structure of the United States would then rest still more heavily upon allied purchases, might there not be widespread bankruptcy in America? All these were threatening possibilities unless peace came promptly, or the United States entered the war.

Also we find the following from Mr. Baker:

> On the other hand British relationships, which had somewhat improved since the explosions of American irritation over the black list, were approaching a new and far more fundamental crisis. The Allies were running out of money! They could not go on with the war without a continuous flow of supplies from America, for which they could no longer pay in cash, or in repatriated securities, or in temporary bank loans. A radical new policy for credits—involving vast new financial machinery—appeared absolutely neces-

sary if one or both of two catastrophes were to be avoided; either the speedy defeat of the Allies, or an industrial and financial crisis of the first magnitude in America—since our economic system was now overwhelmingly dependent upon trade with Great Britain and France.

The English financiers would face bankruptcy or war because of the trade we started in 1914.

What did Secretary Lansing say? He presented two reasons why we should go to war on the side of the Allies: First, our economic interest, and, second, our love of democratic institutions.

"Our economic interests." It certainly was not an economic interest to the boys who died in France. Who made the profits we started to grab in 1914–17, and who will make the profits we are now starting to grab out of war trade, out of the trade in the munitions of death?

I quote also from Ray Stannard Baker the following important statement as to the development of war munitions trade. He said:

And yet, however the President may have striven to subordinate or moralize the economic factors of the conflict, they were there, as always, enormously potent influences behind the scenes. At the beginning of the European war he had tried to curb their influence by a "moral" loan policy but had found it, by September 1915, impossible to maintain. The effect of our rapidly expanding wartime trade—trade that was then perfectly legal—was to entangle us vitally with the welfare of the Allies. The President saw clearly and feared this tendency; he considered that there was "a moral obligation laid upon us to keep free the courses of our commerce and of our finance" from entanglements with either group of belligerents that we might use our increasing economic power for the benefit of the world.

Then he stated:

Whether these vast economic forces were to be used selfishly or altruistically, there they were—realities, facts—and the President himself saw that "we have interests which we see being drawn slowly into the maelstrom of this tremendous upheaval." The war, indeed, had reached the point where everything that happened in Europe immediately affected America.

What will be the result of the repeal of the arms embargo? It will put us right back to where we were in 1914–17, by gearing our economic machinery to wartime trade; and the President will find himself in the same position in which President Woodrow Wilson found himself in 1916. He will find, as was said in this article—

If we should go to war with Germany, the greatest help we could give the Allies would be such a credit * * *.

Unless we go to war with Germany, our Government, of course, cannot make such a direct grant of credit, but is there no way in which our Government might indirectly, immediately, help the establishment in the United States of a large Franco-British credit without a violation of armed neutrality?

Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

In 1917 the soldiers thought they were going to war to end all wars. They thought they were going to war to make the world safe for democracy, that they were going to war to crush Prussianism, to destroy the Kaiser. They fought for an ideal. But what was said back in those times?

Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

Let me now read the words of Secretary of State Lansing as to how this wartime trade got us into the war. I quote Secretary Lansing:

If the European countries cannot find means to pay for the excess of goods sold to them over those purchased from them, they will have to stop buying and our present export trade will shrink proportionately. The result would be restriction of outputs, industrial depression, idle capital and idle labor, numerous failures, financial demoralization, and general unrest and suffering among the laboring classes.

Then he asked the President:

Can we afford to let a declaration as to our conception of the true spirit of neutrality, made in the first days of the war, stand in the way of our national interests, which seem to be seriously threatened?

That is what Secretary Lansing said:

Can we afford to let a declaration as to our conception of the true spirit of neutrality, made in the first days of the war, stand in the way of our national interests, which seem to be seriously threatened?

Next year or perhaps the year afterward will some secretary in the Cabinet say, "We have a financial interest in the war. We have established our trade on a wartime basis." And then will he say to the President, "Can we afford to let a declaration of our conception of the true spirit of neutrality, made in the first days of the war, stand in the way of our national interests which seem to be seriously threatened?"

Talk about cash! Of course it was never intended that the sales would be for cash. I am glad the administration have admitted it publicly. They did not admit it publicly until they were driven back to the wall and needed votes in the other House. That is why they are submitting an amendment for the measure. Do not fool yourselves; the reason why the Pittman amendment was submitted in the Senate was that votes were needed in the House of Representatives, and they could not be obtained so long as this fake cash scheme was in the measure. That is why the provision for cash was put in it.

Mr. President, what did Secretary McAdoo say in 1915 about that matter? He said:

The high prices for food products have brought great prosperity to our farmers, while the purchases of war munitions have stimulated industry and have set factories going to full capacity throughout the great manufacturing districts, while the reduction of imports and their actual cessation in some cases have caused new industries to spring up, and others to be enlarged. Great prosperity is coming. It will be tremendously increased if we can extend reasonable credits to our customers. * * * Our prosperity is dependent on our continued and enlarged foreign trade.

Mr. President, will a Secretary of the Treasury in the President's Cabinet say that our prosperity is dependent upon our foreign trade? Will he say that? The prosperity of America does not have to be based on wartime trade with Europe. The basis for prosperity should lie within the United States of America. Our prosperity does not have to be built on the dead, wounded, shell-shocked youth of the world, and neither does it have to be built on the shells and bombs that kill innocent men, women, and children in Europe. Our prosperity should be right here in America, built upon the sound basis of business in America, and we can so build it. But back in 1915 some were afraid of the collapse that might come, and they were afraid of the penalty they would have to pay for that collapse.

MUNITIONS TRADE, 1914–17

Oh, yes; the munitions trade itself played a great part in the World War; not only the wartime trade but the munitions trade. I quote again from Ray Stannard Baker:

It was inevitable that with the shipment of such enormous quantities of war materials to the Allies, the problem of paying for them would again arise. For a considerable time the British could finance their purchases through their large credit balance, but if the war continued even a quarter billion dollars would not last long. And when all was said, if the shipment of war materials was unobjectionable, why not loans of money? And if credits were not given, how could the munitions traffic continue? And if shipments were cut off, what would happen to American business?

Then telling about the entanglements—and they also were discussing embargo at that time—he said:

Meanwhile Congress was discussing retaliatory legislation. It was a prickly subject. An embargo on loans and supplies was an action this Government had repeatedly declared to be, in its international results, an unneutral course of action. Moreover, domestic repercussions might prove utterly devastating to industrial, commercial, and financial interests which now relied upon our inflated and expanding foreign trade.

All the way through we find the effect of munitions traffic on our actions before the World War. As early as the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched.

Thus by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our case was lost.

When the embargo was discussed in 1916 was England interested? Here is how England was interested. Sir Edward Grey expressed the hope that the bill introduced by

Mr. Hitchcock in the Senate to embargo munitions would not pass.

England was interested. Here is what Ambassador Gerard wrote to Colonel House:

> There is no doubt * * * that a real neutrality would stop the sale, but would our people "stand" for such a curtailment of American industry?

What we find all through that period is that the American munitions trade was the first step to our entry into the war.

What did Mr. Garvin, the editor of the London Observer, say? He said:

> The American supply of munitions was indispensable to reinforce our own efforts in the last world struggle. The same reinforcement obviously would be indispensable in any further conflict.

And Ray Stannard Baker makes this definite statement:

> However we may repudiate the motive, the intricate business connections with the Allies developed during 1914, 1915, and 1916, until the very economic life of the country rested upon the munitions traffic, stimulated a powerful interest in the victory of the Allies.

Former Congressman Henry Rainey placed in the RECORD a statement by a London banker about our possible embargo during the trying period before the World War. This banker is quoted by the former Congressman, as follows:

> I wonder if the advocates of the plan ever considered the possibility that European purchasers of ammunition might refuse payment, if ammunition contracts were unfilled, and the effect on the banks that have loaned money and the attendant train of bankruptcy and ruin and unemployment that would follow in the wake.

EFFECT OF MUNITION SALES IN GERMANY

Again we are asked to go into the munitions game in order that we can have profit. Of course, those munitions are to kill—kill people with whom we are at war? No; to kill people with whom we are at peace. Do not think that that would not cause bitterness. Did it cause bitterness in the World War? Let me read three letters to show what resulted. The first was written in December 1914 by Ambassador Gerard:

> The Germans are a little irritated just now at our sales of munitions to the Allies.

This was the case according to Ambassador Gerard. Remember in December they were a little irritated. But on February 15, 1915, he wrote:

> The feeling as I said just now is very tense against America. The sale of arms is at the bottom and the fact that we stand things from England that we would not from Germany is the cause.

In March of that year Colonel House was in Berlin, and he discussed the munitions traffic. He told about the bitterness that existed in Germany against the United States, and said:

> This is almost wholly due to our selling munitions of war to the Allies. The bitterness of their resentment toward us for this is almost beyond belief. It seems that every German that is being killed or wounded is being killed or wounded by an American rifle, bullet, or shell.

Hartley Grattan, in his new book Deadly Parallel, says:

> The American munitions traffic with the Allies during the first World War contributed a vast deal to the embitterment of German-American relations, as can be discovered by reading the despatches from Germany of Ambassador Gerard. Further, it vividly dramatizes the aid this country is giving the side purchasing arms, for in a war the average man sees very clearly that guns are immensely useful, though he may miss the vast importance of a cargo of steel rails. The fact that American guns are sold to Britain and France will strengthen popular sympathy for their cause. The temperature of partisanship will rise. American unneutrality will certainly be increased by the repeal of the embargo on arms in favor of a cash-and-carry policy. The change will be of tremendous importance, because it will mark the beginning of the collapse of American neutrality. The deed is on the heads of Franklin Roosevelt and his followers. Retreat on this point will surely be used to force retreat all along the line until every defense built up has been knocked down.

We are today stimulating a bitterness that might cause an incident to plunge us into war. We are stimulating the bitterness in starting the sale of munitions to Europe; and that bitterness may rise to the point where an incident might occur. In a letter from General von Falkenhayn to Bethmann-Hollweg, in discussing unrestricted warfare:

> So far as this submarine situation is concerned, America's step from the secret war in which it has long been engaged against us to an openly declared hostility can effect no change.

They had developed bitterness because of the munitions trade, and that bitterness caused incidents which plunged us into war. Of course we went to war directly on the ground of the sinking of our ships. But why were those ships sunk? Was it that Germany felt that we were not neutral; that we were helping England to destroy her, and she sank those ships just as any other nation would sink them when its back was against the wall, and it felt that one side was helping the other side? We caused the development of bitterness in Europe; munitions trade makes bitterness which easily might result in war.

MUNITIONS TRADE IMMORAL

I feel that the sale of arms and munitions and implements of war is immoral in time of war or in time of peace. I feel that America should not become a merchant of death.

Furthermore, I realize that if we should go into this war—and God forbid that we should—we would not be fighting for liberty, but would be fighting purely for a balance of power in Europe, though, of course, our soldiers would be told that they were fighting for liberty. Sir Phillip Gibbs in his book about the World War soldiers said this:

> They had been told that they were fighting for liberty. But their first lesson was the utter loss of individual liberty under a discipline which made the private soldier no more than a number. They were ordered about like galley slaves, herded about like cattle. Was it not rather that the masses of men engaged in slaughter were serving the purpose of powers above them, rival powers, greedy for one another's markets, covetous of one another's wealth, and callous of the lives of humble men? Surely if the leaders of the warring nations were put together for even a week in some such place as Hooge, or the Hohenzollern redoubt, afflicted by the usual harassing fire, poison gas, mine explosions, lice, rats, and the stench of rotting corpses, with the certainty of death or dismemberment at the week end, they would settle the business and come to terms before the week was out. I heard that proposition put forward many times by young officers of ours, and as an argument against their own sacrifice they found it unanswerable.

Mr. President, do you think that the rulers of Europe today would go to war if they had to do the fighting? No; they would go to the basement, just as the House of Lords did. Oh, no; they are not going to die. They are going to stand back and tell the others how to win the war.

Some have high hopes of war. Men have hoped to gain many things by war—power and wealth for themselves, glory and honor for their country, and freedom and happiness for mankind. All they have succeeded in getting, to quote an eighteenth century wit, are "widows, taxes, wooden legs, and death."

One of the great tragedies of war is that it is fought, not by bad men knowing themselves to be bad but by good men passionately convinced that they are right. War is not fought by men who feel that they are wrong. It is fought by men who feel that they are right. The history of war shows that it brings dictators. Dictators bring despotism, and with despotism liberty is lost. As part of the chain of conflict comes the loss of civil rights.

Let us weigh war in its true light. We see beautiful buildings, architectural gems, homes of civilized people destroyed. We see the maimed, mutilated, and mangled moaning and begging for their existence, for the right to live, or the pleasure of death to get away from their pains.

We see men with their arms and legs gone, torn away by shrapnel. We see men with part of their faces gone. We see men lying on the battlefield, silent, never to speak again. In place of smiles we see agony. In place of peace and happiness we see war and sorrow—and we will help to bring it about. When we send the gun to kill we help to tear the head off the son of some mother.

Oh, you can hide and try to close your conscience if you will; but my conscience will not bother me when I see a gruesome, horrible war scene of death. I can rest secure in the thought that that death was not contributed to by munitions which I voted to send across the Atlantic. That is what you are doing. You are voting to get in the game of death in order that profit might be made.

Of course we are not yet in the war, but the path is so tragically marked with a parallel that I am afraid we shall be in it.

I recall distinctly that 25 years ago my father opposed the World War. I recall how he told the people of my home city that we were on the way to war. I realized the punishment and the bitterness visited upon him because of his desire to keep America at peace. Those things were indelibly impressed upon me as a child. I remember that some of the very men whom he tried to keep out of the front-line trenches were the ones who condemned him with the greatest bitterness. But he was right. He was in the minority, but he was right.

What pleasure, what joy, will you have when you know that a gun sent by you as an accessory to the fact helped to kill some young man in Europe? It will kill someone. What satisfaction will you have when you think of mothers and sisters back in the home weeping at the death of some boy killed by a bullet you helped to send to France? You can hide your conscience if you will, but you will never be able to erase the fact that you contributed to it. You cannot erase the fact that by this method we are sending shells across the Atlantic, not to stop Hitler. Hitler will not be touched by a single shot. Some boy—many boys—will be stopped by the shots that we send across.

We are not sending bombers across the ocean to bomb Hitler. We are sending them to drop missiles on soldiers—yes; not alone soldiers, but women and children just like your wife and just like your child. You may hide behind the excuse that others will sell munitions if we do not; but you cannot cover up the fact that you are an accessory to sending munitions across the ocean. You may say others are killing, but deep down in your heart you know that when you vote to lift the embargo you are voting to contribute to the toll of death in Europe. When you pick up a newspaper and see a gruesome, terrible scene of a soldier with his head half gone, just remember that his head may have been torn off by an American bullet which you voted to send. When you see a picture of a little child resting in death after a terrible bombing raid, remember that that bomb may have been an American bomb that you voted to send across the Atlantic. You cannot excuse your action because Germany may be killing them. What right have we, in peace, to contribute to the continuation of war?

What are shells, arms, and ammunition used for? To kill; not to kill citizens of a country which is at war with us, but to kill citizens of a country at peace with us. Let me say again that not one bomb will strike Hitler. We shall not smash Hitler with the munitions we send across. We shall smash the boys of Germany, who feel that they are fighting for the right, even though we know they are in the wrong. Those bombs and shells are not for the men who made the war; they are for the men who fight the war. We can sit back and say that that is not our affair; but you know, and we all know, and any man with a conscience knows, that when you put a gun in a man's hand and that gun brings death you cannot sit back and say, "I had nothing to do with that death."

Yes; Hitler may be stopped. The Kaiser was stopped. Hundreds of thousands of boys died in stopping him. They were stopped on the battlefields of France; and the Kaiser was not touched by a bullet. The Kaiser will die in a bed in Holland.

No; when we talk about smashing Hitler, all the smashing of Hitler will be of no avail until the conditions in Europe which created Hitler are corrected.

Hitler is a symbol in this war, just as the Kaiser was a symbol in the last war. We cannot correct the condition by adding fuel to the fire. We cannot correct it by sending across the ocean guns, arms, and munitions to kill.

Others may do as they please, but no boy in any foreign country will die coughing out his lungs with poison gas which I voted to send across the water.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. REYNOLDS. I happen to have before me a copy of today's Washington News. In looking over the headlines I find one that I am sure will be of interest to the Senator, since he has been speaking very eloquently of the destruction of war and its frightful results.

This is 20 years and more after the close of the last war. Incidentally, in that connection, I am reminded that about 4 weeks ago I was in Havre, France; and there I saw, rearing itself to the skies, a great granite monument upon which was carved "1914–1918," meaning that from then on the people of France expected eternal peace. At that time war had been declared. I was there a few days after war had been declared; and I was reminded of the fact that although the last war had been ended more than 20 years, today we, in the United States, have not been able to furnish sufficient hospital space to provide hospitalization for many thousands of American heroes who were affected as a result of their participation in that war.

I bring this article to the attention of the Senator. It reads:

ONE HUNDRED AND FIFTY THOUSAND WAR VETERANS HAVE NOT APPLIED FOR BONUSES, POST FINDS

Some 150,000 World War veterans never have applied for their bonuses, according to records compiled by Father Francis J. Hurney Post No. 112, Catholic War Veterans.

The total includes 60,000 who have never applied for certificates, 15,000 who have less than $50 due them, 65,000 dependents of deceased veterans entitled to quarterly benefits, and 10,000 dependents entitled to less than $50.

Anyone in any of these classifications is asked to write Post Welfare Officer Francis J. Parduhn at 323 Farragut Street NW.

Think of it, Mr. President! Twenty years after the war we are unable to provide hospitalization for all the American heroes who participated in that great struggle, and now we are told that more than 150,000 have never applied for certain compensation to which they are entitled for service during the World War.

Mr. President, while the Senator from West Virginia is good enough to bear with me at this time, let me say I recall that a moment ago, just before I was called from the Senate Chamber to talk to some of my North Carolina friends, I heard him remark something about saving the world for democracy and about the embargo.

I wish to say to the Senator that since this discussion began I have found myself in cotton fields in North Carolina, since we North Carolinians are very desirous of selling cotton to whomsoever might buy it; that I have visited through many tobacco fields, and I have been through a number of the great industrial and manufacturing plants which are producing commodities which we would like to sell to nations across the sea, and particularly to those at war, I judge, from what has been said. But after hearing these debates, I see before me a danger sign. I saw none in the cotton fields; I noted none in the tobacco fields; I observed none in the great industrial plants, but I do see a danger sign bearing the words "Beware munitions." That perhaps may be a false sign; I do not know as to that; none of us know, but there is a question in my mind whether I should disregard that sign and take the path to the right or to the left to avoid any danger. I do not know; I have not made up my mind definitely in regard to that matter. However, that is neither here nor there at this particular time.

The Senator said a moment ago that the World War was fought for the purpose of saving democracy, of aiding Christianity, of stopping war for all time. May I at this time bring to the Senator's attention—although I know he is thoroughly familiar with it—the fact that since the ending of the last war on Armistice Day, November 11, 1918, as for aiding Christianity, there have been more assaults upon it than during almost any other period of a quarter of a century in the history of the world. As the Senator will recall, millions of Christians were murdered by starvation in the Russian Ukraine in 1933 and 1934.

In connection with that statement I recall that not many months ago our Ambassador to France, Mr. Bullitt, was in Washington and testified before a joint committee consisting

of the Military Affairs Committees of the House and the Senate. I knew that he had been our representative at Moscow for some time, that he was thoroughly familiar with the matter, and I made direct inquiry of him then as to whether or not it was true that millions of Christians resident in that particular portion of Soviet Russia had been murdered by starvation. He said, yes; that was quite true.

The Senator from West Virginia will recall the assault made on Christianity and Christian people and leaders of the faith in Spain at the time there was a struggle for supremacy in that Christian land between the Fascists and the Communists. We know, of course, that more temples of worship and religion have been razed to the ground and burned and destroyed than ever before within a 25-year period, and certainly within our recollection.

Now, as for saving democracy, I know there have been tremendous assaults made upon democracy, and such assaults have been made particularly in this country. Why? Because the American people have been "asleep at the switch." Night and day for many months some who are supposedly Americans have been working like termites in the endeavor to destroy the democracy of the United States of America while the great masses of the American people have been asleep and permitted it to go on.

As I mentioned to the Senator a moment ago, the Dies Committee uncovered, by sworn testimony, facts showing that there are today, 2,800 Communists holding fine positions in the Government of the United States of America. I venture to say that many of those who are endeavoring, both night and day, to destroy our American democracy, which is different from that of any other nation of the world, are aliens who arrived here illegally and have remained illegally or arrived legally and have remained illegally. The very reason it has been necessary to put on additional hundreds of men in the Bureau of Investigation and the Department of Justice to seek out spies, the very reason that great organizations in the United States of America have had to go to the expense of employing thousands of additional watchmen and patrolmen to guard their property against destruction and sabotage is, unfortunately, that we do not know who or where these alien enemies are. Why? Because the present Congress and others heretofore have failed and refused to pass a law requiring every alien within the confines of the United States of America to be fingerprinted and registered. If today every alien in the United States were fingerprinted and registered, we would know where these alien enemies are, and where they are working, with the purpose of destroying our Government.

We have been derelict in our duty in that respect and also because we have failed adequately to enforce our immigration law so as to keep out undesirable enemies of American democracy, enemies of the American form of government. If an effective law of the kind to which I have referred had been passed, today innumerable industrial organizations and great transportation companies would not have been put to the expense of employing thousands upon thousands of extra men, patrolmen and watchmen, to guard their property. The situation is a shame and a disgrace.

As the Senator stated awhile ago our danger is from within and not from without. One criticism I have to make is that the American people have been "asleep at the switch." We are spending billions of dollars for national defense—and I have voted for every one of those appropriations because I believe in an adequate national defense—we are spending billions of dollars to defend ourselves against the enemy from without, not one cent, comparatively speaking, to defend ourselves against the enemy within, who is boring night and day.

There is, indeed, as the Senator has pointed out, much more danger to be feared from the enemy within than from the enemy without, because we, with our airplanes, piloted by men of the Army, Navy, and Marine Corps, if we were attacked by an enemy from without it would not be difficult for them to locate and turn back the enemy, for we have the finest airplanes in the world. We need ten, twenty, or thirty thousand more; but we have the finest pilots upon the face of the earth.

It is different when it comes to locating enemies within. They work secretly, underhandedly, in the dark; their organizations are widespread; and the Attorney General himself and Mr. J. Edgar Hoover both stated that the land was honeycombed with spies.

I observed in the columns of the press only a day or two ago that the destruction in part of one of our ships—I believe it was out at San Diego, Calif.—was being investigated, and the investigation thus far revealed that the work was done by saboteurs. So what we must do is to put ourselves right in this country. Let us prepare an adequate national defense, one that cannot be penetrated by the army of any other country on the face of the earth; and in doing that, in fortifying ourselves against the assaults of the enemy from without, let us first clean house in this country. Let us purge this country. Before it is too late, let us get hold of these alien enemies, these undesirables, these aliens who are endeavoring to destroy our form of government, and send them back to the countries whence they came, and make those countries take them back. It can be done.

I thank the Senator.

[Manifestations of applause in the galleries.]

Mr. HOLT. I thank the Senator from North Carolina.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. HOLT. I yield to the Senator from Idaho.

Mr. CLARK of Idaho. I hesitate to trespass on the able address being made by the Senator from West Virginia; but, if I may have the attention of the Senator from North Carolina [Mr. REYNOLDS] for a moment, he referred to the cotton situation. There seems to be an implication that exports of cotton are aided and increased during wartime.

The other day I had the Congressional Library make up a tabulation for me in that connection. Unfortunately, I have not the figures at hand, but I intend shortly to put them in the RECORD. If that tabulation is correct, after the outbreak of the World War in 1914, for 3 years, exportations of cotton dropped approximately two-thirds. Is the Senator from North Carolina aware that our cotton exports in 1914 dropped far below those in 1913, and in 1915 our cotton exports dropped to approximately one-third of those of 1913? I am merely using approximations now, and will supply the figures later. It was not until we practically got into the war, in 1917, that cotton exports again picked up.

Not only that, but the same thing was true of many other basic commodities, with the exception of tobacco, I believe, and of medicine, and of oil. Of course it is almost a matter of reason. A workman in England, for instance, going about his daily chores, uses a good deal of cotton. He probably has cotton trousers, cotton shirts, cotton gloves, and cotton socks. The minute he becomes a soldier, all those articles of clothing are made of wool.

It is rather amazing to me, in view of the statistics I have had compiled, that some persons from the Southern States seem to think a European war would aid the export of cotton, when the facts of the last war apparently are that not only did it curtail cotton exports, but it reduced them approximately two-thirds.

I was wondering if the Senator from North Carolina has been familiar with that situation.

Mr. REYNOLDS. Mr. President——

Mr. CLARK of Missouri. Mr. President, will the Senator from West Virginia yield to me right along the same line that the Senator from Idaho has been discussing?

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). Does the Senator from West Virginia yield; and if so, to whom?

Mr. HOLT. I yield first to the Senator from Missouri, and then to the Senator from North Carolina.

Mr. CLARK of Missouri. I simply wish to put an addendum to the question of the Senator from Idaho [Mr. CLARK]; and it applies not only to cotton from the Southern States,

but to beef and similar products from some of our Western States.

Does the Senator realize that at the present time, and for some time past, Great Britain has been buying its beef from the Argentine? Great Britain does not buy beef from us. Some people from some Western States seem to think the war is going to bring about a great increase in our exports of meat products to Great Britain. England buys its beef from the Argentine, and wants to buy its cartridges and TNT from us.

Mr. HOLT. I want to ask at that point—then I will yield to the Senator from North Carolina—how can England be blamed for buying beef from the Argentine when our own United States Army and Navy do so? [Laughter.]

I now yield to the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, I will say to the Senator from Idaho that my recollection is that our export of cotton from the South did decline immediately after the beginning of the World War. As a matter of fact, I am not so sure that we shall greatly profit by this war insofar as the exportation of cotton is concerned, for the reason that if we require cash on delivery, with the transfer of title when the commodity is loaded in British or French bottoms, that cash, perhaps, will be long in coming. Those countries will not be possessed of a sufficient amount of cash to satisfy us in making those cash payments. As the result thereof, what will Great Britain do, and what will France do? Great Britain will buy her cotton from India. She will use the long-staple cotton from Egypt.

Mr. CLARK of Idaho. And save her foreign exchange for the purchase of munitions in this country.

Mr. REYNOLDS. Well, I do not know about that. Anyway, she will get her cotton from India. She will get her cotton from Egypt. She will get some of her cotton from China. As a matter of fact, if she can buy it cheaper, and she has to pay cash for it, she will get her cotton from Brazil, because down in Brazil now the English are vying with the Americans in regard to getting the Brazilian trade; and down in Brazil today the planters, many of whom have found cotton so profitable in production that they have destroyed many of their old coffee plantations and have converted them into cotton plantations, can produce cotton for 5 cents a pound and make a profit thereupon sufficient for them, in comparison with the losses they sustained upon the production of coffee. They probably will buy from Brazil, because the English have many millions of dollars invested in Brazil in the transportation and the public-utility business.

It is quite true, as the Senator from Missouri stated a moment ago, that the Argentine chiefly produces beef, and the British buy Argentine beef. That is perfectly natural, because the British have more money invested in the Argentine than any other nation upon the face of the earth has invested there; and the people of Buenos Aires, the capital thereof, who do their trading upon foreign shores, do not come to the United States of America for the purpose of doing it, but they go to London or Liverpool or Paris.

Mr. CLARK of Idaho. Mr. President, will the Senator briefly yield to me?

Mr. HOLT. I shall be glad to do so.

Mr. CLARK of Idaho. Let me point out the fact that if the arms embargo is repealed, Britain will have so much money to spend in the United States. Very obviously she will not use her dollar exchange to buy here anything that she can buy within her own empire with sterling exchange. That is perfectly patent. That means that she will get all the wheat she can get, and all she needs, from Canada.

Mr. REYNOLDS. And Australia.

Mr. CLARK of Idaho. And Australia.

Mr. REYNOLDS. And New Zealand.

Mr. CLARK of Idaho. She will get the wool she needs from Australia, and the cotton she needs from India and Egypt. It means that she will save and hoard her dollar exchange for the one thing she can get here that she cannot get elsewhere; namely, munitions.

So if any producers of raw materials in this country think Britain and France are going to use up their precious dollar exchange in buying American wheat and American cotton and American wool and those things, it seems to me on the face of the matter that they are very patently mistaken. Frankly, I think it would be well in order if an amendment were proposed to this joint resolution to require that for every dollar of exchange used to buy munitions and instruments of death in this country a proportion of a dollar, or perhaps more dollars, should be used to buy raw products and other peacetime goods in this country.

Mr. REYNOLDS. Mr. President, I may add in that connection that I am somewhat afraid that the corn producers of Illinois and Iowa—which, I believe, are two of the great corn-producing States in this country—and some of our western producers of wheat, and our cotton producers of the South, and the tobacco producers of North Carolina, Virginia, and Georgia, are going to be disappointed. A number of our people unfortunately have been led to believe that we are going to be able to enrich ourselves overnight. I would that it were possible that my friends the farmers of North Carolina could get 20 and 25 cents a pound for their cotton; that my friends in Piedmont North Carolina, and up in the mountain section from which I come, could get 40 and 50 cents a pound for their tobacco; but I am, indeed, afraid they are going to be disappointed, because, as the able junior Senator from Idaho [Mr. CLARK] so aptly pointed out, all the cash that France and Great Britain have they are going to use where they are forced to use it, and they are going to have to buy very little aside from munitions in this country. A large portion of northern Africa, controlled by them, produces cotton.

For instance, the little section known as Uganda has increased its cotton production about 75 percent within the past 2 years. All of those sections of Africa that are controlled by the British will supply them with cotton, together with India and perhaps China, whereas they will get their beef from the Argentine, and they probably will buy some cotton from Brazil; and, as the able Senator just stated, they will get their wool from New Zealand and Tasmania and Australia and a number of small islands in that section of the world that are noted for their fine production of wool.

Mr. HOLT. Where are they going to get the wool to pull over our eyes? [Laughter.] They have pulled it for a long while.

Mr. REYNOLDS. I think that wool was pulled over our eyes on the 6th day of April 1917, when we entered the war, insofar as that is concerned. That reminds me of the fact that France and England, who pulled the wool over our eyes, have been able to keep the blinders on them up to the present time, and those blinders are weighted in gold to the extent of more than $15,900,000,000.

Mr. CHANDLER. Mr. President, I hope that when the Senator is speaking of tobacco he will not forget Kentucky. [Laughter.]

Mr. REYNOLDS. I forgot Kentucky in commenting on tobacco. I see that the able junior Senator from the great Commonwealth of Kentucky is on the lookout for the interests of his State, which produces one of the finest tobaccos upon the face of the earth, and the tobacco of Kentucky is used in the manufacture of cigarettes which are manufactured in the greatest State in the Union, namely, North Carolina. [Laughter.]

I thank the Senator from West Virginia for yielding to me.

Mr. HOLT. I thank the Senator from North Carolina.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. LUNDEEN. When we speak of cotton, and the sources of the supply of cotton, it would be well to remember Turkey in that connection. When we began to plow under cotton, Turkey began to plant and raise cotton and build textile factories. Missionaries who have lived in Turkey for more than 40 years, and who have traveled through this city, have given me very interesting information on that point.

I will ask the Senator whether we did not pass a bill some time ago providing for the exchange of some hundreds of thousands of bales of cotton for rubber from the British Empire. Am I correct in that?

Mr. HOLT. The Senator is correct.

Mr. LUNDEEN. It was my belief at that time that we should have received the rubber, and should have applied the value of the rubber on the debt Great Britain owes us. We would have gained something for the United States, instead of turning everything over to the British under that agreement. There are other resources which are abundant in the British Empire which they should furnish us and apply to the payment of the debt. I think the Senator will agree with me as to that.

Mr. HOLT. I thank the Senator. I desire to say something about a statement of the Senator from North Carolina which I consider very important. Our task to preserve democracy is right here in the United States, not across the seas. Our task is to keep the torch of liberty lighted here, not over there.

We may be fooled and go over to keep the torch of liberty lighted there and come back and find it extinguished in the United States. The torch that we must keep alight is the torch of opportunity, and if the United States Senate and the House of Representatives when in session would spend as much time in trying to settle the problem of unemployment as in trying to help England by repealing the arms embargo, we would make a greater contribution to democracy than anything else we might do in connection with any neutrality bill.

HOPE OF DEMOCRACY HERE

The hope of democracy in the world is here, with men working in the mills. Our hope is not in giving the unemployed idle of America jobs in the uniforms of soldiers in France. Our job is to give American boys jobs in a factory producing, not implements to kill, but implements with which to build. Let us build homes in the United States with the idle labor that is here, instead of erecting munitions factories for the manufacture of things with which to destroy homes, no matter where those homes may be.

Mr. REYNOLDS. Mr. President, will the Senator yield further?

Mr. HOLT. I yield.

Mr. REYNOLDS. I wish to say that I agree a hundred percent with the statement just made by the Senator. I contend that we ought to mobilize in the United States against the unemployment and poverty here instead of contemplating a mobilization for the purpose of sending the sons of American mothers to save something across the seas.

[Manifestations of applause in the galleries.]

Mr. HOLT. I thank the Senator from North Carolina.

The PRESIDING OFFICER. The Chair must admonish the occupants of the galleries that they are guests of the Senate. There is a rule of the Senate that there must be no manifestations of approval or disapproval in the galleries. Our guests will kindly obey that rule.

Mr. HOLT. Mr. President, our departments are now getting ready for an M day, for an army of men to go out in world conflict. As the Senator from North Carolina has said, let us get busy for an M day here, and wipe out unemployment. We are not going to do it through the munitions trade, we are not going to build our prosperity in Europe. We can build our prosperity here in the United States where the opportunities have always been given to build it.

"Make the world safe for democracy," and while we are making the world safe for democracy in Europe we are making it safe for poverty over here, we are making it safe for unemployment. If we would think as much about the hovels in the cities and the hunger throughout the United States as we do about the atrocities in Europe, instead of paying attention to things across the sea, we would be doing our duty. There are atrocities here, atrocities of hunger in the United States. Let us take care of them, first, before we start a trip across the ocean.

Mr. LUNDEEN. Mr. President, will the Senator yield further?

Mr. HOLT. I yield.

Mr. LUNDEEN. I desire to thank the Senator for the statement he has just made. We are becoming engaged and involved in debate about continents across the ocean, about problems across the seven seas, about great issues and conflicts thousands of miles away; but I do not hear much if anything said about the United States and the problems under our own flag, about the destitute and hungry, and the poverty-stricken and the tax-ridden people of the United States, whose backs are bending under the burdens we are placing upon them due to the enormously increased armaments and the contemplation of war, and the burdens of the last war. I think the Senator should be commended for his attention to these vital problems, which must be solved if we would avoid danger of conflict from within our own borders, where we may have a frontier which we will have to take care of. If we would take care of the unemployed here, if we would take care of the housing problem, if we would take care of the farmers of the United States, and think of America, we would have no problem under our own flag that would be serious.

Mr. HOLT. Mr. President, I was recently informed that a man very close to the administration said: "It is very important that we keep the people interested in Europe, because if we can keep them interested in Europe, they will not be thinking much about America."

The danger is that as long as we keep them looking out the back window, and keep saying, "There is a bogeyman who will get you there," they are not going to worry about their supper. While we are watching affairs across the seas, the unemployed are still without jobs. We still have one-third of the Nation ill-housed, ill-fed, and ill-clad. We have those conditions here, not in Europe, and if we would devote our energy and effort to protecting the United States, on this side of the ocean, we would contribute to democracy in the world.

We are challenging democracy by not allowing it to continue to work here. That is why there is danger to democracy, and danger, as the Senator from North Carolina and the Senator from Minnesota have said, from within this country. Men die for countries which protect them and protect their families. I do not want to take the time of the Senate much longer but I wish to read a letter in which it is stated:

> We owe to the Allies whatever moral support and financial assistance it is in the power of this Nation to give; it is not merely the so-called American right that our munition makers should be free to sell to the enemies of Germany—it is our duty to encourage them to do so. Let us enthusiastically approve supplying the enemies of Germany with financial aid and munitions of war and resist with all our moral strength those who would place an embargo on munitions.

That letter was not written in 1939, but was written by Josiah Royce, a professor of Harvard University, on the 30th day of January 1916, when we were sliding into war. It could be used again today just the same as it was then. There are college professors telling us the same thing today. All we would have to do with that letter in order to put it into effect would be to put a 1939 date line on it instead of the 1916 date line.

The arms embargo is to be repealed because, first, it is said we should help France and England, and therefore save democracy again; and, second, because it will make profit. We will find that England and France are not interested in saving democracy, and, furthermore, we know that what we get will be fool's gold, which was spoken of in Chautauqua, N. Y., in 1936. Why the repeal of the arms embargo? Because of entanglements in the embroilments of Europe. Do we have to go through with the bargain? Is that why we are going to repeal the arms embargo? History will prove it. We will find that things done today will be exposed 20 years from now, just as things done 20 years ago are being exposed today.

Mr. President, others may do as they care to do, but so long as I have a vote in the United States Senate that vote will not be a vote to send guns across the sea to kill young men who want to live as ardently as I want to live. My vote in the United States Senate will not be for an act which will send shells across the sea with which to inflict wounds on men from which they will never recover. I do not want to send over anything which will injure young men

who wish to live and be healthy and happy just as I do. Would I not have resentment if I knew that a bullet shipped from a foreign country had killed my brother?

It is now proposed that we send such things across the sea and we will be doing so in the name of peace. Can any one say that we are doing it in the name of peace? Men do not kill in the name of peace, nor do men help others to kill in the name of peace. We are not doing this in the name of peace. We are doing it because of foreign embroilments.

Oh, I wish that the day before we vote on this measure every Senator could visit a veterans' hospital and see some of the shell-shocked soldiers, many of whom are mentally dead, even though they are still alive. I wish they could see them before they say, "I shall vote to make more of those shell-shocked veterans in Europe." That is what they will do if they vote to repeal the arms embargo. They will be accessories to the killing of every man who falls in France or Germany as a result of the explosion of an American shell when they vote to send munitions across the sea. They may escape condemnation, but they cannot escape their consciences.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). Does the Senator from West Virginia yield to the Senator from Kentucky?

Mr. HOLT. I yield.

Mr. CHANDLER. Are not guns and ammunition now being sent from the United States under the present law, and are not men now being killed in the war in Europe by arms which were shipped from the United States under the present policy?

Mr. HOLT. Not that I know of; but if I had my way, as I have said, I would outlaw the sale of arms and ammunition to any country in time of peace or in time of war. Simply because one wrong is being committed, the situation will not be made right by committing two wrongs.

Oh, yes; men will die on the battlefield, men will be killed, with the blood gushing from their heads as the result of the explosion of shells sent across the sea from the United States of America, with the words "United States of America" marked on them. Other Senators may do that, if they please, in the name of democracy, but my conscience will be clear. I shall not contribute to it. This is an issue which affects the emotions. It affects American homes. But my vote will not be a vote for death; it will be a vote for peace, for I intend to vote to continue the embargo on arms, ammunition, and implements of war. [Applause in the galleries.]

Mr. BARKLEY. Mr. President, it is a little earlier than our usual hour for recess, but by the time a quorum is obtained and another Senator is recognized for a speech it would be time to recess for the day. So I shall move a recess at this time.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

ADDRESS BY MAJ. GEN. SMEDLEY D. BUTLER

Mr. CLARK of Missouri. Recently I had the pleasure of sitting in the broadcasting room of the Mutual Broadcasting System listening to a 15-minute broadcast by one of the most distinguished soldiers that ever wore the uniform of the United States, Maj. Gen. Smedley D. Butler, of the United States Marine Corps, retired, the only man in the history of American Armies who has ever possessed the equivalent of three Congressional Medals of Honor. I think there is no military man in the world better qualified to estimate the possibilities or probabilities of an attack on the United States than General Butler, and I ask that his remarks be inserted in the RECORD at this point as part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

My fellow Americans, let's look at this European war.

Let's see if we should be all hot and bothered over it. Did we have anything to do with getting it up? You know we didn't, and I know we didn't. And I'll tell you why.

We didn't have one single, solitary thing to do with any of the crooked, back-alley maneuvering that brought this war into existence.

We weren't present at its birth. We weren't consulted about the doctor. We didn't even meet the nurse.

Now, that being the case, are we going to be dumb enough to let them leave it on our doorstep? Are we going to let them say:

"Here it is. It's yours, too. And you feed it."

There may be a lot of shooting going on over in Europe, but there's an awful lot of sound and fury going on over here.

Don't let them kid us. Keep your eye on one thing.

The way to get into this war is to raise the embargo on arms.

Remember that one thing. It's the heart and soul of the matter. If you want to be dragged in, just start selling arms and munitions.

Nations are like people, you know. Some try to lead honorable lives. Some are untrustworthy. Some are like rats.

But what would you say if a couple of fellows started a terrific scrap down the street, and somebody came running up to you and said:

"Want to get into that scrap?"

You'd say, "No. It isn't my scrap. I want to be neutral."

And then this well-meaning guy would say:

"Swell. Here's a pile of rocks, brickbats, and clubs. Hand them out to one of those sluggers, or even both of them. That's the way to keep neutral."

Now, in the case of the scrap down the street, what would you think if anybody gave you that kind of advice?

I don't even have to tell you.

Now, getting back to the mess on the other side of the Atlantic, here's one of the ways they're using to try to drag us in.

They say: Well, if the British and the French don't lick Hitler, Hitler will be over here and on our necks.

He'll be bombing our women and children and shelling our cities.

Don't let anybody feed you that misinformation.

It doesn't take a military education to figure out what I'm going to tell you.

It will take not less than 1,000,000 soldiers to invade the United States with any hope of even getting ashore.

These million men must come all at once.

They must bring not less than 7 tons of baggage per man—1,000,000 men, 7,000,000 tons of food, ammunition, and what not.

They must bring 400,000 motor vehicles. Theyv'e got to find room for 50 gallons of gasoline per day for each vehicle for 270 days—that's 9 months' supply.

Why, there are not enough ships in the whole world to carry that kind of an expedition. And, remember, those ships have to have enough fuel to get back with—to make the round trip.

Any dumb cluck can see that.

But here's some more—they've got to have harbors to land in, docks to get their stores ashore. You know you can't stop 25 miles out at sea, drop a 5-ton armored tank overboard, and tell it to swim ashore and meet you on Broadway.

You know very well we're not going to open our harbors to them, prepare docks for them, and invite them in.

New York Harbor is the only big one we have on this coast, and to block New York Harbor all you have to do is to dump 2 days' garbage in the channel instead of hauling it out to sea.

And don't forget that we happen to have a Navy, and it's the best in the world.

Now, what about an aerial invasion?

Well, Colonel Lindbergh and Eddie Rickenbacker, the two foremost fliers we have, already have told you it's ridiculous to talk or to think about bombing New York from Berlin.

And don't forget that we have an air force of our own.

So, my fellow Americans, let's take one thing at a time.

This war's in Europe. It isn't over here. And it won't come over here unless we invite it. But the way to invite it is to sell bombs and munitions. They'll have the stamp of American makers on them, and they'll have the R. S. V. P. that'll bring about acceptance of that invitation. An invitation to go over there and join in the mess. Oh, but the bogey boo is that somebody will come over here.

Don't you be alarmed. Nobody in Europe can afford to leave home. Why, if Hitler leaves Germany with a million soldiers to come over here, if he ever got back he'd find everybody speaking either French or Russian. Those babies would move in on him while he was gone.

No; there isn't a single crazy war dog that can come over here. We can build a defense of our own country that not even a rat, let alone a mad dog, could creep through.

But let's be consistent. We cry to high heaven that we are a Christian and a peace-loving Nation. We don't believe in shooting people, bombing their homes, knocking down their cities with cannon. We really are a Christian, peace-loving people, but I say to you it's un-Christian, hypocritical, and unmanly to say to the British and the French, "Sure, we're against this fellow Hitler, but, being Christian and peace-loving, we can't shoot him; we can't bomb him, but we'll be delighted to see you do it, and we'll furnish the guns and the bombs; that is providing you pay us double what they're worth. And in order there may be no mistake this time, you'll pay in advance.

"You see, we're against our going to war, but we're not against your wars. You go ahead. We'll sell you the stuff."

Make no mistake about it. We've got to answer the big question, and here it is:

How often are we going over there to bail out Europe? Will we have to do it every 25 years? In addition to sending our children

today, are we going to be ready to send our grandchildren 25 years from now?

Are we so much interested right now that we want to contribute 5,000,000 of the finest and the strongest boys that the great mothers of America have produced?

Are you mothers and fathers so deeply interested that you want to furnish your sons?

Well, start selling ammunition and that's what you'll have to do.

Don't you realize the money you get for your ammunition will be covered with blood? And, as time goes on, this blood will be the blood of your own children.

Has blood money ever brought anything but misery to those who got the money?

Look what happened to the billions of dollars we made out of the last war.

It brought us a situation where even today, 20 years later, there are 10,000,000 of us out of work.

And if we allow ourselves to handle any more of this stinking blood money, there'll be 20,000,000 of us out of work—maybe for the next 50 years.

But that isn't all. Let's go back to cases and look at this thing from a personal viewpoint.

It's all very well and high sounding to say that the Government declares war. To say we have nothing to do with it. We enter the war—but who are we? Well, "we" right now are the mothers and fathers of every able-bodied boy of military age in the United States. "We" are also you young men of voting age and over, that they'll use for cannon fodder.

Now, you mothers, particularly!

The only way you can resist all this war hysteria and beating of tom-toms is by asserting the love you bear your boys. When you listen to some well-worded, some well-delivered war speech, just remember it's nothing but sound. I tell you that no amount of sound can make up to you for the loss of your boy. After you've heard one of those speeches and your blood's all hot and you want to bite somebody like Hitler, go upstairs where your boy's asleep.

Go into his bedroom. You'll find him lying there, pillow all messed up, covers all tangled, sleeping away so hard. Look at him. Put your hand on that spot on the back of his neck—the place you used to love to kiss when he was a baby. Just rub it a little. You won't wake him up. Just look at his strong, fine young body because only the best boys are chosen for war. Look at this splendid young creature who's part of yourself, then close your eyes for a moment and I'll tell you what can happen.

You won't actually see it, but I have seen it, and I can describe it to you. You can easily imagine it.

But, first, you have a 50–50 chance of never seeing your boy again if you let this embargo on arms be raised and your boy is conscripted and sent overseas to fight.

If you ever do see him again, 50 times out of a hundred he'll be a maimed and helpless cripple all his life.

Why, you say, that can't happen. That wasn't true in the last war. But the last European war saw us fight just about 150 days and we had more than a quarter of a million casualties. Try to get out of this war inside of 1,500 days.

Now, get this picture of your boy while you're standing there in the dark of the bedroom where he's peacefully sleeping—trusting you.

That boy relies on you. You brought him into this world; you cared for him. Now I ask you, Are you going to run out on him? Are you going to let someone beat a drum or blow a bugle and make him run after it? Thank God, this is a democracy, and by your voice and your vote you can save your boy. You are the bosses of this country—you mothers, you fathers.

And now for that other picture I said I'd give you—that other picture that can be the picture of your boy:

Somewhere—5,000 miles from home. Night. Darkness. Cold. A drizzling rain. The noise is terrific. All hell has broken loose. A star shell bursts in the air. Its unearthly flare lights up the muddy field. There's a lot of tangled rusty barbed wires out there and a boy hanging over them—his stomach ripped out—and he's feebly calling for help and water. His lips are set tight. He's in agony.

There's your boy; the same boy lying in bed tonight; the same boy who trusts you. Do you want him to be the next Unknown Soldier? The last one had a mother and a father. He just didn't appear.

And listen, you mothers and fathers. I've had the heart-rending experience in my time of sitting with some of your sons as they've gone over. I've listened to the pathetic little last messages they've wanted carried back to you. I've accepted and delivered the poor little keepsakes they've wanted you to have.

Do you want your boy, tangled in barbed wire or struggling for a last gasp of breath in stinking trenches somewhere abroad—do you want him to cry out, "O mother, O father, why did you let them do it?"

Think it over, my dear fellow Americans. Think if all this is worth it.

Can't we be satisfied with defending our own homes, our own women, our own children?

There are only two reasons why you should ever be asked to give your youngsters.

One is the defense of our homes. The other is the defense of the Bill of Rights—and particularly the right to worship God as we see fit.

Every other reason advanced for the murder of our young men is a racket, pure and simple.

And yet, if you sit still and allow this thing to go on, if you allow this hysteria to mount, this propaganda to take hold of you; if you allow this embargo on arms to be raised; if you allow our national pockets to jingle with blood money, I tell you that you can prepare to say good-bye to your boy.

I beg you, don't let them do this. I beg of you to sit down this very minute and write a message to your Congressman and your Senator or to our President.

That's your right, your constitutional right of appeal. That's your privilege.

Keep this arms embargo on tight. They've been fighting for a thousand years in Europe—since the dawn of history, really. Don't let them dot those blood-drenched fields with the bodies of our American boys.

Good night.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate took a recess until tomorrow, Thursday, October 19, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 18, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, steal into our hearts like the rhythm of unearthly peace; perfect our trust and strengthen our power of faith. We rejoice that night reigns not in Thy universe; above the center of all power, all human sight, and sense, Thou art the eternal noon. As time's ceaseless river is set toward the deeps of the eternal sea, O, let the love of Christ purge away the leaven of strife and struggle; let them not stain the face of sincere appreciation. Lift us above empty moralities and inspire us with a life fresh in the spirit of brotherhood. Look down in mercy upon our beloved Speaker and the Congress; preserve them in mind and body. Blessed Lord, these walls echo with a nation's history. Today we look back to where statesmanship was born and abides. We render tribute to a son of genius who has gone the way that leads to the expanding view which finally brings us all to the splendor of a glorious dawn. In the name of our Elder Brother. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Vice President had appointed Mr. CHANDLER, of Kentucky, as a member of the Joint Committee to Investigate the Adequacy and Use of Phosphate Resources of the United States, authorized by Public Resolution No. 112, Seventy-fifth Congress, to fill the vacancy caused by the death of Hon. M. M. Logan, late a Senator from the State of Kentucky.

PERMISSION TO ADDRESS THE HOUSE

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that after the reading of the Journal and disposition of business on the Speaker's desk I may be permitted to address the House for 15 minutes tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. BYRNS of Tennessee. Mr. Speaker, at the request of my colleague the gentleman from Kentucky [Mr. VINCENT], who is detained at home, I ask unanimous consent that he may extend his remarks and include therein a short funeral address delivered at the funeral of the late Senator Logan and a short editorial on the subject of Senator Logan's death.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that my colleague [Mr. BARRY] may extend his remarks

by including an address made by the Honorable James A. Farley, Postmaster General of the United States, at the dedication of the North Beach Airport, New York City, on Sunday, October 15.

The SPEAKER. Is there objection?

There was no objection.

THE ARGENTINE TRADE AGREEMENT

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

Mr. PITTENGER. Mr. Speaker, we listened yesterday to the very interesting remarks of our able colleague the gentleman from New York [Mr. REED], who discussed the proposed trade agreement with Argentina.

It is my belief that no Government policy is more ruinous to American agriculture and dairy interests and to the livestock growers than this policy of trade agreements with South America. The fact that hearings are now going on downtown illustrates the point I have tried to make before—that Congress ought to stay in session and that the responsible leadership of this House ought to bring in a bill and permit us to vote on it doing away with legislation that permits these reciprocal-trade agreements.

As I have said, hearings are now being conducted in connection with a proposed trade agreement with the Argentine. These hearings are important, but everyone realizes that the new dealers and experimenters have their minds already made up so that the protest that we make to the committee, which is conducting these hearings, will undoubtedly be ignored. The only effect that the reciprocal-trade agreements can have is to sell American agriculture down the river.

The policy of the new dealers is to curtail American agriculture and buy agricultural products from South America. I recall sometime ago the episode when beef was purchased from the Argentine instead of patronizing our cattle growers out West.

Minnesota is predominately an agricultural State. It is built on an agricultural foundation. Livestock and dairying contribute to its prosperity.

I have received, in today's mail, a communication from W. S. Moscrip, of St. Paul, emphasizing the unfairness of these reciprocal-trade agreements, and calling attention to the fact that they discriminate against our dairy and agricultural interests. I also have other protests against this proposed trade agreement. For example, the milk producers are directly affected, and if these trade agreements are to be continued in force and new ones made, it is only a question of time until South America will furnish our milk, butter, cheese, poultry, and other products of the farm.

Of course, as I have indicated, the New Deal policy is to make trade agreements, and at this time I simply call attention to the fact that they are all done at the expense of the dairy and agricultural interests, not only of Minnesota, but also of other States.

I might say that this question was an issue in the campaign of 1938, and I promised the people of the Eighth Congressional District, that I would raise my voice in opposition to the ruinous policy which the new dealers are carrying on against the farmers of the State of Minnesota. In their behalf, I protest this new trade agreement. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes at the conclusion of the other special orders today.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein a speech delivered by Gen. Hugh S. Johnson before the American Legion National Convention on September 27 last.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection,

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial appearing in the Shelbyville Republican, of Shelbyville, Ind., on the 17th of October last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein an article from the Christian Century on the subject of the poll tax.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a joint resolution of the Wisconsin Legislature, memorializing the Congress of the United States to protect the domestic fox- and fur-raising industry.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein what purports to be the first prayer ever offered in the National Congress.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. IGLESIAS asked and was given permission to extend his own remarks in the RECORD.

The SPEAKER. Under the special order of the House heretofore made such time as may be required has been set aside to pay tribute to the life and public service of the late Thomas B. Reed, former Speaker of the House.

The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

THE LATE SPEAKER THOMAS BRACKETT REED

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. SMITH] may have permission to extend his remarks in the RECORD and to include therein a memorial address he delivered in the Maine Legislature in 1903 concerning Thomas Brackett Reed.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I also ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks concerning former Speaker Reed.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, this day, the one hundredth anniversary of the birth of Thomas Brackett Reed, has been set aside by the House for services to honor his memory. As a New Englander and one who occupies a position he so ably held, I am glad of the opportunity to pay tribute to this great son of Maine.

First, may I note Congressman OLIVER, of Portland, who represents the old Reed district, and Congressman BREWSTER, of Maine, are unable to be here because they are joining in a great demonstration in Portland, the city of his birth. Congressman CLYDE SMITH, of Maine, arrived here this morning to join in the services, but has contracted a heavy cold, which prevents his attendance.

I am sure that while none of the Members from Maine are here at this moment physically they are here in spirit.

Thomas Brackett Reed was a great American, an intellectual giant, and one of the ablest and most forceful figures ever to walk across the American political stage.

No man ever had a finer knowledge of parliamentary law than Tom Reed. His rules of procedure will be a guide wherever there is free speech and an orderly assembly of free men and women.

New England has contributed many great political leaders to the country. Reed, unlike the others, was distinctly a product of the House. Here in this famous Chamber he

served for 22 years. During most of this time he was either minority leader or Speaker.

He came first to the House in 1877, at a time when our country was emerging from the shadows of the unfortunate War between the States. A new spirit was coming into the country. It preached a unified patriotism; it was the spirit of courage, faith, and optimism. America was on the march. Its frontiers were being pushed rapidly westward. Expansion industrially, agriculturally, and commercially was in evidence everywhere. America was growing up and becoming a world empire. These new times and new conditions brought new problems and the man we honor today was for 22 years a dominating influence in American life.

It would not be possible to record all of the achievements of the notable man from Maine. The contribution of any Congressman to his country must chiefly be in the confines of the committee and conference rooms. This seldom makes it possible to record the most brilliant service. However, the merit and ability of a Member is quickly appraised by his associates.

That Tom Reed was an outstanding leader is eloquently indicated by his frequent election to positions of leadership and by the cold judgment of his fellow Members.

Speaker Champ Clark, a great Democrat and a great American, said of Reed at the time of his voluntary retirement, he was "far and away the most brilliant figure in American politics."

Former Senator James E. Watson, of Indiana, who served in the House with Reed, said in his memoirs:

> Speaker Reed for a time was the most admired and most hated man in the country. This was because of his adoption of the so-called Reed rules. That act worked a revolution in the parliamentary procedure of the House.

Mr. Speaker, our colleague the gentleman from Missouri [Mr. CANNON] served as Parliamentarian under Speaker Clark, and I have in my hand a telegram which he sent, and I would like to read it:

> Much regret cannot reach Washington in time to participate in commemorative ceremonies for Speaker Reed, perhaps the most eminent Speaker who ever presided in that position; and exercises most timely and appropriate.
>
> CLARENCE CANNON, M. C.

These quotations reflect the sentiments of his colleagues.

Reed twice was prominently mentioned for the Presidency. He was a candidate in 1892 and again in 1896, when he undoubtedly was the outstanding leader in the Republican Party. If he had come from any other State than rock-ribbed Republican Maine, he might have achieved the high office of President.

It is a fine custom which prompts this country to honor the men and women who have ably and constructively served their day and generation and passed on, leaving their footprints on the sands of time. This practice cannot fail to inspire us all to render more unselfish service to humanity.

A great American was born 100 years ago. He brilliantly served his country and passed on. May the name of Thomas Bracket Reed ever be written in letters of burning gold in the records of our country as an inspiration to the men and women who will come to this great people's forum with ardent hopes to be of service to America. [Applause.]

The SPEAKER pro tempore (Mr. MARTIN of Massachusetts). The Chair recognizes the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I would not feel that I had done myself justice if I did not take an opportunity to say a word about the life and character of Thomas B. Reed. I was a mere boy when he was Speaker of this House, but I remember reading of him. I was always inspired when I read about Mr. Reed.

I think he was one of the boldest, one of the most fearless, and one of the ablest statesmen America ever produced. He came into power in the House of Representatives at a time and in the backwash, as the gentleman from Massachusetts [Mr. MARTIN] stated, of the great War between the States, when partisanship was pretty rife at times.

He inherited a code of rules, as did his great successor, Mr. Cannon. I have always admired Mr. Reed and Mr. Cannon for one thing especially, and that is they had the ability, they had the confidence in themselves to believe that they could exercise well all the power that went with the great office of Speaker under the rules of the House of Representatives.

When I used to look upon Mr. Cannon in this House, a man who in many ways was like Speaker Reed, I always thought that I looked upon a man with iron in his backbone and brains in his head.

I recall one time talking with Speaker Clark about the many men with whom he had served in the House of Representatives, and I asked him if he could name the man he considered the most brilliant one with whom he had ever served. He said, "I would rather name two than one. If I had to name the two biggest-brained men with whom I ever served I would name Reed, of Maine, and Bailey, of Texas." Mr. Bailey was minority leader in this House while Mr. Reed was the Speaker of the House.

Mr. Reed had a great life; he had a full life. If he had not been quite so sturdy, and if some politicians had not had in them fear of his being elevated to a higher and more powerful office, in my opinion, he would have been President of the United States. One incident that makes us know that he had a sharp tongue was his reply when he was asked at about that time if he thought he would be the Republican nominee for the President. He said:

> They could go farther and do worse, and I think they will.
>
> [Laughter.]

It is reported that when Mr. Reed sat where the gentleman from Massachusetts [Mr. MARTIN] is now sitting, an orator on the floor of the House one day in controversy with the Chair finally said:

> Mr. Speaker, I would rather be right than be the Nation's President.

The Speaker said:

> The gentleman need not worry; he will never be either.
>
> [Laughter.]

These are characteristics of this great outstanding man, and to the men who followed him in the position of Speaker of this House he set a very high mark to aim at. In the many years it has been my privilege to serve in this House every man who has occupied that chair, whether he be a Republican or whether he be a Democrat, has measured up in fairness, in ability, and in patriotism to the high standard set by Speaker Reed and such men as he was. [Applause.]

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas [Mr. GUYER].

Mr. GUYER of Kansas. Mr. Speaker, we commemorate today the centenary of the birth of a Speaker of the House of Representatives, the late Thomas Brackett Reed, of the State of Maine. In a very humble way I wish to add my tribute of respect and honor to the memory of one of the greatest Speakers who ever occupied that chair. All of our Speakers have been great men as well as good men. Without those qualifications, no man could be elected to that exalted office. At another time, some years ago, I took occasion to voice my judgment about the office of Speaker and the men who have occupied that chair, and I have never had any reason to revise my former opinion. In that address delivered on the floor 3 years ago I made the following statement, and I ask your indulgence while I repeat it:

> In my humble opinion, the Speaker of this House holds in his credentials of election the supreme testimonial of exalted character, unimpeachable integrity, and superlative ability. He is no accident. He must prove his fitness for this great office through a long series of years in the fierce furnace of political debate, the fisticuff of parliamentary strategy and maneuver, and by his ability to manage strong and intelligent men under the most trying and difficult circumstances. That, in my opinion, was what led the beloved Nicholas Longworth to declare on this floor, "I would rather occupy that chair than any other office in the world."

Among the distinguished men who have occupied the chair no one ever transcended Hon. Thomas B. Reed in strength of character and ability. He was cast in heroic mold. He

was a giant in mind, soul, and body—a titanic figure in the intellectual, political, and physical world.

"The front of Jove himself,
An eye like Mars to threaten and command,
A combination and a form, indeed,
Where every god did seem to set his seal
To give the world assurance of a man."

Speaker Reed was a sincere man. He hated demagogues, and they often felt the sting of his wit and satire. He despised sham and hollow pretense. He loathed the theatrical in politics. He was no publicity hound. He was no poseur for poularity. For him no catering or fawning for applause.

He would not flatter Neptune for his trident,
Nor Jove for his power to thunder.

It was my fortune, or misfortune, if you like, to have been a constituent of Jerry Simpson during all of his congressional career. That was out in what is known as the Big Seventh which at that time had 36 counties within its boundaries. At the time of Simpson's first election I was a freshman in Iowa in the present district of our distinguished colleague, Mr. GWYNNE. Jerry Simpson's fame had preceded his election, for Victor Murdock, afterward a Member of the House, had fastened onto him for all time the sobriquet of "Sockless Socrates." Like most freshmen I talked too much, probably bragged a little about living in his district. At any rate I was soon known as Old Sockless, which soon degenerated into simple Old Socks. That stuck to me during all the 4 years of my college life. I had reason to remember Jerry Simpson.

Times, like everything else, have changed since those gay nineties. It is a far cry from the slovenly Jerry Simpson with his threadbare campaign coat, his battered slouch hat, and his traditional innocence of hose which in the Kansas language are known as socks, to the fastidious and meticulous agricultural Apollo who now decorates the landscape of the Big Seventh and so ably represents the people of that corner of the earthly paradise known as Kansas. I have reference, as you no doubt know, to our handsome, distinguished, and beloved colleague, Hon. CLIFFORD R. HOPE.

Jerry Simpson was a contemporary of Thomas Brackett Reed. While they were very good friends, they never ceased to snipe at one another, and each became the target of the other's shafts of wit and satire. It was no one-sided game, for while Simpson may have been shy of hosiery he had plenty of gray matter under that old slouch hat. On one occasion when there occurred a colloquy between the two, as the gentleman from Texas [Mr. RAYBURN] has said, Simpson very dramatically exclaimed:

I would rather be right than President.

To which Mr. Reed replied with his characteristic drawl:

The gentleman from Kansas need not worry, he will never be either.

A new Member, meeting Mr. Reed in the corridor one day and seeing that he was so large, said to him, "How much do you weigh?" Mr. Reed very calmly looked the fellow over and said, "Two hundred pounds." The new Member expressed some doubt and incredulity about it, and Mr. Reed replied, "No gentleman ever weighed more than 200 pounds." [Laughter.]

In repartee Reed's mind worked with the celerity of an electric flash. In exchange of wit he had no peer in the House. In dry sarcasm and withering satire he had no competition in his time.

Mr. Reed made few lengthy speeches partly because he did not like long speeches and partly because he thought anyone ought to say everything worth saying in a short speech. He put whole arguments and treatises in a brief trenchant sentence. Never did anyone better illustrate the trite saying that brevity is the soul of wit. His ideas about long speeches and his aversion to them occurred during the debate on his decision regarding his right to count a Member present whether he answered to a roll call or not. A distinguished Member of the House and a former Speaker had made an exhaustive address on the power, right, and authority of the Speaker to count a Member present when he refused to answer a roll call. Mr. Reed in one devastating sentence liquidated all the subtle and technical arguments of his opponent when he said:

The gentleman from Georgia has consumed an hour and a half endeavoring to prove to the House that he is not here.

That fight concerning the decision of Speaker Reed to count a quorum precipitated one of the fiercest parliamentary battles that ever raged on this floor. The press, the pulpit, and the bar joined, and during the controversy Speaker Reed received the sobriquet of "Czar Reed." However, the main point is that the Speaker by the sheer force of his character and personal power triumphed in his contention which was upheld by the Supreme Court and afterward unanimously adopted on motion of the Democratic leader who had opposed the Speaker's decision. Imitation is still the sincerest form of flattery.

But bitter was the fight and bitter the feeling engendered, but through it all Speaker Reed maintained that masterful dignity and serene poise that only those possess who know their cause is just and who have the strength and fortitude to wait for the vindication which comes with the invincible argument of time and the iron logic of events. He was accused of trying to wear the crown of a despot and of cheating the House of its rights. He was denounced on the floor of the House as "the worst tyrant that ever presided over a deliberative body." He was proclaimed as "a usurper in defiance of parliamentary law," but through it all with stoic calm he faced the storm and serenely replied:

The House will not allow itself to be deceived by epithets. No man can describe the action and judgment of this Chair in language that will endure unless the description is true. What is done has been done in the face of the world and is subject to its deliberate judgment.

For the first time in the history of the House of Representatives the Speaker was denied the courtesy of the thanks of the House to the retiring Speaker. In the solitude of the Speaker's room Tom Reed realized the bitter irony of human grandeur.

He who ascends the mountain tops shall find
The loftiest peaks most wrapped in clouds and snow,
* * * * * * *
Round him are the icy rocks and loudly blow
Contending tempests on his naked head,
And thus reward the toils which to those summits led.

But never in the history of the House of Representatives did justification of a ruling and vindication of a Speaker come on such swift wings. In the Fifty-third Congress the House was hopelessly and helplessly floundering around trying to legislate under the old rule, but the House was paralyzed. It was completely bogged down under the lethal curse of a bad rule, until finally the Democratic leader, who had opposed the former Speaker's decision, rose and said:

This is a question of whether this House of Representatives of the people of the United States shall have such rules for its government as will enable it to do the business that our constituents have sent us here to do. We have tried the old system; we have been here a month without doing 2 days' actual business; and our constituents are tired of it, and I hope this House is tired of it. I will hail the adoption of this rule as the dawn of a new era in American legislation.

No vindication could possibly have been more complete, no triumph more thorough. But in that hour of glorious victory this great man rose with quiet dignity and said:

Mr. Speaker, I do not desire to address the House upon the general subject. This scene here today is a more effective address than any I could make. The House is about to adopt the principle for which I contended in the Fifty-first Congress and is about to adopt it under circumstances which show conclusively to the country its value. No words that I can utter can add to the importance of this occasion. I congratulate the Fifty-third Congress upon this wise decision it is about to make.

It was thus that this truly great man accepted his vindication with modest dignity and without bluster or boasting.

It was a generous thought which prompted the House to forget for a few minutes wars and rumors of wars to summon from the past the shadow of this colossal figure and recall

again the events of his brilliant career and to remind a careless public of the life and services of a great national character who at the height of his career was the most commanding and dominant personality of the Republic. To us who yet remember the struggle over the counting of a quorum, it seems but yesterday yet, to use a trite phrase, a great deal of water has run under the bridge since his huge figure strode these halls and corridors. He was Speaker when first the biennial appropriations amounted to $1,000,000,000. That seemingly insignificant sum in our day raised a great furor, and a billion-dollar Congress became a term of political reproach. Speaker Reed calmly replied that this was a billion-dollar country, being seemingly the first who discovered that fact which has become so obvious in recent years.

It has been just 40 years since Speaker Reed resigned from the House of Representatives, but there is not a Member here who served with him in the House. This reminds us of the transitory character of our service here. I came first to the House in the Sixty-eighth Congress. There are less than 50 Members remaining who were Members at that time. I have been here in 7 successive Congresses and have served under 6 Speakers, all great and good men, 4 of whom have gone to the land of their dreams—gone to join that highly select group of distinguished statesmen who have shared the honor of presiding over this forum of the people fashioned for us by our fathers in the Constitution.

Peace be to their ashes, and sweet be their rest. [Applause.]

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, the thought which is uppermost in my mind today goes back to my boyhood days. Prior to Speaker Reed's occupancy of that great office, I had never paid any attention to or had any ideas about Congress. He attracted my attention as a young man. He started me to thinking about Congress and its activities and the caliber of its membership. I admired his temerity, his courage, and his real greatness. I felt then, as I have felt ever since, that he has been an inspiration not only to all subsequent Speakers and to the Members of this House but to the youth of our country. His influence has radiated throughout our American public life. His official career has inculcated patriotism, courage, and honesty. His life is an incentive to all public officials to conscientious and loyal service to our country. This House owes him a perpetual debt of gratitude, and our Nation will always gratefully revere his memory.

My home on the Pacific slope of the Rocky Mountains is a long way from Maine. But I can assure you that the people of the West will always have a profound admiration for that great American Thomas B. Reed.

When I came to the House March 4, 1909, Uncle Joe Cannon was Speaker of this House. He and Walter I. Smith, of Iowa, and James A. Tawney, of Minnesota, chairman of the Appropriations Committee, were the Committee on Rules; and those three Republicans appointed both the Republican and the Democratic members on the committees. I joined in the memorable House rebellion and furious fusillade of denunciation in depriving Uncle Joe of all of his powers except merely to preside over the House. He and Speaker Reed had many traits in common. Both were vehemently denounced and vilified. But history will record them as two of the greatest Speakers this House has ever had, and that this House and our country are better off for their courageous public careers. [Applause.]

The SPEAKER pro tempore. The Chair is pleased to recognize our beloved Speaker, the gentleman from Alabama [Mr. BANKHEAD]. [Applause.]

Mr. BANKHEAD. Mr. Speaker, I feel that I should be entirely recreant to the significance of this memorial service did I not ask the privilege of making a very brief statement in honor of the life and service and character of one of my very great predecessors in the office of Speaker, the Honorable Thomas Brackett Reed, of Maine.

To the student of our system of American politics it is always a very fertile field for the inquiring mind to study the biographies, as well as the life and times and the political implications and issues involved in the lives and services of the Speakers of this great body. I often go out in the Speaker's lobby, in my quieter and more meditative periods, to look up at the pictured likenesses of these great predecessors of mine who have sat in this chair, who have presided over the deliberations of this body during all the years of our system of constitutional government and who have wrought so largely in the development of representative government here, but also with reference to the destinies of the political issues which were involved in periods when they presided. It should be an inspiration to all of us who love America and her great traditions to go out at times and look into the faces of those men and to remember the times in which they served and the issues with which they were faced. Among all that galaxy of great names whose portraits hang in that place in greatness of intellect and power of party leadership, and, I believe, in innate and pure patriotism, as he conceived his duty and the issues of the times in which he served, none stands higher in the history of this Government and of this body than the great man who was born 100 years ago, Thomas B. Reed.

Mr. Reed has been suggested as somewhat typical of the political development of leaders of his day and generation, and if you will observe the portrait hanging next to him out here in this lobby, you will see a lifelike portraiture of that other great Speaker, Uncle Joe Cannon, of Illinois, with whom many of us here in this body served before his departure, and both of those great Americans and great Republicans were absolutely typical of the highest development in the history of this country and of this body of party government. Looking back upon the methods that they employed when they were in positions of power as compared with our more recent and more tolerant and more liberal policies here in the House of Representatives, it is rather hard to imagine the stern hand with which they absolutely wielded their party power in the House of Representatives and though theoretically now, looking back upon what in retrospection may have been thought of their methods and views, we must necessarily admire the grip they had on their parties and their firm determination to rule this House in large measure according to their view of their public and their party duties.

Reference has been made here by two of the speakers who have preceded me to the very laughable incident that occurred here when Mr. Reed made his retort to the gentleman who would rather be right than President, and it so happened I was a young law student here in Washington at that time and I sat in the gallery up there and saw and heard that very interesting political incident, and that retort on the spur of the moment was absolutely typical of the lightning imagination of that great and fertile brain of Thomas B. Reed.

It is a pleasure to me to say these few words in appreciation of my personal recollection and of my historical appreciation of a great American, a man who, I say, has written his record and his achievements and his intellect and his patriotism so large in the annals of this representative body. I am pleased that the Member from Maine, who is unfortunately absent upon this occasion, has asked the indulgence of this House for these brief tributes to the memory of a great American, and I am sure they will be most cordially received on both sides of this Chamber. [Applause.]

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, when I was a child, I lived in Saco, Maine, and Thomas Brackett Reed was my Representative in Congress. He was a great friend of my father, who admired him for his clear thinking, his contagious humor, and his ability as a statesman.

The first letter I ever wrote was to my father, which he cherished always and carried in his pocketbook until the day of his death. It was written while he was on a visit to Washington and was very short and childlike. I remember it clearly. It read: "Dear father, I know you are having a fine time in Washington with Tom Reed." Little did I realize

then that nearly 50 years later I would stand in this House and attempt in a small way to eulogize the great man who was then my idol.

I have heard my father speak so often of the incident of Speaker Reed's counting the quorum which at that time was the topic of the day and the subject of controversy everywhere. It was a turning point; epochal. It was a line of demarcation between archaic, obstructive methods, and an era of orderly business and progress in parliamentary procedure. It took a man of the heroic mold and courage of Reed to draw that line.

Thomas B. Reed was a great man, both physically and mentally. He was a kindly man. He never used his marvelous ability as a debater, his quick wit, to hurt or maliciously belittle his adversary. He was never cruel or bitter in debate.

While stories of him are legion and much of him has been written, there are only three men connected with the Capitol today who served in any capacity during his service. One is Mr. Joseph J. Sinnott, the present efficient Doorkeeper of the House; another, Mr. Andy Smith, whom you all know, the courteous and obliging CONGRESSIONAL RECORD Clerk. The third is William Tyler Page, who is now on the eve of his fifty-seventh year and 10 months of service in this House in many capacities, and incidentally, this is the eve of his birthday anniversary. No one knows more of congressional procedure than he, serving as he has under 13 Speakers of this House. Perhaps Mr. Page learned some of his own great courtesy from Thomas B. Reed. I asked Mr. Page to tell me of his impressions of Mr. Reed, and he told me:

> When you beheld Thomas B. Reed you looked upon a great, big man, big in every way, in intellect as big as his colossal physique. He combined all the attributes of a Solon, a Seneca, and a Demosthenes. He towered above his fellows as a Hyperion to a satyr. I first saw Mr. Reed when I came into the House Chamber on the day I entered into the service of the House in 1881, nearly 58 years ago. He was speaking. I was awe-struck and fascinated. I had never before seen such a giant figure, nor heard a man speak with such force, nor as easily. The impression of him I received that day was indelible, and as I grew older my admiration for him increased. Someone said: "History is past politics; politics is present history." If this be true, and I believe it is true, then Thomas B. Reed, in the best sense of the word "politics" as the science of government, made history in a big way.

It is peculiarly appropriate that we should be noting the one hundredth anniversary of the birth of our former Speaker at this time when the world is shaken with war. Mr. Reed was so strongly opposed to war. As he expressed it:

> War solves nothing. It is a senseless, brutal waste, and a great danger to our Republic, in that its democratic principles are likely to be destroyed.

He opposed our entry into the Spanish-American War. He was just as firm against our participation in the Philippine Insurrection and our acquisition of the Philippine Islands. As an abolitionist of the old school to whom the selling of men was most abhorrent, he characterized the purchase of the islands as just this. In an ironical letter to the clerk of the Commitee on Appropriations of the House of Representatives he wrote:

> Thanks for the statistics which I hope to find use for. * * * I have got to hunt all over your figures even to find out how much each yellow man cost us in the bush. As I make it out he has cost $30 per Malay and he is still in the bush. Why didn't you purchase him of Spain f. o. b. with definite freight rate and insurance paid?

Mr. Reed knew about war. He was in the Navy during the latter part of the Civil War. He was firmly opposed to this country entering into entangling alliances with foreign nations. Were he here today he would be in the thick of the fight to keep our country neutral and at peace, for he was very anxious to maintain the democracy of the United States

He was very far-seeing and often far ahead of his times in his beliefs. He felt that women should have suffrage and the right to hold property, and is remembered for his remark that "After all, women are people, are they not?" His viewpoint upon this subject is perhaps best expressed in the following quotation:

> The equal rights of women have just reached the region of possibilities. Men have only just left off sneering and have just begun to consider. Every step of progress from the harem and the veil to free society and property holding has been steadily fought by the vanity, selfishness, and indolence, not only of mankind, but of womankind also.

As a debater and parliamentary leader he won a place in the Nation's history. As a man whose expressions and thoughts were recorded and repeated most widely he exerted a great influence upon the country and upon his time. To my mind, nothing he said so well typifies his greatness and his rule of living as the following:

> If we ever learn to treat the living with the tenderness with which we instinctively treat the dead, we shall then have a civilization well worth distributing.

[Applause.]

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee [Mr. TAYLOR].

Mr. TAYLOR of Tennessee. Mr. Speaker, although I did not begin my service in this House until 21 years ago, 17 years after the death of Thomas Brackett Reed, and was therefore not privileged to have been one of his contemporaries during his eventful career here, covering a period of 22 years, in 6 of which he presided with great distinction as Speaker of the House, yet, like many another of the young men of that era, I learned, through my reading of congressional proceedings and from the lips of prominent Tennesseans who did serve with Mr. Reed, of his outstanding ability and courage, and of his achievements which made history in congressional procedure.

Hence it is, sir, that I feel a just sense of pride that I have the honor here today, on this the one hundredth anniversary of the birth of Thomas Brackett Reed, to pay tribute to a monumental figure, one of the greatest, if not the greatest, statesmen of the nineteenth century.

I deem it not amiss but appropriate to bring into this picture the names of some of the men from my State of Tennessee who served a part or all of the time Mr. Reed served in this House, from the Forty-fifth to the Fifty-fifth Congresses, inclusive.

From some of these contemporaries of Mr. Reed I learned at first hand of his matchless equipment and public career. Not from members of his own political party alone but from his erstwhile political enemies as well did I receive an appraisal of this remarkable man, because when the record was fully made, when passion and prejudice had subsided and results recorded, those who had regarded him as an arch enemy conceded his ability and greatness and were as vocal in their praise as they had been severe in their condemnation of his political acts.

Among those men from Tennessee, whose names are writ high in its political annals, were the beloved and long-time Senator Isham G. Harris, the able Senator William B. Bate, and the redoubtable and eloquent Edward W. Carmack, who also served with Reed in the House, where he was a doughty opponent.

Then there were Members of the House, names familiar to Tennesseans, my predecessors, Leonidas C. Houk and his son John; William C. Anderson; Henry R. Gibson, who died recently at the age of 100 years; and Jacob M. Thoraburgh, who was colonel of a regiment in which my father served in the Civil War; also Augustus H. Pettibone; Benton McMillin, who served with Reed on the old Rules Committee; J. D. C. Atkins, one-time chairman of Appropriations; Casey Young; W. B. Whitthorne; James D. Richardson, a minority leader and compiler of the messages and papers of the Presidents; Zach and Alf Taylor; Benjamin A. Enloe; Joseph E. Washington; Henry Clay Evans; Rice Pierce; Josiah Patterson; Walter P. Brownlow; John A. Moon; John Wesley Gaines, and Thetus W. Sims.

The 2-year period from 1889 to 1891 covered by the Fifty-first Congress, when Thomas Brackett Reed, of Maine, for the first time was Speaker of the House, was a history-making period. It was the turning point in legislative proceedings. It was epochal and, in a sense, revolutionary. Much legislation awaited action. The Republican Party, with a scant majority of six at the beginning of the session, was confronted with the choice of one of two things—either impotency and the charge of a do-nothing Congress or else

cut the Gordian knot of a system of filibustering which the old rules permitted and enter upon an era of businesslike proceedings. It was up to Speaker Reed to make the decision as to which course would be pursued. He said himself that he hesitated to upset the old order, because, when his party was in the minority, he had found filibustering a handy weapon against a tyrannical majority. Confronted with the responsibility of the speakership and with a small majority, he decided to take the "bull by the horns," the effect of which was a bloodless revolution in the manner of doing business in the House.

Reed was a picturesque character, elephantine in physique and of heroic mental stature as well. Reed was dubbed "the mentor of the Republicans and the tormentor of the Democrats." Politically courageous, an excellent parliamentarian, a natural leader, feared by his enemies, beloved and followed by his friends, although his personality was not such as to invite ready friendship; but men of his own party followed him devotedly in whatever direction he might lead, because they had confidence in his integrity, in his judgment, and in his sagacity. They followed in spite of their own inclinations. Hence there was solidarity; there was the authoritative voice of a leader whom men followed. Knowing this, Reed, when once he had determined upon his course of action, hewed to the line, and his associates backed him up to a man.

In the first place, he operated for 2 months without any rules. He proceeded under what he called general parliamentary law, a term which he coined and which has been used ever since. This term was virtually none other than the parliamentary practice of the House of Representatives itself with respect to certain general principles which Speaker Reed applied to the then existing conditions. In effect, the system meant that the Speaker exercised his judgment and discretion as to what he would allow to come before the House in the absence of written rules. Nevertheless, a parliamentary technician could not legitimately find fault with the Speaker's interpretation of general parliamentary law.

The first necessity was to augment the slender Republican majority, without which the party would be harried throughout the entire Congress and perhaps sometimes outvoted. Conveniently the means to that end were at hand. Some 30 or more election contests were pending. To consider them elections committees were set up and operated under a full head of steam. These cases were decided primarily on political grounds, not judicially. The political exigencies of the occasion precluded judicial investigation and determination which has characterized election cases during the last 30 years. Reports came in rapidly, each recommending the ousting of a Democrat and the seating of a Republican.

The Democrats, as was to be expected, resorted to the time-honored practice of filibustering, a strategy employed by both parties when in the minority. This filibustering, unlike that indulged in by the Senate by marathon speeches, was of a different character. It consisted of pyramiding allowable motions of a dilatory nature, provoking roll call upon roll call to consume time, upon which members of the minority party would refrain from answering, thus breaking a quorum. This style of dilatory tactics would be employed not only in election cases but upon legislation to which the minority objected. And it was this practice of long standing that Reed was determined to stop that required courage of the highest order.

Reed realized that he might be creating a Frankenstein that would return to harass him and his party when they should be in the minority. But the demands of the country for something more than a do-nothing Congress were so great and so much important legislation awaited action that Reed decided the wisest course was to make rules and practices which would transform the House of Representatives from an inert body to one of business methods. So as one by one the Democrats were unseated and supplanted by Republicans, the Republican majority in the 2 months under general parliamentary law increased in the House to workable proportions. In some instances Democrats who held prima facie title to seats, and who with their colleagues stepped out of the House momentarily to avoid being counted to make a quorum, found themselves upon their return divested entirely of their seats and Republicans sworn in to take their places.

It had been a common thing until Reed's time for a minority, political or numerical, to hold up the House in a filibuster by dilatory tactics and by refraining from answering a roll call for the avowed purpose of breaking a quorum. On one occasion the House was held for 2 weeks continuously impotent in the filibustering shirt of Nessus.

That was when the first attempt was made to put through a so-called Force bill which was obnoxious to the South. Such proceedings were farcical. The old rules gave privilege to certain motions, made certain motions preferential to others, and by the use of these allowable motions they could by adroit manipulation become a veritable labyrinth. Upon each one would be a roll call, a time-consuming device. On these roll calls men would sit in their places, refuse to answer, and break a quorum. Then would follow a call of the House, which would develop the fact that a quorum was actually present. The farce would be carried still further by sending for absent Members. Motions were made to fine them, and that would go on ad infinitum day and night without cessation until a responsible majority through sheer physical exhaustion would capitulate to the minority.

But Reed swept all of these methods into the discard. He counted a quorum when a quorum was actually present. Nothing more nor less. It was said that he even counted hats and cloaks in the cloak room which fell within his vision, but that was not true. He did nothing of the kind. He simply directed the clerk to note the names of the Members present who had refrained from voting but who were actually present who, together with those who had answered, made what Reed called a constitutional quorum. The first time he did this it provoked a storm of protest, and a dramatic scene was enacted which probably never had its counterpart.

> "At once there rose so wild a yell,
> As all the fiends from Heaven that fell,
> Had pealed the banner cry of Hell."

The entire Democratic side of the House arose as one man and flung epithets at Reed, some of which are unprintable. Such epithets as czar, tyrant, scoundrel, autocrat, despot, were mild in comparison with others of a very decided personal nature. Some men were so incensed and outraged at being shorn of what they called their rights that they actually attempted to mount the rostrum and do bodily violence to Speaker Reed. These men were met at the steps by the Sergeant-at-Arms and his deputies, and with difficulty, made to desist.

An uproar continued for the space of 10 minutes except that on the Republican side—every man sat still in his seat. While this was going on Speaker Reed, with his giant-like form erect, stood like Ajax defying the lightning. His gaze turned directly upon his assailants with his eyes steadily fixed upon each and every one from left to right. Under that gaze his opponents fell back one by one into their seats exhausted, and when the last man had subsided Reed, in his inimitable down east nasal drawl, said quietly, while resting both hands upon the big end of the gavel, "The House will be in order." Whereupon his Republican colleagues arose as one man and cheered him lustily for 5 minutes. The ax had been laid at the root of the tree, and the most obnoxious feature of filibustering was forever laid low.

Reed then proceeded quietly to read a manuscript decision in which he quoted as authority that eminent Democrat, David B. Hill, of New York, when lieutenant governor, presiding in the New York Senate. Having brushed aside this parliamentary cobweb Reed, with his associates on the Committee on Rules, of which he was chairman, brought in written rules which made impossible a recurrence of the scene just described. These rules also did away with the privilege of certain motions which had been instruments in the hands of the minority; also prohibiting the Speaker from entertaining a dilatory motion. With these rules, following the historic decision of Reed, the majority was equipped for the transaction of business.

That was a busy Congress. A tariff bill was passed, the McKinley bill. Speaker Reed's quorum-counting device was

upheld by the Supreme Court in *U. S.* v. *Ballin* (144 U. S., p. 1). The case was brought on the ground that Reed had counted a quorum on the passage of a bill providing for the classification of worsteds. The Court said that it could not go beyond the Journal. The Journal showed the presence of a constitutional quorum. That set the question at rest forever and the new rules, now in vogue, furnish a method agreeable to all whereby a quorum can be procured and a vote taken simultaneously, known as the automatic roll call.

The Reed Congress had been all but annihilated in the election in 1890. That had been a billion dollar Congress, the first in history. Reed's reply to the charge of extravagance was that it was a billion-dollar country. In his valedictory Reed said we were too close to those events justly to appraise them, but that history would vindicate his course of action. So bitter was the partisan feeling against Reed that the Democrats refused to vote for a resolution of thanks offered by Reed's Republican colleagues, one of the comparatively few times a Speaker was denied a vote of thanks unanimously.

In the succeeding Congress, the Fifty-second, the Republicans had but a vestige or remnant of their power. Eighty-nine Members of that party, only, were elected. At first the Democrats who had so severely criticised the Reed rules and the Reed procedure refused to adopt the Reed rules, but gradually they did adopt them because they found it necessary, if they were to do business, to resort to the same methods which they had so severely condemned.

Among Mr. Reed's many attributes was a high sense of humor. He loved a good joke and delighted in telling one. He was seldom outwitted in debate. But upon one occasion he was floored completely by a shaft of humor, which he appreciated, although at his own expense.

"Tom" Reed and "Sunset" Cox were good friends. But they often clashed parliamentary swords. One day Reed was larruping Cox unmercifully. His sarcasm and wit were plied in his best down-east drawl. The entire Democratic membership crowded over to the Republican side to better hear Reed's every word, leaving all Democratic seats vacant. Cox was not present. Noticing his absence, a friend hurried to the Ways and Means Committee room, where Cox was engaged, and told him of Reed's attack upon him. Presently Cox entered the door leading to the Democratic side and strolled, unobserved, to his seat, an oasis in the desert of empty chairs. Reed had the House spellbound. Cox, utterly alone, heard Reed's bitter invective until Reed stopped for breath. Then, quick as a flash, Cox was on his feet, his diminutive body hardly reaching above his desk, calling for recognition.

As soon as he uttered in strident tone the words "Mr. Speaker" every eye in the space was turned from Reed to him. Not waiting to be recognized by the Speaker, Cox, pointing his finger mockingly at the giant figure of Reed, cried, "Mr. Speaker, a Reed shaken with the wind." Not another word. The applause and laughter following, in which Reed joined, was tumultuous.

When "Tom" Reed was Speaker of the House, the Chaplain was the blind and eloquent orator Milburn. Milburn got into the habit of praying against gambling in stocks and bonds. Dunham, a stocky, swarthy Member of the House from Chicago, was a prominent member of the Chicago Stock Exchange. So regular and persistent were the Chaplain's daily attacks upon "bucket shops" that Dunham, whose name had figured prominently in certain doings in the Chicago "pit," went to "Tom" Reed and objected vehemently to what he said was getting to be "personal." Speaker Reed only smiled and, in his inimitable drawl, said, "Aw, Dunham, do not mind that; it is only the Chaplain's way of telling the Lord all the news."

Mr. Speaker, Thomas Brackett Reed died in Washington, December 7, 1902. On the next day Mr. James S. Sherman, of New York, afterward Vice President of the United States, offered, and the House adopted, the following resolution:

Resolved, That the following minute be spread upon the RECORD of the House of Representatives:

"Hon. Thomas Brackett Reed died in Washington December 7, 1902. For 22 years he had been a Member of this House; for 6 years its Speaker. His service terminated with the Fifty-fifth Congress. Within this Chamber the scene of his life's great activities was laid. Here he rendered services to his country which placed him in the front rank of American statesmanship. Here he exhibited characteristics which compelled respect and won admiration. Forceful ability, intrinsic worth, strength of character brought him popular fame and congressional leadership. In him depth and breadth of intellect, with a full and well-rounded development, had produced a giant who towered above his fellows and impressed them with his power and his wisdom. A distinguished statesman, a lofty patriot, a cultured scholar, an incisive writer, a unique orator, an unmatched debater, a master of logic, wit, satire, and most famous of the world's parliamentarians, the great and representative citizen of the American Republic has gone into history."

Mr. Speaker, to this fine and deserved tribute nothing can be added and nothing taken away.

Thomas Brackett Reed, a colossal figure, whose deeds will live eternally in American history.

Mr. Speaker, when I resolved a few days ago to take advantage of this occasion to pay my humble tribute to a great American, I conferred with my good friend, Hon. Tyler Page, who is recognized and esteemed by both sides of this Chamber as an infallible monitor on matters that have transpired in this House during the past half century. Mr. Page knew Tom Reed and had the good fortune to observe him in action. I am indebted to Mr. Page for many of the facts I have outlined in this address, and I desire to make acknowledgment accordingly. [Applause.]

The SPEAKER pro tempore. The Chair recognizes the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Speaker, the spring of 1897 is something more to me than just another year, for its is indelibly marked in my memory, and the picture of the city of Washington which hangs on my mental walls as of that date is fixed and unchanging.

I would not be human did I not egotistically admit that I have a photograph taken of me as I came down here on that last of February in order to be present to assist in arranging for the inaugural parade as one of the deputy grand marshals under Gen. Granville M. Dodge at the inauguration of President McKinley. To those who realize, as Hazlett did, that "there is a feeling of eternity in youth which makes us amends for everything; to be young is to be as one of the immortals," no apology need be made for my having had my photograph taken or for the foregoing personal allusion.

Upon arrival in Washington I found time to visit the House of Representatives. I saw and I heard in action the intellectual and physical giant, Thomas Brackett Reed, the "czar," whose anniversary we are observing.

My boyish admiration for him and for his accomplishments has lost none of its ardor with the passing of the years. I still like to read his speeches and to refer to his parliamentary rulings and decisions which he made, and which made history.

There is not a fairly intelligent college student in New England today—I might well say the country—who does not know, or whose father before him did not know, at least one or two anecdotes which wrap themselves around the personality and individuality of this man Reed. No one will ever forget the story of the telegram received by him from an absent Member of Congress, summoned to help make up a quorum, who wired, "Wash-out on line; can't come," to which the inimitable Thomas B., as Speaker, replied, "Buy another shirt and come on the next train."

Another unforgettable one—a matter of record—was when Representative Springer, of Illinois, concluded his peroration with that oft-quoted saying attributed to Henry Clay to the effect that he would rather be right than be President, whereupon Representative Reed rose to remark, "Well, the gentleman never will be either."

Underneath the glove of geniality, affability, and good fellowship there rested, however, the hand of steel. I intend to speak only briefly with respect to his career as a Congressman.

You recall, as has been suggested, that he claimed that the code of rules of the House was a systematic outrage on government by a majority, and that "the only way to do business inside the rules was to suspend the rules. The object of the

rules," he said, "appeared to be to prevent the transaction of business."

As one of the leaders of the House after the election in 1888, he was the natural selection for Speaker, except for the fact that he came from one of the smallest States, remote from the center of population, and so the argument founded on geography, "logically not appealing but often convincing in our politics," was against him. Some of you students of political history will recall that among his opponents for the speakership were McKinley, of Ohio, and Henderson, of Iowa. Strong men. Representative Lodge, of Massachusetts, was for him and all of New England was solidly behind him. In the end his skillful and born leadership of his party in the House became the controlling reason, together with the recognition of the fact that since he had borne the brunt of the fighting to him should come the recognition of victory, and he was elected on December 2, 1889, receiving 166 votes as against 154 for Representative Carlyle.

Now 166 votes measured not only the Republican strength but it also was the necessary number to constitute a quorum. Subsequently a Republican Member died, leaving the Republicans with less than a quorum. This made history from a parliamentary standpoint. In order to do business a quorum was necessary. That the Republicans could not command a quorum under the existing rules was obvious. Something had to be done, and Reed did it. He made up his mind upon the policy which he should pursue. He did not propose to surrender; and if his party failed to sustain him, he had determined, and he had so advised Elihu B. Root that he was determined, to resign the Speakership and to retire from the House. And so there came a day when only 163 Members of the House answered to their names on a quorum roll call. Instead of ordering another roll call, Speaker Reed calmly said, "The Chair directs the Clerk to record the names of the following Members present and refusing to vote," and he proceeded to name a number of Democrats, among whom were Carlisle and several of the other Democratic leaders then present and who were present when their names were called, and who had refrained from voting. Of course, there was an uproar. No such pandemonium or explosion was ever before witnessed in any legislative body. Passionate remonstrances followed the calling of the names by the Clerk, as directed by the Speaker, and he was denounced bitterly and caustically, as was his course as a revolutionist and revolutionary.

The tumult absolutely stopped the business of the House, but the Speaker remained as calm as a cucumber, and at intervals of calm and quiet he would add to his count the name of some other Member present who had refrained from voting. In the midst of this tumult, one Member, whose name the Clerk had been directed to call, rose and said, "I deny your right, Mr. Speaker, to count me as present, and I desire to read from parliamentary law on that subject." Whereupon the Speaker raised a hearty laugh by coolly saying in reply, and with his customary drawl, "The Chair is making a statement of fact that the gentleman from Kentucky is present. Does he deny it?"

At last the tumult subsided and Speaker Reed gave the House the right to overrule him by an appeal to be taken from his decision. He stated his reasons briefly but so clearly that no number of words added to it could more clearly define it. He held, referring to the constitutional power of the House to compel the attendance of absent Members, that—

> If Members can be present and refuse to exercise their function—to wit, not be counted as a quorum—that provision would seem to be entirely nugatory. Inasmuch as the Constitution only provides for their attendance, that attendance is enough. If more was needed, the Constitution would have provided for more.

His biographer, the Honorable Samuel W. McCall, has the following to say with respect to what happened when this ruling was made:

> This ruling was followed by a scene of disorder even greater than that which had preceded it, and for 3 days the House was a perfect bedlam. The Speaker was denounced not only in parliamentary but in unparliamentary terms. All the old weapons in the arsenal of obstruction were brought into play, and one after another Reed ruled them out of order. Some of them he declared were not even subject to an appeal from the Chair. One Member—Breckinridge of Kentucky—shouted: "The Speaker's decision is clearly corrupt." Reed was accused of being a czar and of usurping jurisdiction. His decision was pronounced revolutionary, which was doubtless correct when it is compared with the decisions made by Speakers for a great number of years. There was little difficulty in showing in the argument which followed that the Speaker had overruled all the precedents, and that he, himself, in common with all the Members of the House who had borne any important part in its proceedings, had recognized the opposite procedure. He did not pretend that he was obeying the precedents of the House, but admitted that he was overruling them. He simply reverted to the terms of the Constitution and claimed that the quorum established by that instrument was a present and not a voting quorum. During those 3 days of wild excitement apparently the coolest man in the House was the Speaker.
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> The debate was noteworthy in point of ability, Carlisle, Crisp, and Turner distinguishing themselves on the Democratic side while McKinley, Cannon, and Butterworth led on the Republican side. Perhaps the ablest speech of the debate was made by Butterworth. He argued that a representative was chosen to serve not merely his own constituency but the whole country, and that he had no warrant to attempt to paralyze the action of the House, but that the country had a right to require that he should be in his place and perform his duties. "For that reason the Constitution provides that those who are here may, by force, bring the rest of the Members into this Hall, not merely to serve their own constituents, but to serve that broader constituency, the people of this country whose servants they are." What was the object of the power to compel Members to attend?
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> To leave the House in precisely the same condition as before they were brought in, a condition which rendered it necessary to bring them in to change and improve it? Was this authority conferred by the Constitution only to enable us to go through the farce of bringing in the absentees and learning after each Member has been seated in his place that, while under the Constitution he is actually personally present to make a quorum to do business, yet when an attempt is made to do the thing which required his presence, he at once by merely closing his mouth becomes constructively absent? Or he may, in fact, while present, arise in his place and assert that he is absent, and we must take his word for it. What an absurdity on the face of it, no matter how sanctified by age. It is the weapon of the revolutionist. It is the weapon of anarchy.
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> At last the question whether the Speaker's decision should be overruled was submitted to the House. A mere handful of the Republicans voting with the Democrats would have overthrown the Speaker and his ruling. But his party stood with him to a man. After much filibustering the ruling was sustained.
>
> Thus was established the most important landmark in the parliamentary practice of the House. It seems difficult to believe that there should ever have been any other construction put upon the Constitution than that the power to compel the attendance of absent Members in order to secure a quorum was for the purpose of enabling the House to transact the business of the country, and not simply for the purpose of permitting those who were present to look upon the faces of those who had been absent. Not merely did the Supreme Court subsequently sustain the constitutionality of Reed's ruling, but within a brief period, by the endorsement of his party antagonists, it was destined to become the settled law of the House. In the two next succeeding Congresses the House was controlled by the Democrats and the ancient practice was reestablished. At an important juncture they found themselves unable to procure a quorum from their own ranks. And as Reed had established the new precedent, so there came to him the distinction of forcing his antagonists to ratify it. After his retirement from the Speakership he had become the leader of the Republicans upon the floor. He inaugurated a determined filibuster and under his lead the Members of his party declined to vote. For weeks the House was unable to make the slightest progress in the transaction of business. It was bound hand and foot. The deadlock was at last broken by the adoption of a rule providing that a Member who was present might be counted for the purpose of making a quorum, whether he voted or not. The fact that the counting under the Democratic rule was to be done by two tellers made no difference in the principle involved, and ever since that time the rule of a present instead of a voting quorum, as established by Reed, has been the rule of the House, no matter by what party it has been controlled.
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> The ruling has resulted in saving a great amount of the time of the House and has facilitated the transaction of its business. It has done away with a system which might in critical times produce a paralysis of our popular representative assembly, and it has conduced to party responsibility. This achievement stands as a signal triumph for Reed's clearness of vision; and in the strength with which he maintained his position against tremendous pressure and in the face of the precedents of a century, and in the serene courage and self-control with which he bore himself amid those violent and stormy scenes without parallel in the history of Congress, it furnishes convincing proof of the greatness of his character.

Mr. John Sharp Williams, of Mississippi, once said of him that he was "that ever memorable genius, the ablest running debater the American people ever saw."

Henry Cabot Lodge said:

I fully appreciate the truth of Emerson's doctrine of the force of understatement; but I cannot express my own belief in regard to Mr. Reed without also saying that, in my opinion, there never has been a greater or more perfectly equipped leader in any parliamentary body at any period.

"The mentor of the Republicans and the tormentor of the Democrats," as has been suggested, he was characterized once on this floor by Lafe Pence, from Colorado; his fame as a Representative in Congress rests on his quorum-counting rule, and upon his wit, humor, and sarcasm. Champ Clark well said that Reed was the best short speechmaker he ever saw or heard. He rarely spoke at length; generally stopped in 5, 10, or 15 minutes. His speeches were strong in proportion to their shortness, of dynamic quality; and, as Speaker Clark said—

It is not in the constitution of man to digest too much mental dynamite at one time.

Lowell says, you remember, that "in general those who, having nothing to say, contrive to spend the longest time in doing it."

Senator John Tyler Morgan, of Alabama, gave him the nickname, "the Great White Czar," which characterization was apt and stuck; for, standing 6 feet 3 inches, with a No. 12 shoe, and weighing close to 300, with a massive two-story head, flaxen hair, large brilliant black eyes, he was a marked man in a crowd.

A statesman, he said in answer to a correspondent, is a successful politician who is dead. Whereupon he was asked, "Why don't you die and become a statesman?" To which Reed replied, "No; fame is the last infirmity of noble minds."

Jonathan Prentice Dolliver once told him that if he had spent his many years in Congress formulating great measures for his country's good, instead of making sarcastic epigrams about people he disliked, he might have been President. Shortly thereafter, in alluding to two of his colleagues in the House, Reed said:

They never open their mouths without subtracting from the sum of human knowledge.

In his invaluable work, My Quarter Century of American Politics, Champ Clark says of him:

He was opposed to the annexation of the Hawaiian Islands; he was opposed to our War with Spain; and he was so thoroughly opposed to our policy touching the Philippines that his conscience would not permit him to remain in public life, which he so much adorned. So he resigned to practice law in New York, and in the few years remaining to him amassed an ample competency, but which he did not live long to enjoy.

Mr. Reed came back to Washington on or about Tuesday, December 1, 1902, in order to attend the Gridiron dinner which was to be held on the following Saturday. Let Samuel L. Powers tell the story:

The Gridiron dinner took place in the large ballroom of the Arlington Hotel on the Saturday evening following. It was known that Mr. Reed was at the hotel and that he was ill, but it was not understood that he was seriously ill. There was a large gathering of some 400 persons, including the President, the Vice President, members of the Cabinet, Justices of the Supreme Court, Ambassadors, Senators, Representatives, and Governors of several States. Just as the clock struck midnight the clerk of the hotel opened the door, touched me on the shoulder, and said, "Mr. Reed has passed away; I think you better speak to the presiding officer." At that time Justice Brewer was making a speech. It was a thoroughly convivial occasion, as all such dinners were.

When I notified the president that Mr. Reed was no more, he arose and requested Justice Brewer to be seated. He then announced the death of the great commoner and stated that Mr. Reed had come to Washington for the sole purpose of attending this banquet. He said there was one song that Mr. Reed was always very fond of, that the audience would sing that song, and that would close the dinner.

After the singing of the song this large assemblage moved out of the hall; there was hardly a word spoken; there was many a wet cheek, and there was a feeling in the breast of everyone that the life of one of our greatest Americans had closed.

I have seen the marble statue of him, erected to his memory by the appreciative constituency of Maine, sitting on the crest of the hill in that most beautiful section of Portland. The figure is, as has been said, giantlike and majestic, seeming hardly larger than life to those who knew him, standing silhouetted against the sky as if to typify the high background against which shine the deeds of his public life. This monument was unveiled at Portland on August 31, 1910, and upon that occasion, in his address at the unveiling, the Honorable Samuel W. McCall paid this tribute to his memory:

Beyond his brilliancy as a debater, his resplendent wit, and his skill as a parliamentary leader, his title to remembrance rests upon his quality as a statesman. He had a great ambition, but it was not great enough to lead him to surrender any principle of government which he deemed vital. Like Webster, like Clay, and others of our most conspicuous statesmen, he was disappointed at not reaching the Presidency, but he could fitly aspire to that office, for he was of the fiber and nurture out of which great Presidents are made. He probably would not have been a continuously popular President, but our great Presidents never have been. He had that supreme quality which was seen in Washington breasting the popular anti-British feeling and asserting against France our diplomatic independence; in Lincoln bearing the burden of unsuccessful battles and holding back the sentiment for emancipation until the time was ripe for freedom; in Grant facing the popular clamor and vetoing inflation; and in Cleveland alienating his party while he persisted in as righteous and heroic a battle as was ever waged by a President.

A great nation cannot make up its mind in a moment. What first appears to its fancy is not likely to appeal to its final judgment, and the severest test of the disinterestedness of the statesman under our sysem is his readiness to risk unpopularity and defeat in order to protect the people from their first impulse and give them an opportunity to form a real opinion. Reed's faith was in what he called the deliberate judgment of the people, but he declared that "the sudden and unreflecting judgment of the noisy who are first heard is quite as often a voice from the underworld."

This distinction is vital, since the cause of democracy has nothing to hope from the statesman who weakly yields to the temptation always to be popular and who panders to the noisy passions of the moment rather than consults the real interests of the people. Reed recognized no divinity in an unthinking clamor, whether raised by one man or a great mass of men. The people could no more depend on inspiration to guide them in performing their public duties than in their private affairs. In each case reflection and work were equally necessary. He showed his reverence for representative government by the calm dignity with which he bore himself during more than two decades of service. He was sometimes compelled to struggle to maintain himself but he scorned to make the struggle upon demagog lines or to swerve from the straight path upon which he moved with so much majesty. He was not prigged up with the commonplace sort of greatness, with a padded and theatric make-up staged to strike the imaginations of little men or to set wagging the puffing pens of little writers. He was no self-advertiser and ran no press bureaus to trumpet his real or imaginary virtues. He sought no mere noisy and ephemeral fame, but he lived upon a plane visible at history's perspective, and he grandly wove his life into the texture of his time.

And so you rear this statue. And you do well to rear it, for although his memory is one of the treasures of the whole country, it was you who gave him to the Nation. He was the product of the sky and soil of Maine, lightened by her sunshine and hardened by her storms. As a representative acts well or ill he reflects credit or discredit upon those who have chosen him. By this test how signally he honored you. But you equally honored yourselves when, amid all the shifting popular vagaries and the following of false gods, you permitted yourselves to be guided by the better genius of popular government and kept this heroic figure for so long a time in the service of his country. And when he returned his commission to you he could truthfully say, as he proudly said, "No sail has been trimmed for any breeze or any doubtful flag ever flown." That noble phrase gives the keynote to his character as a statesman. The only colors he was willing to fight under were those that represented his own principles. He never sailed just for the sake of sailing, but to make progress upon a straight course. He did not take his inspiration and direction from the winds, but from the stars.

[Applause.]

The SPEAKER resumed the chair.

MARBLE BUST OF THOMAS BRACKETT REED

Mr. MAPES. Mr. Speaker, at the suggestion of the gentleman from Maine [Mr. OLIVER], I am pleased to introduce at this time a resolution, which I send to the Clerk's desk, and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 315

Resolved, That the sum of $2,500 is authorized to be paid out of the contingent fund of the House for the procurement of a marble bust of Thomas Brackett Reed, for 22 years a distinguished Member of this House from the State of Maine, and for 6 years its Speaker, the expenditure to be made under the direction of the Committee on the Library.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

ORDER OF BUSINESS

Mr. WOLCOTT. Mr. Speaker, I was graciously extended the privilege of addressing the House for 20 minutes this afternoon. I ask unanimous consent that that time be transferred to tomorrow afternoon, after the disposition of business on the calendar and the other special orders already made.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to withdraw my application for time to speak today and have the same time for Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

EXTENSION OF REMARKS

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein excerpts from four important laws and decrees that have been passed and issued by the nations of the world with respect to embargoing arms. The cost exceeds the amount allowed for printing ordinarily and I have an estimate from the printer and ask unanimous consent that I be permitted to extend the remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a short editorial from a trade magazine known as Better Castings.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks by placing in the RECORD a statement I made before the Committee on Reciprocity Information.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of business on the Speaker's table and the special orders heretofore made, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. McDOWELL] may have 20 minutes in which to address the House on Tuesday next, after the special orders already set for that day.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under special order of the House heretofore made, the gentleman from Montana [Mr. THORKELSON] is recognized for 30 minutes.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. THORKELSON. Mr. Speaker, if the people could only understand the changes which are constantly taking place in the Nation, as a result of propaganda and the activities of a group which does not have our interest at heart, I would not fear the final outcome, for our people would be safe and our Nation secure. It is in the knowledge of these subversive activities that I have suggested, since the first week in Congress, that we resume the responsibility of the Government.

Let me quote from my first address to the House on January 20, 1939:

I do not look upon such public interest and reaction lightly for there are definite causes for such mass protests. It is said where there is smoke there is fire, and I believe it is well for Congress to remember that our Nation is smoldering. Someday it may break into a destructive fire of public upheaval.

Someone is responsible, and it is not the people. It is not industry, commerce, business, labor, agriculture, professional, or any other earning group. It is not President Roosevelt, ex-President Hoover, or any other President, for no legislative power is delegated to the Chief Executive. Responsibility cannot be placed on departments, or upon subdivisions thereof, and it cannot be blamed on a particular administration.

The blame for all must be placed on the majority in Congress which has supported unconstitutional legislation; upon those who have treated lightly their oath of obligation to preserve, to protect, and defend the Constitution of the United States. The people themselves are also to blame for not having elected to office men who embrace the Constitution as the greatest instrument ever drafted for the protection of the people.

I am not interested in the enactment of laws. We have too many. I am, however, interested in the people who have labored and helped to create and build the wonderful structure we live in. For 2 years I shall use every effort to warn the people to protect themselves and their rights by sending men to Congress who will adhere to and support the Constitution instead of destroying it by enactment of unsound and unconstitutional laws.

We, the Members of Congress, should bear in mind that Congress represents all the people in all the States; that when laws are enacted to help one group, they hurt another. If laws are enacted to punish one group of the people, it is a pain in the neck to all the people. We must stand together or hang singly. When the people's rights are restricted or removed by laws, one by one, when the last is removed, Congress has, by such legislation and confiscation of rights, transformed our Government into a legal despotism. I want every man, woman, and child to understand that and never forget it.

It is now in order for someone to introduce a resolution that Congress resume its rightful position to the people, as provided for in the Constitution. That would be the manly and the proper thing to do, instead of passing the buck and blaming someone else for our own mistakes.

Congress cannot evade responsibility by general accusations, because the people are too intelligent, and they are doing their own thinking. If I am right, and I believe I am, let us begin now to get business going in a businesslike manner so that our idle people may be gainfully employed. We cannot increase consuming power by Federal spending. It just does not work—never has and never will. All business must either be run by the people or by the Government. There is no middle road. To expect business to operate and to furnish money to the Government so it in return may use such money to foster or enter into competition with its own benefactor—business—can only end in idleness, poverty, suffering, and revolution. Yes; and horoscope entrepreneurs. The people are ill from technicalities, graphitis, and statistics. The people are sick of laws, restrictions, and regulations; and, Mr. Speaker, I am in accord and in sympathy with them.

The people should now take the law into their own hands by insisting that all departments in the Federal Government adhere to the Constitution; that all laws enacted in conflict with the Constitution be repealed, one by one, so that the people's rights may be restored. That will start the wheels of industry going, furnish employment, increase consumption, build prosperity, and return the American smile to our people.

Mr. Speaker, that was my credo on January 3, 1939, when I took an obligation, with other Members of this House, "to preserve, to protect, and to defend the Constitution of the United States against all enemies," and I have not changed today.

During the first session I spoke and wrote on many subjects, often bluntly but never with anything except the interests of my people and my country at heart.

Today I speak with no hatreds toward anyone or any nation. I speak instead as a servant of the people and with respect to this Republic to which I have dedicated all my efforts.

During the period I have been a Member of the House I have not seen one newspaper which has taken up a battle for constitutional government; for the rights of the people and business to operate free from Federal meddling and interference; for liquidation of the many Federal corporations which have been created by special acts of Congress and also under State corporation laws; for repeal of the Gold Reserve Act, which robbed our own people of sound money. Yes, an act that reduced the sales price of American commodities to foreign nations 40 percent, or from $1

to 60 cents; an act that allows a foreign government stable money and our own people "hocus-pocus" money.

No, the newspapers said nothing about this act that sold our Nation to the money changers and placed our people in slavery, to entrench greed. The newspapers do not give publicity to a Federal employment list large enough to administrate the whole world. Does any newspaper come out against immigration of fanatical Communists that are now undermining and destroying our Nation? No, indeed; no mention is made of this. But let three or four Members in Congress come out in support of sound government and against the steady incoming stream of Communists, and they are at once called Nazi, Fascist, and anti-Semitic. If the same Members oppose the administration's "must" legislation, such as the present Neutrality Act, they are accused of being anti-English, antiracial, anti-Roosevelt, and anti-administration. I often wonder if the objectors have sworn fealty to the President instead of the Constitution of the United States. One seems to risk his life and reputation when he attempts to expose those engaged in subversive destruction of our Government. In face of these acrimonious attacks one is nearly afraid to mention the Constitution of the United States, let alone naming those who have used it for a doormat for the British Government.

Since publishing in the daily RECORD, October 11, 1939, a letter that anyone can buy for two cents and a half, I have been subjected to abuse and slander, when I should, instead, receive gratitude from the Nation, if it is true, and from the friends of Col. E. M. House if it is untrue. Publication of this report is an act of justice to those concerned, for it will set this matter right.

While I have received one letter that questions the authenticity of the report and another that calls me "dumb," I have also received others, and here are excerpts from one of them:

DEAR SIR: Do not back-pedal on this issue. There is every reason to credit it. * * * Officers from Great Britain, sent over here in the World War period to recruit our men, money, and munitions. Taking just New York City, at that time the British, with their tanks, behaved in New York as if they already owned it. * * * Being on active recruiting duty, this came directly under my eyes.

Now, Mr. THORKELSON, you can investigate a thing of real concern to our country as regards the use intended for the large sum set aside, and being expended by Nicholas Murray Butler for alleged world peace. If you cannot do it, then it is up to the Dies committee to let the public have the facts as regards that money.

When a student at Columbia I protested against the British crown over our flag on the flagstaff and suggested that it should be removed. My professor agreed with me. He remarked, "That is not as brazen as the Carnegie Foundation Fund; the document sets forth it is with the hope that one day America will be back under the British flag * * *."

For God and our country help America to get back to America and shake off all of these designing leeches.

I have quoted a few brief excerpts from this letter, deleting the names and personal references, simply to show what is in the minds of the people, and what information they might have.

I shall now quote from the biographies of Cecil Rhodes and Andrew Carnegie. Please understand again that my quotation is for one purpose, and that is to show the internationalists' trend to ultimately bring the United States into one union under British dominion. It might seem presumptuous to bring out these facts, yet I believe the American people ought to know them before it is too late.

The beginning of the undermining of America was brought by Cecil Rhodes, who in 1877 left money to establish scholarships at Oxford for the purpose of training diplomats to foster the reunion of Britain and America. In the first draft of his will, which is quoted in the book, Cecil Rhodes, by Basil Williams, or the book, Cecil Rhodes, by Sarah Gertrude Millen, he stated:

"Directed that a secret society should be endowed with the following objects: 'The extension of British rule throughout the world; the colonization by British subjects of all lands where the means of livelihood are attainable by energy, labor, and enterprise; and especially the occupation by British settlers of the entire continent of Africa, the Holy Land, the Valley of the Euphrates, the islands of Cyprus and Candia, the whole of South America, the islands of the Pacific not heretofore possessed by Great Britain, the whole of the Malay Archipelago, the seaboard of China and Japan, the ultimate recovery of the United States of America as an integral part of the British Empire,' 'The foundation of so great a power as to hereafter render wars impossible and promote the best interests of humanity.'"

A new will was made:

"He substituted English-speaking peoples for actual Britons; he came to realize his limitations and reduce his scheme to a mere beginning of it, the scholarships; but yet the thought behind each successive will remained the same—the world for England, England for the world." (See p. 145, Cecil Rhodes, by Sarah Gertrude Millen.)

Other quotations:

Page 377: "But the essence of the will, as the world knows, is the scholarship foundation. In the end all that Rhodes can do toward extending British rule throughout the world and restoring Anglo-Saxon unity and founding a guardian power for the whole of humanity is to arrange for a number of young men from the United States, the British colonies, and Germany to go to Oxford. There are, accordingly, rather more Rhodes scholars from America than from all the British dominions put together."

Page 378: "If the Union of South Africa could be made under the shadow of Table Mountain, why not an Anglo-Saxon union under the spires of Oxford?"

Mr. HOFFMAN. Where did you say that was?

Mr. THORKELSON. That is in New York. By the way, that is where the Communist Party was organized when Felix Frankfurter was up there, a member of the Civil Liberties Union. That is recorded in a House document as well.

Mr. HOFFMAN. Organized in New York?

Mr. THORKELSON. Yes.

Mr. HOFFMAN. I thought the Communist Party originated in Russia.

Mr. THORKELSON. No; I do not think so.

Mr. SCHAFER of Wisconsin. Is that the place where the alien Communist leader, Sam Ginsberg, alias General Krivitsky, went when he illegally entered the United States several years ago?

Mr. THORKELSON. I do not know.

In 1893 Andrew Carnegie wrote his book, Triumphant Democracy, the last chapter of which is the Reunion of Britain and America. (The 1931 edition of this book is devoid of this last chapter.) The following is a quotation from the original book:

"Regarding those I should like Britons to consider what the proposed reunion means. Not the most sanguine advocate of imperial federation dares to intimate that the federation that he dreams of would free the markets of all its members to each other. This question cannot even be discussed when imperial conferences meet; if it be introduced it is judiciously shelved. But an Anglo-American reunion brings free entry here of all British productions as a matter of course."

Mr. HOUSTON. Will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. HOUSTON. I just wanted to digress for a moment, if the gentleman will permit me. I would like to know how this Ginsberg got into this country in the first place. I understand that for 17 years he acknowledged he was a leader in the Russian secret police. Is he legally here or illegally here? If illegally here, why is he not put out?

Mr. THORKELSON. I might tell the gentleman that I have a list of several hundred that are criminals who came into the United States and have been convicted of crimes in foreign countries. Under the present authority that is now in control, I can give you the initials of them and the crimes for which they have been convicted.

Mr. SCHAFER of Wisconsin. That gentleman was issued a passport by the former Premier of France, Mr. Blum, and he should be deported immediately because the law prohibits their entrance and requires their deportation.

Mr. THORKELSON. I thank you very much, but let me please proceed.

Mr. DICKSTEIN. When you get through, will you yield for a question?

Mr. THORKELSON. Yes.

Mr. HOUSTON. I think that anybody who is here illegally should be deported and we ought to take steps to see that they are deported, Ginsberg or Lipshitz or anyone else.

Mr. THORKELSON. Mr. DICKSTEIN is chairman of the Immigration Committee and I am sure he knows of a lot of them.

Mr. DICKSTEIN. That is exactly what I would like to ask you a question about.

Mr. THORKELSON. Just a moment. By the way, I can call your attention to a gentleman by the name of Friedlander. Do you know him?

Mr. DICKSTEIN. No.

Mr. THORKELSON. You do not know him? You do not know he perjured himself in Bermuda?

Mr. DICKSTEIN. I wish the gentleman would give me that information.

Mr. THORKELSON. I will give it to you.

To continue:

"The richest market in the world is opened to Britain free of all duty by a stroke of the pen. No tax revenue, although under free trade such taxes might still exist. What would not trade with the Republic, duty-free, mean to the linen, woolen, iron, and steel industries of Scotland, to the tinplate manufacturers of England? It would mean prosperity to every industry in the United Kingdom, and thus, in turn, would mean renewed prosperity to the agricultural interests now so sorely depressed.

"In the event of reunion, the American manufacturers would supply the interior of the country, but the great population skirting the Atlantic seaboard and the Pacific coast would receive their manufactured articles chiefly from Great Britain."

And still another quotation:

"Time may dispel many pleasing illusions and destroy many noble dreams, but it shall never shake my belief that the wound caused by the wholly unlooked-for and undesired separation of the mother from her child is not to bleed forever. Let men say what they will; therefore, I say, that as surely as the sun in the heavens once shone upon Britain and America united, so surely is it one morning to rise, shine upon, and greet again the reunited state—the British-American union."

1914: Andrew Carnegie took over the controlling group of the Federal Council of Churches by subsidizing what is known as the Church Peace Union with $2,000,000, and the Church Peace Union, or the board of trustees, has always exercised a dominating influence in the Federal Council. This endowment has provided sufficient annual income to run the budget of the Federal Council and its cooperating organizations. Among the associated groups are the World's Alliance of International Friendship Through the Churches, Commission on International Friendship and Good Will, National Council for Prevention of War, and American Civil Liberties Union. (See Pastors, Pacifists, and Politicians, pp. 5–6, published by the Constructive Educational Publishing Co., 5421 Ridgewood Court, Chicago.)

I have purposely quoted Cecil Rhodes and Carnegie to show that there has been a deliberate attempt for years to put the United States into the British union.

I can readily understand why a Britisher wants the United States in the Empire, but I do not understand why an American would want to be there. These Anglophiles are found in our colleges and other institutions of learning. These are found in the various leagues of peace, for democracy, for conciliation, nonsectarian antileagues, and other organizations along similar lines. As fronts for these leagues we find these Anglophiles, and I believe I am safe when I say that a goodly proportion of them do not understand the principles of our own Government. All of these organizations seem so plausible that most of us fall in with them without actually realizing the danger.

Who would ever believe that the League of Nations, for world peace, was in reality intended to be a world policing body? Who would ever believe that the League of Nations was to be the internationalist's government or the invisible government of the world? Anyone who advanced such an idea would be ridiculed. But in spite of this, that was the real purpose of the League of Nations. These high-sounding and idealistic organizations are always to be suspected, for there is usually "a nigger in the wood pile." There is always something within them working for an interest opposed to our own.

It is for that reason that I have advocated that we adhere strictly to the Constitution of the United States, and that we take our bearings from this instrument instead of fooling around with queer people and queer ideas.

In my remarks in the RECORD I have attempted to acquaint the people with conditions throughout the world, for I believe it is very important, particularly at this time, that we should know facts and that such facts should be stated without fear or favor. I shall refer briefly to the report that was inserted in the daily RECORD October 11, 1939. Mr. Speaker, I ask first the unanimous consent of the House to have the name "British Consulate, New York City," and the names of the writer and the addressee deleted from the RECORD.

The SPEAKER pro tempore (Mr. CRAVENS). Without objection, it is so ordered.

There was no objection.

Mr. THORKELSON. I have had an opportunity to read letters written by Mr. E. M. House, and at no place does he sign his name "Col. E. M. House," and I believe that should be significant. It is my desire, however, to have the remainder of this report retained in the RECORD for I believe it may make better Americans out of the so-called Anglophiles.

Mr. HOFFMAN. Will the gentleman yield right there? Who wrote it anyway? What is the use putting something in if we do not know who wrote it?

Mr. THORKELSON. Because the substantive matter of the letter itself deals with facts. For instance, in one part of the letter it mentions that a number of officers in our own Army and Navy were decorated by the British Government. I have looked that up.

Mr. HOFFMAN. That is a matter of history, is it not?

Mr. THORKELSON. Yes.

Mr. HOFFMAN. Why put it in the RECORD again?

Mr. THORKELSON. I find that much of the substantive matter in this letter is authenticated, but for the sake of sparing someone's feelings, for the sake of eliminating the name of Col. E. M. House, I shall give you the real E. M. House who worked with Wilson.

Mr. HOFFMAN. But he is not responsible for this letter, is he?

Mr. THORKELSON. I do not know if he is responsible for this letter or not. It was printed by the Washington Publishing Co.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. MILLER. You say you are leaving the address and name off the letter? Was the item in parentheses that is printed in the letter a part of the original letter?

Mr. THORKELSON. You mean the heading of it?

Mr. MILLER. No; the item in parentheses.

Mr. THORKELSON. No. That is the publisher's notation.

Mr. MILLER. I just wanted to ask this one question. Certainly there is no personal feeling. Do you not think, knowing all the existing circumstances, now that you have agreed to ask unanimous consent to withdraw the name of Col. E. M. House and the title, in all fairness, you should go the whole way and take the letter out?

Mr. THORKELSON. No.

Mr. HOFFMAN. In view of the fact it is going to cost the Government $600—the gentleman says it is a matter of history, anyway——

Mr. THORKELSON. If the gentleman will excuse me, we have spent about $13,000,000,000 this year and are now $1,000,000,000 in the red as a result of the first 3 months' operations of this year, which indicates a probable increased debt of $5,000,000,000 or $6,000,000,000 by the end of the fiscal year, I say if we can spend $300 and awaken the American people to what is happening in this country it is money well spent—money spent for a worthy purpose.

Mr. HOFFMAN. But the gentleman says all this information is now in the possession of the public. Why not save a little? We never can get them to cut off $1,000,000 or $1,000,000,000 at a time, but we can save in these lesser ways.

Mr. THORKELSON. If it is a question of the $300, I would be glad to write a check for it and give it to the Government Printing Office.

Mr. HOFFMAN. Coming from a Congressman, I doubt if it would be a proper contribution.

Mr. THORKELSON. I think it would be perfectly proper for a Congressman to share the expenses of Government.

Mr. HOFFMAN. But the gentleman can save the same amount by just withdrawing that. He would be ahead $300 himself.

Mr. THORKELSON. I choose not to withdraw it, because there are facts in that letter.

Mr. THOMASON. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I hope the gentleman will not insist on my yielding now but will let me finish reading my manuscript. At its conclusion I shall be pleased to yield to any question, and I shall try to answer him. I want to tell the gentleman something about Mr. House. This information may be found in this book written by a former Assistant Attorney General. This book is to be found in the Library. Its title is "Woodrow Wilson, Disciple of Revolution."

Mr. THOMASON. Will not the gentleman yield for a brief question right there?

Mr. THORKELSON. What is the gentleman's question?

Mr. THOMASON. I hold no brief for the late Colonel House, for I believe his name and fame will live long after many of us are forgotten. My principal interest right now is in the preservation of an honest, truthful CONGRESSIONAL RECORD. Now that the House letter has been, I think, proven to be a spurious document by the letters I placed in the Appendix of the CONGRESSIONAL RECORD, page 333, in extension of my remarks, does not the gentleman feel that in justice to himself and his colleagues in this House and to a truthful RECORD that the entire letter ought to be expunged? Because, if the gentleman will recall, he said when he referred to that letter and the signer of it that it was the Col. E. M. House who was the intimate friend and associate of the late President Wilson. So, in the interest of fairness and justice, not only to a dead man but to an honest RECORD, does not the gentleman think that letter should be expunged from the RECORD?

Mr. THORKELSON. Let me say to the gentleman from Texas that I believe the letter was signed "Col. E. M. House." Edward M. House, the friend of President Wilson, never signed his name "Col. E. M. House." This is supposed to be a report that came from the British secret files, and I do not believe that the House who was adviser to President Wilson ever was engaged by Great Britain and sitting in the British consulate. It must therefore have been someone else.

The reason I want to have that letter in the RECORD is because I want the American people to know what the British think of us. I want to have that letter in the RECORD to give that information to the American people so they will not be so foolish as to fall for this British propaganda that is saturating the United States today just like it did in 1916 and 1917.

Mr. THOMASON. Do I understand the gentleman's alibi now to be that he is——

Mr. THORKELSON. The gentleman has no alibi.

Mr. THOMASON. Does the gentleman now admit——

Mr. THORKELSON. The gentleman does not admit anything.

Mr. THOMASON. That it is not the Col. Edward M. House whom the gentleman from Connecticut spoke of in such high admiration yesterday? Does the gentleman now admit that he is not the man who wrote that letter? If so, I say that in all fairness the letter should be expunged from this RECORD.

Mr. THORKELSON. I never said that this Colonel House was the Edward M. House, President Wilson's adviser. As a matter of fact, I said "Disregard both the writer and the recipient of the letter."

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. SCHAFER of Wisconsin. I admit that British propaganda is being spread in this country today just as it was prior to our entrance into the World War. If this be so, why is the gentleman now swallowing the British propaganda and supporting the repeal of the arms embargo, something which British propaganda is trying to get us to do?

Mr. THORKELSON. May I reply that I am opposed to the repeal of the arms embargo, and I am also opposed to the never-ending supply of British propaganda urging its repeal.

Mr. MILLER. Will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Connecticut.

Mr. MILLER. I understood the gentleman to say that the letter he put in the RECORD signed "Col. E. M. House" did not purport to be the Colonel House of the Wilson administration.

Mr. THORKELSON. I said, "Do not take the writer into consideration. Do not consider the origin of the letter, but read the substance of it." I said that in my remarks. There was no reason to assume that it was the Edward M. House who was connected with the Wilson administration. I do not know who it was. My letter was inserted in the RECORD for one purpose alone, and that was to give information to the American people. I think they are entitled to it.

Mr. THOMASON. May I ask one more question? Did not the gentleman say the other day in response to my question that it was the Col. E. M. House, the friend and intimate of Woodrow Wilson? The gentleman said that, and the daily RECORD will show it.

Mr. THORKELSON. Well, look the daily RECORD up.

Mr. Speaker, I may say at this time that the part of the report which refers to the decorations bestowed upon a number of American officers is correct, and so stated in Whitaker's Almanack of 1919 and 1920. Reference is also made to this, as the report states, in the New York Times, August 15, 1918. So this part of the report is authentic, and evidence may be found in the Congressional Library.

It is my desire to call my colleagues' attention to this supplementary paragraph attached to that report, which I shall not contradict:

> This was 20 years ago. Is it any wonder our Congressmen promise the people one thing and then go to Washington and do something entirely different? Things in the United States are far worse today than when this document was written, and each set of candidates we put in office helps just that much more to sell out this country to the internationalists.
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> For further proof of this plot read the book, Woodrow Wilson—Disciple of Revolution, by Colonel in the United States Army and Assistant United States Attorney General until 1933, Jennings C. Wise. Six hundred and seventy-four pages of hitherto unpublished truths of the goings on behind the scenes of government and not generally known.

This secret-service report, as it is called, was printed by the American Publishing Society in 1938, I believe, and no doubt they have good reason for printing it and further substantiation. Issue has been taken to the use of the date 1937 in a parenthetical editor's note in the report.

The author of Woodrow Wilson—Disciple of Revolution is a well-known writer whose record is listed in Who's Who in America. He served in various capacities in the United States Government and was Assistant Attorney General. He also holds the Distinguished Service Cross.

The papers have criticized me for incorporating this secret-service report in the RECORD, and my colleagues here in the House for inserting it as it was printed, with names attached. May I ask the Members to understand that I do not resent criticism of any sort, for in criticizing I must expect to be criticized. However, inasmuch as I seem to be a victim of circumstances, and as I have mentioned a Mr. House, I shall now give you a synopsis of Mr. Edward M. House, as set forth in Woodrow Wilson—Disciple of Revolution. I suggest that you read this book. You may not be so gullible after reading it and so willing to defend anyone's character until you actually know whereof you speak:

> Among the internationalists there were, as shown, Democrats of eminence, as well as Republicans, just as in the case of the pacifists. The former included Col. Edward M. House, of Texas, who owed his title to service on the Governor's staff. His father had emigrated from England and been prominent in the Texas revolution. A man of some affluence, with a taste for politics, and known in Texas as "a silent worker * * * ." It was during his stay in Texas that he wrote his first book, a political romance entitled "Philip Dru: Administrator." The character of it is significant—the story of a young West Point graduate who made himself dictator of the United States, rescinded the Constitution, reformed the currency, enacted labor laws providing for workmen's compensation, abolished the tariff, and placed the courts under his personal control. The colonel admitted that his hero was a Socialist of the Blanc school, while no one can read the book without seeing the influence it had exerted upon his views.
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> The author of this strange novel was shrewder than the "apostle of peace." He had seen the trend of events and had, in some way, broken into the sanctum sanctorum of the internationalists, whose

whole scheme seems to have been disclosed to him. In consequence, he made Dru, as American premier, lead the United States into a league of nations similar to that which Marburg had in mind, a league in which the supreme council possessed the power not only to regulate the domestic affairs of the constituent states but to enforce universal peace. As finally published (1913), the book seems to have developed progressively with political developments in America. Starting off in a socialistic key to catch the ear of Bryan, it passed to a parliamentary refrain for Wilson and then into an internationalistic chorus for Carnegie and Marburg. It seems plain why its publication was long withheld by House. In 1911 House was not yet prepared to abandon Bryan, nor was he prepared, until after Wilson's election, to sponsor a league of nations. * * *

So, too, in the compendious compilation of House's papers by Seymour, obviously also nothing more than an autobiography, since it is admitted in the preface that it was written with House's aid; House unhesitatingly confessed that it was his purpose, in 1911, so to transform the Democratic Party through its next President as to effect a virtual revolution in the American Government. Not only that, but it was to be "socialized and internationalized."

Colonel House, as well as Marburg, was an inveterate internationalist, and he was determined that the next President should be a Democratic internationalist with dictatorial and socialistic tendencies, and a low-tariff advocate. He met Woodrow Wilson in 1911 and asked him to speak at the Texas fair that year.

In March, House wrote Wilson that he had Texas in good shape, and in April he returned to New York satisfied that he could deliver the delegation.

Woodrow Wilson was elected on November 4, 1912, by about two-thirds majority, and the Republican Party was split. On November 15, 1912, Wilson sailed for Bermuda, and until his departure House never let him far out of his sight. It is interesting to read this book, as it deals in detail with the inner happenings of Wilson's administration. I can only say it is a vast accumulation of double dealing and intrigue, led by Colonel House himself:

Before the new year House began holding conferences with the great bankers, with Wilson's consent on the proposed currency and tariff acts, selecting GLASS as the proponent of the measure. According to House, GLASS declared he knew nothing about currency matters, whereupon House undertook to coach him. House's plan, despite all protests, was to rush the Federal Reserve Act through Congress before all the patronage had been disposed of. * * *

House's part in the internationalist project, however, precluded the possibility of his holding office. On the other hand, the part he was playing was important enough. For when his authority to speak for the President in a certain important matter was challenged, Wilson said: "Mr. House is my second personality. He is my independent self. His thoughts and mine are one. If I were in his place I would do just as he suggested. * * * If anyone thinks he is reflecting my opinion by whatever he states, they are welcome to the conclusion." Thereupon Collier's Weekly gave House the title of Wilson's "silent partner" * * * (pp. 111–112).

There is little merit in the contention of some of Wilson's unreasoning adherents that the veracity of House is questionable, and that he was in reality no more than a vain little "yes man" to his chief. That he was at least as often leader as he was follower is plentifully evident from the virtual autobiography brought out under the title of The Real Colonel House, by his literary agent in 1918 during the Presidency of Wilson. In that book it is frankly stated that House's purpose from the first was to so transform the Democratic Party as to permit a virtual revolution in our form of government. Moreover, Philip Dru: Administrator, representing House's ideas prior to his first meeting with Wilson, was permitted to come out almost contemporaneously with Wilson's own New Freedom. The fact that Wilson was completely cognizant of these literary activities on the part of House, and that they continued to be close friends and allies thereafter, is evidence enough of House's real status and of Wilson's sympathy therewith.

It is hardly to be denied that it was House who brought Morgenthau, Elkus, Baruch, Rabbi Wise, and Morris into the Wilson camp. These powerful men were not of the type to deal with understrappers * * * (p. 113).

On March 6 the Cabinet held its first regular meeting. Houston, like Page, deemed it a mediocre body. Wilson declared at once that he proposed to devote himself to the "graver problems" of the Nation. No one present doubted that he had already formulated his major policies.

After the meeting Wilson laughed and joked with the "silent partner" about the Cabinet, describing the peculiarities of each of its members. A secret but readily decipherable code was now adopted. McCombs was designated as Damon, McAdoo as Pythias, Bryan as Primus, McReynolds as Coke, and Lane as Demosthenes.

It is one of the strangest facts in the life of Wilson, distrustful and suspicious though he was by nature, that he had not yet fathomed House's true character. He was, apparently, wholly unconscious of the fact that, though the constitutional Chief Executive of the American people, he was delegating his judgment, if not his authority, at least in part, to another. He seems to have been as guileless as the world at large in accepting House at his own valuation (pp. 121–122).

In 1913 the British and the American oil companies were jockeying for position and control of the Mexican oil field. Wilson wanted Huerta and England had supported Diaz. Japan also seemed to be interested in the Mexican squabble and in treaties on immigration to the United States. The Secretary of State, Mr. Bryan, evidently did not have free action in regard to foreign affairs, for Mr. Houston made this observation:

Because it clearly indicated the President was going to be his own Secretary of State.

It was this attitude on the President's part that caused considerable misunderstanding and dissension in his Cabinet.

This book clearly reveals that Mr. House was opposed to the appointment of a Nationalist to any position. He was, instead, always in favor of the internationalist—so it is no wonder that we gradually slipped into the hands of the invisible government.

In 1913 House was sent over to England as President Wilson's personal representative. On meeting the British Foreign Secretary, Sir Edward Grey, he informed him:

That President Wilson was now convinced that the Panama Act violated the Hay-Pauncefote Treaty and that he intended to use all his influence to secure its repeal. The matter, the American urged, was a difficult one, since it would be necessary to persuade Congress to pass a law acknowledging its mistake (p. 140).

I mention this so that the Members of Congress may know how they are valuated by the roving ambassadors.

House also discussed the matter of a League of Nations with Grey. Wilson might render Britain a very great service should Germany assail the Triple Entente. The upshot was that Sir Edward Grey expressed his willingness to leave the Panama matter to Wilson, so far as was in his power. "Thus," says Page's biographer, "from July 3, 1913, there was a complete understanding between the British Government and the Washington administration on the question of the tolls * * *" (p. 140).

This meant that Mr. House obligated our help to the Triple Entente in case of war with the Triple Alliance. It is also well to bear in mind that if the truth were known a similar obligation may be in the making today. It is for that reason that I have advocated the retention of the Neutrality Act based upon arms embargo and repeal of all power granted to the President. It is the only way in which we may remain neutral.

Almost coincident with the dedication of the Peace Palace, Eliot began to urge stronger methods than arbitration. He, too, was in favor of enforcing peace in one way and another. But apparently he made no more impression upon Wilson and House than Page. Determined to press their own scheme, House, unknown to Bryan, opened negotiations on September 1 with Dumba, the Austro-Hungarian Ambassador, to determine if the dual monarchy, Germany's greatest ally, would abandon the central alliance for such a league of nations as that suggested 2 days before by Carnegie at The Hague. House and Wilson were not dealing frankly with either Bryan or Page, while seeking by roundabout methods to detach Britain from Japan, and Franz Joseph from the Kaiser, and to compel the Czar to institute those democratic reforms in Russia demanded by the American Jews and the internationalists generally.

Both the Kaiser and the Czar's government now perceived Wilson's real purpose. So, too, as one proposal of Philip Dru after another translated itself into legislation, did the press come to recognize the silent partner as the author of the book. "Whatever the book had said should be had come true," wrote Lane. "In the end Wilson had come to be Philip Dru."

Despite his belittlement by the press, Bryan had, with surprising patience, overlooked up to this time the usurpation of his functions by House. But when the silent partner undertook to dictate the Federal Reserve Banking Act, Bryan felt betrayed by a man who seemed to him to represent the interests as well as the internationalists. Thoroughly alarmed at the forces behind Wilson, and distrusting utterly the finally identified author of Philip Dru, the Great Commoner threatened openly in October to resign.

"I am afraid we have come to the parting of the ways," remarked Wilson despairingly to Tumulty (pp. 144–145).

Mr. House's visit to England and Tyrrell's visit to the United States finally terminated in an Anglo-American understanding in 1913.

Before Tyrrell left Washington it was agreed between him and House, that after the repeal of the Panama Act, House should, as

Wilson's representative, proceed direct to Berlin and urge the Kaiser, over the heads of Von Tirpitz and the naval party, to accept Churchill's proposals and the principle of the League of Nations. House was now to deal direct with all the Ambassadors (p. 150).

It is my desire to call your attention to the fact that at this time there was no ill-feeling toward Germany, either by President Wilson or Mr. House. On January 4, 1914, Mr. E. M. House sent the following letter to Mr. Page:

DEAR PAGE: * * * Benj. Ide Wheeler took lunch with me the other day. He is just back from Germany, and he is on the most intimate terms with the Kaiser. He tells me he often takes dinner with the family alone and spends the evening with them.

I know, now, the different Cabinet officials who have the Kaiser's confidence, and I know his attitude toward England, naval armaments, war, and world politics in general.

Wheeler spoke to me very frankly, and the information he gave me will be invaluable in the event that my plans carry. The general idea is to bring about a sympathetic understanding between England, Germany, and America, not only upon the question of disarmament, but upon other matters of equal importance to themselves and to the world at large.

It seems to me that Japan should come into this pact, but Wheeler tells me that the Kaiser feels very strongly upon the question of Asiatics. He thinks the contest of the future will be between the eastern and western civilizations. * * *

Your friend always,

E. M. HOUSE (p. 152).

Well might Page have been alarmed. He could not fail to see the dangerous character of the vain and ambitious schemer whom Wilson had made his "silent partner." Constantly stressing the idea of world leadership by Wilson, and thus flattering the President's vanity, Page deemed House a positive menace to the country. Yet the more earnestly he sought to discourage Wilson from becoming a party to House's schemes, the more objectionable he became to the President (p. 153).

House accomplished nothing by his visits to Europe except to alarm such countries in which he called.

Sir Cecil Spring-Rice, the British Ambassador at Washington, subsequently declared that House's visits back and forth to London and Berlin had so alarmed the militarists of Germany that they took advantage of the Kaiser's absence on his annual cruise in Norwegian waters to project the strife in which they saw their only salvation (p. 178).

Yet in 1932, when a press photograph showed Franklin D. Roosevelt, just returned from his nomination in Chicago, conferring with House at the latter's Beverley home, the author of Philip Dru, Administrator, proclaimed the Presidential nominee a more suitable leader for a new American revolution than even Woodrow Wilson had been.

In any event, Woodrow Wilson called, in 1917, not merely for the liberalization of existing governments, but for the democratization of the whole world. The least enlightened peoples, the least advanced political societies, were summoned to enlist under his banner, to make the world safe for democracy.

Whatever that oft-repeated phrase meant to Wilson, we need have no doubt that to his alter ego it implied one thing—revolution (p. 639).

The prophecy of Philip Dru, Administrator, written by Colonel House, has practically come true, and may I suggest that my colleagues read appendix C (ibid. p. 569). It is very interesting because the present administration is following out House's plan.

Mr. Speaker, in order to present these facts without interruption, may I ask unanimous consent to extend the secret report of the Balfour declaration in the RECORD?

BALFOUR DECLARATION—SECRET FACTS REVEALED

(Important and hitherto unpublished sidelights on the Balfour declaration are for the first time revealed in the series of articles by Mr. S. Landman, the first of which appears below. From 1915 until 1918 Mr. Landman acted as private secretary to Mr. N. Sokolow, now president of the Zionist Organization. He was also secretary of the World Zionist Organization from the opening of the London office at the end of 1917 until 1922.)

WORLD JEWRY—SECRET HISTORY OF THE BALFOUR DECLARATION

(March 1, 1935—Continued from last week—By S. Landman)

It was about the end of 1916 that James Malcolm, through Leopold Greenberg, first came into contact with Dr. Weizmann. This memorable interview took place at Dr. Weizmann's house in Addison Road. Dr. Weizmann had moved from Manchester to London in that year and was working on explosives for the Admiralty and the Ministry of Munitions. As is well known he had invented an important process for the manufacture of acetone and this had brought him into contact with Lloyd George, the Minister of Munitions, and Mr. Balfour, the First Lord of the Admiralty. In this talk with Malcolm Dr. Weizmann confessed his disappointment that his efforts to win over Lloyd George and Balfour to the Zionist cause had apparently made no progress, and he asked Malcolm what reason he (Malcolm) had for being convinced of success. Malcolm reported to him the conversations he had had with Sir Mark Sykes and the War Cabinet's authority for his (Malcolm's) overtures to the Zionists. Dr. Weizmann's doubts were still strong, and he asked when he could see Sir Mark Sykes. "At once, I believe," replied Malcolm, and he rang up Sir Mark, informed him that he was speaking from Dr. Weizmann's house, and asked for an appointment to bring Dr. Weizmann to him. Sir Mark fixed one for the next day, but Dr. Weizmann was prevented from going and Sokolow went instead. The interview was very successful, both parties making the best impression on each other. Further interviews took place, at which Dr. Weizmann was also present. Of course, all these interviews took place with the full knowledge and approval of Sir Maurice Hankey, the secretary of the war cabinet.

MR. G. H. FITZMAURICE

There was another man—an Irishman—who rendered most valuable service at this time to the bringing together of the Zionists and the British Government. This was Mr. G. H. Fitzmaurice, a great friend of Malcolm. Fitzmaurice had spent many years in the British Embassy in Constantinople, and was very well versed in all the problems of the Near East. Malcolm had at a very early stage discussed with him the possibilities of effecting a rapprochement between the Jews, especially in the United States of America and other neutral countries, and the British and allied cause. Fitzmaurice was finally won over and became a very devoted friend of Zionism. I first made his acquaintance about the middle of 1917, and I can say with confidence that he was one of the earliest and most discerning of our friends. I remember him saying to me in 1918: "A nation which has a Rothschild and an Einstein must win through * * *." He was, like Sykes, a devout Catholic, and amongst his intimate friends were Sir Henry Wilson and General Macdonogh, director of military operations, whom he won over to the Jewish cause. It was Fitzmaurice chiefly who helped to open for Sokolow the doors of the Vatican, with the result that the Pope granted Sokolow an audience in 1917 and thereby indicated that the Vatican was favorably disposed to the idea of Palestine for the Jews. It is of interest to record that the Zionist leaders had previously held the view that there was no way of winning the sympathy of the Vatican or of such men as Sir Mark Sykes, because they were Catholics. It is the great achievement of Malcolm that he was not only able to convince them of the justice of the Zionist cause, but even to enlist their active support.

After an understanding had been arrived at between Sir Mark Sykes and Weizmann and Sokolow, it was resolved to send a secret message to Justice Brandeis that the British Cabinet would help the Jews to gain Palestine in return for active Jewish sympathy and support in the United States for the allied cause so as to bring about a radical pro-Ally tendency in the United States. This message was sent in cipher through the Foreign Office. One of the principal under secretaries at the Foreign Office at that time was Sir Ronald Graham. He was in the confidence of Sir Mark Sykes, and during the whole time he was at the Foreign Office he was of unfailing help to the Zionists. Secret messages were also sent to the Zionist leaders in Russia to hearten them and obtain their support for the Allied cause, which was being affected by Russian ill-treatment of the Jews. Messages were also sent to Jewish leaders in neutral countries and the result was to strengthen the pro-Ally sympathies of Jews everywhere.

Through General Macdonogh, who was won over by Fitzmaurice, Dr. Weizmann was able about this time to secure from the Government the service of half a dozen younger Zionists for active work on behalf of zionism. At that time conscription was in force and only those who were engaged in work of national importance could be released from active service at the front. I remember Dr. Weizmann writing a letter to General Macdonogh and invoking his assistance in obtaining the exemption from active service of Leon Simon, Harry Sacher, Simon Marks, Hyamson Tolkowsky, and myself. At Dr. Weizmann's request I was transferred from the War Office (M. I. 9), where I was then working, to the Ministry of Propaganda, which was under Lord Northcliffe, and later to the Zionist office, where I commenced work about December 1916. Simon Marks actually arrived at the office in khaki and immediately set about the task of organizing the office, which, as will be easily understood, had to maintain constant communication with Zionists in most countries.

GOVERNMENT HELP

From that time onward for several years zionism was considered an ally of the British Government, and every help and assistance was forthcoming from each Government department. Passport or travel difficulties did not exist when a man was recommended by our office. For instance, a certificate signed by me was accepted by the home office at that time as evidence that an Ottoman Jew was to be treated as a friendly alien and not as an enemy, which was the case with the Turkish subjects.

After Sir Mark Sykes had established contact with the Zionist leaders, it was resolved to have a more formal meeting so that one of the Zionist leaders could be officially appointed to act on behalf of the Zionist movement. This meeting took place on February 7, 1917, at the house of Dr. Gaster, who had already been in touch with Sir Mark and Sir Herbert Samuel, with reference to zionism. Sir Herbert Samuel, James de Rothschild, Sokolow, Tchlenow, and Dr. Weizmann were the principal Zionists who attended there to meet Sir Mark Sykes. The result of the meeting was that Sokolow was chosen to act as Zionist representative and to negotiate with Sir Mark. Dr. Weizmann was, at that time, too fully occupied with his chemical work for the Government.

SOKOLOW IN PARIS

The plan of action decided upon by Sir Mark Sykes and Sokolow was for Sokolow to go to France and Italy and make sure there was no opposition. In the meantime Dr. Weizmann would continue to win friends in England. In connection with the visit of Sokolow to Paris, Malcolm again rendered immense service to the Zionist cause. As a member of the Armenian National Delegation, he was personally acquainted with the leading French officials in charge of near eastern affairs—especially M. Gout, M. Picot, and M. de Margerie. They were the three key men for the Zionist purpose. Malcolm went first alone to M. Picot and prepared the way for Sokolow. Sokolow had previously tried to invoke the assistance of French Jewry in getting an audience from the French Government. He had not been successful. The Alliance Israelite used every effort to dissuade him from talking Zionism to the Ministers. Even Baron Edmond de Rothschild, the devoted friend of Palestine and the Zionist leaders, could not very well ask the French Government to depart in favor of England from its traditional role of protector of the peoples of the Near East. The position was such that Sokolow doubted very much whether he would be given an audience at the Quai d'Orsay. With the help of Malcolm, however, all the difficulties were overcome and the leaders of French Jewry, to their intense amazement and annoyance, read in Le Temps that M. Sokolow had been received by M. Pichon, the Foreign Minister. Not only that, but they found M. Sokolow had actually been invited to stay to lunch. M. Jacques Bigart and M. Sylvain Levi, both of the Alliance Israelite, telephoned to M. Sokolow's hotel to make sure they had heard aright, and finished up by inviting Sokolow themselves.

I have from Malcolm an interesting story of Sokolow's first interview with M. Picot. The latter was, of course, sizing up the man with whom he had to deal, and at the very end, when helping M. Sokolow on with his coat, he said as though it was of minor importance: "By the way, M. Sokolow, may I ask you one more question? Which Government would the Jews prefer to have in Palestine, the English or the French?" Sokolow was, however, quite ready with a reply. "You embarrass me, M. Picot," he answered. "I feel rather like the child who is asked whom do you love more, your mother or your father."

M. Picot was delighted with this reply, which seemed to him worthy of the best French diplomacy.

From Paris, Sokolow left for Rome. There, thanks to the introductions of Fitzmaurice and Malcolm on the one hand and the help of Baron Sidney Soncino on the other, everything was prepared for him. The audience with the Pope was quickly arranged and also interviews with the leading officials of the Foreign Office. The return to London of Sokolow found Dr. Weizmann and his small band of helpers in the throes of a mighty struggle with Anglo-Jewish leaders. Just as the leading French Jews tried hard to keep Zionism away from their Government, so did the leading Anglo-Jews do their utmost to keep Zionism away from the British Government. Edwin Montague was a leading opponent and remained such all his life. Lord Swaythling (the son of the first Lord Swaythling) was equally vehement in his opposition. Eleven of them joined forces in a letter to the Times about May 1917, protesting against Zionist aims and objects. Sir Mark Sykes informed us that something must be done to impress the Cabinet, and the Zionist leaders were compelled to take up the challenge. It was absolutely essential to convince the Cabinet that Anglo-Jewry was Zionist in sympathy and outlook, in view of the constant denial of this, which they heard from the leading Jews.

A rapid campaign among the members of the Jewish Board of Deputies was organized, and when it was seen that a majority was obtainable a pro-Zionist resolution was introduced and carried by a majority against the wishes and speeches of the president, David Alexander, K. C., and other honorary officers. The president and Mr. Henriques resigned, thus leaving the field clear for the Zionists.

THE DECLARATION

In the meantime, the text of the declaration was being prepared. The text submitted by the Zionists was, of course, more far-reaching than the final text. On the other hand, Lucien Wolf had some time before suggested to the Zionists a text which was pale and colorless. I cannot recollect the exact words, but it was to the effect that if Palestine came under the British sphere of influence Jews should be given no less right to colonize it than anybody else. If this text had been acceptable, it could have gone forward in the name of Anglo-Jewry. Naturally, the Zionist leaders could not accept it, and nothing more was heard of it. Mr. Ormsby-Gore was of great assistance throughout this stage as a link with Mr. Balfour. It is correct to say that the text of the declaration had to satisfy many conflicting claims. The Anglo-Jewish leaders were apprehensive lest a Jewish Palestine should affect their civic rights here, and all were also genuinely concerned for the Arab inhabitants of Palestine.

The opposition of Anglo-Jewry was still considerable, and the Cabinet could not see a way through the impasse. It was eventually decided to send the draft of the declaration to several leading Jews and obtain their opinions.

Through the help of Sir Mark Sykes, three of these letters were sent to Zionists or Zionist sympathizers. Three were sent to anti-Zionists. There were thus three against three, and everything depended on the seventh or decisive letter. This was Dr. Hertz, and his reply was emphatic and favorable.

This brought us to the autumn of 1917, when all was ready for the issue of the declaration. But the Cabinet was too preoccupied with the anxieties of the Great War, which was absorbing every ounce of their strength and every moment of their time.

Meeting after meeting passed, and the item of Palestine on the agenda of the Cabinet was not reached.

Finally, at the beginning of November, Sir Mark Sykes came out of the Cabinet room very excited, exclaiming, "It's a boy." Thus was born the famous Balfour declaration, the greatest event in Jewish history for centuries.

At a meeting of Zionists held immediately afterward, Sokolow said they must celebrate this declaration with such solemnity that it would be impossible to forget it. The text was cabled through the war office and foreign office to the Jews in the remotest corners of the earth. Sheafs of cables were taken by us to the war office for this purpose.

Many heads, hearts, and hands combined to bring the Balfour Declaration into existence. The share of the British Cabinet and the Zionist leaders is already well known. It is only just that the efforts of other non-Jewish friends, such as Malcolm and Fitzmaurice, should be known and appreciated.

Is it not strange that there are two Justices on the Supreme Bench, one of whom is mentioned in the pamphlet Communism in the American Labor Movement as a member of the Civil Liberties Union, and the other one in the Balfour report as being directly connected with shaping the destinies of the United States so that she would enter the war in Europe—both of them active in belligerent movements. Yet their own organizations have turned around and passed a resolution in 1936 which I shall now read:

The Central Conference of American Rabbis reaffirms its conviction that conscientious objection to military service is in accordance with the highest interpretation of Judaism and therefore petitions the Government of the United States to grant to Jewish religious conscientious objectors to war the same exemption from military service as has long been granted to members of the Society of Friends and similar religious organizations.

Mr. THOMASON. Mr. Speaker, in view of the fact that positive evidence, in my judgment, has been produced that the letter which the gentleman from Montana introduced into the RECORD last Friday, October 13, purporting to be signed by Col. E. M. House, was not as a matter of fact signed by Col. Edward M. House. I ask unanimous consent that the entire letter be expunged from the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. THOMASON]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what has the gentleman from Montana got to say about that?

Mr. THORKELSON. The gentleman from Montana has said all he is going to say. I said to delete the names on the letter and delete the address.

Mr. MARTIN of Massachusetts. Is the gentleman agreeable to this request?

Mr. THORKELSON. I am agreeable to having the name of the purported signer of the letter removed, and I am agreeable to having the address on the letter, the British Consulate, removed and the addressee's name removed, but let the body of the letter stand in the RECORD as it is.

Mr. THOMASON. Mr. Speaker, my unanimous-consent request is that in view of the fact the letter has been proven to be spurious and the gentleman from Montana now does not claim that the late Col. Edward M. House, who was the intimate and associate of the late Woodrow Wilson, signed it, I ask unanimous consent that the entire letter, in view of its falsity, be expunged from the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. THOMASON]?

Mr. THORKELSON. Mr. Speaker, reserving the right to object, that is just exactly why it ought to stay in—because it is not the Edward M. House that was associated with President Wilson. I never said it was, and that is the reason I want the letter left in the RECORD.

Mr. SCHAFER of Wisconsin. Mr. Speaker, in view of the circumstances, I object at this time.

PERMISSION TO ADDRESS THE HOUSE

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. GEHRMANN] may address the House for 20 minutes on next Wednesday, after disposition of matters on the Speaker's table and at the conclusion of any special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. MAPES]?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, with reference to the so-called House letter, I ask unanimous consent that everything except the contents in the body of the letter be expunged from the RECORD.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to read this wire here.

Mr. THOMASON. Mr. Speaker, I do not like to make an objection, but hereafter, in view of the attitude of the gentleman from Montana, I will be forced to object to extensions of his remarks which include statements of others unless we know who signed them and whether or not he vouches for their authenticity.

Mr. THORKELSON. I may say to the gentleman that I will reserve the same right for myself. There are many articles that go into the RECORD which are taken from newspapers. May I say that most of the remarks I put in the RECORD are my own remarks. This is practically the first time I have used somebody else's remarks. You can look up the RECORD and see that that is the fact. That is more than the gentleman can claim.

Mr. SCHAFER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHAFER of Wisconsin. What happened to my unanimous-consent request?

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. SCHAFER] asks unanimous consent that everything except the contents of the House letter be expunged from the RECORD. Is there objection?

Mr. THOMASON. Mr. Speaker, reserving the right to object, unless somebody is going to vouch for the authorship of those remarks, and admit that Col. E. M. House, late of the Wilson administration, is not the author, we should know who the author of the remarks is.

Mr. THORKELSON. Will the gentleman let me read this wire here?

Mr. THOMASON. If the gentleman will say who the wire is from and will vouch for its genuineness to an extent greater than in the case of the House letter, I shall not object.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

Mr. SCHAFER of Wisconsin. If the request is granted, the substance contained in the body of the letter will remain, and it will show that Col. E. M. House was not connected with the writing of the letter.

Mr. THOMASON. I would like to know who the author is.

Mr. SCHAFER of Wisconsin. We will find that out later.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I do not know whether it would fix up the RECORD if you simply strike the name "Col. E. M. House" from this letter. What preceded that, and what were the reasons for putting it in?

I do not believe you can make an honest record and leave this letter in at all. I wish the gentleman from Wisconsin would withdraw his request; otherwise I shall have to object to it.

Mr. SCHAFER of Wisconsin. In view of the statement just made, I withdraw my request, Mr. Speaker, in order that this matter can be cleared up satisfactorily at a later date.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent that the gentleman from Montana be permitted to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

Mr. HOFFMAN. I object, Mr. Speaker.

Mr. THOMASON. Mr. Speaker, I withdraw my objection to the reading of the telegram. I do not want to keep anything out of the record that is genuine and authentic. It is only the forged documents I want to keep out.

The SPEAKER pro tempore. Without objection, the gentleman from Montana will be permitted to read the telegram.

There was no objection.

Mr. THORKELSON. The telegram is as follows:

That letter signed Colonel House was originally published in 1919. Author was Dr. William J. Maloney, distinguished New York neurologist who was active in Irish Nationalist affairs. Later appeared anonymously with suggestion author was Sir William Wiseman, then British intelligence representative, now with Kuhn, Loeb. Colonel House's name did not figure and must have been added recently by Bremerton people in stupid move quite incongruous with letter's brilliance and insight. Document received publicity 10 years ago and Maloney swore to his authorship before Senate Committee on Naval Affairs, subcommittee under Senator Shortridge, January 11, 1930. Testimony appears on page 569 of committee hearings. If Library of Congress does not have early editions of Maloney's pamphlet available, friend of mine in Washington has copy you could see. Maloney lives in New York. Am sending you this information assuming you will prefer to make correction before your critics do. Maloney's pamphlet so valuable that publicity can only do good, but Colonel House's name should be disassociated.

Mr. THOMASON. Who signed it?

Mr. THORKELSON. Seward Collins sent this wire. This wire is evidently in relation to this letter. It has already come up before the Senate committee. It is already on record.

Mr. THOMASON. Who is the man who sent this telegram?

Mr. THORKELSON. Seward Collins.

Mr. THOMASON. Who is he?

Mr. THORKELSON. How do I know?

Mr. THOMASON. All right.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. THORKELSON asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a history of the Italian cheese industry in the United States, this being a brief which was filed before the Federal Trade Commission.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Under a previous special order, the gentleman from Pennsylvania [Mr. RICH] is recognized for 15 minutes.

PUT AMERICA ON A CASH-AND-CARRY BASIS BEFORE WE LOSE OUR SHIRTS

Mr. RICH. Mr. Speaker, the subject of my address this afternoon is Put America on a Cash-and-Carry Basis Before We Lose Our Shirts. There is a phrase going about these days that causes one to stop and think about the affairs of our own country as well as the war in Europe. This phrase is "cash and carry." Right here I want to quote from the speech of the President in Pittsburgh on October 19, 1932. I quote:

The credit of the family depends chiefly on whether that family is living within its income. And that is equally true of the Nation. If the Nation is living within its income, its credit is good.

I cannot finish this quotation because all the Democrats are leaving. If they are all going out and do not want to hear this quotation—well, the majority leader says he will stay, and if he will stay, I will go on. [Laughter.] He is a prince of good fellows. I will have at least one Democrat here to hear me finish this quotation.

If it lives beyond its income for a year or two, it can usually borrow temporarily at reasonable rates. But if, like a spendthrift, it throws discretion to the winds and is willing to make no sacrifice at all in spending; if it extends its taxing to the limit of the people's power to pay and continues to pile up deficits, then it is on the road to bankruptcy.

That was a sound statement of the President of the United States, and he does make some sound statements. He made that one before he was elected in 1932. He has forgotten it, however.

Mr. Speaker, our Government has been off the cash-and-carry basis. For 8 long years we have been on a borrow-and-spend basis, but our borrowing days will soon be over if we do not heed the warning signs that are apparent on every side.

In the first 95 days of the current fiscal year our Treasury Department reports expenditures exceeding receipts by over $1,000,000,000. By October 14—105 days after the year began—we had spent $1,204,043,875.83, according to Mr. Morgenthau's Treasury Department statement, more than we received. By the end of this year I predict we will be over $4,000,000,000 in the red. It is a terrible situation, Mr. Majority Leader, a horrible situation we find ourselves in at this time.

Do you not think we should have "cash and carry" in Government?

United States bonds for the first time in nearly 20 years have recently sold in the market below par. The money changers can no longer carry the load; and unless the Government gets on a cash-and-carry basis, the bottom will drop out of our inflated credit market some day soon and carry with it the whole financial structure of our Government and our Nation.

Mr. Speaker, Benjamin Franklin once said, "It is hard for an empty sack to stand upright." In the last year, to cover up the growing deficits as reflected by the national debt, the Treasury Department has resorted to digging into the cash balances in the general fund. These have been depleted by more than $700,000,000 in the past 12 months.

We should have taxes and cash, not notes and debts—debts created for our grandchildren to pay. It is not honest, it is not fair, it is not just. All the money we have collected from employers and employees alike to provide social security for our people has likewise gone up the spout in the mad scramble to substitute securities for cash wherever it is possible in the financial operations of our Government; and when this social-security cash was spent, the I O U's, issued in the form of securities, were again sold to the people or listed as assets by various governmental agencies as the frenzied financing goes on; but Franklin also warned that "always taking out of the meal box and never putting in soon comes to the bottom." There will surely come a time when these Government I O U's will be unacceptable to the people.

Now, Mr. Speaker, if cash and carry is a good principle to apply to the sale of munitions to foreign belligerents in the present European war, it ought to be a good principle to apply to the operations of our Government now; and, Mr. Majority Leader, if it is wise to have the cash-and-carry principle applied to the sales of munitions to foreign governments, it is good, Mr. Majority Leader, that that apply now in the operation of our Government.

We ought to set our own house in order before we set out to help the world in another venture on the western front. We marched up to the western front in 1918, but it cost our people over $40,000,000,000, and is costing them millions and hundreds of millions of dollars each year now for that terrible catastrophe, and all we got out of this adventure was a war boom that was followed by the greatest depression this country has even known.

We have tried to borrow and spend our way out of that depression for almost 7 years, without even making a dent in it. The tax burden, Federal, State, and local, has increased until enterprise has been stifled, and home ownership has become a luxury only to be enjoyed by the ultra rich, and the selected few who live in houses either built or subsidized with money collected from other home owners and taxpayers.

Coupled with our adventures into the international economic field, through our trade-agreement policy that is reciprocal only in that it breaks down the wage structure for the American farmer and the American workingman as it breaks down tariff barriers abroad, we have gone into all kinds of experiments of a purely aesthetic nature. The social uplift looms largely in the New Deal planning, music, theatricals, and art, are to be substituted in the new scheme of things for the square deal and square meals earned through honest labor in agriculture and industry.

Boondoggling and labor racketeering, such as only a Machiavelli could have conjured up, have become the order of the day. Inefficiency and waste in Government administration is apparent on every side. How long, gentlemen, can this mad game keep up? Gentlemen, how long can we continue this mad orgy of spending? It will not be long, Mr. Majority Leader, before this Nation of ours will surely sink, just as was stated in the quotation I gave a few moments ago from the statement made by the President of the United States.

Now, let me quote again from the President's message to Congress on March 10, 1933:

> And on my part I ask you very simply to assign to me the task of reducing the annual operating expenses of our National Government. We must move with a direct and resolute purpose now. The Members of Congress and I are pledged to immediate economy. When a great danger threatens our basic security it is my duty to advise Congress of the way to preserve it. In so doing I must be fair not only to the few but to the many. It is in this spirit that I appeal to you. If the Congress chooses to vest me with this responsibility it will be exercised in a spirit of justice to all, of sympathy to those who are in need and of maintaining inviolate the basic welfare of the United States.

We gave him the power he asked for.

When the President made that statement I think he was trying to utter at that time the words that were in his heart, but he has gone so far afield from the things that were directly responsible for the welfare of this Nation in his spending orgy that I am confident now that if we continue on with Mr. Roosevelt in the White House for 5 years more this Nation will certainly lose its form of government, and he will be a dictator in Washington just the same as Hitler is a dictator at the present time in Germany. We must not fool ourselves by thinking now that neutrality is going to take the place in the American front page of the newspapers and get us away from the fact that we are wrecking our Nation. When we come to think of the things that we are doing, it is a terrible, a horrible thing for us to realize. Let me read to you a letter that I got from a gentleman from Kane, Pa., one of my constituents. It was written on the 14th. I have not the power to give his name, and therefore I shall have to read the letter, which is exactly my idea of conditions. I shall have to omit his name:

> DEAR MR. RICH: Perhaps it is a part of the New Deal idea to make so much fuss over what's going on abroad that the expenditures of that same New Deal will be soft pedaled, but the folly of such huge spending can't be drowned even in the Atlantic Ocean.
>
> Though I know you are in full accord with my criticism of the increased cost of government since F. D. R. is in the White House, I still must write you my encouragement to fight with all your power against any unnecessary appropriations.
>
> Fully believe that just plain common sense would get more people off relief rolls than all the schemes any government ever concocted. No doubt a part of our ills are due to excessive taxation and restriction of industry.
>
> You've no doubt seen the report compiled by the American Federation of Investors which shows that the taxes paid by 163 representative American corporations amounted to $2.73 on each share of the 602,683,000 shares of common stock, whereas the total amount paid in dividends by these 163 corporations to the 5,806,000 holders of common stock was equivalent to but $1.33 per share of each common stock.
>
> Taxes consumed 61.6 percent of the net earnings (before taxes) of the 163 companies—almost two-thirds of such earnings. Nineteen of these companies reported a deficit before taxes, while the earnings of 15 others were wiped out by taxes, leaving net deficits for the year.
>
> Now, how are we as a nation going to prosper if we throw most of our earnings into airplanes and battleships and clerkships and post offices and dams and yardsticks—which we always lived very well without? Most of those ships will be obsolete before we ever need them, and legitimate industry with competition will give us better yardstick costs than Lillienthal's T. V. A. and a "damsite" less scandal.
>
> Concerning the neutrality legislation, I've no objection to selling the world anything and everything they can pay for, because it's none of our business what they do with it as long as they pay for what they carry away. My great concern is to give no emergency powers to F. D. R. He'll abuse the powers and spend 10 times the amount of money necessary. That guy needs a couple of first national banks for a guardian.

Mr. DARDEN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I could give quotation after quotation by Mr. Roosevelt before and since his campaign. He has made more promises to the American people and fulfilled less than any man who ever sat in the White House. Just let me ask you a few questions about the promises he made. First, before I do that, I yield to the gentleman from Virginia.

Mr. DARDEN. I want to question the gentleman in reference to the observation, in the letter just read, about the naval shipbuilding. There was one observation toward the end in respect to naval shipbuilding. That shipbuilding is carried on in both private and Government yards, and there is a check on cost.

Mr. RICH. And I say to the gentleman that we are building three 45,000-ton battleships in the Government naval shipyards, and there is not a man in the United States who knows what they are going to cost. Even the members of the committee say they are going to cost $95,000,000 each, but when it comes to getting the hearings on them they say they are liable to cost up to $115,000,000. When you have such unethical bookkeeping in the Government yards that you do not know anything about the cost of an article than whether it will cost $95,000,000 or $115,000,000, then I say there is something rotten in Denmark with the method of the Federal Government cost of operation. The gentleman knows and I know that practically everything that the Government does costs half again as much as it would cost if done by private competition. Then, again, you have set the Government up in all of these agencies that you have established—more by President Roosevelt than by any other President in the history of the Nation, or any five Presidents—and yet Mr. Roosevelt said he did not want to set the Government up in business. Why are his promises to our people broken?

Mr. DARDEN. But come back to the 45,000-ton battleships. One of the reasons that nobody can tell just what the cost will be is that they are still being designed. They are the largest ships ever to be constructed either here or abroad. They have not yet been laid down. There has never been a single 45,000-ton battleship built.

Mr. RICH. But the money has been authorized to start them.

Mr. DARDEN. The money has been authorized to start construction.

Mr. RICH. And the gentleman voted for it at the last session of Congress.

Mr. DARDEN. I did.

Mr. RICH. And the gentleman voted for all those ships to be constructed, and whenever the President says "Go ahead and start them," they will do so. If you do not know whether a ship is going to cost $90,000,000 or $115,000,000, then you ought to find out what they are going to cost before you authorize them. That any sensible businessman or legislator would do.

Mr. DARDEN. But you do know that before the money is voted each year to carry on construction; the Navy does know what the cost will be?

Mr. RICH. It says in the hearings that they assume they will cost $95,000,000. There was nobody who gave direct testimony that they would cost $95,000,000. If they cost ninety-five or one hundred or one hundred and five or one hundred and twenty-five million dollars, after they start them they will cost a great deal more. That is the way Congress has done things since I have been in Congress. It is not good business. You know and I know the way Congress has squandered and frittered away the taxpayers' money in this country is a real crime.

Mr. DARDEN. The gentleman knows that one of them is allocated to the State of Pennsylvania, does he not?

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Mr. Speaker, I am sorry my time has expired, because I would like to give you some more about the expenses of this administration. I wanted to cite to you more unfilled administration promises. I will have to do that at some later time, as most of the Democrats have gone; but the majority leader is still here. [Laughter and applause.]

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a copy of a letter I sent to the Speaker of the House on October 4 and the reply of the Speaker to that letter.

The SPEAKER. Is there objection?

There was no objection.

RT. REV. MSGR. MICHAEL J. LAVELLE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House of Representatives, last night, in the city of New York, Right Reverend Monsignor Michael J. Lavelle, one of the most celebrated and venerable characters in the history of the Catholic church, left this world. For sixty years, since his ordination, he served in but one parish, the parish of his beloved St. Patrick's Cathedral.

Monsignor Lavelle was born on May 30, 1856, at 356 Broome Street, down on the East Side of New York City, and he never left his native city. He attended the school of old St. Patrick's Cathedral, at Mulberry and Mott Streets. This school is around the corner from the famous Chinatown section and within the shadow of the Bowery. As a boy, living in that neighborhood, he learned for the first time how difficult life could be, how tragic its sufferings, how uncertain its rewards, how to the innocent came disappointment and to the ambitious, defeat. He saw at first hand the destitution and miseries of the unfortunates who were his neighbors and, as a result of these experiences, Mr. Speaker, he learned to understand the problems of life. His interest and sympathy in the welfare of the underprivileged of our city, regardless of race or creed, may be traced to those boyhood days on the sidewalks of New York.

To the confessional box of the Monsignor, father confessor to all New York, there was worn a path by penitent sinners from every section in the community who poured out their souls to him because from him they were sure of sympathy and through him, forgiveness. Recently, Monsignor Lavelle said that more than half a century as a confessor convinced him that the morals and the character of the people were improving. He had abundant faith in the future of the city because he felt that its citizens were blessed by God.

It is difficult to find words adequate to express the sorrow that is in my heart at the passing of this noble person. It was my privilege to have known him since my childhood and, during the years, I have always regarded him as a most lovable character and a citizen extraordinary who brought but honored glory to his church and to his city.

It was Macaulay who said that if one stopped under a doorway with Edmund Burke to escape a shower he would be impressed with the certainty that he had met a kindly man. That was equally true of Monsignor Lavelle. His vigorous and penetrating mind, always at work, gained for him an immense extent and variety of knowledge. He had the learning of a philosopher, and to that learning he added the manners of a gentleman.

His company was sought by non-Catholics as well as Catholics, for he was witty with a subtle sense of humor and a keen knowledge of proportion. He had an inexhaustible sense of discourse with constant cheerfulness and high spirits. It has been truly said that Monsignor Lavelle did more in his lifetime than any other contemporary churchman to promote understanding and good-will toward the Catholic Church on the part of non-Catholics. His charm of manner, his musical voice, his unexcelled diction, his general knowledge made him a personality at once outstanding, remarkable, and pleasing.

During all of his adult life no great cause affecting his church or his country was discussed upon which he did not spread the luster of his talents and the spell of his eloquence. The venerable monsignor was the possessor of a unique record, in that he served the entire period of his priesthood in one parish. Another unusual distinction was that of having celebrated his diamond jubilee, the sixtieth anniversary of his

ordination to the priesthood. Not more than three or four priests in the whole history of the archdiocese were ever privileged to celebrate a like event.

On June 6, 1939, at a celebration in honor of his diamond jubilee, President Roosevelt wrote him this letter:

MY DEAR MONSIGNOR LAVELLE: Please allow me the pleasure of joining with others of your myriad friends in extending heartfelt congratulations on the happy occasion of the sixtieth anniversary of your priesthood.

What a long life of varied good works yours has been, and how remarkable that your entire ministry of threescore years all has been with the great cathedral church to which you were assigned after you received the holy orders in 1879.

As the devoted pastor of a large and important congregation who has also been active in the cause of education and civic betterment and ever sympathetic to the cry of the poor and friendless, your long life has been rounded out in manifold activities in behalf of God and country and your fellow men.

I am glad to know that you enjoy such a measure of good health, and I hope that your remaining years may be many. Particularly I congratulate you on possessing that rare zest for life and work which has carried you well past the fourscore mark, young in all save years.

Very sincerely yours,

FRANKLIN DELANO ROOSEVELT.

In addition to this splendid tribute from the President of the United States, Monsignor Lavelle received scores of tributes from other prominent citizens. I shall mention only a few: His Excellency Archbishop Francis J. Spellman; Gov. Herbert H. Lehman; former Gov. Alfred E. Smith; and Mayor Fiorello H. LaGuardia. One of the principal speakers at the Jubilee Dinner, given at the Hotel Commodore in New York City, was Postmaster General James A. Farley, and during his address, Mr. Farley said:

Monsignor Lavelle, with that rare vision given to few, must have foreseen what was coming, for his whole life has exemplified that cooperative service which in the last decade has become so prevalent among the influential men and women of America, whether they be churchmen, industrialists, labor leaders, or public servants. He, in the distant past, was a pioneer in a field where now he numbers as coworkers many who were not born until long after his labors began. It has been his good fortune to see the struggle of a few hardy souls become the pattern for the many. He as a young man took part in the prologue of the drama that now, in its last act, is approaching the happy ending. May God spare him, so that in the epilogue he may actively be part of the successful culmination, the attainment of which will have been due to the efforts of such unselfish and tireless workers as has been this man of Christ, Monsignor Lavelle.

A purse containing a large sum of money was presented to him on this occasion. But, characteristically, Monsignor Lavelle, before accepting it, insisted that it be used only for his personal charities. This purse represented offerings from the humble citizens of his old neighborhood as well as from the most affluent citizens of the Nation.

Mr. Speaker, this holy man knew that his end was approaching and recently wrote to Archbishop Spellman asking him to "offer up a fervent prayer to our good God that He may be merciful to me." A humble request from a humble soul. My colleagues, the following incident, which I quote from the statement made last night by Archbishop Spellman, is typical of the character of Monsignor Lavelle:

A few days ago when, at his request, I gave an absolution and a blessing, I told him that it was my intention to have his mortal remains placed in a crypt at St. Patrick's Cathedral. He smiled with joy and with gratitude when I said that I did not feel I was creating too much of a precedent in bestowing this distinction on one who had given 60 years of his priestly service in the mother church of the archdiocese of New York.

In spite of his long priestly service in the great cathedral church of St. Patrick and of the many honors that had been conferred upon him by three of the Supreme Pontiffs, he gave a final demonstration of his humble character by a smile of gratitude at the news that he was to be so singly honored by burial within the walls of the cathedral to which he gave his life in the service of God. Time may dim our memory of him, but while the walls of St. Patrick's stand, his name will be, as the phrase goes, "Ad perpetuam rei memoriam."

He has gone to his reward having fought a good fight. From high and low, from far and near, tributes are coming, and will continue to come, sent by men and women of all religions expressing their sorrow at his passing. The sorrow of the city of New York at the passing of Monsignor Lavelle is deep and finds expression in the editorials of our press.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an editorial from the Somerset Daily American.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 44 minutes p. m.) the House adjourned until tomorrow, Thursday, October 19, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. McDOWELL introduced a resolution (H. Res. 316) authorizing the appointment of a special committee to study various United States statutes, which was referred to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5804. By Mr. DURHAM: Petition of 400 citizens from Greensboro, N. C., concerning neutrality; to the Committee on Foreign Affairs.

5805. By Mr. HALLECK: Petition of sundry citizens of Plymouth, Ind., and vicinity, and members of Local Union No. B-9, International Brotherhood Electrical Workers, urging the strict neutrality of this country and retention of the present arms embargo; to the Committee on Foreign Affairs.

5806. By Mr. JARRETT: Petition of residents of Elk County, Pa., protesting against any revision of the existing Neutrality Act; to the Committee on Foreign Affairs.

5807. Also, petition of sundry residents of Franklin, Pa., and Oil City, Pa., asking retention of present Neutrality Act; to the Committee on Foreign Affairs.

5808. By Mr. SCHIFFLER: Petition of Mrs. John P. Rice, secretary, Fairview Grange, No. 446, Chester, W. Va., urging that we do all we can to keep the United States neutral and to guard against sending our young men to the battlefields of Europe; to the Committee on Foreign Affairs.

5809. By Mr. VREELAND: Resolution by the New York Board of Trade, expressing the hope that out of the debates and conferences in the Congress now assembled there will come an act that, while it may forbid the carriage by ships of American registry of items enumerated in the present Neutrality Act, will otherwise conform to international law and keep our country neutral without setting up artificial and impractical barriers that will cut off this country from trade intercourse with much of the world; to the Committee on Foreign Affairs.

5810. Also, statement of the Maritime Association of the port of New York, regarding the effect of the proposed Neutrality Act on American commerce and shipping; to the Committee on Foreign Affairs.

5811. By the SPEAKER: Petition of the American Legion, Macon, Ga., petitioning consideration of their resolution with reference to the establishment of a token of peace and union as set forth in the plan of the Andersonville Memorial Association; to the Committee on the Library.

SENATE

THURSDAY, OCTOBER 19, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, who hast created us in Thine own image and hast revealed unto us the perfection of Thy nature and Thy purpose in the manhood of Thine

only begotten Son: Bless, we pray Thee, the leaders of the nations of the world, that they may seek justice and find Thy law; that they may seek peace and find Thy plan; that they may seek brotherhood and find Thy fatherly love. Send forth among all men the spirit of good will proclaimed by angels unto shepherds on the plains of Bethlehem when divinity was cradled in humanity, that those who have been offended may forgive, and that those who have offended may repent, so that all Thy children may live together as one family and may worship Thee, Thou source of beauty, Thou giver of law, Thou strength of love, our Father and our God. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, October 18, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Caraway	Herring	O'Mahoney	Wagner
Chandler	Hill	Overton	Wheeler
Chavez	Holman	Pepper	White
Clark, Idaho	Holt	Pittman	Wiley
Clark, Mo.	Hughes	Radcliffe	
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New York [Mr. MEAD], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

PETITION AND MEMORIAL

The VICE PRESIDENT laid before the Senate a telegram in the nature of a petition from Mrs. Edith Rogers, Tallahassee, Fla., praying for repeal of the existing embargo on the export of arms and munitions of war, which was ordered to lie on the table.

He also laid before the Senate a letter in the nature of a memorial from members of the faculty of Vanderbilt University, Nashville, Tenn., remonstrating against participation by the United States in the present European conflict, suggesting certain amendments to pending neutrality legislation, and favoring the proposals to keep American ships and citizens out of danger zones, and also that the Congress remain in session throughout the prevailing crisis, which was ordered to lie on the table.

BILL INTRODUCED

Mr. WHEELER introduced a bill (S. 2989) to extend the time granting preference right of entry to veterans, which was read twice by its title and referred to the Committee on Public Lands and Surveys.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which was ordered to lie on the table, and to be printed.

SELECTION OF CENSUS EMPLOYEES FROM CIVIL-SERVICE LIST

Mr. CAPPER. Mr. President, I desire to call to the attention of the Senate a letter from Robert L. Johnson, president of the National Civil Service Reform League, which was made public a day or two ago.

In that letter it is urged upon President Roosevelt that he follow the precedent of that other illustrious Roosevelt, President Theodore Roosevelt, who in 1910 urged the Director of the Census to seek the cooperation of the Civil Service Commission in the selection of supervisors, assistant supervisors, enumerators, and other Census Bureau field-force employees.

It was only a few weeks ago that President Roosevelt, very properly, urged that political partisanship be laid aside during the present crisis. It seems to me it would be only fair that the laying aside of partisanship should be extended to the appointment of Census Bureau employees. The public interest will be much better served, in my judgment, if Census Bureau employees are selected on the basis of ability as certified by the Civil Service Commission than on the basis of party service as certified by political-party leaders.

I ask unanimous consent that the contents of the letter from Mr. Johnson, president of the National Civil Service Reform League, to President Roosevelt be printed in the RECORD as part of my remarks at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

The National Civil Service Reform League has continuously urged that the appointment of supervisors, assistant supervisors, special agents, enumerators, and other employees of the field force of the decennial census be made in accordance with the civil-service rules.

We understand that the eligible registers of the Civil Service Commission contain the names of several hundred thousand persons who might be available for service as enumerators in various localities throughout the country, and might also be readily employed in providing properly equipped candidates for appointment to the supervisory and other posts. All of these positions are of a class whose qualifications, experience has shown, can be readily determined through the Commission's examinations.

It would, of course, be most unfortunate if the great work of taking the 1940 census were to be handicapped through the appointment of any considerable number of employees deficient either in mental equipment or personal reliability. Yet such has been the almost invariable result of relying upon political sources of recommendation for appointment to public work of the sort in question. Peculiarly has this been so in the taking of some of the preceding Federal and State censuses.

We submit that the pressure ordinarily to be expected from Members of Congress and local political leaders alone, bent upon securing the appointment of their followers or dependents to the hundred thousand or more positions to be filled, must be greater than any public official can stand. It would seem to us that aside from the other weighty considerations involved the Director of the Census, charged with a public work of transcendent importance, should not, in fairness, be subjected to such a handicap.

For these reasons we very earnestly suggest that following the precedent established by President Theodore Roosevelt in 1910, you urge upon the Director of the Census that he seek the cooperation of the Civil Service Commission to the furthest degree possible as the selection of the supervisors, assistant supervisors, enumerators, and other employees of the field force proceeds.

ADDRESS BY ADMIRAL LAND ON THE AMERICAN MERCHANT MARINE

[Mr. BAILEY asked and obtained leave to have printed in the RECORD an address on the American Merchant Marine, delivered by Rear Admiral Emory S. Land, retired, Chairman of the United States Maritime Commission, at the American Merchant Marine Conference, Hotel Waldorf Astoria, New York, on October 10, 1939; which appears in the Appendix.]

CELEBRATION IN HONOR OF SENATOR WHEELER AT HUDSON, MASS.

[Mr. HILL asked and obtained leave to have printed in the RECORD an article by Mr. D. B. Robertson, president of the Brotherhood of Locomotive Firemen and Enginemen, entitled "Wheeling with Wheeler on Wheeler Day," published in the Locomotive Firemen and Enginemen's Magazine of the issue of October 1939, which appears in the Appendix.]

CANADA AND THE UNITED STATES—ARTICLE BY WALTER LIPPMANN

[Mr. BYRNES asked and obtained leave to have printed in the RECORD an article entitled "Canada and the United States," from the column Today and Tomorrow, written by Walter Lippmann, which appears in the Appendix.]

TRADE WITH LATIN AMERICA

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial from the Washington Post of October 13, 1939, entitled "Too Great Expectations," which appears in the Appendix.]

THE PRESIDENT'S MESSAGE TO THE STOCKHOLM CONFERENCE

Mr. McCARRAN obtained the floor.

Mr. VANDENBERG. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Michigan?

Mr. McCARRAN. I yield.

Mr. VANDENBERG. Mr. President, in complete cooperation with 20 other American republics, the United States has officially notified the conference of four Nordic states at Stockholm of our deeply sympathetic interest in the undefiled independence and neutrality of Sweden, Norway, Denmark, and particularly Finland. As a neutral ourselves, I think we have a perfect right thus to assert our emphatic good wishes to other neutrals when they gather to defend their status. I applaud the message which President Roosevelt yesterday sent to the Stockholm Conference through the King of Sweden. I am sure it bespeaks the overwhelming sentiment of Congress and the country and this entire western world. I ask that it be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

The conference of the Nordic States convened by Your Majesty in Stockholm will be followed with deep interest by the Government and people of the United States.

Under the circumstances which exist, this Government joins with the governments of the other American republics in expressing its support of the principles of neutrality and order under law, for which the nations represented at the Stockholm Conference have, throughout their history, taken a consistent stand.

SUBMARINES IN THE CARIBBEAN

Mr. VANDENBERG. Mr. President, if I may, I should like to make one further request. For the reassurance of the American people, I should like to quote from the Philadelphia Record of yesterday, as follows:

Yesterday Lt. Comdr. S. B. Cooke, commanding the United States Patrol Squadron 51, said that "a continuous search of the whole eastern Caribbean area had failed to reveal the presence of a single submarine of a foreign power."

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. McCARRAN. Mr. President, in addressing the Senate today, I do so from the standpoint of one who has listened with rapt attention to every speech on this subject that has been made on the floor of the Senate. When I say "rapt attention," I mean that I have been engrossed in the arguments presented on the issues pending here today. A nation lives, civilization lives, humanity will live, and religion will persist upon an orderly arrangement of human affairs.

When I say "an orderly arrangement of human affairs," I might with propriety look to the Author of all religion, the Author of all civilization, the Author of everything that is worth while in the world; and so, if I deal today rather briefly with some views that are based upon training in the law, with some views that are based upon experience with the law, and with some views that are based on interpretation of the law, I trust I shall not be considered overly academic.

Mr. President, there has been presented to the people of this country, by the call of the Chief Executive, a problem, a question that involves not only this Nation, with its one hundred and thirty or more million people, but the entire course of civilization for centuries to come. A nation lives by its integrity. The integrity of this Nation is being judged today in the court of human conscience throughout the length and breadth of the civilized world. The integrity of this Nation is based upon its own concept of its own law, enacted by itself at a time when there were no trials, when there were no dissuading influences, when there was nothing to divert us from the course of justice.

Let us review from a legalistic standpoint, if you please, the history of the problem which is before us today. Some may say that it grew out of the legislation of 1935. I would go back just a little further; I would go back to 1934, to the first meeting of the Senate Special Committee Investigating the Munitions Industry. From this investigation were brought forth the essential things that stand behind the all-important problem now before us.

If I were to pay a compliment here I would pay it without regard to party lines, because, in this matter, there are no party delineations. The Chief Executive has called for that. The world is calling for it. Humanity is craving for it. I speak of my beloved colleague, the son of one of the greatest men America ever produced, the senior Senator from Missouri [Mr. CLARK], and my equally beloved colleague on the other side of the aisle, the junior Senator from North Dakota [Mr. NYE], and their associates on this special committee. One is the descendant of a great Democratic line, the other the descendant of a great Republican line. So there is no politics in this question from the very roots up, but do not lose sight of the fact that the investigation of munitions was the very nucleus out of which this whole question grew.

Out of that investigation, which has given to America a chapter of history which no historian can afford to overlook—a chapter written into print by order of this body—there grew the act of 1935. What was the Neutrality Act of 1935? The Neutrality Act of 1935 was one in which, for the first time in the history of this country, we saw fit as a nation to say that while we had been preaching peace to the world, we would practice peace to the world by writing into our statutory enactments lines that would let the world know we meant our preachment.

We wrote the first embargo of arms, munitions, and implements of war. We wrote the first embargo, as I have said, following a long investigation, which had resulted in widespread consideration and observation. The people of this country had an opportunity to know what the munitions investigation was; and out of the thought of the people, out of the thought of the body of this country, there came the Embargo Act of 1935.

Mr. President, that we may understand what is meant by the embargo and what is meant by cash and carry, I hope, during the course of my discussion, to make plain the differentiation, because the idea has been broadcast in this country, it has been put out by a propaganda so insidious and so far-flung that the average man on the street now believes it, that we cannot have an embargo on munitions of war and cash and carry on other than munitions of war in the same measure, in the same bill, in the same act, in the same law. How fallacious, how unworthy, is that propaganda!

Oh, press of America, where do you stand on this all-important question? Press of America, that molds and guides the destiny of mankind within the confines of a great democracy, arise to the situation now, because it is within your power to set aside and clarify an error that your writers, and those who speak over the air, have poured into the ears and into the minds of the people of this country. Tell them the truth of the matter. Explain to them that we can have an embargo on death-dealing instrumentalities of war and cash and carry in the same measure.

"Cash and carry" is a chain-store phrase. Cash and carry came out of the mind of someone who sought to sell his view quickly to a public who read only the headlines. So cash and carry came from the idea "Pick and pay and pack"; "Come and get it, but pay on the counter before you leave with the package."

Mr. President, it is not an inapt expression; it has much in it that is very worth while. Personally I support the general idea, if it be an idea cogently and emphatically expressed in law, that cash and carry is worth while as it affects other than those things which destroy, per se, human life.

Let us again return to 1935. The first Embargo Act of this country was written in 1935. That was the first time this great Nation departed from the law of nations; that was the first time this country departed from international law, because, generally speaking, under international law any nation could carry anything to a nation at war if it could get by.

We sought, for a certain purpose, to pull our country out of the category of furnishing destructive instrumentalities to countries at war by saying that we would not supply them at all. That law was enacted in August 1935. We were confronted with a then-approaching war, a foreign war. I say it was then approaching, because, while we enacted the law in August 1935, the Italian-Abyssinian War broke out in October of that year. It was then in the offing. We sought to be neutral in fact as well as in declaration of principle.

We sought more than that; we sought to make certain that nothing should so involve us as a nation as that we would be drawn into a war where one country was on the Mediterranean and the other was in East Africa. We sought to deal fairly, but we sought something more, to announce to the world on the first occasion when we had the opportunity to announce it our contribution to the peace of the world, our contribution to that which we had prayed for, preached for, and for which we had sent forth our emissaries.

Mr. President, it was not once that we enacted that law. We went through the period of the Abyssinian War with that enactment on the books. Then, in 1936, the whole question rose again before the American people. Mind you, the American people are, after all, the great rank and file, the great strata of humanity for whom we, as representatives, speak.

Be that as it may, returning to what we did and to what we are going to do; who called for the act of 1935, who enacted it, who approved it? What was it? The act of 1935 was an absolute embargo on arms, munitions, and implements of war. The act of 1935, for the first time in the history of this country, and I think for the first time in the history of nations, was a notice to the world that the greatest producing people on the face of the earth would not lend their efforts to producing the things which would destroy human life in time of war; that those who saw fit to go into war must furnish the implements of war; that we would not contribute to the cause of death.

Congress passed that law. I think the vote on the floor of the Senate was something like 63 to 6. The President of the United States signed the measure; it became a law by his signature. A man who had gone through one war as Assistant Secretary of the Navy, a man who knew as much about war as anyone in this country or on the earth, a man who knew his country, because he had been Governor of a great State, and President of the United States for some 2 or 3 years, a man who was recognized as the great representative of the lowly rank and file of the people, signed that measure.

He says he is sorry he signed it. Well, the people of this country are not sorry he signed it, the world is not sorry that he signed it, civilization is not sorry that he signed it, because from that signature there will grow history which will perpetuate the expression of the angelic host heralding the birth of the Nazarene when they proclaimed "On earth peace, good will toward men."

It was the first time in all the history of the world when a powerful nation, possessed of everything that would make for war, said, "We will contribute nothing to war, even though we might profit thereby."

In 1935, if I may remind my fellows of the Senate, we were passing through one of the most crucial periods in the history of this country from the standpoint of unemployment, privation, starvation, everything that goes to add to the hardships of humanity. Let it be said to the everlasting credit of the President of the United States, let it go down written in gold under the name of Franklin Delano Roosevelt, that he signed that embargo measure, and that with all his experience, with all his training, with all his worthwhileness, with everything of humanity there is in his whole makeup, he then saw the light, a light that guided him when there were no distracting influences, a light that guided him when there was nothing to swerve him from his course.

Mr. President, he did not regret his act. If for only a moment I could have been adviser to him, I would have stricken from his message the one line wherein he said, "I regret that I signed the measure." He did not regret his act in 1936. I shall read from the speech he made at Chautauqua, in August of that year, when he spoke to the American public. This speech has been read before in Congress, but like the great speech of the first President of the United States, it may be read again and again. It is worth while for the American public to consider it. I quote from the speech of the President of the United States—the man who signed the law of 1935:

> The Congress of the United States has given me certain authority to provide safeguards of American neutrality in case of war.
>
> The President of the United States, who, under our Constitution, is vested with primary authority to conduct our international relations, thus has been given new weapons with which to maintain our neutrality.

Are we going to disarm the man who, before his Chautauqua audience, envisioned new weapons with which to maintain our neutrality? Are we going to say here by a vote of Congress, "Those weapons which you so loved and admired, whose potency you extolled before the Chautauqua audience, the Congress of the United States is to take from you"? Let that never be said, because it was the man who I hope will go down into historic immortality, the man who today stands at the helm of this Government to guide it through a war-torn world—it was Franklin Delano Roosevelt who gave utterance to the hope that those weapons would not be taken from him. He was pleading then that those weapons given to him by the Congress should not be taken from him, because by using them he could guide his Nation, which he so much loves, through the dangerous waters he viewed ahead.

Let me proceed with the words of the President of the United States:

> Nevertheless—and I speak from long experience—

Oh, how I have sought to dwell upon that expression. The Assistant Secretary of the Navy during the Wilson administration, The Assistant Secretary of the Navy at the time the world was moving toward a cataclysm of war the like of which it never had known before, well might utter those words, "From long experience" I speak to my people. I continue to read:

> Nevertheless—and I speak from long experience—the effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State.

We seek to have him retain in his possession today that which the people gave him in 1935, something by which he, together with his Secretary of State, may maintain at peace a Nation which is not involved in war, a land not torn by war confusion, a country whose Chief Executive may say to the world: "I will be the accepted arbiter of the world's disputes."

Would not that be a glorious action to be taken by a glorious man who had signed the first Neutrality Act, the first step toward world peace? Would not that be a crowning glory which would rest upon his brow, if, when his second administration had closed, he could, with the laurels of the world upon him, retire to a peaceful home, secure in the knowledge that his was the guiding hand toward a great world peace? Would it not be a thousand times better that the President, for whom we have every respect, the man who wanted this weapon of declared neutrality so that he might hold his country at peace with the world—would it not be better that he should retire in glory, a glory resulting from his having been the very harbinger, as well as apostle, of a peace that would be lasting and might perchance solve that problem which for over a thousand years had failed of solution, namely, the disputes and conflicts of Europe that 360 wars in 700 years could not settle?

Mr. President, I now turn to a thought that has welled up in my heart from the time I attained my maturity. I turn to that thought in the light of the expressions made by the President of the United States at Chautauqua in 1936, when he said:

> It is clear that our present policy and the measures passed by the Congress would, in the event of a war on some other continent, reduce war profits, which would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men. For the Nation as a whole it produces disaster.

I am referring to labor—the red blood of our country. If there be an element in all the country that represents the strength of our Nation, it is the workers. While I have no commission to speak for labor, I speak for them out of a life of experience devoted to their cause. If during my short stay in the Senate of the United States I have spoken for anything, for any element, for any cross section of human life in this country, I have spoken for the workers. For 7 years I have willingly borne the brunt of their battles on the floor of the Senate. Today I take to myself, without any sanction or authority, the right to speak for the lowly and the humble, and when I do I will use their own words, which I shall read in just a moment.

Does labor want to repeal the arms embargo? Do the rank and file, the toilers, of this country want the repeal of the arms embargo? I will tell you—and I will take their word in writing for it—that they want nothing done that will for a moment even tend to lead this country into war.

The repeal of the arms embargo is the first step toward war. Of that I have no doubt, because the embargo so far maintained has not involved us in the European conflict. We have gone through two complete wars, and are now going through the third war. In none of the completed wars have we become involved. We went through the Italian-Abyssinian War with this law on our statute books.

We went through the civil war in Spain, which, while it was called a civil war, was in reality a little world war. In neither of those two conflicts did we become involved at all, because we had set our foot down as a nation; we had declared to the world that we would not contribute to the destruction of human life in foreign conflicts. We, as the great progressive Nation of the world, have written a new line in the history of progress.

Mr. CHAVEZ. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. REED in the chair). Does the Senator from Nevada yield to the Senator from New Mexico?

Mr. McCARRAN. I yield.

Mr. CHAVEZ. With reference to the situation in Spain, the embargo law was already in existence; and in order to take care of civil strife, in which Spain was fighting not a foreign enemy but her own people, recommendations were made to the Committee on Foreign Relations, of which I happened to be a member at that time, and we amended the embargo law in order to take care of a ship in New York which was about to take arms and ammunition to one of the contending sides.

Mr. McCARRAN. I am very grateful to the able Senator from New Mexico for his contribution to my thought. I am very grateful because it fits in exactly with the history which I sought to outline.

The President signed the 1935 act. It went before the American public and received the great American sanction.

Mr. President, what is an American sanction? What is the sanction of 130,000,000 human beings occupying a vantage point on the face of the globe? What is the sanction of 130,000,000 human beings who have gone through the vicissitudes of war to gain their own position, and then looked on? Yea, more than looked on. They lent the flower of their manhood, the flower of their national existence, to carry out, as they thought at the time, the possibility of perpetuating democracy on the face of the earth.

We did not go into the World War for gain. We did not go into it for territory. We did not go into it for monetary aggrandizement. We did not go into it to get anything out of it, save and except to give to the world that for which we had striven through almost a century and a half, that which we loved, that which was ours, that which we thought was worth while as a rule of human conduct to guide men to a destiny in which they might so develop themselves in this transitory existence as to be worth while in the cycles yet to come.

I read on from the expressions of the President of the United States in his Chautauqua speech:

It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.

Nevertheless, if war should break out again in another continent—

As it has broken out today—

let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

Let me pause in order that we may think why we are here. Why is Congress called in extraordinary session? Are there somewhere, somehow, those who, seeking the fool's gold which the President mentions, want to break down or take from our great peace President the arms with which he said Congress had furnished him? Are there those in the world today—perhaps in our own land, perhaps abroad—who seek to say:

"Mr. President, we admired your Chautauqua speech. It was right. You were armed by Congress with the things that would hold your Nation out of the involvements of war. But fool's gold is leading us on. That which you call fool's gold is inspiring us to say to you, 'Take away your arms. Walk out into the avenues and the alleys of life, where you will be bludgeoned by those who are now conducting a war for supremacy abroad, a war for the control of the balance of power in Europe.'"

The balance of power in the Western Hemisphere is all that the Western Hemisphere is concerned with. The balance of power in Western Hemisphere is a balance of power that has, as its balancing agency, peace.

Mr. President, I speak of peace so often that someone might accuse me of being a pacifist. However, my first name would indicate that I am not a pacifist. I am reminded of a little incident. Some very good women were discussing over the teacups their respective family trees. There was a good old Irish woman sitting there who said nothing during the discussion. Finally one of the ladies turned to her and said, "Well, Mrs. Finnigan, what did the Finnigans spring from?" She said, "I would have you know that the Finnigans never sprang from anybody. They always spring at them." [Laughter.]

Mr. President, no one will ever accuse me of being a pacifist. When the time comes that my Nation demands the greatest army we can produce to defend its rights as a nation; when the time comes that my Nation demands the greatest Navy afloat on the waters of the world, I shall be the first one to vote for that defense. When the time comes that this Nation must carry its principle forward against a foreign foe, no one will ever accuse me of being a pacifist.

But, Mr. President, there is always lingering in the hearts of humanity the hope that the day and the hour will come when war will be a thing relegated to the past, when men will see the light of reason, and, seeing the light of reason, will see to it that there is no mass murder in the world.

Mr. President, let me continue to read the expression of my President, your President, the Chief Executive, who now asks for a repeal of the arms embargo:

They would tell you—

Those who seek the fool's gold—

and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other articles to belligerent nations the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations, that credit would be used in the United States to build homes and factories and pay our debts.

They would tell you that America once more would capture the trade of the world.

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

If we face the choice—

Says the President of the United States, the present President of the United States, who signed the 1935 Embargo Act—

If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace!" It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and, for all practical purposes, unanimous.

Mr. President, that is what we are working for. We are working to make the language of the President of the United States a talisman for the welfare of this country in the ages yet to come. It may be that we are only a minority, but let that minority go down in history, although it may mean the sealing of our political doom, as having spoken and emphasized the expression of the President of the United States, whom we love and respect. Let it be said that we never deserted him even at his own request. Let it be said that we reminded him of the thought he expressed in the solemn moment when he was placing before the American people the tender of his candidacy for reelection to the Presidency of the United States in 1936.

Mr. President, some time ago I made mention of the fact that if there was anything by way of inspiration in my life it was the inspiration to do something for those who toil. So I convey this thought in every expression I utter: The toilers of America want to keep out of war. The workers of America do not want again to be brought into the cataclysm of war. Why? Who lends most to the fire of war? Who gives most to the fearful carnage of war? Whose sons go first into the front-line trenches? The sons of the workers, the sons of the lowly and the humble who have no power or influence to hold them back.

They are the first to feel the crash of the shrapnel; they are the first to endure the effects of the hellish gas; and they are the last to come out of the maelstrom. They are the first as well as the last to die, and many of them die by inches. Oh, let us go down to Fort Whipple, in Arizona; let us go to any one of the many hospitals in this country and view the victims of the last war, who have not even had the privilege of dying, but who have lingered in suffering and bodily torment for the last 20 years. Now, day by day, their names are written off the list. They were the sons of the rank and file of this country. So labor does not want to contribute any more to the hellish fires of war; it does not want to send from its hearths those who are near and dear to it.

I advert to the expression of my able colleague from Connecticut when I say it is the sons of every one of us who will go to war, of those who oppose and of those who favor the repeal of the embargo, because pride will prevent any of them from joining the number of those who would ask a favor of their country. So they will go into the front-line ranks together with the workers' boys, together with the sons of American homes who are contributing to the maintenance of those homes.

So, I repeat, labor does not want to go even into the atmosphere of war.

May I now read—I hope with propriety—an excerpt from a great speech by a great man, one of the able leaders of the great rank and file of this country. I quote the words of William Green, president of the American Federation of Labor, before the Senate Foreign Relations Committee in April 1939 when he said:

> The American Federation of Labor has endorsed the principles upon which the Neutrality Act was based—

That was the Neutrality Act that carried with it and now carries with it the embargo on munitions of war—

> that a neutral nation has obligations as well as rights and that the munitions industry is a matter of public concern. We do not believe that this is the time to make changes in this law, for any change in this legislation might be interpreted as a change in our foreign policy.
>
> We believe that the present neutrality law has served the interests of peace between nations and that it should be continued as it was enacted in 1937.

Then I again turn to the expression of Mr. Green, wherein, in May 1939, he said:

> In the present difficult international situation, strong pressure has been behind a proposal to increase the President's authority and responsibility under the Neutrality Act. The purpose is to make possible quick and efficient action in crises. To follow this course is to adopt the procedure of foreign countries and to abandon the safeguards of our traditional democracy without assuring peace in the world.
>
> There must be no European entanglements and no involvement in European wars. We call upon our Government scrupulously to avoid the commission of any overt act, to maintain a strict neutral attitude, and thus avoid the tragic and unhappy experiences through which our people passed during the great World War. Men and women who this day are observing labor's holiday throughout the length and breadth of our land crave peace; they pray for peace; they strive for it, and are determined to maintain it here.

Well might the president of the American Federation of Labor have used those expressions, because practical experience led him to do so.

The President of the United States, in his message of September 21, made reference to that which might come out of giving employment in the way of an industry that would produce munitions of war. We went through that experience from 1914 until 1918, through the exigencies of the unfortunate war into which we were drawn by agencies which are now revealed, as we look back, as most pernicious agencies. Through that period we passed. Did labor profit by it? Let us see.

The increase to the wage of labor during that period—and I refer now to the period when we sold munitions of war to the warring nations abroad, not to the period during which we were in the war—approximately 24 percent over the normal, while the increase in the cost of living during that period—and I now again refer to the period before we entered the war—was approximately 42 percent. So labor gained nothing by that unwarranted increase as payment for its toil. While the labor of America was working in the fields and in the factories, working here to produce things that would destroy life abroad, and men were getting increased wages thereby, every laborer in America knew that he was creating engines of destruction for boys abroad that he would hate to have created by the labor of some other country to destroy his own boys.

Labor is not dense to justice. The man who labors is not oblivious to the idea that the same wife to whom he returns for the evening meal, to sit at his table and see his boys there, the same home that he supports by his toil, may be exemplified in a home somewhere over there. Yea, a thousand times those in the homes abroad sit down to a more meager meal than his; but the heartbeats of humanity are just as great abroad as they are here. The call for honorable national justice is just as sacred there as it is here.

Mr. President, who calls for the repeal of this act? Let it not be for a moment thought by the American public that this was one act, passed at one session of the Congress, that had no more consideration than that which would be given at one session of the Congress.

In 1936 we again passed an act embargoing, if you please, arms, ammunition, and implements of war. Nowhere in 1935 did we embargo the essentials of life; but in 1935 and again in 1936 we embargoed arms, ammunition, and implements of war. Again the American people, again the Congress of the United States, again the President of the United States, were called upon to consider that all-important matter; namely, embargoing, keeping within our own confines, keeping away from warring nations, either then at war or threatened with war, the things that would destroy life, the things that per se were the instruments of hate, because every shell that comes through the air, every bomb that drops from the sky, every torpedo that passes through the water, carries with it a message of hate and implants hatred, regardless of the brand it may bear as to its creation.

We were seeking then in 1935 and again in 1936, not to implant in any nation a spirit of hate, because we were at peace with the world, but again to implant the spirit of peace; again by precept and example to say to the world that we had been, and then were, intent upon being a peaceful people and a peaceful nation. We said to other nations, "We will lead the way, because at the mouth of our greatest harbor there stands the form of a woman holding in her hand a torch that spells 'Liberty'; and liberty is the handmaid of peace in any land, in any country, anywhere. Only peace can produce individual human liberty."

So in 1936 this body and the body on the other side of this building again brought to the attention of America the fact that as a nation we proposed to refuse to sell armaments of

war, munitions and implements of war, to any foreign belligerent, but that we would sell to them the things that would feed and clothe them. We would let them have, without embargo, corn, wheat, and cotton. We would supply them with that which spelled something for their industry, that they might be turned from the awful avenue of war, and see that industry, after all, was worth while; that they might take the pieces of platinum, and the tubes of brass, and the bales of cotton, and turn them into industrial avenues so that the glory of industry and the glory of God might be builded on a finer thing than the destruction of human life.

That was our second great contribution to the peace of the world. We were not at all blushing over the fact that we had declared to the world something that international law did not recognize, something that belonged to us. We were not saying to the nations of the world in 1935, "You must follow our example; we will declare war on you if you do not." We were only saying to the masses of the world and to our own people, "This is the way of peace. This is the way of national progress. This is the way to build a nation so that the historians of ages yet to come may write our name as the first harbinger of peace that would last, because we refused to send the implements of war to destroy the sons of the mothers of any country."

Mr. President, that was our second great venture along the road to unrivaled position for the peace of the world. Did we pause there? Not at all. In 1937 we again dealt with the subject. You Senators who do me the honor to listen today participated with your votes, with your speeches, with your thoughts, with your energy, with everything there was. In 1937 we again enacted, we again carried into our law—what? Repeal of the arms embargo? Not at all; a continuation of the arms embargo, again notifying the civilized world that America was intent upon carrying out that of which America was the initial founder; namely, the exemplification of peace by refusing to sell to belligerent nations that which would destroy life and continue the war in belligerent countries.

We did more than that. In 1937 we enacted the first statute which could be tabbed as "cash and carry." But we provided that it should expire May 1, 1939. Again, on May 1, 1939, or thereabouts, we took up the consideration of this all-important question of embargo.

Mr. President, this was the American people speaking through their Congress, not alone to the American public but to the world. This was the fourth time between 1935 and the present year that we, as the American Congress, representatives of a great people, saw fit to say to the world whether or not we meant what we had enacted in 1935. The House of Representatives, through its Committee on Foreign Affairs, brought in a joint resolution which eliminated the embargo on munitions of war and there was written into that measure on the floor of the House the embargo provision.

The House of Representatives, that great body which speaks for the people, of the people, and by the people, wrote into the measure, by a vote on the floor of the House, the embargo provision. That was known as the Bloom bill. It was the fourth time we had dealt with the subject; it was the fourth time we had announced to the world our policy; it was the fourth time that the world looked on and said, "America means what it says."

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. LUNDEEN. We now hear that the subject of the pending measure, which the Senator is so ably discussing, has been considered four times, and it has been discovered now that it does not help England; and Senators have stated on the floor of the Senate that we have to help Great Britain and this measure does not do that; that therefore we should repeal the arms embargo. It seems to me that that sort of a statement on the part of high officials lacks a certain note of Americanism which ought to be present.

Mr. McCARRAN. I am grateful to the Senator from Minnesota for his thought. I think it is cogent; I think it is loaded with much very effective argument; that it is a very effective expression. I hope to touch on it later.

Mr. President, I do not speak for labor, but only of labor; not that I have any authority or commission but only that there has run down the years of my existence and become interwoven in the heartstrings of my life a ribbon of sympathy with the toilers of America which I hope will never be removed. I hope there will never be taken from me the only crown I ever hope to wear, namely, the consciousness that in every act and thought and deed of mine I have sought to elevate the condition of the toiler in the United States, and more, the condition of the toiler in all the world.

So I again turn to labor as it speaks for itself in a national conclave. I wish to read what was said by labor, sitting in the city of Cincinnati only a few days since. Before that conclave was everything that had been said in this debate up to that hour. Labor, the toilers of the United States, seeking to keep us out of war, seeking to keep peace in this country, mindful of the fact that they had passed through a war, mindful of the fact that during the time between our participation in that war and now their sons had grown from babyhood, if you please, to an age where they would be called upon to go into war if war comes today, said:

> The experience of recent years has emphasized the wisdom of the advice given to our country by our first and great President, George Washington, in his Farewell Address. Already policies are being advocated which, on the surface, seem to be neutral and fully justified, but which, if approved, would lead our Nation to take those first steps which, when taken, would of necessity lead to others which, in turn, would so commit our national policy as to irresistibly and irretrievably force us into war.
>
> Should we enter the European conflict, or should our country by any action indicate its official support of some of the warring countries, we could not help but become allied with them—an alliance which we would not then be free to sever during the period of the war or afterward.

This shows the vision of those men who represent the rank and file of labor. They know that if we tear down the neutral bars which now keep us from the conflict of war we have taken the first step toward war, and the first step is only a leader for the second step, and the second step means—and I say it without any idea that I am merely being oratorical, because that is the last thought in my whole being—the second step means a declaration of war. May God forbid.

Mr. LUNDEEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Nevada yield for that purpose?

Mr. McCARRAN. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Caraway	Herring	O'Mahoney	Wagner
Chandler	Hill	Overton	Wheeler
Chavez	Holman	Pepper	White
Clark, Idaho	Holt	Pittman	Wiley
Clark, Mo.	Hughes	Radcliffe	
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. McCARRAN. Mr. President, who fostered, who prompted, and who advocated the present embargo law? Was it labor, was it the rank and file of the people of this country, was it anyone save and except those who finally enacted the law? Who fostered the present act prohibiting the sale of munitions of war? Who promoted the act of 1935? Who extolled that act after it was promoted?

Mr. President, there is no one for whom I have more respect than my colleague [Mr. PITTMAN], the chairman of the Committee on Foreign Relations. His 26 years in the Senate of the United States, his wide experience as a member of the Committee on Foreign Relations, his splendid ability, prompt me to listen to him when he speaks on the subject of international law and the relationship of this country with the sisterhood of nations of the world. And so when I read his language, when I revert to his expressions, I do so with the most profound respect and admiration.

Following the enactment of the embargo on munitions of war by the Congress in 1936 my honored colleague [Mr. PITTMAN], the chairman of the Foreign Relations Committee of the Senate, in an article which appeared in the magazine Today of February 1, 1936, said:

I have had the opportunity to read some severe criticisms of the propcsed act. In none of these criticisms have I discovered any opposition to the embargo upon arms, ammunition, and implements of war. In fact, most of these critics approve such embargo.

* * * * * * *

It is charged that the bill aids the strong and penalizes the weak. Any exports to belligerent countries during a war must have this effect. The belligerent, or belligerents, having control of the seas will prevent any exports reaching the belligerents weaker upon the sea. How do we injure the weaker, therefore, by permitting fewer exports to all of the belligerents? We sympathize with the weak, but it is better for us that they suffer than that our citizens be dragged into war unnecessarily. We are seeking primarily to keep our citizens out of war, and in this effort we cannot be deterred by the effect of our domestic action upon any belligerent. The act provides that we must treat all belligerents alike. Nothing could be more neutral.

If I had any inspiration in the world, it would be the inspiration of the experience of my worthy colleague, who for 26 years has represented my State in the Senate of the United States; who for 23 years has been a member of the Foreign Relations Committee; who for 23 years has been in the very forefront of legislation dealing with the relationship of this country with foreign countries. In his next declaration after the enactment of the 1935 act he said with cogency that no one dared challenge our neutrality position by reason of the embargo, because, he said, "We are seeking primarily to keep our citizens out of war."

The act of 1935 was not an act which amended international law. The act of 1935 was not something which affected the relationship of nations on the high seas. The act of 1935 was an ordinance passed by the legislative body of this country to guide the conduct of our own citizens with regard to war in foreign countries. As stated by the senior Senator from Nevada [Mr. PITTMAN], it was to keep our citizens out of war. If it was to keep our citizens out of war in 1936, what about our citizens being dragged into war in 1939? Are conditions in 1939 any different from those of 1936?

Let me analyze the situation from a world standpoint. In 1936 Italy was at war with a country in eastern Africa, so we enacted a law which affected both Italy and Abyssinia. Italy could pay cash and could carry, because Italy had the money and the ships with which to carry. Abyssinia could neither carry nor pay; and yet we enacted the law to stay out of a conflict far from our borders. There were no great cries in that war, because we were not involved. There was nothing save and except the one outstanding proposition that should be paramount as an issue today, namely, keeping this Nation out of war.

So my honorable colleague, with all his experience, with all his training, with all his worthwhileness, with all the splendid attributes which have caused my State to send him to the Senate term after term, was the first to say that our Neutrality Act, whereby we embargoed and refused to sell armaments of war to warring nations abroad, was one of the finest things we had ever enacted.

Let me read another expression from my colleague, showing that he was not at all blushing over his first expression. He stated on the floor of the Senate on January 6, 1937:

What I should like to do, so far as arms and ammunition and munitions of war are concerned—

He was dealing with the very thing that is the heart of the pending measure—

would be to starve them both out so they would not have an airplane to drop a bomb on women, children, and the nonbelligerent population, so they would not have a shell to put into a rifle to shoot at long distance and kill innocent people, so they would not have a bomb to blow up buildings with noncombatants in them. I would starve them both out, as far as weapons are concerned, and that is my object so far as we can possibly accomplish it.

That was the chairman of the Foreign Relations Committee of the Senate of the United States, speaking on the floor of the Senate, striving for that which he, as chairman of that committee, had accomplished by the great act of embargoing anything that would destroy life.

But he was not alone. He was not the only one who sanctioned the law which it is now sought to set aside. Mr. Cordell Hull, the present Secretary of State of the United States, a man for whose opinion the world listens, speaking before the Foreign Relations Committee of the Senate of the United States and giving to them his unbiased opinion to guide the legislation which was then pending before that committee, said on January 10, 1936:

We cannot step out and say, "Americans have a right to go into the harbors at Naples or Genoa and trade indiscriminately."

We have no right to say that we may contribute to those things that tend to the destruction of humanity abroad.

Mr. President, those were two great authors. One was the chairman of the Committee on Foreign Relations and the other was the Secretary of State.

But that was not all. There is in this body, sitting by my side from day to day, a man whose very name is a talisman in the intermountain country of America. He is the very epitome of educated citizenry in this country. For years he has taught in one of the great universities of the intermountain country. If you were to name him in that country as "Senator THOMAS" you would be asked, "Do you mean Professor THOMAS?" He is loved, respected, and revered. He is recognized as one of the outstanding authorities in all the world on international law and international affairs. So I call upon him now to bear witness.

In an address in Washington, D. C., on March 25, 1939—mark the date—dealing with a phase of this question that is all important, he said:

The cash-and-carry suggestion is unmoral. It rewards the belligerent with the largest purse, as often as not the aggressor nation.

It serves notice to the world that this Nation is a cash-and-carry store and nothing else as far as others are concerned.

Founded in commercialism, it is not better than the dollar diplomacy which characterized our nineteenth century history and our demand of rights as a neutral which carried into the war of 1917.

To set up a system of buying at all is a recognition of the false assumption that wars are good for business. It has everything wrong with it, not the least of which is the invitation to transfer the theater of war into our harbors and onto our piers, where foreign ships come to load our goods and pay at the dock or the warehouse.

Mr. President, I listened with rapt attention the other day to the expression of my colleague, the able Senator from Utah [Mr. THOMAS], when he sought to correct certain misinterpretations and misconstructions of remarks made by him. I waited to hear if he might say that he had been misquoted in the speech to which I have referred, but never did I hear a word by way of correction. That is his speech, and it means exactly what it says, for, in truth, if we become the salesmen of engines of destruction to countries abroad, we will bring the theater of war to our own piers. The Senator from Utah, the greatest authority on international law in all western America—and I dub him such without fear of contradiction—a man who is revered by every boy and girl who ever attended his classes, whom every follower of international law respects, said, "we would bring the theater of war to our piers."

Was Professor THOMAS correct in that statement?

Witness the disasters that took place during the period between 1914 and 1917. Here is a partial list of the fires and

explosions that occurred in munitions plants in the United States when we were not in war but when we were furnishing the instrumentalities of war to warring countries, as a result of which some of our industrial institutions were destroyed and many of our people were killed:

January 1, 1915: Incendiary fire at the John A. Roebling Co. plant at Trenton. This was about the beginning of a long series of mysterious, unexplained, incendiary fires and explosions in properties where supplies for the Allies were being manufactured.

March 5, 1915: Explosion at Du Pont plant at Haskell, N. J.

April 1, 1915: Explosion of Equitable powder plant at Alton, Ill.

May 3, 1915: Explosion at the Anderson Chemical Co. at Wallington, N. J., costing three lives.

May 10, 1915: Explosion in Du Pont plant at Carneys Point, N. J.

May 15, 1915: Two explosions occurred at the Du Pont plant, Carneys Point, N. J.

May 30, 1915: Explosion in Seattle Harbor of dynamite manufactured at Pinole, Calif., which was then located on a barge in Seattle Harbor. The German consul and vice consuls in San Francisco were indicted and convicted in connection with this matter.

June 26, 1915: Incendiary fire at the Aetna powder plant at Pittsburgh.

July 7, 1915: Incendiary explosion at the Du Pont plant at Pompton Lakes.

July 16, 1915: Incendiary explosion and fire at the Aetna plant at Sinnamahoning, Pa., causing five casualties.

July 19, 1915: Incendiary explosion at the Du Pont plant at Wilmington.

July 28, 1915: Mysterious explosion at the Du Pont works in Wilmington.

July 29, 1915: Mysterious destruction of a glaze mill in the American Powder Co. at Acton, Mass.

August 29, 1915: Explosion in Du Pont plant at Wilmington, Del.

October 1915: A mysterious fire destroyed shops of the Bethlehem Steel Co.

November 10, 1915: Mysterious fire at Bethlehem at the Bethlehem Steel Co., of which all Germany had had warning and on which the German press were forbidden to comment.

January 10, 1916: Explosion in the Du Pont powder plant at Carneys Point, N. J.

January 11, 1916: Explosion at Du Pont plant in Wilmington, Del.

January 15, 1916: Explosion in the Du Pont plant at Gibbstown, N. J.

February 12, 1916: Bethlehem projectile plant destroyed.

April 13, 1916: Du Pont plant at Bluefield, W. Va., wrecked by an explosion.

May 10, 1916: The Atlas powder-mixing plant was destroyed.

May 16, 1916: The Du Pont Powder Co. plant at Gibbstown was mysteriously destroyed.

May 1916: A large chemical plant in Cadillac, Mich., was mysteriously destroyed.

June 7, 1916: Du Pont plant at Wayne, N. J., destroyed.

July 22, 1916: Explosion in Hercules powder works.

December 9, 1916: The Midvale Chemical Co. building at Bayway was destroyed by a fire and explosion.

December 27, 1916: The Bethlehem Steel Co. gas plant was destroyed by an explosion.

In passing I may say that the Senator from Utah [Mr. THOMAS] had back of him a diligent and studious life, a life devoted to teaching the youth of America, and that teaching had sunk in so deep that when he uttered that expression there were men in this country who had grown from boys out of his classrooms, who said: "We will not let down the embargo." Now, I wonder after his great speech of March 25, 1939, what intervening agency caused that learned professor of history, that profound professor of international law, that great man, experienced in all the trials and dangers of war, to change his views. There must have been cogent, persuasive argument to bring about such a change.

Who else was there in America who supported the embargo? Who else placed the brand of approbation upon the principle that we should not sell destructive agencies to be sent abroad to destroy the sons of foreign mothers?

Who else besides the chairman of the Committee on Foreign Relations of the Senate; the Secretary of State, Mr. Hull, the professor of international law; the Senator from Utah [Mr. THOMAS]—who else? The American people. Throughout the length and breadth of this land, from ocean to ocean, from the Canadian line to the Gulf, they endorsed the proposition. There was not a single expression against it, as stated by the chairman of the Committee on Foreign Relations in the excerpt from his speech I have just read.

Who calls for the repeal of the embargo? What clarion voice is ringing out from the West, from the East, from the South, or from the North? Whence comes the call for repeal?

Is America, with all her statesmen, with all her thinkers, with all her teachers, and all her people who have taken their stand on this question, now going to repeal the embargo law?

Does it come from the boys of America? Does it come—let me ask the Senator from Connecticut—from his boys? He made mention of splendid boys whom I admire, but the boys of every Senator who stands on the opposite side of this question he did not see fit to mention. He did not mention my boy, or the boys of other Senators who oppose repeal. It would have been fair of him had he said: "There are boys on the other side of this question whose fathers are fighting to keep them away from foreign battlefields." Some of us have not so many, but where we have but one the love which might be dispersed among several is centered in him. Where we have one, we see him grow, we love him, we live in him, and we battle for the same cause; we look to the same result. Is it the boys of America who want the embargo repealed? Let us see to that.

Mr. President, it is not the men who would go to the trenches who want the embargo repealed. It is not the boy of from 18 to 25 or from 18 to 30 who wants the embargo repealed. He has no quarrel with a foreign country. He only looks into the chalice of life and drinks deep, aye, even to the dregs, because he loves life. He is not afraid to defend his country when the hour comes, but he does not propose to involve himself in a quarrel in which he has no concern. So the youth of America is not calling for the repeal of the embargo; the youth of America does not want to destroy boys abroad. They want to put an end to war.

If I may come back to the thought of Mr. Secretary Hull:

> The more we lend ourselves to giving or selling or furnishing to warring nations that which continues war, the more we jeopardize our own national existence and bring ourselves to the brink of war.

That is, in effect, the statement of Secretary Hull given before the Foreign Relations Committee of the Senate.

So, I repeat, the boys of America do not want the embargo repealed. Look about everywhere and we can see them today praying that some agency in the legislative body of this country will hold the helm and steer such a course that their lives may be made worth while; so that they may give to their nation the best they have in them, that the greatest nation in the world may go forward in peace and tranquillity. No; it is not the boys of America who want us to raise the embargo.

Is it the people of the country? Is it the rank and file of the country that want the Congress of the United States to raise the embargo? Let me remind you of the four great sessions through which we passed—1935, 1936, 1937, 1939—in every one of which the Congress of the United States carried forward the embargo provisions. They may have relinquished in other lines, but never did the Congress of the United States relinquish the embargo, because the people of the country were behind the embargo, and they are behind it today if they understand it.

Let me refer again to the misunderstanding that is being broadcast. By insidious and undermining propaganda in this

country today there is being peddled to the people of the country the thought that we cannot have an embargo on munitions of war and have cash and carry in the same measure.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. Has the Senator the slightest doubt that that impression, which has been carried by every propaganda agency the country has ever seen, is a deliberate attempt to mislead the American public?

Mr. McCARRAN. I have no doubt of it. If I were to hold the Senate into a period in which I might be accused of filibustering, I could bring before it indisputable evidence of the propaganda that is going forward in the country, one phase of which, if you please, is to cause the people of the country to believe that we cannot have embargo on munitions of war and cash and carry for nonmunitions of war in the same bill.

Let me define the issues between the group of which I have the honor of being one member—whether they be many or few makes but little difference; history will record us among those who were determined, even in a minority—and the group on the other side. The issue between the contending groups on the floor of the Senate may be stated, I think, with clarity. We stand for the sale of nonmunitions of war, providing those who buy will pay for them at the dock and carry them away in their own bottoms. We stand for keeping American nationals off belligerent vessels, because when a citizen of the United States goes on a belligerent vessel he wraps about him the flag of his country. He says, "I am protected by 130,000,000 people, and you dare not sink the vessel I am on."

That is a fallacious position, because 130,000,000 lives are in jeopardy every time an American citizen boards a belligerent vessel. Better a thousand times that he forego the pleasures or the adventure or the exigencies of business and go on other than a belligerent vessel, if need be, than to take with him the lives of his countrymen when he goes down by reason of a torpedo that may sink the belligerent ship.

We stand for keeping American-flag ships out of the combat zones. We do not believe that an American-flag ship plying in civil trade, even though under the law of nations it might be permissible, should even for a moment jeopardize the country whose flag it flies at its masthead. We stand for these things written into a bill in which it is provided that the engines and instrumentalities of war shall not be sold at all to belligerent nations.

That is our message to the world. That is the word that was published here by a member of the group to which I belong and to which I adhere. That is the word given out to the Americas and to the world by the senior Senator from Idaho [Mr. BORAH], representing the group which refused to adhere to the repeal of the embargo. Write into this joint resolution everything you desire that will fortify our keeping out of war; and, if you do, you will write again, as you wrote four times before, the embargo provision with regard to munitions of war and implements which are in themselves, per se, instrumentalities of destruction.

Could any issue be more clearly stated?

I read in the press last night that the Committee on Foreign Relations is about to promulgate and bring before the Senate amendments to the pending joint resolution. If I read the report aright, there is not one of the proposed amendments—if the terse statements of them in the press are correct—that I would not support, providing they go along with the all-important embargo on means for the destruction of human life abroad. I would keep American citizens off belligerent vessels. I would do it although in doing it I know my country might dip its flag; but it would dip its flag in the honor and glory of carrying on the great movement for the peace of the world. Yes; I would go ahead and say, "We will keep our citizens off belligerent ships, where, under the law of nations, they have a perfect right to ride."

We will do that in order that when you are through with your hellish war abroad, when you are through destroying yourselves, when the dogs of war have been chained and muzzled again, and the nations once more are looking for someone to guide them into the haven of peace, they may find that in keeping with our traditions and in keeping with our declarations to the world we will say, "We stood for neutrality. We stood for peace. We did not augment your fury in war. Now, if it be that you seek some one to be an arbiter of your troubles, come to the haven and we will do justice by you, as we have done in the past."

Mr. President, this is not a partisan controversy. This is not a controversy that has political lines. This is a controversy in which men may deal fairly and honestly, regardless of political lines, so that one great principle may be everlastingly uppermost and everlastingly perpetuated; namely, that America, having maintained a strict neutrality; America, having refused to lend itself to the furies of war; America, bent on peace; America, with the soul of its youth in its heart; America, with a realization that labor, after all, must live in peace—America today sends a message to the world, as we sent it to the world in 1935, as we sent it to the world in 1936, as we sent it to the world in 1937, as we sent it to the world in 1939: America is resolved that we will not add to the furies of war by selling munitions to anyone outside our own borders.

Mr. President, many thoughts have been expressed here, some that would arouse resentment, some that dealt with history, some that sought to draw the line of justification between particular nations. I do not deal with that subject. I have no respect for Mr. Hitler; I have no respect for totalitarian governments in any form whatever; neither have I respect for those, abroad or at home, who deal in atrocities, even in war. But, Mr. President, there are no comparisons here. I can hear the song of the martyrs who went down in the cause of freedom for a little island, and I can hear the song of those who died in other lands.

I see Mary Queen of Scots dying in a dungeon at the mandate of the ruling queenly monarch of her beloved country. I see martyrs standing on the gallows uttering to the world the defiant lines:

> Whether on the gallows high
> Or on the battlefields we die,
> What matter if for Erin dear
> We fall?

I see the firing squad with its beads aimed at the breast of Edith Cavell, and I see the fagots that gave forth the flame that enwrapped the saintly body of Joan of Arc. I see the firing squads that purged out the lives of the enemies of Hitler, and I see Mme. de Farge as she counted her 23 stitches, at the end of which another head dropped from the guillotine into the basket.

So there is nothing gained by comparison. We do not deal with comparison as a test of ability. It is remote from our consideration. There is only one thought here, and that thought is America, the mothers of America, the boys of America, the men who toil in America. Let us not take the first step that would lead them into war, and there is no doubt that if we tear down the embargo provisions of the law we will have taken the first step.

Mr. President, I hope I may deal with propriety on something in which I have had experience; that is, the construction and application of law as it is written. We declared to the world, we declared it by our highest authority in 1915, in conjunction with the highest authority of other lands, that to change our position on neutrality in the midst of a war abroad would be an unneutral act, and contrary to the law of nations. Let no one deny that; let no one question it.

This very question arose, conversely, if you please, during the World War. On that occasion Germany sought to have us impose an embargo. Whether as a result of German influence, or as a result of other influence, I think rather by the inspiration of great patriotism, Senator Hitchcock, of Nebraska, than whom no greater ever sat in this body, introduced and sought to have passed a joint resolution to put an end to the shipment of munitions of war to belligerent nations.

That measure was before the Senate for consideration. A note from our Secretary of State to Ambassador Page, then Ambassador from this country to the Court of St. James, stated in substance that he had had a conversation with Lord Gray, in which conversation the British authority questioned our right to change our attitude during the course of the war, and said that such action would be an unneutral act.

The German Ambassador brought the question to the then Secretary of State, Mr. William Jennings Bryan, and the Secretary of State, in answer to the query, made this statement:

> This Government holds, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions, and I respectfully submit that none of the circumstances urged in Your Excellency's memorandum alters the principle involved. The placing of an embargo on the trade in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States. It will, I feel assured, be clear to Your Excellency that, holding this view and considering itself in honor bound by it, it is out of the question for this Government to consider such a course.

Mr. President, we were announcing the law of neutrality to the nations of the world through the voice of William Jennings Bryan, our Secretary of State. We did not hesitate then to say what the law of nations was. We did not hesitate then to say that, notwithstanding the fact that there might be an advantage gained by one or the other of the belligerent powers, we would not lend ourselves to a change during the course of the war, because it would violate what we then respected, the law of nations. There is not a judge in the United States, there is not a thoughtful man or woman in this country, who would contradict the logic that was written into the lines of William Jennings Bryan. The world has listened; the world is not dense in these matters. The world looks upon us for leadership, and where will leadership come save and except from our authorized leaders?

Certainly our Secretary of State was then an honored and respected man, as he is now in memory, happy memory, if you please, an honored and respected representative of this Government, and a leader who could speak for America.

Mr. President, has there been a change? It is said now that, notwithstanding the fact that on four occasions we announced to the world as our policy that we would not sell the destructive instrumentalities of war to any nation at war, we should now change our policy, and, notwithstanding the doctrine of Mr. Bryan, notwithstanding the doctrine of that beloved leader of democracy, Woodrow Wilson, notwithstanding every word that has come down the ages, should change our policy now.

Why are people not candid? I admire the junior Senator from Nebraska [Mr. BURKE], and I admire his candor. I admire the senior Senator from Vermont [Mr. AUSTIN], and I admire his candor. He wants to aid one side of this foreign controversy. I do not know that I could attribute any such expression to my able colleague. If I did, I would gladly do so. But I admire his candor, and would admire his candor more if he would say, as the able Senator from Nebraska said over the radio and otherwise, as the able Senator from Vermont has said, that they want to help one side of this controversy.

Mr. President, I do not want to extend aid to either side of this controversy. I want to keep American boys at home, because when we aid one side of the controversy by letting down the bars and permitting the sale of engines of war, we only let down bars which cannot be put up again, and after the engines of war there must come the manipulators of the engines of war.

Mr. BURKE. Mr. President——

The PRESIDING OFFICER (Mr. WILEY in the chair). Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. McCARRAN. I yield.

Mr. BURKE. Does not the Senator agree that at the present time we are aiding one side to the controversy by leaving the embargo in force?

Mr. McCARRAN. If I were to agree to that I would say that by letting the embargo down we would aid the other side. I would rather a dozen times aid neither side. When we adopted this policy we adopted it in the cool of a nonwar period, when we were seeking to eliminate the very possibility of what now confronts us.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. REYNOLDS. Mr. President, I am prompted to ask a question for the reason that just a moment ago an inquiry was directed by the Senator from Nebraska to the Senator from Nevada as to whether or not it was true that we are now aiding one side or the other. I understood in the beginning of the debate that we, Members of the Senate, were here for the purpose of considering neutrality. I understood that we were here for the purpose of passing a law that would be neutral, insofar as we were concerned, between those nations which are at war in continental Europe. I desire to ask the Senator from Nevada as to whether or not I am mistaken when I say that during the debate there has been developed, not the question of neutrality but the question of whether we will help the Allies or whether we will be neutral?

With the Senator's permission, I wish to repeat a statement I made on the floor of the Senate the other day. Insofar as I am concerned I seek that sort of neutrality which will be of benefit to the people of the United States of America, and I care not whether that sort of neutrality is going to suit Great Britain, or France, or Germany, or Russia.

I repeat my question to the Senator: Are we considering the proposition of real neutrality for the benefit of the American people, or has there developed in the consideration of the measure a question of whether or not we will help the Allies?

Mr. McCARRAN. Mr. President, I guess I shall be here for a couple of hours more to answer that question, but I shall answer as best I can. In 1935 we set out to create a law which would keep America out of war and set up a principle of peace to the world. We set out in 1936 again to enunciate to the world our doctrine of keeping out of war and of keeping peace. Then in 1937 we did likewise, and in 1939 again we did likewise. So my answer to the able Senator from North Carolina must be based on the precept that was handed down from the body of which the Senator from North Carolina is a Member, the precept that was handed down by the President of the United States, the precept that was handed down by the people of the United States when they endorsed the legislation we enacted, to keep America out of foreign entanglements and to keep our agencies for destruction of human lives at home and not send them abroad.

That is the best answer I can make to that question.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HOLT. Is not the purpose now in mind vastly different from what it was when the legislation was considered previously? We passed the original act in an effort to be neutral. We are now considering this measure in an effort on the part of the proponents to even up. The intent is different. The first intention was neutrality and the present intention is to take sides. So the two occasions are not comparable.

Mr. McCARRAN. I can only answer the able Senator from West Virginia by referring to the remarks of my good friend the Senator from Vermont [Mr. AUSTIN] and my good friend the Senator from Nebraska [Mr. BURKE], in which both Senators say which side they wish to win in the matter. That is the only way I can answer it, and I answer the question in that way.

Mr. AUSTIN. Mr. President——

The PRESIDING OFFICER (Mr. LODGE in the chair). Does the Senator from Nevada yield to the Senator from Vermont?

Mr. McCARRAN. I yield.

Mr. AUSTIN. I call the attention of the Senator from Nevada to the very first paragraph of the joint resolution:

That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of the citizens of the United States—

That thereupon he shall make his proclamation, and these restrictions on commerce shall go into effect.

I now ask the Senator from Nevada in all fairness: Should he not recognize that in the position I have taken on the floor here in colloquies, and in the Radio Forum address which I caused to be put into the CONGRESSIONAL RECORD, I have clearly stated that my position was that this proposal, this joint resolution here, was a resolution for national defense? I ask the Senator if he does not recognize that my position is primarily that position?

Mr. McCARRAN. I will answer that, of course, in fairness to the Senator, in the affirmative, if the Senator will answer me—I am not a Yankee, by the way—if he will answer me as to whether he has made a statement as to which side in the foreign controversy he wishes to win.

Mr. AUSTIN. Yes; I have, and I repeat it. As long as I hold the views I have, it is my belief—following the exact language of this joint resolution—

That it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States—

That the Allies win, and that the quicker they win the more quickly will the security be gained.

Mr. President, I want to ask the Senator from Nevada one further question, and that is: What significance does he give to the present existing law when he reads section 8 thereof, as follows?—

Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful—

And so forth. My question is, Does not the Senator recognize that the real spirit of that section of the existing law is the same spirit to which I have alluded, namely, that of self-defense, national defense, when applied to a nation?

Mr. McCARRAN. I think I understood the Senator correctly to use the expression "self-defense"?

Mr. AUSTIN. Yes. National defense.

Mr. BORAH. Mr. President——

Mr. McCARRAN. Mr. President, I will yield to the Senator from Idaho, but I should like to answer the Senator from Vermont first.

Mr. BORAH. Very well; I shall be very glad if the Senator will.

Mr. McCARRAN. I think I could answer the Senator from Vermont best by quoting from language which does not come from my lips. I hope the answer is appropriate to the question, because the Senator knows me well enough to know that I would not be captious. I have in my hand the statement of Secretary Hull, made while testifying before the Foreign Relations Committee, of which I think the able Senator from Vermont is a member.

Mr. AUSTIN. No; Mr. President, I do not have that honor.

Mr. McCARRAN. I apologize to the Senator.

Mr. AUSTIN. No; I regard it as a true honor, and I do not think an apology is necessary. I thank the Senator for the compliment, but his assumption is wrong.

Mr. McCARRAN. Mr. President, the reason why I gave utterance to the expression I did, is that I believe the Senator should have a place on that committee because of his profound knowledge of the law. I base that statement on 7 years of very close association with the Senator from Vermont on the Committee on the Judiciary of the Senate. A Senator with a mind of his type, a Senator of his character should indeed sit on the Foreign Relations Committee, or any other great committee of the United States Senate. I have a deep respect, indeed a very profound respect, for his splendid knowledge of the law and of international affairs. In making my remark I did not have in mind at all to be captious. I hope the Senator so understood it.

But may I answer the question in substance by quoting from Secretary Hull in his testimony before the Foreign Relations Committee of the United States Senate on January 13, 1936? Remember the date, please, January 13, 1936, when we were then considering a revision of our embargo law which we passed in 1935. Mr. Secretary Hull said:

Now, it did not look wise or reasonable for us to announce a policy that a neutral nation shall supply belligerents with the materials which they say are indispensable to the prosecution of the war under penalty of not being exactly neutral.

To us that seemed absurd, and we said so.

He is referring to the act of 1935, which was the first embargo.

We could not see how a neutral could deliberately help to feed the fires and flames of war by delivering the essential materials right straight to the belligerents, helping not only to carry on war, but to prolong it indefinitely; and nobody knows much better than we that every day that war is prolonged the danger of the war spreading would be increased, with increased dangers to us of becoming involved.

Now, Mr. President, the Senator knows that I would not be captious with him, but I think that that answers the substance and nucleus of the Senator's question briefly.

Mr. AUSTIN. Mr. President, will the Senator yield further?

Mr. McCARRAN. I yield.

Mr. AUSTIN. If I have properly understood the reading of Mr. Hull's statement, it relates to the question of neutrality. I have not mentioned that question. I think the Senator from Nevada would have difficulty finding any place in the RECORD where I have claimed that the pending joint resolution is strictly a neutrality measure, or where I have ever acknowledged that the act of 1935 and the act of 1937 were strictly neutral.

It has not been necessary for me to express an opinion on that question at all because, in my mind, if our business as legislators is to pass legislation that is a part of the general plan of national defense of the United States, that is supreme over the question of neutrality. National defense cannot be pushed aside on the ground that our acts of necessity would be unneutral. As a dignified nation in the family of nations, we cannot afford to allow two belligerents across the Atlantic Ocean to shackle our freedom to the extent that we cannot pass legislation necessary for our national defense.

Mr. McCARRAN. Mr. President, I am very grateful to the Senator for his contribution to my thought, because I think he commends the very argument I sought to put forward, and that he puts it forward much more forcibly than I could. In his inimitable way he has bolstered my argument, and I am very grateful to him.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Michigan?

Mr. McCARRAN. The Senator from Idaho [Mr. BORAH] desires to ask a question.

Mr. BORAH. I should like to ask the Senator from Vermont a question, but I shall do so later.

Mr. McCARRAN. I yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I wish to ask the Senator from Nevada a question. If it be true that the early victory of the so-called Allies is essential to the security and peace of the United States, as I understand the premise of the able Senator from Vermont to be, then if the lifting of our arms embargo fails to produce that victory, are we not still at the mercy of the vicissitudes of Europe; and by the very nature of the argument are we not then forced to go the rest of the way into the war to help produce the victory which is said to be so essential to our security? May not that be the inevitable, irresistible road to our own participation in the war?

Mr. McCARRAN. Mr. President, of course the interrogatory of the Senator from Michigan is susceptible of only one answer, and that is in the affirmative, because, as stated by

the able Senator from Michigan in his speech in the Senate some days ago in quoting from a very outstanding authority of Great Britain, once we let down the bars and open the door, then there is no one to close it, and we must go the whole way. We must then not only go in on the side that we think should win, but if they should lose we must go on and fight their battles to the end. We are in the war when we tear down the embargo. No one can say we have not taken the first step, because every argument leads to the one conclusion—that a change in our policy during a foreign war is the first step. Mr. Bryan said so. Mr. Wilson said so. Mr. Lansing said so. Mr. Gray said so. Mr. Page said so. Mr. John Bassett Moore said so. Is anyone denying that statement?

Mr. VANDENBERG. Mr. President, will the Senator yield further?

Mr. McCARRAN. I yield.

Mr. VANDENBERG. I should like to add a further observation. If I thought that this was our war; if I thought our peace and security were inherently involved; if I thought it was our war, I would not be satisfied merely to set a cash register at the national boundary and take a profit on the commodities that we can sell to those who are fighting our war for us. I would go all the way into the war with all our power. I do not think it is our war, and I think we should stay all the way out unless we are deliberately and consciously ready to go all the way in.

Mr. McCARRAN. Mr. President, with that expression I am entirely in accord.

Mr. AUSTIN. Mr. President, will the Senator yield for a further comment?

Mr. McCARRAN. I yield.

Mr. AUSTIN. I think one of the marked differences in the approach to the problem before us, and the widest cleavage we find between those who favor the joint resolution and those who oppose it, is the assumption which is now made by the distinguished Senator from Michigan; namely, that the citizens of the United States and their representatives in the Congress of the United States are no longer free agents; that they are no longer intelligent; that they no longer are men of character and fidelity; and that they are incapable of putting restrictions and regulations upon commerce which commonly goes free without taking another step and sending our boys across the sea.

That is the grave difference in attitude between us; and it is a difference upon which we will never agree, for I believe that those who favor the joint resolution are as eager and firm in their decision that our boys shall not be sent across the sea to do battle as any group in the United States. What is more, I believe that they have character enough and fidelity enough to truth to carry out that purpose, and that they are not so helpless that they must be dragged in. Dragged in by whom? You cannot have war with us unless you attack us, unless we are willing to declare war—and we are unwilling to declare war. When it comes to a matter of defense, we are not obliged to cross the seas with armed forces to defend ourselves. Our plan does not involve that.

I think we have too long ignored the fact that in the Seventy-sixth Congress the principal business we undertook at the beginning and carried through until it was finished was increasing the Military Establishment of this country for national defense. That was only a part of the plan. We are now considering the remainder.

Mr. VANDENBERG and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield; and if so, to whom?

Mr. McCARRAN. I yield first to the Senator from Michigan. I shall shortly yield to the Senator from Idaho.

Mr. VANDENBERG. I wish to reply to an observation of the Senator from Vermont with respect to what I said.

The able Senator from Vermont, for whom I have the highest respect, totally misapprehends the application of my comment. I am not quarreling with the good faith of his attitude toward keeping America out of war. I am not quarreling with the theory that this Congress still has the authority within its grip to do what it pleases as subsequent emergencies may develop.

That is not the point. I am contesting the theory that we must help the Allies win in order to be safe ourselves, because on that theory if the lifting of the embargo does not produce an allied victory, we must progressively do more and more as allied necessity may require. I made my statement on the basis of the observation of the distinguished Senator from Vermont that the victory of the Allies is essential to promote the security or preserve the peace of the United States and to protect the lives of the citizens of the United States, as quoted by him from the pending measure. I say that if the victory of the Allies is essential to that purpose, and we are unable to achieve that purpose without them, then it is our war, and we dare not be satisfied with merely raising the embargo. If that be true, and the raising of the embargo fails to produce the victory he wishes, then I submit that the very logic of the situation requires us to go further, whether we wish to or not. I complain and object to that point of view and to that trend toward war itself.

Mr. McCARRAN. Mr. President, the observation of the able Senator from Michigan in answer to the query of the Senator from Vermont is so complete that I shall not take up the time of the Senate to expound or expand it. It is obviously true.

I now yield to the Senator from Idaho.

Mr. BORAH. Mr. President, the Senator from Vermont stated that he was actuated by the belief that it was to the interest and security of the people of the United States that the Allies win. What does the Senator mean by "win"?

Mr. AUSTIN. Mr. President, that is a very broad and relative term. It might be winning if we could arrive at a just peace without any more combat at all. A just peace would be winning. Does that answer the Senator's question?

Mr. BORAH. No; it does not answer my question for this reason: What I wish to know is, what does "win" mean? Does it mean something which satisfies the United States Government or does "win" mean something that will satisfy Great Britain and France?

Mr. AUSTIN. Mr. President, it means the stopping of the aggression of the totalitarian philosophy. It means the stopping, for the time being, at least, of the military penetration of the Western Hemisphere. Does that answer the Senator's question?

Mr. BORAH. Does the Senator mean that the stopping of totalitarian aggression and the wiping out of the Nazi philosophy shall be to the satisfaction of the United States or to the satisfaction of Great Britain and France?

Mr. AUSTIN. Mr. President, if the Senator from Idaho will pardon the observation, it seems to me that he is far afield from my meaning. He asked for my meaning, and I am undertaking to give it. I have given two meanings of the word "win" that are possible. All this seems to be a polemic about words, as was the discussion by the Senator from Michigan.

It makes little difference whether one uses the word "win" or some other significant verb that indicates that our purpose is either to have an early—and the earlier the better—peace negotiated without further combat, which peace will be just, as nearly as human frailty will permit, or to stop for a time being, at least, the philosophical penetration of our country with ideas that tend to undermine our free institutions and are aimed insidiously at the Republic; or even to prevent the occurrence of incidents which might result in the occupation of Canada or the islands of the Atlantic Ocean near our coast, as well as the occupation of Latin America by totalitarian states having visions of world empire and world grandeur.

Any of those meanings the Senator is welcome to take. They will fit the claim that I make that this country is now engaged, as it has been throughout the Seventy-sixth Congress, in fortifying its material position; that is, its Military Establishment, in endeavoring to fortify its economic position, in endeavoring to set up its sentimental or spiritual

position to resist the onslaught of ideas and of arms. Does that answer the question?

Mr. BORAH. I do not wish to be discourteous but I do not yet understand what the Senator means by "win." [Laughter.]

Mr. AUSTIN. Well, I will have to impute it to the Senator's lack of understanding, I am sure. I am not greatly interested whether anybody understands the word "win" as used by me or not.

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. McCARRAN. Mr. President, I hesitate to interfere with the Senators who have recently been conducting the discussion, but I think it might be better if they would continue it in their own time.

Mr. BORAH. I think so myself.

Mr. McCARRAN. I prefer to continue with my discussion.

Suffice it to say, if I may deal with the subject that was brought up by the able Senators, if it be our intention to formulate a law by which we are to aid one or the other side of the controversy abroad, would it not be in accord with the spirit of bravery to say "We are going to go, boots and britches, into this thing; we are going to send our armies across right now; we are not going merely to let down the embargo so that belligerent nations in Europe may get arms with which to commit mass murder."

If that be our real policy, it seems to me that the part of American bravery and the part of American traditions would be to say, "we are going in to stop it now." But that is not our policy. We are not going into this war; we are not going into it by letting down the embargo; we are not going into it by a declaration of war; and I say that just as much for my son as for the wonderful sons of the very able Senator from Vermont, and the wonderful sons of the able Senator from Connecticut.

Mr. President, when the interruption came, I had started to discuss a subject which I think should be concluded. I am trying to reach a conclusion within the time I should consume, because I hope never for a moment to be accused of engaging in filibustering. I think I have told the able leader on many occasions in the past that I am not a filibusterer; I am a "broncho buster" and he knows that; but I want to develop this thought for the few moments it will take me to do so.

I said that Mr. Wilson lent his aid to the thought that was promulgated by Mr. Bryan, and he did it after his attention was aroused by his own then Secretary of State following Mr. Bryan, Mr. Lansing. Secretary Lansing wrote to the President in June 1915, and said:

> MY DEAR MR. PRESIDENT: In view of the making public of the Austrian statement in regard to the exportation of arms and ammunition, I hasten to send you a draft of reply. * * * I hope you can pass upon it speedily, because I believe it would, at the present moment, have a very beneficial effect on public opinion. It is our first opportunity to present in a popular way the reasons why we should not restrict the exportation of munitions of war. If you have noticed in the papers, meetings are being held under various auspices looking to the imposition of an embargo on arms and ammunition.

Let it be remembered that at that time we had no embargo, and Germany was seeking to have us impose an embargo. It was by reason of the Lansing letter that Mr. Wilson wrote this note to his Secretary of State. This is Mr. Wilson's reply. He said:

> MY DEAR MR. SECRETARY: I have gone over this paper very carefully, indeed, and these questions urged themselves upon me:
>
> 1. Can this argument not be taken as an argument in sympathy with the Allies and against the militarism, which is Germany?
>
> 2. Are we not ourselves about to urge the control of the manufacture of arms and munitions by every government in our proposed understandings and undertakings with the Latin American countries; and do we not wish ultimately to strive for the same thing in the final European settlement?
>
> Of course, we are arguing only to the special case, and are absolutely unanswerable in our position that these things cannot be done while a war is in progress as against the parties to it; but how far, do you think, the arguments we urge in this paper will estop us in future deliberations on the peace and security of the world?

That was the voice of Woodrow Wilson saying that during the course of a war we could not change our policy if it would interfere with one of the belligerents. Yet that is the very course from which some would now have us depart.

O Mr. President, the honor of America is involved in the pending joint resolution. The honor of America is involved because American recognition of international law is involved under the very voice of Woodrow Wilson, under the voice of Mr. Lansing, under the voice of Mr. Bryan, under the voice of everyone who has ever dealt with this subject.

So, to begin with, if we are to repeal the embargo, if we are to raise the bars and let munitions of war go forward for the destruction of people abroad, we are saying to the world that we are no longer neutral; we have let down the bars so that we will aid. Aid whom? Let me deal with that subject for a moment.

Mr. President, I have no partisanship in the war which is raging in Europe. I may despise one form of government that lends itself to totalitarianism; I may despise another form of government that has laid neighbor nations in devastation, that has shot its victims at the muzzle of cannon; I may despise any of those things; but to despise a form of government is not our national business. It is an individual prerogative but it is not our national business. Other nations may despise democracy, but that does not mean that they would lend themselves to say that democracy should not succeed in a war for its existence.

So we may despise foreign agencies that lend themselves to a form of government to which we cannot and will not subscribe; but the uppermost thought, so far as all American minds are concerned, should not be what form of government other nations or other peoples want, but what form of government do we want. It is the preservation of our form of government that exceeds in importance every other consideration. It is our form of government that has come down for 150 years through trial, through tribulation, through bloodshed, through industry and labor; and the great army of toilers of this country today are crying for the perpetuation of that form of government, because under that form of government labor has had a greater avenue to freedom than it ever had anywhere else in all the history of the world.

So Mr. Green and the other agencies of labor in this country sent forth their resolutions asking us not to take the first step to go into this war, because they will pay the first penalty, and they will pay the last penalty. For every debt that was ever created by a war was paid by a tax, and every dollar that was ever extracted in taxes came from the sweat of the brow of labor. So the toilers of the world do not want this repeal to go forward. So youth does not want it to go forward. So international law condemns its going forward. So America says, "We shall not go forward."

Mr. President, I am about to conclude. In conclusion, I go back to the tenets and teachings of one whose very expressions seem to me to have been prophetic. When I read them I wonder how it could have been possible that, at the very advent of the life of a nation to which he had given so much, he could, there and at that moment, see so far ahead. I often wonder how it could have been possible for a human being, surrounded as he was by foreigners on every hand, by foreign agencies everywhere, to see and understand and lay down precepts and words of guidance such as these.

I have heard it said that if the first President of the United States were alive today he would not utter the advice he gave to his country at that time, because, it is said, that since his day Europe has come so very close to us. We are in instantaneous communication with Europe by wire. We are within a few hours of Europe by air. We are within 5 days of Europe by water. Therefore, it is said, Washington would not have told us that we should remain free from foreign entanglements.

Let us view the situation when, in 1796—nearly 150 years ago—the first President of the United States issued the mandate and the message with which I shall close my remarks. At that time the great Mississippi Valley, from the Gulf of Mexico to Michigan, was under the French flag. France was

the controlling factor in the great central American region. France, with all her power, with all her dominance, with all her instrumentalities, was standing on our western frontier. Then we were only a handful of States.

Beyond, into the great intermountain region and on to the Pacific coast, the flag of Spain was flying. The very land in which I was born was then under the flag of Spain. All of Montana, Idaho, Arizona, New Mexico, Nevada, California, and parts of Colorado were under Spanish dominance. The flag of Spain was flying over the capital of Mexico. In every country of South America, save and except Brazil, which was then under Portuguese dominance, the flag of Spain was flying.

Was Washington far from European touch? Was he far remote from European influences? Was there then more than a second's time between him and his western frontier, between him and his southern frontier? And at that time the Canadian border was bristling with arms pointed this way. The Indians of this country were being influenced to fight against the first organizers of this Government.

So Washington, with all the courage of a great American, laid down a message which would do as a closing expression for anyone who sought to hold his country safe from foreign entanglements, who sought to hold the youth of this country free from the dangers of war, who sought to keep the toilers of this country out of the entanglements of war, who sought to hold a nation so that in the ages yet to come it would hold aloft the light of civilization, and say to a bleeding and struggling world, "We are your guiding star," a nation that would hold democracy safe while other nations were being torn down and other forms of government were being destroyed.

May I read this to you? Let us never forget it:

> Against the insidious wiles of foreign influence (I conjure you to believe me fellow citizens) the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.
>
> The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. * * *
>
> Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.
>
> Our detached and distant situation invites and enables us to pursue a different course.
>
> * * * * * * *
>
> Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

Mr. President, with all the conviction I have, based on an experience that has seen the history of this legislation for the past 4 years and more; with all the fervor I have, based on my solicitude for the toiling masses of the country; with all the concern I have that the sons of American mothers shall not become cannon fodder in a cause in which their country is not involved, I say that daily, in place of the prayer so ably uttered here by the Chaplain of this body, that excerpt from the Farewell Address of the first President of the United States should be read, and read again.

Yea, more: I say that every boy in the grammar grades of America should have it read to him every morning when he comes to answer to the roll in his school. Yea, more: I would scatter that sentiment broadcast through the land, so that the embargo that now seeks to keep us at peace, that seeks to keep us out of war, should not be torn down.

In conclusion, Mr. President, let me say that the issues are drawn keenly, carefully, studiously. Let no expression I may have uttered here this afternoon be construed as attributing to anyone who disagrees with me some ulterior motive. I believe there are on the floor of the Senate 96 men, every one of whom, whether with sons or without sons, are solicitous to keep this country out of war. I shall believe that as long as I live.

But, Mr. President, the method by which we will keep out of war has been tried by the people of this country and by the world at large during wartimes when we have had it under consideration in 1935, 1936, 1937, and 1939. In all of those years the people of this country have looked with approbation upon the embargo. We have sent to the people of the world a notice that we are not going to lend ourselves to the instrumentalities of a war abroad. Wars may have been started with that notice before the peoples who supported them. If that be the case, then there is only one course for us to pursue. It is the course of Woodrow Wilson, it is the course of Lansing, it is the course of Bryan, it is the course of every one who has studied this subject—let us not take the first step. Let us save the sons of American mothers for a greater future, that in the years to come their Nation may show to civilization that, after all, democracy is a success.

Mr. BARKLEY obtained the floor.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Stewart
Borah	Gillette	McNary	Taft
Bridges	Green	Maloney	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Caraway	Herring	O'Mahoney	Wagner
Chandler	Hill	Overton	Wheeler
Chavez	Holman	Pepper	White
Clark, Idaho	Holt	Pittman	Wiley
Clark, Mo.	Hughes	Radcliffe	
Connally	Johnson, Calif.	Reed	
Danaher	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Nevada?

Mr. BARKLEY. I yield.

Mr. PITTMAN. Mr. President, I send forward an amendment which the junior Senator from Texas [Mr. CONNALLY] and I intend to propose on behalf of the sponsors of the pending joint resolution. The amendment deals with the shipping provisions of the measure.

I may say, if the Senator from Kentucky will yield to me for a moment, that the group sponsoring the amendment had before it the proposed amendments touching this subject submitted by the senior Senator from North Carolina [Mr. BAILEY], the senior Senator from California [Mr. JOHNSON], the junior Senator from Louisiana [Mr. ELLENDER], and others. This group, consisting of 14 Senators, gave very careful consideration to all the proposed amendments, and I think they have in the proposal now submitted covered the substance of them all. I ask that the amendment be printed and lie on the table, and that it be printed at this place in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendment was ordered to be printed and to lie on the table, and to be printed in the RECORD, as follows:

> On page 18, beginning with line 5, strike out through line 20 and insert in lieu thereof the following:
>
> "(g) The provisions of subsection (a) of this section shall not apply to transportation by American vessels (other than aircraft) of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of

section 12 (i)) (1) to any port in the Western Hemisphere south of 30° north latitude, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, and the Arabian Sea; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects, or any individual on any such vessel, and necessary supplies for any such vessel. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such vessels.

"(h) The provisions of subsection (a) of this section shall not apply to transportation by aircraft of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (i)) (1) to any port in the Western Hemisphere, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, and the Arabian Sea; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such aircraft, and necessary supplies for any such aircraft. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such aircraft.

"(i) Every American vessel to which the provisions of subsections (g) and (h) apply shall, before departing from a port or from the jurisdiction of the United States, file with the collector of customs of the port of departure, or if there is no such collector at such port then with the nearest collector of customs, an export declaration (1) containing a complete list of all the articles and materials carried as cargo by such vessel, and the names and addresses of the consignees of all such articles and materials, and (2) stating the ports at which such articles and materials are to be unloaded and the ports of call of such vessel. All transportation referred to in subsections (f), (g), and (h) of this section shall be subject to such restrictions, rules, and regulations as the President shall prescribe; but no loss incurred in connection with any transportation excepted under the provisions of subsections (g) and (h) of this section shall be made the basis of any claim put forward by the Government of the United States."

On page 18, between lines 20 and 21, insert the following new subsection:

"(j) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, the provisions of subsections (f), (g), (h), and (i) shall expire."

On page 19, line 4, after the period, insert the following new sentence:

"The combat areas so defined may be made to apply to surface vessels or aircraft, or both."

Mr. PITTMAN. Mr. President, I have another amendment to propose, dealing with the pending joint resolution, which I also ask to have printed and lie on the table, and to be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection the amendment was ordered to be printed and to lie on the table, and to be printed in the RECORD, as follows:

On page 21, line 16, after the period, insert the following new sentence:

"The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation issued under the authority of section 12 (i)."

Mr. CLARK of Missouri. Mr. President, will the Senator from Kentucky yield to me to ask a question of the Senator from Nevada?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. Is the second amendment offered, which has just been sent forward, an amendment dealing with credits?

Mr. PITTMAN. It is.

Mr. CLARK of Missouri. I ask the question because some of us have been preparing to debate that question, and if the amendment may be printed and come to the attention of Senators who are not members of the group referred to, the caucus of the Committee on Foreign Relations, it might save some time in debate.

Mr. PITTMAN. Mr. President, that is why I have asked that the amendments be printed.

Mr. BARKLEY. Mr. President, I do not rise at this time through any capricious or self-centered desire to detain the Senate, but I have felt that at some time during the discussion it would be my duty to express my views regarding the pending neutrality legislation.

I approach the discussion of the joint resolution before us with the deep conviction that we are dealing with a problem which abides not for a day but for a generation or a century or forever.

The action which we shall consummate at the conclusion of these discussions may be more far-reaching than merely to fix our attitude toward the present war in Europe. It may mark a permanent change in the course of our own history, as well as that of the Western Hemisphere, and it may be of the world itself.

In pursuing the course which we shall here take we are not to be influenced by whatever consequences may ensue to Europe or Asia, or, primarily, to the rest of the world, though we are not sufficiently naive to presume that the status or atmosphere in which the world at large strives or struggles will have no bearing or influence upon our own way of life.

Primarily we are charged with the duty of administering to the requirements of our own country. Her prosperity, her safety, her dignity, her self-respect, her strength, her peace are the first objects of our solicitude; and all our obligations, whether within our own borders or throughout the wide expanse of the Western Hemisphere, are inseparably joined to the problem of preserving and perpetuating the form and substance of our democracy as it has been developed and must be developed in the long years and centuries that stretch out through the future.

If we cannot assume this high purpose on the part of ourselves and all others charged with the duty of guiding the destiny of this Republic, then we thereby admit a fatal infirmity in the structure of that democracy of which we boast and for which we fight.

I rise, therefore, Mr. President, to give voice to no suspicions directed at my colleagues in the Senate. I rise to mouth no criticism of any man for his belief or his vote on this question in the past. I rise to make no charge of inconsistency on account of any change of views upon the subject.

I accord to every man not only the right but the profound obligation which I claim for myself to alter or change his course when he finds, or thinks he finds, it headed in the wrong direction.

The proposal which the Committee on Foreign Relations has brought before the Senate is not a proposal to abolish neutrality in the present war or in any war. It is not a proposal to involve us in this war or in any war, though from some of the addresses delivered here during the last 3 weeks one would think we had before us a joint resolution declaring war upon some nation now a belligerent in the present European struggle.

No law was necessary in order to establish the neutrality of the United States. It was the duty of the President at once to declare the neutrality of our Government in this war, which he did, just as it was the duty of Woodrow Wilson in 1914 to declare the neutrality of our Government in the World War, which he did.

The proposal which we are considering, and on which I hope we shall soon vote, is one to regulate the conduct and activities of our citizens in relation to this war or any war so as more certainly to maintain the neutrality which we have declared and minimize the necessity or probability of our entry into the conflict.

The concrete proposition before us is not one to abandon our neutrality and wipe from the statutes all laws regulating it. But what we are attempting now is the fortification of our declared neutrality by further restricting the exercise by our citizens of rights long and universally acknowledged by civilized nations and by the law of nations.

Mr. President, I voted for the so-called Neutrality Act of 1935. I voted for the act of 1936. I voted for the act of 1937, under which we are now operating and under which the present embargo was established by the President.

I am not required to garb myself in sackcloth and ashes on account of that vote, and I do not do so. I am not required to humble myself in the sight of God or man because I was in part responsible for the enactment of the present law.

We all know the circumstances under which it was enacted. We remember the atmosphere which followed certain investigations authorized by the Senate. The world was at peace. There were no war clouds hovering over the horizon. We had proposed and had secured almost universal ratification of the Kellogg-Briand Pact renouncing war as an instrument of national policy. We felt a sort of spiritual resurgence at

the prospect of universal and perpetual peace. We had, almost continuously since the World War, promoted and participated in disarmament conferences, and we wished to give our moral sanction to this concept by announcing to mankind that we were opposed to war and to preparation for war, and that we would not contribute to the prosecution of war, no matter how uneven or unjust, no matter the circumstances of its initiation, no matter its consequences to mankind, by allowing either side to obtain through us the implements of offense or defense. We, in fact, declared our belief in the equal responsibility of both sides and all sides in any possible war that might arise in the future, and that this responsibility was equally diabolical on both sides and on all sides.

I do not deny that Congress had a right to enact such a law.

Like most other Senators, as I have heretofore stated, I voted for it. I did so in the hope that it would discourage wars elsewhere in the world.

Has it done so?

I voted in the hope that our example would be a beacon to guide other nations on the highway of peace.

Has it had any effect on any of them?

Has it discouraged the outbreak of war anywhere?

Has it encouraged it?

Let your own hearts answer in the light of the tragic history of other major continents in the world during the last half decade.

We had the right to enact the present law. We have the right now to change it. I had a right, as you had a right, to vote for it. I did so with many misgivings. I did so with doubts and fears as to its wisdom and workability. I would not say that I voted for it because I did not have the courage of my convictions, but probably it would be more accurate to say that I, like others, voted for it because I did not have the courage of my doubts and fears.

Having voted for it, having watched the course of its present and probable future operation, having reached the conclusion that its continuance is not in the interest of the United States, I intend to vote to repeal it and to substitute for it the measure now under consideration.

I do this on no technical grounds.

I do not contend that the passage of the present law constituted a violation of the principles of neutrality, although its operation gives to one belligerent an artificial advantage which its geographical situation denies to it.

Nor do I agree that the passage of the pending measure will violate the principles of neutrality.

If the original act regulating the conduct and activities of our citizens as to all belligerents was not unneutral, was not a taking of sides, was not what some have called constructive, actual, or prospective intervention, then the change of that law, modifying and extending the regulation of the conduct and activities of our citizens as to all belligerents, is likewise not unneutral.

In other words, the transition from one neutral position to another neutral position by law, as is here proposed, does not constitute a violation of our neutrality so as to justify complaint on the part of any belligerent.

Moreover, if it were true that the present law operates in an unneutral way, the change of that law, or its repeal, or its extension as provided in the pending act, would not constitute a violation of neutrality, even though the new law involves forms of domestic regulation not included in the old.

If both are unneutral, the change from one to the other is not more so. If both are impartial, the change from one to the other does not constitute partiality.

It cannot be contended that we are attempting to change international law. If any single nation could change it, then it would not be international.

What we have done in the existing law and what we propose in the new law is to withhold from certain of our citizens the exercise of certain of their rights under the law of nations sanctioned from time immemorial.

In confirmation of this position I quote from a statement issued to the press by Secretary of State Hull on the 14th of September last:

> The Government of the United States has not abandoned any of its rights as a neutral under international law. It has, however, for the time being prescribed, by domestic legislation, certain restrictions for its nationals which have the effect of requiring them to refrain from the exercise of privileges which but for such legislation they would have the right to exercise under international law, such as the right to travel on belligerent vessels, to make loans and extend credits to belligerent governments, et cetera. These restrictive measures do not and cannot constitute a modification of the principles of international law, but, rather, they require nationals of the United States to forego, until the Congress shall decide otherwise, the exercise of certain rights under those principles. Furthermore, this Government gives the widest possible notice to American shipping regarding danger areas as the information is acquired by it. This Government also warns American nationals and American shipping against actual danger in any other respect as situations involving such danger are brought to its attention, whether those situations result from lawful or unlawful activities of the belligerents. It endeavors to exercise all due diligence in the protection of American lives and property and, of course, must expect American nationals likewise to exercise due diligence in keeping clear of danger, actual or potential.
>
> In the letters which I addressed to Senator PITTMAN and Representative BLOOM on May 27, 1939, I stated the situation as follows: "* * * The rights of our nationals under international law may properly be restricted by our own legislation along certain lines for the purpose of avoiding incidents which might involve us in a conflict. In indicating certain restrictions upon the exercise of our rights as a neutral I do not wish to be considered as advocating the abandonment of these or, indeed, of any neutral rights; but there is reasonable ground for restricting at this time the exercise of these rights."
>
> The principles of international law as regards neutrals and belligerents have been evolved through the centuries. While belligerents have frequently departed from these principles on one pretext or another and have endeavored to justify their action on various grounds, the principles still subsist.
>
> This Government, adhering as it does to those principles, reserves all rights of the United States and its nationals under international law and will adopt such measures as may seem most practical and prudent when those rights are violated by any of the belligerents.

Mr. President, if it be true, as Senators have emphasized, that whether we favor the existing law or that now newly proposed, our object is to minimize and, if possible, remove the chance of our becoming involved in this or any foreign war, then wherein lies the difference between the two and their effects?

If as a neutral we are denying to our citizens the exercise of long-established rights in order that we may not have to become a belligerent, by which form of this denial shall we be most likely to accomplish this objective?

If we are all sincere, as I believe we are, whatever side of this question we advocate in desiring the accomplishment of that one thing, then the whole difficulty and controversy boils down practically to the question, Which one of these provisions—that now on the statute books, or that which we are now considering—will be more likely to achieve our objective?

If we are seeking to avoid the repetition of conditions and incidents which drew us into the World War, which of these alternatives, the existing act or the proposed act, will more certainly produce that result?

In order that we may arrive at a conclusion based as nearly as possible upon our history in the past and our probable history in the future, we must consider candidly what it was that drew us into the war in 1917.

I think we may dismiss without serious loss to the validity of this discussion the contention that we were dragged into the war as a result of the profit motive behind the activities of munitions makers, international bankers, or other Americans seeking to coin profits out of the blood of their fellow citizens.

I was in the Congress during those dreadful days. I was serving my first term in the House of Representatives in the administration of Woodrow Wilson. I was a humble and affectionate follower and admirer of the great Speaker of the House at that time, Champ Clark, father of the able senior Senator from Missouri, for whom I have ever since those days cherished the deepest personal regard.

I voted for the declaration of war in 1917, or the resolution acknowledging the state of war already forced upon us by the Imperial German Government. Some of my dearest friends in the House of Representatives, including Claude Kitchin, of North Carolina, the Democratic leader, and others, voted against it.

I shall never forget, Mr. President, the day when the House of Representatives voted following an appealing, patriotic, fervent address delivered on that floor by Claude Kitchin, the Democratic leader. The whole House rose and gave him an unprecedented ovation as a tribute to his sincerity and honesty, though nearly all of the Members intended later to vote on the other side of the question. Some of the most outstanding Members of both branches of Congress voted against it, including our beloved colleague the Senator from Nebraska [Mr. NORRIS].

It did not occur to me then that I, or that Congress, or that President Wilson, or anybody in any responsible position in the Government of the United States, was moved on that momentous occasion by the lure of profit, unless the preservation of the lives of American citizens can be chalked up in the profit column in the ledger of human existence.

I need not recount the long story with reference to the efforts made by President Wilson and his administration to keep this Nation out of the World War. I need not emphasize the great ambition of his heart that our Nation should ultimately act as the world's peacemaker, and bring about what he called a "concert of nations" to preserve peace. I need not recount the tragic incidents during 1914, 1915, and 1916, most of which aroused the American people and brought about an accumulation of grievances which resulted in our final entrance into the war.

We are all familiar with the warning given by the German Government on the day before the *Lusitania* sailed from the harbor of New York; and we know that 7 days later this ship was torpedoed by a German submarine and sank within 18 minutes to the bottom of the sea, carrying down with it 124 out of the 129 American citizens on board. This ship did not fly the American flag. The overwhelming majority of its passengers were citizen of other countries; but the sinking of this ship and the loss of American lives precipitated the immediate resentment of our whole Nation, and resulted in a long series of diplomatic notes of protest on the part of our Government and grudging concessions on the part of the German Government. Many outstanding Americans, including Theodore Roosevelt, urged an immediate declaration of war against the German Government following the sinking of the *Lusitania*. I need not repeat the catalog of incidents occurring from the time of the sinking of the *Lusitania* until our declaration of war on April 6, 1917, involving the lives and property of Americans engaged in legitimate business and legitimate travel under all the principles of international law. These details have already been given in the debate, and they are already too fresh in the minds of millions of our people to need any repetition now. President Wilson, in his communications with the German Government, conceded that mere property could be paid for, but stated that human life was beyond the computation of the market place.

Whatever may be the views of international lawyers as to the wisest course that might have been pursued then or might be pursued in the future, and whatever policy may be legally adopted governing our future conduct in attempting to avoid war, the situation from 1914 to 1917 was definitely that the United States, as a great trading nation, had rights and obligations upon which others had come to rely; and to the extent that our country endeavored to restore its own commercial and industrial structure by continuing to engage in legitimate commerce it was entirely justified by the accepted rules of law and of morals.

Let me quote a page or two from the revealing book written by Newton D. Baker entitled "Why We Went to War." Whatever one may think of the economic and political views of Mr. Baker during his later years, however much we may differ from him on some of our economic problems and on the method of our solution of them, I think it is universally conceded that he was one of the greatest Secretaries of War in the history of the United States. No such official in the history of America, if in the history of the world, was compelled in so short a time to mobilize an army of such size, and to mobilize all the resources behind that army, in order that it might speedily and certainly accomplish the purpose of its organization.

Discussing the questions upon which I am now touching, Secretary Baker said:

Now, of course, trade expresses itself in dollars and cents, and dollars and cents are the business of bankers. That is what bankers are for. For the convenience of commerce banks have grown up as mechanisms for the settlement of accounts, and a great technique of operation has been instituted to enable a manufacturer to deal indirectly with his customers through the assistance of checks, drafts, lines of credit, and loans and balances which, while they express themselves on the books of bankers, are in fact the records of transactions in the ordinary trade relations of a people. In this, for the most part, bankers have no other interest than that the use of their facilities and mechanisms make the transactions possible between the primary producer and the ultimate consumer. For the use of his facilities and services the banker is, of course, paid, just as is the transportation agency or the warehouseman or the salesman or the advertiser, and the banker has the same kind of an interest in the promotion of increased trade in order that he may get larger pay for his greater services, as has any of these other instrumentalities which, in their aggregate constitute the mechanism through which trade is carried on. In like fashion international trade consists of exports and imports and for exactly analogous reasons there must needs be bankers with the facilities and knowledge to deal with international financial transactions. The conversion of the value of the currency of one country into the currency of another country, the settlement of international balances the creation and service of international credits, the safeguarding of the exportation of capital for investment, or the handling of foreign capital imported for investment, all require the service of specialists, and international bankers are merely those who train themselves to perform for international trade this indispensable service. The transactions which pass through their books are not their transactions, but the transactions of others who are using their facilities; and so when the volume of international banking transactions is stated in dollars and cents it merely means that producers and consumers have traded with one another over international frontiers and that their transactions are recorded in the books of international bankers who have been one of the facilitating intermediaries who made the exchange possible. Perhaps because of our failure to realize what the banker really is and does we are all too likely to blame bankers as though their transactions represented some peculiarly heartless and detached interest in mere money, when in fact for the most part their facilities have supplied no more than the rails upon which the trains of trade have operated.

I continue the quotation from Mr. Baker:

There has grown up accordingly in very recent years a disposition to charge that bankers and munition makers exerted some sort of pressure upon the Government which affected its policy and ultimately led to our entering the war in 1917.

So far as munition makers are concerned the charge is a singular selection of a particular group out of much larger and quite indiscriminate mass. It is easy to demonstrate that the condition of cotton farmers in the United States was infinitely more a subject of concern and anxiety on the part of the Government, executive and legislative, than the interest or welfare of the munition makers.

I am, perhaps, the hardest person in the United States to impress with the idea that munition makers had any influence upon the American decision. Villa raided our Mexican border just as I went to Washington to become Secretary of War, and my first duty was to arm and equip the Pershing expedition, called "punitive," but in reality defensive, and later to arm and equip the augmented National Guard mobilized on the border. By using obsolete weapons of one kind and another the force was armed, but the Government owned but seven airplanes which could fly far enough to get to Mexico and Captain Foulois—

Who later became the head of the Air Corps of the United States Army—

reported to me that none of them could be safely flown even on missions of local recognizance. I then spent months trying to persuade someone to build airplanes for the Army, but the art was then limited to exhibition types in America, and even emergency orders could not be promised under 6 months' delivery, and then only three or four could be expected. Similarly there was but one company in the United States equipped to build heavy machine guns. In a national emergency that company promised to build 70 in a year and to do its best to deliver the first dozen in 6 months.

When we began the actual mobilization of material for our participation in the World War there simply were no American munition makers. General Bliss went to England in January 1918—

Which was 9 months after we had declared war—

and continued an agreement made in June 1917 whereby the British and French supplied us with cannon out of their surpluses in exchange for raw materials.

Nine months after we declared war, and 9 months before the armistice in November 1917, General Bliss went to England to continue the agreement between our country and Great Britain and France to furnish us with the guns necessary for our own Army.

In the early months of the war our manufacture of guns was negligible. We bought in Canada a large supply of Ross rifles, an

obsolete arm, and used the left-overs of the Spanish War, but still gave some of our recruits initial training in the manual of arms with broomsticks.

That is the testimony of Secretary of War Baker:

That we were always able to have enough modern rifles for our men overseas was due to the fact that we were able to buy a British-owned factory, built in this country after the World War began, and modified the Enfield, with which the British were armed, to our needs.

We bought revolvers and pistols of every sort, ransacked the museums of city police departments for confiscated "concealed weapons," and we got the best our pistol manufacturers could do under "speed-up production," but at the end of the war we were still short of the required supply.

We went to war 18 months before, because, as is alleged, the munitions makers desired us to go to war, and yet when the war ended we were still short of the munitions that our own Army needed on the battlefields of France.

For months American manufacturers were unable to make heavy ammunition. Some gadgets called "boosters and adapters," necessary parts of high-explosive shells, balked our ingenuity for months until I still think of them as the unattainable but indispensable price of success in war.

We converted typewriter factories into fuze factories and generally converted American industrial plants to the war material nearest their normal product. Somehow we got through—in the opinion of the impatient, none too well. But a munitions industry large enough to be interested, much less influential, in our going to war simply did not exist. During 1917 I never saw a munition maker except as I sent for him and urged him to try to help us in the emergency of our border troubles.

But the whole of American industry and all of the persons engaged in it were necessary and proper objects of governmental concern. The workers in munition industries were merely American citizens earning their living, who in turn were purchasers of commodities grown or manufactured by their fellow citizens. To that extent, no doubt, all sorts of statistical tabulations were made which included them in summaries by which our standard of living was shown and the prosperity or depression of our general economic life determined, but there was no munition industry in the United States in 1914, and by 1917 the industry in that field which had been created here, either by or on behalf of the Allied nations, was merely a part of America's industrial plant diverted from peacetime to wartime production, and the managers of those industrial undertakings could have had no interest in taking the country into the war. To have done so would have been the most shortsighted of policies, for after we went into the war, war profits were reduced to a minimum and excess-profits taxes squeezed the profits out of war with a wringer of constantly increasing efficiency. Upon the plainest terms, the interest of the owners of "war babies" was in keeping our country at peace while they continued to supply the belligerents with their needs upon such terms as they could arrange. The charge against munition makers seem to me largely an unsupported accusation made as an argument in furtherance of a policy by those who believe in the nationalization of all arms manufacture, and the total prohibition of international traffic in arms. * * *

With regard to the alleged influence of bankers I feel obliged to speak under the limitations of a very narrow personal experience. While I was a member of the Cabinet from 1916 to 1921, I do not recall having had a conversation with a banker on any subject, though the strong likelihood is that petty personal concerns were in some way or another filtered through the books of some banks. My complete absence of recollection on that subject extends to conversations with my Cabinet associates and generally with responsible official persons in the Government. I never heard quoted, by any one of them, the opinion of any banker, national or international, that the United States ought to go into the war or that the interests of the United States would be furthered by any suggested line of conduct on the part of our Nation in dealing with either group of belligerents. As a consequence, I am forced to conclude that if any banker sought to exercise pressure in favor of any national policy on the subject, I was for some reason completely excluded and all of my Cabinet associates conspired to keep me in ignorance of the plan.

The record of the bankers on the subject is relatively simple. Prior to the outbreak of the World War, by the settled and accepted principles of international law, it was unneutral for a government to make a loan to a belligerent, but it was at the same time entirely proper for the citizens of a neutral to make such loans if they saw fit. The history of all countries, and notably of our own, was full of belligerent borrowing by the flotation of securities in neutral countries. Early in August 1914, Messrs. J. P. Morgan & Co. inquired of Secretary Bryan whether or not our policy would permit such loans in the European war. To this inquiry Secretary Bryan on August 15, responded by telegram: "There is no reason why loans should not be made to the governments of neutral nations, but in the judgment of this Government, loans by American bankers to any foreign nation which is at war are inconsistent with the true spirit of neutrality" (F. R. S., 1914, p. 580).

The view thus expressed by Mr. Bryan was not a statement of the legal right of citizens of the United States, but was based upon a local and peculiar condition set forth by him in a letter to the President dated August 10, 1914. The proposed loan which raised the question was sought by France, but Mr. Bryan foresaw similar applications from other countries. Messrs. Morgan & Co. complied with the wish implicit in Secretary Bryan's telegram, but by October 1914 the State Department had more or less retreated to a strictly legal position and small loans were made to both France and Germany. This modification of policy proceeded from a statement of the President to Mr. Lansing that in his view there was a difference between the creation of bank credits for belligerent governments to be used in the purchase of supplies in America and the flotation of a public loan (Maritime Commerce, vol. III, p. 222).

Mr. President, if the legislation which we are attempting, or which has been heretofore attempted, or may hereafter be attempted, is to be effective in avoiding our entrance into this or any foreign war, it must be based on the theory that we are to avoid the causes which led us into the World War, which is thus far the only experience we have undergone in participating in such a foreign war.

By the lamp of this experience we may guide our present and future steps. And the best test of the effectiveness of this or any law, including the existing statute, or that which we are now proposing, is to place the law, existing or proposed, by the side of our past experience and try to visualize its application in the light of the events which actually transpired in the absence of any law in 1917.

Let us take the case of the *Lusitania* which was sunk off the coast of Ireland on the 7th day of May 1915.

This was an English liner, with more than 1,250 passengers aboard, 129 of whom were American citizens. It sailed from New York, and was destined for Liverpool. In addition to its passenger list and a miscellaneous assortment of freight, it carried a cargo of small-rifle ammunition intended for the Allies.

There was no law forbidding the shipment of arms from the United States, or preventing Americans from traveling into or through danger zones or to belligerent countries or on the vessels of belligerents. On the contrary, international law sanctioned these things, and our Government relied and insisted on these rights for ours and all neutral nations.

Under the present law, and under the embargo which has been issued under it, would the *Lusitania* have been sunk? And, if sunk, would it have carried down with it 124 American citizens—men, women, and children?

The only difference between that ship's status as it sailed and its status under the present law is that it would not have carried the 4,200 cases of small rifle ammunition afterward discovered to have been aboard. It would have carried the 129 American passengers on board. It would have been sunk. The 124 Americans would have been murdered, in violation of the law of nations, under the present law and under the embargo which is now in force. The American people would have been aroused just as they were aroused. The American Government would have protested just as it did protest. We would have been drawn toward the brink of war just as we were drawn, and many Americans would have clamored for war against Germany just as they did clamor for it then.

Could these things have happened under the measure we are now proposing? The answer is emphatically "No."

The *Lusitania* might have carried the small rifle ammunition which it carried, provided the title to it had been transferred to the foreign purchaser and no American citizen had any interest whatever in it. But under the proposed measure not one of the 129 Americans aboard this ship would have sailed on it, not an American would have lost his life, and not a note of protest on the subject would have passed between President Wilson and the Imperial German Government.

In other words, the whole controversy over the sinking of the *Lusitania* would have been completely avoided under the law we now propose. There would have been no such incident so far as our Government was concerned.

Under this state of facts, how would the present law keep us out of war, and how could the law we propose become the first, the second, or any other step toward war?

Let us take the case of the *Gulflight*.

This was an American ship. It flew the American flag. It was manned by an American crew. It carried not arms, ammunition, and implements of war, but a cargo of oil, which is not and cannot be prescribed under the sacred

embargo now in force, or under any embargo which can be issued under the present law.

While the *Gulflight* was not sunk, it was attacked by a German submarine and three American citizens lost their lives as the result of the attack.

The torpedoing of this ship brought on another protest from our Government and another long diplomatic controversy between it and the German Government.

Under the present law and the embargo now in force, or any embargo possible under the present law, would the *Gulflight* incident have been avoided? Every Senator here knows that it would not have been avoided.

If on May 1, 1915, or the date on which this vessel sailed from an American port, the present law had been in force and the present embargo had been in effect, the *Gulflight*, or any American ship by any other name, could have sailed out of New York or any other American port with a cargo of oil, without violating any law or any proclamation then or now possible, and would have been sunk or subject to attack by the same German submarine which attacked it on that day.

Could this have occurred under the law we are now proposing? Could the *Gulflight* have sailed from any American port loaded with a cargo of oil destined for a belligerent in the World War? Could it sail today, if the law we now propose should be enacted, from any American port, carrying oil to any port of a belligerent nation?

Every Senator knows that it could not only not have sailed with such a cargo, but could not have sailed at all, with or without a cargo, destined for a belligerent country.

Therefore, while the *Gulflight* could and did sail under the law as it existed in 1915, and could have sailed and could sail now under the present law and the present embargo, it could not have sailed then and could not sail now under the law which we are asking the Senate to adopt and which we hope the Congress of the United States will adopt.

Hence, the present law and the present embargo, and any embargo the President can now impose, are not a guaranty against our involvement in war, and the proposed law which we are supporting is not the first, the second, or any other step toward war. It is a step away from the probability of war, and therefore a step toward peace.

On May 25, 1915, came the torpedoing of the American vessels, *Nebraska* and *Leelanaw*.

On August 4, 1915, *The Pass of Bahamas* surrendered to a German attack.

On October 28, 1916, the *Lanao* was sunk.

On November 7, 1916, the *Columbian* was another victim.

On November 26, the *Chemung* was torpedoed by an Austrian submarine.

On December 14, the *Rebeccah Palmer* was torpedoed.

On January 4, 1917, the *Norlina* was sunk, and

On February 3, 1917, the *Housatonic* was sunk.

Of these 11 American vessels attacked 6 were sunk, 1 surrendered, and 4 were damaged. Only three American lives were lost, it is true, but this was not the fault of those responsible for the attacks.

On February 12, 1917, the *Lyman M. Law* was captured.

On March 12, 1917, the *Algonquin* was shelled and bombed.

On March 16, 1917, the *Vigilancia* was torpedoed with a loss of 15 lives, 6 of whom were Americans.

On March 17, 1917, the *City of Memphis* was shelled.

On March 18, 1917, the *Illinois* was bombed.

On March 21, 1917, the *Healdton* was torpedoed with a loss of 21 lives, of whom 7 were Americans.

On April 1, 1917, the *Aztec* was torpedoed with a loss of 28 lives, 12 of whom were Americans.

On April 4, 1917, the *Marguerite* was bombed; and

On April 4, 1917, the same day, the American ship, *Missourian*, was shelled by the Germany Navy.

Of these 20 ships, flying the American flag, engaged in a business universally recognized to be lawful then, 15 were sunk, 4 were damaged, and 1 surrendered; and a total of 28 American lives were destroyed.

The list of 20 does not include a number of other American ships which were fired on by the German or Austrian naval forces; and it does not include American lives lost in the sinking of the French steamer *Sussex*, and other vessels not flying the American flag.

As a result of these outrages upon our commerce—and this is the crux of the situation, and is what we are seeking to avoid—as a result of these outrages upon our commerce and the lives of our people, the Government of the United States became more insistent upon the observance of the forms of civilized warfare, and the people of the United States became constantly more aroused.

President Wilson had been reinaugurated on the 4th of March, amid scenes of solemnity widely in contrast to the gala day which witnessed his first inauguration. But on that same night a wildly enthusiastic mob was pouring into Carnegie Hall in New York to denounce those Members of the Senate who had opposed and defeated the measure permitting the arming of American merchant vessels in their own defense. The Rev. Dr. Lyman Abbott, an outstanding minister, was greeted with enthusiasm when he denounced them as traitors.

James M. Beck, later to become Solicitor General of the United States, and still later a Member of the House of Representatives, contended that, regardless of Congress, the President had a right to arm American merchant vessels in their own defense.

Theodore Roosevelt was denouncing President Wilson for his patience and forbearance and attributing it to cowardice, and stated that "If he does not go to war with Germany I shall skin him alive." And in the churches of New York and other cities men of the cloth like Dr. Newell Dwight Hillis and Dr. Charles A. Eaton, now a Member of Congress, were thundering against the German outrages, and demanding the acceptance of war as the only honorable alternative.

Why were these things transpiring? Why were our people aroused? Why were 158 resolutions adopted in as many churches on a single Sunday condemning the things of which I have been speaking and demanding that our Government take steps to redress these grievances?

Because one of the belligerents in the European war was engaged in ruthless warfare against our commerce and our citizens and the rights which they had enjoyed for more than a century.

Why have I recalled these incidents, these sinkings of American ships, the taking of American lives, and arousement of the American people because of them?

Because, notwithstanding its defenders contend that the present law and the present embargo will keep us out of war, these same sinkings of vessels, these same takings of American lives, or most of them, and the consequent arousal of the American people against the belligerent nation perpetrating them, could have occurred then under the present law and this embargo, and can occur under them now.

The law which we are now proposing would have prevented these attacks upon, and losses of, property and lives, because both property and lives would have been withheld from the regions of danger resulting in their destruction or attack on them. The law we are proposing will keep American ships and American cargoes and American sailors and American travelers out of present regions of danger.

Even the distinguished Senator from North Dakota [Mr. NYE] during his address in this body the other day, in response to questions which I propounded to him, confessed that the measure we are asking the Senate to adopt goes much further in keeping our ships and our people and our cargoes out of the war zones than the present law or any proclamation or embargo the President can issue under it.

All other Senators must confess the same truth, because it is incontrovertible.

Therefore, Mr. President, the present law, and the only embargoes that can be issued under it, are not a guaranty against our involvement in war; and the law we propose, for reasons which must now be self-evident, is not the first or any other step toward war. For under the present law it is conceivably almost as easy for us to become involved as it was in 1917, while under the law we propose none of the things could occur which actually drew us into the war in 1917.

In lieu of a mere embargo on the sale of arms, which is not what forced us into the war 22 years ago, we propose to place an embargo against the type and destiny and means of commerce and travel which did force us into war 22 years ago.

Between the two, it seems to me, there ought to be but one choice among those who think the problem through and follow the logic of the inevitable conclusion which they must reach.

But those who have been driven by the logic of events and of facts to see and acknowledge the more effective method which we offer for avoiding involvement in foreign wars now propose that both methods be used, namely, that the embargo be kept and that there be added to it the other provisions of the new measure now before us.

This is a sort of deathbed confession; but the adoption of the suggestion would make a patchwork of the legislation and remove the consistent and harmonious manner in which we attempt to deal with all commerce with belligerent nations.

Mr. President, under the measure now before the Senate there will be no necessity for an embargo on arms or any other commodity in order that we may avoid war.

Whether it be wheat, or corn, or tobacco, or shoes, or typewriters, or tanks, or toothbrushes, or airplanes, or guns, or powder, or underwear, or automobiles, or office furniture, or honey, or oatmeal, or checkerboards, or billiards, or golf balls, or books, or anything that can be recalled by the mind of man, it cannot be shipped to a belligerent nation or through a danger zone anywhere in the world in an American ship.

No American ship, nor its crew, can therefore be within the range of destruction contemplated by the kind of sea warfare which occurred in the World War or is likely to occur in this one.

No category of arms, ammunition, or implements of war can be carried in our own ships under any condition, and cannot be carried in foreign ships until all title and interest in them have been transferred to the foreign purchaser.

Therefore, if a cargo of such materials and the crew or passengers on such foreign ship should be destroyed, there would be no occasion for our Government to protest or take official notice of it, and there would be no occasion or cause for us to become involved.

This proposition no one can deny.

Therefore there is no more need for an embargo on arms than for an embargo on wheat, or sewer pipes, or umbrellas.

This measure is consistent and sufficient, because it puts all commerce with belligerents on the basis of equality, and withholds it altogether so far as our ships are concerned.

It is not likely that the American people will become excited or that our Government would become active or interested over the sinking of a foreign vessel containing no American citizen or an article of commerce owned by an American, no matter what the origin of the cargo.

But the distinguished Senator from Michigan [Mr. VANDENBERG]—for whom, as he knows, I entertain the highest personal regard—asserts that if we become an arsenal for one belligerent we will become the target of another.

This is an attractive catch phrase, but it is only a figure of speech.

We cannot become the target of a nation even for engaging in unlawful commerce unless we are within the range of its operations; and certainly we cannot become the target of any nation for merely engaging in a lawful business when we withhold ourselves from the range of its operations.

But the able Senator from Idaho [Mr. BORAH]—for whom we all entertain the deepest affection and respect—told us the other day in his eloquent and unquestionably sincere address to the Senate that if we lift the embargo and permit even foreign vessels to come here and obtain arms intended for one of the belligerents, Hitler will come or send his agents here and destroy the factories in which arms are being manufactured.

This seems to me to be a fantastic resort to the imagination. Such an act on the part of any foreign government would constitute an attack upon the sovereignty of the United States, and would be a violation of our domestic laws, for the punishment of which we have adequate machinery; and for us to refuse to regulate or control our domestic conduct as seems to us wise and proper out of fear that some foreign ruler would sabotage our industries would brand us as cowards, indeed.

It would be as logical to say they would destroy our wheat fields or poison our livestock because bread and meat might find their way to England or France.

This prophecy of the Senator is based on no sound foundation. It has not been long since I heard the Senator from Idaho vehemently prophesy that there would be no war in Europe this year—1939.

Much as I admire and respect the intellect and the character of the Senator from Idaho, I am afraid he will be compelled to reestablish my faith in him as an infallible prophet before I can accept his prediction that Hitler or any belligerent will blow up our factories and destroy our industries because they produce articles which both his enemies and he can obtain if they will come for them and take them away.

But we are told that even if the lifting of the embargo would not involve us in war, it ought to be retained on moral grounds, because the sale of arms designed for or capable of destruction of human life is immoral and ought to be suppressed.

This phase of the subject involves a discussion of the metaphysical and ethical ramifications of what is right and what is wrong, what is just or unjust, what is righteous or unrighteous in the conduct of men toward one another in all circumstances and conditions of life.

It might be said that the production of any agency with which human life may be destroyed or tortured is immoral, unethical, or unjust, no matter how beneficial its normal use may be to the human race. Thus, the production of axes, or hammers, or tools of various kinds might be said to be immoral, because in some exigency of human conduct they might be used for the destruction of human life.

It might be said that the production of shotguns or pistols is immoral, because, although they may be designed for the sport of the hunter, they may be capable of use in the destruction of human life, and therefore their manufacture or sale is immoral, unethical, and unjust, wicked, and unrighteous, and ought to be prohibited.

It might be said that the manufacture and sale of poisons of all kinds is immoral and wicked and ought to be suppressed, because these articles are capable of use, and are frequently used, for the destruction of human life.

Where can we draw the line between the moral and the immoral, the just and the unjust, the ethical and the unethical, the virtuous and the vicious, in the production of instruments with which human life may be taken or made to suffer?

If we lived in a world where all men acknowledged the rights of all other men, where all nations acknowledged and respected the rights of all other nations, and where the necessity never arose for men or groups of men to contest with other men or groups of men for the enjoyment of their natural or acquired rights, we might moralize upon the immorality or the futility or the stupidity of all instruments of defense where no defense is needed.

When does it become immoral or unethical or unjust or wicked to produce for ourselves or for others the instruments through which human rights may be enforced, and human slavery or human shackles or degradation thrown off, and the right to stand forth as free men obtained and maintained?

Was it immoral for any one outside the contestants themselves, or for the contestants themselves, to produce the instruments by which the revolutions in Germany and France and Italy during the last century were carried on?

Was it immoral for the nations of Europe to produce or obtain wherever they could the instruments of war in their struggles against the boundless ambitions of Napoleon?

Would it have been immoral for any nation or people to have produced and made available the implements of self-defense for the Armenians in their unequal struggle with the Turks?

Was it immoral for any nation in the world to produce and make available to both sides in our War between the States the arms and ammunition and implements with which each side was fighting what it regarded as a righteous war?

Would it have been immoral or unethical or wicked for France or any other nation to have produced and made available to the American Colonies during the Revolutionary War such instruments of warfare as they needed to obtain in order that the light of liberty might be kindled upon the hilltops of America, and the great Republic which we seek to serve started upon its matchless history?

Was it, or would it have been, immoral or wicked or unjust for us in the United States to produce and make available to the struggling and defenseless people of Cuba the means of her defense and her liberation from the tyranny of Spain in 1898?

If the Dominion of Canada, or any of the 20 republics of the Western Hemisphere, should be attacked and threatened with subjugation by some European or Asiatic power, would it be immoral or unjust or unethical or wicked or diabolical for the United States to permit the manufacture or sale of the instruments of their preservation and defense?

When does a cannon, a tank, an airplane, a rifle, or the ammunition to make them effective, become immoral or wicked; and when do they assume the character and attributes of morality and ethics and righteousness?

These questions cannot be resolved or settled in the realms of abstract philosophical discussion, for we must take the human race as we find it and not as we might think we should like to make it. In all history there have been imponderable emotional and spiritual equations which have sanctified sacrifice and glorified the endurance of hardship rather than surrender to the evils against which men battled.

Peter the Hermit preached the Crusades not to sack the Holy City but to rescue the Holy Sepulcher.

If it be immoral to sell arms to anybody anywhere under any circumstances, it is equally immoral to purchase them, if not more so, because the ultimate purchaser in all probability will use them for the purpose for which he wants or needs them.

If the United States were a weak nation, and defenseless against the encroachment of some mighty aggressor, would it occur to any Senator or to any American that it would be wicked and immoral and unjust and diabolical for us to purchase the means of our defense, or for the people of any other nation to sell them to us? We know that the answer to this question would be a universal "No."

Under these circumstances, Mr. President, and in the light of our own history, it does not now lie in our mouths to issue the pharisaical announcement that we have suddenly become so strong and so upright and so moral and so uncontaminated by the sordid history of less worthy peoples that we cannot in good conscience permit them to do what we ourselves have done and would again do in the hour of our desperation, if the time and need should ever arise.

In considering the step which we ask you to take and hope you will take, I have sought to brush aside all questions of individual partiality or preference among the belligerents in the present war or in any war. I have sought to abandon and, if possible, to forget my own inherent reactions to injustice and brutality wherever they may be found on the face of the earth. I realize how difficult, if not impossible, it is for men and women who have ideals of personal or national conduct to divest themselves wholly of the reactions which register in their hearts at misconduct or injustice perpetrated by one great nation against another, by one race against another, or by one religion against another. I realize that men and women of delicate and refined sensibilities must recoil at mass murder and mass injustice and mass brutality anywhere in the world.

But as a Senator, charged with the duty of representing and protecting our own people insofar as it lies within my power, I have no right to be swayed by any motive except the preservation of the integrity and welfare of our own Nation as I see it in the light that God has given me in the attempt to perform that duty and that service. I have the right, though—yea, I have the obligation—to scan the far horizon of this Nation's future to determine the result of my actions now. I have the right no less than the obligation to consider what sort of nation I am helping to bequeath to my children and their children, and theirs again for a hundred or a thousand years.

I have lived most of my life. I have registered threescore years since the date of my birth, and in all likelihood another score or two is all that I can hope for in this world. I am thinking of my children, their children, and their children's children. I am thinking of your children and all the millions of people who live in America and look to us at this time to protect and preserve them and their interests.

I am not unmindful of the obligation to try to visualize what sort of world we are helping to create and pass on to those who will be our successors in all the relations of life in the years and centuries to come.

I want no war. God forbid that I should pursue here a course which will bring a needless hazard to my own flesh and blood, or to the flesh and blood of any colleague of mine in the Senate, or the flesh and blood of any of my fellow citizens throughout this Nation.

I have seen war. I voted for our entry into the last war. I pray that I may never again be called on to cast such a vote. It was a cup from which I do not wish again to drink. I saw that war, not as a soldier but as a public servant interested in the manner of its prosecution and the speed of its termination.

I saw it in the front-line trenches. I saw it in the desolation of "no man's land." I saw it in the anguish of hospitals behind the lines. I saw it at the graves of relatives and friends who gave up youth and hope and life itself in behalf of a great ideal. For more than 20 years I have seen it in the shattered limbs and minds of many who survived the ordeal, and I have seen it in the chaos and confusion of economic and moral infirmities which have resulted from it.

I want no war. And because I want no war I am supporting and propose to vote for a measure which involves the greatest sacrifice ever made by any nation in the history of mankind in order to avoid war. I support this measure, not because we are weak or supine or cowardly. We are not weak; we are not supine; we are not cowards. I support it because we are strong and unafraid and wish to conserve that strength and that courage for the service of the democratic ideal which we have built up and which we cherish, not only for ourselves in America but throughout the world.

Mr. HOLMAN. Mr. President, I have listened attentively to and been impressed by the sincerity of the Senator from Kentucky [Mr. BARKLEY] in his moving address, yet I should like to make a simple observation which has occurred to me.

It is noted that neither belligerent in the present European war has yet bombed civilian populations. I am convinced that both belligerents, among other considerations, know that so long as America remains strictly neutral, whichever one first resorts to this atrocious form of warfare will immediately inflame America, and cause America to sympathize with, and possibly aid, the victim.

Therefore it seems to me that by remaining strictly neutral we are performing a great humanitarian service—the great service of protecting the defenseless civilian populations in war-torn Europe—whereas, if we become unneutral, we shall lose this beneficent influence.

I favor the retention of the present neutrality law rather than to change it for the worse in a bad situation.

RECESS

Mr. BARKLEY. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 3 minutes p. m.) the Senate took a recess until tomorrow, Friday, October 20, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 19, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord God, for every gracious word of Thine we give Thee thanks. Make plain unto us what we have not discerned of truth and wisdom in Thy holy word. Teach us the lessons that Thou wouldst have us know, that we may learn from the book of ancient faith the sacredness of life, the duty, and the joy of righteous deeds. Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in His law doth he meditate day and night. And he shall be like a tree planted by the river of water, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper. Heavenly Father, root our souls deep in the soil enriched by the flowing tides of the river of life. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with the report of the Northern Lake States Regional Committee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent that on Monday next after the disposition of other special orders I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that on Wednesday next after the disposition of the other special orders the gentleman from Ohio [Mr. LEWIS] may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of neutrality.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TRADE-AGREEMENT POLICY

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, I am today introducing a bill to provide for Senate ratification of trade agreements. My analysis of some of the trade agreements that have been concluded and the proposed Argentine trade agreement on which hearings are now being held before the Committee for Reciprocity Information has convinced me that Senate ratification of these agreements is necessary to properly protect agriculture and the livestock industry in particular.

Under this proposed Argentine trade agreement, the proposal is made to reduce the tariff and encourage the importation on such competitive agricultural products as canned beef, tallow, hides, casein, cheese, corn, flaxseed, turkeys, and other competitive agricultural commodities which would further accentuate the trend of industrializing this country at the expense of agriculture.

This power which has been delegated by Congress to effect trade agreements should be returned to Congress at least to the extent of requiring ratification by the Senate of trade agreements as is provided under the Constitution for all other treaties between nations. I hope when the Reciprocal Tariff Act comes up for extension at the next session that Congress will insist upon the adoption of this provision requiring Senate ratification of all future trade agreements. [Applause.]

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I call the attention of the gentleman from Mississippi to the fact that up in Michigan the Government is not doing a thing to help the Chrysler Motor Car Co. turn out hundreds of thousands of cars. They are an organization which this Congress permits to exist under the protection of the National Labor Board. The Labor Board is demanding, and so far has been successful in its demand, a limit on the production of motorcars which private citizens would buy.

The Chrysler Motor Co. has always paid taxes, Federal, State, city, and school; yet the gentleman sits here and, while he boasts about what the Government is doing for his South, he will not do one single thing to help industry up there in Michigan; will not help private industry up there do those things which mean the payment of more taxes and wages.

Mr. RANKIN. The trouble with the gentleman from Michigan is that he fails to distinguish between public business and private business.

Mr. HOFFMAN. Why, you run your public business on the taxpayers' money, but the private individual runs his business on his own money. That is the difference.

[Here the gavel fell.]

RECIPROCAL-TRADE AGREEMENTS

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, the gentleman from Nebraska [Mr. COFFEE] presents a proposition that should be given every consideration by this House, looking after our farmers, laborers, and manufacturers. When I think of these reciprocal-trade agreements, by which we try to help the people of foreign countries to the detriment of the people of this country, I wonder whether it is the duty of the Members of Congress to do that. I wonder if it is our duty to delegate power to the President of the United States and the Secretary of State to do things for foreigners to the detriment of American farmers and American laborers. I say that we are here to legislate for the people of America, and when we permit the head of this Government to tear down this country by these reciprocal-trade agreements I say the time has come to take recognition of what the gentleman from Nebraska has just stated. It makes my blood boil when I think Congress delegated the power it has to the Chief Executive. In the name of America and our Government rescind this power and do it before it is too late; before he sinks the ship; before he wrecks this Nation with the power and authority you gave the President which Congress should retain. Men, cannot you now see the damage you have done by delegation of power to the President?

Yesterday I overheard a Senator say that they would soon finish consideration of the neutrality bill in the Senate and pass their bill; then they are going to send it over to the House and the powers that be have it shoved through here in a day or two, which will get us out of here by the first part of November. That is what the administration figures on doing to the House of Representatives. If the Speaker and majority leader bring that bill in here through a closed rule and limited debate and do not give the Members of the

House an opportunity to discuss thoroughly the legislation that has been passed by the Senate, so that the Members may try their best to keep this country free from war—we want no war and we do not need to get into war if we use our heads—I say to the leadership and the administration that it is due for some chastisement at the hands of the people back home, and rightfully so. In the name of America, our Constitution, our boys, and our people, let us keep from going to war abroad, and I will guarantee then we will not have any war in America. No one wants war, and I am sure there is no good reason I should vote for it, and I am not going to vote to send our boys over the ocean.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address delivered on October 7, 1939, over the Columbia network by Rev. Edward Lodge Curran, president, International Catholic Truth Society, in reply to Hon. Alfred E. Smith. The address is entitled "The Crusade for Peace."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

There was no objection.

THE HOUSE LETTER

Mr. THORKLESON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

Mr. THORKELSON. Mr. Speaker, in respect to the letter inserted in the daily RECORD on October 11, I find it has already been considered in the Geneva Conference held in 1929 and 1930. The matter was brought up at that time because Lord Northcliffe, proprietor of the London Times, the Daily Mail, and other English newspapers, was over here in charge of British propaganda in America.

Mr. Speaker, inasmuch as the authorship of the British secret service communication of 1919, which I placed in the daily RECORD on October 11, has been identified by the wire which I received during the debate yesterday and in this book, I ask unanimous consent to withdraw the whole article, in justice to Mr. E. M. House. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON] that the letter referred to by him be withdrawn from the permanent RECORD?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to insert the remainder of these remarks at this point in the RECORD so that it may remain as a part of this report.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, the printed British Secret Service Report which appeared in the daily RECORD of October 11 was, like other reports, interesting because of the information it contained. To me it was interesting for, knowing the history of the World War and conditions as they existed at that time, I found the report to be in substance correct, even without signature. It was for that reason that I said to disregard the origin and destination of the report.

Mr. Speaker, there is a lesson in the report, for the opinion stated therein is exactly the opinion which prevails among the so-called nobility of Europe, and particularly that harbored by the titled personages of Great Britain. I have heard these gentlemen express themselves exactly as set forth in this article. I have heard many of these Europeans belittling the Americans.

The average British, German, Scandinavian, French, and American citizens do not hate each other. On the contrary, I have always found the average Mr. Citizen of all countries friendly. I am sure that nearly all of those now engaged in their own destruction often wonder why war must come. For what and for whom are they fighting? Certainly not for themselves, for they will be, as they have been, left with the empty bag when the war is over. There are no homes or futures in the front-line trenches and only false glory in no-man's land. The last war was fought for the owners of Krupp, Bethlehem Steel, Vickers-Armstrongs, Schneider-Creusot, and Skoda. I refer you to Arms and the Men, from Fortune magazine, which I would advise my colleagues to read before they vote to give the President power in the Neutrality Act to involve us in war.

Who are the promoters of war? The report in the daily RECORD of October 11 gives a clue.

The upper strata of Europe, and particularly that of Great Britain, harbor the thoughts of the Americans expressed in this report. The cost of selling us on the idea of sending our young men to fight for the British Israel was no doubt based upon the educational cost, or propaganda, scholarships, complimentary titles, and degrees. This is forgivable, because how can anyone remember that there is no difference between the pauper and the king? The average "cost of conversion," I believe, would have been more than 53 cents if England had paid her total war debts with interest to us. The reason for the cheapness which this report set forth was, therefore, due to the fact that we paid for the conversion and the privilege of fighting for Great Britain, and we paid for the war besides. I placed this report in the daily RECORD because I wanted the people to know this, and I wanted to warn them not to be foolish enough to fight this war for the same cause as we fought it 22 years ago.

When the article mentioned the Irish and German "riff-raff," let us not forget that the British upper strata speak in exactly that manner of the Americans, and when they mention the Irish and German they actually mean the Americans themselves. What I resent is to be told about it at any time, even now. If it is a fact, it would be better left unsaid to spare the feelings of a people that outdid themselves to help Great Britain.

When this report speaks of "societies" it is again correct, for we had many of them at that time. I know, as the report states, that this is true:

> With the active cooperation of the administration our "American" defense societies, security leagues, protective associations, and other extra legal bodies enabled us to terrorize, sterilize, and standardize—in a word, to Americanize—the minds of the people and their legislators so that their conduct and even their thoughts conformed scrupulously to the common pattern we had laid down for them.

Let us not forget that we have the same societies today, many of them sponsored by foundations for philanthropic purposes. I refer you to my remarks in the RECORD on October 18.

It is also unfortunately true, as the report states, that many of us have been led to believe that real culture can only be had "on the other side." In my opinion, the best culture for us is on this side.

When the report says:

> There is no German-American situation. It is considered near treason to use German silver, to hear German music, or to have German measles.

I can testify to the correctness of this statement. It was after the Balfour declaration, when our Nation was submerged with pro-British propaganda, that the sentiment of our people gradually began to change in favor of England and with hatred toward the Central Powers. No one hated Germany previously to that time, and that includes the Hebrew as well. It was the trade negotiated in London in the Balfour Treaty that sold the American people against the Central Powers. I recall that anyone who unfortunately had a German name, even though a citizen of this country for two or three generations, was hounded and criticized because of his name. I can even go a little further than this and say that if anyone was seen with a person with a German name he was classed as pro-German. Those old enough can remember this very distinctly, and that is what British propaganda did in the United States and what it is now attempting to do again. So the report is correct as to that.

We are already familiar with the British movement in our colleges, universities, and other educational institutions.

That is such a common thing that it is not even necessary to discuss it today. The same statement may be made about prelates or pastors in many of our churches, particularly those connected with the various foundations.

I also know that this organization exists—the Imperial British Israel Organization. It is very active today in promoting pro-British feeling, for I have their magazines in my office, a publication named "Destiny." I believe that many of us will admit that even much of our reading is largely British, and that some of the textbooks have been changed favoring the British ideas.

I now come to the motion pictures. We had pro-British movies during the World War. Atrocities were depicted as committed by the Central Powers which the producers today admit were purely propaganda to promote hatreds toward the Central Powers. We have the same pictures today, more subtle, to be sure, but still pro-British, with the atrocities credited to Hitler and nazi-ism instead of Germany.

I am not concerned with pictures of this type, because I know them too well, but may I call your attention to this: All of these moving pictures and their atrocity plots are created in the minds of those who produce the pictures and are portrayals of themselves. It should be understood by all that when a person writes a story he cannot write what is in another person's mind. He can only word picture what is in his own mind. So all the moving pictures that are now on the screen disseminating this wild propaganda are reflections of hatreds in the minds of the producers. It is very important for all of us to understand this, not only in looking at moving pictures but in reading as well. Remember, the plot to kill is hatched in the mind of the criminal and not in the mind of the victim. The people who willfully distort facts and deliberately portray pictures on the screen that are not true, and which are used for the purpose of involving us in a war where perhaps a million of our young men will die, are criminals themselves in such portrayal.

It is not my desire to take the time or waste the space in the RECORD to discuss this report in detail, but let it be understood that even the officers mentioned in this were knighted by the British Government, and the evidence of that may be found in the Whitaker Almanack in the Congressional Library.

In closing, allow me again to call your attention to my remarks in the RECORD of October 18. The report quoted Mr. Andrew Carnegie, of Skibo Castle, Sutherlandshire, and New York City, as stating:

> Let men say what they will, I say that as surely as the sun in the heavens once shone upon Britain and America united, so surely is it one morning to rise, to shine upon, to greet again the reunited states—the British-American Union.

This is precisely what I quoted in my article yesterday from the last chapter in Triumphant Democracy, written by Carnegie in 1893, so this report checks pretty well, from the beginning to the end, except in the signature, which I admonish the reader to disregard in reading the report.

I hope those who read this report will understand this, and, as I conclude, may I say that I am grateful to the press for the publicity given to this very important episode 22 years ago.

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein three short editorials relative to the proposed reciprocal trade agreement with Argentina.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. KEFAUVER]?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech I delivered at the dedication of a chapel at Barksdale Field, La.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement I made before the Committee for Reciprocity Information at recent hearings on the proposed reciprocal trade agreement with Argentina.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming [Mr. HORTON]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I make the same request and I also want to include a statement.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

ANNIVERSARIES OF EVENTS IN ENGLISH AND AMERICAN HISTORY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker, we are constantly celebrating the anniversaries of great events. It just occurred to me that anniversaries of three of the outstanding events in English and American history have occurred within the last week.

Last Saturday, the 14th of October, was the eight hundred and seventy-third anniversary of the Battle of Hastings, in 1066, the conquest of England by the Normans.

Tuesday, the 17th of October, was the one hundred and sixty-second anniversary of the surrender of Burgoyne at Saratoga, in 1777, during the Revolutionary War.

Today is the one hundred and fifty-eighth anniversary of one of the most important events in the history of the two great English-speaking nations on the earth. It is the anniversary of the surrender of Cornwallis to George Washington at Yorktown on October 19, 1781, an event which made possible the establishment of this Republic. [Applause.]

[Here the gavel fell.]

SPECIAL ORDER

The SPEAKER. Under a special order of the House heretofore entered, the gentleman from Oregon [Mr. PIERCE] is recognized for 30 minutes.

Mr. PIERCE of Oregon. Mr. Speaker, during the World War Vice President Marshall visited La Grande, Oreg. I lived 5 miles from the city at that time. I left the old farm and went to town to help entertain the Vice President. One of the prominent merchants of the town came up to the group where we were standing and I introduced him to the Vice President. He said to the Vice President, "What are you going to talk about tonight in your lecture?" The Vice President said, "I am surprised that out in this western city you are not talking about one subject only. I am surprised you have more than one to talk about." The man said, "I suppose you are going to speak of the war?" "Surely," the Vice President replied, "we talk about nothing else in the National Capital, and that is what I shall talk about tonight."

Recalling this story makes me think that we in this House have been sitting here day by day little realizing the tremendous conflagration now starting across the waters that may wipe out civilization. I want to second the suggestions made in the Well of this House by those who believe we in this House should give thorough discussion to neutrality. I want the majority leader to remember that there are some of us over here who do not believe you ought to drive the bill through with 40 minutes of debate under the strict rules of the House.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield right there?

Mr. PIERCE of Oregon. I yield to the gentleman from Texas.

Mr. RAYBURN. There has never been any intention on the part of anybody to do anything of that sort. I have sat here for 2 weeks and more now and heard gentlemen, especially on the Republican side of the House, like the gentleman from Pennsylvania [Mr. RICH] this morning, and last week another gentleman from Pennsylvania [Mr. VAN ZANDT] suggest that such a course might be adopted. There never has been any plan or any desire on the part of anybody on this side of the House to bring in the bill when it returns from the Senate in any other fashion than that we shall have

liberal discussion of it. What liberality is, of course, is a question of degree.

I have talked to the Speaker with reference to this matter and also to some members of the committee. I intend before any conclusion is reached with reference to the matter to talk with the gentleman from Massachusetts, the minority leader, and members of the committee on that side. I hope that once and for all it may be settled that we are not going to try to gag the House when any so-called neutrality bill comes back here. There will be given reasonable time for the discussion of that matter.

Mr. PIERCE of Oregon. I thank the majority leader.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PIERCE of Oregon. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Has the gentleman given any consideration as yet as to whether we shall be allowed to offer amendments to the measure?

Mr. RAYBURN. Nothing has been decided as yet except that reasonable time will be allowed for discussion, because we would like first to see the form of the bill as it comes from the Senate. I wish to say to the gentleman from Massachusetts, however, that no agreement will be made, whether he agrees to it or not, until after he is consulted. [Applause.]

Mr. MARTIN of Massachusetts. I thank the gentleman.

Mr. PIERCE of Oregon. I thank the majority leader and the minority leader very much for that contribution.

One of the most striking statements I have read on neutrality appears under a New York date line and is by William Allen White. It was in a broadcast in which he used these words:

> The cash-and-carry law is America's peaceful contribution to the world's inevitable struggle that is gathering on the shores of the western world.

I agree thoroughly with William Allen White in that statement. I am for the so-called cash and carry. I should like to see the subject debated fully on this floor.

Let me relate just one more incident. Just before I was leaving home, after the present war had been declared, my only son, who was a volunteer in the World War, asked me to walk out with him and then he gave me a little talk. He said to me, "Father, I have never said much to you about the war. You never realized and mother never realized, and no one ever realized, how hard it was for me to leave here 22 years ago, leaving you with a thousand acres of wheat and needing me so much. But I went." Then he told me incidents he had never mentioned before. He never talks much about the war, though he saw service on both fronts. Finally he said, "On the Piave, I believe it was in late October of 1918, I ran into an Italian boy about my size and age. I said to him, 'Are you in the army?' The Italian boy replied, 'No, I am not in the army. Why should I be? My father owns a thousand acres of land.'"

My son said, "I looked at the big slacker and I thought of you back here with all your acreage of wheat and cattle and your 10,000 acres, yet I was over there helping fight his battles."

Then he added, "Dad, they do not have the same ideals over there that we have here. Remember, I have a boy, your grandson, who is eighteen and a half now, big, strong, and raring to go. Keep us out if you can."

I have thought of that many times since. I think we ought to convey in every letter and bit of information we send back home that there is no war sentiment here. As far as I know, there is not a single Member of either body that is ready to vote for war or who would send our soldiers again to cross the submarine-infested ocean to fight to a final conclusion the world struggle that is going on there now. But the question is, Where is our defense line? Is it on the shoreline of America? Is it Pearl Harbor? Is it the fisheries of Alaska? Is it Panama? Are we really going to carry out the Monroe Doctrine as it applies to South American countries? I believe we all are ready to give up freedom of the seas, especially as far as the North Atlantic is concerned, to keep out of war.

There is a real problem for Americans and for their Representatives here in Congress to decide and I hope that the entire matter will come up for adequate discussion.

I asked for this time to speak on a subject that is ever present in my mind—Bonneville power and the Columbia River. It used to be said in Oregon that I could not make a speech anywhere without talking about my white-faced calves, and I guess I cannot make a speech now without saying something about Bonneville. [Laughter.]

TILTING AT WINDMILLS

Who is the Don Quixote of the Bonneville Power Project?

There appeared in the Oregon Journal, of Portland, under the date of September 30, 1939, the following editorial:

HE, TOO, TILTS SOME WINDMILLS

> Portland residents who heard Bonneville Administrator Raver's first public address, before the City Club, Friday, will probably remember it as his "windmill speech." He said:
>
> "I am told there is a lethargy and a division among many of you. I am told you are still fighting the battles of the Civil War, jousting over issues presumably settled; over the issues of uniform versus zone rates, widespread transmission versus marketing all energy at the dam site, over public versus private distribution—something like the windmills at which Don Quixote tilted so vigorously."
>
> Perhaps some smiled a bit wryly over this, recalling that they had worked for many years to attain their dream of cheap Columbia River power, and that the Pacific Northwest, which Dr. Raver said he has found "divided and in dispute, particularly over public ownership," has pioneered in all the things Dr. Raver advocates—low blanket rates, high per capita and widespread use, rural electrification, long-distance transmission, decentralized industry.
>
> Portland residents sympathize thoroughly with Dr. Raver's desire for cooperation to put Bonneville to work, and to distribute its benefits over a widespread area. They're not only with him, they're way ahead of him.

Another recent editorial in the same paper questioned the wisdom of Dr. Raver for giving attention to public utility districts before signing contracts selling Bonneville power to private utility companies. I quote briefly from that article:

> At least three private companies and three Oregon municipalities want Bonneville power, have wanted it for months, and stand ready to distribute it and pass on consequent savings. Why not sell it to them?

Dr. Paul J. Raver, recently appointed administrator at Bonneville, is amply able to defend his public conduct. Time, that great gentleman healer of the Spanish proverb, will care for the situation and undoubtedly demonstrate the wisdom of the administrator. My personal acquaintance with Dr. Raver is limited to one short interview with him in Portland the day I left Oregon for the National Capital. However, I am firmly convinced from what I have heard and read of him that Dr. Raver is a man who will listen patiently to every reasonable business proposition, and consider it from all angles. Then, I hope, he will make his decision without reference to private pull or pressure from any source. He is reputed to be a man of good judgment.

I have several times said that the administrator of Bonneville holds a position of sweeping importance. I believe it is within the realm of possibility for that administrator to change the entire economy of the Pacific Northwest. The immense power of the Columbia River can be delivered to the people at such a low rate that it can be used to light every home, to heat most of them, and to turn the wheels of industry for the population of five millions or more, soon to live in the Northwest to which they are moving in caravans. The administrator at Bonneville has the biggest job, the most important job in all the West. Many far-seeing statesmen envy the opportunity given Dr. Raver.

It is certainly an ominous portent when a great and influential newspaper is so critical of the actions of a Government official who has been assigned to such an important task, in which he had a right to expect the fullest community cooperation. Can it be that the editorial writer had been led to expect a different course of conduct in relation to the private utilities contract? I am sorry that from such an excellent, stimulating, and thought-provoking address the editorial selected for comment but one brief paragraph not

concerned with vital matters of policies and regional development. There was plenty of meat in that speech for the hungry to chew on. I would not have been surprised if the paragraph had been singled out for comment by those private power propagandists to whom Dr. Raver referred as those "who are paid not to build Oregon or the Northwest, but to disparage such projects as Federal development of the Columbia River."

BONNEVILLE CONTRACTS WITH PRIVATE UTILITIES

The administrator was criticized because he went into Washington State to visit prospective public-utility districts instead of staying in Portland, Oreg., and signing contracts, said to be on his desk, providing for sale of the Bonneville electric power to the private utilities now operating there. I am glad to know where those contracts are. I had known that the Federal Power Commission had approved wholesale rates which must be used in selling Bonneville power. My original Bonneville bill required the administrator to fix resale rates which private utilities should charge consumers, but this provision was lost in conference between the House and Senate. The administrator has that right, though it is not compulsory. It is clearly in the public interest to make such requirement.

Portland papers have reiterated the statement that the Portland General Electric Co., which is now seeking a Bonneville contract, is under pledge to give the public "any resultant savings" from the cheap wholesale rates at which Bonneville power will be sold to them. Naturally one asks to whom the pledge has been given, and just how effective would be a pledge given by a private utility company which has not kept pledges to its stockholders, bondholders, and employees. Surely no company which is willing to make a binding pledge would be unwilling to have that pledge written into a contract with the United States Government in the form of definite requirements as to resale rates. It is my opinion that the terms of such contracts are of public concern and should be made public before they are signed. As a Member of Congress from Oregon deeply interested in Bonneville, I have a right to see those contracts and to have them analyzed by experts in whom I have confidence.

SHALL THERE BE PRIVATE UTILITY SAVINGS OR CONSUMER BENEFITS?

I notice the editor states that—

> At least three private companies and three Oregon municipalities want Bonneville power, have wanted it for months, and stand ready to distribute it and pass on consequent savings. "Aye, there's the rub."

The private utilities use the word "savings" in their published articles. This is a trick word, as I have previously pointed out in one of my earlier speeches. By manipulating the dispatching of Bonneville current between systems, and by taking a small proportion of their peak load, or kilowatt-hours, the actual savings can be made small, and could have an insignificant effect on rates, and still allow the private systems to control the situation. The proper word should be "benefits." Bonneville will save additional plant capacity investment on the part of private companies. Therefore, the excess consumption from lowered resale rates can be supplied by Bonneville cheap wholesale energy. The benefits would be realized by lowering the resale rates so that the consumers would use more energy. Utilization based on the doctrine of "savings" could produce a static rate situation, whereas the doctrine of "benefits" would increase consumption through lowered rates. We should differentiate between company savings and benefits for the consumer.

I must disabuse your minds of the idea that Bonneville power has not been sold. Contracts have been signed with one large public utility district in the State of Washington and one Oregon city. One private utility in Portland has been buying Bonneville power. When I was in the Bonneville powerhouse in August the dial indicated that the private utility was getting 32,000 kilowatts against a total development of 43,200 kilowatts, and the consumer rates in Portland have not been lowered. I understand that one of the Portland companies now demanding a contract for Bonneville power has not increased in generating capacity for 6 years, depending on getting its way. However, we are more concerned with the future system than with immediate sales and temporary contracts.

We desire that Bonneville power shall become a blessing to the Northwest rather than a profit maker for private utilities which will thus continue to hold our people in bondage to Wall Street holding companies.

PUBLIC POWER PLANTS CAN PASS ON THE BENEFITS

No question that the Oregon cities of Eugene, Canby, and McMinnville, with their public-power systems, can and will manage to offer lower rates and "pass on consequent savings" because they have been paying off their indebtedness. Canby, a village of 1,000 people, has a most remarkable story which I have presented in the RECORD. In 16 years this little western town has cleared almost $160,000 on a municipal light plant, and has no debt on it. When Bonneville power is available the cost for wholesale electricity for Canby, which does not generate its own power, will be cut from $8,000 to $4,000 annually. No question that the low wholesale rates will there be passed on in benefits to the people. At the same time, this bustling, rustling village will offer free use of "off-peak" electric current to pump water to irrigate 2,000 acres of adjacent garden land.

Eugene, with but a small debt remaining on the books of its electric plant, owns a very valuable public power property worth more than $5,000,000. Yes; Eugene can and will "pass on the consequent savings." Remember that the electric rates in Eugene are now less than one-half of what is charged by private companies in Portland.

McMinnville public plant can and will "pass on the benefits" if the Bonneville administrator gives it the chance which has been withheld without warrant. There is no question about these municipal plants being able to "pass on the benefits."

CAN DEBT-RIDDEN PRIVATE UTILITIES "PASS ON THE BENEFITS"?

What about the three private utilities bonded to their very ears and owing allegiance to absentee overlords? Are they actually in any position to "pass on the benefits"? They have, through years of frenzied finance, become so debt ridden they cannot satisfy their security holders if they give the consumers the low retail rates at which Bonneville power can and should be sold. The Portland General Electric Co. has definitely repudiated its obligations, leaving a trail of woe and want among those who thought they were making real investments.

The simplest way of estimating the deterrent financial obligations of the companies seeking the privilege of distributing public power is to investigate the debt per installed meter. The Congress, which has lent the money for Bonneville power project, has a right to these facts. It is clearly apparent that the current from Bonneville cannot flow freely through meters and wires clogged by debt. Let us look at the situation.

The Portland General Electric Co., according to its 1937 balance sheet, has a debt per meter of $458. This electric operating company is owned and controlled by the Portland Electric Power Co., which has an outstanding debt of $34,100,377, exclusive of its debt on railway equipment. The electric portion of the holding company's debt is around $108 per meter, making a total electric debt of these two affiliated companies around $566 per meter.

The Northwestern Electric Co., which also serves Portland, is owned by the American Power & Light, and this latter subholding company is owned and controlled by the Electric Bond & Share, which is the top holding company. The financial statements of the holding company and subholding company are not set up so that a definite segregation of the debt can be made on a meter basis. This Portland operating company had, by its last balance sheet, a debt of $390 per meter. Adding a conservative estimate for the allotted debt per meter of the two holding companies makes the total debt per meter around $515. In this connection it should be noted that the plant and property account of this operating company was $27,444,472 as of January 1, 1936, and was written down to $21,101,607 on its January 1, 1938, statement. This write-down reflects the

general write-down of a total of nearly a half billion dollars by this top holding company. In my speech of June 24, 1937, I covered this subject and pointed out the $10,000,000 of water in the then published balance sheet of the Northwestern Co. This is the company which is now buying cheap Bonneville power and said to be reselling it to the Portland General Electric.

I have never been able to secure the valuation for rate-making purposes of the Portland Electric Power Co.—Pepco—and the Portland General Electric Co. I have been able, however, to secure the valuation of the property of the Northwestern Co. made by the former State utility commissioner, and I find that this amounted to $220 per meter. Quite startling when contrasted with its debt of $515 per meter. The figures cited give us an index to the inflated valuation of Pepco, Portland General Electric Co., and Northwestern. These figures also indicate definitely how the American investor has been victimized by write-ups and write-downs.

It should be clear that if the three private utilities gave the low rates the consumers will get at Canby, Eugene, and McMinnville, then Northwestern would have to repudiate more than half of its debt and rewrite its rate schedules; and other companies make even larger write-downs. Private utilities have generally acted on the principle that bonds and preferred stocks should be issued to the limit. Utility commissions and courts were always expected to make the rates high enough to pay dividends and interest. Publicly owned utilities have made a practice of paying off debts, so that their rates are progressively reduced.

The private power companies have very largely dominated the politics of Oregon and Portland for years. Their expenditures for newspaper and other publicity have been partially recorded for public information. The revelation of such expenditures during recent campaigns they have made against the formation of public-utility districts is shocking. With what a lavish hand expenditures have been piled up to be paid by the consumers of electricity is apparent in the recently published item of $1,730.20 Pepco payment to a paper in a small city in the center of a proposed public power district.

Private utilities in Oregon are taxed on approximately half of their own stated cash value, which is much less than the book value of securities outstanding.

CHAMPIONING THE PEOPLE'S RIGHTS

The editor who wrote the quoted editorials should, for his own enlightenment, reread some of the editorials and news articles which appeared in the recent past, no longer ago than 1930, in the columns of this same Oregon Journal, which was by its founder dedicated to the cause of democracy. I remember a notable series of editorials in that paper about selling "raw water" at Oregon City; how consumers of electricity were wrongfully paying thousands of dollars each year for the use of the Oregon City Falls. Those familiar with Oregon political history will recall that, through corrupt manipulation in State and Federal legislative bodies, these valuable falls were given to private utilities. "Raw water" was the subject of many an able and inquiring editorial appearing in the Journal—among the titles were the following: "Sale of Water by Utility Head Held To Be Illegal"; "Oregon City Water Rights Illustrate State's Need For Definite Power Policy"; "How the People Lost"; "Must the People Always Lose?"; "Oregon City Water Right Cost Utility Thousands—Public Pays on Millions"; "Lost—a People's River."

In another series of remarkably strong editorials, attention was fixed on the fact that one of the predecessors of the present Pepco sold to it over $6,000,000 worth of the stock of the Seattle Gas. What price do you suppose they were compelled to pay as the holding company sat on both sides of the table? Time and again the Journal said that the stock was transferred at $225 a share when it was selling on the market for $15 a share. That difference, totaling $6,000,000, was read into the capitalization of the Portland utility. Should the new administrator sign a contract compelling Portland consumers to secure the Bonneville power through such a company? Does anyone honestly believe that the users of electricity will get the benefit of the low wholesale rate for which Bonneville power can be sold unless the retail price is specifically stated in the contract? Is it not apparent that the private utilities cannot agree to terms fair to the consumers on account of their financial set-up?

GOVERNMENT CONTRACTS SHOULD BE SAFEGUARDED

I know a tremendous drive is being made in Washington, D. C., in Wall Street, and in Portland, Oreg., to force Dr. Raver to sign the famous private-utility contracts, of which I have thus far been unable to secure copies in order to satisfy myself that they are not infamous. It appears to be the intention of a closely knit group of public officials and private manipulators to compel the administrator to tie up the power of Bonneville to the private companies operating in Portland before public utility districts can be legally formed. One of these private companies is now going through its second bankruptcy within 5 years. Those stock and bondholders who are being frozen out and losing their fortunes are organized for protection which it seems cannot be secured. Is it honest business and is it safe and right for the Government to make a contract with a group of men who find it expedient to do business by such methods? Our Federal Securities and Exchange Commission seems to lack proper authority or proper interest in protecting investors defrauded by private-utility holding companies—recall the Harrison Williams episode.

BONNEVILLE INVESTMENTS AND INTEREST THEREON

I notice the Journal editorial also states that the Bonneville power project has not yet earned sufficient interest on the $60,000,000 investment. First, there is not $60,000,000 invested in the power project. According to estimates made by the Federal Power Commission and confirmed to me today by its chief engineer, the total costs of Bonneville navigation, fishways, and power to June 30, 1938, were $53,188,800.

This included interest during construction. The cost of all at-site power facilities was then $11,682,400; this also included interest during construction and covered the two generating units of 43,200 kilowatts each, the only ones now finished. The amount of $120,000 collected for electric energy sold from an uncompleted project and applied as interest on investment before the major transmission lines are finished, is not so bad. Transmission lines are not yet completed, even to Portland, though they are being rushed. It is impossible for the project to earn money until the power has been transmitted to the distribution systems.

Whatever may be the entire cost of Bonneville power project, it will be too much for the Government to make it a free gift to private utilities which demand cheap current without guaranteeing any public benefit therefrom. Remember, 5 cents is too much to pay for one-fourth cent's worth of Bonneville power.

PIONEERING IN ELECTRIC EXTENSION

The editorial states that the Northwest has pioneered in all the things Dr. Raver advocates—low blanket rates, high per capita and widespread use, rural electrification, long-distance transmission, decentralized industry. Just how has Portland helped to pioneer in any of these things? It has had one of the finest opportunities in the world, being only 15 miles from Oregon City, where the falls of the Willamette River afford abundant power, which might have been used for the public benefit. The first high-voltage line in the world was constructed there from Oregon City to Portland. There is water power all around Portland. Nature did her part. Portland lacked leadership in the public interest; such leadership and civic spirit as was expressed in Tacoma, Los Angeles, Eugene, McMinnville, and Canby. Oh, how I wish the powerful and usually progressive Oregon Journal would again become the advocate of fuller public benefit from natural-power resources.

For some years one of Portland's two private utility companies, the Northwestern Electric Co., has been operating without a franchise. Its franchise expired, giving Portland the right to take over its property at appraised value, and Portland has been propagandized into neglecting that opportunity.

I notice that rural electrification is named as one of the pioneering activities of the Northwest. It is true that our very

progressive population in the more thickly settled centers early demanded rural lines, and what a price they paid. I believe the farmers of America owe more to Franklin D. Roosevelt than to anyone else for the extension of rural electrification. When the R. E. A. Act was passed a little clause was slipped in, by those financially interested, forbidding the R. E. A. from going into any neighborhood already served by a utility. Immediately all over the United States spite lines were run out into the country to skim the cream of the business so R. E. A. would be obliged to refuse public money to public districts. Everywhere people were signed for long-term contracts before they knew of the Government plan. Who was to blame for that monkey wrench? Why cannot we repeal it? I know why it is there. It was due to the power of the Wall Street utility group. Will they succeed in keeping it there?

CHEAP POWER—FOR WHOM?

The learned Dr. Raver is accused of "tilting windmills." Never did a public servant put a more pertinent question than when the Administrator asked why the same quantity of juice which cost $2.60 in Tacoma should cost $5 in Portland. Was that treason and who was betrayed—the utilities or the ratepayers in Portland?

It is true that many people in the Northwest have dreamed of cheap Columbia River power. Why have they never made it possible for industry, for farmers, for merchants?

At Niagara there is developed and sold the cheapest power I know of anywhere, at wholesale $8 per horsepower or $12 per kilowatt-year. Who gets the advantage of that low rate? There is only one customer on the $8 schedule, the Aluminum Co. of America, plainly the privileged beneficiary of the Nation's most extensive present power development. Our Columbia River has the Nation's greatest potential power resources, which will, I hope, ultimately be developed on a plan devised to protect the interests of the people. Present experiences and indications of future action in connection with Bonneville project illustrate most perfectly the difficulties placed in the path of reasonable and just public use of a great public project.

Who else gets the advantage of Niagara power development and the low rates of other schedules? The people? The farmers? No, no; nobody gets that low rate except the favored monopolies, like the Pennsylvania Salt Co., which now wants the exclusive privilege of manufacturing at Bonneville sodium chlorate, a herbicide, which the farmers of the Northwest must use abundantly to assist in annihilating the noxious-weed pests which now infest thousands of acres of fine farming lands and are spreading with alarming rapidity. As I talk, the press carries news of another expensive carload of sodium chlorate being shipped into the county adjacent to Bonneville. When Bonneville is completed it will be practically the same size as the Niagara development on the American side. Have the monopolies vested rights in Bonneville just because they stole Niagara and made from it a fortune of a quarter billion dollars, one-fourth of the assessed value of Oregon?

UNRIVALED OPPORTUNITY FOR THE PROGRESSIVE NORTHWEST

How does it happen that Portland, largely controlled by the private utilities—chiefly through its chamber of commerce, in which the utilities hold so many memberships—has the nerve to claim that it has been progressive and forward looking in the matter of power? The rates tell the story. Portland shelters itself under the protecting term "Northwest," which includes Tacoma and Eugene. Yes; the Northwest has been progressive.

The Columbia River and its tributaries will develop electric current sufficient for 10,000,000 people. To develop this current requires no coal, wood, oil, or gas. Nature has supplied this great blessing in abundance in the Northwest.

Portland people are using 1,100 kilowatt-hours per installed meter; Tacoma consumers use 1,700 kilowatt-hours per installed meter; Eugene, 2,000; Winnipeg, Canada, 4,750; and Fort William, Canada, 5,250. Why do Portland consumers use so little electricity compared to those in other cities? Because the price is much cheaper elsewhere. In Winnipeg and Fort William the price is one-fourth what it is in Portland. Were Portland consumers using electricity at the same quantity per installed meter as they use it in Winnipeg, it would take the entire future installed capacity of Bonneville to supply Portland and vicinity alone. A cheaper price always brings greater use.

Never can Portland get the full benefit of Bonneville low-cost electricity through the meters and over the wires of the Wall Street-controlled utilities. If Portland really wants the benefits of Bonneville power, then it should organize a public-utility district and buy out the distribution systems of both private companies at what their wires, poles, and equipment are really worth, without pay for watered stock, deadwood, and the franchises which were given by the people. Rates should then be fixed so as to pay out the entire investment in 40 years. Then George Joseph's dream will come true—light, power, and heat from the Columbia River practically free. Little would it cost to keep up the poles and lines, to read the meters, and to administer the system. The dam is there for the ages. Wires last for centuries. Nature provides the rain and the snow. What a paradise is in prospect. Why, oh why, do the good people of Portland overlook their greatest opportunity and submit themselves to the dictates of profit-seeking private utilities which have repeatedly wrecked themselves and their investors financially in one of the richest territories occupied by any power company? Why should confidence be placed where it may be betrayed? The transmission lines from Bonneville are being rushed to Portland's boundaries. Will they be forever connected by Government action with private distribution systems, or will the people come into their own? [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. GIFFORD] may have 20 minutes within which to address the House on next Wednesday, following the special orders heretofore entered.

The SPEAKER pro tempore (Mr. ROBINSON of Utah). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Wisconsin [Mr. JOHNS] is recognized for 45 minutes.

THE PRESENT NEUTRALITY LAW HAS WORKED SATISFACTORILY

Mr. JOHNS. Mr. Speaker, I have listened with unusual interest to the debate in the House here on the present neutrality law, which was approved on August 31, 1935, amended and approved on May 1, 1937, and further amended and passed by the House of Representatives on June 30, 1939. It seems to me that the only serious question before either the Senate or the House of Representatives is section 1, subsection A, covering the "export of arms, ammunition, and implements of war."

To me the serious situation that presents itself to Congress is whether or not other nations have relied upon our position taken when this Neutrality Act was passed, and whether we now at this time can or should amend this act so as to help either one side or the other, or to place any one of the warring nations, or neutral nations, for that matter, in a different position than they were when the present war was declared in Europe.

I recall the President of the United States in vetoing a bill passed by Congress extending the time for interlocking bank directorates at the last session of Congress, in which he used this language:

> If it was in the public interests in 1935 for the Congress to decide to terminate these relationships, it is in the public interest to terminate them now. Affected banks and affected directorates have had over 4 years to make adjustments. That would seem to be a liberal time.

This Neutrality Act was passed in 1935. If it was a good neutrality law at that time when Congress was not under pressure from any source to pass the law, had plenty of time to deliberate before its passage, and it became the law of the land, not only for the United States but for the world, then it ought to be a good law now. If it was not a good law, it

seems that Congress has had plenty of time to amend it, as there have been plenty of wars to try out our Neutrality Act. I hope that it will not seem to you presumptuous on my part if I call the attention of Congress to the fact that there have been wars almost continuously since the passage of this act, and our country has been able to remain absolutely neutral under it, and not a ship of ours has been sunk or one of our soldiers or sailors killed as a result of it, with the exception of the *Panay*, which was sunk by the Japanese, but apologies were immediately forthcoming and reparations paid. To me there does not seem to be much question but what if we amend this act at the present time and lift the embargo on arms and ammunition so that it may be shipped to the warring nations, that we have committed an unneutral act sufficient to justify a nation that might take exception, to declare war on us for doing so.

I am quoting from a letter addressed to the German Ambassador to this country, written by the Honorable William Jennings Bryan, Secretary of State at that time, under date of April 21, 1915, in which he replies to a communication from Germany protesting our not being neutral at that time. I quote:

In the third place, I note with sincere regret that, in discussing the sale and exportation of arms by citizens of the United States to the enemies of Germany, Your Excellency seems to be under the impression that it was within the choice of the Government of the United States, notwithstanding its professed neutrality and its diligent efforts to maintain it in other particulars, to inhibit this trade, and that its failure to do so manifested an unfair attitude toward Germany. This Government holds, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions, and I respectfully submit that none of the circumstances urged in Your Excellency's memorandum alters the principle involved. The placing of an embargo on the trade in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States. It will, I feel assured, be clear to Your Excellency that, holding this view and considering itself in honor bound by it, it is out of the question for this Government to consider such a course.

Plausible arguments are presented in behalf of such change, but may I call the Congress' attention to the fact that when it was sought to change the Embargo Act after the outbreak of the World War in 1914 Lord Grey, of England, then foreign secretary, asserted that any change in the Embargo Act during war was an unneutral act. President Wilson and Robert Lansing, then counselor to the State Department, and who later became Secretary of State, were of the same opinion, and the embargo was not changed in 1914. Both President Wilson and Secretary Lansing said that to change the neutrality laws and impose an embargo during the war was a violation of international law. We have the same question before this Congress now. The answer should be the same.

It is now proposed to change our neutrality law while the war is in progress and permit Americans to sell munitions of war to the belligerents. Henry S. Frazier, the technical expert and adviser to George W. Wickersham, when a member of the International Commission on Codification of International Law, an authority on the subject, has recently said that to change our neutrality law after the declaration of war by the belligerents so that we can favor one belligerent rather than another is itself an unneutral act and a violation of international law; and the nation that is harmed by such change of law can, under international law, attack American shipping because of this unneutral act.

Mr. WOODRUFF of Michigan. Mr. Speaker, will the gentleman yield?

Mr. JOHNS. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. As a matter of fact, would not the changing of the law at this time in order to help one of the belligerents give ample cause for the other belligerents to declare war upon us because of our evident attempt and determination to help their enemies?

Mr. JOHNS. That seems to be the opinion of all the experts on international law in this country who have been consulted.

Prof. John B. Crane, professor of economics at Northwestern University, says that the United States was dragged into the war with England in 1812 because the embargo was lifted.

I now call the attention of the House to an address by Hon. KEY PITTMAN, chairman of the Committee on Foreign Relations of the Senate, delivered before the Academy of Political Science in New York City on April 7, 1937. He was chairman of the committee at that time and is also chairman of the committee at this time and has charge of the neutrality bill which is now being considered in the Senate. I quote from his address delivered at that time:

While the general definition of neutrality is well understood, it is well known to you also that international writers, international lawyers, courts, and arbitration bodies have given peculiar definitions to the expression deemed necessary in defining the rights of belligerents as well as neutrals during war. For instance, it is held by high authority that it is unneutral for a neutral, after war has commenced, to so change its financial and commercial relations with belligerent as to take such belligerent by surprise and suddenly deprive it of sources of supply that it depended upon and the deprivation of which will seriously injure it in the conduct of its defense. I call attention to this holding solely as an illustration in an extreme case, which, while apparently just to the belligerent, may work great harm to the neutral in arousing the animosity of the enemies of such belligerent and possibly involuntarily involving the neutral in a foreign war not of its own making.

For instance, during the Italo-Ethiopian War Mussolini declared that the placing of an embargo by the League of Nations upon the export of oil to Italy would be deemed not only an unneutral but an unfriendly act, attended with grave consequences. In fact, he clearly indicated that he would consider such an embargo a casus belli. At the time this matter was under consideration by the League of Nations, when the President indicated that he was considering bringing about an embargo upon the export of oil to both of the belligerents, Mussolini communicated to our Government that he would consider such an act both unneutral and unfriendly. This whole incident was packed with the most sensitive explosives of imminent war.

Our Government, in my opinion, undoubtedly has the legal right to place an embargo upon the export of any commodity. The Supreme Court of the United States, in a recent decision entitled "*United States* v. *Curtiss-Wright Export Corporation et al.*," seems to hold that the President possesses such power without expressed authority of congressional enactment. Certainly such an act is not prohibited by any so-called international law recognized or binding upon the United States. There is no existing treaty of which I have knowledge that would prohibit such an act. Two treaties which might have been so construed have been vitiated through the acts of the parties to such treaties. Whether the exertion of such right is moral, just, and wise during war is a grave question. It is for this reason that Congress has determined that any such restrictive legislation must be enacted during times of peace so that all future belligerents may have notice.

The chairman of the Foreign Relations Committee continues further to say:

I again repeat that what our Government is most vitally interested in at the present time is the enactment of laws prescribing rules of conduct for our own citizens during a foreign war that will eliminate some of the chief causes that have heretofore dragged us into such wars.

The chairman continues further to state in this address:

In preparing for the next World War, and in determining what action we shall take on our own behalf in such event, it would seem wise and profitable that we should consider our relations to the last World War and the causes that involved us in that great catastrophe.

The chairman continues to state:

As we must have some law, even for the governing of our own citizens during the war and as international law sleeps during war, we will have to make our own laws.

As to consequences that may and probably will result if we repeal the embargo on arms and ammunition, which really brings us back, as the President suggests, to international law, the chairman had this to say with reference to a similar situation in 1917. I quote:

We relied upon international law as a justification for our citizens in traveling upon belligerent vessels. We relied upon international law as a justification for supplying the Entente Powers with arms, ammunition, implements of war, and all materials and supplies essential to the successful conduct of the war by the Entente Powers. We relied upon international law as a justification for the approval of our Government of the sale of the bonds of the Entente Powers in our country to enable them to successfully conduct the war. We relied upon international law in opposing the sinking of merchantmen by submerged submarines

without notice. We relied upon international law for our declaration of armed neutrality. We relied upon international law for every assertion of our alleged neutral rights. This reliance brought us no benefits or protection and was our undoing. By our unrestrained supply of arms, ammunition, and other contraband of war to the Entente Powers, by our failure to force Great Britain to respect our undeniable neutral rights, we excited the German people and aroused their hatred until they had conclusively determined before we entered the war to engage in war with us, either during the pending contest or after this war was over. They undoubtedly had in mind that they would win the World War and that we would be made to pay the entire cost of it through a subsequent war with us in which they hoped and expected to have powerful allies.

In this same address the chairman said:

No one has seriously opposed the placing of an embargo upon the export of arms, ammunition, and implements of war to belligerents.

I cannot at this time use more appropriate language to bring home to Congress the seriousness of this whole situation than to use the language of the chairman of the Foreign Relations Committee of the Senate in closing his address to this distinguished audience in New York City when he said:

Our Government cannot determine the rules of neutrality; they may be only determined by a convention of nations. We can determine the acts of our own citizens in relation to a foreign war. This I conceive to be our duty. No mere handful of citizens seeking the excitement of travel, nor exporters seeking extraordinary profits, should be allowed to disturb the peace of our country and drive all of our people into a useless and devastating war.

The President of the United States, as late as February 29, 1936, when he signed a joint resolution of Congress continuing the embargo, said:

By the resolution approved August 31, 1935, a definite step was taken toward enabling this country to maintain its neutrality and avoid being drawn into wars involving other nations. It provided that in the event of the Executive proclaiming the existence of such a war, thereupon an embargo would attach to the exportation of arms, ammunition, and implements of war destined to any belligerent country. By the resolution I have just signed, the operation of the August resolution is extended and strengthened until May 1, 1937.

The President was greatly overjoyed and satisfied when he issued an embargo proclamation promptly after the outbreak of hostilities in Ethiopia and at that time said:

It is true that the high moral duty I have urged on our people of restricting their exports of essential war materials to either belligerent to approximately the normal peacetime basis has not been the subject of legislation. Nevertheless, it is clear to me that greatly to exceed that basis, with the result of earning profits not possible during peace, and especially with the result of giving actual assistance to the carrying on of war, would serve to magnify the very evil of war which we seek to prevent. This being my view, I renew the appeal made last October to the American people that they so conduct their trade with belligerent nations that it cannot be said they are seizing new opportunities for profit or that by changing their peacetime trade they give aid to the continuation of war.

Of course, the President has since revised his position, and on September 21, 1939, he said in his message to this Congress:

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?

I think that the language of the President in his speech that he delivered on August 14, 1936, at Chatauqua, N. Y., would be much more appropriate at the present time if he only knew the feeling of the people in this country toward making profits out of this war by employing more of our people. At that time he said:

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

That the President has from the American people almost unanimous today—"We choose peace."

To us in America, who believe so much in peace, it is hard for us to understand that there is a great war raging in most of the world today, and as I pondered over this situation I could not help but think of the late great Democratic teacher, William Jennings Bryan, who to me was one of the greatest teachers that the world has seen during the past century. In an address at Johnstown, Pa., on November 1, 1915, he said:

And the nations which are at war are not barbarous nations, they are among the most civilized of the earth; neither are they heathen nations, they are among the Christian nations of the globe. They all worship the same God, and most of them approach that God through the same mediator. They offer their supplications to a common Heavenly Father and then rise up to take each other's lives.

Later on in that same address he said:

The question is not whether this nation would defend itself if attacked. We have a potential power of defense such as no other nation has today—such as no other nation has ever had—and other nations know it. There is no danger that an attack would not be resisted, and we would not depend upon the jingoes. They would be too busy making Army contracts and loaning money at high rates of interest to reach the front. If we ever have a war, we will depend, as in the past, upon those who work when the country needs workers and fight only when the country needs fighters.

And later on in that same address he said:

We cannot single out a nation and begin to prepare against it without cultivating unfriendliness toward that nation; and we cannot make hatred a national policy for a generation without having our people anxious to fight as soon as they are ready to fight. If the nations at war had spent in the cultivation of friendship but a small percentage of the amount they have spent in stirring up hatred, there would be no war in Europe today. We should not transplant upon American soil this tree of hatred unless we are prepared to eat of the fruits of the tree, for it has been bearing its bloody fruit throughout the years.

Continuing further, in the same address, he said:

If there is one lesson which history teaches more clearly than any other it is that nations which aspire to mere physical supremacy have no hope of immortality; the fact that they put their faith in force is proof that they have in them the seeds of death. The pathway of human progress is lined with the wrecks of empires which, when at the zenith of their power, thought themselves invincible.

What the world needs is not a despot to fix the terms upon which the rest shall live; its great need is that these nations shall be brought together in a spirit of friendship and fellowship that they may cooperate in working out the destiny of Europe. If this Nation has any influence, that influence must be exerted to bring the warring nations together and not to encourage them in the false hope that a permanent peace can be built on force or fear.

It seems to me that a repeal of the embargo on arms would be only carrying out this very thought, and placing us in a position where we could not help in any way should the time ever come when we might bring about peace between the warring nations in Europe.

And in his closing paragraph of this remarkable address, it seems to me that he has outlined so well our duty at this time, and covers so well also the feeling of our people, that I cannot refrain from giving it to you in his own language. He said:

We must not disappoint the hopes which our ideals and achievements have excited. If I know the heart of the American people they are not willing that this supreme opportunity shall pass by unimproved. No, the metropolitan press is not the voice of the Nation; you can no more measure the sentiment of the peace-loving masses by the froth of the jingo press than you can measure the ocean's silent depths by the foam upon its waves.

If you will bear with me for a moment, I would like to discuss the war propaganda that is now, and has been for a number of years, distributed in this country. There is no doubt but it is being used to excite the people, such as "a war to end all wars"—"to make the world safe for democracy"—"the United States should carry out 'the white man's burden' "—"the United States should save civilization in all parts of the world"—"the United States should crush militarism and establish disarmaments," and many such other expressions that are constantly flooding the country.

Of course, the slogans of the last war are dead, but we find new ones springing up over night. The press and the radio are constantly sending out news and comment from Europe, that our coming into this war is only a matter of a short time and, of course, inevitable. We are told that our

trade and industry would be immediately stimulated, that those who have been unemployed for years would be put back to work; but those of us who are old enough to remember the last war and how men were put to work and after the war was over were out of work, do not become excited about it. There were a few years of economic decline, then we had a few years of prosperity and now have had 10 years of unemployment, a financial depression, millions of people on relief, high taxes, and a debt of $45,000,000,000 staring us in the face, and all of this can be traced back to the waste of men and materials and the social and moral degeneracy which war must always produce. One thing that the American people should remember at all times is that we are not interested in any foreign country's diplomacy toward other nations and their foreign wars to maintain this diplomacy. Just as long as there is a war between these foreign nations we will be flooded with propaganda trying to excite us to take part on one side or the other of these warring nations. We have our own ideals and most of them do not conform with that of dictatorship which now governs most European countries.

We must remember at all times that this war is not our war. That the fighting so far has been at least 4,000 miles away and the result cannot affect our life to any great extent. Simply because England and France are quarreling to protect their own interests should be no affair of ours and is no reason why we should take any part in this foreign conflict, and we should try to bring it to a peaceful end. It seems to me that it is our duty to maintain a highly adequate defense at home and let Europe settle the troubles they have, which they themselves started. If I know the pulse of the American people, it is that we attend strictly to our own business and let the warring nations of Europe attend to theirs.

The estimated money cost of the World War to the United States was $41,765,000,000. This is the report of the Secretary of the Treasury of the United States for the fiscal year ended June 30, 1934. This, of course, does not include the value of the human lives lost and the human suffering during and subsequent to the World War. This staggering amount is as much as the whole world spent for national defense in the 4 years 1934, 1935, 1936, and 1937, inclusive. This, of course, includes the United States, Britain, France, Germany, Italy, Russia, Japan, and 53 other countries. All of them last year only spent $17,000,000,000 for national defense. That is what the last World War cost us, and, of course, the present World War, if we should get into it, would cost us a great deal more, because all nations are prepared for war today. If it cost us that amount of money to get into the last World War, it certainly should be worth that much to stay out of the present one. We may all have our sympathies because of blood relations and ties for certain warring nations in Europe, and some of us may have relatives and friends there, but we must not forget, first of all, that we are Americans, that it is our country and it is to this country we owe our first duty and our only allegiance.

Should we enter the European war now, or even at some later date, it would mean the loss of freedom of speech and thought, as well as individual action, and it would not surprise me if we never were able to regain it again. Regardless of the outcome of the war, we have ample resources in our own country to defend ourselves if it ever becomes necessary and we are threatened, and without any need to go abroad to do it. There is no question but what the American people are willing and able to defend our country if the time ever comes when it is necessary for us to do so. It is true that we might repeal the embargo on arms and ammunition and implements of war, and these warring nations might give us some apparent prosperity, but I say we need none of it, because the risk of getting in deeper and piling on ourselves, our grandchildren, and their grandchildren a burden so great that in all probability they might not be able to carry it. We can best help the warring nations by having left after the war is over at least one place in the world where there is preserved the spirit of cooperation and freedom that we can give them to bring about harmonious relations between them again. That is what they will need more than anything else.

There is one thing that the American people must remember, and especially this Congress assembled, and that is that profits out of this war will not do America any good. Instead, such profits would be a curse to the American people. Out of such profits that we might get out of the blood of the peoples of Europe will arise stronger and stronger those forces that will drag America into the war, when profits can no longer be made only from Europe but will have to be squeezed out of the blood of American boys. The only way to keep America out of war is to keep the profiteers from making profits out of the war.

Industry has today already gone on record through its president, Mr. Howard Coonley, in which he states that American industry hates war, because war destroys lives, wrecks homes, and brings on economic chaos and years of depression after the war is over. It not only causes depressions but imperils representative democracy, because free institutions are among its early victims, and ultimately no one can escape the ruins of war. The United States can stay out of war, and only emotions can betray us into war. Europe's problems do affect us, but our domestic problems still must come first.

There are several reasons why industry is not interested in any profits that it can make out of this war. The present defense plans of this country tend toward the immediate conscription of all industry, of manpower, of natural resources, at wages and prices well below those that prevailed during the last war. There will be no profits in a war, because they will be controlled by the Government. And this is as it should be. We will not find, I think, again when men will risk their lives at the front for $2 a day while those more fortunate stay at home and earn from $15 to $30 a day in industry. If there is any justification at all for war, it is on the grounds of defense, and we cannot achieve the utmost in defense with injustice to our men at the front. There is still a greater fear that our entering into a major war will have a very drastic effect on our system of government. Most industry believes in the soundness of our present system of government. They believe in the present form of government their industries will be able to contribute a great deal to the American people and thereby continue along its path of true progress.

War, of course, means censorship, dictatorial powers, and regimentation and Government management of industry, and I think we are all agreed that we have had enough of that during the past 6 years; but there is always the possibility that these emergency controls will not be relinquished at the end of the war, that the invasion of private rights will become permanent, and that private enterprise, as we know it, will disappear. Therein lies a real threat not only to industry but to democracy itself. In the end it becomes quite apparent to all of us that there are only losses in war—human, economic, and political. There are no enduring profits.

We must never forget that Europe took everything from the United States during the last World War and it has given nothing back to the United States during the time that we have had peace.

One of the finest statements that has come to my desk since I have been here at Washington was sent to me by the Messenger Corporation of Auburn, Ind. I quote:

> Does America want war? Never before in the history of the American people has there been more solidarity of opinion in that America cannot afford to involve herself in another European quarrel. The apparent futility of American efforts in the World War to "make the world safe for democracy" and to help put "an end to war for all time" is uppermost in the minds of clear-thinking Americans.
>
> War did not settle the problems of Europe, but it did create embroilment—even the most conservative will admit—Europe is risking her civilization. With her wealth in human lives and resources now ready to be sacrificed on the altar of war, Europe has converted her power to build and live into a gigantic force of destruction. Why allow this to happen to America?
>
> America must review the lessons taught from her participation in the last war and in sober reflection weigh the factors which may very easily lead her into this new and far more devastating conflict.

America must look with horror upon those who would seek to plunge her into war to serve selfish interests; she must doubly fortify herself against propagandists, their distorted truths and catch slogans which prey upon our emotions; she must resist with all her might the resignation shown by some in that America is helpless—that her final participation is inevitable; and America must have a growing determination to stay out of war—and voice that determination.

Secretary of State Hull, although not having expressed his positive position on the bill pending, did express himself on another occasion, and his reasoning then is still applicable. On May 12, 1938, he replied to a letter from Chairman Pittman, of the Senate Foreign Relations Committee asking his views about raising the embargo on the sale of arms to the Government of Spain. A special act of January 8, 1937, had prohibited the sale of arms to either faction in the Spanish Civil War. I quote from Secretary of State Hull's letter at that time to Chairman Pittman, who is now handling the present bill in the Senate, and I am indebted to the Chicago Tribune, from which I take the statement from one of its editorials:

In recent years this Government has pursued a course calculated to prevent our becoming involved in war situations. In August 1936, shortly after the beginning of the civil strife in Spain, it became evident that several of the great powers were projecting themselves into the struggle through the furnishing of arms and war materials and other aid to the contending sides, thus creating a real danger of spread of the conflict into a European war, with the possible involvement of the United States.

That there was such a real danger was realized by every thoughtful observer the world over. Twenty-seven governments of Europe took special cognizance of the fact in setting up a committee designed to carry out a concerted policy of nonintervention in the conflict. I view of all these special and unusual circumstances, this Government declared its policy of strict noninterference in the struggle and at the same time announced that the export of arms from the United States to Spain would be contrary to such policy.

Thus the embargo on the sale of arms to Spain was for the purpose of keeping us from being involved in the war. And because it had proved useful in attaining its objective Secretary Hull was opposed to changing it, and he further said:

Even if the legislation applied to both parties, its enactment would still subject us to unnecessary risks we have so far avoided. We do not know what lies ahead in the Spanish situation. The original danger still exists. In view of the continued danger of international conflict arising from the circumstances of the struggle, any proposal which at this juncture contemplates a reversal of our policy of strict noninterference which we have thus far so scrupulously followed, and under the operation of which we have kept out of involvements, would offer a real possibility of complications. Our first solicitude should be the peace and welfare of this country, and the real test of the advisability of making any changes in the statutes now in effect should be whether such changes would further tend to keep us from becoming involved directly or indirectly in a dangerous European situation.

In closing I cannot use any more appropriate words than those of Daniel Webster, when he said:

Nothing will ruin the country if the people themselves will undertake its safety; and nothing can save it, if they leave that safety in any hands but their own.

If there ever was a time when we as loyal Americans, and especially those of us who are fortunate or unfortunate enough to be in Congress at this time representing the people of the United States needed to think things through, that time is now. We must above everything else come to a conclusion based on reason. We cannot afford to lose our heads at this time. Of course, we realize that we are subjected to the most powerful propaganda to stir up our emotions that Congress has ever been subjected to, and our anxieties and fears will be played upon to the greatest extent.

Under such conditions man ofttimes acts emotionally instead of intelligently. By all means we must use our reasoning powers.

We must remember that dead people cannot render service. The great service of youth is not to die, but to live for democracy. In the first World War the civilian dead equaled the military dead.

In this crisis we must not falter, for the wisdom and experience, and the philosophy and learning of every land and clime are ours for study. We stand today where perhaps rests in our hands the future destiny of America. We may look upon the past with congratulations and pride, and let us hope to the future with confidence and courage. The memory of past success spurs us on to greater and nobler heights in the future. It is for us here today to so guard those sacred principles passed down to us by our forefathers that when they are passed on to those who follow us they may be the better for having received them. [Applause.]

LEAVE TO ADDRESS THE HOUSE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent that on Thursday next, immediately after the disposition of matters on the Speaker's table, I be permitted to address the House for 25 minutes on the subject of the proposed trade agreement with Argentina.

The SPEAKER pro tempore (Mr. GORE). Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that following the last special order of the day, I may be permitted to address the House for 5 minutes, and to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LEWIS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therewith a little poem written by a school child in Ohio.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore granted, the gentleman from Missouri [Mr. COCHRAN] is recognized for 15 minutes.

FREEDOM OF SPEECH

Mr. COCHRAN. Mr. Speaker, while we are all deeply concerned about the question pending before Congress, amendment of the neutrality law, important as it is, it seems to me other vital matters affecting our country should not be overlooked.

Of equal importance, in my opinion, is the decision of the code committee of the National Association of Broadcasters calling upon its members to abrogate present contracts and cease to make new ones to those who desire to discuss controversial public issues.

This is a direct assault upon one of the most sacred provisions of our Constitution—freedom of speech.

The question as to whether we are in agreement with those who are able to purchase time on the radio to discuss controversial public issues is beside the point. I insist we are treading upon most dangerous ground when free and open discussion of any question, public or otherwise, is to be denied.

At the moment this ruling undoubtedly will affect many outstanding citizens of this country sincere in their belief that the present neutrality law should not be touched, or, if amended, the embargo provisions should be retained. Among those who entertain this view is Father Coughlin, who, with all the vigor at his command, probably is the leader in the fight against repeal of the embargo.

Regardless of whether or not this order was directed at Father Coughlin, it will affect his broadcasts in some localities, and his followers will always believe that back of the decision was a desire to take Father Coughlin off the air.

Many times I have not agreed with the views of Father Coughlin. I do not agree with him on this issue, although many of my constituents do. I have not hesitated to write Father Coughlin when I thought he was in error. True, there are many others, if the ruling is strictly adhered to, who will be affected, including many of our leading commentators

who are heard daily over the radio. To deny Father Coughlin the use of the radio, especially at this time, means beyond doubt that the members of the National Association of Broadcasters will be required to discontinue the broadcasts of every citizen who desires to discuss controversial public issues, if the National Association of Broadcasters so decide.

Now, what is a controversial public issue? I would say every public issue is controversial, because those of us who have been in public life any length of time know there is a minority to practically every public issue, which makes it a controversial issue.

Honestly enforced, would not this order deny the use of the radio to even the candidates for President in 1940? The issues involved in that campaign are certainly to be controversial, and they will beyond question be public issues. Likewise the candidates for all public offices in 1940—National, State, and local—must be denied the use of the radio because the issues they advance will be controversial public issues.

I commend those in control of broadcasting stations, be they members of the National Association or not, who have defied the ruling and notified the association they will not abide by it. Among those who take exception to the ruling is Rev. Father W. A. Burk, S. J., faculty director of the radio station operated by the St. Louis University of my home city, St. Louis.

Father Burk voices my sentiments in the following telegram which he sent to the National Association of Broadcasters, to be read to the code compliance committee, which at the time was meeting in Washington.

> The more I think about the potent implication of your telegram, namely, your intended order to stations carrying the Coughlin broadcast to cease same or reject contracts to broadcast same, the more I am convinced that the N. A. B. is going on record as being in favor of censorship and dictatorship in radio. This is deplorable if my fears and surmises should prove true. It will wreck completely and for all time the N. A. B. and the objectives for which we broadcasters have thought the N. A. B. stood.
>
> We broadcasters will not be regimented as in Germany and other European countries. The attempt to stifle the voice of Father Coughlin, if successful, will establish a precedent that foretells the doom of free speech and liberty in this land. For God's sake don't do it. I am arguing not now as a champion of Father Coughlin, but as a champion and upholder and defender of American liberties.

The decision of the National Association of Broadcasters brings back to my mind the action of the Federal Communications Commission in issuing regulations last May relating to the character of international broadcasts. Shortly thereafter I introduced a bill which, if enacted into law, would provide no rule or regulation hereafter issued by the Commission shall have the effect of limiting broadcasts to service which will reflect the culture of the United States or promote international good will, understanding, or cooperation.

Why did I offer such a bill? It was because I felt then and I feel now it was in effect an attempt to curb freedom of expression.

I am pleased to say that regulation or rule of the Commission was rescinded and a committee appointed to consider the question.

When I introduced that bill Rev. Edward Lodge Curran, president of the International Catholic Truth Society, wrote me a letter defending the Commission's action and desired that I debate the subject with him.

At that time President Neville Miller, of the National Association of Broadcasters, the same organization that now seeks to impose its will on discontinuing paid contracts for discussing controversial public issues, condemned the Communications Commission for issuing the regulation. He was quoted in part as saying it was an unsound policy, incompatible with the operation of broadcast stations by private enterprise in a democracy.

I am reminded of the words of the late Mr. Justice Holmes in his dissenting opinion, Mr. Justice Brandeis concurring, in the case of United States against Schwimmer, a lady who was denied naturalization, when he said in part:

> Some of her answers might excite popular prejudice, but if there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought—not free thought for those who agree with us, but freedom for the thought we hate.

Mr. Speaker, I suggest to Mr. Miller and the association which he represents that they take the same view now that they took when the Communications Division issued its regulation and describe their own order "as an unsound policy, incompatible with the operation of broadcast stations by private enterprise in a democracy." [Applause.]

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. KUNKEL. Who is going to decide whether a question is controversial or not?

Mr. COCHRAN. I presume the National Broadcasters Association, which issued the order.

Mr. KUNKEL. It seems to me that the person who has the power to decide whether an issue is controversial or not practically has the power to decide whether it is to be debated or not.

Mr. COCHRAN. That would be true.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. CRAWFORD. First, I congratulate the gentleman for making the statement that he has. I have listened very carefully, and I concur with that part of his statement which criticizes the National Association of Broadcasters. Did I understand the gentleman to say that some of the station operators have notified the Commission that they will not conform to that order?

Mr. COCHRAN. They have not notified the Commission. They have notified the Broadcasters Association.

Mr. CRAWFORD. That they will not conform to that order?

Mr. COCHRAN. Yes.

Mr. CRAWFORD. Does the gentleman not believe that the station operators have constitutional protection in the position they take wherein they say they will not conform to the ruling of the association?

Mr. COCHRAN. I certainly do.

Mr. CRAWFORD. So do I, although I do not claim to know very much about constitutional law.

Mr. COCHRAN. I believe that if anyone who has control of a broadcasting station that the Broadcasters Association rules against will take the matter to the highest court in the land he will be upheld by that court.

Mr. CRAWFORD. And if the courts fail to sustain that position which the gentleman has just expressed, would we, in this country, any longer have free speech, in the opinion of the gentleman?

Mr. COCHRAN. I believe that we will always have free speech in this country, but let me say this to the gentleman: If the court should hold that the association is justified in making this decision, and can carry it out, then I am of the opinion the Congress of the United States will provide some way to take that power away from them, which it should do. [Applause.]

LEAVE TO ADDRESS THE HOUSE

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the calendar, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks by including an article by Roger Babson, from his institute, on the effect of war on the United States' trade.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order of the House, the gentleman from Michigan [Mr. WOLCOTT] is recognized for 20 minutes.

NEUTRALITY

Mr. WOLCOTT. Mr. Speaker, in many instances credit is much more to be desired than arms, munitions, and implements of war. I had previously announced, in keeping with the agreement entered into between the two parties, that I

would introduce no new legislation at this special session of Congress. When I made that statement I felt that the session should confine its efforts to the subject of neutrality, and I still think that this session should confine its activities to the end that we will be kept out of this war.

In that connection a situation has developed which makes it advisable for the Congress to consider, in connection with the Neutrality Act, whether Government credits may be extended to belligerents.

At the present time there is available for loans to belligerents about $3,350,000,000, divided as follows:

Two billion dollars in the stabilization fund, upon which there is no restriction in respect to foreign loans.

About $1,250,000,000 which may be available for loans to belligerents by the Reconstruction Finance Corporation.

About $100,000,000 of unused capital in the Export-Import Bank of Washington, which may, without restriction, be loaned to belligerents, or, in fact, in violation of the Johnson Act.

For these reasons I have introduced a bill which has as its objectives, first, to prevent the Reconstruction Finance Corporation, the Commodity Credit Corporation, and the Export-Import Banks of Washington making loans to belligerents.

Second, to limit the powers in respect to the use of the stabilization fund by the Secretary of the Treasury.

If the House will bear with me for a moment I would like to read into the RECORD this short bill which I have introduced:

A bill to limit the powers of the Reconstruction Finance Corporation, Commodity Credit Corporation, the First Export-Import Bank of Washington, the Second Export-Import Bank of Washington, and for other purposes

Be it enacted, etc., That whenever the President shall have issued a proclamation under the authority of section 1 (a) of the act of May 1, 1937 (50 Stat. 121), it shall thereafter be unlawful for the Reconstruction Finance Corporation, Commodity Credit Corporation, the First Export-Import Bank of Washington, the Second Export-Import Bank of Washington, or any other agency or instrumentality of the Federal Government, to make loans or advances to, or to purchase the notes, debentures, bonds, or other evidences of indebtedness of any government of any state named in such proclamation, or of any political subdivision of any such state, or of any persons acting for or on behalf of the government of such state.

SEC. 2. Section 10 (a) of the act of January 30, 1934 (48 Stat. 337 at 341), as amended, shall be further amended to read as follows:

"SEC. 10 (a). For the purpose of stabilizing the exchange value of the dollar the Secretary of the Treasury, with the approval of the President, directly or through such agencies as he may designate, is authorized, for the account of the fund established in this section, to deal in gold and foreign exchange and such other instruments of credit and securities as he may deem necessary to carry out the purposes of this section. The Secretary of the Treasury shall, on the 10th day of each month make a detailed report of the operation, transactions, and status of the fund during the last preceding month. Such report shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate. Such reports, when filed, shall be open to inspection by any Member of Congress and 3 months after the date of filing they shall be open to public inspection.

"It shall be illegal for the Secretary of the Treasury to invest any money in the Exchange Stabilization Fund in the currency of any country named as a belligerent in a proclamation issued by the President by virtue of the authority vested in him by section 1 (a) of the act of May 1, 1937 (50 Stat. 121)."

In a hearing before the Senate Committee on Banking and Currency on March 2, 1939, Secretary Morgenthau made the following statement:

Senators, if there is a war in any foreign country, before we would use the stabilization fund or any money in the Treasury to assist any country in prosecuting that war, I would come up before the proper committee and ask for guidance.

This statement is a frank recognition by Mr. Morgenthau that the present wording of the law permits whoever may occupy the office of Secretary of the Treasury to use the $2,000,000,000 stabilization fund for aiding a foreign country which is engaged in war. The outbreak of another European war is an event that certainly was not anticipated by Members of Congress 5 years ago when they voted for the Gold Reserve Act of 1934, which established the stabilization fund, or when they extended it less than 6 months ago. As Congress did not envisage the operation of the law during a major European war, it is high time that the potentialities of the present law under present conditions be examined.

Although the act of January 30, 1934, was enacted supposedly for monetary purposes, the powers conferred by it on the President are so extensive that they can be used as effective instruments of unneutral foreign policy. These powers can be used by the President to aid countries he likes and to injure those he does not favor regardless of our internal welfare. The present war in Europe offers dangerous opportunities for the use of these extensive monetary powers as instruments of international power politics.

The outbreak of war in Europe has been followed by important repercussions in the field of international finance. On August 15, the English pound sold in New York at $4.68, while on September 15 it sold as low as $3.73. The current quotation, October 7, is $4.02, a decrease of about 14 percent from the level of only 7 weeks ago.

Another significant event in the field of international finance has been the requirement of the British Government that all domestic owners list their holdings of stocks and bonds in foreign corporations and foreign governmental bodies with the British Treasury. The latter has also taken over all of the gold formerly held by the Bank of England. The French have taken similar measures. The obvious result of these concentrations of assets has been to centralize in the French and British Governments power over a vast total of gold and securities which may be sold in markets outside of these nations.

We must recognize that in Great Britain and France, the other two major signatories to the Tripartite Agreement, private individuals are no longer free to buy and sell foreign exchange, or to export foreign currencies. The availability of exchange is restricted to reasonable trade requirements, and residents of the United Kingdom have been required by the Kingdom to sell to the treasury any gold or free foreign exchange at their disposal. Rates of exchange are now fixed by the authorities, and are not determined by market fluctuations. On September 5 the Bank of England announced buying rates, valid until canceled, for the principal free currencies which holders are required to offer to the treasury. For dollars the buying rate was 4.06 and the selling rate was 4.02. As this was a war measure, all of the resources of the British Treasury are behind the maintenance of the official rates until a change may be posted.

Since exchange rates are to a large extent fixed by administrative action rather than by the operation of the market, market operations will have but little effect on rates of exchange.

With the exchange rates being set by the British Government, through the Bank of England, it is very clear that our stabilization fund can operate in the London market only at extraordinary hazard. From a monetary point of view, it would be the height of folly for us to attempt to depress further the pound sterling from its present levels. This would hinder our exporters in selling American goods, as it would make our goods more costly to purchasers residing in countries with sterling currency or with a currency allied with sterling. In other countries such action would place us at a competitive disadvantage with sterling countries. But it would be just as great a folly for us to attempt to raise the pound sterling from the existing depressed level, for this cannot be accomplished through purchases of gold; and Congress certainly does not want the stabilization fund used at the present time for purchasing paper pounds, the price of which can be varied at will by the British Treasury. If the Secretary of the Treasury should feel that the price of the pound has been set too low in relation to the dollar, then the logical action to raise it would be for the Secretary to file a protest with the British Government, either directly or through the State Department. Our cooperation is much needed by the Allies, and it is quite likely that a strong protest would be heeded. Funds of the American Treasury should certainly not be converted into paper pounds issued by the British Treasury. The huge losses sustained by the Bank of France when the pound declined in 1931 should not be forgotten. Of course, on the other hand, in order to assist England, the fund might be used to help fix the pound

at a rate lower than that which would be most advantageous to the United States.

There is another reason why the powers for the stabilization fund operation should be reconsidered. The people of this Nation are much concerned over the possibility of our country becoming involved in the war now raging in Europe. Section 10 (a) of the act of January 30, 1934, provides:

> For the purpose of stabilizing the exchange value of the dollar, the Secretary of the Treasury, with the approval of the President, directly or through such agencies as he may designate, is authorized, for the account of the fund established in this section, to deal in gold and foreign exchange and such other instruments of credit and securities as he may deem necessary to carry out the purpose of this section. An annual audit of such fund shall be made and a report thereof submitted to the President and to the Congress.

Thus apparently the fund can be used to buy securities supposedly to stabilize currencies. This, of course, amounts to the power to make loans; and let it not be forgotten that the fund is not subject to audit by the Comptroller General.

Now, it is clear that to invest the proceeds of our stabilization fund in foreign currencies would create the same interests for us to protect as though securities of foreign governments were publicly floated in this country. It is very interesting to note in connection with this point that in the testimony of Secretary Morgenthau before the Senate Committee on Banking and Currency on March 2, 1939, it was revealed that certain advances had been made out of the stabilization fund to the Governments of China and Mexico. These advances were secured by collateral. Similar arrangements were concluded with Brazil in 1937, but, due to subsequent developments, the arrangements were not utilized. Obviously these transactions could be carried on with Great Britain and France as easily as they can be with China and Mexico. Also, if they can be carried on with the security of collateral, they could be carried on without any collateral security. It should be remembered, too, that Jesse Jones, Administrator of the Federal Loan Agency, stated recently that the Johnson Act does not bar the granting of loans to belligerents by the Reconstruction Finance Corporation or the Export-Import Bank. Presumably, then, the Johnson Act would not prohibit loans through the device of the stabilization fund.

The existing law is defective in that it requires only an annual report of the operations of the stabilization fund; also because it does not require that the report shall be sufficiently detailed to enable Members of Congress to trace the policies followed in operating the fund. While it may not be desirable for such details to be made public immediately following the execution of transactions, there is no good reason why full information should not be available after a reasonable period of time; for example, 3 months.

The law should provide that the Secretary of the Treasury must submit to the Clerk of the House of Representatives and the Secretary of the Senate on the 10th day of each month a complete report covering the operation, transactions, and status of the exchange stabilization fund during the last preceding month. When such report is filed with the respective officers of the Congress, it shall be open to inspection on the part of any Member of the Congress, and 3 months after the date of filing of such report its contents should be made public. The law should also be amended to prohibit the Secretary of the Treasury from investing any of its funds in the currencies of any belligerent country.

In addition to these facts, let me state my personal belief with respect to the credit, the currency, and the debt of this Nation.

Mr. MAPES. Before the gentleman proceeds further, will he yield for an interruption?

Mr. WOLCOTT. I will be glad to yield to the gentleman.

Mr. MAPES. The gentleman has referred to the action of the British Government in requiring British subjects to report to the Government lists of their holdings or investments in this country. The estimates that are made of the resources which the British Government has to draw upon for buying war materials in this country usually include too the amount of private securities or investments held in this country by British subjects. Can the gentleman tell us to what extent those subjects have control over their investments in this country and whether or not they can sell them or dispose of them as they see fit or what the British Government really proposes to do with them?

Mr. WOLCOTT. I had not understood that the British Government assumes that it has authority to confiscate gold held in the United States to the credit of British subjects. However, under their form of government, their constitution being as flexible as it is, that might be possible. I believe there is to the credit of the Federal Reserve bank, as a part of our gold fund buried down in Kentucky, a large amount of gold which, for all practical purposes, has been segregated for the account of foreigners. How much I do not know.

Mr. MAPES. I did not have in mind so much the gold as I did stocks, bonds, and other securities in corporations, and private investments generally.

Mr. WOLCOTT. I think that the British Government could compel the sale of foreign securities by its subjects, or the conversion of those foreign securities into gold if those securities are held in governments which have gold surpluses.

Mr. MAPES. I suppose it would be fair to assume that the Government would pay its own subjects for the securities which were converted?

Mr. WOLCOTT. Undoubtedly the British Government would reimburse the holders of those foreign securities, in British paper pounds, for the purpose of getting control of gold in this country or any other country which has a gold surplus, which might be used for the purchase of war materials and used in international exchange in payment for war materials.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I will be glad to yield.

Mr. CRAWFORD. I think reference to the British mobilization financial plan, which I believe is published in the London Financial News under date of September 5, will show that the securities which have been referred to by the gentleman from Michigan [Mr. MAPES] have already been mobilized, at least gold, gold bullion, and foreign currencies, British nationals being paid in pounds sterling for the holdings at the market value as of that date.

Mr. WOLCOTT. Paper pounds?

Mr. CRAWFORD. Paper pounds. As the gentleman from Michigan [Mr. WOLCOTT] has stated, that being primarily for the purpose of bringing under control of the British financial powers such gold as might be held in this country, which would be required to redeem the credit balance standing in favor of British nationals, as, when, and if those securities were realized upon on our markets.

That is my understanding of the situation at the present time. I also understand that Canada within the last few days has been making the necessary plans to take over the holdings of Canadian citizens, said holdings being represented by securities which have heretofore been issued by our industrial and insurance companies, municipalities, and so on, in this country; all, however, dependent upon future war, neutrality, and exchange developments.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 10 additional minutes.

The SPEAKER pro tempore (Mr. FORD of Mississippi). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. MILLER. If we are not going to be permitted to legislate on anything but neutrality, could not the gentleman's purpose be accomplished by offering his bill as an amendment to the Neutrality Act?

Mr. WOLCOTT. I am of the opinion that the bill which I have introduced would be germane to the neutrality bill when it comes back to the House. I am hopeful that the Rules

Committee will grant a rule providing for ample debate and also that an opportunity will be granted the House under the rule to amend the House bill as amended by the Senate. If so, I would expect the House, in keeping with its announced policy with respect to neutrality, to accept this bill as a part of the neutrality bill.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. HOFFMAN. The gentleman said he was going to introduce a bill. There being three Democrats—I think four now; one just came in, I see—and a large number of Republicans here, would it be in order to ask unanimous consent to take it up now? [Laughter.]

Mr. WOLCOTT. I would be very glad to consent if the gentleman would propound the request.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. TREADWAY. I have been interested in the gentleman's discussion of finance and neutrality, but there is one question I would like to put to the gentleman, owing to his prominence on the Committee on Banking and Currency. I never have had it clear in my mind why the stock of gold is stored down in Kentucky or the stock of silver at West Point, N. Y. Can the gentleman enlighten us on either of these two points?

Mr. WOLCOTT. I would rather not get into that subject. The gentleman has known that legislation has been introduced to correct that alleged evil. I have believed that after we had accumulated a great part of the monetary metal of the world other nations would be impelled to find other means of securing their currencies and would leave us holding the bag. If so, we would have to dispose of that gold and silver at the market value, which, of course, would be very much under the price we paid for it. I think our gold policy was fallacious; I think our silver policy was fallacious. I thought so at the time, and I spoke against it, and I still think so. I hope to see the day when the administration will not blindly continue to follow the advice of Professors Warren and Pearson, which has been completely repudiated by every outstanding economist in the United States with respect to gold and silver policies.

Mr. TREADWAY. Then I understand from the gentleman that, so far as his judgment goes, the present policy of making it a crime for the private citizen to have gold is contrary to the best interests of the country?

Mr. WOLCOTT. I believe so. Great Britain apparently feels so, because recently she has been buying gold at the American price, has been forced to buy gold at the American price against the day when the United States might have to flood the market with gold to the prejudice of the British pound sterling. As I now understand it, there are no movements of gold from Great Britain and France to the United States, because while they are not hoarding their gold they are putting it away against the time when they will have to use it in international exchange to buy armaments, munitions, and implements of war.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. SCHAFER of Wisconsin. The gentleman understands that the New Deal administration has been foreclosing on many thousands of homes and farms of our American citizens who through no fault of their own cannot pay the principal or interest on their obligations to the United States Treasury, does he not?

Mr. WOLCOTT. I may say to the gentleman that I see his point, and I may say to him also that Federal taxes have been increased to the point where many people have had to liquidate their obligations due to the fact that we have to raise money by issuing bonds to buy gold and silver which we bury at Fort Knox and at West Point.

Mr. SCHAFER of Wisconsin. Just one further question, if the gentleman will permit, to carry out that thought. In view of the fact that France, England, Germany, and Russia, who are now engaged in war, owe our almost bankrupt American Federal Treasury more than $11,000,000,000 and have refused to pay even one cent of interest, would it not be proper from an American standpoint to have a moratorium on New Deal foreclosures and taking away of the homes and farms of our American citizens, and have the New Deal collectors and foreclosure artists spend their time levying on the billions of dollars of assets which these foreign debt-defaulting nations have in this country? President Andrew Jackson, a great democrat, proposed this means of collecting honest debts which defaulting nations refused to pay. Instead of having $100-a-plate Jackson Day dinners to raise money for more New Deal propaganda, would not this program be rendering a far better service to our country and a greater honor to the memory of Old Hickory?

Mr. WOLCOTT. I wish there might be some legislation to halt home and farm foreclosures which can be traced directly to other legislation. I think the gentleman has done a very fine job in calling the Nation's attention to the fact that we could use some of the money owed us by foreign countries in refinancing the homes and farms of America.

Mr. SCHAFER of Wisconsin. Why should we not collect the many billions from debt-defaulting foreign nations the same way Uncle Sam collects from our American citizens who are having their homes and farms taken away from them under New Deal foreclosures? In view of the fact billions of dollars of these foreign debtor nations' assets in America consist of a bonus handed to them under the New Deal gold and silver policy, when American citizens were forced to turn in their gold for $20.67 an ounce or go to the jailhouse for 5 years, only to find that the New Deal then imported some $12,000,000,000 of gold from foreign countries and paid $35 an ounce for it?

Mr. WOLCOTT. In respect to the foreign debts, I think there is a grave question involving our neutrality in connection with them. Although I would like to see the foreign countries which owe us this $11,000,000,000 pay it, I am somewhat hesitant about collecting it the way a county sheriff would be compelled to collect. I am a little hesitant about going over there and forcibly collecting these debts, to the prejudice of our neutral position at the present moment. I would hesitate to spend as much in the collection of that $11,000,000,000 of debt as we spent originally. The last war cost us up to date not less than $47,000,000,000. I would hate to spend another $47,000,000,000 for the purpose of sending our youth over there to collect the $11,000,000,000, so I am willing to temporarily, at least, lay aside the question of foreign debts if they will leave us alone and keep us out of the picture and if they will not expect us to go over there and help them.

Mr. SCHAFER of Wisconsin. I do not intend we should go over there and collect it. The reports from the international bankers and the reports appearing in the press indicate that our foreign-debt defaulting countries have many billions more assets in America than they owe us. Furthermore, when Andrew Jackson asked the Congress to enact legislation, such as I have mentioned, in order to collect from France, France laid the money on the line.

Mr. JOHNS. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Wisconsin.

Mr. JOHNS. I am interested in these securities of foreign countries. I am wondering if foreign countries like England or France should throw onto the New York market a billion dollars of these securities, what effect it would have on our home market. A panic was created, I believe, in 1929 when some $450,000,000 of securities were sold at one time on the New York market.

Mr. WOLCOTT. The fear of withdrawals by foreign investors always has a depressing effect on our market. If that should actually be done, the Federal Reserve would have to exercise the powers granted to the open market committee of the Federal Reserve in reference to the use of the available four and one-half billion dollars in excess reserves of the Federal Reserve banks to offset the billions taken from the country by the foreign investors.

[Here the gavel fell.]

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent that the gentleman may have 10 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio.

There was no objection.

Mr. JOHNS. One more question. I take it that the Securities Committee may limit the amount to be sold in any 1 day?

Mr. WOLCOTT. I believe it could.

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from New Jersey.

Mr. KEAN. In answer to the gentleman from Wisconsin, my understanding is that there has been a considerable amount of selling in the New York market during the past month by the British and French, but they are doing it in driblets in order to not affect the market.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. I see there are present some 25 or 30 Members of the House. The gentleman from Michigan is now discussing a most important issue, not only so far as the Nation itself is concerned, but the world as well. That is, the question of money. There has been a great misunderstanding about the stabilization fund. In my own study of the stabilization fund I have not been able to find yet where it has carried out the purposes of the act to stabilize the exchange value of the dollar. If at any time it did so operate, it must have been at the beginning of the act. I believe, before the Committee on Coinage, Weights, and Measures, it was clearly demonstrated by the report submitted by the Secretary of the Treasury that the stabilization fund is not now being used, and has at no time been used, to stabilize the exchange value of the dollar, but only to maintain the value of the pound and franc.

Mr. WOLCOTT. I believe the gentleman is correct. However, all we know about the stabilization fund is rumor, because we in our ignorance delegated extreme and supreme authority to the Secretary of the Treasury to deal in foreign exchange and domestic currency as he saw fit, ostensibly for the purpose of stabilizing the American dollar. Of course, he justifies his investments in francs and pounds sterling on the ground that a depreciation in the pound sterling or the franc affects our buying power. They can buy cheaper than we can. Therefore, he buys francs and pounds sterling, and in that way stabilizes the purchasing power of the American dollar. To what extent it has been done the gentleman will never know, I will never know, and the country will never know, because that is one of the congressional prerogatives, rights, and constitutional powers which we delegated to the executive branch of the Government, and we have never seen fit to take it back to ourselves.

Mr. SMITH of Ohio. The British Government and the French Government as well are fixing the exchange value of their currencies by edict. How, then, is it at all possible for the stabilization fund to be used, as was intended under the law, under that system?

Mr. WOLCOTT. I pointed out in my earlier remarks that this is the reason we should now limit the operation of the stabilization fund with respect to foreign currencies, because instead of the currencies of Europe finding their values on the basis of market fluctuations they are now determined by the fiat of the administrative decree. Our stabilization fund, therefore, cannot operate except at great hazard.

I should like to make this statement in closing with respect to our credit. It becomes increasingly apparent that this Congress must of necessity at the next regular session increase the limit of our bonded indebtedness from $45,000,000,000 to something higher than that, because before next July 1 the bonded indebtedness of the United States will greatly exceed the present debt limit of $45,000,000,000.

We have heard a great deal about this country being the richest nation in the world and that we can carry on a war for years and years, if necessary, without so depleting our resources that it will affect our credit and our livelihoods.

When Great Britain speaks of her national debt her public debt is meant, because the national debt of Great Britain is the public debt. When we in the United States speak of our national debt we refer to only that part of our public debt which is owed by the United States Government to those who hold the securities of the United States Government. We must add to that over $20,000,000,000 of internal public debt; debt owed by the States, the counties, and municipalities. On July 1, 1940, the public debt of the United States will exceed $65,000,000,000, or the equivalent of over a dollar for every second since the birth of Christ.

Add to this the very minimum that our participation in any conflict would cost us, $20,000,000,000, let us say, which we will agree is an exceptionally conservative figure, and we would have a public debt in this Nation of $85,000,000,000. The United States is not in as good a position to go to war today, financially, as many of the countries of Europe.

To increase our public debt from $65,000,000,000 to $85,000,000,000 would have one of two results, both equally disastrous; repudiation through inflation, or confiscatory taxation. We can take our choice—if we go into the next war—between these two processes of destruction—whether we will be destroyed by repudiation incident to inflation or whether we will be destroyed by confiscatory taxation. [Applause.]

The SPEAKER. Under a special order of the House previously entered, the gentleman from Michigan [Mr. WOODRUFF] is recognized for 5 minutes.

THE FARM PROBLEM

Mr. WOODRUFF of Michigan. Mr. Speaker, the present session of Congress has been called to consider only one subject, neutrality legislation and control of American exports and shipping in the circumstances attending the present European conflict.

I believe that this limitation is unwise. Many domestic problems are unsolved and must be met, among them unemployment and the farm problem.

As regards the latter, the continuation of subparity farm prices of all or nearly all commodities and lowered farm income are a painfully familiar phenomenon. Yet foreign farm products are being admitted in large quantities to the United States and their importation encouraged at a time when American farm prices are least capable of withstanding the shock. This is a result of the trade-agreements program. And right now the administration is considering a trade agreement with Argentina, one of our leading agricultural competitors, under which new tariff concessions are contemplated, and presumably will be made in the agreement on many products competitive with those of our own farmers.

Many Members of the House and Senate have protested this procedure, and without respect to party lines, and it is highly proper that they should do so.

However, the American farmer is entitled to more than mere protests, however eloquent. He is entitled to action, direct, effective action, to prevent the price-depressing effect of competitive farm imports on an already saturated domestic market. He is entitled to a protection which will insulate the domestic prices at which he is obliged to sell his product from destructive price influences from abroad. He is entitled to the full benefit of the American market to the extent of his ability to develop and supply that market.

As a modest start toward assuring American agriculture of this protection, I am introducing a bill. I put it in the hopper today. It provides, in essence, that whenever the domestic price upon any American-grown farm product falls below parity further importation of that commodity from abroad shall be prohibited until the American price of that commodity has risen again to parity. I am encouraged to this action at this time by the evident regret of our distinguished Speaker that the hands of this House were tied at the begininng of this session by an unwise agreement to do nothing, to consider nothing except neutrality legislation. The development of an extended drought demands attention, which at present we are helpless to give.

Farmers as a whole are entitled to relief from the constantly increasing imports of competitive products which disturb the American price level to the further embarrassment of our already stricken farmers by our neglect to give them their

home market to the extent they can supply it. Unless this agreement is abrogated now not a thing can be done to correct this economic evil.

The proposed embargo provided in my bill on the importation of farm products the prices of which are below parity in the United States would not affect present tariff rates as established by the Tariff Act of 1930 and the various trade agreements now in force. In particular, the embargo would not affect the technical structure of existing trade agreements. Foreign farm products would continue to be admitted at the reduced rates provided in those agreements as long as farm prices of those commodities in the United States were at parity or over. However, if farm prices fell below parity, under the embargo all importations of such commodities as were affected would cease until such time as prices rose again to parity, thus giving the American farmer the full benefit of the American market and a much-needed protection against destructive price influences arising out of unneeded foreign imports.

This is an act of legitimate economic self-protection which no foreign nation properly could criticize. It is also a vitally necessary act of economic justice to our own people which should be no longer delayed. [Applause.]

Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by printing therein the bill I referred to.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The matter referred to follows:

A bill to forbid the importation of certain agricultural products into the United States from foreign countries until the comparable domestic article attains the parity price

Be it enacted, etc., That there shall not be imported from any foreign country into the United States or its Territories or possessions (except the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam) any of the following articles during any period when the domestic producers' current average selling price of the comparable domestic commodity is less than the parity price therefor:

(a) Any article dutiable under schedule 7 (relating to agricultural products) of the Tariff Act of 1930;

(b) Any article dutiable under sections 501 or 502 or 503 (relating to sugar, maple sugar, and molasses) of such act;

(c) Cotton (except long-staple cotton) not further advanced than ginning, flax, hemp, and wool; and

(d) Any fish, animal (including marine animal), or vegetable oil, fat, or grease.

SEC. 2. For the purposes of this act:

(a) In the case of any unmanufactured imported article, the comparable domestic commodity shall be the unmanufactured article produced in the United States (or by American fisheries in the case of fish) which bears the closest similarity in character to the imported article; and in the case of any manufactured imported article, the comparable domestic commodity shall be the unmanufactured article produced in the United States (or by American fisheries in the case of fish) from which an article can be manufactured which bears the closest similarity in character to the imported article. In the case of any article described in section 1 (d), the comparable domestic commodity shall be cottonseed.

(b) The producers' current average selling price of any domestic commodity shall (except in the case of fish) be the current average farm price as ascertained from time to time from the latest available statistics of the Department of Agriculture by the Secretary of Agriculture and proclaimed by him.

(c) The producers' current average selling price in the case of fish shall be the average landed price in the principal ports as ascertained from time to time from the latest available statistics of the Department of Commerce by the Secretary of Commerce and proclaimed by him.

(d) The parity price of a domestic commodity shall be:

(1) The price that will give the commodity the same purchasing power, with respect to articles the producers buy, as such commodity had during the period August 1909 to July 1914, as ascertained from the latest available statistics of their respective departments by the Secretary of Commerce in the case of fish, and by the Secretary of Agriculture in the case of all other commodities, and proclaimed by them, respectively, except that—

(2) In the case of any domestic commodity with respect to which the Secretary of Agriculture has ascertained the fair exchange value or parity price under any agricultural adjustment or conservation program in effect since December 31, 1932, the parity price shall be the latest such price so ascertained.

The parity price ascertained under this subsection shall be adjusted from time to time on account of changed conditions and shall be proclaimed by the respective Secretaries not less frequently than once a month. The adjusted parity price so proclaimed shall be the parity price for the purposes of this act.

(e) Withdrawal from bond for consumption or use in any place into which importation is prohibited under this act shall be considered importation.

SEC. 3. (a) The provisions of section 1 shall be effective with respect to articles, (1) on the day following the date of enactment of this act if the parity price for the comparable domestic commodity is prescribed under section 2 (d) (2); and (2) on the day following the date of any proclamation made under section 2 (d) (1) if the parity price for the comparable domestic commodity is proclaimed under section 2 (d) (1).

(b) It shall be the duty of the Secretary of Agriculture and the Secretary of Commerce, respectively, to proceed as rapidly as practicable to make the ascertainments required under section 2 (d) (1).

(c) Whenever the Secretary of Commerce in the case of fish or the Secretary of Agriculture in the case of all other commodities has found that the producers' average selling price of any domestic commodity is equal to or greater than the parity price therefor, he shall so proclaim, and thereafter, until he proclaims that the parity price is greater, the provisions of section 1 shall not apply to articles with respect to which such commodity is a comparable domestic commodity.

SEC. 4. No provision of any foreign-trade agreement negotiated under section 350 of the Tariff Act of 1930 (whether before, on, or after the date of the enactment of this act), inconsistent with any provision of this act shall be effective with respect to any article during any period during which the importation of such article is prohibited under section 1.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF of Michigan. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Does the gentleman believe that in view of the strangle hold the administration has on this Congress, it will permit the consideration of the gentleman's bill for the relief of the farmers? I suppose the gentleman has that hope.

Mr. WOODRUFF of Michigan. I recall very distinctly that Mr. Fulton Lewis in his broadcast last evening mentioned our distinguished Speaker and the concern the Speaker very properly felt about a situation which has developed since the agreement was entered into between the minority and the majority at the beginning of this session, which provided that nothing other than neutrality legislation would be considered. This concern the Speaker felt was in regard to the drought conditions developing in the country, and I believe he showed a very proper concern. His concern in this instance leads me to the hope, at least, that if this agreement is put aside we can perhaps have recognition of the needs of the farmers of this country to the extent that we may be permitted to consider the bill.

Mr. HOFFMAN. Did Mr. Fulton Lewis say anything about the administration—that is, the White House, having any thought about the welfare of the farmers?

Mr. WOODRUFF of Michigan. As I recall, he did not.

[Here the gavel fell.]

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 30 minutes p. m.) the House adjourned until tomorrow, Friday, October 20, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE of Nebraska:

H. R. 7589. A bill to require ratification by the Senate of foreign-trade agreements; to the Committee on Ways and Means.

By Mr. WOODRUFF of Michigan:

H. R. 7590. A bill to forbid the importation of certain agricultural products into the United States from foreign countries until the comparable domestic article attains the parity price; to the Committee on Ways and Means.

By Mr. WOLCOTT:

H. R. 7591. A bill to limit the powers of the Reconstruction Finance Corporation, Commodity Credit Corporation, the First Export-Import Bank of Washington, the Second Export-Import Bank of Washington, and for other purposes; to the Committee on Banking and Currency.

By Mr. RANKIN:

H. J. Res. 392. Joint resolution making an appropriation for loans and relief in the flood-stricken areas of Mississippi and Alabama; to the Committee on Appropriations.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5812. By Mr. MARTIN J. KENNEDY: Petition of the Kings County American Legion Welfare Committee, Inc., Brooklyn, N. Y., urging conference with the Administrator of the Works Progress Administration for the purpose of restoring recent cuts made in the Works Progress Administration; to the Committee on Appropriations.

5813. Also, letter from the Maritime Association of the Port of New York, urging consideration of the views of the Maritime Association of the Port of New York on that part of the proposed Neutrality Act referring to American flagships; to the Committee on Foreign Affairs.

5814. By Mr. KINZER: Petition of 44 citizens of Chester County, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5815. Also, petition of 197 citizens of Lancaster County, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5816. Also, petition of 44 citizens of the Chestnut Level Presbyterian Church, of Lancaster County, Pa., urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

SENATE

FRIDAY, OCTOBER 20, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal God, whose majesty is inscrutable and power incomparable, whose work is life, and whose love is grace: We bow the knee before Thee, for Thou art also our Father, of whom the whole family in Heaven and earth is named, beseeching Thee that Thou wouldst grant us, according to the riches of Thy glory, to be strengthened with might by Thy spirit in the inner man; that Christ may dwell in our hearts by faith; that we, being rooted and grounded in love, may be able to comprehend with all saints what is the breadth and length and depth and height; and to know the love of Christ, which passeth knowledge, that we may be filled with all the fullness of God. And, as Thou dost indwell us, grant that we may do Thy will as it comes to us in the stream of incidents that bears us onward, and may it be our joy to find our inspiration in the fulfillment of the duties of this day. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, October 19, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reed
Andrews	Davis	King	Reynolds
Austin	Donahey	La Follette	Russell
Bailey	Downey	Lodge	Schwartz
Bankhead	Ellender	Lucas	Schwellenbach
Barbour	Frazier	Lundeen	Sheppard
Barkley	George	McCarran	Shipstead
Bilbo	Gerry	McKellar	Slattery
Borah	Gibson	McNary	Smathers
Bridges	Gillette	Maloney	Stewart
Brown	Green	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Townsend
Byrd	Harrison	Murray	Truman
Byrnes	Hatch	Neely	Tydings
Capper	Hayden	Norris	Vandenberg
Caraway	Herring	Nye	Van Nuys
Chandler	Hill	O'Mahoney	Wagner
Chavez	Holman	Overton	Wheeler
Clark, Idaho	Holt	Pepper	White
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Pennsylvania [Mr. GUFFEY], the Senator from Oklahoma [Mr. LEE], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

ADDRESS BY SENATOR WILEY BEFORE LEIF ERICSON SOCIETY, CHICAGO

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Leif Ericson's Challenge to This Age," delivered by him on October 9, 1939, before the Leif Ericson Society of Chicago, Ill., which appears in the Appendix.]

ADDRESS BY HON. JOHN W. HANES BEFORE BOND CLUB OF NEW YORK

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address delivered by Hon. John W. Hanes, Under Secretary of the Treasury, before the Bond Club of New York at New York City on October 18, 1939, which appears in the Appendix.]

EFFECT IN OREGON OF RECIPROCAL-TRADE AGREEMENTS

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an article from the Oregon Voter of October 14, 1939, relating to the reciprocal-trade agreement with Canada, which appears in the Appendix.]

EFFECT ON BUSINESS OF TRADE SECTIONS OF NEUTRALITY RESOLUTION

Mr. JOHNSON of California obtained the floor.

Mr. DAVIS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. JOHNSON of California. I yield.

Mr. DAVIS. Mr. President, I ask unanimous consent to have read by the clerk a letter from Mr. Joseph Kohn, president of the Universal Dental Co., of Philadelphia, under date Philadelphia, October 19. It is a very short letter and will take but a moment to read.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and the clerk will read.

The legislative clerk read as follows:

UNIVERSAL DENTAL CO.,
Philadelphia, October 19, 1939.

Hon. JAMES DAVIS,
United States Senate, Washington, D. C.

SIR: The following is a quotation from the New York Times of October 19:

"As a means for further tightening the 'cash' requirements of the cash-and-carry section, the Senators agreed that an amendment should be inserted to put individuals and governments on

the same footing in the law. As presently framed, the trade sections of the neutrality resolution relate to transactions between American nationals and foreign governments or their agents. The amendment suggested today would create the presumption that any goods purchased by a national of another country is purchased for the government of that country."

I respectfully call your attention to the injurious effects on business if such an amendment were passed. In our own particular case, we have been doing business with a British firm for the last 17 years and during that time our arrangements for settlement were on the basis of 120 days. If the amendment, as described in the above quotation, were passed, it would mean a complete disruption of our business relationship of the last 17 years and would create a hardship on our associates in England who undoubtedly would not be able to adjust their finances in such a manner so as to comply with the intent of this amendment. I therefore call your attention to the possible injurious effects that such an amendment may have on our business and I don't doubt that there are thousands of other firms in the United States who are in a similar position as ours and who would be gravely affected by such an amendment.

I personally am heartily in favor of the cash-and-carry principle and the repeal of the embargo as it affects relations between individuals and agencies of governments, but from my understanding it was never the intent that the act should interfere with the ordinary commercial relationships between individuals of the United States and those of belligerent countries.

Very truly yours,

UNIVERSAL DENTAL CO.,
JOSEPH KOHN, *President.*

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. JOHNSON of California. Mr. President, in the midst of "excursions" and "alarms," with blood pressure mounting, it is difficult to write a just neutrality act, or fairly to frame any measure which may affect one side or the other of belligerents. In the present instance it is particularly so, for every instinct alines us with the cause of one and against the other. I thought all this was indubitably established by the actions and remarks of our own people until I heard this debate in the Senate. I now discover that the intent was harbored by but a few to repeal the embargo so that Great Britain and France would be favored, and Germany hamstrung. All these assevertions of favoring one side, we now learn, are mere perfervid oratory. So let us conclude that everybody is seeking how best to do justice, that there is no partiality in this debate except in a few instances, and all on the highest plane, as they raise their hands aloft, are trying to do their utmost for all sides, and to hold the scales equally.

These truths are self-evident in this discussion:

First. That the repeal of the embargo favors the Allies.

Second. That such repeal accomplished after the beginning of the war would be unneutral.

In approaching this question I have attempted to do so in judicial fashion. I think all who occupy our position should do likewise. I have but one approach to this subject, one guide, and that is the welfare of the United States of America. I grant the urge of emotions, and it would be only a stupid man who would not acknowledge the effect of them. But I insist on justice and truth in determining a policy such as is presented by this joint resolution. I insist that we must guard ourselves against yielding too much to emotion, and the refusal to dilute our emotions with reason.

We all ought to be upon the same basis in the determination of this controversy. We all ought to rise superior to any of those considerations which actuate us now and then. No matter whether an election be near or whether it be far off, we all ought to feel that we are deciding a question of life and death, perhaps, for our country in accordance with the law and the facts. We all ought to feel that there is no man on earth, no matter who he may be, who can compel us to do that which is wrong in this particular matter. No matter how comfortable it may be, however glorious it may be to sit in the sunlight that beats about a throne, we all ought to be willing to decide this question, not upon that part, not upon that influence, no man's say-so, no man's influence, but we ought to decide it in favor of our country and our children.

This is what I have endeavored to do. I beg you, my fellow Senators, that you do likewise. Now is the time for assertion of that which is highest and best in us. Now is the time for us to rise superior to any question of personal influence or of personal consequence and do the right thing, the just thing, not to France, not to England—it might be thought, sometimes, to hear people talk, that this was a Parliament of Great Britain—not to Germany, but to the United States of America. That is what I appeal for today—that we may give to the United States of America the best that is in us; that no man shall coerce us, no man shall say how we shall vote or how we shall not vote; none shall be actuated in this forum except by conscience. If upon that basis we will determine this question, then no man can ask more.

As the Democratic leader said yesterday, I have but one lamp by which my feet are guided, and that is the lamp of experience. There is but one mode in which I can decide this question, and that is in the pure light of reason and the steady, undimmed light of justice. Twenty years ago we fought a great war, and our gradual entry into it in many ways parallels the contest that is on us today. I shall not labor the causes of the great World War. Suffice it to say that we were gradually eased into that war in 1917; and the propaganda, cunningly written and disseminated, that seemed to justify our action, is not unlike that we meet today.

Some reference was made yesterday to catch phrases. I quite agree that the problem is too solemn for any catch phrases to have aught to do with it; but I would have the Senate remember the many that were used to induce us to fight in 1917. Do you not recall, Mr. President, the many that were then used to induce us to fight? Do you not recall how we were going to make the world "safe for democracy"?—how we fought for the preservation of civilization, how the rights of minorities we were ever to cherish and protect, and how our brethren in arms, our allies, were fighting an idealistic war to prevent the subjugation of the peoples of the earth? We fought a bloody war to make the world "safe for democracy," and at the end of it there were fewer democracies in the world, and hundreds of thousands of people had been enslaved under dictatorships. The propaganda of the last war reads like ghoulish humor. The epithets, the worst of which was "——— Hun," and the idealism concerning democracy, now seem incredibly childish.

Have we learned nothing by that war? Have not our dead and maimed taught us anything? Are we deaf to every lesson that may be learned from experience, and experience dearly paid for? Have our immense war debts, a large part incurred in lending our money for rehabilitation, with their contemptuous repudiation and default, contained no lesson for us? Have the incredible burdens of our people, the monstrous debt, the aftermath economically, been forgotten?

Oh, Members of the United States Senate who glibly talk about another foreign war, do you not realize in common with me, what another war will mean for the country that you love and that I love? I am so old now that no longer is ambition in my blood. I am so old now that I have but one thought, and that is to serve the United States of America. Oh, can you not recall what the last war did for us under the influence of propaganda? Can you not realize that we have not yet recovered from the effects of that particular conflict? And if we should have another, I will not paint for you, I leave you to imagine, what the result would be.

So, my friends, I speak to you solemnly. I speak to you with all the emphasis I can command, because I believe we are on the brink of a precipice, and if we obey the commands that are issued to us, if we obey the commands of the British or the French Governments, we are likely to be forced over that precipice and finally find ourselves without any government, without any democracy, with nothing of any kind or character that we desire to cherish and preserve.

It is unfortunate that this question comes to us as a war question, upon which the fetid propaganda of war has its influence in arousing the prejudices of our people. Calm, deliberate judgment is necessary for the solution of our problem, and yet we are acting at a time of great stress, when the propaganda utilized by its masters has inflamed the minds of our people and distorted their judgment. An unhealthy and artificially stimulated war psychology is generated which

operates to distract the American people from their own affairs and their own problems.

A well-known writer, Mr. John T. Flynn, recently said in the Washington News:

> Civic groups in particular find they have utterly lost the ear and the interest of the community.
>
> Some of this is due to the inherent interest of the war itself. Some of it is due to the effort of propagandists to raise the fears of the American people into supposing that they are in some immediate danger.
>
> Everybody was geared to protect himself from propaganda from Europe. But the propaganda has been pouring upon us from America, from the Government itself.
>
> We have been told we are in an emergency. Then the President starts a spy scare and hunt. Then he announces that submarines are prowling off our coasts. Then he invokes the old Espionage Act. People are asked to adjourn politics. The result is they adjourn almost everything. And thus an unhealthy and artifically stimulated war psychology is generated which operates to distract the American people from their own affairs and their own problems.
>
> This will be serious unless some power operates to calm the people. What power is there to compete against the Government's power to arouse and frighten them?

And in this atmosphere and this psychology we come to our task.

It is a pity that it is so. It should not be so in this country. But at this time, with all our people made jittery by the actions of the administration, we come to solve the greatest problem ever submitted for solution, save perhaps that presented to us at the time of the last World War.

If we have been lulled again into a false sense of security, and have forgotten the events of the last war, the American people have not. It may be necessary for us again to go through the same welter. It may be necessary for us, with the misrepresentative propaganda that is before us, to go through the same emotional strain of 20 years ago to learn the lesson of those days; but I feel sure the American people need no second baptism to awaken their recollection.

Since that war there have been many attempts to cooperate with Europe for peace, many efforts to convince a war-weary world of alternatives to war. Millions of words have been written, some in predatory fashion, some in loud warnings of war's horrors and hopelessness. To the regret of peace-loving people all have been unhappily futile. Professor Beard, commenting upon the seductive phrases by which war masquerades as "cooperation for peace," remarks:

> To say that one favors "American cooperation in every effort to build alternatives to war" is, in my opinion, merely using words, unless one is prepared at the same time to demand the employment of American military and naval power in making effective any rules of peace agreed upon. To take part in talking without taking part in the coercion necessary to make talking prevail is, in my view, both futile and perilous. If our efforts to right historic wrongs and bring peace and reason to Europe in 1917–19 have not taught American citizens anything, no words of mine can add to their education.

No doubt all here know Professor Beard. That is his conclusion.

I might here digress for a moment to speak of the deep hatred with which our internationalists, now few in number, always refer to what they call the "isolationists"; to speak of the hideous epithets which they applied to us years and years ago, at the time when we were endeavoring to keep this Nation out of the League of Nations, and to recall something of that particular time, that it might be known how we were beset. But for the moment I will forego that, however happily I would refer to it, and I will proceed with the argument.

I may add that every man who pays a bit more taxation that European governments may escape their just debts, upon which they have willfully defaulted, understands.

Again we are asked to let ourselves be eased into such a position that there may happen to us again that which happened once before. I have no hesitancy in saying, although the Democratic leader yesterday derided the suggestion, that a step in the direction requested of us now is the first false step, and that the repeal of the embargo will place us in the shadow, walking down the bloody path of war.

What is this law, or part of the law, the repeal of which is asked—aye; demanded—by Great Britain and France, and practically every internationalist in this country? It cannot be too often emphasized that the embargo provision of our law was for some years upon the books, and that it was notice to all the world of the policy we intended to pursue. It was an embargo applicable to all nations. It fulfilled every requirement of such a law. To repeal it now at the instance of one belligerent is simply to do as that belligerent desires, and to commit an unneutral act.

Whence comes the power of a foreign country to say to us we shall repeal a law which we solemnly passed, and which has been upon our statute books for 5 long years? What is the influence that is brought to bear upon us which says, "You shall not have a law of your own passing; you must repeal it; you must meet even in special session in order that it may be repealed forthwith; and you have no say in the matter? You must do as you are told, and if you do not do as you are told you are threatened with political extinction." That may be harsh from some standpoints, but not from others, and those now present who are familiar with what transpired in the past may have some inkling of what may happen in the future.

It is asserted by the proponents of repeal that this action should be taken because the act as it stands is favorable to Germany and disadvantageous to the Allies. It has for the time of its existence been a law equally applicable to all nations. Remember that. It was passed and it has been a law for nearly 5 years now, and it is equally applicable to all nations. It is impartial in that regard and it cannot be open to the assault upon it of being partial.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of California. No; and I mean no offense by refusing to yield, but I do not wish to yield during the progress of my address because it is not very long, and after I conclude I will engage in any sort of bout the Senator may prefer in relation to what I may say.

It is claimed by those whose sympathies would lead them to violate our neutrality—and I confess the urge is strong, and I can forgive those who permit their mentality to be overwhelmed by it—that the Germans have been preparing and have great stores of arms and munitions while the Allies have little. There is nothing to justify this claim but the bald statement of perfervid advocates. Certainly the records of this country shows no such disparity in the arms, ammunition, and implements of warfare that have been obtained by Germany. Indeed, the records of the Munitions Board show but little in this category purchased here. As to aircraft and appurtenances, over $120,000,000 have been expended by Great Britain and France, while the expenditures of Germany have been negligible. The existing law prohibits the sale to all nations alike of arms, ammunition, and implements of warfare. It is the only fair plan that could be adopted. And do not forget that it has been the law of our land for more than 4 years past. Maintaining this provision does not favor Germany save in a negative way. In a positive way it affects all alike.

Germany gets nothing under the embargo. She will get nothing if the embargo shall be repealed, but for another reason. Germany, therefore, gets no benefit from the law except what might be hers by reason of an advantageous position. She gets no benefit from the embargo law at all, because the embargo law embargoes all equally.

It was back in 1936 that the President spoke of this law, and highly praised it. He then said:

> As a consistent part of a clear policy, the United States is following a twofold neutrality toward any and all nations which engage in wars that are not of immediate concern to the Americas. First, we decline to encourage the prosecution of war by permitting belligerents to obtain arms, ammunition, or implements of war from the United States.
>
> Second, we seek to discourage the use by belligerent nations of any and all American products calculated to facilitate the prosecution of a war in quantities over and above our normal exports of them in time of peace.

Again in the same speech he said:

> I trust that the objectives thus clearly and unequivocally stated will be carried forward by cooperation between this Congress and the President.
>
> The United States can play but one role: Through a well-ordered neutrality to do naught to encourage the contest.

Whence comes the mighty movement to repeal the arms embargo? Surely it cannot be to safeguard American neutrality, for this was the rational policy declared by the President. It is not to take a step that would discourage the contest, for the repeal would have just the reverse effect. Why, then, the uproar? It can have but one purpose—to have us take sides in the war, by methods short of war at first, but inevitably by methods that will measure our full strength as a partisan. There are many Senators, doubtless, who approve repeal of the embargo on the ground that it would help the Allies, and that allied victory is in American interest. But this is a mere gamble. Such stakes are involved in the gamble that I decline to participate in it. If these Senators wish to give military or other help to the Allies to win the war, and if that is their motive, then the lifting of the embargo is an act of intervention. It is a mere gamble that we can change our law so as to help one side defeat the other and yet escape the consequences of war. The gamble may be successful but it is very speculative, and I will not gamble with American lives. It is a practical embargo against Germany, for this measure enables Great Britain and France, because of their mastery of the sea, to obtain everything they desire, save the few items in the embargo, and Germany, by reason of her position, can obtain none of them. This ought to satisfy the craving for discrimination which I observe is present in a few of my brethren, and it probably can be defended as legal. The lifting of the embargo cannot be so defended. The proposed change in the law to permit now an arms traffic that was prohibited when the war broke out is not a return to international law but a defiance of international law.

In a very able article by Charles Cheney Hyde and Philip C. Jessup, they say:

> Thus these two factors—the governmental control already achieved by an act of Congress and a governmental desire to relax that control so as to help France and England—would combine to produce a result that the opposing belligerent Germany would pounce upon to establish the unneutral aspect of embargo-removing legislation. These factors would render inept and unconvincing the contention that when or if Congress removed an embargo which the United States was not obliged to impose, no legal duty to any belligerent is involved, provided every state engaged in war enjoys equal freedom to help itself to American resources.
>
> The answer is that the manipulation of American governmental control already established through a statutory embargo, with the deliberate design of aiding a particular group of warring powers by an effort that takes cognizance of their relative supremacy at sea, is a deliberate taking of sides which marks intervention in the conflict. Such intervention is not impartial in spirit, and it is not abstention from participation in the war. It is, on the contrary, a specious form of interposition sought to be disguised by the opposing contenders. Yet the real character of such conduct shines out like a lighthouse in the fog. (From Legal Doubt, article by Charles Cheney Hyde and Philip C. Jessup.)

I repeat, the embargo law, when enacted, was just and impartial. It is just and impartial now. It was a people's law when enacted. It is still a people's law. The vice of the position of our adversaries is in their thought. Why all this thought of Great Britain and France? Why no word for America? In one breath the proponents minimize the law and say it is of little consequence, and in the next that it is a horrible obstruction to Great Britain and France. In all the thought of the good men who favor the law, has the stress ever been upon Great Britain and France? I repeat, this was the people's law when passed 4 or more years ago. It was acquiesced in practically by everybody. On more than one occasion it was praised by those in power and its virtues extolled. It is an American law enacted by Americans for the protection of America and Americans.

Have Senators forgotten so soon that we were to intervene in this war a few months ago to save democracy? Now it appears that the real reason was simply to aid Great Britain and France. A fair determination of this question shows that it cannot justly be done, save with the strong arm, and against this we protest.

With embargo repeal we are half in and half out of war. We know from our bitter experience in the past how easy it will be to shove us along until we are fully in, and this is the nub of the matter. We will be shoved along and pushed about in relation to the present European war once we repeal the embargo, until we will not be sure where we stand or what we do. We will be pushed about and shoved along by those wily men who play the game of power politics, which some of our people, some of those who are snobbish, imagine they can play better than the diplomats of Europe, but when they indulge in the game of power politics with Europe they have as much chance as I would have trying to play poker with the Senator from Nevada. [Laughter.]

So it goes all along the line. European diplomats endeavor to have us get into that peculiar sort of a situation, and we will not do it. We ought not to do it, Mr. President; we ought not to do it.

Repeal the embargo? Why? It is said it does not amount to much. It is said that its retention is a matter of indifference. Yet such great store is set by it that some Senators would not let any measure become a law now unless it contained a repealer of the arms embargo. Some say it does not amount to anything, and yet England and France, across the sea, are perhaps using this war of theirs as a pawn in the matter.

It is the most peculiar war I ever knew of or ever read about. They are sitting about waiting to see what the Senate will do about this embargo problem, and the embargo problem has assumed such great importance that the measure must be passed at all hazards. I think anything in connection with the pending legislation, any phase of it or any other provision in it, would be yielded in order to secure the repeal of the embargo.

That is a way to fight, I confess, and I have no quarrel to find in that regard, but it is not the way in which you deal with your blood and your bone. It is not the way to deal with your children and your grandchildren.

I felt somewhat offended the other day when the Senator from Connecticut [Mr. MALONEY] described Senators who had children who would be subject to call in case of war. He did not mention me. I have grandchildren subject to call. He did not mention any of those of us who have grandchildren, and I felt that he had forgotten us in mentioning those who were subject to service in time of war. But we are dealing here with a question that is of great consequence to our children and our grandchildren and to all those whom we love, and to everything that we possess; and there is something wrong with the situation; there is something wrong with the measure; there is something wrong with the debate; there is something wrong here in relation to the manner in which the debate on this particular phase of the measure has been conducted. It is said, in spite of everything and at all times, "The legislation must be passed. The joint resolution must be enacted into law. It must be put upon the law books." And why? Nobody can tell and nobody does tell.

Mr. MALONEY. Mr. President, will the Senator yield to me for one observation?

Mr. JOHNSON of California. Inasmuch as I referred to the Senator from Connecticut, I will yield to him. I would not otherwise.

Mr. MALONEY. I ask the Senator to yield to me only because he referred to me. I did not mention any members of his family. But I would like to take advantage of the opportunity to say now that I do not think there is a greater patriot in America than is the Senator from California, and my affection for him knows no bounds.

Mr. JOHNSON of California. Mr. President, do Senators remember there was a time in the League of Nations fight when certain reservations were presented by the little band of "isolationists"—isolationists! isolationists!—as they termed us all the time? That is all right; I will come to that in a few minutes. But there was a time when that little band presented certain reservations, and they were not adopted. There was a time when they were fighting with their backs to the wall to preserve the liberty of this country, and a great English statesman said to the one then in charge of the Government of the United States, "Let them have their reservations. Take them in, take them in," he said. "Let them have their reservations, and when they once get in we will take care of them." He knew full well that once we got in

half way we never could extricate ourselves. That was exactly his position. It was correct as a matter of tactics; and if Woodrow Wilson had followed it, despite the fact that we made the best fight of which we were capable, he would have had us in the League of Nations. But he would not accede to that suggestion, and his obduracy prevented our being in the League of Nations at that time.

The League of Nations partisans are very much in evidence in this controversy. There are only a few of them left. No longer is it a badge of honor to belong to that moribund society. No longer is it a badge of honor to march up and down the street and say, "Hurrah for Great Britain" and "Hurrah for the rest of Europe." The few who are left are all in full cry in support of the proposed legislation. Every one of them, from the west coast to the east coast, is taking his little part with Great Britain's representatives in trying to force through this particular measure. As they sing hosannas to "collective security," "choose the aggressor," and the holy league, interspersing their hymns with savage anathemas and bitter epithets against those who once took part against them, they permit their long-suppressed emotions again to influence their judgment. That is how this whole question arises. It is a matter of suppressed emotions which, righteous as they may seem, have risen to confound us in dealing with the subject.

If we are to take steps leading to war, there should be the best reasons for taking them. There should be no acting on false assumptions or wrong premises.

I have more respect for the man who feels that we ought to favor Britain and France, and who says that he would take us into war in behalf of Britain and France, than I have for the man who says he has no opinion, but would favor Britain and France. I do not blame those in this body who favor Britain and France for pursuing that course.

If we are to take sides leading to war, there should be the best reasons for taking them. There should be no acting on false assumptions or wrong premises. Yet the argument most frequently heard in support of the pending measure, reduced to its simplest terms, is that if we do not help to stop Hitler now, he will conquer Europe, and we shall be next—a perfectly idiotic assumption; and yet earnest and honest men repeat it. If we were not afflicted with a war psychology we would not listen for a quarter of a second to such a reason for repeal of the arms embargo. Hitler will never conquer Europe. It has never been done by anyone yet. Countless efforts have been made to establish hegemony by force, and none have succeeded. The closest approach to it was by Napoleon; and to compare Hitler with Napoleon is absurd.

Again, England has no equal in the play of power politics; and when this war is over she will be at the same old game, at which ambitious and snobbish Americans will still be trying their hand.

Again, the physical exhaustion after a war in Europe would leave the participants without the reserve manpower or material with which to launch further campaigns of aggression. Furthermore, Hitler could never successfully attack this country. He would leave behind him revolt everywhere; a resurgent nationalism would likely overcome him, and guerilla warfare would be rife. There would ever be behind him the "bear who walks like a man"; and if by that time we had not yet dissipated our resources we could stand on our own shores, with our airplanes and carriers, and a vastly superior navy, and laugh at his efforts. I hope we have heard the last of the argument "We shall be next"; and I hope nobody is frightened by the argument "We shall be next." There is no danger whatsoever of our being next. We used to say that 20 years ago when we were told that we had to fight to save democracy and had to fight for the sanctity of treaties. We were repeatedly told—do you not recall it?—that if we did not aid the Allies in stopping the Kaiser the Kaiser would take us next. In the time of Napoleon mothers frightened little children to make them be good by telling them that Napoleon would get them if they were not good, and at once they would stop their foolishness and be good. We were told then that if we did not stop the Kaiser he would come over and get us. Now we are told that if we do not stop this war right away Hitler will come over and get us. It is absolutely rot and rubbish. There is not the least sense in it.

We cannot tell, from one day to another, how the war abroad will result. Who knows what the war across the Atlantic is about? Who knows what will be done? Who knows what the Russian Bear is contemplating? Who knows what is in the heads of the wily men over there who are determined to serve their own interests first? Who knows anything about what may transpire?

One day we see the Prime Minister of England courting Stalin. The next day we see him doing something else. Finally, not receiving from Stalin the degree of courtesy or the degree of favor that he thinks he should, he is done.

It reminds me of little boys who are running after something which is held by someone who has authority over them. They are all on the run now. They were on the run the other day for the purpose of obtaining the favor of Turkey. Great Britain beat the other fellow to it; and this morning the British said with great éclat, feeling very fine, that Chamberlain had won a great diplomatic victory. He was on the road to a great diplomatic victory only a short time ago when he met Stalin, and it was thought that Stalin would act in his behalf. Then he met with trouble, and Stalin took the greater part of the "swag."

I do not know what they are now doing, or what they will ultimately do, except that they are dividing the "swag," and they do not care a rap for the democracy of the United States of America. That is what I care for. They do not care whether or not they rip us asunder, tear us to pieces, and dismember us for their own purposes. They do not care; but I care, and every Senator ought to care. I can forgive young men, perhaps, who have not had experience; but it is a difficult thing to forgive old men who have such views.

So when it comes to the question of dealing with Stalin I do not know how they will deal with him, what they will do with him, or what he will do with them. I do not know what will happen. Nobody knows.

What are they fighting for over there? Does anyone know? No one knows; but we are to be in it, and we are to take part in it! We are to send our blood and bone over there to do the fighting. I know that every Senator says that he would not vote for a declaration of war, and would not send a single solitary soldier across the sea. That is the only good thing we have accomplished in this debate.

Wait until the bands start playing and the crowds start cheering. Wait until you hear the shouting and the tumult. Wait until then, and then tell me you will vote with me against any declaration of war. That is the time that I shall want your assurance, and not now. I do not say that to the detriment of my colleagues, and I am not saying it because I am trying to criticize them. There is a time when we do not know what we shall do a month hence, and that time is right now. You may say that you will not go to war. You may say—and you may mean it—that you will not vote for a declaration of war, or to send a single boy across the sea. Who ever believed that we were sending 2,000,000 men across the sea when we voted for a declaration of war before? No! No! No! You must steel your hearts against the first false step. You must say to yourselves that you will not take a single step toward war, or you will find you cannot resist when the time comes. That is exactly the difficulty we find in this situation.

Mr. President, I wanted to say a few words to two or three of our colleagues here who indulge in epithet or criticism of the poor old isolationists. They are able to tell you, Mr. President, Oh, it is a beautiful thing to be an internationalist, to go around and look upon the world, comprehend all that is in the world, and tell just what should be done under any given circumstances. The internationalist can see every country on the face of the earth but forget to love his own country and tell exactly what the other countries ought to do. So I say the internationalist has a tremendous advantage over us. We live here; we think only of our own country and we desire what is for its best interests. Everybody

believes that to be so; there should be no dissent from a sentiment such as that; everybody should believe and should be certain to say that everything they could do for the welfare and advantage of their own country should be done. But internationalists are constantly talking about the isolationists. I have here a little book that came to me the other day which sets forth a definition of isolationists that is even really better than that of the President. The President's was a very brief one. He said "an isolationist wishes to be isolated from the controversies and the wars of Europe." I may not quote him exactly, but that was substantially what he said in his Chatauqua speech. I wish to read a word or two from the book, Deadly Parallel, by C. Hartley Grattan. I acknowledge my debt to him. I have read his book with very great interest and with very great profit. I quote from it, as follows:

> It is in this sense only that the continental American is an isolationist. He seeks to isolate this country from participation in attempts of foreign nations to "solve" foreign problems by force—from the wars beyond American borders which are being fought over confused issues to unpredictable conclusions. He does not in any sense believe that America can impose its conception of law and order on the world by force or create by force the conditions which feed and strengthen democracy in America. He does not believe that America knows all the answers required to solve the world's problems.
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> He does not see in the present European situation any absolutely new and unique issues, though he is quite aware of the new dress in which the old issues today appear.
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> Americans, he thinks, should stay at home and mind their own very extensive business. It is his firm conviction that war today is a confession of bankruptcy, not evidence of a revitalized world. It cannot lead to a better world, but only to senseless destruction and social chaos. If Americans want a better world, they must build it in America. It is no contribution to the building to fight wars abroad. Americans will suffer far less from a policy of abstention with regard to Europe's muddle than by plunging into war with starry-eyed phony idealism, an idealism corrupted at the heart by its appeal to force.

Mr. President, I shall say but few words more. I feel very keenly the seriousness of the situation. I feel that should we take this first step we are done. I love this country. I have nothing else on God's earth but this country of mine. I do not want to see it go to war for one reason or another or to go into war because it is forced in. I do not want to see us risk war, because I think too much of the United States to risk war, and if we should repeal the embargo, we would risk war. Why should we risk war? That is what strikes me constantly—why should we risk war? I think the only thing to do is to let the law remain as it is.

We have had a law of this sort on the statute books for the last few years. The President of the United States has issued three different embargo proclamations since his term of office began.

The first was in connection with the war over the Chaco, the second in the Spanish War, the third in the Ethiopian War. He issued three proclamations of embargo, and the heavens did not fall when he issued them. They were thought to be effective. He issued them, and he boasted afterward that one, at least, did the job. I will not say that he boasted that the one issued in connection with the Italo-Ethiopian War did the job, because, perhaps, it did not. He struck a snag there as he went on, and he did not do all he desired; but in the case of the war over the Chaco he did do good, and, doing that good, he is entitled to the credit. The Spanish embargo was effective, although he was abused for it bitterly by a certain class of people in this country and elsewhere; but he stood by his guns; he maintained the embargo. So three different times since he has been President has he maintained the embargo.

It is said now that he must not maintain the embargo in issue here because France and Britain say "No." I say, "Yes," and the United States Senate ought to say "Yes"; this country ought to say, "Yes; we will have an embargo; we will have an embargo of our choosing; we will have an embargo that we adopted solemnly after due consideration and due deliberation. We passed the embargo, and we, in spite of France and Britain, will maintain that embargo." It takes brave men to say that, of course; it took brave men to do what has been done in order to protect that embargo; but we have the courage, we have the nerve, we have the ability, and we here can say it. Why should we not say it? What is there for us left in life, what is there still that any of us may care for? It does not make any difference to me whether I am reelected or defeated when the time comes; it does not make any difference to me whether I am going to be one man or another in that particular campaign; I will stand here until doomsday, if I am the only man who so stands, and plead for what I believe to be right and what my conscience justifies. Stand up, Americans! Stand up, Americans! Stand up, Americans, for your rights; stand as you ought to stand in this struggle for maintaining that which will prevent the United States going into another war.

Mr. ELLENDER. Mr. President, it would be presumptuous on my part even to imagine that I could change the views of any Member of this Senate on the pending joint resolution. I am confident that all Senators have long since made up their minds on the issues involved and are now prepared to vote. No measure could have been more thoroughly discussed, and all phases of the problems more ably presented, than has been the case with respect to the pending legislation. We have heard the ardent pleas of most of the "big guns" of the Senate, and far be it that a member of its "popgun corps" could now make more convincing arguments than have been heretofore presented. I shall find consolation for my efforts in the hope that, in a feeble way, I may allay the fears of my fellow Americans and point out to them that a favorable vote on the joint resolution will not involve our Nation in war.

It should be a comforting assurance to the American people that war can come only if the Congress declares it. War can be carried on only if the Congress raises and supports armies for that specific purpose. So far, no Senator has raised his voice in favor of war; on the contrary, all have proclaimed for peace. We differ only in opinion as to the best course to pursue in these trying times. Speaking for myself, and for other fathers of fine chaps, I shall not vote, under any circumstances, to send my son or the sons of my fellow Americans to fight the battles of those who inhabit the Old World. I firmly believe that in this I express the views of every Member of the Senate; and, should I not, let those who take issue speak up. [Pause.] On the other hand, few, if any of us would hesitate to vote our entire resources, if need be, in order to protect our country from the enemy, should invasion be attempted.

Mr. President, for years after the disastrous World War, few people felt that the Eastern Hemisphere would ever again engage in a major conflict. It was believed then that the nations of the world, especialy those which actually engaged in the horrible death-dealing battles, were fully convinced of the futility of war. From every land and from persons in every walk of life came proposals to avert future wars. Our people were especially interested in a plan that would assure a lasting peace. Some felt that the munition manufacturers of this Nation had been responsible for our entry into the conflict, and the finger of guilt was pointed in their direction. Investigations were made by the Senate, hearings were had, and the public became aroused as a result of the disclosures made. I am informed that the hearings were in the nature of an ex parte proceeding and few if any persons who took an opposite view evidenced sufficient interest to refute the charges made. I do not mean that an opportunity was not given them to disprove those charges but many felt that the accusations were so far-fetched that refutation of the evidence produced was unnecessary. Be that as it may, the evidence adduced at these hearings made a profound impression on the American people and a stirring sentiment then prevailed that the most effective method to stop wars was to take away the profit and the best way to accomplish that was to prevent the exportation of arms and ammunition to belligerent nations.

It was in such an atmosphere that the so-called Embargo Act was conceived and later enacted. The people were for it and I am informed that few Senators opposed its enactment into law. At the time evidently little or no thought was given to the existing facilities and geographical situations of

the various countries of the world; and although the embargo was intended to apply to all alike it created decided advantages in favor of some nations in contrast to others. It is clear to me that the law created a most unfair disadvantage to those nations that had established sea power and advantage in favor of those nations that had lesser sea power or no naval equipment at all. I will not discuss this phase of the problem further for the reason that it has been ably argued during this debate by many Senators.

Mr. President, it has been frequently stated here in the course of this debate, and by scores of speakers throughout the Nation, that it would be unneutral for us to amend the act while a war is in progress. Many have said that such an act would offend Germany, and that Herr Hitler would be displeased. Mr. President, I ask: What do we owe to this mad dictator, this insatiable despoiler of men and nations, this violator of treaties, that we must tread on tiptoe to spare him displeasure? Since when has it become necessary that we should consult with Hitler or with any other foreign power before considering the wishes of our own people? No nation is being taken by surprise if we repeal the arms embargo. The world was put on notice by the President of the United States on January 4 of this year, when he called attention to the possibility that our neutrality laws may prove to operate unevenly and unfairly, and give aid to aggressor nations and deny it to the victims. From April 5 to May 8 hearings were held before the Senate Foreign Relations Committee on various neutrality bills, some of which had as their object the repeal of the arms-embargo provisions of the present law. On May 29 House Joint Resolution 306 was introduced by Mr. BLOOM, chairman of the House Foreign Affairs Committee, and from June 2 through the 13th, hearings were held on the bill before Mr. BLOOM'S committee, and on June 17 the bill was reported favorably. From June 27 to 30 House Joint Resolution 306 was debated in the House of Representatives and finally passed, and on July 5 it was received by the Senate and referred to the Senate Foreign Relations Committee. On July 11 the committee, by a vote of 12 to 11, decided to postpone consideration of neutrality legislation until the next session of Congress. Again, on July 14, the Senate received a message from President Roosevelt, transmitting a statement from Secretary Hull, strongly recommending that neutrality legislation be considered before adjournment. Although we were warned then that war might come, few of us believed it, and Congress adjourned without enacting neutrality legislation. Mind you, when speaking of neutrality legislation I refer to that which had to do with the repeal of the arms-embargo provision of the existing law. In the light of the foregoing facts, how can we now be accused of being unneutral by repealing it because it so happens that at present a war is raging?

Mr. President, let us examine the so-called neutrality law and contrast its provisions with some of the provisions of the pending legislation. In this comparison, my purpose is to show that the pending measure is less likely to lead us into war than the existing law. As I pointed out a few minutes ago, the paramount issue before us is how best to keep our country out of this conflict. What then would cause us to engage in war? Is it the mere sale of arms and ammunition and other implements of war? I do not concede this to be a fact. No nation should have cause to complain if we afford it the same treatment that is accorded other nations in this respect.

One of the cardinal principles of neutrality is to show no preference or partiality to any of the nations engaged in war. It is our duty to treat them all alike and on the same plane and basis. In being neutral we should be ready and willing to sell to all of those engaged in conflict on the same basis; and, in effect, cause them to receive the same rights and privileges.

The pending joint resolution provides that very thing. It states that all nations engaged in war may purchase from us any articles or materials. It requires that all sales must be made for cash, and that title must pass to the purchaser before the ships sail from our ports. In addition, it further provides that no American ships may be used to transport such articles or materials to belligerents, or to nations bordering on waters declared by the President to be danger zones.

Why, Mr. President, the bill not only prevents the use of American ships to carry articles and materials to a belligerent, but it serves notice on the citizens of this country that no loss incurred by them in connection with the sale or transfer of any such articles or materials shall be made the basis of any claims put forward by the Government of the United States. Under the joint resolution, since no American ships may be used for transporting articles and materials to nations engaged in war or to nations bordering on waters declared by the President to be danger zones, it necessarily follows that the life of no American seaman will become imperiled. Since title to all goods and articles sold must pass when loaded aboard ship at an American port, it likewise necessarily follows that no property of an American citizen will become exposed to seizure or destruction.

Mr. President, I repeat, what then could cause us to engage in war? Would it not be the wanton taking of the lives of our citizens engaged in a lawful undertaking on the high seas? Would it not be the unlawful destruction or confiscation of the property of these citizens plying their trade with belligerent nations? Our experience in the World War answers that question.

Mr. President, the pending legislation makes a criminal of a person who violates any of its provisions. It places the officers and directors of a corporation in the category of criminals should any of the provisions of the pending joint resolution be violated. A fine of not more than $50,000, or imprisonment for not more than 5 years, or both, may be imposed on anyone who violates the provisions of the act. The joint resolution goes still further. It provides that citizens of this country traveling as passengers on belligerent ships who thus expose their lives to danger, contrary to the provisions of the joint resolution, are likewise criminals. Each offender is subject to a fine of $10,000, or imprisonment for 2 years, or both, for each violation. What else can we do, within reason, to protect the lives and property of our citizens, except to make it unlawful for them to engage in acts which would cause us to become involved in war?

Let us contrast those restrictions with the provisions of the law as now written. It is therein provided that whoever shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States, or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both. The law makes it a criminal act for a person to ship such articles. As to the sale and transportation of all other goods and materials the law is silent. American ships, manned by American sailors, can transport any and all other goods and materials available to countries engaged in war, or in fact to any place in the world. Such ships, so laden, may travel in waters infested with submarines, planted with mines, strafed by giant combatant bombers, and if anything should happen to them, our laws grant them recourse through our Government. Should the war continue and should American ships and American sailors be exposed to belligerent fire, I predict that, sooner or later, we will be called upon to protect the lives and property of those of our citizens engaged in such traffic.

Mr. President, I ask the question: Why should we single out arms, ammunition, or implements of war and permit the sale of all materials, machinery, and other articles necessary to manufacture such goods? I ask the indulgence of the Senate in order that I may cite some of the articles that are embargoed under the present law, in contrast to other articles that are not embargoed, but which are just as essential to a warring nation.

To begin with, the present law embargoes shipments to warring nations of rifles, carbines, machine guns; automatic rifles, automatic pistols and revolvers; guns, howitzers, and mortars; ammunition for those weapons; hand grenades, bombs, torpedoes, mines, and depth charges; aerial gun mounts and frames, bomb racks, torpedo carriers, bomb and torpedo release mechanisms—all these ingenious instruments

of death and destruction may not be sold under the present law, and no nation at war may draw upon the United States for any of these articles. But there is no prohibition against these same nations obtaining from us all the ferro-alloys, steel billets, sheets and tubes, brass ingots and disks, and copper ingots that they may desire, in order to convert those materials into those same death-dealing weapons and ammunition.

Likewise, the present law embargoes armored tanks, military armored vehicles, and armored trains—but there is nothing in the law which prevents shipment from this country to warring nations of any amount of standard four-wheel-drive chassis, and standard railroad cars—and any military expert will state that those innocent so-called peacetime vehicles are readily convertible into monsters of war.

The law states that no person or company can ship to warring nations any aircraft "both heavier and lighter than air, designed, adapted, and intended for aerial combat, either assembled, unassembled, or dismantled." But we can go right on shipping to those countries unlimited quantities of steel billets, aluminum sheets and shapes, fabrics and frame materials, such as spruce for nonmetal planes, and other articles of this nature which go to make up warring airplanes.

We throw up our hands in horror at the very mention of poisonous gases, and it is provided in the present law that we shall not export to warring nations any mustard gas, methyldichlorarsine, diphenylchlorarsine, and a long list of other 10- and 12-syllable tonguetwisters. But is there any prohibition against the shipment to those nations of chlorine, bromine, sulfur and pyrites, arsenic, and other basic chemicals from which deadly poisonous gases are manufactured? The answer is, "No."

Powders and explosives are embargoed under the act—but I am unable to find anything in the law which prohibits a belligerent nation from purchasing, in this country, any quantity of cotton and wood pulp, with which to make cellulose, sulphuric and nitric acid, toluene, aniline, phenol, ammonia, potassium nitrate, powdered aluminum, and charcoal. There is a long list of others, all of which are necessary to the manufacture of such products, but I will not burden the Senate with them.

Most astonishing of all, Mr. President, is the fact that not only can we sell all of these materials of war to belligerent nations, but we can send them to those nations in our own ships, manned by American sailors.

Mr. President, aware of such inconsistencies, I cannot see the necessity, or the reason, or the wisdom, of throttling our munitions manufacturers as is done under the law now in force. One of the motivating reasons for enacting the arms embargo in the first place was to discourage war among foreign nations. We all have seen how utterly it has failed in its purpose, and so it now becomes incumbent upon us to remove the embargo, and place all industries, all articles and goods of export, on the same basis. As I pointed out a few moments ago, there is no attempt in the present law to deprive any other branch of industry or agriculture of its legitimate share of foreign trade. We all admit that we must maintain our export markets if this country is to avoid a depression even worse than that which began in 1929. Therefore, in common fairness, why should we penalize any one industry and prohibit exportation to foreign markets of the articles manufactured by that industry? The hearings held before the Special Munitions Industry Investigating Committee of the Senate during the years 1934, 1935, and 1936 were replete with charges against the munitions manufacturers of profiteering, unethical practices, bribery, graft, greed—in fact, when one reads the record it would seem they committed all the cardinal sins. But did anyone ever attempt to ascertain how much profiteering, how much graft, how much bribery, occurred in other industries during the World War period? It has been shown that our foreign exports to the allied nations during the 3 years ending June 30, 1917, totaled $9,786,000,000. Of this figure only a fraction over 12 percent, or $1,207,000,000, represented arms, ammunition, and implements of war. That leaves $8,579,000,000 of other goods and materials and foodstuffs that were exported to the Allies during the 3-year period. Everyone knows that the munitions manufacturers were not the only persons who became enriched during the World War. It is my belief that an investigation into profiteering among other industries during the World War period would have revealed similar wrongdoing and profiteering on the same grand scale revealed in the munitions industry.

Mr. President, I want it well understood that I hold no brief for the munitions manufacturers. From a humane standpoint, their existence and purpose are abhorrent. I have no interest in them, except that I consider them one of our most important adjuncts to national defense. And, as I have just stated, I cannot see the wisdom of throttling them at this time, when our full attention should be centered on every possible manner and means of improving our national defenses for our own protection.

Continuation of the arms embargo cannot longer be considered as a deterrent to war among foreign nations, except that it might make it easier for aggressor nations, for those nations which have prepared over the past few years for waging war, to lay waste the weaker and more peaceably inclined nations. Every man in the Senate knows full well that our munitions plants will become our primary defenses in event of aggression.

Yes, Mr. President; a day may come when we will be face to face with aggression. I pray to God that it may not be so, and I am not forecasting it. Yet we must not be so blind as to close our eyes to such a possibility. And before that day comes let us all realize and understand that these very munitions manufacturers who are scorned and castigated and labeled as "war instigators" by some so-called isolationists—these very munitions manufacturers can and will furnish the means to save us and our children and our cherished possessions from destruction, provided we do not now strangle them into impotency. I maintain that they should be permitted to receive their legitimate share of all foreign commerce at all times, but under the cash-and-carry proviso and other restrictions that are incorporated in the pending resolution, and always looking to the preservation of our Nation above everything else.

Mr. President, while on this particular subject there is one other point I desire to present. As I have just stated, I am not prophesying that this Nation will ever be invaded. I hope and pray that none of us here today, or our children, or our children's children, down to the end of time, will ever be faced with the horror of having to shed human blood to defend these shores against outside aggression. But, Mr. President, science has advanced rapidly during the last decade. Modern warfare has taken tremendous strides. No one knows what further advances will be made tomorrow. There may come a time when we will look to friendly nations across the seas for the privilege of buying modern, up-to-date weapons to defend ourselves against the enemy. Perhaps there will be some new, ingenious invention of warfare available in only one nation or locality which will be essential to our defense. Shall we now set a precedent by continuing this arms embargo, slamming the door, as it were, in the face of friendly powers across the sea without some day ruing those actions? Is it not within the realm of possibility that some day we shall be calling upon friendly foreign powers for the same privileges they today expect of us? Let us not be so shortsighted and blind that we will by our actions today set a precedent which some time in the future might prove a boomerang to us and endanger the very existence of our Nation and people.

Mr. President, I again ask the question, Which is more likely to lead us to war, the mere sale of arms, ammunition, or implements of war under the restrictions provided for in the pending legislation, including cash and carry, or the sale and delivery of articles or materials to make those instruments of death, without restrictions, as is provided for in the law that is now on our statute books? Surely the answer to that question is self-evident.

But it is argued by the opponents of the joint resolution under discussion, "We favor the cash-and-carry plan if only you reenact the embargo provisions." As I have previously

pointed out, I can see no reason for discriminating between our producers of raw materials and our manufacturers of finished products. Without food and clothing, soldiers could not carry on the war. Without gasoline and oil, all of the cherished mechanized units and airplanes and warships would be useless. Why not embargo all articles or materials to belligerents, and thus be classified as honest-to-goodness isolationists? Why not have real isolation or none at all?

In this connection, I have not heard a single Senator advocate complete embargo against the shipment of any and all materials to belligerent nations; and there is good reason for their silence on this phase of the question.

Permit me to present to the Senate a few figures I have compiled from data furnished by the United States Bureau of Foreign and Domestic Commerce showing our 1938 foreign trade with the nations which are now at war. I have listed the exports and imports between this country and each unit of the British Empire, between this country and the French Republic and each of her possessions, and between this country and Germany and her conquered provinces. I shall not take the Senate's time to read these statements in detail, but I ask unanimous consent that the tables be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Without objection, it is so ordered.

The tables are as follows:

UNITED STATES FOREIGN TRADE STATISTICS, YEAR 1938

(Compiled from data furnished by Bureau of Foreign and Domestic Commerce, United States Department of Commerce)

Summary

	Exports	Imports
Grand total:		
All foreign trade 1938	$3,094,094,621	$1,960,528,295
British Empire and French Republic	$1,446,887,493	$711,601,537
Percent	46.7	36.3
Germany	$107,588,308	$64,537,217
Percent	3.4	3.3

United States trade with British Empire, year 1938

	Exports	Imports
United Kingdom	$521,123,664	$118,246,956
Dominions, colonies, protectorates, and mandates:		
Americas:		
Canada	467,661,884	260,273,880
Newfoundland and Labrador	7,676,715	6,581,940
British Honduras	1,056,593	2,343,645
Bermuda	3,952,283	316,314
Barbados	955,712	372,338
Jamaica	5,749,963	1,197,004
Trinidad and Tobago	7,442,414	1,635,859
Other British West Indies	3,486,261	1,233,073
British Guiana	1,025,462	816,407
Falkland Islands	8,171	14,453
Total	499,015,458	274,784,833
Europe:		
Ireland	26,947,071	957,620
Gibraltar	433,389	2,154
Malta, Gozo, and Cyprus Islands	760,935	329,836
Total	28,141,395	1,289,610
Asia:		
Aden	304,472	233,558
Palestine	3,166,153	555,394
British India	33,441,399	58,348,937
Burma	2,322,515	223,998
British Malaya	8,854,252	112,270,544
Ceylon	1,344,304	16,346,132
Hong Kong	21,288,216	3,366,803
Total	70,721,311	191,345,366
Africa:		
Union of South Africa	70,064,955	15,982,835
British East Africa	3,759,365	5,527,086
Other British South Africa	1,697,210	2,977,175
Gold Coast	2,785,546	6,725,304
Nigeria	2,176,485	4,077,175
Other British West Africa	406,373	608,434
Total	80,889,934	518,909,075
Oceania:		
Australia	68,823,036	8,713,681
New Zealand	23,365,864	6,559,339
British Oceania	628,107	318,237
Total	92,817,007	15,591,257

RECAPITULATION

United Kingdom	$521,123,664	$118,246,956
American possessions	499,015,458	274,784,833
European possessions	28,141,395	1,289,610
Asiatic possessions	70,721,311	191,345,366
African possessions	80,889,934	35,898,009
Oceania	92,817,007	15,591,257
Total	771,585,105	518,909,075
Total, British Empire	1,292,708,769	637,156,031

United States trade with France and possessions, year 1938

	Exports	Imports
France	$133,834,657	$54,060,696
Colonies, protectorates, and mandates:		
Americas:		
Miquelon and St. Pierre Islands	130,814	17,043
French West Indies	2,009,124	192,613
French Guiana	118,603	36,353
Total	2,258,541	246,009
Asia:		
Syria	2,688,435	2,268,096
French Indochina	3,128,403	7,137,257
Total	5,816,838	9,405,353
Oceania: French Oceania	581,540	611,835
Africa:		
Algeria	2,698,888	2,433,639
Tunisia	1,435,339	2,004,649
Morocco	3,221,953	1,361,247
Madagascar	507,519	1,820,785
Other French Africa	3,823,449	2,501,293
	11,687,148	10,121,613

RECAPITULATION

	Exports	Imports
France	$133,834,657	$54,060,696
American possessions	2,258,541	246,009
Asiatic possessions	5,816,838	9,405,353
Oceanic possessions	581,540	611,835
African possessions	11,687,148	10,121,613
Total	20,344,067	20,384,810
Total, France and possessions	154,178,724	74,445,506

United States trade with Germany and conquered possessions, year 1938

	Exports	Imports
Germany	$107,588,308	$64,537,217
Austria	745,962	1,275,772
Czechoslovakia	26,492,796	26,174,335
Poland and Danzig	24,695,903	13,416,775
Total	51,934,661	40,866,882

Mr. ELLENDER. Mr. President, I desire to call particular attention to the recapitulation of our 1938 export and import trade which is presented along with these tabulations.

It will be seen that our total foreign exports in 1938 amounted to $3,094,094,621. Of this huge sum, $1,292,708,769 represents transactions with the United Kingdom and her possessions and $154,178,724 with France and her possessions, or a total of $1,446,887,493 in export trade with the so-called democratic allies, or 46.7 percent of our total foreign exports in 1938. A total of $107,588,308 was exported into Germany during 1938, or 3.4 percent of our total foreign exports for that year. Thus it is seen that a real, honest-to-goodness policy of isolation would call upon American agriculture and American industry to sacrifice over 50 percent of our foreign export markets.

Mr. President, as has been pointed out by several Senators in the course of this debate, the present law does not prevent the sale of arms, ammunition, or implements of war to neutral nations. They may pile up and store all the weapons and ammunition they desire, no matter how near or far they are from warring nations. The neutral nations may sell

what they manufacture to those engaged in war and retain what they purchase from us for their own use. The chances are 10 to 1 that some neutral nations will buy and resell to a warring nation, notwithstanding the provision in the present law against such transactions. Although Russia is busily engaged in crushing and intimidating smaller nations and robbing them of their independence and their very lifeblood, she is not supposed to be at war. She is, according to reports, leaning toward Germany. Under the present law she may purchase from us all of the arms, ammunition, or implements of war she desires. If she chooses, she may sell them to Germany. What will prevent her?

We certainly are not called upon to police Russia to see that all of such articles as she buys are used by her own armies. On the other hand, if we should refuse to sell arms or ammunition or implements of war to Russia at any time she is not actually engaged in war, would not that result in strained relations between the two countries? Would not Russia have a perfect right to resent such action on our part?

The same considerations apply to all of the Balkan nations; in fact, to all nations that are not actually engaged in war and that are supposedly neutral. Is it not plain that because of our inability to follow through the use to which arms, ammunition, or implements of war are put by neutrals, questions may arise that may involve us? Why take the risk? Why not sell all articles or materials to all nations, whether engaged in war or not, and put all of them in the same category and on the same footing? Such a procedure, in my humble opinion, will be more conducive to peace than the method provided under the existing law.

Mr. President, the joint resolution restricts credits so as further to minimize the possibility of our engaging in war. The joint resolution makes it unlawful for any person within the United States to make any loans or extend any credits to any government, political subdivision, or person. Again, the legislation brands as a criminal any person who violates this section and provides a penalty of $50,000, or imprisonment for not more than 5 years, or both. All of these precautions are taken in order to make it certain that this Government will not be called upon to defend and protect the rights of any citizen in such transactions as he may undertake with belligerent nations. What a pity that such a requirement was not on the statute books of our country when the World War was fought. Had that been done, our Government would not now be in the red for about $13,000,000,000. Another thing: It is fortunate that the money due by our Allies was not borrowed from our citizens direct. I fear that if the huge sums now due by our Allies were reduced to bond issues and owned by our people, there would be little sympathy shown in the direction of those debtors. Did Senators ever try to figure out how a person feels toward one who is indebted to him and who does not pay? Two persons can be the best of friends. Let one borrow from the other and not repay and see what happens. Friendship ceases, and they become enemies.

In order to prevent the engendering of such a feeling in any of our people who might desire to invest in foreign securities, this joint resolution makes a criminal of one who violates its provisions and subjects him to a fine and imprisonment. Like violators of other provisions of this resolution, he is placed in the same category as a common thief or an itinerant burglar.

No, Mr. President; I insist that the pending legislation provides every reasonable safeguard to protect our American citizens, their property, and their credits. The restrictions imposed are such that I can conceive of no way that we could possibly become embroiled in war should the pending legislation become law. Our people are being deprived of rights on the seas that have been theirs for over 125 years, all to the end that we shall not become involved in war, because exercising this right to the high seas may bring dire results and plunge the whole Nation into war.

Mr. President, I have heard many eloquent appeals made by Senators and others favoring a retention of the arms embargo. Their pleas were forceful and eloquent. Because of their "abhorrence of war," some permitted their sentiments, their feelings, their passion to becloud their better judgment. Fired by their deep conviction for peace, some suggested that instead of deliberating on the question of selling arms and ammunition, we should devote our time and our efforts in the direction of a lasting peace. Surely no one would hesitate to give aid in that direction if only an honorable peace could be obtained. Are we to attempt to negotiate such a peace without invitation or suggestions? President Roosevelt offered many peace suggestions during the current year before the war was declared, but his pleas fell on deaf ears. Herr Hitler ridiculed the suggestions made and pointed the finger of scorn in our direction and intimated that we should attend to our own business. Now that this power-crazed madman has seized Austria, taken Czechoslovakia, and overrun Poland, he desires peace on his own terms. In effect, he says: "I have completed my conquest for the time being; I am willing to lay down my arms if you do the same." No, Mr. President; I can see no early peace for Europe; in fact, I can visualize no peace for our neighbors across the seas as long as this insatiable brute is permitted to rule over Germany. Better that we attend to our own business and hope that England and France and their Allies will conquer this foe of human liberties and restore peace among themselves and their neighbors.

No, Mr. President, the American people do not trust Hitler. As was shown by a poll taken by Dr. Gallup on October 17, 86 percent of Americans disagree with Hitler's attitude that war should be stopped since the Polish question is settled. Our people list "Hitlerism" as the main issue, and add comments of which the following are typical: "Hitler cannot be trusted." "Hitler will always be a threat to the world peace." "Germany would like to make peace in order to make war later on."

Mr. President, the people of this country have an irrepressible desire to remain at peace. They do not wish to be parties to the conflict now raging in Europe. Although our people have expressed in no uncertain terms their dislike for Hitler and what he stands for, I am convinced that they are not so imbued with the allied cause that they would consent to sending our soldiers across the ocean to fight for them. Few if any persons within the sound of my voice would cherish a victory favoring Germany. I am quite certain that a vast majority of the American people favor the Allies, not because they love England and France the better, but because of the form of government they stand for. The American people as a whole have a high regard for the German people as such, but they despise their leadership.

The American people do not want dictator neighbors to the north of them—in fact, anywhere near their borders. They prefer as their neighbors people who believe in and cherish freedom. That, Mr. President, is no doubt what prompted the American Nation to vote so overwhelmingly in favor of the Allies winning the war, in a recent poll made by Fortune magazine. In answer to the question "Who do you want to win the war?" the results indicated:

	Percent
Allies	83
Germany	1
Neither side or don't know	16

No, Mr. President, we want no war; we want peace; we prefer to live in a world where it will be safe to apply the Golden Rule to all of our neighbors.

In conclusion, Mr. President, let us never forget our own avowed determination to keep America out of war. We must not permit our respective constituencies to be swayed by insidious propaganda that may lead them from the path of peace; and finally, let us bear in mind that America can be drawn into this conflict only if our citizens refuse to accept the bulwarks of protection which we are now attempting to build around them, and if we, the Members of this Senate, should be compelled to declare war as a consequence. [Applause.]

Mr. President, before I relinquish the floor to my distinguished colleague, the junior Senator from New Jersey [Mr. BARBOUR], I desire to ask unanimous consent to insert in the

RECORD at this point a brief statement entitled "Principle Uses of Strategic Materials." I call the particular attention of the Senate to the fact that each and every one of these raw materials is considered by military experts as essential to any nation that is at war; and yet there is nothing in the present so-called neutrality law which prevents our selling these materials to belligerent nations in unlimited quantities, and even delivering them to the ports of the belligerents in our own ships.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PRINCIPAL USES OF STRATEGIC MATERIALS

Material	*Use*
Aluminum metal	Aircraft.
	Motors.
	Paints.
	Radio and telephone.
	Ammunition and other military equipment.
	Construction.
Antimony	Ammunition.
	Type metal.
	Bearing metal.
	Battery plates.
	Paints and chemicals.
	Primers.
Chromium	Alloy steels.
(Chromite ore containing approximately 50 percent Cr_2O_3)	Plating metal.
	Paint pigments.
	Refractories.
	Tanning.
	Resistance wire.
Coconut shells	Gas-mask charcoal.
Manganese ferrograde ore (50 percent manganese)	Steel making.
Chemical MnO_2	Chemicals.
	Dry batteries.
Manila fiber	Cordage.
	Rope.
Mica	Insulators for spark plugs.
(Sheets and splittings)	Condensers and commutators.
	Radio tubes.
Nickel metal	Alloy steels.
	Monel metal.
	Coinage.
	Resistance wire.
	Plating metal.
Optical glass	Fire-control instruments.
	Cameras.
	Field glasses.
	Theodolites.
	Transits.
	Microscopes, etc.
Quartz crystals	Radio-frequency controls.
	Pivots.
	Laboratory vessels.
	Ornaments.
Quicksilver	Explosives.
(Mercury)	Paints.
	Drugs.
	Electric apparatus.
	Mercury boilers.
Quinine	Medicine.
(Expressed as quinine sulfate)	
Rubber	Tires.
	Fabrics.
	Insulating materials.
	Rubber goods.
Silk (raw)	Parachutes.
	Powder bags.
	Clothing.
	Cable covering.
Tin metal	Plating containers.
	Bearing metal.
	Solder.
	Bronze.
	Tin plate.
	Tinfoil.
Tungsten ore	Tool steel.
(Containing 60 percent WO_3 or 40 percent metal)	Alloy steels.
	Tungsten carbide.
	Electric contacts.
	Lamp filaments.
	A. P. bullet cores.
	Radio tubes.
Wool, excluding carpet wool (Greasy basis)	Textiles.
	Felt.
	Carpet.

Mr. ELLENDER. Mr. President, I ask unanimous consent to insert in the RECORD at this point a letter addressed to me by Rt. Rev. J. J. Rousseau, pastor of the Church of the Assumption, dated, Franklin, La., October 18, 1939, together with copy of a letter addressed by him to the Senator from Massachusetts [Mr. WALSH].

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters referred to are as follows:

CHURCH OF THE ASSUMPTION,
Franklin, La., October 18, 1939.

The Honorable ALLEN ELLENDER,
Washington, D. C.

DEAR SIR: The Honorable DAVID I. WALSH, of Massachusetts, wrote to me asking for my opinion on the embargo law now being discussed in Congress.

I, of Louisiana, whom you represent, with thousands of others, take the liberty to send you a copy of the letter which I sent to Senator WALSH.

I had the opportunity to meet 15 priests yesterday, who are unanimously of my opinion, and they told me that if I would discuss the question with the rest of the Catholic clergy in Louisiana that I would find them all, with perhaps a few exceptions, of our opinion.

Very respectfully yours,

J. J. ROUSSEAU.

FRANKLIN, LA., *October 16, 1939.*

Mr. DAVID I. WALSH,
Washington, D. C.

DEAR SENATOR: I received your letter and a copy of your speech entitled "The Forerunner of War." You ask me for a reply.

First. I highly respect your opinion. I sincerely believe that you are sincere, namely, that the lifting of the embargo on munitions of war would eventually lead us to war.

Before giving you my opinion on the subject I will say that I have just returned to my native country, the United States, from an extensive tour of France and Italy. It was my third trip abroad.

I am 60 years old. I saw and see more clearly today the evil effects of our going to war in 1917.

I, like you, am unalterably opposed to the idea that we should enter into the present European conflict, which had begun while I was still in Europe.

My opinion is that we should repeal the embargo law and adopt and pass laws which will protect this Nation from being embroiled in the present European conflict. These laws are well known to you, namely, the cash-and-carry system, etc.

If we do not repeal the embargo law, we stamp a moral stigma on our Nation of being moral cowards. If the various present dictators and the future ones know that our markets, which are almost inexhaustible, are open to the nations which are unjustly attacked, as in this case, they will think twice and more before attacking weaker nations and disturb the peace of the world.

Second. By repealing the embargo law, I am of the opinion that the European war will end very much sooner than it would be by keeping the embargo law.

Third. I am of the opinion that there is a greater danger of our being "pushed" in the European conflict by keeping the embargo law than by repealing it, because, as I said above, it would serve to lengthen the duration of the war, and it would give more opportunities to some to make use of foul means, principally on the ocean, which would serve to fan and inflame American minds and force us to go to war.

Fourth. It is my sincere opinion that by lifting the embargo on arms Hitler and his clique will realize that they will soon be completely beaten, then lose courage, and do like the old Kaiser, jump their back fences, and run for protection in some foreign land. The German people as a whole don't want war no more than we do. I suppose that you are familiar with the various methods used by Hitler and his clique to keep the German people in a state of moral and physical slavery.

From conversation with Italians and non-Italians residing in Italy, I am convinced that the Italians are not in sympathy with Hitler and his clique; and even if Mussolini should attempt to enter the European conflict on the side of Hitler, which I doubt that he ever will, the Italians at home and even the Army would revolt. The Italian Prince had himself appointed by his old father at the head of a large part of the Army. You probably know that he is not on friendly terms with Mussolini, and is unalterably opposed to Hitler's regime. By repealing the embargo law you might see Italy wage active warfare against Hitler and his regime, especially now that Hitler has become a friend of the arch enemy of Christianity, especially the true Christianity instituted by the God-man over 1,900 years ago.

Fifth. I take it for granted that you are a first-class Christian man and that you are a firm believer in the church instituted by the God-man and that you consider the saving of your soul and the souls of mankind the most important duty of true Christians on this planet, and that no sacrifices are too big to deter true Christians from doing all that they can to promote the cause of Christianity. But you are also certainly aware of the fact that Hitler and his clique have persecuted the Church of Christ in Germany and Austria. To make matters worse, Hitler has even invited Stalin, the arch enemy of Christ's holy church, to help him during the present war.

Is it not our duty as true Christian men and true followers of the One who allowed Himself to be crucified on the tree of the cross for the salvation of mankind to do all we can to lend a helping

hand to defeat those two enemies of the church He instituted on earth to help mankind to save their immortal souls? When that same true Christianity was threatened by cruel invaders in 1571, Pope Pius V did not hesitate to form a powerful league among the Christian princes of southern Europe, but begged them to wage actual war against those vast armies which were threatening Christianity in Europe. Then followed a most decisive battle at Lepanto, where the Christians were victorious and the enemies of Christianity were decisively beaten and Christianity and Christian civilization were saved in Europe.

These and other facts too numerous to include lead me to form my opinion that the law on the embargo of arms should be repealed.

Very respectfully yours,

J. J. ROUSSEAU.

Mr. BARBOUR. Mr. President, to me one of the great things about this debate on our neutrality policy is the absence of unreasoning partisanship in the attitudes of Senators of all persuasions. The Senate has risen to its responsibility in the spirit of its best tradition as guardian of the Nation's liberties and one of the coordinate branches of the Federal Government charged with the conduct of foreign affairs. The views of the Members of the Senate have been dictated neither by partisan considerations nor by political opportunism. Party lines have been obliterated. With notable fidelity to their oaths, Senators have shaped their course by the compass of conviction.

I pay this tribute to my colleagues on both sides of the aisle because it is their due. Any man should be proud to serve in the Senate when it conducts itself as it has in this critical hour in the history of our country and of the world.

It is in the same spirit, I hope, that I address myself to a brief discussion of the basic considerations which, as I see the matter, should govern our major decisions with respect to the country's present course. What are those considerations? Certainly they are not to be found in academic discussions of a nonexistent neutrality with a world at war. Neither is it intelligent to quibble over the customs and understandings among peaceful nations which we like to call international law.

When great nations go to war, and desperation drives the participants to disregard the rules and normal relationships of international intercourse, these things fall by the wayside. Treaties become scraps of paper, except as they can be enforced by arms. Neutrality becomes an abstraction. International law gives way to international anarchy. Unhappily, Mr. President, such is the world in which we live.

I do not defend this disregard of morals, treaties, agreements, and understandings which normally govern international relations. I look upon it sorrowfully but realistically. We would all bring about a better order of things if we could. Since we cannot, we must face the facts as they are, and while the spirit of peace takes flight, while reason surrenders to war and the voice of the Prince of Peace is drowned in the roar of guns, take thought for our own safety and welfare.

If we are to be realistic we come down finally to a very simple question: "What course is best for the United States?"

It is from that starting point that I have attempted to formulate my own ideas and reach my own decisions with respect to the pending issue.

I am not concerned with what we may have done or left undone in the past, or with academic considerations of any kind. I am concerned only with our own national life, our own ideals, and our own safety.

What is the best course for the United States in this critical moment?

First of all to keep out of any European war.

Second, with that consideration in mind, so to shape our acts as to reduce to an absolute minimum the chances that we may be dragged into the war, as we were into the World War, by attacks on American ships engaged in carrying supplies to belligerents.

Third, after charting our course by these acts and purposes, to go our own peaceful way both on the high seas and at home, meanwhile strengthening our defenses to the point where no other nation or group of nations may attack us with impunity.

Up to this point I think most Senators will find themselves in substantial agreement with this statement of our purposes.

As to the basic and almost unanimous purpose on the part of Americans to keep out of the war, there can be no question. No true American can possibly wish to send another army of American youth to the bloody battlefields of Europe to try to make the world safe for anything.

We ought to know by this time—and I think we do—that we cannot change the habits of the Old World, which has been going to war since before the dawn of recorded history, over much the same causes.

There is only one solution for Europe's recurrent wars—only one cure, one remedy. It is to be found in the teachings of religion, which, if practically applied to a solution of the social and economic problems of the Old World, offers the only hope of enduring peace among the racially different groups of men who are now crowded into that area of the earth's surface. So long as they have to stay there, or think they do, the only alternative to constantly recurring wars is to learn to get along together and compromise the differences which lead to war. If they themselves cannot do that, there is nothing we can do about it. They have the law and the prophets, and they have also the example of the New World, the peoples of which have for the most part lived peaceably together for more than a century. If those in Europe choose to ignore these things and pay the penalty, it should be their funeral, not ours.

But in trying to keep out of war ourselves we must not rest on wishful thinking. We must work for peace, must ourselves be peaceful, must avoid becoming emotionally aroused by the changing tides of a war which, while confined to the other side of the ocean, is none of our business; and we must not under any circumstances let any European nation or group of nations think we shall eventually come in, as we did in 1917—or, as Field Marshal Goering put it, "The United States will be along later." This time we must keep out—and we shall keep out if we keep our heads and are not attacked by others on our own soil or in our own waters.

Up to this point we can all agree.

I come now to specific applications. Therein lie our differences as Senators and as Americans—differences of view as to the best method of keeping out of the war.

For weeks we have been hearing in this Chamber and on the street corner, in public addresses, and in our mail that this course or that will keep us out of war. The advocates of the cash-and-carry program are convinced that their method is the best. A second group would sell no war materials to France and England but would sell them wheat and cotton, as important in the conduct of the war as steel and powder. Then there is a third group, completely isolationist, which, in effect, would have us tie up our ships at the docks, turn our backs to the rest of the world, build a Chinese wall around the United States, and trade with no one until the war ends.

Let us see how the three programs would work out.

Take program No. 1. The cash-and-carry plan preserves our natural character as a trading nation, but one which, learning its lesson from the last war, will sell its goods only for cash and refuse to embark on credit involvements, knowing that if the war lasts none of the belligerents will be able to pay their debts, even if they should want to do so. Coupled with this provision, in the pending joint resolution is a further requirement that belligerents who wish to buy anything at all in the United States, whether wheat, cotton, airplanes, or steel, shall carry their purchases away in their own ships. It is literally the cash-and-carry principle of the modern grocery store applied to international trade. The ships are the market basket; the seas are the highway. Our goods remain on our shelves until purchasers come for them, pay for them, and take them away. We make no deliveries except across the counter. To say this will get us into war is as senseless as to say that a grocer who sells for cash to the customers who can reach his store will incur the undying enmity of other would-be customers who, unable to reach his place of business because of bad roads, have to trade in some other town. If they are willing to sell to her, Germany can get everything in Russia or Italy she could get here in the United States.

To refuse to sell our goods to France and England because Germany is blocked off from American supplies by the British

fleet would be unreasonable and cowardly, and, by severely restricting our own output of military machines and material, would increase the chance of attack on the United States by nations which are envious of us, coveting our land or our wealth, and which, in many respects, are better prepared for war than we are.

That brings up what, to my mind, is the strongest argument of all for the cash-and-carry program—the obvious contribution to our own national defense. There are two aspects of this problem. One is the wisdom of making it possible for Canada to equip herself for defense against possible attack from overseas, since an attack on Canada would necessarily bring us into the war under the Monroe Doctrine, in defense of American sovereignty and democracy. The other is the vital necessity of expanding our own output of war weapons.

The Canadian problem, in my opinion, is far more important than most Americans realize. At present we can sell planes or any other war weapons to aetheistic, communistic Russia, either for the use of the Soviet or for transshipment to Germany, without interference from anyone unless by British warships. If the planes were flown by way of Alaska and Siberia, they could not be stopped. I do not say that we are likely to sell our newer models of planes to the Soviet. I know we have not done so, and feel confident we shall not do so in the future. I say only that the law as it stands permits it, since Russia, technically, is not at war with any other power. Yet the same law prevents us from selling the same planes or any other war weapons—even a coast-defense gun or a rifle or machine gun—to our good neighbor, Canada, with whom we have lived at peace for more than 100 years, with an unfortified 3,000-mile border between us. It does not make sense, nor is it in our own national interest, to retain on the statute books a law which permits us to aid a country whose ideals, as in the case of Russia, are the opposite of our own, and which has its secret agents and propagandists and spies in our midst right now, while denying the same aid to a neighbor we trust, and whom we are obligated in our own interest to defend as we would defend the soil of the United States. We all know that an attack on Canada would violate the Monroe Doctrine, the keystone of our own foreign policy, and force us into war. Yet we all but invite attack, and certainly make it possible, by our present ostrichlike attitude which we are now proposing to correct.

But beyond that, the cash-and-carry program will enable us to expand our production of war weapons at a time when our capacity to turn them out in large quantities on short notice might mean the difference between keeping out of war and getting into it. A Polish officer remarked bitterly after the rape of Poland by Hitler's modern army, "We had to fight tanks with machine guns." It was the superiority of German weapons rather than courage which made it possible for the German forces to conquer Poland in 3 weeks. In these days wars come swiftly, after a long period of preparation, and the nation which is best prepared and has a purpose to serve in going to war strikes first and hardest. In the United States, when thinking of our own safety, as we all are, we need to be concerned only with our ability to equip whatever army and navy we require to defend the country with the weapons they need to fight successfully against possible enemies armed to the teeth. There has never been any question as to the courage of the American soldier. But we must not allow him to be sent into battle, if we ever do go to war, to fight tanks with machine guns, or without an air defense sufficient to keep enemy planes well away from American shores.

Mr. President, it may be well at this point also to recall again that the only distinction between offensive and defensive weapons lies in the use to which they are put. Airplanes are a defense against other planes; tanks against tanks; machine guns against machine guns, and so on. A coast-defense gun can be dismounted and used in an artillery offensive. The same revolver may be used by a robber or by a man defending his home. It is as idle to attempt to distinguish between weapons to be sold under the cash and carry or any other program as to say that one man's fists are serviceable only for aggression and another man's only for defense against aggression.

Under the program proposed, which I intend to support, it seems to me that we serve our own interests as they must be served if we are to make the most of our determination to keep out of the war.

As a final defense against war, we propose to keep our own ships out of the war-carrying trade and also out of the more dangerous war zones, such as those adjacent to the land areas in which war is being waged. In this manner we avoid the pitfall into which we walked in the World War, when the torpedoing of American vessels by German submarines ultimately drew us in. Like every other red-blooded American, I approve and applaud the principle of the freedom of the seas. But, again looking at the problem realistically, we know that in time of war the seas are free only to those who either control them or are willing to fight for the right to use them freely. And I, for one, believe that as between the alternatives of keeping our ships out of the danger zones and going to war, the former is the more prudent, and that the lives of American youth are more important than a little extra trade or the false pride which we would sacrifice in taking this precaution.

I think that is the best answer also to the advocates of program No. 2, who would sell wheat, cotton, and other commodities to belligerents while refusing to sell them guncotton, planes, and other weapons of war. In these days, when whole nations go to war, and the outcome of conflicts between great powers is determined by food supply no less than powder supply, a ship carrying wheat or cotton is as likely to be torpedoed as one carrying guns or planes.

As to program No. 3. That of the American who asks, "Why do we have to sell anything to anybody? Why can we not shut ourselves up at home and let it go at that?"—the answer is that some trade with other countries is as much a part of our lifeblood as trade among ourselves, the only difference being that domestic trade normally accounts for perhaps from 90 to 93 percent of the total and foreign trade for the remainder. But this relatively small volume of foreign trade, when it does not jeopardize the 90 percent—and that is a very important consideration—is vital. Without it, we would have no silk, no rubber for our automobile tires, no cork, bananas, coconut oil, cocoa, tea, or a hundred other things which we use every day without thought as to where they originate. There would be no breakfast coffee in this Nation of coffee drinkers, consuming the bulk of the world supply. We would have neither tin nor nickel in quantity. Our largest supplies of manganese and tungsten, so necessary in the manufacture of hard steels, come from abroad. Your daily paper is printed on wood pulp imported from Canada or northern Europe. Your clothing and blankets may contain Australian wool. Antimony, the metal from which newspaper type is made, comes to us from China. Mahogany, the favorite wood for furniture, is a foreign product.

In exchange for these and other imports we send the countries which produce them our automobiles, sewing machines, typewriters, machinery of all sorts, our textiles, our shoes, oil, wheat, cotton, and other products of farm and factory. Foreign trade is literally that—trade. It involves the exchange of goods: I repeat, the exchange of goods. It is the only way in which goods can be sold except for cash, and we now have more than half of all of the world's gold stock—billions more than we can use, except as a reserve against possible contingencies in which we may have to use some of it to buy supplies from others if we are ever caught in a jam. Trade takes the ships of the maritime countries to all the seven seas. We intend to keep our own ships on the seas. We propose only to keep them out of the principal danger zones.

To the extreme isolationist, therefore, we must say again: "The facts are against you. We have to trade to some extent with other nations whether we wish to or not."

From every viewpoint, therefore, it seems to me to be a fair assumption that, considering our own security, our own necessities, and our character and purposes as a nation, we are doing the right thing in adopting the cash-and-carry program, safeguarded with restrictions as to travel and the use of American ships.

As for the essential purpose of the legislation, there can be no question. At the very outset, in the language of the joint resolution itself, it is expressly provided that whenever the President or the Congress shall find that there is a state of war between foreign states, and—I stress that all-important word—and that it is necessary to promote the security or preserve the peace of the United States, or to protect the lives of citizens of the United States, then, and for those express purposes, the various provisions of the proposed new law shall take effect. I repeat, for emphasis, the definite requirements which first must obtain are that the action must be necessary to promote the security, preserve the peace, or protect the lives of our citizens.

Even before the President spoke I was strongly inclined to favor revision of the existing law in our own interest, believing the persistent presence of American ships in the dangerous war zones to be an open invitation to trouble. Although for weeks I kept an open mind, taking counsel meanwhile of the citizens of my State and my colleagues in the Senate, I have heard neither facts nor argument to justify any change in my opinion on this subject. I say this with all due respect to the sincerity and ability of the able Senators who have advanced these facts and arguments with such conviction and force.

I have made my own views plain in this brief discussion only for the sake of the RECORD. I believe we have all made up our minds how we intend to vote. The issues are clear. The alternatives have been fully discussed. Nothing is to be gained by anyone from prolonging the debate. I hope we shall vote and pass the joint resolution speedily, and then adjourn. So shall we serve our country best in this most serious moment.

Mr. BROWN obtained the floor.

Mr. BORAH. Mr. President, will the Senator from Michigan yield to me for just a moment?

Mr. BROWN. I will.

Mr. BORAH. The able leader of the majority is not present at this moment, but I desire to make a brief observation. When he made his address yesterday I was absent. I did not know that the majority leader was going to speak or I should have endeavored to be here. I was in conference on the Argentine tariff matter, which concerns my State very much, so I was almost necessarily absent. I certainly should have given myself the pleasure, however, of listening to the able Senator from Kentucky had I known definitely that he was to speak.

In the address of the Senator from Kentucky he referred to me, and to his statement I desire to make a brief reference. He said:

> It has not been long since I heard the Senator from Idaho vehemently prophesy that there would be no war in Europe this year—1939.

I do not rise for the purpose of rehabilitating myself in the mind of the able Senator from Kentucky as a prophet but to state that I wish the Senator would state where it was that he heard this prophecy and what it was that was said. I think it was in connection with a conversation with the President of the United States, in the presence of other persons. In the interest of truth, I ask those who state that I made such a statement to state all the facts—what the President said, what took place in the discussion, and what I said.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROWN. I yield to the Senator from Kentucky.

Mr. BARKLEY. The substance of what I said yesterday was carried in the press following the conference to which the Senator refers. I had no desire, and have no desire now, to reveal the details of any conversation that occurred. The press, however, carried the statement that the Senator from Idaho had taken the position that he had sources of information in Europe which he thought were as reliable as the sources of information of the State Department with reference to the situation in Europe which indicated that it was headed for trouble which might result in war during September of this year. According to the press, the Senator from Idaho indicated that he had sources of information which he thought were as reliable as those of the State Department, and that his sources of information indicated that there would be no war; there would be no trouble this year in regard to the European situation.

I do not, of course, attempt to give the details of the conversation, and would not do so; but inasmuch as it got into the press from some source—I do not know from what source, because I never have revealed anything that occurred in that conference—and there was no explanation or denial of what the newspapers carried as to what was said, I thought I was justified in referring to the fact that, as I understood the incident, the Senator from Idaho had predicted, upon the basis of information he received from sources in Europe which he regarded as reliable, that there would be no war and no trouble in Europe justifying any action with respect to the question of our embargo, which was the subject of the conference and the conversation.

Of course, if I misunderstood the Senator from Idaho, I would not willingly do that or misrepresent him; but I did get the distinct impression that the Senator from Idaho took the position that, based upon information which he had, there was no such danger as to make it necessary for Congress to take any action at that time.

Mr. BORAH. Mr. President, the statement to which the Senator refers with reference to the source of my information was wholly disconnected from the question whether or not there would be war. It was upon an entirely different subject. The discussion as to whether or not there would be war grew out of a statement of the President, a conversation in regard to it, and an expression of view upon my part. I do not think it is a very material matter; but, since it has been dignified by a reference to it upon the floor of the Senate, I desire to state that I should be exceedingly pleased to have the entire conversation stated and to have the interview, or whatever it may be called, revealed in full. While I myself do not propose to take the responsibility of revealing all that was said that night, I think those who refer to it in part ought to refer to it in full. That I should be pleased to have done.

Mr. BROWN. Mr. President——

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. BROWN. I will say to the Senator from Iowa that I do not think a quorum call is necessary. I should prefer to proceed with the Senate as it now is.

Mr. GILLETTE. The Senator has read my mind. If that is his wish, I will not insist upon a quorum.

Mr. BROWN. I prefer to proceed.

Mr. President, I have waited for some days hoping that a Senator who speaks with greater authority than do I would discuss the astounding statements made over the radio on October 13 by Col. Charles A. Lindbergh respecting the relations between the Dominion of Canada and the United States. Much has been said about his position upon the sale of arms to warring nations and his suggestion of a distinction between offensive and defensive weapons. As a supporter of the Pittman resolution now pending, I am in complete disagreement with him; but that is not the subject of my remarks today.

Mr. President, the border line between the United States and Canada is the longest boundary line between two governments in the world. It extends approximately 3,000 miles, from Passamaquoddy Bay on the northeast Maine coast to Puget Sound at the northwest corner of the State of Washington. It then again extends from the southern limits of Alaska approximately 1,500 miles to the Arctic Ocean. For a century and a quarter no American army has invaded Canada, nor has any Canadian soldier set foot on American soil as a combatant. After almost a century of conflict between our forefathers and the residents of Canada, first as Frenchmen and then as Englishmen, the struggle ceased. It is probable that more American lives have been lost in battle on Canadian soil than on any other foreign soil. Because of the fact that many who clung to the British cause during the American Revolution left the Colonies and went to Canada, bitter animosity arose between the young nation and the Canadian people after the success of our arms in the American Revolution. That animosity had much to do with the War of 1812. But since the treaty of peace concluding that war was signed,

our relations with the Canadian people have not only been unmarked by violence but they have been friendly and cordial.

Perhaps the fact that my own State borders for approximately 700 miles on the Province of Ontario, Canada, including the more populous part of the Dominion, may be reason for my unusual interest in this question. I have lived within 30 miles of the Canadian border all my life. There is much communication between the people of Canada and the people of the United States.

Our athletic teams cross the border, social relations cross the border, and there is much intercommunication between the people. We have, of course, a common language and a common ancestry. We have a common literature and our ideals are much the same as are theirs. Our newspapers, weekly and monthly magazines have wide circulation in Canada. Except for the slender thread which ties Britain and Canada together in a governmental sense, we are much closer to the Canadian people than is England herself.

On October 13 Colonel Lindbergh said:

> We must protect our sister American nations from foreign invasion, both for their welfare and our own. But, in turn, they have a duty to us. They should not place us in the position of having to defend them in America while they engage in wars abroad. Can we rightfully permit any country in America to give bases to foreign warships, or to send its army abroad to fight while it remains secure in our protection at home? We desire the utmost friendship with the people of Canada. If their country is ever attacked, our Navy will be defending their seas, our soldiers will fight on their battlefields, our flyers will die in their skies. But have they the right to draw this hemisphere into European war simply because they prefer the crown of England to American independence?
>
> Sooner or later we must demand the freedom of this continent and its surrounding islands from the dictates of European power. American history clearly indicates this need. As long as European powers maintain their influence in our hemisphere, we are likely to find ourselves involved in their troubles, and they will lose no opportunity to involve us.

I call particular attention to this use of language:

> Can we rightfully permit any country in America to give bases to foreign warships, or to send its army abroad to fight while it remains secure in our protection at home?

This rhetorical question is a plain statement and has been so taken by the Canadian press as meaning that we cannot permit Canada to give bases to English warships; that we cannot permit Canada to send its army abroad to fight in the British cause. How are we going to do it? Colonel Lindbergh goes on to say:

> Sooner or later we must demand the freedom of this continent and its surrounding islands from the dictates of European power.

Clearly this is a plain statement, in this time of war and strife, that Canada must cut the last tie between itself and the mother country. He goes on to say:

> American history clearly indicates this need.

When one considers the century of peace between Canada and the United States, it seems to me that the verdict of history is exactly contrary to the conclusion Colonel Lindbergh reaches.

Colonel Lindbergh is a public character in the United States.

We in Michigan honor him. He was born in the metropolitan city of Michigan, the city of Detroit, and his mother still teaches in the public schools of that great city. He is one of the best known men in the English-speaking world, and his words have great weight not only in Canada but in Great Britain and other European countries. It is inevitable that the people of Canada and of Great Britain will feel that what he says represents the views of a considerable section of the American people; and so will Germany.

I rise in the Senate for the purpose of denying that Colonel Lindbergh speaks for America, denying that he speaks for any considerable section of the American people. Unquestionably he bases his remarks upon the principles of the Monroe Doctrine. His reasoning shows that he had this doctrine in mind. It has so been taken by the people of England and by the people of the United States. His suggestions do not carry out the essentials of the Monroe Doctrine. The Monroe Doctrine is not a measure which in any way whatsoever fetters the free right of Canada to govern itself with respect to movements of its armies and the establishment of naval bases. It circumscribes that country in no manner. The Monroe Doctrine is a perfect example of a unilateral doctrine. It relates in its effects solely to the safety of the United States. Its protection to the peoples of the Americas, South and North, is only incidental to the safety of the United States. It extends to them our sympathy and approves of their form of government. It disapproves any attempt on the part of European nations to colonize in the Western Hemisphere. But it does not create or offer an obligation to any other American nation. It is a declaration of independent policy to be interpreted and executed by the sole direction of the nation whose President declared it. President Monroe in first announcing it said:

> We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers—

Meaning the Holy Alliance, this being uttered in 1823—

> to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our people and safety.

It did not imply that we agreed to go to the aid of Latin America or any other pan-American country or colony in the Western Hemisphere.

Prof. Albert Bushnell Hart, who is an authority on the subject, says:

> When our Latin American neighbors asked for a more distinct promise of military protection at the Panama Congress of 1826, the United States, in the language of John Quincy Adams, said:
> "Our neighbors must protect themselves in case of a fight with European powers. The Monroe Doctrine is only a pledge by the United States to itself."

President Theodore Roosevelt, in speaking of the Doctrine, said:

> The Monroe Doctrine is not a question of law at all. It is a question of policy. The Monroe Doctrine may be briefly defined as forbidding European encroachments on American soil. The United States has not the slightest wish to establish a universal protectorate over other American states, or to become responsible for their misdeeds. If one of them becomes involved in an ordinary quarrel with a European power, such quarrel must be settled between them by one of the usual methods.

The Monroe Doctrine was a domestic message to the Congress; foreign governments were not asked to accede to it. It is a one-sided declaration not calling for answer or acknowledgment. No one sums it up better than did the late Senator Henry Cabot Lodge while he was chairman of the Senate Foreign Relations Committee, in an article he wrote for Scribners magazine, October 1923, and printed as Senate Document No. 8 of the first session of the Sixty-eighth Congress. He said:

> The central dominating fact of the Monroe Doctrine is its declaration of a policy designed to secure for all time the independence of the American continents and thereby the safety of the United States.

Senator Lodge, in a more authoritative way, expressed the views of the Senate, and I think of the people of the United States, when he introduced on August 12, 1912, a resolution relating to the Magdalena Bay incident on the west coast of southern California. The resolution passed the Senate in the following language:

> *Resolved*, That when any harbor or other place in the American continent is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see, without grave concern, the possession of such harbor or other place by any corporation or association which has such a relation to another government not American as to give that government practical power of control for naval or military purposes.

The Government, in brief, disapproved such action by the Japanese Nation.

Senator Lodge emphasized that the purpose of the doctrine is that of self-preservation, basing his resolution upon the theory that the Japanese settlement of the Magdalena Bay threatened the communications or the safety of the United States. The lodestone of the Monroe Doctrine is the security of the United States.

Now, with respect to Canada, I recognize that President Roosevelt in his speech at Kingston stated that the people

of the United States would not stand idly by and see Canada invaded. That was a statement of the attitude of the United States. It is in no sense a binding obligation. The President accurately stated the feeling of the American people. I applaud and support his view. My point is that this Doctrine is not a treaty; that it is entirely unilateral in its application; that it is not a matter of law but solely a matter of defense policy.

That the Monroe Doctrine does not apply to Canada is apparent. The Doctrine, as announced, states that the American Continents are henceforth—that is, after 1823—not to be considered as subjects for further colonization by European powers. Canada, of course, was in 1823 a colonial possession of the British Empire. Monroe again said, in his announcement of the Doctrine:

> With the existing colonies or dependencies of any European power we have not interfered and shall not interfere (p. 7 of Lodge statement).

It has so been considered throughout the years. Professor Pingrey, an authority upon the subject, whose article appears in Senate Document No. 138, of the Sixty-third Congress, says:

> The British possessions in America were not and cannot be included as protected by the Monroe Doctrine (p. 5).

Based upon this premise, that is, that essentially and fundamentally the Monroe Doctrine is a matter of self-preservation and self-protection; and in view of the fact that it is exceedingly doubtful that the Monroe Doctrine was ever intended to apply to Canada, have we any right to intermeddle in Canadian affairs and attempt to tell them what they may or may not do?

I outline the above at some length to show the utter folly of any contention upon our part that Canada is under any obligation to the United States whatsoever to refrain from aiding her mother country in any manner she may see fit to do so. Colonel Lindbergh says we must protect our sister American nations from foreign invasion both for their welfare and for our own. With his proposition that we must protect our sister American nations for our own welfare, I am in complete agreement as to the present time. But that question must be decided when an incident arises which calls for consideration of its application and must be considered solely from the standpoint of our own protection at that time.

But we leave entirely to the Canadian Government and its people the question of what is for their welfare. One cannot be surprised at the resentment felt and expressed by Canadian and British sources at the statement of a great American citizen that we cannot permit Canada to send an army abroad or that we cannot permit Canada to establish bases for English warships upon her coasts. If Canada does so, and that involves them in trouble with a foreign nation, it is no concern of ours, because we have not agreed to protect Canada from invasion. Canada has not asked it. We have not agreed to do anything. There has been no solemn covenant for help. There is no treaty to that effect. So let it again be stated plainly and noted that should Canada become involved in such manner as to occasion an armed invasion of its soil, the question whether or not the American Nation would then act would be one for determination by us when the occasion arose.

A little contemplation shows the absurdity of the position of Colonel Lindbergh. Suppose Canada, as is the fact, does send an army abroad, and does permit the establishment of a naval base for Great Britain upon her coast, what are we going to do about it? We cannot say to her, "If you send an army to Europe or permit the establishment of a British base upon your soil, we will not help you in the event of foreign invasion. We cannot do that because our purpose in preventing foreign invasion of Canada is as a protection to ourselves and not to Canada. Surely we are not by force going to prevent Canada from sending an army. It is unthinkable that we should do so. Our only course is the obvious and logical one. Let the Government of Canada do as she wishes, and let the question of our aid in repelling a foreign invasion of Canada be decided by us on the basis I have outlined when the occasion arises.

Colonel Lindbergh seems to overlook the relation between the British Crown and Canada as it is today. Britain cannot force Canada to declare war. One of her principal dominions has not declared war. The choice of peace or war is solely the responsibility of the people of Canada, speaking through their parliamentary body. They can go in or they can stay out. They are as free as are we ourselves in that respect.

I see no difference between action by our Government in preventing Canada from going to war and action on the part of the Canadian Government in preventing us from going to war. Americans would have considered it preposterous if Canada had said in 1898:

> You must not fight with Spain, because if you do, we may become involved in war with Spain.

This is a matter of external policy for each of these two friendly countries to decide for themselves.

All this leads to the conclusion that in the absence of an agreement upon our part to act, and in view of the unquestioned policy of self-protection on the part of the United States, which is the basis of the Monroe Doctrine, it is entirely wrong for us to deny or attempt to deny the Canadian people the absolute right of complete freedom as to their participation in the present European war. It is no concern of ours, and they are entitled to complete freedom of action.

So, Mr. President, I challenge the statements of Colonel Lindbergh. He speaks with no authority whatsoever but his own. He does not represent the views of any considerable part of the American people. His argument as to the right of the United States to deny Canada control of its affairs, specifically to prevent it from sending an army abroad, to prevent it from building an English naval base on its shores, and his unasked advice that the connection with Great Britain be cut, is not only a gratuitous insult to a sister nation, but it is based on a wholly erroneous concept of our continental American policy.

Mr. BYRNES. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Does the Senator from Michigan yield to the Senator from South Carolina?

Mr. BROWN. I yield.

Mr. BYRNES. Did Colonel Lindbergh indicate what the United States Government should do if the Canadian Government did not accept the advice he would have this Government offer to it—that it sever its relations with Great Britain and conduct its affairs as he would have it conduct them?

Mr. BROWN. He made no suggestion whatsoever along that line.

Mr. BYRNES. How could we force Canada to do our will instead of its own will?

Mr. BROWN. That would be absolutely impossible.

Mr. BYRNES. Could we do it except by sending an army?

Mr. BROWN. Force is the only answer.

Mr. BYRNES. What difference would there be between such action on our part and the action of Hitler and Stalin?

Mr. BROWN. I think they would be identical.

Mr. BYRNES. Does the Senator think this country, in its relations with a nation having a smaller population, would be willing to follow the example of Stalin and Hitler?

Mr. BROWN. Certainly not; and I fail to see how those who characterize themselves as isolationists can in any way approve of the course which Colonel Lindbergh pointed out for the United States to take with respect to Canada.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. DAVIS. Probably in all the history of mankind there has never been a more striking demonstration of international friendship than has prevailed for more than a century between Canada and the United States.

Mr. BROWN. I think that is entirely true.

Mr. DAVIS. In these days of tumult and war we have an ever-increasing responsibility to maintain a lively cooperation between these sister states. There is between us a unity of purpose, a solidarity of tradition, and a hope of a better future not found in the case of any other two nations in the

world. Canada is the first country with which we have entered into trade agreements. The second trade agreement has been signed. That shows the spirit of good will and amity existing between the two countries.

Mr. BROWN. I think the Senator is correct about that; and I will add to what he has said by pointing out that communication between the United States and Canada is almost as free as is communication between the several States of our Union. If the Senator desired to go from the city of Chicago to the city of Boston or the city of New York and took the New York Central Railroad or the Michigan Central Railroad, he would travel 300 miles through the Province of Ontario in making his journey from Chicago to Boston or Chicago to New York.

Mr. DAVIS. I have made that trip on several occasions. I also wish to add that Canada is the best customer the United States has.

Mr. BROWN. I believe it is.

Mr. President, I think Colonel Lindbergh's remarks are most unfortunate in another respect, that they tend to arouse ill-feeling between two nations which for over a century have dwelt side by side in peace and given the world as fine an example of international good will as the world's history affords. Finally I condemn his remarks, because they lend encouragement to the spirit of nationalistic imperialism which has cursed the world for centuries, and which is the potent poison that has killed peace.

I may add that on the floor of the Senate following the delivery of Colonel Lindbergh's speech came for the first time from a responsible public official the suggestion that the United States should take its sword in hand and go forth and take from a prostrate Britain and France the islands possessed by them in the seas immediately to the south of this country.

Mr. President, I would have Canada, Great Britain, and the world know that Colonel Lindbergh did not speak for America when he spoke over the radio a week ago.

These considerations respecting the relationship of the Dominion of Canada to our own peace and security form the principal reason for my determination to support the pending measure. Expressed in a sentence, I do not want Mr. Hitler to dominate Canada. I do not want him that close to my country. I see no remote probability of an invasion of Canada by any European power; that is not the fear that concerns me. The fate of Canada was but once in its long history determined by events upon her own soil, and even the battle which resulted in French defeat upon the Plains of Abraham, above the rock of Quebec, would not have determined Canada's fate if events in Europe had been more favorable for the French armies than they were. The fate of Canada will not be determined on the banks of the St. Lawrence. The fate of Canada may be determined on the banks of the Rhine. Complete success on the part of Nazi Germany, meaning complete defeat of France and England, could well result in a Hitlerized, nazified Canada. This is the real source of possible danger to us. I think few, if any, American citizens would be pleased to see a Hitler-dominated nation to our north. But such it might well be if the Maginot line were broken, France overrun, and the British fleet sunk or captured by the German nation.

Because we have lived for 125 years in peace with the nation to the north, I feel, regardless of any promises that might be made or any treaties that might be entered into, that our interest indicates that we should continue to have the same neighbor to the north. As the Senator from Texas [Mr. CONNALLY] is interested in the relationship between Mexico and the United States because he lives upon that border, so perhaps I am more interested than is any other Senator, other than my colleague [Mr. VANDENBERG] in the relationship with Canada, which borders my State for 700 miles.

Without consideration of any of the shortcomings which many Americans see in the Hitler type of government, the simple fact that Canada and the United States have dwelt in peace and security for 125 years swings our sentiment in favor of those who seek to maintain the status quo in international affairs. However, we need not be blind in our discussion to the other side of the argument—the probability of trouble in the event a government operating according to the principles of the Hitler regime should control our neighbor to the north.

I am not unmindful of the fact that the ideals of President Wilson and the principles of his fourteen points were overthrown by the British and French negotiators at the peace of Versailles. I am not unmindful, and I am sure the people of this country are not blind to the fact, that some injustice was done to the German people by the signing of that treaty. We are aware of the fact that the boundary lines of Europe have shifted east and west many times on the blood-soaked French border. It is not surprising that an unjust peace was forced upon Germany. I believe the verdict of history places the blame for the first World War upon the then rulers of Germany. The Allied Powers did not attack. The Central Powers attacked. The Allied Powers did not violate the neutrality of helpless nations. The Central Powers did. Until we have reached a far higher state of morality than the world generally now possesses, it is probable that an unjust peace will be imposed upon a conquered nation that is considered responsible for the breaking of peace. However, it is believed by many that a long stride was taken in the direction of morality and fairness by the magnificent effort President Wilson made to erect a foundation for a just peace in 1918. But he failed, and the reasons are not pertinent to this discussion.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. SCHWELLENBACH. Is it not true that immediately prior to the signing of the Treaty of Versailles—and by "immediately" I mean within a comparatively short time—two other peace pacts were written and signed; one the Treaty of Bucharest, and the other the Treaty of Brest-Litovsk?

Mr. BROWN. Yes. Both of them were dictated treaties.

Mr. SCHWELLENBACH. Both of them were dictated by the victorious Germans at that time, and upon precisely the same sort of basis to which they now object in the dictation of the Treaty of Versailles.

Mr. BROWN. The Senator is correct.

Mr. President, I hope the time will come when a victorious nation, in the dictation and imposition of a peace upon a defeated nation, will be dominated by a man or men who possess the ideals possessed by Woodrow Wilson when he attempted to bring about such a result in 1918. However, I fear that such a situation will not arise out of the present trouble in Europe.

My point is that we, in America, are not unmindful of the aspirations of the German people. I think there was some feeling in the United States on the part of fair-minded men that the Danzig question should have been settled somewhat along the lines suggested in the broken-down parleys of the late days of last August. I think there was considerable feeling among us that Germany was entitled to the return of some of her lost colonies. Although we are not unmindful of the fact that one of the reasons for the failure of the Allied Powers to pay their war debts to us was the failure of Germany to pay its indebtedness to them, there may have been some justification for holding these colonies and for an adjustment of this entire question at a conference table.

Outside the consideration I have heretofore mentioned as to our northern border, there are other potent reasons why predominant American sentiment is not favorable to the German Nation in the present difficulty. American public sentiment is against Germany in this war because the ruler of the German people has seized and throttled democratic government in Germany, and has reorganized a powerful nation, apparently for the purpose of dominating Europe. Our sentiment has risen against him because he has cruelly persecuted a Jewish minority; because he has endeavored to break down religion, attempted to break down the great Christian Church in Germany, Catholic and Protestant alike; because he has mercilessly bombed Polish cities and slaughtered Polish citizens without just cause; because he has devoured the democratic countries to the south of Germany, such as Austria and

Czechoslovakia, against their will. We had something to do with setting up those democracies.

I think no military master or ruler in history has gone as far as has Hitler. He not only aspires to one-man rule, but he dictates his successor. Even the absolute monarch claimed no such power. He was bound by the laws of legitimate inheritance and succession. But Hitler names his successor, and his successor's successor even unto the fourth degree. We condemn him most severely, however, because he has plunged an unwilling world into war, unleashed the most contagious passion known to man, and menaced my sons and yours. This, and much more, is the reason for the dominant anti-Nazi sentiment in America today.

The question then arises: What should we and what can we do about it? Given an undoubted pro-Ally sentiment in America based in part upon the anti-Hitler feeling and the possibility, in the event of victory by the Central Powers, of a change in the control of the Government of Canada, what should we or can we do?

Let me firmly state that I do not think we ought to go to war about it. The danger is too remote, too improbable, too unlikely, to justify participation on our part in the war. I totally and wholly disagree with the oft-expressed opinion of my distinguished colleague, as he expressed it yesterday in a colloquy in the Senate:

> Mr. President, I wish to ask the Senator from Nevada a question. If it be true that the early victory of the so-called Allies is essential to the security and peace of the United States, as I understand the premise of the able Senator from Vermont to be, then if the lifting of our arms embargo fails to produce that victory, are we not still at the mercy of the vicissitudes of Europe; and by the very nature of the argument are we not then forced to go the rest of the way into the war to help produce the victory which is said to be so essential to our security? May not that be the inevitable, irresistible road to our own participation in the war?

Mr. President, with due respect to Senators who have spoken upon this subject, I think no Senator has packed the essential argument against repeal in as narrow a compass, or has stated it as clearly, as did my colleague in that statement.

I do not go as far as does the Senator from Vermont [Mr. AUSTIN] in the statement which my colleague quoted from him. I do not think it is essential or necessary to the peace and security of the United States for the Allies to win. I put it this way: I think it is better for the peace and security of the people of the United States for the Allies to win; but I do not think it is essential to our peace and security. It is better for the Allies to win because the danger of an unwelcome neighbor in the north of this hemisphere will then be gone. In my judgment, if the Central Powers should win, we could handle the situation so far as the United States is concerned; but the chances of trouble would be greater. First, I think the Allies will win. Second, if they should not, I think there would at least be a negotiated peace which would leave Canada and South America untouched. Third, I think that if Germany should win she could not succeed in dominating Canada and South America. Because of all these considerations I say it is not necessary for us to become involved in war.

Mr. President, frequently American sentiment has been in favor of this nation or that nation in wars in Europe. Frequently victory by one side or the other held a remote possibility of danger to us.

Because danger is now so remote, I say that there is no necessity of our taking up arms, for I do not believe that in the event of success, even complete success, upon the part of Germany she could dominate the North American Continent or the South American Continent.

Will any Senator say that he prefers Hitler as a ruler of Canada to the present democratic government in Canada? I believe there is not a Senator who would not say that he prefers the present Government of Canada. It is possible that Mr. Hitler might take Canada, but the possibility is so remote, so unlikely, that there is no necessity for our intervening in the controversy.

So I say that it is by no means necessary for us to go in. We are not forced to go the rest of the way to help produce a victory, because, while it is a slight threat to our security, it is not of sufficient importance to justify our intervention. We can stand on the sidelines and cheer. We can supply materials for a price, but the fight is not our fight and the possibility of injury to us is so remote that we need take no active part in it.

Mr. DAVIS. Mr. President——

Mr. BROWN. I yield to the Senator from Pennsylvania.

Mr. DAVIS. I do not think Hitler has a "Chinaman's chance" to get into Canada.

Mr. BROWN. I do not, either; that is what I have been saying.

Mr. President, as I have said, the American people have many times had a strong sentiment in favor of one side or the other in foreign wars. My earliest recollection is of the warm sentiment they entertained toward the Boers in the South African war in the early part of the present century. Our prevailing sentiment in the conflict now going on in Asia is well known. It was well known in the Ethiopian crisis, in the Polish-Russian controversy, and in the Finnish-Russian controversy. Our sentiment was not so clearly defined in the Russo-Japanese War or in the earlier Balkan wars, but the fact remains that in all these controversies—I am referring particularly to those of the present century—international law, with one or two exceptions, determined our commercial course as to the selling of arms and ammunition; and in none of them were we brought into conflict, although American public sentiment was very friendly toward some particular combatants. I think it perfectly logical for us, entertaining the sentiments we do, to hope for allied victory in the present war. We have some interest in its outcome, particularly with respect to our neighbor to the north. But that interest, as the Senator from Pennsylvania has said, is so remote and insufficient that it by no means justifies us in taking any part in the controversy. We could take care of ourselves if Germany should dominate Canada. We could take care of ourselves if Germany should destroy or capture the British Fleet. We could take care of ourselves if the Germanic powers should dominate Europe. We do not want to see any of these things happen; but, in my judgment, none of these considerations are of sufficient force to justify us even in considering entrance into this war. We feel that we are practically immune from the contagion.

But, Mr. President, I see nothing immoral, nothing wrong, nothing tending to involve this country in war, if we hold to a policy with respect to our own trade which has been our universal policy in the past and which has not led us into difficulties. I think it perfectly proper for us in determining our neutrality policy, which has unquestionably been in a state of flux, unfixed and uncertain, consciously to shape it so that those who are able to do so, whoever they may be, may purchase articles produced in the United States.

Heretofore, when military power did not prevent, there has always been trade between nations at war and nations at peace. In both of our wars with England we traded with France and other neutrals as far as we could in view of the British sea power.

Mr. CONNALLY. Mr. President, I do not desire to interrupt the trend of the Senator's remarks, if he prefers that I should not do so.

Mr. BROWN. I am very glad to have the Senator interrupt me. The Senator's comments are always very interesting to me.

Mr. CONNALLY. I thank the Senator very much. He pointed out a moment ago that, in effect, we are practically immune from the war. In other words, it is left to our choice as to what we shall do. I wanted to invite the Senator's attention to the contention of those who say that to repeal the embargo means war, and have his fine, keen, analytical mind make reply. How could repeal mean war when the nations that would be supposed to make war on us could not, under the circumstances, make war on us even if they wanted to do so, and when a repeal of the embargo would do nothing more than restore to us our rights under international law? The opponents of repeal start out with the hypothesis, the assumption, that the repeal of the embargo means war, and that idea has been so widely broadcast over the country by the

radio, with its throbbing messages, and by the press and from the stump and from the paid lecture platform at so much a throb that many people have been misled into the real, honest belief that repeal of the embargo means that we have gone into the war. Will the Senator please answer that, if it will not interfere with the trend of his argument?

Mr. BROWN. I will say to the Senator that no one could express it better than he has just done. The final paragraph of my speech, which, I may say, will be reached very soon, covers precisely the matter to which the Senator refers, and I would prefer to say it in the language that I there chose in the peace and quietude of my office rather than under these circumstances.

I had just said, Mr. President, that in both our wars with England we traded with France and other neutrals insofar as we could. So, too, the Mexican War did not stop us from trading with Europe.

The American Civil War did not prevent the North from trading with England and France and Germany; nor did our Spanish War. In all our wars our trade in all articles continued.

Germany has built a mighty army and a mighty air force and her geographical position enables her navy to control the Baltic Sea. Germany maintains a trade with all the neutrals she can reach. Through her army, the trade routes between Germany and Russia, Rumania, Hungary, Italy, and even Belgium and Holland are kept open. Through her naval control of the Baltic, her trade with Sweden, Norway, Finland, Denmark, and Russia is maintained. From these nations she obtains vital military supplies. But Britain and France, who have spent tremendous sums to control the seas, are, for the first time in history, denied by our law, passed largely because of American public sentiment in the Ethiopian, Spanish, and Chinese difficulties, the opportunity to trade in war implements with us. Is it a neutral position we have taken? No; it is a position which, in fact, gives Germany an unfair advantage over England and France. Germany's Army and Navy keep its trade lanes open. America's neutrality law keeps the French and English trade lanes with America closed. Of that situation, I am satisfied, the American public does not approve.

By returning to the age-old practice of real neutrality, which, in this situation, it must frankly be admitted, will aid the English and French, just as the policy of Sweden, Finland, Russia, and others aids Germany, the American public will then know that we are doing nothing to aid Hitler. Many believe we are doing so now. If our age-old policy of neutrality aids Britain and France, I assert that the great majority of the American people will say that, if it is right for Germany to trade with her neutrals to the North and East, and it is possible for her to carry on such trade because of her Army and Baltic Sea Navy, then it is also right for England and France to trade with their neighbors to the west—a trade made possible not by reason of action of ours but because of their control of the seas. Our present law aids the German Army and her Baltic Navy and, in effect, blots out the power of the French and English Navies.

Mr. President, I believe that the debate in the Senate on the pending joint resolution has been of immense service to the country. I think it has definitely brought the larger issue of war or peace into the open and has revealed the views and sentiments of the American people to be overwhelmingly against war. A release of the Gallup poll taken before the debate revealed that 44 percent of the American people contacted by the poll believed that if the Allies appeared to be losing the United States should go into the war.

This morning's release, as published in the Washington Post, reveals that only 29 percent now so believe, and 71 percent believe that even if the Allies should be losing we ought not to go into the present European war. I believe this is a result of the magnificent arguments that have here been made, showing a unanimity of anti-intervention sentiment on the part of the Congress of the United States.

The President said, in his most famous inaugural speech, that the only thing the American people have to fear is fear itself. I desire to say to the American people—and I think I speak the voice and the sentiments of the entire American Congress—that the only thing we have to fear is a rise in public sentiment itself for intervention. This Congress will never declare war unless it is compelled to do so by a practically unanimous American public sentiment for it.

But I think, Mr. President, the debate here has definitely shown that the issue in this matter has been stretched too far. I am now reaching the subject the Senator from Texas referred to a few moments ago. The statement of the distinguished senior Senator from Idaho [Mr. BORAH] that the enactment of the Pittman resolution would be the first step toward war, the statement of my colleague the distinguished Senator from Michigan [Mr. VANDENBERG], and the statement of the distinguished senior Senator from Massachusetts [Mr. WALSH], that repeal would be a symbol or a token of war, has been definitely disproved. The issue here is not war or peace. We shall not go to war if we repeal the embargo. We shall not go to war if we retain the embargo. Repeal or no repeal, we shall stay out. We are not threatened with attack. Even if Germany now foolishly desired to provoke the world's most powerful nation by assaulting us, she could not do it. If we go into this war, we shall do so of our own free will. None but the people of the United States will decide that question.

Let us approach this and all like questions with cool reason, knowing that one piece of legislation will not do all the good that its authors claim for it, nor will it do all the damage its opponents charge to it. What we now do, be it right or wrong, will never tear down the firm determination of this Congress and the Nation to keep America at peace.

Mr. PITTMAN. Mr. President, I present a perfecting amendment and ask that it be printed and lie on the table. I also ask that it be printed in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendment intended to be proposed by Mr. PITTMAN was ordered to be printed and to lie on the table, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. PITTMAN to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz:

On page 16, line 1, beginning with the word "to", strike out through the word "vessel", in line 4, and insert in lieu thereof the following: "(1) to such transportation of mail, personal effects of any individual on any such vessel or aircraft, and necessary supplies for any such vessel or aircraft, or (2) to any other transportation on or over lands bordering on the United States of mail, personal effects of any individual, and necessary supplies for any vehicle used as a means of transportation on or over such lands."

Mr. LUCAS obtained the floor.

Mr. BURKE. Mr. President, will the Senator yield so that I may suggest the absence of a quorum? I think we should have more of our colleagues here to hear the words of wisdom of the Senator from Illinois.

Mr. LUCAS. I will say to the Senator from Nebraska that I am not going to take more than 10 or 15 minutes upon one point.

Mr. BURKE. It is all the more important that what the Senator has to say should be heard by the Senate.

Mr. LUCAS. That is very kind of the Senator. I yield for that purpose.

Mr. BURKE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Idaho	Herring	Murray
Andrews	Clark, Mo.	Hill	Neely
Austin	Connally	Holman	Norris
Bailey	Danaher	Holt	Nye
Bankhead	Davis	Hughes	O'Mahoney
Barbour	Donahey	Johnson, Calif.	Overton
Barkley	Downey	Johnson, Colo.	Pepper
Bilbo	Ellender	King	Pittman
Borah	Frazier	La Follette	Radcliffe
Bridges	George	Lodge	Reed
Brown	Gerry	Lucas	Reynolds
Bulow	Gibson	Lundeen	Russell
Burke	Gillette	McCarran	Schwartz
Byrd	Green	McKellar	Schwellenbach
Byrnes	Gurney	McNary	Sheppard
Capper	Hale	Maloney	Shipstead
Caraway	Harrison	Mead	Slattery
Chandler	Hatch	Miller	Smathers
Chavez	Hayden	Minton	Stewart

Thomas, Okla.	Truman	Van Nuys	White
Thomas, Utah	Tydings	Wagner	Wiley
Townsend	Vandenberg	Wheeler	

The PRESIDING OFFICER (Mr. MINTON in the chair). Eighty-seven Senators having answered to their names, a quorum is present.

Mr. LUCAS. Mr. President, I do not rise for the purpose of making an extended speech upon the deep-seated governmental problem now before the United States Senate. I cannot add anything to what has already been said. I doubt that there is a Senator who can make a further contribution to the basic questions involved. It seems to me that all has been said that can be said upon the matter before us. If I debated the question at length, I would consider that I was merely encumbering the RECORD and causing a delay which, it seems to me, would be unjustified at this particular time of the discussion.

I am confident, from the letters I have been receiving during the last 2 or 3 days, that the people of the Nation as a whole fairly well understand what the issues are and have definitely made up their minds in manner similar to that in which the Senators have made up their minds, and they, too, are anxious that the debate close with some dispatch and expedition, and that we soon reach the point where we can read the bill for amendments and discuss some of the amendments which seem necessary and vital to the successful administration of the proposed law.

Mr. President, I rise primarily for the purpose of discussing a point made a few days ago by the able senior Senator from Missouri [Mr. CLARK], when, in his remarks on October 11, he referred to what he called "the effort of the War Department to make the Nation war-minded by preparations for the draft." He stated that "officials are going about the country training draft boards for the purpose of conscripting the youth of our land for military service." He further said that "plans are already far under way for drafting boys 18 years old who have not even had the poor privilege of voting for those who pass the laws and determine the policies which would send them to the shambles." The authority cited for these statements was a rather garbled dispatch appearing in the Washington Post of October 5, 1939, headed "Draft boards to lay plans for M day. Army-Navy selective service committee sets four conferences."

Mr. President, since the speech of the able senior Senator from Missouri, the senior Senator from Illinois has received a number of letters from the mothers of boys of Illinois around the age of 18 years, bitterly complaining about this very thing; and they have a right to complain, assuming the facts as stated by the Senator from Missouri to be correct. But in this short address I challenge the statement of the Senator, and merely do so to demonstrate beyond the question of a doubt how hearsay evidence and rumors which get into these debates, and which are unfounded, create a certain fear and a certain war psychology such as that which exists in the United States at this very moment.

The inference contained in the statement to which I have referred was so misleading that I felt compelled to make an analysis of the situation as it really is with respect to the so-called plan for selective service. I do this primarily because I happen to be at this time a member of the State staff of the Illinois National Guard, and I believe I know what is going on with respect to this phase of the military operations in my section of the country.

Let me state some facts about this matter. In section 5 of the National Defense Act, passed in its amended form on June 4, 1920, the War Department General Staff is directed to prepare plans for the national defense and the use of the military forces for that purpose, both separately and in conjunction with the naval forces, and for the mobilization of the manhood of the Nation.

That was provided in 1920. The National Defense Act was passed because of our experiences in the war of 1917 and 1918, which I shall discuss briefly later.

The War Department would be exceedingly remiss if, in carrying out the directions received from Congress, it did not make exhaustive plans for the procurement of personnel—the first great need—should this Nation ever become involved in a war.

Shortly after the passage of the National Defense Act of 1920, the War Department began its study of the problem of the recruitment of men in time of emergency. This involved not only a study of recruiting plans, but also a study of the task which would result should the Congress again pass a selective-service law. The story of the World War Selective Draft Act is contained in the hearings held before the House and Senate Military Affairs Committees in April and May 1917, and in the reports of the provost marshal general issued during the war. Those documents indicate how stupendous was the task of setting up an organization to handle registration, classification, and induction of the soldiers required for the war. Below are but a few statistics indicative of what was involved.

The first Selective Draft Act was passed by the Senate on May 17, 1917, and signed by the President on the next day.

On June 5, 1917, all males between the ages of 21 and 31 years of age were registered. To accomplish this, 4,000 registration boards were set up and 125,000 registrars and assistant registrars conducted the registration of 9,586,508 men.

Before any men could be selected for service complete regulations had to be written and issued.

Forty-five million blank forms had to be drawn up, printed, and distributed.

Quotas of men needed had to be computed for every State.

A lottery drawing had to be conducted in Washington to determine the order in which registrants were to be called.

Local boards had to be established, make themselves familiar with the regulations, issue questionnaires, and, based on the answers to those questionnaires, classify the registrants.

Between July 20, 1917, and August 25, 1917, 4,557 local boards heard and disposed of almost 1,000,000 cases.

Not until September 1, 1917, did any men of the initial draft report to camp. Thus we find that after the Congress had decided to use selective service as a method of procuring men 105 days elapsed before any men were available to begin training. Had it not been for the exceedingly able work accomplished by General Crowder, his principal assistant, Gen. Hugh Johnson, and the staff of men and women which they hurriedly assembled, this time would have been much greater.

As a part of its plans for the mobilization of the manpower of the Nation, and based upon the experiences of the World War, the War Department General Staff has, since 1925, carried on a scheme of training a few individuals in the problems connected with the recruitment of large forces. This has been done under the assumption if this Nation should ever go to war in self-defense, every possible day should be saved and every possible mistake and error that can be foreseen should be obviated.

Mr. President, I happen to have personal knowledge of this particular situation, because during the last 5 years the State staff of the Illinois National Guard has done that very thing. This is nothing new. It has not just happened since Germany made war upon Poland. I thought the able Senator from Missouri left that inference, and that is the reason for this full explanation.

I repeat, as a part of its plans for the mobilization of the manpower of the Nation, and based upon the experiences of the World War, the War Department General Staff has, since 1925, carried on a scheme of training a few individuals in the problems connected with the recruitment of large forces. This was done under the assumption that if this Nation should ever go to war to defend itself, every possible day should be saved and every possible mistake and error that could be foreseen should be obviated. To that end a rather small group of Reserve officers and of National Guard State staff officers, who will be involved in the task of procuring personnel, has been given training. The conference at Fort Sheridan, Ill., to which the Senator from Missouri referred, is one of these training periods. It lasted from October 8 through October 21. Assembled there were one or two State

staff officers from each of the States of the Middle West and Reserve officers from that area. Among the subjects taken up at that conference were the following: "The training of State staffs and State departments" and "Classification in the Army."

In other words, a study of the best way to use the men according to their aptitudes, training, and capabilities.

Is there anything wrong about that? Is not that in keeping with the letter and spirit of the National Defense Act, which was passed by Congress in 1920, after our disastrous experience with the Selective Service Act in 1917?

"The recruiting plans of the Fifth, Sixth, and Seventh Corps Areas and of the ninth naval district." Committees have studied and considered such problems as the type of forms to be used, the problem of preventing the loss of skilled labor, and the problems of National and State headquarters.

The men assembled at this conference were Reserve officers and National Guard officers, who, because of their patriotism and interest in national defense, are willing to give up their own time in an effort to prepare themselves so that they might the more efficiently carry on their duties should it ever become necessary for the Federal Government to call them to active duty. This conference is but one of many which have been held in various sections of the country for the last several years. It has no connection whatsoever with the present war in Europe. Its purpose is not to make the country war-minded, but solely that of carrying on the functions of preparedness, for which we maintain all of our national-defense institutions.

So far as training local draft boards is concerned, it is obviously an impossibility. The War Department has no authority for such training, nor has it the means. That is only a matter for Congress to determine. Should selective service ever become effective, over 5,000 local boards would be required.

With respect to the drafting of boys 18 years old: It should be noted that no selective-service law exists today and none can ever exist without definite, positive action on the part of the Congress. A decision as to whether we shall have selective service and as to what shall be the age limit of those selected would always rest in our hands and not with the War Department. As a matter of fact, if the World War is any precedent, we know that at that time the registration ages were initially 21 to 30. Not until late in 1918, when it appeared possible that the available manpower in those age brackets might become seriously depleted, had other ages even registered, and no one below the age of 21 was inducted.

To sum up, we find that the War Department, acting in compliance with the requirements of the National Defense Act, has carried on for years a study of the problem of mobilizing manpower. This study has involved investigation of our experiences in past wars, of the difficulties encountered, and of the administrative problems that might be met in the future. The training work which it is currently carrying on and has been carrying on for several years is no different in purpose from that training given to its tactical units. Without such preparations our ability to defend ourselves, should we ever become involved in a war, would be seriously affected.

I believe in all sincerity that had the senior Senator from Missouri given that question some thought and consideration he probably would not have taken the press account and given out the statement based upon it, which he did.

Those gentlemen in this work are there for high patriotic reasons, and they should not be condemned but commended for doing their duty. Their motives should not be questioned, especially on the basis of a newspaper article, which is nothing more or less than hearsay evidence in the eyes of the law.

Mr. President, in conclusion, let me say there is one thing I regret and about which I feel I should speak. Many statements have been made on the floor of the Senate similar to the one made by the senior Senator from Missouri, which have given the country an erroneous impression as to what the Congress of the United States is attempting to do in connection with the present debate. This question affects the general welfare of 130,000,000 people. Their interest in this debate is our interest. I submit they would be better fortified if we had eliminated a certain amount of emotion, fear, hearsay, speculation, and conjecture. I submit that if in these debates we could have foregone prejudicial and speculative statements, many thousands of Americans would have avoided a severe case of war jitters. What war hysteria there now is in the Nation has been brought about in a great measure through failure of men in high public office to stick to the facts, reason, and cold logic.

At this time I want to commend the senior Senator from Kentucky [Mr. BARKLEY] for the sensible, sane, and dispassionate address made by him yesterday. The Senator in that address impugned the motives or decisions of no Senator in the debate. The Senator submitted facts; he gave cold and hard facts, and from such a premise made an argument which seems to me to be unanswerable. I wish that every man and woman in America who have this war fear existing within them at the present time could read and reread every word of the speech the Senator from Kentucky made.

Mr. President, I deny that we are on the road to war. I submit with all the sincerity I possess that the Pittman joint resolution negates everything that brought us into the war in 1917 and 1918. I submit that the Pittman joint resolution, instead of placing us on the road to war, as has frequently been said on the floor of the Senate, which charge has caused so much excitement throughout the country, is a step toward maintaining peace. No country in all the history of nations has ever made such tremendous sacrifices in the interest of our own national defense and our welfare for the 130,000,000 people as we shall make when we enact the Pittman joint resolution into law.

I submit that this is not our war. We must stay out, and I say that we will stay out because of the sentiment of the American people at the present time. Out of the 100,000 telegrams, postal cards, and letters that have come to my desk, all from Illinois, there are various views expressed as to what should or should not be done with the Embargo Act, but there is not a single letter in which there is the slightest trace of the militaristic spirit that some people would want us to believe exists in this country today. Every single one concludes in one form or another, "Mr. Senator, do what you can to keep us out of war."

Mr. BURKE. Mr. President——

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. LUCAS. I yield.

Mr. BURKE. I am interested in the Senator's statement that in the 100,000 letters and telegrams he has received from his own State of Illinois there has not been a single suggestion looking toward the involvement of this country in war, and I would ask the Senator if from any other source—official, semiofficial, private, or whatever it may be—any suggestion has been made to the Senator that this country ought to go to war or ought to permit itself in any way to become involved in the war that is raging in Europe?

Mr. LUCAS. In reply to the question of the able Senator from Nebraska, I will say that I have not had a single communication of any kind or character from anyone in this country that expressed even the slightest hope that this country would be involved in the present European crisis across the sea, and for that reason it is difficult for me to understand the necessity for all of this war talk throughout the country at the present time. I maintain, Mr. President, that only when the sentiment of the American people is changed will this country ever go into war, and, insofar as my section of the country is concerned, that sentiment is 100 percent against involvement in the bloody conflict across the sea.

Mr. BURKE. Mr. President, will the Senator again yield?

Mr. LUCAS. I yield.

Mr. BURKE. Does the Senator mean to say that no munitions manufacturer, no industrialist, no international banker, no one of any kind has directly or indirectly suggested that this country ought to go to war?

Mr. LUCAS. I just told the Senator a moment ago that no one had ever contacted me with suggestions one way or

the other, and consequently that I cannot follow the arguments which are made on the floor of the Senate about the international bankers and the munitions makers wanting this country to go to war to make a few dollars, as has been suggested in debate by some of those who seek to retain the embargo on arms, ammunition, and implements of war.

Mr. BURKE. Mr. President, will the Senator yield further in order that there may be no misunderstanding?

Mr. LUCAS. I yield.

Mr. BURKE. The Senator stated that no one in this country had suggested the possibility or advisability that we do anything which might involve us in war? I know, and we all know, of course, that no one outside of the country has made any such suggestion to the Senator, but I think I should also include that in the question.

Mr. LUCAS. I will make the answer all inclusive, I will say to the Senator. Of course, I am not as closely in touch with governments across the sea as some other Senators seem to be who are discussing this question from time to time.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CONNALLY. In connection with what has been suggested by the Senator from Nebraska [Mr. BURKE], of course, that suggestion is in refutation of the oft-repeated insinuation or veiled charge by certain Senators and those outside the Chamber that either the munitions makers, the bankers, the propagandists, or the industrialists led us into the World War. Let me remind the Senator that I have often expressed the view that we have wholly repudiated and rejected any such theory. As a matter of fact, the declaration of war in 1917 answered that contention, because we did not declare war. We simply recognized that a state of war existed, that Germany had already made war upon us. To make war on another nation, a nation does not need to come over and bomb the capital of the other nation. It is not necessary that a nation making war upon us come over and batter down the walls of the White House. It is not necessary that the other nation get our Constitution and thrust a bayonet through it. But when it makes war on American citizens, when it destroys the property of American citizens, when it kills our people, it makes war on us. The symbols of America are her citizens and their property. When Germany made war on American citizens she made war on the United States. It was not the munitions makers who touched off the torpedoes from the submarines. It was not the bankers who captained any of the undersea craft. It was not the propagandists who lay in wait and assassinated our citizens on the high seas.

It was the destruction by Germany of American lives and American property on the high seas that took us into the World War. We simply recognized that fact. Under international law every American who goes abroad on a ship in his lawful pursuits is just as much a part of this Nation as he is when he remains at home; and he goes clothed with all the sanctity and protection that the flag gives to any citizen. So when Germany made war on our citizens and on our property on the high seas she was making war on us.

What is making war? It is the destruction by violence of human life or property of another nation.

I thank the Senator from Nebraska for again nailing the false claim that the bankers lured us into war, or that the propagandists took the Congress of the United States and the President by the nose and led us into something that we did not want to go into; or that the industrialists, by some sort of pressure or influence, drove us into the World War. The only propagandists, the only munitions makers, the only international bankers who forced the United States into the World War, were the submarines which killed American citizens on the high seas and destroyed American property which was under the protection of our flag and the sanction of international law.

Mr. BURKE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BURKE. The purpose of the Pittman joint resolution which is now pending before the Senate is to prevent such circumstances from again arising?

Mr. CONNALLY. Exactly. One of the primary objects of the joint resolution is, not to give up any of our rights under international law, but to claim them all, except that, realizing the realities and facing the hard facts, we have provided for the removal of those possibilities and those incidents which might again drag us into war. Under the terms of the joint resolution no German submarine could sink an American vessel because there would not be any American vessels going to belligerent countries. No German submarine could kill an American citizen on his way to a belligerent country, because there would be no American citizens on their way to belligerent countries.

Mr. LUCAS. I thank the Senator from Texas and the Senator from Nebraska for their contributions.

No one who was in the Senate yesterday and who heard the address of the majority leader as he analyzed the very question which was discussed by the Senator from Texas could fail to have been impressed; and a fair, prudent person listening from the gallery must have reached the very definite conclusion, if he was not familiar with what occurred back at that time, that only one thing finally dragged us into the war of 1917 and 1918, and that was the sinking of our vessels, carrying American citizens down to the bottom of the sea. Not only 1, but some 20 American vessels were sunk from the time Germany declared war in 1914 until April 6, 1917, when America declared war on Germany; and 8 additional American ships were attacked and damaged without loss of life. Those were our merchant vessels. In addition, the lives of American citizens were lost upon belligerent vessels. Under international law those Americans at that time had a perfect right to sail the high seas upon those vessels.

As the Senator has well said, the joint resolution, and particularly the cash-and-carry plan, negates every one of the obstacles and perils which brought us into the war of 1917. Certainly if we keep our vessels out of the submarine-infested waters of the Atlantic no one will deny that there will be less chance of our becoming involved. When we look about and see what Germany recently did to two Swedish vessels and one Finnish vessel loaded with wood pulp bound for England, we know exactly what she will sooner or later do to neutral American vessels carrying secondary war supplies to the belligerents if we permit them to sail in those waters.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CONNALLY. The Senator mentioned a vessel laden with wood pulp. Submarines also sank a Danish vessel loaded with butter.

Mr. LUCAS. If the war lasts long enough everything under God's shining sun will become contraband in the eyes of the belligerents. Not a single thing will be left that will be classified as noncontraband. Therefore, when we say in the joint resolution that all secondary war supplies, including wheat, cotton, steel, ore, and copper, along with war materials, shall be shipped across the ocean only when the belligerents come to our shores and pay cash and take title to the goods, we send them out into the Atlantic under the responsibility of the belligerents themselves. That is the nub of the joint resolution. In my humble judgment, it will do more to keep us out of war than any piece of legislation that has ever, heretofore, been written. Certainly the Congress of the United States is using the maximum amount of caution in eliminating the probabilities of war in passing this legislation.

Mr. President, in conclusion, let me make one statement. I have no interest in France or England. It has been stated upon the floor of the Senate today, at least by inference, that those who vote to repeal the embargo are being controlled by France and England.

Mr. President, I can speak only for myself. I hold no brief for any country across the water, whether it be England, France, Germany, Italy, Russia, or any other nation. Of course, I am not impartial, and no other individual in America is when he knows what is going on over there. However, on the question of neutrality I look only to my America. I shall cast my vote on the joint resolution only from the standpoint of what I conceive to be the best interest of my country, to the end that America will keep the peace,

and that we do not go to war. My conscience will be clear when I cast my vote, and I shall be able to sleep after casting it, because I shall have voted for what I conceive to be a measure for national defense. I shall have done the best I can, with all my limitations, to give the great State of Illinois the best representation I know how to give it in connection with a great measure of this kind involving the peace and the security of 130,000,000 Americans.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Kentucky?

Mr. LUCAS. I yield.

Mr. CHANDLER. Much has been said in this debate about a vote for the repeal of the arms embargo being the first step toward war. Does the Senator from Illinois believe that it is either the first step or any step toward war? And if he did so believe, would he vote for the repeal of the embargo?

Mr. LUCAS. I certainly would not vote for the repeal of the embargo if I believed for one moment that it was a step toward war. Such an assertion has been frequently made; but the conclusion is unjustifiable, and there are no facts upon which the assertion can be based. It is made in the thin air of conjecture and speculation. In the humble opinion of the Senator from Illinois it has done more to create a war hysteria in this country than any other statement that has been made in all the debates.

As the Senator from Michigan a moment ago said, the people of this country have a notion that the moment we repeal the present Neutrality Act we are on the road to war. That is the idea that has been given to them over the radio and through the press as the result of expressions of men in high public office.

Mr. CHANDLER. I may make the observation, if the Senator will allow me, that has been done to an extent that has greatly alarmed the people of the country, and many of them now believe that if the embargo should be repealed it would be the first or some step toward war. Let me ask the Senator a further question: Is it his belief that the present law is an unneutral law and in its application works to the advantage of Germany and against the Allies?

Mr. LUCAS. I will say to the Senator in answer to that question that I have always contended that what is neutrality today may not be neutrality tomorrow. It depends upon conditions as they develop from time to time throughout the world as well as upon the frailties and irresponsibility of human beings. Of course, the law at the present time on the statute books is for the benefit of Germany. If it should be repealed, such repeal would operate for the benefit of France and England. There can be no question about that.

Mr. CHANDLER. Are not arms and ammunition being sent to neutral countries and thence to belligerents? Have we not at the present time—and I have obtained this idea principally from the very impressive speech of the Senator from Nebraska [Mr. BURKE]—closed to England and France even the possibility of securing essential war materials and arms from the United States while at the same time we are shipping such arms and materials to neutrals, by whom, in turn, they may be shipped to belligerents? Consequently the present law is working to the advantage of Mr. Hitler and his associates.

Mr. LUCAS. In answer to that question of the Senator from Kentucky, knowing what I do about conditions existing in the Old World, and recalling from the pages of history what has happened there during the course of a thousand years, and especially during the last 5 or 6 years, I do not have much confidence or faith in any of the European nations, whether neutrals or belligerents. I know in my own mind that if tomorrow we should sell under the present law, as we can do, a thousand bombing planes to communistic Russia, Germany would get some of them under the agreement she has with Mr. Stalin.

I know if tomorrow we should sell war supplies to Belgium that England could get a part of those supplies if and when she wanted them.

Mr. CHANDLER. Let me ask the Senator, under the circumstances, and taking into account the fact that all of us abhor war and wish devoutly that it be avoided, when we realize that peoples across the sea have been unable to avoid war and are constantly menaced by war, has not the Congress of the United States the right to take into account that, whatever wars they may have, if they must have war, it is our obligation, in the long run of years, to keep it over there, and consequently, if we can, to prevent it coming over here? In doing that we best protect, in my opinion, Mr. President, the safety of the people of America.

Mr. LUCAS. Mr. President, the first section of the pending joint resolution has for its avowed purpose the protection and security of the American people as well as our national defense. My vote will be cast upon this question in line with what I believe to be for the best interest of this country and not of any other nation in the world. The present law, when it was passed a few years ago, was a neutrality law at that particular time when applied to all the nations throughout the world; but can anyone say that the law is now operating neutrally upon all nations when at this very moment this country, under the Embargo Act, can sell a Luger gun to Mr. Stalin, and that is considered an act of morality, but if we should sell a similar Luger gun to Mr. Hitler that would be an act of immorality? That is exactly the manner in which the present law operates, and that is one of the reasons why I am for repeal.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Alabama?

Mr. LUCAS. I yield.

Mr. BANKHEAD. Does the Senator know of any nation in the world, except the United States, which has an embargo at this time on arms, ammunition, and implements of war?

Mr. LUCAS. I will say to the Senator from Alabama in reply that I am not aware whether they have or have not, but I can see, understand that, perhaps Finland or Norway, or the other Nordic countries, small as they are, and attempting as best they can to carry on democracy somewhat similar to ours, might be coerced or intimidated to do almost anything when they see the guns of the bear of Russia pointed toward them. When Finland, the Netherlands, and Switzerland, and other small nations, are threatened at this very moment, I can understand that, as a matter of self-defense, they might do the very thing the Senator is talking about; and I can understand that they might do just the opposite, as a matter of self-defense and self-preservation, just as I think the enactment of the pending joint resolution will help us to do.

Mr. BANKHEAD. Mr. President, will the Senator yield for another question on that point?

Mr. LUCAS. I yield.

Mr. BANKHEAD. The Senator, of course, has kept in touch with all the developments in the countries surrounding Germany and Russia and England and France in recent months. Has he heard of any threat against any of those countries, including the Scandinavian countries or Switzerland, that they would be forced into war unless they passed an embargo act?

Mr. LUCAS. No. I will say in answer to the Senator from Alabama, that in my humble opinion, that would be the last reason why any of those countries would go to war. I have maintained from the beginning that either the continuation or the repeal of the Arms Embargo Act will not involve us in war. It has been unduly magnified, Mr. President, in the humble judgment of the Senator from Illinois. If the American people at this moment believed sincerely that there was not going to be any war on the part of the United States, arguments over repeal or the retention of the arms embargo would drop out of the picture overnight. If the Senate and House of Representatives, by a concurrent resolution should declare, or the President of the United States should say that, under no circumstances, would troops be sent to Europe in the bloody struggle there raging, arguments for or against the repeal of the arms embargo would

pale into insignificance overnight, and this debate would be concluded in a hurry.

The only question in the minds of the American people at this time is whether or not their sons are going to be sent across the seas to pull the chestnuts of some foreign government out of the international fire. When we get down to cold facts that is the basis of it all. A great number of our people have the erroneous impression that if and when we repeal the embargo we will become involved in the war, and many of the letters and arguments coming from the crossroads in my section of the State of Illinois are based upon that very point.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Nevada?

Mr. LUCAS. I yield.

Mr. PITTMAN. The Senator is familiar with the history of the World War. Is there anything in it that discloses that a single one of our vessels was sunk on the ground that it was carrying arms, ammunition, and implements of war?

Mr. LUCAS. My recollection is, as I have scanned casually the annotations of the diplomatic correspondence carried on between Secretary Lansing, Secretary Bryan, President Woodrow Wilson, and the German Government, that not a single one of the ships that were sunk was carrying such articles, but they were carrying secondary materials of war, such as wheat, oil, cotton, copper, and similar commodities.

Mr. PITTMAN. As a matter of fact, history discloses that Great Britain captured American vessels, took them into her ports, and kept them there, with their cargoes, an undue length of time, not because they were carrying arms, ammunition, and implements of war to Holland and Sweden, for instance, but because they were carrying, in many cases, wheat and cotton. Wheat and cotton were first called conditional contraband; that is, they were contraband if destined for the army of the enemy. The British captured and confiscated ships carrying contraband; practically everything on the list of commodities was named as contraband; and, eventually, wheat, flour, and cotton were so denominated. They did not try to draw a distinction between arms, ammunition, and implements of war, and other commodities that aided the enemy in winning the war. It will not be found in all the correspondence either with Germany, or with Great Britain, or in the protests which were filed that the seizures were based upon the fact that such ships were carrying arms, ammunition, and implements of war.

Therefore, in the light of the experience of the World War, we would not save a single American vessel either from capture in one case or from sinking in the other case by simply stating to the governments at war that our vessels were not carrying arms, ammunition, or implements of war. The exclusion from their cargoes of arms, ammunition, and implements of war did not save them from destruction during the last war; and taking the experience today of the sinking by Germany of Swedish vessels which were carrying wood, we know that the same course now would not save our ships from being destroyed. If it will not save our ships from being destroyed, how does it help us? How does it keep us at peace? What we want to do is to save the lives of our citizens.

Mind you, it is possible that having proposed a law that our ships shall not be armed, that they shall be identified otherwise than by the American flag—which can be copied by any belligerent—and by identification every time they leave a port, belligerent submarines may be able to come to the surface and, as surface vessels, comply with international law by visit and search, not sinking without notice. If that takes place, what is the result?

A German or a British submarine comes alongside one of our vessels. The vessel is not armed. There is no danger. Men from the submarine go aboard our vessel by means of a small boat. They determine for themselves whether or not the cargo is contraband. They may determine the question wrongly, but they determine it during war; and there is no remedy for a wrong determination except to fight, or wait until the war is over and then go into courts of arbitration and determine the legal question. But if the belligerents are satisfied that there is no danger to a submarine in visiting and searching a vessel of ours, and they do so and then actually destroy the vessel and its cargo, but, before doing so, make provision for the safety for the lives of our citizens, there is not going to be any cause that will arouse the people of this country to a war fever, and we shall not get into any trouble.

That is the object of the pending legislation. There is today no law on the statute books to prevent an American vessel from carrying anything on earth to a belligerent except a few manufactured articles. We know that our vessels will be stopped. We know that they will be destroyed, if necessary. That is the foundation of the legislation before Congress. The World War demonstrated that keeping off a few manufactured articles would not prevent the sinking of our vessels during that war. The present war demonstrates that the same course will not do it now. It is perfectly apparent.

There is one other matter to which I wish to call the Senator's attention which seems to be misunderstood, not only by the masses of the people of this country but by a great many of the lawyers of this country and by the writers of this country, namely, that the present law does not apply to any country on earth except those which are actually at war. Today no countries are at war except Great Britain, France, and Germany, and Poland, if you wish to say that she is still at war. The present law does not apply to any country except those four. All the arms and ammunition we choose to sell may go to any other country in the world—to Russia, to Rumania, to Yugoslavia, even to Italy. Russia is not at war. Italy is not at war. Rumania is not at war. Yugoslavia is not at war. Arms and ammunition may go to any of them.

The Senator from Idaho [Mr. BORAH] said that arms and ammunition and implements of war should not go to Italy, but the present law does not allow the President to stop them from going to Italy because Italy is not at war. It would be necessary, in order to accomplish that, to amend the present act to make it apply to certain neutrals—what neutrals? Who is to determine what neutrals it shall apply to?

The Senator from Ohio [Mr. TAFT] suggests that we do not allow anything at all to be shipped to Europe. That might be the safe way, but, if we should do that, what would be the result? Let us get away from Germany. So many people are touchy about Germany. Take the case of Russia. Take the case of Stalin. There is no more brutal conqueror in the world than Stalin. Hitler is a piker beside him. Yet under the law that is on our statute books today, which some desire to repeal, Russia may buy all the arms and ammunition she wants to buy from us because the present law does not apply to Russia. She is not at war. What has she done? She has already bought airplanes from us. She has bought airplane engines from us. She has helped to build up her defense. She has bought our patents; she has obtained licenses under our patents; she has built up one of the greatest war machines in all the world. And here are Estonia, Latvia, Lithuania, peaceful little countries, interfering with no one, with no factories to build arms and ammunition and implements of war. Here is Finland in exactly the same fix.

There is Norway, in the same fix. Sweden may have a few factories, though very few by comparison. Yet Russia, when she has taken advantage of our law and built up this great armament and great surplus, may prevent Finland, Estonia, Latvia, Lithuania, Norway, Sweden, Holland, Belgium, Hungary, Rumania, Yugoslavia—all of them—from getting a single, solitary airplane; a single, solitary instrument of defense. How? By doing something over which we have no control—by simply bringing about war against those countries. That is what may happen under the present law.

Mr. CLARK of Idaho. Mr. President——

Mr. LUCAS. I am very much indebted to the Senator from Nevada for the contribution made by him. I now yield to the Senator from Idaho.

Mr. CLARK of Idaho. I thank the Senator.

Mr. President, what the Senator from Nevada has said is, of course, thoroughly true. We have been, to a certain ex-

tent, an arsenal for Russia in order that she might better take care of Finland and some of the other Baltic states. It might be well to point out to the Senator what, of course, he already knows—that the great democracy of England, as I understand, has just concluded a written treaty with Mr. Stalin whereby she is about to furnish him with two of the most strategic war materials which she possesses, tin and rubber, which, of course, will go into implements of war and can go into substantially nothing else except that some of them may find their way to Germany for the purpose of carrying out the aims of what I concede to be the greatest conqueror of them all, Mr. Stalin. It seems odd.

We have entered into some kind of an agreement with England to exchange cotton for rubber. I do not know what the status of that agreement is at this time. The Banking and Currency Committee considered it last year. I believe the Senator from South Carolina [Mr. BYRNES] was particularly interested in that agreement. It would be interesting to know whether we are getting that rubber in exchange for cotton, as it was agreed that we should do.

The Senator, however, again raises the question of transshipment. Of course in this joint resolution and in existing law we do everything we can to prevent transshipment.

We create a munitions board, and we make it unlawful for our manufacturers to ship for transshipment. After the goods leave our country, however, we have no control over them. We do everything we can, as long as they are in the United States, to prevent transshipment. Once they get out of our hands, anything may happen.

Ireland is neutral. Ireland has not declared war. Belgium is neutral. Russia is neutral. Italy is neutral, as the Senator well points out; and any of them theoretically may buy our materials, war materials or otherwise, until the new law goes into effect, and transship them. But, as I pointed out to the Senator from Nevada I think a week or so ago, in the World War England put every neutral nation on a quota basis. They now have announced their intention of doing likewise. Of course, that does not justify our allowing transshipments to be made if we can prevent it; but England now has a mission in Sweden working out a quota for Sweden and Norway and the Scandinavian countries based upon their peacetime needs; and they will unquestionably follow, and have announced themselves as going to follow, their former wartime policy of putting neutrals on a quota basis. So, as a matter of practical fact, there will be very little transshipment to Germany; but I still wonder about the good faith of England in asking us at this time to repeal our embargo and then entering into a contract to furnish tin and rubber to Russia.

Mr. PITTMAN. Mr. President, let me answer that for just a second.

Mr. LUCAS. Mr. President, I should like to know just when England asked us to repeal this embargo, and just what information is coming from England, through whom, and to whom. I have heard the statement made on this floor in the past several days in these debates that England is giving us the sign over here to go; the sign to repeal our Embargo Act. As one of the two Senators from Illinois, who represent 7,800,000 people, I am vitally interested in finding out just where this information is coming from, who is getting the information, and why I have not been invited in on some of these conferences.

Mr. PITTMAN. Mr. President——

Mr. LUCAS. I should like to have the Senator from Idaho answer that question. He made the assertion.

Mr. CLARK of Idaho. Mr. President, I think, if the Senator from Illinois will recall, a gentleman known as Sir Anthony Eden came over here for a very good purpose. Of course, it is not subject to mathematical proof; but immediately after the boat docked in London he went to No. 10 Downing Street and at least assured certain persons there that he thought the American embargo would be repealed.

Mr. LUCAS. So what? [Laughter.]

Mr. CLARK of Idaho. So what? So this, that England and France probably would never have taken the position they took, if they had not known in advance that there would be an attempt to repeal our present embargo.

Mr. LUCAS. That is another one of those violent conclusions, based upon conjecture and speculation, which has been running rife throughout the country. Mr. HAMILTON FISH, a distinguished Member of the House of Representatives and minority leader of the Committee on Foreign Affairs, made a trip into Germany and flew in Ribbentrop's plane all over the country, but I would not say that Congressman FISH is for the continuation of the embargo because he wants to aid Germany.

So we come right back to the one proposition, so far as the Senator from Illinois is concerned: What is best for America? England has not contacted me; Germany has not contacted me; France has not contacted me; and no agent of any of those governments which are now at war, nor any agent of any of those nations, has ever said anything to the Senator from Illinois about what he should do. I have never been in a meeting since Congress met for this extraordinary session, with anyone outside of the Senate, either at dinners, or teas, or what not, where any single individual ever approached me for the purpose of attempting to convince me that it was proper for me to vote for repeal of the embargo because it would help England and France.

Mr. President, I have spoken longer than I had intended. I am like the Swede who proposed to the girl; I have said too much already. [Laughter.] I did not intend to say this much; if I have talked too long the Senator from Nebraska must assume a part of the responsibility, because it was he who started the debate by asking me a question, when I was ready to cease and desist.

Mr. PITTMAN. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield to the Senator from Nevada.

Mr. PITTMAN. The junior Senator from Idaho [Mr. CLARK], who I do not think has the very highest admiration for Great Britain, judging by his speech, seems to want us to follow the example of Great Britain. In the first place, Great Britain agreed to trade some rubber with Russia for some wheat. Our Embargo Act does not prevent us during war from selling rubber to Great Britain, does it? Not at all. The things about which Great Britain has entered into an agreement with Russia are not arms, ammunition, and implements of war, which the Senator thinks it is illegal to sell. They are not on our list. We can sell to any warring power any of the articles about which the Senator is talking, because the things in which they are dealing are not what the Senator calls arms, ammunition, and implements of war. But suppose Great Britain were selling arms, ammunition, and implements of war to Russia. Would that justify us in selling arms, ammunition, and implements of war to Great Britain under the Senator's theory? I do not think it would at all.

The Senator is talking about handling those things after they get into a country, and refers to the fact that our law provides that they cannot be sent by transshipment to a belligerent. Yet he is one of the strongest advocates of our not meddling in the affairs of other countries, of our "keeping our nose out of their business." Nevertheless, he would allow arms, ammunition, and implements of war to go to Russia, a country that is larger than the United States, with more boundaries over which to cross into Germany and to other countries than we have here, and after they get them there Germany can obtain them legally. The Senator would attempt to have us apply a spy system there to see whether or not, after the articles got to Russia, they were to be taken into Germany.

Mr. CLARK of Idaho. That would not be changed under the so-called Pittman measure, would it?

Mr. PITTMAN. Yes; because we have no embargo.

The Senator's idea is to have an embargo on four or five things. They can legally be sent to Russia, if they are to stop there, but the Senator would have us go with them to see if they stop there and do not go to Germany. He wants a spy system there, or some little agent down here saying, "I suspect it is going to Russia to be sent to Germany. I suspect it is

going to Yugoslavia to be sent to Germany. I suspect it is going to Rumania to be sent to Germany," and he would stop it, one little man here offending the whole world by meddling in their affairs, attempting to find out, after they legally buy something here, whether at some later time it is to be transferred somewhere else. We would be in more trouble than ever. The Senator would have us go to every neutral country and have a spy system set up to see whether or not, after articles are brought in legally, they are sent illegally to belligerent countries. Talk about sticking your nose into other people's business. If there is a worse example of such a course than that, I do not know what it could be.

Mr. LUCAS. Mr. President, I am not interested in what England did in the last war with respect to quotas; I am not interested in what England and Soviet Russia are doing at the present time with regard to any trade pacts they are completing. I am not interested in what Germany and Italy are doing at this time with respect to pacts into which they are entering. I am not interested in the England-Turkey pact which has just been completed. What I am interested in, if you will indulge me again, is what is best for my country under present world conditions.

When I study the present law from the standpoint of neutrality and find that it is possible to sell to communistic Russia a thousand bombing planes tomorrow, but that we cannot sell to Canada, our peaceful neighbor for over a hundred years, a single pound of powder, I cannot comprehend how anyone can contend that such a law is a law of neutrality, operating fairly and with equity and good conscience upon all nations alike.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. LUCAS. I yield.

Mr. LUNDEEN. Who put the law on the statute books?

Mr. LUCAS. That is not the question.

Mr. LUNDEEN. Who put it there? You put it there. The administration put it there. It is your law. It is on the books. Why are you complaining about it?

Mr. LUCAS. I did not yield for any long dissertation by the Senator from Minnesota.

Mr. LUNDEEN. The law is the one you made.

Mr. LUCAS. Mr. President, I understood I had the floor. I did not think the Senator from Minnesota had the floor. If I read the RECORD of a few days ago correctly, I can understand how he would want the floor, because he wants a lot of things; he wants this Nation to take a good portion of the British islands out along the eastern coast of America. He is a peace-loving advocate, one of the great apostles of peace in this country, and I admire him for it. He has done a great work, and has made a great contribution to the cause of peace. I solemnly confess I was startled when I learned that my good friend from Minnesota, this man who loves peace better than he loves anything else, had started out upon a career to get this country into war by seizing these islands belonging to Great Britain. I was shocked; I was surprised; I was chagrined.

Of course, we passed this law; but are we to remain paralyzed and take no steps to protect our national welfare under changed conditions? Has there ever been a law passed in the history of the country that was not amended from time to time in the light of experience?

Oh, Mr. President, I know when the law was passed, I know how it was done. I was a Member of the House of Representatives at that particular time. I voted for it. I remember when we amended the law in the middle of a session in order to capture a few airplanes which were on their way to Spain. That was not changing the rules in the middle of the game; that was just emasculating them completely.

We passed the so-called neutrality law in 1935. Today there is a European war of gigantic proportions in progress. Yet it apparently makes little difference in the estimation of some that that war vitally affects our domestic policy and our national defense. They want that law to remain just as it is without changing a word in it until the nations across the seas settle their bloody disputes. Whether it takes 6 months or 6 years.

Just imagine adopting a theory of that kind, and contending that that is a theory of national defense, a theory which will protect the welfare of the people of this Nation.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CONNALLY. The Senator speaks of those who wish to have the present embargo law remain on the books as it is. Is it not inescapable that Senators who desire to retain the present embargo law want to retain it and all of the consequences which flow from it, so eloquently pointed out by the Senator from Illinois, like Russia buying a thousand bombing planes, but Canada not being able to get one? In other words, if they keep the law, then they must hug to their breasts the consequences and effects of the law.

Mr. LUCAS. Of course the Senator from Texas is 100 percent right. He is exactly correct.

I shall not detain the Senate longer, but shall say just one word in conclusion. I again assert that this is not our war; I assert that America should stay out; I repeat that so long as I am a Member of the Senate I will vote, if necessary, billions of dollars for the defense of our shores, but the senior Senator from Illinois will never vote a dime to send American boys across the ocean to pull the chestnuts of some other nation out of the international fire. I make this statement again because I have found, in reading my mail, some who are wont to scoff at this declaration of policy.

Let us stay out, Mr. President, because when this holocaust of hell has been finished across the sea, if European civilization is not destroyed, it will be seriously crippled. The Old World will need America to bind up her wounds and keep civilization from completely collapsing.

Mr. BYRNES. Mr. President, I ask unanimous consent to have printed in the RECORD the statement of the President made at the time of the signing of the Neutrality Act of 1935.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement referred to is as follows:

AUGUST 31, 1935.

STATEMENT BY THE PRESIDENT

I have given my approval to Senate Joint Resolution 173, the neutrality legislation which passed the Congress last week.

I have approved this joint resolution because it was intended as an expression of the fixed desire of the Government and the people of the United States to avoid any action which might involve us in war. The purpose is wholly excellent, and this joint resolution will to a considerable degree serve that end.

It provides for a licensing system for the control of carrying arms, etc., by American vessels, for the control of the use of American waters by foreign submarines; for the restriction of travel by American citizens on vessels of belligerent nations, and for the embargo of the export of arms, etc., to both belligerent nations.

The latter section terminates at the end of February 1936. This section requires further and more complete consideration between now and that date. Here again the objective is wholly good. It is the policy of this Government to avoid being drawn into wars between other nations, but it is a fact that no Congress and no Executive can foresee all possible future situations. History is filled with unforeseeable situations that call for some flexibility of action. It is conceivable that situations may arise in which the wholly inflexible provisions of section 1 of this act might have exactly the opposite effect from that which was intended. In other words, the inflexible provisions might drag us into war instead of keeping us out. The policy of the Government is definitely committed to the maintenance of peace and the avoidance of any entanglements which would lead us into conflict. At the same time it is the policy of the Government by every peaceful means and without entanglement to cooperate with other similarly minded governments to promote peace.

In several aspects further careful consideration of neutrality needs is most desirable and there can well be an expansion to include provisions dealing with other important aspects of our neutrality policy which have not been dealt with in this temporary measure.

Mr. McKELLAR. Mr. President, I wish to assure the Senate that I shall take only about 8 minutes of its time. The majority leader says he will give me 10, but I do not think I shall need so much.

The debate already had upon the measure has so clearly covered every question involved that I have concluded not to

make a speech but simply to announce the reasons why I shall vote for the repeal of the embargo and the existing Neutrality Act and to substitute therefor on the statute books the pending administration measure, known as the Pittman joint resolution.

I am for the repeal of the embargo—

Because I am for peace, first, last, and all the time, and believe that the policy of an embargo is at war with the policy of peace;

Because in our experience with embargoes they have always gotten our Government and our people in trouble;

Because the only real embargo this country ever adopted, the one of 1807 and years following, was largely instrumental in getting us into war with England and came very near to getting us into the war with France.

I am for repeal—

Because an earlier attempt at embargo came near involving us in war during Washington's and Adams' administrations;

Because the embargo of 1807 came very near destroying our merchant marine, and if this embargo is continued it will endanger, cripple, or destroy our present merchant marine.

I am for repeal—

Because the embargo of 1807 impoverished our people on the entire Atlantic seacoast;

Because the embargo of 1807 came exceedingly near to causing the New England States to secede from the Union. The State of my friend the Senator from Connecticut [Mr. DANAHER] was very anxious to secede when that embargo was imposed, and a convention was held in Hartford to discuss the question.

Mr. President, I am for repeal—

Because an embargo is contrary to the processes of peaceful adjustment of differences between nations;

Because I believe that embargoes are injurious alike to the nations against which they are aimed, and more injurious to the nation which enacts the embargoes;

Because I do not desire this war to injure American trade and commerce on the seas any more than necessary in order to preserve our peace.

I am in favor of repeal—

Because the present embargo, while not intended by anyone who voted for it as an aid to an aggressor nation, has in practice been found to aid such aggressor nation, and I do not favor aiding aggressor nations;

Because, while I believe England and France, in repudiating their war debts to us contracted during and after the World War, have failed in their duty to us, and deserve nothing at our hands, on the other hand, Germany also owes us and has not paid us, and I believe that it is unwise for the United States to take part against Great Britain and France in this war and in favor of Hitler. To be specific, the present embargo aids Hitler in his war of aggression upon Poland, France, and Great Britain, and I do not think our people wish to aid him in any such aggressive tactics.

I favor repeal—

Because I do not think anyone in the Congress believed at the time of the passage of the Embargo Act that such would be its effect.

Mr. President, I am almost tempted to propound a question to my distinguished friend across the aisle, the Senator from North Dakota [Mr. NYE], who has had so much to say about embargoes and peace in the last few years. When the Senator voted for the Embargo Act did he believe that it would aid Germany in her campaign of aggression?

Mr. NYE. Mr. President, I am delighted the Senator has put that question to me.

Mr. McKELLAR. I hope the Senator will answer it.

Mr. NYE. When we passed the Arms Embargo and the Neutrality Act I had no means of knowing whom it was going to injure or whom it was going to aid. When Congress passed the Neutrality Act containing the arms embargo that question was not in my mind, nor was it in the mind of any other Senator, nor in the mind of any Representative.

There was only one question, one thought, at that time, and that was, Is not this the best way for the United States to keep out of other people's wars, whomever it might be aiding, whomever it might be injuring?

Mr. McKELLAR. Mr. President, when it is conceded by everyone, including the Members of this body that the embargo helps aggressor Germany, aggressor Hitler, I cannot understand why the Senator from North Dakota is not willing to vote to repeal the embargo, since he admits that at the time of its passage he did not know it would have such an effect as it has had.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. MINTON. I ask the Senator to yield in order to permit me to ask the Senator from North Dakota a question for my information. It has been stated around the lobbies and on the floor of the Senate—and I should like to know whether or not it is a fact—that the Senator from North Dakota advocated raising the embargo in the Spanish civil war situation?

Mr. NYE. It is quite true that I did, Mr. President, and for a very good reason, which I will state, if the Senator will extend to me the privilege.

Mr. MINTON. Yes; let us hear it. I should like to have the Senator from North Dakota, if necessary, take the floor for the remainder of the day to make his explanation.

Mr. NYE. I shall take but 1 minute.

Mr. McKELLAR. I shall be glad to yield, but I hope Senators will not occupy all the remaining time.

Mr. NYE. I shall reply in only a few words. The embargo against Spain was voted by the United States Congress after war came to Spain. Its repeal under those circumstances was quite different from the repeal which is now being asked.

Mr. McKELLAR. Of course, its object was to keep us out of war.

Mr. NYE. Who was it that contended that the Spanish arms embargo was needed to keep us out of war?

Mr. McKELLAR. Well, the Senator from North Dakota was managing the embargo campaign at that time. If he does not know——

Mr. NYE. No, Mr. President, the Senator is sadly mistaken.

Mr. McKELLAR. If he does not know anything about it——

Mr. NYE. The Senator who managed the Spanish arms embargo was the chairman of the Senate Foreign Relations Committee, the Senator from Nevada [Mr. PITTMAN]. He pleaded at that time that the imposition of an embargo was the way to keep us out of that Spanish situation.

Mr. McKELLAR. Was it the purpose of the Senator from North Dakota to get us into the Spanish Civil War when he advocated raising the embargo? I do not know what his purpose was, but at any rate we kept out of that war and retained the embargo.

Mr. President, I am against the present embargo and for the so-called Pittman joint resolution, because the embargo is a distinct aid and help to Hitler in his aggressive war moves in Europe, which war moves I do not desire to see succeed and which will not benefit my country or the rest of mankind, in my judgment.

I advocate repeal of the embargo because it has the effect of aiding nazi-ism and communism, to neither of which "isms" I subscribe, and both of which I abhor.

How Members of this great body can favor the retention of an embargo act which helps nazi-ism and communism I cannot understand.

I shall vote for repeal of the embargo because it operates to injure two of the great democracies of the world, France and England, and I do not think it was intended by Congress in the passage of the embargo to injure those two great democracies, or others to a less degree, in behalf of a totalitarian state led by a wild man.

What are we doing when we defend the present embargo? We are promoting the highest and best interests of this wild man.

Mr. President, I am against the embargo and for the Pittman joint resolution because the embargo in its operation

and effect is not a neutrality law in any possible sense of the word.

I am against the embargo because I believe the Congress made a mistake in passing the Embargo Act, although I was one of those who voted for it. When a mistake of such tremendous importance—in view of subsequent events—is made, it ought to be corrected at the earliest possible moment. After I have made a mistake I am ever willing to correct that mistake.

I am against the embargo, Mr. President, because I think there is no force in the argument that if Congress passed a bad law affecting foreign nations it has no right, immediately or at any time, to repeal that law, whether or not the nations affected by the bad law are at war.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. MINTON. Does the Senator from Tennessee think we would have done better to take the advice of the Senator from California [Mr. JOHNSON], who, when we were debating this question in 1935, said:

> We must pass it now, in advance of the war, it is said. Not so at all. We would do infinitely a better job if we should wait until the occasion arose and the realities were before us.

That is what the Senator from California said in 1935. I think it was eminently correct then, but that was not what he said today.

Mr. McKELLAR. It was good sense then, and it is good sense now.

Mr. President, I believe it is to the best interests of America and the cause of peace generally to repeal the embargo law. I believe the Embargo Act gave great encouragement to Hitler to proceed in his aggressive steps toward weak and helpless nations, and especially toward Poland.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. Yes. I am taking more than 8 minutes, but if the Senator is responsible for that I am glad to yield.

Mr. CONNALLY. The Senator has just stated that he believes the existence of the Embargo Act encouraged Hitler to go on with his aggressive conquests.

Mr. McKELLAR. I doubt if he would ever have undertaken to overrun Poland if it had not been for his knowledge of the existence of the Embargo Act and the consequences which followed it.

Mr. CONNALLY. The opponents of repeal—notably, the Senator from Michigan [Mr. VANDENBERG]—say that inasmuch as we have made certain promises to Hitler, we must not change the rules during the game. In other words, if Hitler acted upon the assumption that we had the embargo and that it would help him, we have no right, now that he is engaged in his campaign of conquest, to change the law, because we are estopped. We led him into it and encouraged him, and now we must be fair and not repeal it, but must stand hitched and keep our word that we will not allow any of his victims to obtain anything with which to defend themselves.

Mr. McKELLAR. The Senator from Texas is probably suspicious that the Senator from Michigan is entirely mistaken in his line of reasoning. I think we have a perfect right to pass the joint resolution. Who would say that Congress, having passed an unfortunate and partial law, has no right to repeal that law at any time?

Again, Mr. President, I am against the embargo because some time ago I read Hitler's book called Mein Kampf, and after reading that book I believe it is Hitler's purpose to bring as much of the world as possible under his control during his lifetime. I do not desire to help him in that endeavor. I believe the Embargo Act helps him in his fight on the democracies and in obtaining world control.

Again, Mr. President, I am for repeal of the arms embargo because, instead of the repeal of the Embargo Act being a step toward war, as is so frequently contended, it is a step away from war. I believe that the safeguards in the joint resolution constitute many steps to keep us out of war. I think the embargo is the first step toward war.

Mr. President, I admire and respect the German people. I have frequently visited Germany. I have seen Germans there, and I have seen them in my country. They are a splendid people, and I have no word of criticism for them. I think the sooner they escape from the domination of a war-crazy dictator, the better it will be for them and the better it will be for the remainder of mankind.

Again, Mr. President, I believe that the more trade and commerce we have with a nation, the less likely we are to get into war with that nation; and for that reason, specifically and generally, I am opposed to the embargo. An embargo tends toward strife and hatred at home and abroad. I wish some Senator would challenge me if my next statement is incorrect.

So far as I have been able to ascertain from reading history, no embargo has ever averted war. I challenge my opponents to cite an instance in which war has ever been avoided by an embargo.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. HOLT. Has the Senator read the life and letters of Thomas Jefferson? In 1815 he wrote a letter in which he said that if the embargo had been kept 2 months longer we should not have had the War of 1812.

Mr. McKELLAR. I have read what Mr. Jefferson said; but I have also read the history of the embargo which was adopted by the Congress in Mr. Jefferson's administration. I know from the history of that embargo that it was more responsible for the War of 1812 than any other act or factor.

Mr. HOLT. Does the Senator know in what year the embargo was repealed?

Mr. McKELLAR. The embargo was finally repealed in 1811 or 1812.

Mr. HOLT. I think if the Senator will check his history he will find that it was repealed in February 1809.

Mr. McKELLAR. It was amended several times after it was passed. I refer the Senator to the histories. There are plenty of them.

Mr. President, I repeat that so far as I have been able to find no embargo has ever averted a war; and I challenge any Senator to give an example of an embargo which has prevented war. I see my good friend the distinguished and able Senator from North Dakota [Mr. NYE] in his seat. The Senator has been talking about peace for the past 6 or 8 years. He has been the most active advocate of peace. Every one is for peace; but probably the Senator from North Dakota has talked more about it than has any other Senator. Can he give an example of any nation which has ever escaped a war by means of an embargo?

Mr. NYE. No; but I can give an example of a nation which got into war because it repealed an embargo.

Mr. McKELLAR. What nation?

Mr. NYE. The nation about which the Senator has been talking, involving the embargo which brought about our war with England in 1812.

Mr. McKELLAR. The Senator should refresh his memory about the history of that embargo. It impoverished New England, and very nearly took New England out of the Union. Think of New England seceding from the United States because of an embargo! The embargo got us into war, a war we had lost up to the time old Andrew Jackson won it in the Battle of New Orleans, which was after the war was over, although peace had not been formally declared.

Mr. President, I believe in trading with foreign nations and selling them either materials or manufactured goods. Conducted peacefully, it is a natural, normal process of business; and a prohibition against such trading is abnormal, hostile, and strife producing. Why should we keep the embargo? Historically speaking, the only previous time we ever had a real embargo act it brought us into war. Why should we keep the present embargo?

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Washington?

Mr. SCHWELLENBACH. I wish to refer to the question submitted by the Senator from West Virginia [Mr. HOLT]. Will the Senator yield for that purpose?

Mr. McKELLAR. I do not want to debate the matter, but I yield for a question.

Mr. SCHWELLENBACH. The Senator from West Virginia asked the Senator from Tennessee if he was familiar with a letter written by Jefferson in 1815 concerning the embargo of that time. I ask the Senator if he is familiar with the letter written by Jefferson to Madison in March 1808? The embargo was passed in December of 1808.

Mr. McKELLAR. In 1807.

Mr. SCHWELLENBACH. In 1807; and in March of 1808 Jefferson wrote to Madison saying—I cannot quote the exact words, but saying almost precisely this—that he appreciated that the time would soon come when the oppressions of the embargo would become so great that the people of the United States would prefer war to a continuation of the embargo.

Mr. McKELLAR. Yes.

Mr. SCHWELLENBACH. The Senator indicated that the embargo was repealed in 1809. It is a fact that the embargo was changed in 1809.

Mr. McKELLAR. It was changed several times.

Mr. SCHWELLENBACH. Fourteen months after it was adopted there was so much objection to it that it was necessary to change it. However, there was substituted for it not a complete embargo against all shipping, but embargoes against England and France, the two adversaries. The change to which the Senator referred as coming in 1812 was a deliberate change after our Congress had decided to take the side of France as against England.

Mr. McKELLAR. As I recall, that was the Nonintercourse Act with those two countries.

Mr. HOLT. Mr. President, in the first place, I did not say 1812; I said in February 1809.

Mr. SCHWELLENBACH. That is just where the Senator was wrong. I heard him say 1809.

Mr. HOLT. And I want to say that what the Senator quoted from Jefferson did not suggest that we were in danger of an involvement from without, but we repealed the embargo because of the profit motive from within, and that is why we are repealing this one.

Mr. McKELLAR. We might not have been in danger from forces from without; but, as I remember history—my life does not extend back quite that far—as I remember history, and I think I remember it correctly, we got into an awful war on account of it at that time, and that was a force without, as I understand.

Now, I come to another reason why I shall vote to repeal the present act; and I want Senators to listen to this because the claim is so often made in this debate that it is immoral for us to manufacture and sell to foreign nations arms, ammunition, and implements of war with which to kill people. In answer to that claim, I say it is no more immoral to sell them manufactured arms and implements than it is to sell them the materials which we know at the time are going to be manufactured by the foreign nations into arms, ammunition, and implements of war for precisely the same purpose.

We all know that to be true. It is ridiculous to talk about it being immoral or more immoral to sell manufactured arms, ammunition, and implements of war than it is to sell the materials for manufacturing them.

Mr. President, I believe that the plan to prohibit our ships from going into war zones, prohibiting our citizens from going into war zones, and prohibiting war credits is the most effective means of keeping our country out of war.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. McKELLAR. Yes; I yield.

Mr. HOLT. I thought the Senator said a moment ago that the more trade we had with foreign nations, the better off we would be. Does the Senator confine that statement just to war, or to peace, or when?

Mr. McKELLAR. I confine it to nothing. If the Senator has read the history of this country, he knows, or he certainly should know, that the more trade we have with foreign nations, the better off we are; and that is true whether in war or in peace.

Mr. HOLT. Then, why does the Senator say that the embargo stopping war trade would prevent war? It is not consistent.

Mr. McKELLAR. I did not understand the Senator's question.

Mr. HOLT. The Senator said he was for the pending joint resolution because it would prevent war trade.

Mr. McKELLAR. Oh, no, no!

Mr. HOLT. What did the Senator say?

Mr. McKELLAR. The Senator misunderstood me. I do not want to take up the time of the Senate with answering questions of that sort. I suggest to the Senator that he read a little of the history of his own country before he asks questions of that kind.

Mr. President, I believe from our experience—and, by the way, experience is the best kind of a teacher—that the present Embargo Act was the first step we took toward war. I am delighted that we are going to reverse that first step. Let us recall that step. Let us take no step that will involve us in war.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. McKELLAR. I will yield in a moment.

In conclusion, I wish to say that I shall never again vote to send our boys into any European war. I so voted in 1917, but I shall never again vote that way. I shall never vote for any war except when another nation attacks us; and a man or a nation that will not fight when attacked is not much of a man and not much of a nation.

In the situation which confronts us in our dealings with other nations I wish to be fair and just to all, but I have but one thought, one purpose, one ambition. That is to serve and protect the best interests of America and Americans, and keep our blessed and beloved and splendid country out of war.

I now yield to the Senator from West Virginia.

Mr. HOLT. Mr. President, I was about to ask the Senator when he came to the conclusion that the embargo was a step toward war.

Mr. McKELLAR. I think it was just after I heard the long argument of the Senator from West Virginia the other day. [Laughter]. I had some suspicion that it was wrong before that time, but after hearing the argument of the Senator from West Virginia in favor of retaining the embargo I entirely changed my mind, and made up my mind that I would give the reasons why I favored repeal.

Mr. HOLT. The Senator has just found it out, then, in the last day or two; has he not?

Mr. McKELLAR. Oh, it was confirmed in the last day or two.

Mr. HOLT. How long has the Senator had the idea that the embargo was bad?

Mr. McKELLAR. After I heard the Senator from West Virginia, it took me about one-half minute to make up my mind that the Senator was wrong, and that the great body of the Senate was right in its determination to enact the so-called Pittman resolution. [Laughter.]

RECESS

Mr. BARKLEY. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate took a recess until tomorrow, Saturday, October 21, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, OCTOBER 20, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most gracious and sacrificial God, the fountain of life and the source of all joy, be pleased to accept our deepest gratitude for every gift of Thine. Thou who makest the great world a place of beauty, let Thy silence speak to us. Thy

manifold mercies are the expressions of man's utmost need and hope. We thank Thee for enduring friendships, near and far; for faith in man, for the triumph of truth, and for the might and the conquest of the cross. Our Father, as our memory stretches across the years to that frontier called the past, we thank Thee for the arms that held us; may mother ever remain the monarch of the human heart. Cause us to see anew that life flows on and its light fades not as the sun goes down. Teach our country the truths by which we may be free and strong; lift the cloud that hangs over the earth and let the stars shine through. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. MAPES. Mr. Speaker, unanimous consent was given yesterday to the gentleman from Massachusetts [Mr. GIFFORD], at my request, to address the House for 20 minutes on Wednesday next. I should have asked for 40 minutes, Mr. Speaker; and I now ask unanimous consent that the gentleman from Massachusetts may be given permission to address the House for 40 minutes on next Wednesday.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes today at the conclusion of the other special orders on the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

EXTENSION OF REMARKS

Mr. WALLGREN asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects and to include in one a brief article on the subject of war profits, and in the other a speech by Mr. J. Warren Madden, the Chairman of the National Labor Relations Board, on the subject of civil liberties.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUTHER A. JOHNSON. Mr. Speaker, at the conclusion of the special orders for today, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TREADWAY. Mr. Speaker, on Thursday next, following the special order heretofore adopted, I ask unanimous consent that I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMPARISON OF DEMOCRATIC AND REPUBLICAN ADMINISTRATIONS IN PENNSYLVANIA

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I want to call your attention to the remarks I am going to extend in the RECORD today, which give a comparison of the administration of the Governor of Pennsylvania, Arthur James, and showing the way the Republican administration is handling the affairs of that State, as compared with the administration of the old Earle regime, which was the first Democratic administration in the State of Pennsylvania in 40 years; and when the people of Pennsylvania make this comparison I am sure we will not have another Democratic administration in Pennsylvania in 100 years. When you read this article you will find out that is the case.

The article referred to follows:

THE MILLIONS ALREADY SAVED BY THE JAMES ADMINISTRATION IN PENNSYLVANIA

One of the first acts of the Earle administration in Pennsylvania—the New Deal Democrats—was to create new taxes to the amount of one hundred and sixty-three millions a biennium. But even this great additional revenue was not sufficient to finance the waste, extravagance, ineptitude, and political spending of the Earle New Deal administration.

Expenditures during the second biennium of the Democratic regime (1937–39) were one hundred and eighty-one millions more than the biennium 1933–35 which directly preceded the Earle administration.

In other words, State expenditures during 1937–39 were 78 percent higher than the appropriations for 1933–35, under Republican control.

The Earle administration not only spent every dollar received in revenue, but increased the State debt by 56 percent and, in addition, spent $50,000,000 more than it took in.

It went even further than that. It not only increased the State debt by 56 percent through the issuance of State authority bonds, and put the State in the hole for $50,000,000 of excess expenditures, but it entered into commitments which would have required one hundred and sixty millions of entirely new and additional taxes to have carried out.

Confronted with this situation upon taking office last January, Governor James and the Republican legislature took the following tremendous steps toward an immediate shutting off of the terrific waste of tax money and restoring Pennsylvania to an even keel financially:

1. Cut the ordinary operating costs of the State government so as to save $7,000,000 between January 17, 1939, and the end of that biennium on May 31, 1939.

2. Saved $17,500,000 in the appropriations for the operating costs of the State government in the biennium 1939–41.

3. By shutting off the steady outflow of tax money for a multiplicity of legislative investigating commissions, and by putting the brakes on special allocations for these and similar purposes, saved six hundred and seventeen thousand over the second Earle biennium.

4. Finally, and more important than all, they wiped out commitments under which the Democrats already had arranged to spend one hundred and sixty millions more, which would have required that much new and additional taxation.

In those four briefly stated items is the story of an outstanding piece of statesmanship in the interest of the people of Pennsylvania.

Those four items represent a saving of one hundred and eighty-five millions during the current 2 years, over what the Democrats undoubtedly would have spent during the same period, had they been successful at the polls last November.

Indeed, as their record shows that they spent more than they took in, or even had in sight, during each of the 4 years that they were in office, it is conservative to say that this saving by Governor James and a Republican legislature encompasses something in excess of $200,000,000.

If the James administration accomplished nothing more than that during its whole 4 years, it would have earned the eternal gratitude of every person in Pennsylvania who knows that the way to sound business revival and reemployment of our workers is to cut to the bone the expenditures of tax money, by whatever may be the taxing unit—city, State, or Nation.

Many of the problems which Pennsylvania inherited from the Democratic merry-go-round of the past 4 years are still with us.

However, Governor James has set an example not only for Pennsylvania, but for the Nation; and it is becoming increasingly apparent that a majority of the people of this country are now convinced that neither an individual, a community, a State, or a Nation, can spend itself into prosperity, and that only by frugal governmental housekeeping can a sound economy be maintained.

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short editorial from an issue of the Country Gentleman.

The SPEAKER. In there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial appearing in the Washington Evening Star of October 18, 1939, on war and trade.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Minneapolis Star-Journal.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article of the American Humane Society as to what war really means to animals.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE of Oregon asked and was given permission to revise and extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that at the conclusion of the special orders of today I may be permitted to address the House for 20 minutes on the subject of public power.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

COMPARISON OF DEMOCRATIC AND REPUBLICAN ADMINISTRATIONS IN PENNSYLVANIA

Mr. RICH. Mr. Speaker, I ask unanimous consent that I may insert the article to which I referred a few moments ago in the RECORD. The gentleman from Mississippi [Mr. RANKIN] tells me that I did not ask for that. I would like to have that permission.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, I reserve the right to object. I called the gentleman's attention to the fact that he failed to make that request to insert the article as a part of his remarks. I ask him now whether he has read that article?

Mr. RICH. I have read it, and I hope the gentleman from Mississippi will read it, because he will get a lot of light on how to operate a State economically.

Mr. RANKIN. Further reserving the right to object—and I shall not object, because I do not want to interfere with the distinguished "watchdog of the Treasury" when he attempts to insert something in the RECORD concerning his home State. As Byron says:

> "'Tis sweet to hear the watchdog's honest bark
> Bay deep-mouthed welcome as we draw near home."

This concerns Pennsylvania; it will not cost much.

Mr. RICH. It will be a good lesson.

The SPEAKER. Is there objection?

Mr. ARNOLD. Mr. Speaker, I reserve the right to object. Does this article say anything about previous Republican administrations in Pennsylvania?

Mr. RICH. If we were to put in all of the good and the bad of all of them, it would take quite a while, I admit, but notwithstanding that, the good and bad of all Republican administrations could never equal the bad that was in this last Earle administration in Pennsylvania.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 20 minutes.

ADMINISTRATION HAMSTRINGS OUR NATIONAL DEFENSE

Mr. HOFFMAN. Mr. Speaker, it is my purpose to show that this administration, and the Communists within its ranks; and its communistic allies, are hamstringing the program for national defense. In man and beast there is at the back of the leg a long, strong tendon which, when cut, destroys the power to go forward. Wolves pursuing the deer or moose render it helpless and bring it to earth for the kill by cutting this tendon in a slashing attack from the rear.

For preservation these United States rely not upon speed in fleeing from an enemy but upon ships of war; upon hundreds of thousands of motor vehicles; upon munitions of war; upon transportation; upon aircraft and upon patriotic men trained and skilled to operate our ships; our tanks; our mobilized units; whether all these be employed to repulse an enemy who seeks us out, or to attack one which threatens us. We are now constructing some 93 ships. We have on the high seas some 329 armed ships; we are reconditioning and preparing for war many other vessels. Airplane factories throughout the land are working at full capacity to build bombers and pursuit planes. Other factories all over this land of ours are engaged in a race to produce for the Army and Navy motors which are essential, which are absolutely necessary in the building of these planes, for the giving of life and energy to our tanks, to the trucks which in time of war will transport not only guns and munitions, and other war supplies, but our soldiers and the food, clothing, and fuel upon which they will depend, not only for effectiveness, but for existence.

It is idle to build ships for the Navy—battleships, cruisers, destroyers, or submarines—if when war comes production in the factories at home is to be hindered or delayed. It is idle to construct tanks to carry men across "no man's land" or against the enemy's fortifications, if behind them there is no source of supply for replacement or repairs. It is foolish to expend money to mechanize the Army or the Navy if the factories which turn the equipment out which must keep them going, or when they are destroyed make replacement, are in the hands of those who seek our downfall.

It is worse than idle—it is criminal, with even the possibility of our involvement in war staring us in the face—to permit ourselves to get into the situation which we are now in, where communistic organizations, under the guise of labor unions, those who teach the overthrow of this Government by force, are left in a position to hamstring our industrial production. That they are in such a position is disclosed by the press day after day when it brings to us news of slowdowns, of strikes, of men kept from their jobs by picket lines numbering thousands of men, in factories upon which our Army and our Navy are dependent for their supplies. That these organizations are in this position, able as they are to sabotage our war machinery, is due to the fact that this administration, through the Labor Department, through the operations of the National Labor Relations Act and the National Labor Relations Board, and to the sympathy shown for their allied organizations by the administration, including the First Lady of our Land and the Attorney General of the United States, who have refrained from frowning upon their activities—on the contrary, by omission, given them aid.

The President called Congress in special session, declaring that a limited national emergency existed, the idea apparently being that because there was a war in Europe we might become involved therein; that, in any event, prudence required that we prepare for whatever might come. It matters little whether, as charged, the President said that our first line of defense is on the Rhine; the fact remains that today, Friday, the 20th day of October 1939, the administration and those who support its policy are going forward on the theory, openly announced in the Senate and strenuously advocated by many of the great dailies supporting the administration, that it is our duty to aid Great Britain and France in this struggle. We are called to aid them now by selling arms and munitions. If history of a former Democratic administration repeats itself, we will shortly be called to extend credit, furnish money, then an army.

The Congress was called here by the President for the purpose of repealing the arms embargo and with the pretense that that repeal would aid in preserving our neutrality, but from the administration the mask has been torn and,

as just stated, the purpose now openly confessed is to aid Great Britain and France in this war.

Since the President's Chicago speech many thoughtful, patriotic people have been convinced that he intended, in the event that war came, to give aid to Britain and to France. If it be that through the will and the actions of this man in the White House this Nation is once more to become involved in war by now giving aid to one of the belligerents; if because of his belief that we should police the countries of Europe; determine and punish the aggressor; and if because of material consideration to which he made reference in his address to Congress, American youth are once more to follow the flag into the hell of modern warfare, then the least which he and those who are responsible for his actions, if anyone is responsible for his inconsistencies, and in any event Congress, which has the power to curb him or to direct the course of national defense, should be patriotic enough to shake off the coma which paralyzes it and to see to it forthwith, by aggressive action, that those who in time of war would destroy the effectiveness of our Navy and Army are rendered innocuous and if necessary incarcerated until the danger is over.

The objective of every patriotic American should be to carry out the purpose of the founders of our Government. They declared it to be their purpose under God to—

> Form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

Neither the pages of history nor tradition set forth a higher ideal, nor give us knowledge of a goverment, society, or organization better adapted to bring to the human race the blessings so enumerated. The procedure which gives us these blessings is founded on the principles enunciated in the Declaration of Independence and promulgated in our Constitution.

Our Government has gone forward, always forward, always bettering the conditions of our citizens and of those in the world at large, until today this Government of ours stands next to Christianity itself as the guide for man's salvation. As in the days of old there were those who crucified the Christ, so there are today those in this land of the free, those who here enjoy a degree of prosperity and liberty which they nowhere else could attain, who advocate the destruction by force of that Government under which they are nourished, which permits them to breathe and live, which tolerates their existence. And we, like the man with a malignant cancer gnawing at his vitals, poisoning his whole system, destroying his life, permit the Communists a place in our body politic.

When, O when, will we become practical, sensible in our treatment of these traitors who would destroy us? No longer do they labor wholly in secret; openly they set forth their purpose, brazenly they announce their objective, unashamed they seek support for their candidates and organizers.

On the floor of this House within the month your attention was called to the fact that a labor organization in this same city of Detroit, aided by one Richard T. Frankensteen, who has taken an active part in violating the law in Michigan, threw a picket line around the plants of the Bohn Aluminum & Brass Corporation, which was manufacturing bearings for the Army and the Navy for motors which were to be used in the national defense. For a period of 41 days this organization held up production on Government orders—orders which were for materials which were to be used in building machinery to defend our Nation in time of war.

In the press this morning appears this headline:

> Army Orders Motorization of Four Divisions—Main Striking Force Put on Wheels.

Reading further, we learn that on Presidential authority—and there is no such thing in this instance—the War Department called on industry to submit bids immediately for 12,000 vehicles of various types, costing around $15,000,000 expecting that Congress will appropriate the money to pay for them.

This new equipment, it is said, will complete motorization of the Army's five Infantry divisions in continental United States.

As reason for the decision to order some 12,000 motor vehicles without awaiting congressional appropriation, the War Department is reported to have said that without them the new divisions being organized would be unable to take the field. Let me quote:

> It has become necessary, therefore, to arrange for this mass purchase in order to enable the Army to conduct the divisional and corps maneuvers which are designed for the purpose of training the Regular Army nucleus of our defensive forces in such a manner that it can be considered as a first-line combat team.

Yes; without congressional authority. Though Congress is in session and the authorization could be obtained in an hour, the War Department, acting evidently on the suggestion of the President, authorizes the expending of $15,000,000 to purchase motor transportation; and the President, with news dispatches bringing home to him day after day the fact that the organization which he has not condemned, the C. I. O. and its affiliates, are hamstringing the operations of industry, sitting idly by in the White House, taking a vacation trip down the Chesapeake Bay, or going home to Hyde Park to plant Christmas trees. Nero fiddled while Rome burned. Franklin D. Roosevelt fishes and vacations and dreams of sitting in a world-wide game of power politics, while his friend, John L. Lewis, with his organization and his, the President's, supporters, Browder and his communistic agents, hamstring our national defense.

The point I am trying to make is this, that some labor organizations throughout this land of ours are now, with the sanction of the administration—and I notice the majority leader is now on the floor—and without opposition from the majority, using the methods of the Communists, and the unions are in some instances controlled by the Communists, nullifying the Nation's efforts to prepare for war. That is a rather serious charge. If there is no foundation for it, or if there is not adequate foundation for it, the charge should not be made, or, if made, it should be withdrawn, and I shall be happy in the coming week to have some of the majority side point out to me wherein I am in error so that I may rise on the floor of the House and withdraw the remarks that I am making today, or acknowledge that in large part I have been misinformed and that there is no basis for them.

Talk about Hitler and the things he does. Here Congress is in session and has been in session since the 21st day of September, and there is no doubt in anyone's mind here, whether it be needed or not, if the President or the War Department would send to Congress a request to authorize the appropriation of $15,000,000 or $20,000,000 for this purpose, the Congress in an hour's time by unanimous consent would give that authorization. Yet the administration, having the right way before it, having the legal method of obtaining this money, chooses to follow the other method—the method of the dictator.

Just as our homes may be wrecked by the boring of the termites in foundation timbers, so, too, our Nation may be destroyed by criminal alien organizers who worm themselves into organizations which control oil, steel, coal, and the motor industry.

The President may smile and smile, throw the glamour of his charming personality over official Washington and those newspapers which blindly follow his ambition to the Court of St. James's, but unless he mends his ways, history will record him as either the most uninformed or misinformed or careless Executive who ever sat in the White House.

How silly, how absurd, how utterly foolish it is for this Congress to appropriate money for national defense, billions upon billions of dollars wrung from the taxpayers, through the sweat of their bodies, and then permit an organization which has Communists within its ranks, who would overthrow this Government by force, to hinder, hamper, or destroy the plans of our Navy and our Army engineers, by their refusal to permit others to work. Respect, so long as we are at peace, the right to strike, but see to it in no uncer-

tain manner that they do not deny to others the right to work, and if war comes, when others are drafted to fight, to take the risk of being crippled or killed, let those who remain at home, no matter to what organization they may belong, be drafted and compelled to work at their appointed tasks, behind the lines, so that those in the trenches may not fight in vain.

Not so long ago evidence was given before the Dies committee that in the Federal service were some 2,850 known Communists. Testimony has shown that many a labor organization in essential industries not only numbers Communists among its members but is officered by and its activities directed through Communists.

This being true and these organizations having now a stranglehold upon industry, upon operations on which this country is now depending in its preparation for war and upon which our national safety will depend in time of war, what reason is there why this Congress should withhold its hand? Why should it refuse to amend the National Labor Relations Act, which so far has operated not to aid industry, not to preserve but rather to destroy the right of employees; which has furnished protection behind which these Communists have carried on their activities, many of which are unlawful and which in time of war would be treasonable?

Why not abolish the N. L. R. B., which has been condemned not only by business, by industry, but by the conventions of both great labor organizations, the American Federation of Labor and recently by the C. I. O. itself?

Take a look at some of the activities of the organizations affiliated with the C. I. O., which in peacetime are sabotaging our efforts toward adequate national defense, which in time of war would neutralize—yes, utterly destroy—the efforts of our Army, our Navy, our air forces, and deprive our men in the trenches of those necessities upon which their very lives depended.

Your attention has been called to the strike at the Bohn Aluminum & Brass Corporation, which directly affected our preparation for national defense. In addition to that strike, we have another in the plant of the Nash Motor Corporation, where, the press tells us, that on Tuesday of this week 3,000 pickets were thrown around that plant to prevent men here in America—so-called free America—following their accustomed tasks, working at the jobs which the Nash Corporation provided.

Why send an army to fight for liberty in Germany, in Russia, when here in the State of Wisconsin men and women are denied their constitutional right, denied their civil liberty, in thousands of instances?

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. CASE of South Dakota. On that particular point I want to say that on yesterday I received a telegram from a dealer, Mr. R. A. Pierre, of Rapid City, S. Dak., calling attention to the fact that this strike at the Nash plant was having its effect in his section. He stated that he and 5 other dealers in that immediate territory had been unable for some time to get any deliveries and that meant there were 28 families who were dependent on their organizations for their income, who were now facing the probability that they would have to ask the Government to put them on the relief rolls because nothing was being done to settle that strike.

Mr. HAWKS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. HAWKS. In the city of Kenosha they have had a relief load for several years that they have not been able to carry. There are jobs waiting for men and a few Communists and a few labor leaders are keeping them from those jobs. Why do we not do something about it?

Mr. HOFFMAN. I thank the gentleman.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that I have as much more time as these gentlemen have used, not exceeding 10 minutes. I may not use more than 3 minutes.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PITTENGER. Will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. PITTENGER. The Dies committee, a committee created by this House to investigate un-American activities, is now in session. There was a man who testified before that committee this morning by the name of Fred Beal. I listened to that testimony. I would like to ask the gentleman from Michigan if there is any doubt in his mind that the Communist organization in Russia has a direct lead to the Communist organization in the United States, and is in large part responsible for many of these things that are going on?

Mr. HOFFMAN. That is the testimony before the committee. How truthful it is I have no way of knowing any more than any other Member of the House.

However, I am not talking now about men who are thrown on relief because of strikes. We had our experience with that in Michigan. It cost Michigan and her wage earners over $100,000,000 because of those strikes.

What I am talking about now is this dangerous situation which has arisen, and inquiring as to what we intend to do about it.

We have sat here for a month, lacking a day, and the majority has tied our hands. Oh, talk about Hitler sending his legislative body home. The President calls us down here, and here we sit. What are we, a Punch and Judy show, puppets, or are we men charged with some responsibility to the people who elect us? Is the President right in his estimation that we lack capacity, or do we lack the courage or the initiative to go ahead? We are all drawing our pay. You all know what it is. We are all getting our mileage allowance for coming here; and yet you on the majority side tie us, tie us, day after day, and we cannot consider anything in the House except this neutrality legislation. Oh, yes, I noticed yesterday there was a meeting of some of the southern Members. Some of the States which you represent experienced a drought, and so you propose to dig up some $50,000,000 for them. Well, that is your own business; that is a loss at home; but why not take care of this proposition that I am talking about, this thing which threatens our very existence if war comes to us? It has been said in the Senate that it is our duty to help Britain and France. They have been spoken of as our Allies. Well, if they are, and if it be our destiny to be drawn into this war, then if we love our country; if we cherish our liberty, are we going to sit here and laugh and smile, as the gentleman from California [Mr. FORD] is doing right now, instead of doing something against that day when the war comes and the boys in the front-line trenches will want food and clothing hauled to them; will want guns hauled to them; will want munitions hauled to them? How will they feel when we have to give them the answer: "Well, you could not get it because those Democrats in Congress would not let us act"?

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. GEYER of California. I have heard the gentleman from Michigan rise in this House day after day after day talking about the rights of the employer. I have not heard the gentleman yet say anything favorable about the employees.

Mr. HOFFMAN. You have not heard me talking for the employers alone; more often have I spoken for the employees. I am glad to talk for them.

Mr. GEYER of California. And I would like to ask the gentleman if he would not say something about the speed-up system that is going on at the present time in the Chrysler plant. I wonder if the gentleman would not sometime tell us something about that.

Mr. HOFFMAN. Sit down and I will. What do you know about the speed-up system in Chrysler?

Mr. GEYER of California. I wonder if once in a while he would not say something besides merely talk against the interest of labor.

Mr. HOFFMAN. I will tell you something right now about the employee. Under section 7 of the Labor Act the employees were given the right to bargain collectively. Now, we all know about the Merchants and Manufacturers' Association; they are all biased, let us, however unjustly, assume. They are employers. The chambers of commerce are out. They are economic royalists, it is said. So we will pass on to the American Federation of Labor. Credit them with, say, 50 percent of truth and accuracy; allow them that much—would that be fair?

Mr. GEYER of California. Give them 75 percent.

Mr. HOFFMAN. They object to the Labor Board. They brand it as unfair, biased. So we start out 50 percent against it. Now let us come down to the gentleman's pet, the C. I. O., the organization through which John L. Lewis takes money out of the under dog's pockets in order to contribute to the national New Deal campaign fund to the extent of $470,000. Now, John ought to know something about what he is talking about, because at first he praised the Labor Board to the sky. He said in his last speech that we ought to do away with the Labor Board. He is against it, and he ought to know. [Laughter.]

Now, if 70 percent of the people have expressed themselves as demanding amendment of the N. L. R. A., can you not induce your leadership to do something? And yet you say that I am talking against the under dog?

Do you not know that under the decisions of the Labor Board the employees cannot bargain collectively? That they have, by the Board's decisions, been denied the very right given them by section 7? Do you not know that under the decision in the longshoremen's case all of the A. F. of L. union members on the west coast were forced into the C. I. O. or deprived of the right to bargain collectively? Do you not know that the Federal courts here in the District of Columbia have so declared? Do you read anything, or do you just turn the little wheels inside and get your thoughts from the unmeshing of the gears that fail to work there?

Mr. GEYER of California. The gentleman has asked me a question; I will answer it.

Mr. HOFFMAN. Not now.

Mr. GEYER of California. I thought so.

Mr. HOFFMAN. All right, if the gentleman puts it on that basis—"I dare you!"—a little boy trick. What is the gentleman's answer?

Mr. GEYER of California. I want to state that I represent a district on the Pacific coast——

Mr. HOFFMAN. Bridges' district?

Mr. GEYER of California. That has longshoremen in it, and if the gentleman will go there and take the trouble to read something besides the certain press that agrees with him, he will find out he does not know what he is talking about here this morning.

Mr. HOFFMAN. I would not be the first Member to learn that, nor am I the only Member who does not know it all. I do know that for years the west coast has suffered from strikes under the leadership of the alien Communist, Bridges, that in disgust because of that leadership the people of Los Angeles and Oregon have enacted laws to protect workers and the people as a whole.

Mr. GEYER of California. The gentleman will find there are a lot of things he has yet to learn.

Mr. HOFFMAN. That is nothing new and, unlike some, I am always willing to learn.

Mr. GEYER of California. He will find that out—enough said. He will find that out plenty.

Mr. HOFFMAN. I would like to get the point of the gentleman's argument, if there is any.

Mr. GEYER of California. The point of the argument is about as pointed as the one that has been made in the Well of the House this morning, and perhaps more so.

Mr. HOFFMAN. Do not blame me because you are unable to understand an argument; weigh the facts. I say the true friend of the laboring man, the true friend of the employee, is not the labor racketeer nor the labor organizer. The true friend of the man who works, the employee, is the man who will put on the books sound, constructive legislation that is fair to everyone, legislation which guarantees in its operation rights to labor as distinguished from privileges to union organizers, men who are engaged in the business of forming organizations, and men who are engaged in the business of drawing salaries as officers in those organizations, rather than in securing for and protecting the rights of the men who actually work. If the gentleman will read the decisions, I shall be glad to have him cite to the House one decision of any court which declares that the Labor Act gives the employees the right to bargain collectively if they are in the minority. I get the drift of the gentleman's argument, which is no argument at all, but merely a charge that I do not know what I am talking about. Look at this large circular and note this statement:

> Support the peace policy of the Soviet Union, the land of socialist democracy, progress, peace, and national liberation.
>
> NATIONAL COMMITTEE, COMMUNIST PARTY, UNITED STATES OF AMERICA,
> WM. Z. FOSTER, *National Chairman.*
> EARL BROWDER, *General Secretary.*

Distributed from the Chicago office of the Communist Party. An appeal, not to support an American policy, but an appeal to follow "red" Russia, the policy adopted by Bridges.

Mr. GEYER of California. Will the gentleman yield?

Mr. SCHAFER of Wisconsin rose.

Mr. HOFFMAN. I yield to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. GEYER of California. Yes; you better.

Mr. HOFFMAN. Now, do not threaten me that way; you frighten me; you make me to tremble in fear; you almost reduce me to tears.

Mr. GEYER of California. I am not threatening the gentleman, but he has no right to come into the Well of the House and insinuate that I am supporting Soviet Russia.

Mr. HOFFMAN. I am not insinuating anything, my speech is plain enough. My words leave nothing to inference. What does the gentleman uphold?

Mr. GEYER of California. I uphold the principles of American democracy. One might think, although I do not believe it is true, that the gentleman upholds Hitler; one might think that from the way he has been speaking here this morning. I am too much of a gentleman to accuse my colleague of that and I think if he is the gentleman that I believe him to be, he will retract the words he just said.

Mr. HOFFMAN. Not one single word, not one single syllable, not one single thought. If a coat has been cut which fits you and you choose to put it on that is not my concern.

Mr. GEYER of California. I was quite sure that would be the case.

Mr. HOFFMAN. The gentleman can make his own defense in his own time, if he needs a defense.

Mr. GEYER of California. I need no defense. The gentleman has made it for me.

Mr. HOFFMAN. I yield to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. The gentleman who has been interrupting has just defended alien Communists who are leaders in the C. I. O., Harry Bridges the alien British Communist who, no doubt, is his constituent. Mr. Bridges is a leader of the organization which the gentleman from Michigan mentioned—the Communist Party. So that might explain the reason for the interest of the gentleman from California in Mr. Bridges' welfare and his opposition to the real interests of our American working men and women.

Mr. GEYER of California. Will the gentleman yield?

Mr. HOFFMAN. No. I will yield the gentleman 25 minutes tomorrow.

Mr. GEYER of California. You are a sweet boy.

Mr. HOFFMAN. Thanks, but I am past 65. Here is the point I want to make: None of us knows any too much. We just say what we think and believe. There is no question but that these organizations have Communists in them.

Communists control and direct some of their activities. You cannot get away from that. There is no doubt but that they are holding up production in some of our factories. There is no question in the mind of any reasonable man but that the holding up of production in the steel, oil, motor, and coal industries in time of war would seriously cripple our national activities. Our defense or our aggression, whichever it may be, would be crippled. There is no doubt about that. If we are true Americans, interested only in America, as the gentleman states he is—as I believe we all are—interested only in protecting and preserving our country, then why not now, while we are at peace, amend this National Labor Relations Act, which practically everyone concedes must some time be amended? Let us do it now.

Take another dispatch, this time from Detroit, 55,000 men thrown out of employment because the Chrysler Corporation has refused to agree to the union's demand that no one but members of that organization shall be given employment. The Chrysler Corporation expects to sell its cars to people who do not belong to the C. I. O. affiliates, why should it agree to give employment only to C. I. O. members? Another demand made upon the Chrysler Corporation is that it permit the union to tell it how many cars it shall run off the assembly line.

Not content with attempting to force all men who work in the Chrysler Corporation to sign its membership cards, obey its rules and regulations, give support to its leaders, who employ communistic methods, that union now demands that Chrysler itself must limit its production in accordance with the union's demands. That union though it neither creates the jobs nor pays the wages, claims the right to fix the amount of compensation, to determine the hours of work, and to limit the number of motor vehicles produced. It assumes no responsibility for the sale of the finished cars nor the meeting of the pay roll. The stating of the proposition shows its absurdity. It is a demand that American workmen give up their freedom to contract for work to sustain themselves and their families by their toil. The result, if widely followed, would be to prevent these United States of America from preparing to meet the threatened danger.

About this there can be no question. This administration does not control these organizations which in time of peace exercise the power, as apparently they do, to tell the Army and the Navy and the airplane industries when and how many bearings they can have in making preparation for national defense. In time of war, they could do the same thing and the men who are fighting in the front-line trenches would be forced to risk their lives without adequate supply of arms and munitions, clothing, and food because back in the safety of the home zone Communists had been successful in their policy of boring from within by delaying production.

Who is responsible for this situation which so hampers and curtails the plans for our national defense? Who, I ask, is responsible for this. There is, and can be but one answer, the responsibility rests squarely upon the shoulders of the President of the United States, Franklin Delano Roosevelt. To a lesser degree it lies on the doorstep of this Congress, which, in session, knowing, and if it thinks at all, realizing the great danger which confronts us, accepts the commands of the White House and sits idly by while Communists the country over undermine the very foundation of those industries upon which the safety of our country depends.

The charge is here and now made that the President of the United States, by remaining silent throughout the sit-down strikes; by failure to condemn those unlawful activities which occurred at that time; by his subsequent recommendation of Governor Murphy, of Michigan, who violated his oath of office when he failed to enforce the law for a period of 40 days, has encouraged these Communists in their subversive activities. That by extending the hand of fellowship to John L. Lewis, who at the time had on his executive committee two outstanding Communists who were using communistic, unlawful methods throughout the sit-down strikes, the President of the United States placed the stamp of approval on the activities of these Communists.

In Michigan, Governor Murphy was endorsed by the Communists and he accepted the communistic support without dissent. He was honored and rewarded by the President.

The President's Secretary of Labor, Mme. Perkins, rightly or wrongly, has become known the country over as a friend of the radicals, as a partisan of the "reds." She it was who at the time of the sit-down strikes, which every informed, right-thinking person knew instinctively to be not only illegal, but unjust and unfair, un-American, and a direct denial of civil liberty, said, in substance, that the legality of that procedure had not been determined.

She should either make a new confession of faith or by her actions demonstrate to the public that the opinion that it has of her is unjustified, or the President should remove her from the Cabinet. And speaking of the Cabinet, unless the President intends to become a dictator and assume authority over all of the departments now administered by Cabinet officials, he might well fill the position of Secretary of the Navy.

Earl Browder, the Communistic candidate for the Presidency, who has admitted that he traveled on a forged passport in violation of our country's laws, has endorsed the President for a third term and to date the President has failed to repudiate that support.

At conventions of organizations which have Communists in their official ranks, the First Lady of the Land, without disapproval of the President, has attended and congratulated those organizations upon their activities.

The First Lady, it is reported, entertained Communists at her home at Hyde Park and when criticism was made, according to the Associated Press dispatch in the Washington Post of October 11, 1939, she observed that "she knew of no reason why Communists should not have tea with her," and in answer to a criticism because she took tea with Communists intimated that she did not think it was anyone's business. That is the inference from her statement.

Mr. GEYER of California. That is right.

Mr. HOFFMAN. Perhaps it is; maybe it is not. Let us see. The gentleman nods approval. The gentleman endorses the statement, and the statement was that it is all right to take tea with the Communists.

Mr. GEYER of California. Anybody she wants to.

Mr. HOFFMAN. Anybody she wants to.

Mr. GEYER of California. That is her business.

Mr. HOFFMAN. There is no reason why as a private individual, if she is willing to accept the general public's opinion as to the objectives and the activities of the Communists she should not have tea with Communists, but in that event she should remember the common saying: "Birds of a feather flock together." After all, while she has certain rights as a private citizen, she also, as the First Lady of the Land, exercises influence that she would not have were she not the wife of the Chief Executive. There is no reason why, as an individual, if she believes in the doctrines, in the practices, in the objectives of the Communists, she should not have tea with them. On the other hand, she should realize that, while the American public has no right to criticize the activities of a private citizen, she being the First Lady of the Land, and because of her constant traveling about the country, her incessant utterances, and the fact that she writes daily for the papers, she is ever in the public eye; not only as an individual but as one who speaks with authority, one whose official residence, at least, is in the Executive Mansion at Washington. In fairness so that we may not misjudge her in her official capacity, or as a private individual, she should, if in her mind a distinction exists, distinguish between those Communists whose activities she approves, and who are invited to have tea with her, and those whose activities and objectives she does not approve. It is well known that the Communist Party is an organization advocating the overthrow of this Government by force. Assuredly she does not accept that doctrine, and we cannot presume that she would entertain socially and so add to the influence of those Communists who openly preach such doctrine.

Mr. GEYER of California. Since the gentleman is staring at me all the time, will he yield?

Mr. HOFFMAN. She is so busy that she probably did not have time to investigate the facts. Let us be charitable about it. Let us be more charitable than was she the other day, when, referring to Colonel Lindbergh, whose patriotism there is no reason to question, she made this statement:

> We were all interested in Mr. Walter Lippmann's column of a few days ago and in Dorothy Thompson's column today. She sensed in Colonel Lindbergh's speech a sympathy with Nazi ideals, which I thought existed but could not bring myself to believe was really there.

As was said editorially by one of the Washington papers:

> There may be a fine shading to distinguish between what Mrs. Roosevelt "thought" but couldn't "believe," but the net effect is name calling—which, we should think, our gracious First Lady would be the last to encourage by example.

The First Lady is fully capable of "handing it out." Let me repeat, let us treat her more kindly, more charitably than she treated Lindbergh; and let us assume that when she said she could see no reason why she should not entertain Communists at tea, she did not have in mind the activities nor the purposes of the Communist Party, or did not at least believe that those attending her tea were Communists or entertained the views held by the Communist Party. Let us be more charitable to her than she is to herself.

We in Michigan, at least, are fully aware of the statement put out by the Communists in a Detroit campaign in which, asking for support for one of its candidates at the election, it appealed to—

> All who hate the smug priests of the Catholic Church, and the slimy, hypocritical ministers of the Protestant churches.

If the First Lady desires to sit down to tea with members of an organization who believe in the above sentiments, that is her privilege; if she chooses as her tea companions those who are members of an organization who put into their campaign document—

> Down with religion, which is opium which the ruling class feeds you to keep you satisfied with the miserable existence which you lead. There is no God.

Then let her sip her tea with them, but let the people of the Nation know of some of the things which the Communists, as an organization, advocate, and let her condemn statements like the above. Let her go, if she will, into their conventions, and address them, and permit them to use the prestige of her position, her sojourn in the Executive mansion, to create sentiment for their organization and to increase their membership. That is her privilege as an American citizen. Let her and the President accept the support of these organizations, but require them to assume with it the responsibility for their activities.

Mr. GEYER of California. Will the gentleman yield?

Mr. HOFFMAN. No; not just now.

Mr. GEYER of California. The gentleman looked right at me. If he has reference to me, he should yield.

Mr. HOFFMAN. I have to face the front. The gentleman knows how painful it is for me to watch him. Accommodate me, and be charitable to me, and retire to the lobby, if I offend you, or turn your face the other way. I cannot help it. I will do the best I can. I will hold this piece of paper between us and so relieve you from sight of me.

Seriously and earnestly, I ask the membership of this House why it is that, if we are going to consider this measure for the relief of the farmers in your Southern States, where they have a drought, we cannot consider the amendment of the National Labor Relations Act, not for the relief, as the gentleman from California would say, of the employer, but for the freeing of those employees who have fallen under the power of the union organizations which are controlled by the Communists. That is all I am asking. Is it unreasonable? Is it unfair? Let me ask the majority leader—and he sits here before me—do you want to go back and tell your constituents after 30 or 35 or 45 days that the President would not let us do anything or that we did not think it wise to do anything with any of these problems; that we are incapable of solving them? Men are still eating, men are still living. They still need clothing, they still need homes. The old, old world is rolling on, and it will be rolling on after Franklin Delano Roosevelt and Eleanor, his wife, have gone from Washington. Why should we not take up matters of permanent legislation and dispose of them?

A duty rests upon this Congress which we as individuals cannot shirk. We cannot escape responsibility by telling our people at home that the administration or the President has gagged us; that, while unlike Hitler, he permits us to remain in session, he, Hitlerlike, forbids us to act except as he permits. Elected by the voters of our respective districts, upon us rests the responsibility to stem this "red" tide which now has disclosed its purpose, which is now delaying our program of national defense, which in time of war would render our efforts ineffective, would result in the death of hundreds of thousands of our soldiers. At the door of this administration, of the Speaker of this House, of the majority leadership, and the individual members of the majority party, I lay the responsibility for letting these un-American activities continue, and I challenge this House to take up and act upon the legislation which was introduced in the last session of Congress, which would do much to preserve our Nation, curb these organizations. To the Members on the majority side I put this query: Are we puppets or are we men; do we possess sufficient intelligence to solve the domestic problems which admittedly confront us, or will we, in answer to the Hitlerlike commands of the President, submerge ourselves; cease to be thinking, acting individuals and become but stooges?

Since the 21st day of September, here; if thinking, we have given no evidence of thought; but sat, gagged and bound hand and foot, while the administration plays foreign power politics. We have refused to consider legislation. Strong and mighty men are we in our own bailiwick? Puffed up and self-important, strutting the streets of our home towns, but here like Samson of old after the ancient hairdresser finished with him, we too are blind and impotent while the modern Delilah, Mme. Perkins—she just gave Andrews, Administrator of the wage and hour law, a haircut—heads the Labor Department and the President dreams of himself as chief of the world police force. You may like it—I do not, and would remedy the situation. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under special order, the Chair recognizes the gentleman from Colorado [Mr. MARTIN] for 30 minutes.

Mr. MARTIN of Colorado. Mr. Speaker, I have read with the utmost amazement the curious document inserted in the daily CONGRESSIONAL RECORD of October 11 by the Member from Montana [Mr. THORKELSON]. It must be the most scurrilous, the most reprehensible, the most un-American document ever printed within the two covers of the CONGRESSIONAL RECORD. It could only have been conceived by a mind poisoned against America and all its leaders and all its activities, and it could be credited by no man with sufficient knowledge and intelligence to occupy a seat in the American Congress, no matter by what fortuitous chance of politics elected.

I have read but one document in my lifetime which could compare with it in the impress of falsity, of spuriousness on every page, in every paragraph, in every sentence, in every line—the most damnable tissue of falsehood the human mind could conceive. The other document was an alleged oath of the Knights of Columbus, so manifestly absurd, so patently a malicious concoction, that to read it was to refute it. But, no doubt, when the occasion serves it will bob up again as it has in the past to inflame the minds of the ignorant and credulous against a great patriotic American organization which distinguished itself in the service of soldiers of all creeds in the World War.

Withdrawing such a defamatory and injurious document from the permanent RECORD does not suffice. What is written is written. It has been scattered to the ends of the earth in the daily RECORD. Its sponsor should be dealt with in such a manner as to visit the official condemnation of the House of Representatives upon him and it, not simply withdrawing it at his request, while still standing on his avowal of its truth.

Perhaps not all Members of Congress will have the time and patience to wade through this stuff as I have done, and certainly not the general reading public. For that reason I have gone through it and collated a sufficient number of characteristic paragraphs to indicate its general nature and its self-refutation. Before quoting them I want to mention some of the illustrious American names and American institutions besmirched in this alleged proposal of a distinguished American to make this great Nation again a vassal of the British Crown, which is the whole purport of the document:

Woodrow Wilson, former President of the United States; William H. Taft, former President and former Chief Justice of the United States; the entire family of former President Theodore Roosevelt; former Attorney General George W. Wickersham; Gen. John J. Pershing, commander in chief of the American Expeditionary Forces in the World War, contemptuously referred to as "Sir" John Pershing; Gen. Tasker H. Bliss and Gen. Peyton March, distinguished American generals of the World War, referred to as "Sir" Tasker Bliss and "Sir" Peyton March; William Sims, distinguished admiral of the American Navy, listed as "Sir" William Simms; Samuel Gompers, founder of the American Federation of Labor, repeatedly referred to as a most effective tool of the British Government in lining up labor for the proposed colonization of America; Elihu Root, distinguished lawyer and outstanding American; President Eliot, of Harvard, and President Nicholas Murray Butler, of Columbia, alleged propagandists of British treason in America; Senator King; Franklin K. Lane, former Secretary of the Interior; William B. Wilson, first Secretary of Labor; Alfred Noyes, for 40 years head of the Associated Press, and owner of the Washington Star; Frederic Wile, distinguished writer; James M. Beck, a former distinguished Member of the House of Representatives; J. Pierpont Morgan, John D. Rockefeller, Cleveland Dodge, John Wanamaker, and numerous other leaders of American education, journalism, finance, industry, and public life; too many to mention.

No American institution is spared—the American Red Cross, the Boy Scout movement, the Young Men's Christian Association, the Young Women's Christian Association, the Carnegie Foundation, and many other educational and civic and religious and charitable bodies are smeared with treasonable activities in this infamous document. A painstaking effort to besmirch is obvious in every line. Its slime spreads with every paragraph. It leaves nothing American untouched or undefiled. America's illustrious dead are held up to the scorn and contumely of all patriotic Americans.

No; merely expunging such a document from the permanent RECORD will not undo the wrong or meet the ends of justice. It reaches out beyond the confines of the United States. It is an alleged exposé involving our relations with all of Latin America and with countries of Europe. It seeks to array the world against the United States as a venal tool of Britain. Do not tell me that any man in his right senses could have considered this an authentic document or could have sponsored its publication in the daily CONGRESSIONAL RECORD unless he was thoroughly saturated with the rancorous mind of its author and shared his hatreds.

It has one weakening feature. It overreaches itself. It is grossly overdone. If it affected only the United States, it might be treated with derision instead of righteous anger. But it may, and no doubt will be, translated into foreign languages to inflame the peoples of other countries who are held up in it as sufferers from the blind obedience of this country as a tool and agent of a nefarious world dream of British Empire. No words can express my scorn for any man who would lend himself to the end of giving authenticity and publicity and claiming truth for such a document.

This document purports to have been written on the letterhead of the British consulate in New York City, June 10, 1919, to the Right Honorable David Lloyd George, then Prime Minister of England, by Col. E. M. House, whom everybody knows to be the man who, during the period of the World War, was the closest confidant and advisor of President Woodrow Wilson. Let the sponsor of the document squirm as he will through columns of the RECORD to evade a square answer as to who Col. E. M. House was. No man of such pretensions as his to historical knowledge can hide behind the cloak of pretended ignorance as to the identity of Col. E. M. House. No man in this House can doubt that the false and forged signature at the end of this letter was Col. E. M. House, of Texas, friend and advisor of the World War President. Colonel House is represented as rendering the then Prime Minister of England, Mr. Lloyd George, an account of a campaign being conducted under his, Colonel House's, direction, in this country to restore the American Colonies to the dominion of the British Crown, and I quote:

> From the moment of my arrival here it was evident to me that such an Anglo-American alliance as would result in the return of the American Colonies to the dominion of the Crown could be brought about only with the consent of the dominant groups of the controlling clans.

The plan to establish control appears to have been comparatively simple, due, it develops, to the simplicity of the American type of mind on which it was to operate. Says the fictitious Colonel House:

> It was early apparent that in spite of the great diversity of American types who are labeled "Americans"—

I stress the word "labeled"—

> labeled "Americans," a remarkable uniformity in mental mode existed among them. Hence it was comparatively easy to standardize a method to convert quickly and cheaply an ordinarily hostile American into a colonist amenable to His Majesty's pleasure.

How quickly and cheaply an American, an ordinarily hostile American, could be converted into a colonist amenable to His Majesty's pleasure is then set out. The author is specific. He leaves nothing to guess or conjecture. Under the heading of "Results of standard method," which had been adopted, he says:

> Tables of cost and efficiency which I submitted to the Foreign Office—

The British Foreign Office—

> on December 1, 1916, showed then that the average duration of the resistance of Americans to anglicization was in England 37 days, in America 104 days.

The Americans in America were tough. They lasted over 3 months.

But the next paragraph shows that the standard method and the results were improved upon, and that the American morale, if any, was breaking down. Says the author:

> The report I had the honor to submit to you, dated December 1, 1918, showed that the average anglicization time for Americans in England had been reduced to 14 days; in America to 29 days 3 hours 16 minutes.

Another encouraging improvement noted was that the cost per head of making Englishmen out of Americans had fallen in the space of 2 years from $31.02 per head to $3.79, a very great saving. In 2 years Colonel House had learned how to make 10 Englishmen at the prior cost of 1. It is possible that the Americans were also improving and learned faster. However, the Americans are to be credited in this document with no such display of intelligence, and the improvement must be attributed wholly to the methods.

Under the next heading, "Americanization," it is noted that—

> Since 1776 Anglo-Americans have wisely refused to emphasize their origin by a hyphen.

It is to be regretted that Colonel House did not apply this method generally. I have never been able to get away from the feeling that when it takes a hyphen to describe an American the accent is on the hyphen.

It has been pointed out on the floor that the author of a letter written in 1919 had somewhat anticipated future events by mentioning an act involving President Franklin D. Roosevelt in 1937; but since the author gives a place in his Who's Who of Distinguished American Anglo-Maniacs to the first Roosevelt, he probably leaned over backward to do

justice to the second one by including him. Referring to the World War, he says:

Members of the Roosevelt—

Theodore Roosevelt—

Lamont, and other first families hastened to volunteer for active service under our flag.

Quentin Roosevelt, it will be recalled, was an American aviator, killed in action in France. Some way I always suspected that Theodore Roosevelt was an American, and I am indebted to the Member from Montana for correcting the error. I see now he was just a camouflaged tool of Britain.

How the colonel's method operated so successfully and upon such a major scale is disclosed in the following comprehensive paragraph:

With the active cooperation of the administration, our "American" defense societies, security leagues, protective associations, and other extra-legal bodies enabled us to terrorize, sterilize, and standardize—in a word, "Americanize"—the minds of the people and their legislators, so that their conduct, and even their thoughts, conformed scrupulously to the common pattern we had laid down for them.

The foregoing comprehensive morsel would seem to detract somewhat from the magnitude of the colonel's labors in that he had only to line up President Wilson, whose vast war powers finished the job.

At this point Messrs. Taft and Polk get "our thanks." Also Secretary of War Baker for banning from the National Army camps all the "anti-British books in our Index Expurgatorious." Also "Messrs. Morgan, Rockefeller, Cleveland Dodge, Wanamaker, Hamilin, Childs, Du Pont, Ryan, Insull, Doheny." "These contributors," observes the author, "doubtless will be, or have been, appropriately rewarded by His Majesty's Government."

What the author has to say about the progress of the campaign to anglicize American education is summed up in a very comprehensive sentence as follows:

We are now nearing the point where through their concerted efforts—

That is, British school and university clubs—

we shall control from the cradle to the grave whatever mind this nation possesses.

Yet the sponsor of this infamous libel stands in his place on the floor of the House and says that this document bears such an imprimatur of truth on its face that the question of authorship is immaterial.

The author, pursuing the educational features of the method, continues:

We are rewriting the school history books in order to make King George III, of glorious memory, a German King, so that our late enemies may be penalized for the wrongs which the colonists fancy they received at his royal hands and ours.

The next paragraph is a rare philological gem in the way of a title. It is "Puericulture." This term appears to apply to the education of very youthful Americans, no doubt suggested to the author by his estimate of whatever mind this Nation possesses. Says he, under the heading of "Puericulture":

We are at present engaged in a campaign to Americanize the schools to make obedient loyal little Britons out of the undisciplined native young.

We are replacing with the song America the scurrilous Star-Spangled Banner, which, after expurgating, we socially ostracized. America, which has the same air as God Save the King, is usually played and not sung—

What a lie!—the interpolation is mine—

so in effect we are conferring on this colony the imperial anthem.

Apparently the author is forcing the season, for he says "this colony" as though it were already a fact accomplished, as Hitler says after he disintegrates another little country, and says there is nothing to fight about.

Now he confers British medals on what he calls extra-scholastic educational bodies. I quote:

We have spread everywhere the Boy Scout movement and placed the 1,000,000 American Boy Scouts under Sir Baden-Powell.

It is also noted that Lady Baden-Powell has lined up the Girl Scout movement, and that both of these movements are being lined up with various patriotic youth organizations—

and with the school system through the loyalty of Dean Russell of Columbia University—

Of whom the author observes—

In his case a degree from one of our universities is already overdue.

The dean gets both a decoration and a degree.

For the young over Scout age we have the Y. M. C. A. and the Y. W. C. A. and other kindred organizations, financed by our auxiliaries. * * * As the style here has it, they are internationalized.

And then this incredible screed goes on to say that all these extrascholastic bodies are to be correlated with Teachers College, Columbia University, and the school system generally.

A number of distinguished Americans, including President and Mrs. Wilson and the Presidential son-in-law, have all been very helpful, and all the official family, male and female, have been zealous even where they have proved expensive.

Then he gets down to the United States Naval College and the Rhodes scholarships and the Carnegie Trust, all diligent in the work of reclamation for the mother country.

Under the heading "Pulpits" we learn:

British born and trained prelates, divines, and pastors have been provided as popular preachers here in many of the leading churches. We are arranging to augment the number of British professors in the various theological seminaries here.

The author names the American churchmen and institutions who are engaged in this good work.

At this point the author becomes happy over the enlarging sphere of the imperial dream.

I am happy—

Says he—

to report that the movement of which the Earl of Dysart is president, the Imperial British-Israel Association, which is founded on the belief that the English are the lost tribe of Israel and the people who shall inherit the earth, is making great progress here in spreading the knowledge that the British Empire fulfills divine prophecy.

Whereupon he gives credit to whom credit is due entitling them to British decorations. Another error is cleared up. We had been thinking all along the British were Nordics.

Then he takes another crack at the "Red Cross, the Y. M. C. A., the church, and other humane, religious, and quasi-religious organizations" where the international racket is working. Special mention is made of the Reverend Raymond Fosdick and President Nicholas Murray Butler. We may already visualize them seated in the House of Lords.

Comes now the turn of the American bar, beginning on a rather low note, to wit:

English- and Canadian-born jurists are not as numerous as we would wish.

But, he adds:

The bar as a whole has been actively in sympathy with us—

And he gives special recognition to the services of the late Hon. James M. Beck, of lovable memory in this House, and adds:

I recommend that he be made a bencher of Gray's Inn.

I know the many Members who loved to sit and listen to Mr. James M. Beck and applaud him even when they did not agree with him, will be glad to know that in the document I am discussing he achieves the rank of a Colonial luminary. Mr. Beck was noted as an authority on the American Constitution and those of us who listened to him will find it rather difficult to visualize him as entitled to a royal order of merit for his services in returning the Colonies to the mother country. Speaking personally, it strikes me as one of the most transparent lies in this whole insane tissue, this fantasmagoria, of falsehood.

With the bar gone over to the enemy there would, of course, be no hope for the stage, the poets, and the authors. "Their work," says the writer, "is not only of great value in our campaign but is also paid for so happily by Americans." Those stupid Americans!

Ah, now we come to an activity over which we may smack our lips: "Press Associations and the Press." It seems that Lord Northcliffe, however, and not Colonel House, is entitled to a British decoration in this field, for that he—I quote, through censorship, cable monopoly, passport control, enabled us to hold all American newspapers isolated from the non-American world as if they had been on another planet instead of another hemisphere. The realization of this by "the Associated Press and the other universal news gatherers—except Hearst—was most helpful in bringing only our point of view to the papers they served." He then lists the journalists and journals whose consistent work for the return of the Colonies entitles them to special mention, not forgetting the Washington Post, the New York Globe, the Wall Street Journal, the World's Work, Christian Science Monitor, Mr. Alfred Noyes, and other publications and publishers. It appears that when these distinguished American publicists visited England, "the expense of the visit was negligible compared with the value of the newspaper influence we acquired through it." Says the writer:

The social favor shown these gentlemen will keep most of them devoted to His Majesty as long as they live.

It seems that Mr. Adolf Ochs of the New York Times nearly lost out on the roll of honor because of "a notorious defeatist editorial—which, however, has been atoned for"; but the records of Mr. Reid of the New York Tribune, Mr. Wigham of the Metropolitan Magazine, Mr. Keeley of the Chicago Herald, and others, are clear. However, this excellent showing on the part of the American Press would appear not to be due to the House methods, for it is noted that—

American newspaper owners exclusively employ British subjects, journalists born and trained in Britain, as their English correspondents.

And alas for motion pictures. They have gone over to the enemy boots and baggage. There is no need to particularize on this industry. It can just be charged off as a total loss to any remnants of America which may be left.

The Americans, be it noted, are easily corrupted by British honors, and the colonel pleads with Mr. Lloyd George:

On your recommendation His Majesty might be graciously pleased to signify in some way the royal appreciation of the zeal shown by these persons in our campaign.

He is referring to the "first families of America" as listed in America's Who's Who "an American imitation of Burke's Peerage, from which you may see at a glance the pathetic eagerness with which the prodigal colonist apes our social system."

It is while discussing this category of Americans that the author, with the prescience of omniscience, looks down into the future and beholds Prof. Richard Gottheil, of Columbia University, "who pinned the medal on F. D. Roosevelt in 1937 for his distinguished service to world Jewry."

This remarkable document has one consistency; as the lines flow on the slime spreads. Nothing in America escapes its tarnishing touch. The next heading, Cost of Campaign, shows that the process of making John Bulls out of Uncle Sams cheapened, even while the letter was being written, for I read:

The cost of converting an American into a colonist of His Majesty is now 53 cents.

You will remember that in 1916 it was $31.02 and in 1918, $3.79. Now, on June 10, 1919, it had dropped to a new low of only 53 cents—

Our expenses we have met by a levy on the population. Some of the inhabitants we induced to pay by terror, particularly those of German extraction.

Then he goes on to gloat how they had taxed and made the American people pay for their own degradation:

I know of no comparable achievement in the history of the Empire, but then where is people comparable with the American?

It is difficult to keep in mind as I quote these things that they are copied literally from the daily CONGRESSIONAL RECORD, where they were placed by a Member of this body, who vouches for the whole text of the letter as a recital of historical facts, regardless of the question of authorship. I know these absurdities sound more like the ravings of an irresponsible paranoic.

Under the heading of Labor, Mr. Gompers comes in for further commendation. Says the author:

But I cannot let pass this opportunity to record our appreciation of the innumerable ways in which the loyalty of Mr. Gompers has been demonstrated. He checkmated strikes * * * he controlled the labor press * * * he has made organized labor here more imperial than is labor in England.

Then he notes further progress on the part of the Red Cross, for, says he:

They ousted Miss Boardman, and through Messrs. Taft and H. P. Davidson they nationalized and directed the American Red Cross, and then internationalized it under the direction of Mr. H. P. Davidson.

The American Red Cross was made safe for England.

Now comes the turn of the chambers of commerce:

Bermudian Mr. Outerbridge directs the New York Chamber of Commerce as other Loyalists direct the chambers of commerce in other cities.

Our censorship, our cable control, * * * our control of shipping, * * * of international banking * * * enable us to shut the American trader out of the non-American markets of the world.

In fact, American commerce exists largely by our favor.

Industry comes next; control of oil and thereby the world's transportation and industry:

This control will enable us to exert such pressure as would make American industrial interests amenable to His Majesty's pleasure.

The war debts are to be canceled because—

We fought America's fight for her for 2 years while she was prospering in cowardice.

But, oh, lowest of the low, are American industrialists. I quote:

The intrinsic patriotism of American industrialists seems to be remarkably low; indeed, it rarely exceeds 1.96 percent of the normal average of the population.

When you consider how low the normal average is represented to be, it will be seen that industrial patriotism is a mere infinitesimal abstraction.

Still, says the writer:

The American industrialist has failed to raise the profit-patriotism coefficient to the level of imperial unity. Below that level, imperial unity cannot be securely established on the debris of the Constitution here.

Still, the next paragraph sounds a more hopeful note:

As long as President Wilson, with the Canadian-born Secretary of the Interior, Mr. Franklin Lane; with our Scotch-born Secretary of Labor, Mr. W. R. Wilson; and with our London-born Mr. Samuel Gompers, now controls the administration, imperial unity will daily grow more infinite and more perfect.

The reconciliation between the long-estranged mother and child having been effected, the new order, or rather the restored order, is happily set forth under the paradoxical heading "America's Day." The Fourth of July is to be abolished. Mr. Elihu Root is to be "lord chief justice of the colony," and Messrs. W. H. Taft, Nicholas Murray Butler, J. P. Morgan, Elizabeth Marbury, Adolph Ochs, and Thomas Lamont will constitute the "colonial privy council." "As a special mark of royal and imperial condescension," Washington will be renamed Georgetown, and to eliminate sectional jealousy, royal charters will be granted to the cities of Boston and Chicago which will entitle them to style themselves respectively, Kingston and Guelf. God save the King.

Perhaps this felicitous augury would prove a happy ending for a tale that suggests that at least ever since June 10, 1919, the date of this document, Baron Munchausen has usurped the title of being the most monumental liar that ever lived. He never had the imagination or the effrontery to attempt to concoct such a fabric of falsities and offer it as fact. To avoid an anticlimax I have omitted a brainstorm about the League of Nations, which, it seems, after all, was a concoction of British ingenuity to help inveigle the world into its net, with additional appropriate slanders on Woodrow Wilson.

If any Member is not satisfied with my performance, he may analyze this astounding document for himself, with my assurance that he will find therein not only all I have quoted but innumerable other lies, inventions, and distortions. When he finishes he will not need my assurance that he has read the greatest number and variety of transparent lies and calumnies ever uttered in the same number of words. [Applause.]

The SPEAKER pro tempore (Mr. BYRNS of Tennessee). Under special order heretofore made, the Chair recognizes the gentleman from Texas [Mr. LUTHER A. JOHNSON] for 10 minutes.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I have sought this time, not to make a speech but to furnish detailed information upon the subject which I discussed last week. I made the statement in my speech on neutrality last week as establishing the fact that the circumstances which arise that are calculated to get us into war have to do with our ships, and with the destruction of our ships at sea by belligerent nations, and I stated that prior to our entry into the World War 26 merchant ships of the United States were sunk or attacked by German submarines. I have since investigated more carefully the record with reference to that statement from two sources—the Congressional Library records and the records of our own Navy Department.

I find that I understated the number attacked by German submarines before our entry into the war. Instead of 26, as I stated, there were 28. I have prepared a list of these giving the names of the ships, the dates of the attacks, the size of the ships, the location of the attacks, and also the cargo, as far as it is possible to obtain it, and I shall insert this as a part of the extension of my remarks. Since I prepared it myself, I do not have to ask unanimous consent to do this.

When I asked last week to put into the RECORD the list that has been furnished by the Congressional Library, objection was made to such request unless I would also place in the RECORD the list of ships mined and sunk by the French and English, and the gentleman who made the objection stated that there were more than 26 ships mined and sunk by the French and English before our entry into the war. The gentleman who made the objection is not always neutral, and at times is exceedingly partisan, and his partisanship in this instance has led him to grossly exaggerate the facts. Since the delivery of my speech last week, and desiring to accommodate the gentleman to ascertain the real facts as to the number of our merchant vessels which were sunk before our entry into the World War, I have made careful investigation and have learned from the Navy Department the facts with reference thereto.

There were not 26 ships sunk by British and French mines before our entry into the World War. There were in all only eight United States merchant ships that were mined before our entry into the war, and I have here a list of those ships and their names and the dates when they were mined, and the tonnage and cargo, and where they were mined. Six of those incidents occurred in the North Sea and two occurred in the Bay of Biscay. Instead of their being sunk by British and French mines, there was only one of the eight that the Department of the Navy was able to identify as having been sunk by a British mine. The other seven were sunk by mines, but it is not known whether they were British, French, or German mines with which the ships came in contact, because, as was told me by the authorities in the Navy Department and also in the Maritime Commission, the Bay of Biscay and the North Sea were mined not by one of the belligerents but by all of the belligerents—that is, the British, the French, the Germans, and all of the countries at war at that time had placed mines in both the North Sea and the Bay of Biscay. There were what were called mines and cross mines and counter mines, and, in fact, there were mines of all belligerents, and it is impossible to tell the mine of what particular country struck the ship or ships and caused their sinking. One of the eight was identified as being a British mine, and the other seven mines were unidentified, and may have been the mine of one country or another. These 8 ships that were mined before our entry into the World War, and these 28 ships sunk by the German submarines, destroyed not only a great deal of property but exacted a toll of 70 lives of American citizens.

In my extension of remarks I will put all those facts so that the House may read them. I will not take the time to read them at this time, but I simply wish to say that what I believe is that the facts I shall furnish here substantiate the contention which I made last week that it is not the sale of goods, whether they be arms, munitions, or implements of war, but the delivery of commodities, the shipment of commodities, that causes incidents which arise, which create a frame of mind that gets us into war.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. BROOKS. I have been very much concerned, and so has everybody else, over the sinking of the *Athenia*. Recently, by chance, we happened to find a man who said he was an eye-witness to the sinking of the *Athenia*, and he made rather serious charges as to the disembarking of the personnel and passengers from the *Athenia* and the carrying of munitions by the *Athenia*. I am wondering if the gentleman has any information to give the House on that subject. I know we are all very much interested and concerned.

Mr. LUTHER A. JOHNSON. Let me say in answer to the gentleman that he is dealing with an entirely different phase of the question which I am now discussing. We cannot regulate the ships of other countries. The *Athenia* was not an American vessel. It was a British vessel.

Mr. BROOKS. But, Mr. Speaker, it had some 300 American people on it.

Mr. LUTHER A. JOHNSON. Certainly.

Mr. BROOKS. And some 28 American citizens were drowned.

Mr. LUTHER A. JOHNSON. Certainly, and that is the very reason that in our neutrality law we seek to prevent Americans being there, by making it unlawful for American citizens to travel upon the ships of any belligerent nations. Of course, the *Athenia* incident occurred immediately after the outbreak of war and our law prohibiting American citizens from traveling upon belligerent vessels was not then in effect, since it expressly provides that that provision shall not apply until 90 days after the date of the President's proclamation putting into effect the terms of the neutrality law. I agree with the gentleman that the *Athenia* sinking is most distressing and inexcusable. I do not think the gentleman is any more concerned about the loss of those lives than I am, because I knew a number of the passengers personally.

They were a group of very fine young ladies from Texas who were on that ship. Fortunately they were all saved. The only thing we can do with reference to incidents like the *Athenia* is to make it unlawful for our people to travel upon the ships of belligerents. We cannot control the shipping of other countries.

Mr. BROOKS. May I ask one more question in that respect?

Mr. LUTHER A. JOHNSON. Certainly.

Mr. BROOKS. I do not know whether your committee has investigated the sinking of the *Athenia*. I think the House will be pleased to have your committee give us some facts which might be available to your committee.

Mr. LUTHER A. JOHNSON. I understand the State Department and other agents of the Government are making and will make a complete and thorough investigation. I do not think that our committee will be prepared to make an investigation that would be required on a question of that kind.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent that the gentleman may have 5 additional minutes.

Mr. LUTHER A. JOHNSON. I did not expect to make a speech at this time, but will be glad to answer any questions the gentleman from Massachusetts may care to propound.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. GIFFORD. The gentleman is such an exceedingly high authority that I want to ask him a question about this matter. The contemplated law, as I understand it, is that we will not allow our ships to go into war zones. Now you want to make it unlawful and you want to fine citizens who may travel on belligerent ships. How is anybody going to get into England from the United States?

Mr. LUTHER A. JOHNSON. The present law, I will say to the gentleman, already makes it unlawful for Americans to travel upon belligerent ships.

Mr. GIFFORD. I asked the question, "How is any American citizen going to arrive in England?"

Mr. LUTHER A. JOHNSON. He would have to travel on a ship of some neutral nation, and not the ship of a nation at war.

Mr. RAYBURN. Well, it is not contemplated that a law of that kind would stop business and create hardship cases. It has been my understanding that there would be some leeway, some relaxation, to give the State Department authority to visa passports for those people.

Mr. LUTHER A. JOHNSON. The only exception under the present law is that the inhibition against Americans traveling upon belligerent vessels shall not apply when the voyage was begun in advance of the President's proclamation, and shall not apply until 90 days after the President's proclamation to a citizen of the United States returning home from a foreign state to the United States, and the President is vested with authority to make rules and regulations governing this provision. But I will say, in answer to the gentleman, that when war is raging throughout the land it does work hardships upon our people and upon their rights and upon the shippers of goods to have these restrictions, and I think the United States is the only government on earth that is willing to make such great sacrifices and such deprivation of rights of its citizens to keep us out of war.

Mr. GIFFORD. Is the gentleman familiar with those exceptions?

Mr. LUTHER A. JOHNSON. They are contained in section 9 of the present law.

Mr. GIFFORD. Is it not simply to grant the President power to make those regulations?

Mr. LUTHER A. JOHNSON. Under existing law the President is empowered to prescribe rules and regulations governing this provision of law. I do not know what changes, if any, will be made in the bill now being considered by the Senate upon this question.

Mr. RAYBURN. Under the general law a man cannot leave the ports of this country to go to a foreign country unless the State Department grants him a passport. Further, no ship can leave a port of this country without having clearance papers under general law.

Mr. LUTHER A. JOHNSON. In other words, under the general law of the land as it has always existed a person cannot travel on the ocean to a foreign country unless he has a passport; and as stated by my friend the majority leader, every ship must have clearance papers before she leaves port.

Mr. GIFFORD. The gentleman understands I tried to bring the matter up for further study; but it seems to me that to make it unlawful for a person to attend his mother's funeral in England is going very far.

Mr. LUTHER A. JOHNSON. Sometimes people must forego even such things in the interest of the general welfare and to prevent war.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. MILLER. In looking up another matter the other night I ran across the records containing the debate in the House on the McLemore amendment, I believe it was. I do not know whether the gentleman from Texas was a Member of the House at that time or not.

Mr. LUTHER A. JOHNSON. No; that was before my time.

Mr. MILLER. I was rather astonished at the bitterness of the debate. I wonder if, as a matter of interest, the gentleman cares to comment on the circumstances he thinks have brought around this change in the attitude of the American people? It seems to me the fight on that resolution was very bitter. I think the majority leader will recall that that resolution merely advised Americans not to travel on belligerent ships; yet today we are prohibiting their travel on belligerent ships, and I think rightfully so. I would be glad to have the gentleman's views on what has brought about the changed attitude on the part of the American people.

Mr. LUTHER A. JOHNSON. The author of that resolution, Mr. McLemore, was a Representative from the State of Texas, my own State. As I recall that resolution, it simply expressed it as being the will of Congress, or the American Government, that citizens should not travel upon belligerent ships during war; that if they did so, it must be at their own risk, or something to that effect. It was simply a regulation. Sentiment at that time was overwhelmingly against it, and the resolution was defeated.

Public sentiment has so changed since that time, however, that we have seen that very proposition written into our neutrality legislation. Not only have we seen the prohibition written in, and the warning that they do so at their own risk, but it is in such strong language that it makes it unlawful for them to do so. I think the American people have realized that it is better to deny themselves temporarily the right of freedom of the seas and certain other rights in order to keep out of war. I feel that much progress has been made.

Mr. MILLER. It is an interesting development.

Mr. LUTHER A. JOHNSON. It certainly is, and the present and proposed neutrality legislation is in response to that sentiment. [Applause.]

Mr. Speaker, the list of ships I referred to earlier in my remarks follows:

LIST OF UNITED STATES MERCHANT SHIPS SUNK OR ATTACKED BY GERMANY DURING THE WORLD WAR BUT BEFORE OUR ENTRY THEREIN

January 27, 1915: Schooner *William P. Frye*, gross 3,374 tons, captured by German auxiliary cruiser *Prinz Eitel Friedrich* (commerce raider) in South Atlantic, southeast of Brazil, in 29°53′ S., 26°47′ W.; sunk January 28, 1915; no casualties; carried cargo of wheat.

April 28, 1915: *Cushing* attacked by German airship; carried cargo of petroleum (New York Times, May 1, 1915, p. 1, column 7).

May 1, 1915: Steamship *Gulflight*, tanker, gross 5,189 tons, torpedoed by German submarine 20 miles west of Scilly Islands; towed in; three lives lost; carried cargo of oil.

May 25, 1915: Steamship *Nebraskan*, gross 4,409 tons, torpedoed by German submarine 40 miles south by west of Southcliffe, off southwest Ireland, in 51°14′ N., 10°52′ W.; salvaged; no casualties; in ballast—no cargo.

July 25, 1915: Steamship *Leelanaw*, gross 1,923 tons, fired on, torpedoed, and sunk by German submarine off the north coast of Scotland, about 60 miles northwest of the Orkney Islands, in 59°55′ N., 4°22′ W.; no casualties; carried cargo of flax.

August 4, 1915: *Pass of Balhamas*, motor vessel, gross 1,571 tons, voluntarily surrendered by the master to a German submarine in the North Sea; converted into raider *Seeadler;* wrecked August 2, 1917; no casualties.

August 14, 1915: *Oswego* fired on 10 times, but made port.

December 5, 1915: *Petrolite* fired on by Austrian submarine repeatedly after vessel had stopped; carried cargo of oil (New York Times, Dec. 8, 1915, p. 2, column 1; Dec. 9, 1915, p. 3, column 2).

October 1916: *Kansan* fired on by *U–53* leaving United States.

October 28, 1916: Steamship *Lanao* (Philippine steamship), gross 692 tons, bombed and sunk by a German submarine 30 miles off Cape Vincent, Portugal, in 36°45′ N., 8°25′ W.; no casualties; carried cargo of rice.

November 7, 1916: Steamship *Columbian*, gross 8,673 tons, bombed and sunk by German submarine *U–49*, 50 miles northwest of Cape Ortegal, Spain, in 44° N., 8°44′ W.; no casualties.

November 26, 1916: Steamship *Chemung*, gross 3,061 tons; torpedoed and sunk with gunfire by Austrian submarine in Mediterranean, 14 miles east of Cape de Gata, in 36°37′ N., 1°55′ W.; no casualties; carried a general cargo, including 5,760 plates of spelter, 854 tons pig iron, 300 coils of copper wire, 36 barrels of copper, 200 bales of cotton, 153 cases of iron wire, and quantities of provisions; no ammunition or powder on her manifest (New York Times, Nov. 29, 1916, p. 1, column 1).

December 10, 1916: *St. Helens* attacked by German submarine.

December 14, 1916: *Rebecca Palmer* fired on and damaged by German submarine 70 miles west-southwest of Fastnet; no casualties.

December 15, 1916: *Galena* fired on by German submarine.

January 4, 1917: Steamship *Norlina*, gross 4,596 tons, damaged by torpedo fired by German submarine *U–88* in Atlantic Ocean about 180 miles northwest of Inishtrahull Island, off the north coast of Ireland, in 56°38′ N., 12°20′ W.; did not sink; no casualties.

January 9, 1917: *Sacramento* fired on by German submarine.

February 3, 1917: Steamship *Housatonic*, gross 3,143 tons, bombed and sunk by German submarine *U–53*, 20 miles south of Bishops

Light; no casualties; carried a cargo of contraband (New York Times, Feb. 4, 1917, sec. 1, p. 1, column 5).

February 12, 1917: *Lyman M. Law*, schooner, gross 1,300 tons, captured and sunk by German submarine *U–35* in the Mediterranean, about 25 miles from land, near Cagliari, Sardinia, in 38°32′ N., 7°58′ E.; no casualties.

December 3, 1915: *Communipaw* fired on, but proceeded; carried cargo of oil (New York Times, Dec. 8, 1915, p. 1, column 8).

March 12, 1917: Steamship *Algonquin*, gross 2,832 tons, sunk with gunfire and bombs by German submarine *U–62*, 65 miles west of Bishops, off Scilly Islands, in 40°52′ N., 7°32′ W.; no casualties; carried cargo of foodstuffs.

March 16, 1917: Steamship *Vigilancia*, gross 4,115 tons, torpedoed and sunk by German submarine *U–70*, 145 miles west of Bishops; 15 lives lost; carried general cargo.

March 17, 1917: Steamship *City of Memphis*, gross 5,252 tons, sunk with gunfire by German submarine (UC type), 35 miles south of the Fastnet; no casualties; in ballast—no cargo.

March 18, 1917: Steamship *Illinois*, tanker, gross 5,225 tons, sunk with bombs by German submarine (UC type) in the English Channel, 20 miles north of Alderney, Channel Islands; no casualties; in ballast—no cargo.

March 21, 1917: Steamship *Healdton*, tanker, gross 4,489 tons, torpedoed and sunk by a German submarine 25 miles north of Terschelling, Holland, in 53°53′ N., 4°28′ E.; 20 lives lost.

April 1, 1917: Steamship *Aztec*, gross 3,727 tons, torpedoed and sunk by an enemy submarine (UC type), off Ushant Light, Quessant Island, northwest coast of France; 28 lives lost.

April 4, 1917: *Marguerite*, schooner, gross 1,553 tons, sunk with bombs by German submarine *U–35* in the Mediterranean, 35 miles southwest of Sardinia; no casualties.

April 4, 1917: Steamship *Missourian*, gross 7,924 tons, shelled with gunfire and sunk by German submarine *U–52* in the Mediterranean, near Porto Maurizio, Italy, in 43°31′ N., 8°14′ E.; no casualties.

LIST OF UNITED STATES MERCHANT SHIPS MINED DURING THE WORLD WAR, BUT BEFORE OUR ENTRY THEREIN

February 19, 1915: Steamship *Evelyn*, gross 1,963 tons, sunk by mines in North Sea, near Isle of Borkum, 10 miles west of Norderney, in 53°52′ N., 6°7′ E.; one life lost.

February 22, 1915: Steamship *Carib*, gross 2,087 tons, sunk by mine in the North Sea, in 53°56′ N., 7°56′ E.; 3 lives lost.

April 2, 1915: Steamship *Greenbrier*, gross 3,322 tons, sunk by British mine in the North Sea, near Amrum, North Frisian Islands; no casualties.

September 27, 1915: *Vincent*, schooner, gross 1,904 tons, sunk by mine in the North Sea, near Cape Orloff, Russia; 4 injured.

November 18, 1915: *Helen Martin*, schooner, gross 2,265 tons, sunk by mine in North Sea, 3 miles west-northwest of Cape Orloff; salvaged; 4 injured.

June 18, 1916: Steamship *Seaconnet*, gross 2,294 tons, sunk by mine in the North Sea, off Great Yarmouth, England; no casualties.

July 10, 1916: Steamship *Goldshell*, gross 5,614 tons, struck mine in the Bay of Biscay; salvaged; no casualties.

December 18, 1916: Steamship *Kansan*, gross 7,913 tons, struck mine in the Bay of Biscay; salvaged; 6 injured.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore (Mr. BYRNS). The Chair must first recognize the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, I yield to the gentleman for that purpose.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I thank the gentleman from Mississippi for his courtesy in yielding for a brief statement. In connection with the remarks of the gentleman from Texas, it is interesting to note that during the World War Norway lost about 1,000 ships which were engaged in transportation to the Allies. In the loss of those 1,000 ships only about 900 lives were lost.

The fact that Norway did not become embroiled in that war because of the loss of so much shipping was because the Government had it understood by her citizens and shipowners that these ships were traveling entirely at their own risk. I am advised by a gentleman who is now connected with the National Advisory Committee on Aeronautics, but who was a Norwegian citizen during the World War—now an American citizen—that the shipowners understood that their ships were sailing at their own risk, and that in many cases the owners received as much for a single voyage as the ship cost.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that on Thursday next at the conclusion of the special orders already entered for that day I may be permitted to address the House for 25 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The SPEAKER pro tempore. Under the special order of the House heretofore made, the gentleman from Mississippi [Mr. RANKIN] is recognized for 25 minutes.

DISTRIBUTION OF PUBLIC POWER—BONNEVILLE AND T. V. A.

Mr. RANKIN. Mr. Speaker, on yesterday the gentleman from Oregon [Mr. PIERCE] made some remarks on the distribution of power generated at Bonneville Dam on the Columbia River, which I hope every Member of the House will read.

We have now reached a point in the Bonneville development when we must decide whether or not the power generated at that dam and at other dams to be constructed on the Columbia River is going to be used for the benefit of the American people or is going to be turned over to the Power Trust to be resold to the people in that great section of the country at the exorbitant rates they are now charging.

One of the greatest blows we friends of public power have had in recent years was the death of J. D. Ross, the administrator at Bonneville, one of the great pioneers in public power throughout the entire country. He is gone, but he left behind him a record of service that will never die.

Others have attempted since his death to formulate a new policy for Bonneville. A new administrator has been appointed there, Dr. Paul J. Raver, and every conceivable pressure is being brought to bear by the private power interests to get him to discard the policies of J. D. Ross, to ignore the wishes of the Congress of the United States, to ignore the interests of the American people, rob the people of the Northwest of their birthright, and sell this power to private power companies for them to resell to the people of those States without any restrictions as to the rates they shall charge the ultimate consumers.

The friends of public power in this House take the position that the power generated at a public dam on a navigable stream, or its tributaries, is public property, national wealth, that belongs to all the American people, and it should be used for their benefit. It should be delivered to them at rates based upon the cost of generation, transmission, and distribution.

Let me say at this point that these same selfish interests are making the same attempt in the Tennessee Valley. I shall discuss that proposition later. At this time I want to take up the question of public power in the States of Oregon and Washington and show you what it means if this great wealth of hydroelectric power is turned over to the selfish private power interests now operating in that section without applying the yardstick for the measurement of its distribution rates to the ultimate consumers.

At Tacoma in the State of Washington is located one of the greatest municipal light and power systems in the world. Tacoma is a city of only 112,000 people. Last year the people of the State of Oregon alone used 1,030,117,000 kilowatt-hours of electricity, for which they paid $20,086,066. Under the Tacoma rates, or the rates charged the ultimate consumers in Tacoma, Wash., the cost would have been $11,068,879, or a saving to the people of the State of Oregon of $9,017,187. If the people of Oregon had received their power at the Tacoma rate, their money saving last year would have been $9,017,187. Yet the private power companies in that area, aided and abetted by people who are against protecting the Bonneville project and the people of that great northwestern country, and aided and abetted by the great financial interests in New York, are now trying to undermine the public power policies that J. D. Ross sponsored. They want to get control of this power and distribute it at rates which will mean an overcharge to the people of Oregon alone of more than $9,000,000 a year, according to the Tacoma rates.

They want to continue to exact this tribute of more than $9,000,000 a year from the helpless consumers of Oregon.

Mr. PIERCE of Oregon. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Oregon.

Mr. PIERCE of Oregon. I am interested in the figures the gentleman has just given. Will he explain to us briefly how they are trying to reach the Bonneville power project? Is it a question of contract? Should these public bodies make contracts with the private utilities to sell the power so generated?

Mr. RANKIN. Certainly they should not, unless they fix the resale rates. I will tell the gentleman from Oregon how they are trying to reach the Bonneville project and get control of the Bonneville power. They are trying to force through contracts that will enable the private power companies in that area, which are owned by great holding companies, such as the Electric Bond & Share Co., which in turn is owned and controlled by Wall Street, in New York, to secure great blocks of this power stretched out over a term of years. If they cannot get it for a term of years, they will take it for 1 year, in order to "get their noses under the tent." They want to get these contracts, then they will continue, as they have in the past, to spend large sums of money to destroy or prevent the establishment of public distributing systems and public power districts so that they can then take the power generated at Bonneville, a public power project on a navigable stream, power which belongs to the American people and should be used for the benefit of the people of those States, and sell it to the people, hold them up, and take from them these enormous overcharges, which would amount to more than $9,000,000 a year in the State of Oregon alone. At the same time those high rates will prevent the use of those electrical appliances which are necessary to enable power consumers to really enjoy the benefits of electric power.

Mr. PIERCE of Oregon. Is it possible for the old-line private utilities to make prices to the consumers and at the same time give the people what we call yardstick rates, that they should give them on account of the low price at which they buy the power, and at the same time maintain their capital structure?

Mr. RANKIN. No; and I will tell the gentleman why. In the first place, they have too many high-salaried officials on the roll. They spend too much money "influencing" legislatures, "influencing" and intimidating courts, and browbeating boards of aldermen and local government bodies. They spend too much money controlling newspapers and at the same time they have about $8,000,000,000 of water, wind, and Power Trust rascality in their capital structures. I will prove that to you in a moment.

The greatest public power system of its kind in the world is located in Ontario, Canada. The Ontario system has invested about $400,000,000. It generates and distributes over that whole country about one-twelfth of the electric power generated and distributed by the private power companies in the United States. The private power interests in this country at best should not have an investment of more than 12 times the amount invested by the Ontario power system, which would be $4,800,000,000; yet they claim an investment of $13,000,000,000, or $8,200,000,000 too much. What does that $8,200,000,000 represent except watered stocks and inflated valuations?

Mr. PIERCE of Oregon. The Power Commission has recently made a report upon the total private utility investment. They figure it is about $6,500,000,000 as against the $13,000,000,000 claimed by private power interests themselves.

Mr. RANKIN. I believe those figures are conservative, but say that the amount is $6,500,000,000; that shows at least $6,500,000,000 of wind, water, and inflated valuations on which they are now charging rates that are so far out of line that, according to the Tacoma rates, the overcharges last year amounted to $1,130,300,000 throughout the United States, and $9,017,187 in the State of Oregon, and $14,273,945 in the State of Washington, which I will discuss in a moment.

You will note that for Tacoma to generate and distribute the amount of energy generated and distributed by the private power companies in the United States it would require an investment of only about $6,740,000,000, which shows that in that $13,000,000,000 investment which they claim, they have at least $6,260,000,000 of inflated values according to Tacoma's example.

Mr. PIERCE of Oregon. If the gentleman will yield further, the gentleman should add that they are collecting enough so that they are paying dividends not only upon the actual investment but upon their water.

Mr. RANKIN. That is what I mean. They are not only collecting funds to pay all these expenditures to which I referred, but to pay interest and dividends on all these inflated values. At the same time they are holding their rates so high that the average domestic consumption throughout the United States is less than one-third of what it is in Tacoma, Wash., or in Tupelo, Miss., my home town, where they have the T. V. A. yardstick rates. In other words, they are not only wringing these enormous overcharges of $1,130,300,000 a year from the American people, but they are also holding the rates so high that the people cannot use the appliances necessary for the average home or the average business establishment in this modern day and age.

Now they come in, after we have fought this fight—and I have no apology for my fight for the development of the Bonneville project—after we have won the battle, they are insidiously seeking to force through these contracts, that would be in violation of every moral principle upon which the Bonneville project was created, in order that they may continue to wring these exorbitant overcharges from the people of the States of Oregon and Washington and the surrounding country.

Mr. TAYLOR of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Tennessee.

Mr. TAYLOR of Tennessee. Naturally, living in the T. V. A. area, I am very much interested in the gentleman's discussion. I recognize in the gentleman an authority on the subject. I am wondering how the Tacoma rates compare with our T. V. A. rates.

Mr. RANKIN. I thank the gentleman from Tennessee.

The Tacoma rates and the T. V. A. rates compare very favorably. The Tacoma rates are a little lower than the T. V. A. rates. For instance, the overcharges I have mentioned in Oregon, according to the Tennessee Valley Authority rates, would have been $6,414,474. According to the Tacoma rates the overcharges were $9,017,187, and according to the Ontario rates the overcharges were $7,616,012.

Mr. PIERCE of Oregon. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Oregon.

Mr. PIERCE of Oregon. I have noticed in recent A. P. dispatches that the Canadian people have failed to pay interest on their bond issue. Have they kept their interest up or are they behind, or what share of the investment have they paid?

Mr. RANKIN. They have not only kept the interest up but they have kept up their payments on their bonds. They are gradually amortizing their investments. They are not falling behind with their payments. Besides, as I said, they are amortizing their investments, which private power companies never do.

Knoxville, the home of the gentleman from Tennessee [Mr. TAYLOR], is amortizing her investment. Tupelo, Miss., my home town, is amortizing her investment. They will pay out in a short time and then the rates will be reduced again.

But the private power companies never amortize. They do not attempt to amortize. They will charge these exorbitant rates throughout all time to come if they are permitted to get these contracts through and tie up that Bonneville power and take it away from the people of Washington and Oregon.

By the way, the people of the city of Knoxville last year saved $1,300,000 on their light and power bills compared with what they were paying the private power companies the previous year. At the same time, Knoxville made a profit of about $250,000 and paid as high a rate of taxes as the power company had been paying, if not higher.

The city of Tupelo, Miss., has its own distribution system, purchases its power wholesale from the T. V. A., and distributes it to the ultimate consumers at the T. V. A. yardstick rates. The city has an investment of $241,356.31 in its distribution system, which it has paid down to $69,097.71. Last year it purchased 8,625,930 kilowatt-hours of electricity from the T. V. A., distributed it to the ultimate consumers at the yardstick rates, paid interest on its investment, and the amount due on its sinking fund to amortize its outstanding indebtedness, paid itself 6 percent on the entire investment; paid into the city treasury $12,759.51 in lieu of taxes, and made a net profit of $40,003.19.

If this 8,625,930 kilowatt-hours of electricity had been sold to the people of Tupelo at the rates the power companies was charging in that area in 1932—before the T. V. A. was created—it would have cost them about $300,000 more; although at that time—1932—the power company was buying its power from the Government at Muscle Shoals at less than one-third the rate Tupelo is now paying the T. V. A. for it.

Since these rates have been reduced the average domestic consumption of electricity has gone from 35 kilowatt-hours a month to 160 kilowatt-hours a month, and the percentage of saturation of electric refrigerators among domestic consumers has gone from 19 percent in 1932 to 90 percent in 1939, and the use of all other electric appliances has gained by leaps and bounds.

Both Tupelo and Knoxville paid the T. V. A. a higher rate for the power they purchased from it wholesale than the average private power company pays in any State in the Union and, as I said, about three times the rates private power companies were paying for it at Muscle Shoals in 1932. Tupelo reduced her rates again last year, as she has done practically every year since the T. V. A. contract went into effect.

Let me here again emphasize the fact, Mr. Speaker, that if private power companies would squeeze the water out of their capital structures they could reduce light and power rates to the T. V. A. yardstick rates in every community in America, and make a splendid return on their legitimate investments.

Now let us take the State of Washington, which is also adjacent to Bonneville and in which the Grand Coulee Dam is being built. In the State of Washington last year they used 2,342,699,000 kilowat-hours of electricity, for which they paid $34,067,104. Under the Tacoma rates, in the State of Washington, the cost would have been $19,793,159, or a difference of $14,273,945. There is Tacoma, right in their own State, giving the greatest example of the value of municipal ownership of power facilities of any city in America.

Here are the yardstick rates now paid by the ultimate consumers throughout the T. V. A. area:

Residential rates

	Cents per kilowatt-hour
First 50 kilowatt-hours per month	3
Next 150 kilowatt-hours per month	2
Next 200 kilowatt-hours per month	1
Next 1,000 kilowatt-hours per month	0.4
Excess over 1,000 kilowatt-hours per month	.75

Minimum charge, 75 cents.

Commercial rates

SMALL LIGHT AND POWER

(10 kilowatt-hours demand or less)

	Cents per kilowatt-hour
First 150 kilowatt-hours per month	3
Next 350 kilowatt-hours per month	2
Next 1,500 kilowatt-hours per month	1
Excess over 1,500 kilowatt-hours per month	0.8

Minimum charge, $1.

Commercial rates—Continued

LARGE LIGHT AND POWER

(10 to 20 kilowatts demand)

	Cents per kilowatt-hour
First 15 hours used of demand	3
Next 35 hours used of demand	2
Next 150 hours used of demand	1
Excess	0.8

Industrial rates

(Annual basis. Demand charge, $1 per kilowatt first 1,000 kilowatts. Energy charge, 90 cents per kilowatt excess)

	Mills per kilowatt-hour
First 15,000 kilowatt-hours	8
Next 25,000 kilowatt-hours	6
Next 60,000 kilowatt-hours	4
Next 400,000 kilowatt-hours	3
Excess	2½

Minimum annual charge, $6 per kilowatt maximum monthly demand.

Here are the Tacoma rates to the ultimate consumers:

TACOMA, WASH., CONDENSED RATE SCHEDULES

RESIDENTIAL RATE

Schedule A–1

The residential rate for lighting, cooking, heating, and incidental single-phase power is as follows:

	Cents per kilowatt-hour
First 20 kilowatt-hours	4½
Next 400 kilowatt-hours	1
Over 420 kilowatt-hours	½

Minimum charge, 50 cents per month.

NOTE.—For house-heating purposes, the second or 1-cent step of the above rate is increased 25 kilowatt-hours for each kilowatt of heating capacity installed in excess of 10 kilowatts.

COMMERCIAL LIGHT AND POWER RATES

Either one of the following rate schedules is available for nonresidential lighting, cooking, heating, and incidental power.

Schedule B–1

	Cents per kilowatt-hour
First 100 kilowatt-hours	3½
Next 400 kilowatt-hours	2½
Next 1,000 kilowatt-hours	1½
Over 1,500 kilowatt-hours	1

Minimum charge, 67 cents per kilowatt of connected motor load, but in no case less than 50 cents per month.

Schedule C–1

The kilowatt-hours used per month up to 100 times the billing demand measured in kilowatts are charged for according to part I below and the remaining kilowatt-hours according to part II below.

	Cents per kilowatt-hour
Part I:	
First 1,000 kilowatt-hours	3½
Over 1,000 kilowatt-hours	2
Part II:	
First 2,500 kilowatt-hours	1
Excess	½

Minimum charge, 67 cents per kilowatt of connected motor load but in no case less than 50 cents per month.

GENERAL POWER RATE

The general power rate is available for commercial heating and cooking, industrial and general power service.

Schedule E–1

The kilowatt-hours used per month up to 70 times the billing demand measured in kilowatts are charged for according to part I below, and the remaining kilowatt-hours according to part II below.

	Per kilowatt-hour
Part I:	
First 5,000 kilowatt-hours	$0.02
Over 5,000 kilowatt-hours	.01
Part II:	
First 20,000 kilowatt-hours	.05
Excess	.03

Minimum charge, 67 cents per kilowatt of billing demand, but in no case less than $2.50 for polyphase service per month.

The connected load is taken as the billing demand for connected loads up to 15 kilowatts. A demand factor is used on connected loads of from 15 to 30 kilowatts to determine the billing demand. The billing demand for connected loads of over 30 kilowatts is determined by means of demand meters.

CONTRACT POWER RATES

Contract power rates that provide for a lower step in the rate than quoted above are available to large consumers who maintain a power factor of 90 percent or better; provided, however, that each contract is approved separately in writing by the commissioner of public utilities and the city council.

I hope every Member and everyone else who reads this RECORD will get out his canceled light or power bills and compare the rates with the Tacoma rates and the T. V. A. rates, and then he can verify my statements as to these overcharges.

If Members who are interested in this proposition will consult a publication issued by the Burns & McDonnell Engineering Co., consulting engineers of Kansas City, Mo., entitled "Results of Municipal Lighting Plants," they will find the records of 717 cities and towns that have municipal ownership of electric-power facilities, together with their rates in effect during 1938 and 1939, the capital and investments, taxes paid, profits realized, and so forth.

The cold facts which this volume presents are one of the greatest arguments in favor of municipal ownership of power facilities I have ever found.

These private power interests overcharged the people of Washington, outside of Tacoma, last year $14,273,945.

If you turn all this power over to these private utilities without regulating the resale rates you might as well dynamite Grand Coulee as far as the benefits to the electric consumers of that great northwestern section are concerned.

Let us see about Tacoma. I brought all these figures here. I thought perhaps some gentlemen might want to ask about their home States. I want to give you all the information you want on this subject, and I am prepared for every one of you, from Maine to Mexico. I have the information before me. I will show that in every State in this Union the people are being overcharged approximately 100 percent or more for electric light and power, as the tables which I am inserting will show.

Tacoma is a city of 112,000 people. They have an investment of $24,429,242. They have amortized it down to $4,563,000. Last year they sold all told $2,473,735 worth of electricity; paid in taxes, free services, and cash donations the sum of $413,047; and then made a net profit of $816,145.05. This happened right in the very shadow of Bonneville. Yet while that was going on in Tacoma the private power companies were overcharging the people of the rest of the State of Washington $14,273,945, according to the Tacoma rates.

At this point I am inserting the 1938 complete financial statement of the Tacoma Electric Light & Power System. I hope every one of you will read and study it carefully. It answers completely all the arguments that have ever been made against municipal ownership of light and power facilities.

The matter referred to follows:

Annual income, profit and loss, year ending Dec. 31

	1936	1937	1938
Current annual income:			
Operating revenues	$2,359,964.91	$2,546,314.88	$2,473,734.27
Less operating expenses	494,075.76	605,248.70	705,401.09
Gross operating income	1,865,889.15	1,941,066.18	1,767,333.18
Less depreciation	460,352.68	467,604.87	474,084.63
Operating income	1,405,536.47	1,473,461.31	1,293,248.55
Miscellaneous revenues and expense	(8,788.27)	(7,665.94)	31,266.06
Gross income	1,396,748.20	1,465,795.37	1,324,514.61
Deductions from gross income:			
Interest	319,791.87	284,597.30	248,610.31
Amortization of debt discount	13,259.41	11,616.32	11,368.20
Taxes	236,411.42	256,833.54	248,391.05
Total deductions	569,462.70	553,047.16	508,369.56
Net annual income	827,285.50	912,748.21	816,145.05
Profit and loss:			
Current annual period	(1,571.16)	(19,860.58)	2,621.47
Prior periods	794,718.88	3,067.11	110,948.21
Income profit and loss, total	1,620,433.22	895,954.74	929,714.73

Annual income, profit and loss, year ending Dec. 31—Continued

	1936	1937	1938
Less appropriations to bond redemption reserves	$679,333.34	$714,333.32	$745,833.34
Add bond redemptions	678,000.00	713,000.00	744,000.00
Income profit and loss balance to unreserved surplus	1,619,099.88	894,621.42	927,881.39

Comparative balance sheets, Tacoma Light Division

	1936	1937	1938
ASSETS			
Plant and equipment	$23,524,317.96	$23,896,330.84	$24,429,241.93
Sinking funds	394,269.38	398,111.88	400,438.35
Current assets:			
Cash	404,256.92	460,686.03	477,387.54
Loans receivable	115,500.00	110,500.00	23,250.00
Consumers' deposits	82,669.18	85,421.75	90,289.46
Accounts receivable	495,156.86	510,713.67	724,121.99
Materials and supplies	309,726.42	401,021.24	409,378.94
Other current assets	7,632.00	0	0
Unadjusted debits	414,099.67	482,760.70	399,184.30
Total	25,747,628.39	26,345,546.11	26,953,292.51
LIABILITIES			
Capital liabilities	6,018,000.00	5,307,000.00	4,563,000.00
Current and accrued liabilities:			
Warrants payable	48,350.02	37,594.61	33,660.86
Consumers' deposits	82,669.18	85,421.75	90,289.46
Other accounts payable	13,155.76	19,073.26	18,061.36
Other accruals	25,984.59	22,625.84	21,252.28
Deferred liabilities	7,423.09	5,990.33	18,209.50
Depreciation reserve	4,599,702.21	5,054,196.36	5,487,000.41
Other reserves	648,370.03	656,099.28	634,559.23
Sinking funds	370,333.34	371,666.66	373,500.00
Surplus	13,933,640.17	14,785,878.02	15,713,759.41
Total	25,747,628.39	26,345,546.11	26,953,292.51
Current assets	1,414,941.38	1,508,342.69	1,724,427.93
Current liabilities	170,159.55	164,715.46	163,263.96
Net current assets	1,244,781.83	1,403,627.23	1,561,163.97

System load data

	1936	1937	1938
Generated kilowatt-hours:			
Nisqually power plant, gross	104,199,000	128,465,000	107,104,000
Nisqually power plant, self-consumed	1,357,942	1,414,708	760,703
Nisqually power plant, net	102,841,058	127,050,292	106,343,297
Cushman No. 1 power plant, gross	85,154,000	93,955,000	111,110,000
Cushman No. 1 power plant, self-consumed	1,377,330	1,418,007	1,063,728
Cushman No. 1 power plant, net	83,776,670	92,566,993	110,046,272
Cushman No. 2 power plant, gross	126,929,000	151,778,000	129,900,000
Cushman No. 2 power plant, self-consumed	1,299,560	1,328,166	1,179,061
Cushman No. 2 power plant, net	125,629,440	150,449,834	128,720,939
Steam plant No. 1, gross	610,400		
Steam plant No. 1, self-consumed	96,770	41,766	36,949
Steam plant No. 1, net	513,630	(41,766)	(36,949)
Steam plant No. 2, gross		5,714,000	
Steam plant No. 2, self-consumed	319,000	928,000	261,000
Steam plant No. 2, net	(319,000)	4,786,000	(261,000)
System energy transactions:			
Net hydro-generated kilowatt-hours	312,247,168	370,067,119	345,110,508
Net steam-generated kilowatt-hours	194,630	4,744,234	(297,949)
Received from Seattle kilowatt-hours	221,000	27,000	5,000
Total generated and received	312,662,798	374,838,353	344,817,559
Delivered to Seattle, kilowatt-hours	19,654,000	2,692,000	53,000
Net system requirements	293,008,798	372,146,353	344,764,559
Self-consumed, line and transformer losses	48,456,645	58,521,046	56,956,926
Total energy sales excluding Seattle	244,552,153	313,625,307	287,807,633
Generating plant peak (kilowatts):			
Nisqually power plant	25,000	24,000	22,000
Cushman No. 1 power plant	40,000	40,000	40,000
Cushman No. 2 power plant	48,000	52,000	45,000
Steam plant No. 1	4,000		
Steam plant No. 2		12,000	
Maximum loads (kilowatts):			
Total generation	71,000	78,000	76,000
System peak	62,000	69,000	73,000

System load data—Continued

	1936	1937	1938
Yearly load factors:			
Total generation.....percent	50.1	54.85	51.8
System.....do	53.8	61.56	53.9

Segregation of energy billed

	1936 (kilowatt-hours)	1937 (kilowatt-hours)	1938 (kilowatt-hours)
Residential	48,522,830	52,367,632	57,291,532
Commercial	30,142,964	31,922,528	33,622,719
Industrial	141,256,809	203,014,370	170,095,544
Municipal Street Railway	1,134,395	1,116,460	716,000
Municipal street lighting	7,138,946	7,158,538	7,086,987
Municipal and other public sales	10,013,798	10,982,056	11,093,397
Sales to other utilities except Seattle	6,342,411	7,063,713	7,901,454
Subtotal	244,552,153	313,625,307	287,807,633
Sales to Seattle	19,654,000	2,692,000	53,000
Total energy billed	264,206,153	316,317,307	287,860,633

	Average number of billings		
	1936	1937	1938
Residential	30,068	30,848	31,763
Commercial	3,756	3,773	3,797
Industrial	1,130	1,099	[1] 1,045
Municipal street railway	1	1	1
Municipal street lighting	1	1	1
Municipal and other public sales	251	258	256
Sales to other utilities except Seattle	11	11	11
Subtotal	35,218	35,991	36,874
Sales to Seattle	1	1	1
Total energy billed	35,219	35,992	36,875

[1] Decline due to combining of meters.

Residential service data for 1938

	Tacoma	National average (E. E. I. report)
Average revenue per kilowatt-hour.....cents	1.56	4.23
Kilowatt-hours per customer	1,804	853
Average revenue per customer	$28.22	$36.08

Operating revenues

	1936	1937	1938	1938, average (cents per kilowatt-hour)
Residential	$804,871.77	$848,651.96	$896,295.01	1.56
Commercial	507,503.03	498,088.36	515,428.95	1.53
Industrial	740,227.31	971,100.27	852,566.08	.50
Municipal street railway	6,541.19	6,487.38	5,252.60	.73
Municipal street lighting	72,141.05	72,416.34	71,574.23	1.01
Municipal and other public sales	83,798.41	84,817.94	84,243.82	.76
Sales to other utilities except Seattle	40,539.78	43,909.41	48,403.98	.61
Subtotal	2,255,622.54	2,525,561.66	2,473,764.67	.86
Sales to Seattle	98,270.00	15,327.50	265.00	
Total energy billed	2,353,892.54	2,540,889.16	2,474,029.67	
Miscellaneous revenue and adjustments	6,072.37	5,425.72	(295.40)	
Total operating revenue	2,359,964.91	2,546,314.88	2,473,734.27	

Operating expenses

	1936	1937	1938
Production	$127,277.14	$185,781.39	$184,346.18
Transmission and transformation	72,705.27	91,211.38	124,122.55
Distribution	96,679.57	129,080.27	149,736.10
Utilization	23,184.96	26,973.47	59,930.25
Commercial	83,288.10	93,477.46	110,216.08
General	90,940.72	78,724.73	78,049.93
Operating expense	494,075.76	605,248.70	706,401.09
Depreciation	460,352.68	467,604.87	474,084.63
Total operating expenses	954,428.44	1,072,853.57	1,180,485.72

Taxes—Direct and indirect

	1936	1937	1938
Gross earnings tax:			
State	$64,824.63	$71,313.87	$68,229.06
City	171,586.79	185,519.67	180,161.99
Gratuitous work	1,226.85	1,667.58	442.12
Hydro, gas, and miscellaneous taxes	35,296.89	21,064.70	31,585.53
	272,935.16	279,565.82	280,418.70
Percentage to gross operating revenues	11.57	10.98	11.34

The light division also pays to the city of Tacoma general fund for services rendered 30 percent of all salaries in the following city offices: Treasurer, controller, attorney, city clerk, civil service, and city purchasing agent, as well as rental for quarters occupied. This expense for last 3 years amounted to:

1936	$18,004.97
1937	19,665.01
1938	21,554.26

See further explanation under "Revenue dollar."

Fixed assets—plant—Dec. 31, 1938

	Ratings		
	Horsepower	Kilowatts	1938
Unit No. 1, Nisqually power plant	32,000	24,000	$2,107,893.49
Unit No. 2, Cushman power plant No. 1	50,000	36,000	4,363,486.83
Unit No. 3, Cushman power plant No. 2	75,000	54,000	6,360,346.27
Unit No. 4, steam plant No. 1	12,000	9,000	397,970.32
Unit No. 5, steam plant No. 2	33,500	25,000	1,935,271.79
Transmission system			1,762,822.61
Distribution plant			6,907,192.57
General plant			394,258.05
Total	202,500	148,000	24,429,241.93

	Percent
Operating expense	47.1
Depreciation	18.9
Production	7.4
Transmission	4.9
Distribution	6.0
Commercial utilization and general	9.9
Deductions from gross income	20.3
Interest	10.4
Direct taxes	[1] 9.9
Appropriated for bond redemption	29.7
Net income	32.6

1938 revenue dollar

Direct taxes include gross revenue taxes paid to State and to city only. The total taxes amount to 11.34 percent of the total revenue, and are detailed below: [1]

State of Washington:		
Public utility, tax 3 percent	$69,965.10	
Business activities, sales and campensating taxes	6,048.13	
Auto licenses and gas tax	3,514.55	
Power license fees	2,966.66	
Total, State of Washington		$82,494.44
Mason and Pierce Counties:		
Mason County schools	4,442.98	
Pierce County schools	3,500.00	
Total counties		7,942.98
City of Tacoma:		
Gross Earnings tax (7½ percent)	180,161.99	
Inspection services	9,377.11	
Gratuitous work	442.12	
City of Tacoma		189,981.22
Total		230,418.64
Additional contributions and services to the city of Tacoma:		
Street-lighting energy (1938) unpaid	69,613.04	
Street-lighting operation and maintenance (1938) unpaid)	41,460.40	
30-percent general fund office expense [1]	21,554.26	
Additional to city of Tacoma		132,627.70

[1] Contributions to offices of city controller, department of public finance, city clerk, board of contracts and awards, and the civil service commission.

Statement of bonded debt Dec. 31, 1938

Name of bonds	Date of issue	Amount of issue	Interest rate	Amount outstanding	Purpose of issue
Light and power general bonds.	1909	$300,000.00	4½	None	Nisqually Light & Power.
Electric light and power refunding bonds.	1913	250,000.00	5	None	Refunding part of water and light bonds, 1893.
Do	1913	60,342.79	------	None	Nisqually Light & Power.
Electric light and power revenue bonds.	1910	1,700,000.00	5	None	Construction of Nisqually plant.
Do	1919	300,000.00	6	None	Purchase of Cushman power site.
Electric light and power revenue bonds, series A.	1924	4,000,000.00	5½	$500,000	Construction first Cushman Unit.
Electric light and power revenue bonds.	1926	200,000.00	5	None	Plant improvement Commerce St.
Series B-1	1929	1,000,000.00	5	None	Construction second Cushman Unit.
Series B-2	1929	1,500,000.00	4¾	816,000	Do.
Series B-3	1929	1,350,000.00	4¾	1,350,000	Do.
Series C	1930	500,000.00	4¾	322,000	Construction third Cushman Unit.
Electric light and power revenue bonds.	1930	2,000,000.00	4¾	1,575,000	Construction steam plant No. 2.
Total	------	13,160,342.79	------	4,563,000	

NOTE.—Plant investment, $24,429,241.93; bonded debt, $4,563,000; balance of cost of plant paid for from earnings of system; final bond payment on present indebtedness will be paid on Apr. 1, 1951.

Mr. PIERCE of Oregon. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Oregon.

Mr. PIERCE of Oregon. It seems to me that the important question right now is, Will the power companies be able to secure contracts for the so-called excess power at Bonneville and T. V. A.? Will the gentleman speak particularly along that line as to whether or not such contracts should be made even with a provision in them that they can be canceled?

Mr. RANKIN. Does the gentleman mean with private power companies?

Mr. PIERCE of Oregon. Yes; with private power companies.

Mr. RANKIN. Absolutely no! There should never be a kilowatt-hour of electricity sold by the Tennessee Valley Authority or by the Bonneville project or by any other public power project to any private power company unless it is written into the contract that the private power company must sell all the power sold by it in that area at the yardstick rates, or rates fixed by the Government or the T. V. A. or the Bonneville project, as the case may be, and based upon the cost of generation, transmission, and distribution. The resale rates should be written into the contract. Unless that is done I am not in favor of selling them a kilowatt-hour of public power; and I shall fight from now on every contract proposed that does not contain such salutary provisions.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. PATRICK. I agree with the gentleman 100 percent, but will the gentleman please develop that and state why that should be done?

Mr. RANKIN. In order to supply the people electricity at reasonable rates. These yardstick rates laid down by Mr. Ross at Bonneville and by the T. V. A. are reasonable rates. They are not too low; if anything they are too high and will be reduced later.

Private power company rates should be held down to them, and no private company should be sold even a part of that power unless they bring their rates down to those levels. Otherwise, they would simply "ground" the T. V. A. and the Bonneville project by taking that power and using their influence, as they have always done, to kill off public power districts, to kill off rural electrification, to kill off municipal ownership, and to prevent the people from getting any of this power at all at the yardstick rates.

They are now boasting that if they can get these contracts through, then they are safe. They can then continue to overcharge the American people $1,000,000,000 a year or more from now to doomsday. I say this in answer to my friend the gentleman from Alabama [Mr. PATRICK], because he lives in the city of Birmingham, where they pay some of the highest rates in the South. The State of Alabama according to the T. V. A. rates was overcharged last year $7,300,505. Birmingham, Ala., is just as close to one of the T. V. A. dams—in fact, it is probably 40 miles closer to one of the T. V. A. dams than my home town of Tupelo is to the Pickwick Dam or the Wilson Dam at Muscle Shoals. If Alabama had gotten her power at the same rates at which we are distributing power in Tupelo, Amory, Corinth, and, in fact, throughout that entire district, the people of the State of Alabama would have saved $7,300,505 last year. Yet these same insidious influences that used to rob us and that have fought me all these years in every effort I have made to spread cheap electricity throughout that country are now holding the majority of the people of Alabama in Power Trust bondage, and endeavoring to get contracts that would forever insure them that advantage and prevent the people of Alabama from ever getting relief from these exorbitant overcharges.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. MARTIN J. KENNEDY. Does the gentleman say that he is going to put into the RECORD these figures, the comparative rates of T. V. A. and the rates of the various municipalities?

Mr. RANKIN. I have the figures broken down by States, but to put them in for every municipality I fear would be a very great order.

Mr. MARTIN J. KENNEDY. Has the gentleman the figures for the city of New York?

Mr. RANKIN. I can give the gentleman the figures for the State of New York. According to the T. V. A. rates, the people in the State of New York last year were overcharged $157,872,433. According to the Ontario rates, which Province, of course, is just across the Niagara River from them, the people of the State of New York last year were overcharged $176,683,032.

Mr. MARTIN J. KENNEDY. My inquiry is a friendly one. I am anxious to know whether or not the gentleman compared the matter of salaries and things of that sort in making this comparison. I am asking this to anticipate their criticism in respect to higher wages and taxes.

Mr. RANKIN. The taxes paid by private power interests in the State of New York do not begin to absorb these overcharges.

In the Tennessee Valley Authority we have three Directors. All three of them together only receive $30,000 a year salary, or $10,000 each. Some of these "highbinders" in the utility holding companies draw salaries ranging as high as $200,000 and $250,000 a year. I will say that the administrator at Bonneville and all three of the Directors of the T. V. A. combined do not draw as much salary as the president of the Commonwealth or the president of the Electric Bond & Share.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MARTIN J. KENNEDY. I wish the gentleman would put those figures in the RECORD if they are available.

Mr. RANKIN. I will try to do so.

Mr. PIERCE of Oregon. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. PIERCE of Oregon. I make the point that these old-line companies, private utilities, cannot reduce their rates to the T. V. A. yardstick without cutting their capitalization in half. Therefore a contract that attempts to carry yardstick rates will not be enforced by the private utilities.

Mr. RANKIN. Let me say to the gentleman from Oregon that I reluctantly arrived at my present convictions in favor of public ownership of power facilities. I did so because I found it is the only way—let me repeat—it is absolutely the

only way the people can ever get electricity at what it is worth. It must be through some method of public generation, transmission, and distribution. There is not a single municipality in the United States—and if anybody doubts this, just mention the municipality and I will read his rates into the RECORD—there is not a single municipality in which the people are "served" by a private power company of any kind where the consumers are not overcharged all the way from 50 to 350 percent every month for their electricity.

Mr. Speaker, I rose to discuss this Bonneville project, to sound a warning that those of us in this House who believe in public power have long since made our program known. We believe the Government should hold in perpetuity the dams it now owns or has under construction or in contemplation, and should build the transmission lines to convey the electrical energy generated at those dams throughout the distribution radius of each one and sell at wholesale to cities, towns, cooperative associations, or other public agencies at the minimum rates necessary to amortize that part of the investment charged to power in 40 or 50 years, with the distinct and specific requirement that it be distributed to the ultimate consumers at the yardstick rates, or rates based upon the cost of its purchase and distribution. Or, in other words, rates based upon the cost of generation, transmission, and distribution.

In addition to that, if any of it is sold at all through private power companies they must reduce their rates to those levels or they cannot get public power without a fight from now on as long as the friends of public power occupy seats in this House.

Mr. PIERCE of Oregon. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. PIERCE of Oregon. There is now a proposition in the Northwest to provide a grid system by which companies will feed their power in, both private and public.

Mr. RANKIN. Yes.

Mr. PIERCE of Oregon. Tell us what you know about the grid system.

Mr. RANKIN. I went into that grid-system proposition some years ago. They advocated one for the Tennessee Valley area. The Tennessee Valley Authority directors were not in favor of it—or at least some of them were not—but I found that there was a movement on to have it adopted, and Senator NORRIS and I got after it and broke it up and saved the people of the Tennessee Valley Authority from it.

Whenever you form a grid system and mix private power with public power you are simply losing the benefits of public power and turning it over to the Power Trust. No; we are not going to appropriate money for any grid system or for any public power to be turned over to the Power Trust for them to rob the American people with it. We might as well understand that now.

Mr. Speaker, I am inserting four tables showing the amount of electricity used and the overcharges in every State in the Union, according to the T. V. A. rates, the Tacoma rates, and the Ontario rates.

The first table shows the number of residential consumers, the amount of electricity used, and the overcharges in each State.

The second table shows the same thing for the commercial consumers.

The third one shows the same thing for the industrial consumers, and the fourth one shows the total for all consumers in each State.

These are the exorbitant overcharges that the private power interests in this country would perpetuate if they could only get their hands on the power generated at every public-power project in the United States, from Bonneville to the T. V. A.

I trust that every Member of the House, and everyone else who reads this record, will take the time to read these tables carefully, especially that part of them that applies to his own State, and then join us friends of public power in lifting this enormous burden from the shoulders of the unprotected power consumers throughout the whole country. [Applause.]

The matter referred to follows:

TABLE 1.—*Residential electric sales, 1938*

State	Estimated sales data for 1938			Estimated revenues and consumer savings under rates in effect in—					
				Tennessee Valley Authority		Tacoma, Wash.		Province of Ontario, Canada	
	Number of customers	Total kilowatt-hours	Total revenues	Revenues	Overcharges	Revenues	Overcharges	Revenues	Overcharges
Alabama	165,236	189,972,000	$5,788,628	$4,063,617	$1,725,011	$3,351,616	$2,437,012	$2,894,314	$2,894,314
Arizona	41,973	38,192,000	1,857,716	800,676	1,057,040	659,489	1,198,227	570,319	1,287,397
Arkansas	92,587	65,458,000	3,475,153	1,633,322	1,841,831	1,344,884	2,130,269	1,160,701	2,314,452
California	1,403,075	1,189,108,000	41,152,607	28,683,367	12,469,240	23,621,596	17,531,011	20,411,693	20,740,914
Colorado	172,159	120,337,000	6,115,416	3,100,516	3,014,900	2,556,244	3,559,172	2,207,665	3,907,751
Connecticut	419,438	382,151,000	16,457,291	9,331,284	7,126,007	7,685,555	8,771,736	6,632,288	9,825,003
Delaware	44,102	36,826,000	1,792,819	891,031	901,788	733,263	1,059,556	634,658	1,158,161
District of Columbia	134,726	142,891,000	3,990,953	3,480,111	510,842	2,865,504	1,125,449	2,478,382	1,512,571
Florida	235,867	247,973,000	12,034,778	5,632,276	6,402,502	4,645,424	7,389,354	4,007,581	8,027,197
Georgia	219,654	289,675,000	8,882,341	5,551,463	3,330,878	4,574,406	4,307,935	3,952,642	4,929,699
Idaho	62,985	95,090,000	2,685,657	1,579,166	1,106,491	1,299,858	1,385,799	1,125,290	1,560,367
Illinois	1,737,790	1,298,790,000	56,123,586	34,179,264	21,944,322	28,174,040	27,949,546	24,357,636	31,765,950
Indiana	576,192	442,201,000	19,368,027	11,310,928	8,057,099	9,316,021	10,052,006	8,057,099	11,310,928
Iowa	372,128	263,017,000	12,217,167	6,609,487	5,607,680	5,448,856	6,768,311	4,703,609	7,513,558
Kansas	266,194	204,048,000	9,107,086	5,008,897	4,098,189	4,125,510	4,981,576	3,569,978	5,537,108
Kentucky	224,401	169,457,000	6,381,952	4,177,345	2,704,607	3,440,976	3,440,976	2,973,003	3,908,949
Louisiana	209,574	126,737,000	7,027,338	3,513,669	3,513,669	2,895,263	4,132,075	2,501,732	4,525,606
Maine	140,584	98,142,000	4,826,611	2,413,306	2,413,305	1,988,564	2,838,047	1,718,274	3,108,337
Maryland	304,582	245,677,000	10,288,792	6,245,297	4,043,495	5,144,396	5,144,396	4,444,758	5,844,034
Massachusetts	1,064,743	686,200,000	35,124,729	18,159,485	16,965,244	14,963,135	20,161,594	12,890,776	22,233,953
Michigan	1,090,584	1,093,670,000	36,801,377	25,135,340	11,666,037	20,682,374	16,119,003	17,885,469	18,915,908
Minnesota	425,161	397,751,000	14,427,547	8,945,079	5,482,468	7,372,477	7,055,070	6,376,976	8,050,571
Mississippi	75,376	64,640,000	2,924,631	1,579,301	1,345,330	1,298,536	1,626,095	1,123,058	1,801,573
Missouri	588,107	516,812,000	19,475,676	12,035,968	7,439,708	9,913,119	9,562,557	8,569,297	10,906,379
Montana	87,043	82,370,000	3,166,860	1,649,934	1,516,926	1,358,583	1,808,277	1,174,905	1,991,955
Nebraska	176,361	144,288,000	6,317,862	3,474,824	2,843,038	2,861,991	3,455,871	2,476,602	3,841,260
Nevada	14,940	16,403,000	661,961	301,192	360,769	247,573	414,388	214,475	447,486
New Hampshire	102,877	69,805,000	3,686,075	1,736,141	1,949,934	1,430,197	2,255,878	1,234,835	2,451,240
New Jersey	1,019,214	708,495,000	37,455,844	18,877,745	18,578,099	15,544,175	21,911,669	13,446,648	24,009,196
New Mexico	32,846	23,601,000	1,348,452	556,911	791,541	458,474	889,978	396,445	952,007
New York	3,214,644	2,216,954,000	108,405,661	58,864,274	49,541,387	48,457,330	59,948,331	41,952,991	66,452,670
North Carolina	208,478	208,760,000	7,652,671	4,530,381	3,122,290	3,734,503	3,918,168	3,229,427	4,423,244
North Dakota	57,063	50,018,000	2,183,358	1,115,696	1,067,662	917,010	1,266,348	792,559	1,390,799
Ohio	1,404,129	1,230,441,000	45,748,718	30,239,903	15,508,815	24,933,051	20,815,667	21,547,646	24,201,072
Oklahoma	214,260	157,927,000	8,192,205	3,948,643	4,243,562	1,267,305	6,924,900	2,809,926	5,382,279
Oregon	182,009	249,265,000	6,667,043	4,306,910	2,360,133	3,546,867	3,120,176	3,066,840	3,600,203
Pennsylvania	1,925,887	1,585,247,000	48,462,484	27,817,466	20,645,018	22,922,755	25,539,729	19,821,156	28,641,328
Rhode Island	169,249	101,176,000	5,971,517	2,758,841	3,212,676	2,269,176	3,702,341	1,964,629	4,006,888
South Carolina	89,057	100,288,000	3,489,551	2,173,990	1,315,561	1,790,140	1,699,411	1,545,871	1,943,680
South Dakota	63,719	52,537,000	2,412,417	1,157,960	1,254,457	952,965	1,459,512	825,047	1,587,370
Tennessee	199,279	257,165,000	7,943,631	6,029,216	1,914,415	4,964,769	2,978,862	4,289,561	3,654,070
Texas	652,799	513,813,000	24,017,173	12,801,153	11,216,020	5,619,706	18,397,467	9,102,509	14,914,664

TABLE 1.—*Residential electric sales, 1938*—Continued

State	Estimated sales data for 1938			Estimated revenues and consumer savings under rates in effect in—					
	Number of customers	Total kilowatt-hours	Total revenues	Tennessee Valley Authority		Tacoma, Wash.		Province of Ontario, Canada	
				Revenues	Overcharges	Revenues	Overcharges	Revenues	Overcharges
Utah	92,560	95,385,000	$3,518,470	$2,075,897	$1,442,573	$1,709,976	$1,803,494	$1,477,757	$2,040,713
Vermont	61,168	47,491,000	2,346,513	1,142,752	1,203,761	940,952	1,405,561	884,635	1,461,878
Virginia	268,692	269,547,000	10,756,171	6,055,724	4,700,447	4,990,863	5,765,308	4,353,325	6,402,846
Washington	366,641	532,473,000	12,993,159	9,017,252	3,975,907	7,419,094	5,574,065	6,418,621	6,574,538
West Virginia	201,572	159,949,000	6,834,414	3,950,291	2,884,123	3,266,850	3,567,564	2,822,613	4,011,801
Wisconsin	531,011	491,884,000	17,190,413	10,365,819	6,824,594	8,526,445	8,663,968	7,374,687	9,815,726
Wyoming	29,554	20,804,000	1,198,997	507,176	691,821	417,251	781,746	360,898	838,099
Total	21,432,270	17,790,301,000	717,449,498	419,516,286	297,933,212	338,649,047	378,800,451	293,831,806	418,617,692

TABLE 2.—*Commercial electric sales, 1938*

State	Estimated sales data for 1938			Estimated revenues and consumer savings under rates in effect in—					
	Number of customers	Total kilowatt-hours	Total revenues	Tennessee Valley Authority		Tacoma, Wash.		Province of Ontario, Canada	
				Revenues	Overcharges	Revenues	Overcharges	Revenues	Overcharges
Alabama	33,424	176,259,000	$5,175,315	$2,572,132	$2,603,183	$2,717,040	$2,458,275	$2,365,119	$2,810,196
Arizona	8,314	58,638,000	1,982,005	858,208	1,123,797	897,848	1,084,157	790,820	1,191,185
Arkansas	27,816	82,649,000	3,629,179	1,571,435	2,057,744	1,625,872	2,003,307	1,448,042	2,181,137
California	323,013	1,950,900,000	47,140,578	31,018,500	16,122,078	31,914,171	15,226,407	28,567,190	18,573,388
Colorado	36,522	132,244,000	5,701,661	2,565,747	3,135,914	2,588,554	3,113,107	2,195,139	3,506,522
Connecticut	61,635	257,315,000	10,784,892	4,626,719	6,158,173	3,850,206	6,934,686	4,260,032	6,524,860
Delaware	7,248	40,637,000	1,185,932	578,735	607,197	602,453	583,479	532,483	653,449
District of Columbia	21,809	171,029,000	4,182,607	3,166,233	1,016,374	3,350,268	832,339	2,915,277	1,267,330
Florida	53,976	219,220,000	10,268,617	3,943,149	6,325,468	4,045,835	6,222,782	3,624,822	6,643,795
Georgia	50,836	299,373,000	9,259,805	4,500,295	4,759,540	4,657,682	4,602,123	4,148,393	5,111,412
Idaho	13,873	103,456,000	2,054,555	1,027,278	1,027,277	1,047,823	1,006,732	945,095	1,109,460
Illinois	339,421	1,322,079,000	47,322,210	23,945,038	23,377,172	25,412,027	21,910,183	22,099,472	25,222,738
Indiana	101,160	572,313,000	17,128,893	9,266,731	7,862,162	9,694,953	7,433,940	8,547,318	8,581,575
Iowa	83,098	276,014,000	10,574,983	5,467,266	5,107,717	5,689,341	4,885,642	5,033,692	5,541,291
Kansas	55,762	208,819,000	7,584,567	3,860,545	3,724,022	3,989,482	3,595,085	3,549,577	4,034,990
Kentucky	44,369	182,387,000	6,297,244	3,362,728	2,934,516	3,520,159	2,777,085	3,098,244	3,199,000
Louisiana	42,191	146,051,000	5,491,083	2,361,166	3,129,917	2,383,130	3,107,953	2,130,540	3,360,543
Maine	33,850	114,550,000	3,944,001	1,912,840	2,031,161	1,948,336	1,995,665	1,762,968	2,181,033
Maryland	53,002	270,207,000	8,875,280	4,828,141	4,047,119	5,094,399	3,780,861	4,446,505	4,428,755
Massachusetts	200,548	929,013,000	32,221,239	13,081,823	19,139,416	13,565,142	18,656,097	12,050,743	20,170,496
Michigan	170,451	980,869,000	30,495,349	16,101,544	14,393,805	16,863,928	13,631,421	14,820,740	15,674,609
Minnesota	93,135	334,921,000	12,596,273	6,235,155	6,361,118	6,449,292	6,146,981	5,743,900	6,852,373
Mississippi	20,274	75,039,000	3,119,326	1,372,503	1,746,823	1,422,413	1,696,913	1,263,327	1,855,999
Missouri	107,193	531,381,000	17,472,698	9,417,784	8,054,914	9,889,547	7,583,151	8,666,458	8,806,240
Montana	23,419	76,086,000	3,053,869	1,447,534	1,606,335	1,456,696	1,597,173	1,334,541	1,719,328
Nebraska	41,591	141,636,000	5,633,208	2,979,967	2,653,241	3,120,797	2,512,411	2,743,372	2,889,836
Nevada	3,770	20,478,000	829,411	408,900	420,511	424,658	404,753	376,553	452,858
New Hampshire	19,697	67,799,000	2,750,135	1,105,554	1,644,581	1,127,555	1,622,580	1,017,550	1,732,585
New Jersey	194,601	715,735,000	32,572,004	12,833,370	19,738,634	13,289,378	19,282,626	11,823,637	20,748,367
New Mexico	9,615	35,863,000	1,683,663	643,159	1,040,504	663,363	1,020,300	587,598	1,096,065
New York	622,842	3,640,615,000	132,257,427	55,151,347	77,106,080	58,061,010	74,196,417	50,786,852	81,470,575
North Carolina	47,826	255,618,000	7,494,539	4,077,029	3,417,510	4,181,953	3,312,586	3,754,764	3,739,775
North Dakota	19,389	51,000,000	2,325,888	1,030,368	1,295,520	1,072,234	1,253,654	951,283	1,374,600
Ohio	206,491	983,258,000	31,763,967	17,883,113	13,880,854	18,772,504	12,991,463	16,485,499	15,278,468
Oklahoma	58,076	284,248,000	9,137,254	4,175,725	4,961,529	4,303,647	4,833,607	3,846,784	5,290,470
Oregon	39,912	257,588,000	6,579,577	3,599,029	2,980,548	3,671,404	2,908,173	3,316,107	3,263,470
Pennsylvania	305,411	1,117,013,000	25,815,479	13,088,448	12,727,031	13,733,835	12,081,644	12,055,829	13,759,650
Rhode Island	24,819	73,205,000	3,525,327	1,424,232	2,101,095	1,020,232	2,505,095	1,307,896	2,217,431
South Carolina	25,366	103,424,000	3,408,602	1,775,882	1,632,720	1,833,828	1,574,774	1,636,129	1,772,473
South Dakota	18,006	57,282,000	2,588,436	1,149,266	1,439,170	1,182,915	1,405,521	1,058,670	1,529,766
Tennessee	41,382	213,166,000	7,241,728	4,352,279	2,889,449	4,540,563	2,701,165	4,004,676	3,237,052
Texas	143,674	761,772,000	23,905,982	11,785,649	12,120,333	12,203,769	11,642,213	10,853,316	13,052,666
Utah	10,799	68,070,000	2,428,641	1,126,889	1,301,752	1,160,890	1,267,751	1,037,030	1,391,611
Vermont	12,516	29,543,000	1,253,901	564,255	689,646	576,794	677,107	520,369	733,532
Virginia	48,298	243,575,000	7,963,535	3,902,157	4,061,428	4,069,392	3,894,193	3,623,431	4,340,154
Washington	55,196	479,841,000	9,993,570	5,826,251	4,167,319	6,545,788	3,447,782	5,806,264	4,187,306
West Virginia	33,858	178,710,000	5,821,205	3,096,881	2,724,324	3,236,590	2,584,615	2,858,212	2,962,993
Wisconsin	97,682	370,992,000	13,398,701	6,752,945	6,645,756	7,141,508	6,257,193	6,216,997	7,181,704
Wyoming	7,977	25,930,000	1,294,687	477,740	816,947	488,097	806,590	440,194	854,493
Total	4,095,136	19,694,001,000	649,209,058	318,299,634	330,909,424	331,159,301	318,049,757	293,449,454	355,759,604

TABLE 3.—*Industrial and other electric sales for ultimate consumption, 1938*

State	Estimated sales data for 1938			Estimated revenues and consumer savings under rates in effect in—					
	Number of customers	Total kilowatt-hours	Total revenues	Tennessee Valley Authority		Tacoma, Wash.		Province of Ontario, Canada	
				Revenues	Overcharges	Revenues	Overcharges	Revenues	Overcharges
Alabama	28,857	987,184,000	$10,540,109	$7,567,798	$2,972,311	$5,048,712	$5,491,397	$7,989,403	$2,550,706
Arizona	14,073	320,346,000	4,144,239	2,005,812	2,138,427	1,338,589	2,805,650	2,117,706	2,026,533
Arkansas	16,149	324,021,000	4,764,619	2,982,651	1,781,968	1,991,611	2,773,008	1,991,611	2,773,008
California	314,378	5,037,846,000	63,980,725	59,630,036	4,350,689	39,796,011	24,184,714	62,957,033	1,023,692
Colorado	17,864	329,310,000	5,985,229	3,603,108	2,382,121	2,400,077	3,585,152	3,800,620	2,184,609
Connecticut	10,681	644,906,000	11,743,908	7,422,150	4,321,758	4,955,929	6,787,979	7,833,187	3,910,721
Delaware	872	112,030,000	1,473,197	976,730	496,467	651,153	822,044	1,031,238	441,959
District of Columbia	790	396,957,000	4,786,775	3,288,514	1,498,261	2,192,343	2,594,432	3,470,412	1,316,363
Florida	14,677	355,045,000	6,044,056	3,275,878	2,768,178	2,181,904	3,862,152	3,457,200	2,586,856
Georgia	3,435	928,683,000	10,054,772	7,118,779	2,935,993	4,745,852	5,308,920	7,520,969	2,533,803
Idaho	23,798	386,781,000	3,734,907	2,371,666	1,363,241	1,579,866	2,155,041	2,502,388	1,232,519

TABLE 3.—*Industrial and other electric sales for ultimate consumption, 1938*—Continued

State	Estimated sales data for 1938			Estimated revenues and consumer savings under rates in effect in—					
				Tennessee Valley Authority		Tacoma, Wash.		Province of Ontario, Canada	
	Number of customers	Total kilowatt-hours	Total revenues	Revenues	Overcharges	Revenues	Overcharges	Revenues	Overcharges
Illinois	118,379	4,315,917,000	$57,731,838	$33,138,075	$24,593,763	$22,111,294	$35,620,544	$34,985,494	$22,746,344
Indiana	80,691	1,461,835,000	22,137,883	13,946,866	8,191,017	9,297,911	12,839,972	14,721,692	7,416,191
Iowa	32,497	673,561,000	9,884,696	6,138,396	3,746,300	4,092,264	5,792,432	6,484,361	3,400,335
Kansas	20,338	539,133,000	8,001,313	5,048,829	2,952,484	3,368,553	4,632,760	5,328,874	2,672,439
Kentucky	28,746	582,314,000	9,384,778	6,109,490	3,275,288	4,082,378	5,302,400	6,456,727	2,928,051
Louisiana	6,935	666,789,000	8,198,504	5,378,219	2,820,265	3,582,746	4,615,758	5,673,365	2,525,139
Maine	28,273	605,911,000	5,255,876	3,421,575	1,834,301	2,281,050	2,974,826	3,610,787	1,645,089
Maryland	19,449	1,044,309,000	12,848,348	7,747,554	5,100,794	5,165,036	7,683,312	8,171,549	4,676,799
Massachusetts	3,633	1,129,238,000	20,595,653	12,213,222	8,382,431	8,135,283	12,460,370	12,892,879	7,702,774
Michigan	48,466	2,260,304,000	31,114,872	17,144,294	13,970,578	11,450,273	19,664,599	18,108,856	13,006,016
Minnesota	26,134	742,586,000	12,236,586	7,647,866	4,588,720	5,102,656	7,133,930	8,076,147	4,160,439
Mississippi	13,178	226,453,000	3,932,540	2,375,254	1,557,286	1,573,016	2,359,524	2,508,961	1,423,579
Missouri	29,834	1,401,824,000	17,329,524	11,818,735	5,510,789	7,884,933	9,444,591	12,477,257	4,852,267
Montana	10,723	1,125,225,000	6,162,425	5,170,275	992,150	3,444,796	2,717,629	5,453,746	708,679
Nebraska	11,174	318,169,000	4,977,919	3,375,029	1,602,890	2,250,019	2,727,900	3,564,190	1,413,729
Nevada	2,451	57,413,000	885,661	725,356	160,305	483,571	402,090	765,211	120,450
New Hampshire	17,781	146,680,000	2,991,633	2,028,327	963,306	1,352,218	1,639,415	2,142,009	849,624
New Jersey	3,548	1,470,169,000	23,690,799	13,930,190	9,760,609	9,310,484	14,380,315	14,711,986	8,978,813
New Mexico	2,565	26,763,000	676,378	335,483	340,895	223,881	452,497	353,746	322,632
New York	111,507	6,675,913,000	74,700,875	43,475,909	31,224,966	28,983,940	45,716,935	45,941,038	28,759,837
North Carolina	73,538	1,465,749,000	17,694,429	12,651,517	5,042,912	8,440,243	9,254,186	13,359,294	4,335,135
North Dakota	2,410	32,023,000	825,663	451,638	374,025	301,367	524,296	476,408	349,255
Ohio	119,777	3,813,401,000	53,571,937	35,089,619	18,482,318	23,410,936	30,161,001	37,018,208	16,553,729
Oklahoma	17,422	492,470,000	6,630,021	4,382,444	2,247,577	2,923,839	3,706,182	4,627,755	2,002,266
Oregon	57,044	523,264,000	6,839,446	5,765,653	1,073,793	3,850,608	2,988,838	6,087,107	752,339
Pennsylvania	134,470	6,985,114,000	123,865,572	84,724,051	39,141,521	56,482,701	67,382,871	89,430,943	34,434,629
Rhode Island	5,398	354,154,000	6,071,464	3,849,308	2,222,156	2,568,229	3,503,235	4,061,809	2,009,655
South Carolina	21,913	833,698,000	9,177,668	6,406,012	2,771,656	4,276,793	4,900,875	6,763,941	2,413,727
South Dakota	5,626	47,679,000	1,317,277	679,715	637,562	453,143	864,134	717,916	599,361
Tennessee	47,639	824,027,000	10,557,365	8,086,942	2,470,423	5,394,814	5,162,551	8,540,908	2,016,457
Texas	44,154	1,613,587,000	21,320,354	13,559,745	7,760,609	9,039,830	12,280,524	14,305,958	7,014,396
Utah	15,278	516,816,000	5,706,063	4,022,774	1,683,289	2,681,850	3,024,213	4,245,311	1,460,752
Vermont	15,038	115,331,000	2,824,598	1,926,376	898,222	1,285,192	1,539,406	2,033,711	790,887
Virginia	15,459	681,971,000	9,068,635	6,728,927	2,339,708	4,488,974	4,579,661	7,100,741	1,967,894
Washington	52,634	1,330,385,000	11,080,375	8,731,336	2,349,039	5,828,277	5,252,098	9,218,872	1,861,503
West Virginia	10,180	1,100,344,000	13,183,459	8,674,716	4,508,743	5,787,539	7,395,920	9,149,321	4,034,138
Wisconsin	61,701	1,264,672,000	18,894,864	11,506,972	7,387,892	7,671,315	11,223,549	12,149,398	6,745,466
Wyoming	1,469	60,262,000	1,164,850	584,755	580,095	390,225	774,625	617,371	547,479
Total	1,763,026	57,348,565,000	779,784,077	519,234,566	260,550,111	346,334,224	433,450,453	547,005,614	232,779,063

TABLE 4.—*Total electric sales for ultimate consumption, 1938*

State	Estimated sales data for 1938			Estimated revenues and consumer savings under rates in effect in—					
				Tennessee Valley Authority		Tacoma, Wash.		Province of Ontario, Canada	
	Number of customers	Total kilowatt-hours	Total revenues	Revenues	Overcharges	Revenues	Overcharges	Revenues	Overcharges
Alabama	227,517	1,353,415,000	$21,504,052	$14,203,547	$7,300,505	$11,117,368	$10,386,684	$13,248,836	$8,255,216
Arizona	64,360	417,176,000	7,983,960	3,664,696	4,319,264	2,895,926	5,088,034	3,478,845	4,505,115
Arkansas	136,552	472,128,000	11,868,951	6,187,408	5,681,543	4,962,367	6,906,584	4,600,354	7,268,597
California	2,040,466	8,177,854,000	152,273,910	119,331,903	32,942,007	95,331,778	56,942,132	111,935,916	40,337,994
Colorado	226,545	581,891,000	17,802,306	9,269,371	8,532,935	7,544,875	10,257,431	8,203,424	9,598,882
Connecticut	491,754	1,284,372,000	38,986,091	21,380,153	17,605,938	16,491,690	22,494,401	18,725,507	20,260,584
Delaware	52,222	189,493,000	4,451,948	2,446,496	2,005,452	1,986,869	2,465,079	2,198,379	2,253,569
District of Columbia	157,325	710,877,000	12,960,335	9,934,858	3,025,477	8,408,115	4,552,220	8,864,071	4,096,264
Florida	304,520	822,238,000	28,347,451	12,851,303	15,496,148	10,873,163	17,474,288	11,089,603	17,257,848
Georgia	273,925	1,517,731,000	28,196,918	17,170,507	11,026,411	13,977,940	14,218,978	15,622,004	12,574,914
Idaho	100,656	585,330,000	8,475,119	4,978,110	3,497,009	3,927,547	4,547,572	4,572,773	3,902,346
Illinois	2,195,590	6,936,786,000	161,177,634	91,262,377	69,915,257	75,697,361	85,480,273	81,442,602	79,735,032
Indiana	758,043	2,476,349,000	58,634,803	34,524,525	24,110,278	28,308,885	30,325,918	31,326,109	27,308,694
Iowa	487,723	1,212,592,000	32,676,846	18,215,149	14,461,697	15,230,461	17,446,385	16,221,662	16,455,184
Kansas	342,294	952,000,000	24,692,966	13,918,271	10,774,695	11,483,545	13,209,421	12,448,429	12,244,537
Kentucky	297,516	934,158,000	22,553,974	13,649,563	8,914,411	11,043,513	11,520,461	12,527,974	10,036,000
Louisiana	258,700	939,577,000	20,716,925	11,253,054	9,463,871	8,861,139	11,855,786	10,305,637	10,411,288
Maine	202,707	818,603,000	14,026,488	7,747,721	6,278,767	6,217,950	7,808,538	7,092,029	6,934,459
Maryland	377,033	1,560,193,000	32,012,400	18,820,992	13,191,408	15,403,831	16,608,569	17,062,812	14,949,588
Massachusetts	1,268,924	2,744,451,000	87,941,621	43,454,530	44,487,091	36,663,560	51,278,061	37,834,398	50,107,223
Michigan	1,309,501	4,334,243,000	98,411,598	58,381,178	40,030,420	48,996,575	49,415,023	50,815,065	47,596,533
Minnesota	544,430	1,475,258,000	39,260,406	22,828,100	16,432,306	18,924,425	20,335,981	20,197,023	19,063,383
Mississippi	108,828	366,132,000	9,976,497	5,327,058	4,649,439	4,293,965	5,682,532	4,895,316	5,081,151
Missouri	725,134	2,450,217,000	54,277,898	33,272,487	21,005,411	27,687,599	26,590,299	29,713,012	24,564,886
Montana	121,185	1,283,681,000	12,383,154	8,267,743	4,115,411	6,260,075	6,123,079	7,963,192	4,419,962
Nebraska	229,129	604,093,000	16,928,989	9,829,820	7,099,169	8,232,807	8,696,182	8,784,164	8,144,825
Nevada	21,161	100,294,000	2,377,033	1,435,448	941,585	1,155,802	1,221,231	1,356,239	1,020,794
New Hampshire	140,355	284,275,000	9,427,843	4,870,022	4,557,821	3,909,970	5,517,873	4,394,394	5,033,449
New Jersey	1,217,363	2,894,399,000	93,718,647	45,641,305	48,077,342	38,144,037	55,574,610	39,982,271	53,736,376
New Mexico	45,026	86,227,000	3,708,493	1,535,553	2,172,940	1,345,718	2,362,775	1,337,789	2,370,704
New York	3,948,993	12,533,482,000	315,363,963	157,491,530	157,872,433	135,502,280	179,861,683	138,680,881	176,683,082
North Carolina	329,842	1,930,127,000	32,841,639	21,258,927	11,582,712	16,356,699	16,484,940	20,343,485	12,498,154
North Dakota	78,862	133,041,000	5,334,909	2,597,702	2,737,207	2,290,611	3,044,298	2,220,255	3,114,654
Ohio	1,730,397	6,027,100,000	131,084,622	83,212,635	47,871,987	67,116,491	63,968,131	75,051,353	56,033,269
Oklahoma	289,758	934,645,000	23,959,480	12,506,812	11,452,668	8,494,791	15,464,689	11,284,465	12,675,015
Oregon	278,965	1,030,117,000	20,086,066	13,671,592	6,414,474	11,068,879	9,017,187	12,470,054	7,616,012
Pennsylvania	2,365,768	9,687,374,000	198,143,535	125,629,965	72,513,570	93,139,291	105,004,244	121,307,928	76,835,607
Rhode Island	199,466	528,535,000	15,568,308	8,032,381	7,535,927	5,857,637	9,710,671	7,334,334	8,233,974
South Carolina	136,336	1,037,410,000	16,075,821	10,355,884	5,719,937	7,900,761	8,175,060	9,945,941	6,129,880
South Dakota	87,351	157,498,000	6,318,130	2,986,941	3,331,189	2,588,963	3,729,167	2,601,633	3,716,497
Tennessee	288,300	1,294,358,000	25,742,724	18,468,437	7,274,287	14,900,146	10,842,578	16,835,145	8,907,579
Texas	840,627	2,889,172,000	69,243,509	38,146,547	31,096,962	26,923,305	42,320,204	34,261,783	34,981,726
Utah	118,637	680,271,000	11,653,174	7,225,560	4,427,614	5,552,716	6,100,458	6,760,098	4,893,076
Vermont	88,722	192,365,000	6,425,012	3,633,383	2,791,629	2,802,938	3,622,074	3,438,715	2,986,297
Virginia	332,449	1,195,093,000	27,788,391	16,686,808	11,101,583	13,549,229	14,239,162	15,077,497	12,710,894
Washington	474,471	2,342,699,000	34,067,104	23,574,839	10,492,265	19,793,159	14,273,945	21,443,757	12,623,347
West Virginia	245,610	1,439,003,000	25,839,078	15,721,888	10,117,190	12,290,979	13,548,099	14,830,146	11,008,932
Wisconsin	690,394	2,127,548,000	49,483,978	28,858,242	20,625,736	23,339,268	26,144,710	25,741,082	23,742,896
Wyoming	39,000	106,996,000	3,658,534	1,569,671	2,088,863	1,295,573	2,362,961	1,418,463	2,240,071
Total	27,290,432	94,832,857,000	2,146,443,233	1,257,050,486	889,392,747	1,016,142,572	1,130,300,661	1,139,286,874	1,007,156,359

EXTENSION OF REMARKS

Mr. CHANDLER. Mr. Speaker, I desire to extend my own remarks in the RECORD and include a letter written to the New York Times by Mr. Cloyd Laporte, an eminent New York lawyer and student of international law, dealing with certain of the legal questions involved in the neutrality legislation now pending. As Mr. Laporte takes issue with Professors Jessup and Hyde, whose views have been inserted in the CONGRESSIONAL RECORD heretofore, I think that Mr. Laporte's letter will be of material interest and benefit to Members of Congress.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute at this time.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein an editorial.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, I address you today for the purpose of directing your attention to an article which appeared in today's edition of the New York Times. This article was written by Mr. Arthur Krock, its Washington correspondent, and is entitled "National Safety and Economy Forced Cash-Carry Revisions."

In my opinion, this article should be read by every Member of the House and the Senate, because it presents in a clear and concise fashion important facts concerning a most controversial subject. It also demonstrates that clear-cut issues may be made most confusing by heated and faulty reasoning.

I wish to congratulate Mr. Krock upon this splendid article and to recommend it to the earnest and thoughtful consideration of the entire membership of the Congress.

WASHINGTON, October 19.—When it is recalled that the original cash-and-carry section of the Pittman bill would have shut off from this country supplies essential to its economy and to national defense, required transoceanic air pilots to violate all passenger safety rules and collided with the administration's own Maritime Commission policy, the amendments agreed on by the Senate committee today can be classified as wholly in the national interest. When it is further noted that the administration had to apply common sense to this section in order to hold votes for the arms-embargo repeal, its political compulsions are also plain.

These things are well known in Washington. And it is also well known that risks to our shipping are negligible in the Pacific and the Southern Hemisphere in comparison with the need for bringing essential cargoes thence. India is a part of the British Empire; so are the Straits Settlements and South Africa. French Guinea is tributary to Paris; and the Allies control Indochina, two of the South American Guianas, British Honduras, and the islands of Bermuda, Trinidad, Martinique, etc. The Pittman bill, before it was revised, prevented American ships from going in cargo—or probably going at all—to these areas from which jute, rubber, tin, manganese, tungsten, and other vital supplies are brought to these shores. It also required an air pilot, whatever the weather might be, to make a nonstop flight from the Azores to American soil.

REVISIONS WERE NECESSARY

These blind, rigid, and economically perilous restrictions were pointed out several times in this space. It was also noted that, since the bill gave the President power to designate new "combat areas" whenever he chose, the element of danger in the Pacific and the Southern Hemisphere was made slight indeed. These arguments and these points were subsequently addressed to Congress by shippers and supported by the administration's own Maritime Commission. Senator BAILEY made an investigation, and the statistics he produced were conclusive that the baby was being thrown out with the bath.

It might have been expected that the amendments could be agreed on without unkind or invidious attributions. But this does not seem to be the temper of the times. When Senator PITTMAN announced today the revisions in the bill that bears his name, he said of the shipping interests: "The thing that provoked us was they seemed more interested in cargoes than in lives. The American people are interested in lives." And in My Day this week Mrs. Roosevelt remarked of the Pittman bill revisions:

"It is a curious thing how much we desire to be kept out of war and yet, as soon as staying out entails a loss in some financial line, we immediately have to make concessions because whatever else happens some people are always sure to feel that their pockets must be saved."

The word "curious" bears repetition, and so does Mr. PITTMAN'S contrasting comment about "cargoes" and "lives."

It is a curious thing that the legitimate facts should be wholly ignored in such comment and emphasis be laid on what was incidental and—so far as the analyses of the Pittman bill in this space are concerned—not even considered. And it is a curious thing that pride of authorship (and self-admiration for a strategy which needlessly imperiled American economy and security by a political device to isolate the isolationists) should produce talk about cargoes versus lives when this was not the issue at all.

THE CASE OF THE REVISIONISTS

The points on the side of the critics of the cash-and-carry section are these:

1. They agreed with the authors of the bill that our traditional insistence on freedom of the seas should be abandoned in an effort to prevent incidents which might involve the United States in war.

2. They granted that certain European waters are perilous for American ships and should be barred by statute; also that further precaution be taken by giving the President the right to add "combat zones" in his discretion.

3. They accepted cash and carry, transfer of cargo title to the foreign purchaser, and foreign transport for the very reason that they are more interested in lives than in cargoes.

4. They contended, however, without serious dispute that the Pacific and the Southern Hemisphere are not danger areas for American shipping, can be restricted by the President when he deems it necessary, and should not be barred, since vital commodities are produced in these areas for the supply of which we cannot safely depend on a foreign merchant marine.

5. They contended further that it was murderous nonsense to require an air pilot to make nonstop flights from and to the Azores on the ground that Bermuda was a "belligerent" port; and unnecessary to lay up the Pan American Airways by forbidding stops in Trinidad and British Guiana.

This was the case of the critics, and it carried. It had nothing to do with disregard of "lives" in the interest of cash and cargoes.

EXTENSION OF REMARKS

Mr. PIERCE of Oregon. Mr. Speaker, I ask unanimous consent that in the extension of remarks, permission for which was granted me earlier in the day, I may include excerpts from Portland and other Oregon papers.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a memorandum from the War Department describing the policy of the War Department relative to the establishment of permanent American cemeteries in Europe.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 2 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, October 23, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. HARE introduced a resolution (H. Res. 317) authorizing an investigation of the farm-machinery business, which was referred to the Committee on Rules.

SENATE

SATURDAY, OCTOBER 21, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Spirit of the living God, Thou Spirit of Might, that foldest up the heavens as a curtain and shakest terribly the earth: Come, rule in our hearts this day, that we may be effectually restrained from sin and enabled to do our duty, for if Thou

be with us we cannot be moved, if Thou be for us nought can prevail against us. Grant that those who are overborne with care, sorrow, sickness, or affliction, may find in Thee surcease from their anguish and comfort in their time of trouble; and do Thou breathe upon the hearts of men the spirit of restraint in all their dealings with each other, and may Thy holy influence safeguard their devotion to the right.

And from these days of honest striving to quit ourselves like men, may peace result, which, like a river, even the River of Life, shall bear us on its tranquil bosom to that ocean of divine consciousness where the love of God shall welcome in the rapture of immortality all who have learned to anticipate with holy longing the perfection of eternal life in the fellowship of the Triune glory. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, October 20, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	Hill	Radcliffe
Andrews	Connally	Holt	Reed
Austin	Danaher	Johnson, Calif.	Reynolds
Bailey	Davis	Johnson, Colo.	Russell
Bankhead	Donahey	King	Schwartz
Barkley	Downey	La Follette	Schwellenbach
Bilbo	Ellender	Lucas	Sheppard
Borah	Frazier	Lundeen	Shipstead
Bridges	George	McCarran	Slattery
Brown	Gerry	McKellar	Stewart
Bulow	Gillette	McNary	Thomas, Okla.
Burke	Green	Miller	Thomas, Utah
Byrd	Guffey	Minton	Tydings
Byrnes	Gurney	Murray	Vandenberg
Capper	Hale	Norris	Van Nuys
Caraway	Harrison	Nye	Wheeler
Chandler	Hatch	O'Mahoney	White
Chavez	Hayden	Pepper	Wiley
Clark, Idaho	Herring	Pittman	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Connecticut [Mr. MALONEY], the junior Senator from New York [Mr. MEAD], the Senator from West Virginia [Mr. NEELY], the Senator from Louisiana [Mr. OVERTON], the Senator from New Jersey [Mr. SMATHERS], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], the senior Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained from the Senate.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENT

Mr. DOWNEY submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which was ordered to lie on the table, and to be printed.

ADDRESS BY SENATOR GUFFEY AT CORNERSTONE LAYING OF AGRICULTURAL RESEARCH LABORATORY, WYNDMOOR, PA.

[Mr. STEWART asked and obtained leave to have printed in the RECORD an address delivered by Senator GUFFEY at the cornerstone laying of the Agricultural Research Laboratory, Wyndmoor, Pa., on October 20, 1939, which appears in the Appendix.]

DISCUSSION ON NEUTRALITY ON AMERICAN FORUM OF THE AIR

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD a discussion on American neutrality, conducted over the American Forum of the Air on October 8, 1939, by Senators OVERTON, SCHWELLENBACH, HOLT, MINTON, and PEPPER, and Representative VAN ZANDT, which appears in the Appendix.]

ADDRESS BY HON. PAUL V. M'NUTT AT TESTIMONIAL DINNER TO FRANCIS P. MATTHEWS

[Mr. BURKE asked and obtained leave to have printed in the RECORD an address delivered on October 17 at Omaha, Nebr., by Hon. Paul V. McNutt on the occasion of a testimonial dinner to Francis P. Matthews, which appears in the Appendix.]

ADDRESS BY PROF. EDWIN BORCHARD ON AMERICAN FOREIGN POLICY

[Mr. BORAH asked and obtained leave to have printed in the RECORD an address delivered by Prof. Edwin Borchard on October 14, 1939, at Philadelphia, Pa., on American Foreign Policy, which appears in the Appendix.]

COMMENT ON COLONEL LINDBERGH'S RADIO ADDRESS

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article from the Louisville Courier-Journal of October 18, 1939, by Herbert Agar, discussing Colonel Lindbergh's second radio address, which appears in the Appendix.]

ARTICLE BY JAMES MORGAN ON NEUTRALITY

[Mr. SLATTERY asked and obtained leave to have printed in the RECORD an article by James Morgan, published in the Boston Sunday Globe of October 15, 1939, entitled "One Sure Way to Keep Us Out of War," which appears in the Appendix.]

ADDRESS BY COL. E. S. GORRELL AT DEDICATION OF NORTH BEACH AIRPORT, NEW YORK

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD an address delivered by Col. Edgar S. Gorrell, president of the Air Transport Association of America, at the dedication of the North Beach Airport, in New York City, N. Y., October 15, 1939, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. ANDREWS obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Kentucky?

Mr. ANDREWS I yield.

Mr. BARKLEY. I wish to make a very brief statement with reference to the matter of procedure. The debate on the pending measure has been in progress now for 3 weeks, and I think it has been of a high order. It has been, for the most part, entirely pertinent to the question before the Senate. There has been no effort on the part of anyone to deny to any Senator unlimited time with respect to his desire to express his views on the joint resolution, but I think an overwhelming majority of the Members of the Senate, regardless of their attitude on this question, feel that the time has come when there ought to be an effort to bring this matter to a conclusion. There has been no vote on any amendment, and, of course, amendments will of themselves involve considerable discussion.

I wish simply to advise the Senate that before the day is over I intend to submit a unanimous-consent request for a limitation of debate, beginning on Monday next. I ask Senators who are interested in the matter to be here and other Senators to be available in order that if they are needed for a quorum at any time during this afternoon's session, they may be able to come and help constitute a quorum of the Senate. I am not now submitting the request for unanimous consent, for I want all Senators who are interested to have a chance to be present when the request is made.

Mr. NYE. Mr. President, may the Senate understand that there will be a quorum call before the request is made?

Mr. BARKLEY. Yes; that is why I have asked Senators to remain available.

Mr. CHAVEZ. Mr. President, I desire to ask the Senator from Kentucky a question. The Senator from Kentucky knows that the Senator from New Mexico has not taken

very much of the time of the Senate; and I should like to make a few further remarks on the pending question.

Mr. BARKLEY. Any request I may make for a limitation of time will not, I think, be so unreasonable as not to allow the Senator from New Mexico or any other Senator opportunity to express his views on the joint resolution within a reasonable limitation.

Mr. CHAVEZ. I assure the Senator from Kentucky that it is not the desire of the Senator from New Mexico in any way to delay the measure.

Mr. BARKLEY. I am conscious of that fact. I do not think the Senator from New Mexico will have any reason to object to the request I shall make at the time I make it.

Mr. CHAVEZ. I thank the Senator.

Mr. GILLETTE. Mr. Presidentt, will the Senator from Florida yield?

Mr. ANDREWS. I yield to the Senator from Iowa.

Mr. GILLETTE. On behalf of the Senator from Nebraska [Mr. BURKE] and myself, I send to the desk two proposed amendments which I ask to have printed in the RECORD and lie on the table.

The VICE PRESIDENT. Without objection, the amendments will be printed and lie on the table, and will also be printed in the RECORD.

The amendments are as follows:

Amendment intended to be proposed by Mr. GILLETTE to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz:

On page 16, line 19, beginning with the word "there", strike out through the word "to" in line 20, and insert in lieu thereof the following: "he has complied with the requirements of this subsection with respect to transfer of right, title, and interest in such articles or materials, and that he will."

Amendment intended to be proposed by Mr. GILLETTE and Mr. BURKE to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz:

On page 18, line 4, before the period, insert a comma and the following: "or to any transportation on or over lands, lakes, rivers, or inland waters bordering on the United States of any articles or materials if the consignee thereof is a citizen of the United States who was engaged in business on October 15, 1939, in the state to which such articles or materials are so transported, and if such articles and materials are to be used in connection with the type of business in which such consignee was engaged on such date."

Mr. VANDENBERG. Mr. President, I ask the Senator from Iowa whether the amendments he has submitted relate to a relaxation of trade restrictions with respect to certain of the problems we have been discussing together. I ask the question because I am very much interested in some of the problems he was attempting to meet, and I should like to know whether he thinks he has textually met them.

Mr. GILLETTE. Mr. President, with the permission of the Senator from Florida, I will say to the Senator from Michigan, that I think the problem he has in mind is met by the amendments which have been sent to the desk by the Senator from Nebraska [Mr. BURKE] and myself. The problem has been that of divesting title on the part of a shipper in the United States to a belligerent country, especially as it concerns the necessity for transferring title to a foreign agency, corporation, or individual on the part of certain institutions and enterprises of the United States which are doing business in Canada under license, so that the shipment is from a United States citizen in this country to another United States citizen in Canada, and therefore the title could not well be divested and transferred to a foreigner. It was to meet that situation, to enable such shippers still to transact business with their licensed concerns across the Canadian border, that the amendments have been prepared.

Mr. VANDENBERG. I thank the Senator. I hope his amendments will be printed in the RECORD.

The VICE PRESIDENT. They have been ordered printed in the RECORD.

Mr. BURKE. Mr. President, will the Senator from Iowa, in a word, state the extent of the purchases made by a typical company, say the Quaker Oats Co., of farm products devoted to the purpose the continuance of which this amendment seeks to make possible?

Mr. GILLETTE. I am informed that within the past 3 years one American institution, the Quaker Oats Co., has purchased in this country and shipped to its own mills which are operating as licensed concerns in Canada over eight and one-half million bushels of oats, over 700,000 bushels of corn, over 500,000 bushels of wheat, over 2,000,000 pounds of cottonseed meal, over 4,000,000 pounds of soybean meal, 17 carloads of glassware, 900,000 pounds of waxed paper, and various items of machinery. That one company has purchased that material in this country and shipped it to its own mills in Canada, and it could not continue to do so if these amendments should not be adopted. It would either have to go out of business or purchase elsewhere that material for processing.

Mr. ANDREWS. Mr. President, it had been my purpose, after listening to the many very able arguments presented to this body by a number of distinguished Senators, not to have anything to say. But it so happens that I am a member of the Naval Affairs Committee. In the early part of last year our committee had before it a bill for an appropriation of over a billion dollars to provide for and to secure a comprehensive naval building program, which would place America in the forefront of civilized nations, and thus able to defend ourselves against any power or combination of powers if the time should come that war should be forced upon us.

Ten years ago such a program would have been unthinkable because of the Washington Conference, which provided in plain terms for the reduction of armaments. A few years later we learned that a solemn agreement between certain dictator nations and the rest of the civilized world amounted to even less than a scrap of paper. Finding that reliance could not be placed upon the solemn agreements and treaties of such nations, it became apparent that we should, in time of peace, prepare for any eventuality.

In addition to being a member of the Naval Affairs Committee, which had much to do with laying out the comprehensive plan of defense on the sea, under the sea, and in the air, I happen to live in the portion of the United States in the vicinity of which, if the Monroe Doctrine is ever attacked or tested out by European or other foreign aggressions, the battle of Armageddon between democracy and autocracy will, as many feel, perhaps be fought out; namely, in the Caribbean or the Florida Straits. Indeed, one of the highest authorities in this Government recently told me that the chances are 5 to 1 that my beloved State of Florida would necessarily be in the front-line trenches of a test of our ability to defend our Nation and our institutions.

Florida for 200 years was the cockpit of the Western Hemisphere. Indeed, Florida has existed under five different flags—the Spanish, the French, the English, the Confederate, and the Stars and Stripes. For the past 100 years we have been practically immune from war, with the exception of the Spanish-American War of 1898. It shall be my purpose to show that the present joint resolution, with the adoption of some of the amendments proposed, is our safeguard and hope. History has repeated itself over the centuries time and time again—that embargo is a dangerous policy, particularly to the neutral that undertakes to enforce it.

Correspondence coming to my office daily shows conclusively that many of our people are laboring under a misapprehension, in that they seem to believe that the Senate is trying to repeal a Neutrality Act and get us into war, and substitute therefor a less neutral act without analyzing the question of how they have operated by actual experience.

It is clear that the paramount question being debated in the Senate is whether the repeal or the retention of the embargo on arms and ammunition is more likely to lead the United States into war.

It is also self-evident that at this time it is impossible for the advocates of either repeal or nonrepeal of embargo to prove their case conclusively. For a very apparent reason we cannot foresee the conditions which tomorrow, next month, next year, or the years to come may bring forth in either case.

The best Congress can hope to do now is to adopt that policy which a cool estimate of past experience would seem the least likely to put us into the more dangerous position. Three weeks of debate on the Senate floor seems to show

conclusively that there is no serious disagreement among us as to the advisability of enacting the title-and-carry or cash-and-carry policy on other than contrabands.

After weighing all the facts, many of us have reached the conclusion, I take it, that the repeal of the embargo will have a greater tendency to keep the United States out of war. That is the real question being debated and the one in which the American people are most interested.

It is evident that the shorter the war, the less likely the United States to become involved. Likewise, the war will more likely be prolonged if the Allies cannot buy arms and munitions and the materials from which they are made from neutral nations like the United States. Without repeal the Allies will have to remain on the defensive until they can build up new and greater arsenals, airplane factories, and manufacturing plants for the creation of war material and instruments of war.

We can also reasonably assume that if the Allies cannot get arms and munitions from the United States, they may be more inclined to make peace with Germany and Russia, and such a situation might ultimately lead to an attack on the United States. That is logical from past experience. Russia and Germany can now trade with each other without passing through any neutral or buffer nation. Russia has an abundant supply of raw material of nearly every kind, while Germany has recently acquired additional territory with additional arsenals and munitions manufacturing plants. Everyone who has studied the question realizes that to continue the arms embargo might cause the defeat of the Allies and ultimately deprive the United States of those two great democracies which are now our buffer states against fascism and communism, and thereby later leave the United States and other American republics to face the Nazi-Soviet bloc on this side of the Atlantic. Indeed, the opinion prevails that the dictators of both nations, if victorious in Europe, would not be satisfied until they forced the United States to war in self defense and in defense of the Monroe Doctrine.

We should have the courage to adopt whatever policy we determine in the light of history and experience will protect our people and our institutions not only now, but tomorrow and in the years to come. We should not leave this job unfinished for our children.

The argument that the repeal of the arms embargo would cause the Germans and Russians to sabotage or attempt reprisals against the United States or United States shipping, and thereby draw us ultimately into the war, is not well founded and a humiliating admission. It is undoubtedly true that the Nazists have been and always will be unfriendly with the United States whenever it suits them, regardless of whether we repeal the embargo and adopt the title-and-carry system or not. They are just as likely to make reprisals against the United States in spite of the arms embargo. Indeed, from a military standpoint it is as damaging to warring nations to shut off food and other necessities of life as arms and war material. A great general once said that "an army moves forward on its stomach," thus wheat, sugar, and meat become just as important in time of war, and perhaps more important, than guns and powder. We must also remember that to deny these necessities of life to the innocent women and children in the warring nation would be inhuman.

The opposition has stressed the point that if the United States should sell arms to the Allies on a title-and-carry basis, as a result we would thereby become dependent on war trade; and thus business would depend upon it for profits, labor for jobs and possibly lenders for the security of their loans; and that eventually the United States would have to go to war to save its customers.

Whether we have embargo or no embargo, the United States is more than likely to have a large war trade if the war continues for a long time, for the Allies will naturally need food, clothing, and other materials. It must be remembered that in the last war only 10 to 15 percent of the Allies' purchases in the United States were of arms. If the Allies cannot get arms already manufactured, they will naturally require more material for making arms, and they can buy such materials, because, without even borrowing, Great Britain and France have nearly $4,000,000,000 in gold, plus $3,000,000,000 in United States securities with which to pay their bills.

It is true that the products of our fields, mines, fisheries, and factories are now and always will be for sale, and the particular interest of belligerent nations is no concern of ours. Most of us will continue to insist upon the preservation of freedom of action within the law. We had nothing to do with starting the war. Public opinion positively favors American armaments inferior to none. Many well-meaning American citizens favor the protection of our citizens, property, and national rights under international law, and there is nothing in international law to prevent the sale of products of any description, if sold and title delivered here in America.

We do not wish for war, and past experience has shown conclusively that the surest way to become involved, particularly with Germany, will be to show any sign of weakness. Certainly foreign opinion to the effect that this country will not resent abuse should be contradicted. We have heard argument on the floor of the Senate in the past few days that would indicate that Americans should be willing to sacrifice some of our most cherished and inherent rights in order to appease German feeling.

We do not wish to fight, but we do not propose to be kicked around, and any great nation that does submit to it will soon lose respect for itself, and dissolution will follow; and if we lose our self-respect as a Nation there will be little left worth having.

With negligible exceptions, all of our people passionately desire to remain at peace. To this end, two brands of neutrality present themselves to us:

First, traditional neutrality under rules of international law which have been gradually developed through the experience of centuries, and consistently adhered to by the United States Government until the more recent Embargo Act was passed.

The traditional type of neutrality provides that neutrals shall enjoy freedom of trade, including trade in munitions and implements of war, with belligerents in time of war. It also provides that belligerents shall enjoy similar freedom of trade with neutrals, subject only to such restrictions as one belligerent may, under international law, place upon another by blockade and seizure. The records show that under this type of neutrality many nations have in many wars successfully maintained their neutral status and continued their peaceful pursuits.

The most striking example of this fact was that of Norway, Sweden, Denmark, Holland, and Switzerland. Although these small nations lay in the midst of the World War area, neither was provoked to the point of making it necessary to enter to defend her national honor nor her territory. They had no permanent system of embargo. It was more or less a cash-and-carry plan. It furnishes an example from which we can profit at this time.

This international type of neutrality has also been consistently commended by all of our past and present Secretaries of State, both Republican and Democratic. Those officials are specifically charged with conducting the foreign affairs of our Government and are thus experienced in handling international relations. Their recorded opinions show that they believe the title-and-carry type of neutrality alone can keep us out of the present European struggle, and that an embargo will ultimately cause us to become involved.

The embargo type of neutrality is new and therefore experimental, and was invoked by the President for the first time a few days ago. Under this new theoretical type the President is by law required, when he finds that a state of war exists, to issue his proclamation stopping the sale of arms, munitions, and implements of war to any belligerent. Under that law we stood by, furnishing war materials to Japan, and saw China ruined. The same thing happened in the case of Spain. This new type of neutrality thus represents an attempt to legislate in advance when no neutrality status is necessary or required, by invoking, in time of peace, hard and fast rules governing our relations with nations at war when neutrality does become an important status.

At this point it is important to note that this legislation was passed despite the earnest warning of our present Secretary of State, who, at the time, stated that it represented a hazardous departure from established principles of international law.

It also drew from the President the further warning that its wholly inflexible provisions might, under unforeseen situations, "have exactly the opposite effect from that which was intended. In other words, the inflexible provisions might drag us into war instead of keeping us out."

Within the next few weeks Congress must decide which of these two brands of neutrality is most likely to serve the cause of peace. It is my belief, after a study of the joint resolution from every angle, that the issue is not whether America shall enter the war, as was indicated by some of our able colleagues recently on the Senate floor and over radio. We are not in position to doubt, nor can we seriously doubt, the sincerity and wisdom of our Democratic and Republican Presidents and Secretaries of State, whose solemn duty it is to know, and who have spoken and solemnly recorded their beliefs that neutrality under international law is our best guaranty of peace, any more than one can doubt the sincerity of distinguished Senators in their preference for the new experimental neutrality provided by embargo. The real issue is not one of peace or war, but, which is the safest path to peace?

Mr. President, in passing upon this issue today, Congress and the American people must consider what the situations were when the Embargo Act was passed in 1935 and 1937. Since that time there has arisen in Germany a dictator who has destroyed the civil and religious liberties of his own people, and thereafter extended his liberty-destroying powers over Austria, Czechoslovakia, and Poland. That he now seeks to dominate Europe, if not the world, no one can seriously doubt. He proposes to do so by highly specialized man-destroying machinery and highly successful technique in military aggression. Recently he has been joined in his efforts by Russia, which has for two decades lived under a dictatorship more severe and destructive to the rights of freedom-loving people than even that of Germany. Nazis and Bolshevists, who in their own countries have been able to destroy personal freedom of men as we revere and know it, may join in the attempted subjugation of our own people later if the scales of battle turn definitely in favor of the apostles of brute force.

We in America cannot hope to escape serious danger once the dictators are established triumphant in Europe.

The swift transportation on sea, under sea, and in air, likewise communication by transatlantic telephone and radio, places the nations now at war infinitely closer, and makes them far more intimately bound up in our affairs today than were the nations of South America when the Monroe Doctrine was promulgated, or when the first President of the United States, in his Farewell Address, admonished us to avoid all foreign entanglements. The oceans are no longer great barriers separating the New World from the Old. They are broad, four-way highways bringing the Old World swiftly to our very doors. Should the European democracies be destroyed or divided and the dictators gain control of the sea, our dream of peaceful isolation would be over. It has been conclusively demonstrated recently that the war lords of Europe are out for spoils, and they know there is rich loot in the Americas. It is also clear that if the hideous system called totalitarianism cannot be destroyed in the lands where it sprang into power and spread to nearly half the world, it follows that if it should grow infinitely larger, we would ultimately have to fight it on our own soil.

The organized human totalitarianism termites, now at work boring into our governmental foundation from within, with the avowed purpose of destroying our own Government, will, of course, lend every aid to that end. They are all in favor of the embargo, for they see in it the hope of their dream; they see in it the obliteration of the Bill of Rights, and the destruction of the Ten Commandments and the Sermon on the Mount. There can be no question about that.

To strengthen Hitler—and now Stalin—by weakening those who have been compelled as a last resort to take up arms against Germany, by retaining the Embargo Act, would be gross betrayal of all freedom-loving people, including our own, to say nothing of the interests of humanity at large. If the Embargo Act is not repealed it will undoubtedly aid in accomplishing that very fact. An American blockade of the democracies of Europe, by our American Fleet, could not be more effective in bringing about their destruction.

If it were a fixed principle of international law that neutral countries shall not sell arms and munitions to belligerents, opinion might be divided as to whether, under such circumstances, we would be justified in abandoning it to the extent of enacting title-and-carry legislation.

But when it has long been a fixed principle of international law that neutral markets shall remain open to belligerents, a failure to repeal our present embargo legislation will remain as a perpetual breach of international law. It would not only be persisting in an unneutral act, but would be contradictory to sound international policy. It is likewise not only opposed to our national interest, but calculated to increase the chances of our becoming directly involved in the present struggle.

The present Embargo Act is not only a flagrant breach of long-established international law, but it is one of those peculiar laws known as unilateral laws, in that it is self-imposed, and binds no other government on earth but our own. It is a self-inflicted strait jacket, enacted with the thought and hope that it would be a means of preventing our entry into any war anywhere. The most serious effect of the embargo is that it places the burden solely upon the American people to enforce it. That is a dangerous feature of the Embargo Act. It would require an army of inspectors with police power to watch every harbor, cove, and shore to prevent the various transportation facilities, foreign and domestic, from carrying goods across the sea, or under the sea, as was done in the World War, or through the air, to belligerent nations. It is impossible to enforce this law, and yet the burden is upon our Government to enforce it.

Perhaps some of us have forgotten that during the World War a submarine came out of Germany and sailed up Chesapeake Bay to Baltimore, where it unloaded its cargo and took on a cargo, and returned safely to Germany.

Under the title-and-carry system, the burden would be entirely shifted to warring nations—those which undertake to come and get what we have to sell. The responsibility would be on them. There is neither moral nor legal justification for one nation to alter by unilateral law what has long been a well-recognized principle of international law, which may or may not aid those who are not bound by it—regardless of the form of government that nation might have. The fact that we have an embargo act and may get away with it to the injury of peace-loving democracies like our own, does not clothe the law with any moral or legal sanction.

So long as the Embargo Act remains in effect to hazard two great democracies now involved in the European war in an effort to check the conquest of Europe by two dictators, we remain in the position of being guilty of an unneutral act, and the act is nonetheless unneutral because the legislation was passed prior to the outbreak of the present war in the hope that it would discourage aggressions in Europe, Ethiopia, and China. It failed and has thus become obsolete.

If a nation enacts legislation in peacetime, the effect of which amounts to a breach of international law when its purpose fails, its responsibility is not complete until the act is repealed. Under the present Embargo Act there is nothing to prevent our selling, in time of peace, every kind of war material to aggressor nations then preparing to make aggressions on other smaller and peace-loving nations; and as soon as the aggressor nation is armed to the teeth with every possible instrument for dealing death to smaller peaceful nations which were unable to become sufficiently armed, we immediately, under the Embargo Act, must refuse to sell the helpless nations being attacked even arms to use in self-defense.

What a pitiful and deplorable situation we have placed ourselves in. It is the most unjust, unthinkable situation that we, the people of the United States, could be placed in.

The argument that repeal of the embargo will be an unneutral act because America has expressed herself as being

opposed to the aggressions of Hitler and because repeal will remove a handicap now placed on Britain and France, is altogether fallacious. Neutrality does not consist in depriving one set of belligerents of advantages they enjoy for geographical, military, or other reasons, in order to place the contest on a more nearly equal basis. America is not undertaking to referee a prize fight between two other nations or any group of nations. Free markets, open to both sides involved in a war, have long been recognized as one of the essential elements of neutrality. To repeal our present embargo and return to a standard neutrality status with title-and-carry safeguards can by no stretch of the imagination be called an unneutral act.

There can hardly be any question that it is in the interest of world peace and world progress that nations should not be compelled to maintain at all times a crushing burden of armaments. If neutral armaments remain open to all nations in time of war, peace-loving nations may defer most of their arming until forced to meet some subsequent aggressions or emergency thrust upon them. No one can deny that this has been demonstrated in Europe, not once, but three times recently by the League of Nations. But if neutrals are to close their markets to peaceful countries when war comes, militaristic nations like Germany and Russia will continue to engage in aggressions against peaceful neighbors. Such a policy would require all nations to keep armed to the teeth at all times, or ultimately perish from the earth, as it would place upon their unfortunate people, in time of peace, the awful costs of constantly replacing outmoded armaments and remaining always on a war footing. The smaller nations cannot do that.

As warned by our President when he reluctantly signed the present Embargo Act, it now brings about a situation utterly opposed to our own national interest and even our national instinct. Our past history clearly shows that our sympathies are naturally with the democracies which have governments and instincts of freedom similar to ours. The Bill of Rights in our American Constitution and the English Bill of Rights have for centuries constituted the safeguard of every individual citizen against oppression, even from our own Government. The Bill of Rights does not exist in the German form of government, the Russian form of government, or the Italian form of government. England, France, and the United States have likewise, through the centuries, adhered to and emulated the doctrine laid down in the Ten Commandments and the Sermon on the Mount. We are a peace-loving people because we have been brought up through the years to respect the rights not only of other people but of other nations. It is the unquestionable right of the American people to continue to uphold and safeguard our institutions guaranteeing these principles in whatever method or manner seems the safest for all.

The question is, Shall we put ourselves in a more perilous position by undertaking to perpetuate a mistake made in 1935, after having been again warned by those officials who are best qualified to know?

Hitler and Stalin stand for the governmental and social conditions which we most abhor, while England and France stand for the things we hold dearer than life itself, and know to be essential to the peace and liberty of man. If the repeal of the present embargo would place us in an unneutral position, then I am in favor of being unneutral in favor of and not against those nations whose thoughts, creeds, and governmental practices are more in keeping with the things we all hold dear.

After it was demonstrated to the world by Germany that a treaty or obligation between her and other nations is a mere scrap of paper, and when Herr Hitler promised to the world, after he forcibly took over Austria, that he would not make any further aggressions, and proceeded thereafter to invade and take over Czechoslovakia, and violated his pledge again and forcibly took over Poland, and is trying now to take over still others, we have gradually been compelled again to consider what our duty is in regard to increasing our armaments for self-defense and for the protection of the Western Hemisphere. The Embargo Act has undoubtedly helped to bring this unhappy condition upon us.

In the latter part of 1938 the Institute of Public Opinion propounded certain questions, with the results I shall indicate. We are always interested in public opinion, because this Government is of, by, and for the people.

The following questions were asked:

Should the United States build a larger Navy? Should it enlarge the strength of its Army? Should it enlarge its air force?

The answers were: "Larger Navy," 86 percent; "larger Army," 82 percent; "larger air force," 90 percent.

Early in 1939 the question was propounded:

Do you believe there will be a war between any of the big European countries this year?

Answer: "Yes," 40 percent; "No," 56 percent.

We can see how mistaken the answers were.

The question was asked:

If there is such a war, which country do you think will be responsible for starting it?

Answer: "Germany alone," 62 percent; "Italy alone," 12 percent; "Germany and Italy," 20 percent. "Total, Germany, Italy, or both," 94 percent.

No one said anything about France or England starting it.

In March of this year the question was put:

In case war breaks out, should we sell Britain and France food supplies?

Answer: "Yes," 76 percent; "No," 24 percent.

Should we sell them airplanes and other war materials?

Answer: "Yes," 52 percent; "No," 48 percent.

In April the following question was asked:

In case war breaks out, should we sell Britain and France food supplies?

Answer: "Yes," 82 percent.

It would not surprise me, if the poll were taken in the next few weeks, to see that percentage increased to 100.

The question was asked:

Should we sell them airplanes and other war materials?

Answer: "Yes," 66 percent.

The percentage increased in a short month from 52 percent to 66 percent.

Our present so-called neutrality law prevents this country from selling war materials to any country fighting in a declared war. The question was put:

Do you think the law should be changed so that we could sell war materials to England and France in case of war?
Answer: "Yes," 57 percent; "No," 43 percent.

It must be remembered that the above polls were taken before Poland was invaded by Germany and Russia, and before England and France declared war on the two dictator nations.

The recent poll has shown how the increase of sentiment in this country has made it quite clear that we should not retain on our statute books laws that discriminate against a democracy which is now fighting the battle that must ultimately be ours if it should be defeated.

The very able Senator from the State of Washington [Mr. SCHWELLENBACH] put the issue very clearly in his address to the Senate on this subject on Thursday, October 5, when he stated:

The fact that, almost without exception, the great students of this subject since 1758 have agreed that a nation was safer so far as being involved in the wars of other countries was concerned without an arms embargo than if it had an arms embargo, and we have some responsibility to take that fact into consideration. It seems such a simple matter. We will merely refuse to ship arms, ammunition, and implements of war to any warring nation and then we cannot get into their war. That was a magic wand that could be waved, and we accepted it in the face of the rich experience of the neutral nations for the last 200 years.

* * * * * * *

International law recognizes the responsibility upon the belligerent itself to protect itself against the shipment to its enemy of contraband, including arms, ammunition, and the implements of war. International law recognizes no responsibility upon the neutral government to stop its citizens from shipping contraband. It is for the benefit of the belligerent, and therefore the neutral does not

have any responsibility to stop it. But when the neutral assumes the responsibility to stop it, when it passes an embargo, a domestic law governing its own citizens, then that neutral has a responsibility. The burden shifts from the belligerent to protect itself over to the neutral to protect the belligerent.

That is precisely what we did when we adopted the arms embargo in 1935 and 1937. It is the responsibility of the United States Government today to protect the belligerent nations of Europe against our citizens shipping arms, ammunition, and implements of war to those nations. Without an arms embargo, it would be their responsibility. If we fail in our responsibility, we are subject to the antagonism of and criticism by the belligerent, and if we continue in our failure, that continuation of failure in itself constitutes an unfriendly act which would justify the belligerent in declaring war against us.

I wish to read an extract from an author who, I think all Senators will agree, is an authority upon this question—John Bassett Moore. In discussing the question of neutrality he says:

The fundamental principles are simply these: From the point of view of neutrality the question of unlawfulness is presented in two aspects: (1) that of international law, and (2) that of municipal law. Acts unlawful by international law are divided into two classes, (a) acts which the state is bound to prevent, and (b) acts which the state is not bound to prevent. The dealing in contraband is unlawful by international law, as is shown by the fact that the noxious articles may be seized on the high seas and confiscated; but (b) is not an act which it is the duty of the neutral state to prevent, and therefore is not usually prohibited by municipal law.

Judge Moore continues:

Why is the neutral state not bound to prevent it? Simply because, from obvious considerations of convenience, it has been deemed just to confine within reasonable bounds the duty of the neutral state to interfere with the commerce of its citizens, even for the purpose of repressing unneutral acts. The principal interest to be subserved being that of the belligerents, it is left to them, in respect of many acts in their nature unneutral, to adopt measures of self-protection; and neutral states are deemed to have discharged their full duty when they submit to the belligerent enforcement of such measures against their citizens and their commerce.

I quote further from Judge Moore:

If the sale of munitions of war is to be held a breach of neutrality, "instantly upon the declaration of war between two belligerents, not only the traffic by sea of all the rest of the neutral powers of the world would be exposed to the inconveniences of which they are already impatient, but the whole inland trade of every nation of the earth, which has hitherto been free, would be cast into the fetters. * * * It would give to the belligerent the right of interference in every act of neutral domestic commerce, till at last the burden would be so enormous that neutrality itself would become more intolerable than war, and the result of this assumed reform, professing to be founded on 'the principles of eternal justice,' would be nothing less than universal and interminable hostilities" (Sir W. Harcourt, Historicus, 134). For, not only the vendor of the iron would have to be prevented from selling to the vendor of the gun, but the miner and machinist would have to be prevented from working for the vendor of the iron.

A neutral sovereign, therefore, would have either to stop all machinery by which munitions of war could be produced for belligerent use, or expose himself to a call for whatever damages his failure so to do might have caused either belligerent. Under such circumstances it would be far more economical and polite to plunge into a war as a belligerent than to keep out of it as a neutral.

Some weeks ago I was deeply impressed by the statements made by the distinguished Senator from Nebraska [Mr. BURKE] in an address over the Nation-wide Columbia network. The following statements especially appealed to me:

We have demonstrated that an arms embargo is undesirable and productive of no good results. A complete embargo is unwise and its consequence devastating. There is an alternative. Simple. Sensible. Sound. It is set forth in the pending substitute. It attempts no meaningless distinction between classes of goods. It recognizes the futility of discriminating between the raw material, the partly fabricated article, and the completed product. It says to all the world that what we have for sale is ready for any purchaser without the slightest discrimination on our part. As far as we are concerned all will be treated exactly alike.

More than that, this proposal goes to the very root of the evil we are trying to correct—the evil of involvement in war. Since certain countries unfortunately are engaged in a titanic struggle which is not of our making and in which we do not propose to permit ourselves to become involved, we will not let our ships make deliveries to any of the belligerents. We will say to them, one and all alike, if you want that which we have for sale come and get it in your own ships. Title must pass to you here and it will not pass until payment has been made. When you leave our territorial waters with the goods you have bought and paid for—wheat, oil, cotton, airplanes, or whatever they may be—we have no further responsibility. You take all the chance of a safe passage.

Mr. President, I now desire to announce my concurrence with the statements made on this floor by several Senators that it would be impossible for our Government to enforce the embargo, although under the present law the sole responsibility is upon us to do so. In support of that contention, the following facts may be cited:

On September 13, 1939, our Department of State was informed by the British Ambassador that a proclamation had been issued in London specifying the articles to be treated as conditional contraband of war by His Majesty's Government, and that among them were enumerated "all kinds of food, foodstuffs, feed, forage, and clothing, and articles and materials used in their production."

Five days later, on September 19, 1939, Mr. Alexander Kirk, the American Chargé d'Affaires in Berlin, reported to our State Department that two amendments had been issued to the Prize Law Code, which increased the articles and materials to be considered as absolute and conditional contraband by the German Government, and among them the following:

Foodstuffs (including live animals), beverages, and tobacco and the like, fodder and clothing, articles and materials used for their preparation or manufacture.

It will be noted that the list embraces practically the whole scope of the necessities of life.

When, under the Embargo Act, we assume the responsibility of saying to our citizens, "You are prohibited from shipping certain articles," then we also have the grave responsibility of seeing that our list is the correct one and conforms to the list issued by the nations at war. That is an impossibility and will continue to be so. We cannot make a mistake about the contraband list without arousing the antagonism of either or both the belligerents. Then the situation is still further complicated by the so-called Neutrality Acts of 1935 and 1937, subsection (d) of section 1 of which provides:

The President shall, from time to time, by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

The President is prohibited from proclaiming the articles referred to be to contraband, although England and Germany have already so proclaimed them. That is an impracticable situation. In other words, under our present act we have given to the President not only the responsibility but the discretion of saying what shall be included under subsection (d) of section 1.

Let us suppose that he attempts to comply with the contraband lists of the 2 nations which have already issued them, England and Germany. Let us suppose, first, he includes only the 4 classifications of the English contraband list. He will immediately get into controversy with the German Government. Let us suppose he includes the 12 articles in the German list. He will immediately get into controversy with the English Government. Let us suppose he gets up a list of his own, as the present law provides that he shall. Then he probably will get into controversy with both governments, and having assumed the responsibility of preventing the export of these articles, as I stated before, we shall have the complete responsibility of carrying through. We shall perhaps have a worse job if we continue this policy than if we ourselves had entered the war.

It is because of that fact that the overwhelming number of the group of men who, during the period of over 150 years, have studied this subject for the sole purpose of endeavoring to work out systems whereby neutrals in the same position in which we are today can stay out of a war, have come to the conclusion that there is no method which is more likely to get a nation into a war than the adoption of an arms embargo. We all know that it got us into trouble in 1812. Every nation that has ever had it has gotten into trouble.

Many great Americans whose opinions have been, and forever will be, highly regarded by all thinking people, have continually warned the American people against the dangers of embargo.

In Theodore Roosevelt's book entitled "Fear God and Take Your Own Part," he said:

> The Americans who are now striving to prevent the sale of munitions of war * * * are committing the gravest possible offense against the cause of international right and of the interest of humanity.
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> * * * * * * *
>
> Of course, if sales of munitions are improper in time of war, they are precisely as improper in time of peace, for in time of peace they are made only with a view to possible war. To prohibit them is to put a premium upon aggressive nations manufacturing their own ammunition, for it is the nonaggressive nations that do not conduct great manufactories for munitions of war.

Quoting further from Theodore Roosevelt's book:

> The warlike and aggressive nation chooses the moment of attack and is fully equipped in advance.

That is the case in Europe today.

> If the nation assailed cannot replenish her supplies from outside, she must always maintain them in time of peace at the highest point or else expose herself to ruin.
>
> * * * * * * *
>
> From the standpoint of international law, as I have shown above, we have the absolute right to make such shipments. Washington and Lincoln—in fact, all our Presidents and Secretaries—have preemptorily refused to allow this right to be questioned. The right has been insisted upon by Germany in her own interest, more strongly than by any other nation, up to the beginning of the present war.

This article was written by Theodore Roosevelt during the last war. He must have known something about the situation then existing.

Continuing Theodore Roosevelt's statement:

> From the standpoint of morality the justification is even more clear.

The British minister was asking our rather feeble Government, during the beginnings of our governmental history, to refuse to ship arms and ammunition to his country's adversaries. Jefferson's letter was written on May 15, 1793. In it he said:

> Our citizens have been always free to make, vend, and export arms. It is the constant occupation and livelihood of some of them. To suppress their callings, the only means perhaps of their subsistence, because a war exists in foreign and distant countries, in which we have no concern, would scarcely be expected. It would be hard in principle and impossible in practice. The law of nations, therefore, respecting the rights of those at peace, does not require from them such an internal disarrangement in their occupations. It is satisfied with the external penalty pronounced in the President's proclamation—that of confiscation of such portion of these arms as shall fall into the hands of any of the belligerent powers on their way to the ports of their enemies. To this penalty our citizens are warned that they will be abandoned, and, that even private contraventions may work no inequality between the parties at war, the benefit of them will be left equally free and open to all.

Alexander Hamilton also had the question under consideration. On August 4, 1793, he said:

> The purchasing within, and exporting from the United States, by way of merchandise, articles commonly called contraband, being generally war-like instruments and military stores, is free to all the parties at war, and is not to be interfered with.

Mr. Pickering, who was Secretary of State in 1796, had a controversy with the French Government about this question, and he answered the French Government in this way:

> It was contended on the part of the French Nation in 1796, that neutral governments were bound to restrain their subjects from selling or exporting articles contraband of war to the belligerent powers. But it was successfully shown, on the part of the United States, that neutrals may lawfully sell, at home, to a belligerent purchaser, or carry themselves, to the belligerent powers, contraband articles subject to the right of seizure in transitu.

Henry Clay, when he was Secretary of State, got into a controversy, and wrote a letter to the Minister from Mexico on April 6, 1827, in which he said:

> The Government of the United States cannot undertake to punish its own citizens for disposing in another country of contraband articles in violation of the laws of such country. Neither * * * our own laws, nor, as is believed, those of any foreign country, make provision for the enforcement of the penal laws of another country, the general rule being that the laws of every nation are competent to vindicate their own authority.

Mr. Olney, Secretary of State, writing to Mr. Dupuy de Lome, July 15, 1896, said:

> The citizens of the United States have a right to sell arms and munitions of war to all comers—neither the sale nor the transportation of such merchandise, except in connection with and in furtherance of a military expedition prosecuted from our shores, are a breach of international duty or give Spain any ground of complaint—and the denunciation of such acts as evidencing criminal conspiracy, or as showing United States territory to have become a base of operations against Spain, is greatly to be depreciated as without sufficient warrant in law or in fact, and as therefore ill calculated to promote the harmonious relations of the two countries.

Mr. Justice Story, who had the reputation of probably being the outstanding authority of our Supreme Court upon international affairs, used the following language:

> There is nothing in our laws or in the law of nations that forbids our citizens from sending armed vessels as well as munitions of war to foreign ports of sale. It is a commercial adventure which no nation is bound to prohibit and which only exposes the persons engaged in it to the penalty of confiscation.

The matter was discussed in the House Committee on Foreign Affairs on January 8, 1936, by Mr. Hackworth, counsel for the State Department. Apparently, the same question was raised at that time with reference to the Ethiopian situation. Mr. Hackworth said:

> So long as we apply our policy equally, I do not think either belligerent would have any just ground for complaint. We know that belligerents change their contraband lists from time to time as a war progresses. * * * If belligerents can change their position during the progress of the war, why cannot neutrals? This, of course, is subject to the condition that the neutrals must make their policy or their law apply equally to all the belligerents. It cannot be said, on the basis of law or reason, that a neutral must determine upon its whole attitude or policy and course of action as regards a given war at the outbreak of that war. * * * This would in effect amount to placing the neutral in a strait jacket, so to speak.

The second argument against repeal is that it is immoral to sell arms, ammunition, and implements of war. In the first place, I think, in passing upon that question, we should recall the positions of the long list of American statesmen to whom I have adverted who had the specific question before them. Certainly no one can question the high moral standing of those gentlemen. The question of morality must always embrace the consideration of the total result. If, as these authorities have pointed out, the net result, so far as world peace over a period of time is concerned, is an increased number of wars, particularly wars in which aggressor prepared nations are attacking nonaggressor unprepared nations, then, much as we should hate the idea of questioning the possible immorality of selling arms and ammunition, we must take that situation into consideration.

Other nations are in no position to criticize or object to our doing those things which those countries now practice and always have practiced.

By this time we should learn that it is not the duty of America to try to bring about the moral reformation of the world, particularly when we find that nearly half the civilized world resents it.

Mr. Douglas Johnson, in his very able article, said:

> The argument that repeal of the arms embargo will insure our entry into the war is emotionally plausible but highly unrealistic. It assumes that the Government, with full knowledge of long-established rules of international law, and fully conscious of the fact that our present embargo is an unneutral provision highly favorable to Germany, would regard our return to standard neutrality as an unfriendly act. It assumes, further, that such unjustified attitude on the part of the German Government would inspire it to commit acts of aggression against us which would bring us into the conflict. In other words, Hitler would take advantage of a specious excuse in order to bring the full armed might of America against him. Hitler may commit acts of aggression against America, as did a former German Government. But such acts will be based, in the future as in the past, on consideration of what the German Government at that time believes to be its own immediate interest. For such acts Hitler will find ready at hand a hundred excuses quite as serviceable as repeal of the embargo—among them the fact that we are now shipping and will continue to ship to Britain and France vast quantities of cotton, oil, and countless other supplies for manufacture and operation of all the engines of war.

The argument that a feast of war profits, consequent upon repeal of the arms embargo, will drag us into war is equally unrealistic. It ignores the fact that our country has never been engaged in any serious conflict with another power solely because our people sold arms and munitions to belligerents. It ignores the fact, fully established by the record, that our entry into the last war resulted not from any feast of profits, but from the German Government's callous and persistent destruction of American lives in defiance of the rules of international law, the dictates of humanity, and our oft-reiterated protests.

It ignores the fact that the present neutrality law, by its absurdly illogical provisions, now makes possible a feast of profits from the sale of cotton for explosives, fuel for airplanes and motorized transport, steel and copper for cannon and shells, and countless other materials for the conduct of war. It ignores the fact that Congress has full power to prevent any extraordinary profit from war sales if it so desires. It ignores the fact that the real danger of our becoming involved in war arises from attacks on American ships and American citizens in danger zones, and from the sinking on the high seas of American vessels carrying goods not banned by the arms embargo; and that this danger has already been, or can quickly be, eliminated by appropriate congressional action.

Such, then, are the two types of neutrality offered to the American people. One, the traditional neutrality under established principles of international law, tested for centuries and found adequate for nations desiring to remain at peace, and now recommended to us by past and present Presidents and Secretaries of State of both political parties. The other, a new and untried neutrality, contrary to established principles of international law and alien to our own experience. It so happens, due to circumstances for which we have no responsibility, that the traditional neutrality will operate to the advantage of two peace-loving nations forced into war against their will, and at the same time safeguard our own vital interests; whereas the new and untried neutrality inevitably aids one of the most brutal and conscienceless militaristic governments ever inflicted on humanity, and tends to perpetuate principles and practices we wish to see destroyed.

Between these two courses of action the American people acting through Congress must quickly choose. The choice may well be momentous, for the history of the world and the future of our country depend on it.

Mr. REYNOLDS obtained the floor.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	Hill	Radcliffe
Andrews	Connally	Holt	Reed
Austin	Danaher	Johnson, Calif.	Reynolds
Bailey	Davis	Johnson, Colo.	Russell
Bankhead	Donahey	King	Schwartz
Barkley	Downey	La Follette	Schwellenbach
Bilbo	Ellender	Lucas	Sheppard
Borah	Frazier	Lundeen	Shipstead
Bridges	George	McCarran	Slattery
Brown	Gerry	McKellar	Stewart
Bulow	Gillette	McNary	Thomas, Okla.
Burke	Green	Miller	Thomas, Utah
Byrd	Guffey	Minton	Tydings
Byrnes	Gurney	Murray	Vandenberg
Capper	Hale	Norris	Van Nuys
Caraway	Harrison	Nye	Wheeler
Chandler	Hatch	O'Mahoney	White
Chavez	Hayden	Pepper	Wiley
Clark, Idaho	Herring	Pittman	

The PRESIDING OFFICER. Seventy-five Senators having answered to the roll call, a quorum is present.

Mr. FRAZIER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. REYNOLDS. I yield.

Mr. FRAZIER. On October 18, when the junior Senator from West Virginia [Mr. HOLT] was speaking, the Senator from North Carolina read into the RECORD an article describing an interview which William Griffin, editor of the New York Enquirer, of New York City, had with Winston Churchill, and quoting a statement made to him by Winston Churchill. I stated at that time that, according to what I had seen in the newspapers, Mr. Churchill denied the statement. I thought that denial was made since the present war started. I was mistaken in that respect. It was before the war started that he made the statement.

Mr. President, I stated once before on the floor of the Senate that I had met Mr. Griffin, and that I had very high regard for him, that I believed he was a responsible newspaper man, and I have no doubt whatever that Mr. Churchill made the statement Mr. Griffin attributes to him.

I have a sworn affidavit by William Griffin of the conversation between him and Winston Churchill, and the statement made by Winston Churchill to him back in 1936. At that time he was discussing the question of the war with Mr. Churchill, and Mr. Churchill made the statement that it had been better if the United States had not gotten into the World War. Then they talked about the probability of another war.

I wish to read a paragraph from Mr. Griffin's sworn statement:

Mr. Churchill talked about other topics dealing with the war, and I interposed the statement: "I think the United States has learned its lesson and when the next war starts in Europe we will stay at home and mind our own business." Mr. Churchill continued talking and stated: "Well, the situation will be different when the next war starts in Europe. You may want to stay out of it, but the long arm of world events will reach right around the American continent, and the United States will be dragged in and you will find yourselves fighting shoulder to shoulder with us in defense of our common democratic institutions."

That is what Mr. Griffin said Mr. Churchill told him. I think that is the way they feel over there. I talked with a number of Englishmen in August of this year who expressed themselves in the same way.

Mr. President, I ask unanimous consent that Mr. Griffin's sworn statement be placed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

[Supreme Court of the State of New York, county of New York. William Griffin, plaintiff, against Winston S. Churchill, defendant]

State of New York,
County of New York, ss:

William Griffin, being duly sworn, deposes and says: I am the plaintiff in the above entitled action and a resident of this State, residing at 1148 Fifth Avenue, New York City.

1. I am the editor and publisher of the newspaper, the New York Enquirer, located at 47 Walker Street, New York City, which has a wide circulation in the city of New York and is also circulated elsewhere throughout this country.

2. The defendant, Winston S. Churchill, is a nonresident, is now First Lord of the British Admiralty, and resides in London, England. I know he resides in London, England, because I visited him there.

3. A cause of action exists in my favor against the defendant for the recovery of a sum of money only as damages for slanderous statements made of and concerning me by the defendant, whereby I have been injured, and that said cause of action arose from and is based upon the following facts:

4. On or about August 11, 1936, the defendant, Winston Churchill, now First Lord of the British Admiralty, invited me to call on him at his home in London, England. The invitation was in the form of a telegram which reached me at the Savoy Hotel in London, where I was staying at the time. I accepted the invitation and called on him at the time set in his telegram to me.

5. During my visit the following conversation took place:

I asked him if he did not agree with me that since America had helped England win the World War, she should pay her war debt, amounting to approximately $5,000,000,000, to the United States. Mr. Churchill made this reply: "I agree with you that England should at once pay every penny the United States claims she owes, but England should be allowed, before a final settlement is made, to deduct 50 percent of the cost of all the shot and shell she fired at the Germans from the time America declared war in the spring of 1917 until she actually put troops in the front lines a year later." I asked Mr. Churchill how much he estimated that deduction would amount to and he said: "About $4,900,000,000." I answered by saying: "If the war debt were settled on that basis the United States would almost owe England money." Churchill replied that the United States did owe England money, because if the debt settlement was a fair one then England should be allowed to deduct from the war debt interest from the time she expended the money until there was a final settlement. I expressed my astonishment to the defendant, Winston Churchill, at his attitude, because, I said: "In my opinion such a settlement would not be very fair to the United States in view of the fact that if we hadn't entered the war England would have lost the war, the British Empire would have been broken up and today (meaning at that time) England would probably be ruled from Berlin." Mr. Churchill did not agree with me. He said that he was very enthusiastic about our declaration

of war in 1917, that there was no one in England happier over our decision to enter the war on the side of England than he was, but he could see now it was all a mistake for us to enter the World War, because, he said: "If you hadn't entered the World War we would have made peace with Germany early in 1917. Had we made peace then there would have been no collapse in Russia followed by communism, no break-down in Italy followed by fascism, and Germany would not have signed the Versailles Treaty, which has enthroned nazi-ism in Germany. In other words," Mr. Churchill said, "If America had stayed out of the war all of these 'isms' wouldn't today be sweeping the Continent of Europe and breaking down parliamentary government, and if England had made peace early in 1917, it would have saved over 1,000,000 British, French, American, and other lives." The defendant, Winston Churchill, said that he could understand it if Woodrow Wilson had put us in the war in 1915, at the time the Lusitania was sunk, but that when Wilson failed to put us in in 1915, when, in his (Churchill's) opinion, we had such a good excuse for going in, he could never understand why he put us in in 1917.

6. Mr. Churchill talked about other topics dealing with the war, and I interposed the statement: "I think the United States has learned its lesson and when the next war starts in Europe we will stay at home and mind our own business." Mr. Churchill continued talking and stated: "Well, the situation will be different when the next war starts in Europe. You may want to stay out of it, but the long arm of world events will reach right around the American Continent and the United States will be dragged in and you will find yourselves fighting shoulder to shoulder with us in defense of our common democratic institutions."

7. Before I left Mr. Churchill he asked me if I thought that his views on American participation in the World War and on war debts and whether we would go into the next war and various other questions would be interesting to the American people. I told him I felt sure that they would. He told me he would be glad to write a signed article for the New York Enquirer containing all of the above statements he had made to me that day during our conference for $500, but he would want me to buy the article as 1 of a series of 10, and said his price would be $500 an article. I told him that I couldn't see my way clear to buy 10 articles, but I would be glad to buy that 1 article from him. Mr. Churchill was not willing to agree to sell 1 article.

8. After that I left him. In all, I had been with Mr. Churchill at least 1 hour in his apartment in London.

9. Within an hour or two after leaving Mr. Churchill I was interviewed by representatives of American news services in London and they asked me about my talk with Mr. Churchill. I went into details and told them substantially everything Mr. Churchill had told me.

10. On August 12, 1936, the New York Journal-American published a story reporting that I had had a conference with the defendant, Winston Churchill, at his London home. Subsequent thereto the subject of my interview, and the fact that I had a conference with Mr. Churchill in his London home, was published in a large number of newspapers in the State of New York and in the United States. Subsequent thereto I was subpenaed by the United States Senate and testified in Washington, D. C., before the Naval Affairs Committee of that body, and the testimony I gave included the subject matter of the conference with the defendant, Winston Churchill, all of which is a matter of record. On that committee was United States Senator DAVID I. WALSH, who was chairman. Among the United States Senators present were Senator DAVID I. WALSH, Senator GILLETTE, Senator BONE, and Senator HOLT. After the meeting of the Naval Affairs Committee of the United States Senate, excerpts from my testimony before that committee dealing with my conference with Mr. Churchill were published in the leading newspapers of the United States, including the New York Journal-American and the New York Sun.

11. In the fall of 1938, Mr. Churchill talked over the radio to the people of the United States on a Nation-wide hook-up and pleaded with the United States to join forces with England to save democracy in Europe. The subject matter of my conference with Mr. Churchill, in which he stated that it was a mistake for the United States to have entered the World War at the time the United States did enter the war, were again published in newspapers throughout the United States.

12. In spite of the fact that numerous articles had been printed in the press of the United States and, I believe, in the English press since August 1936, no denial was ever made by Mr. Churchill of the statements that I ascribed to him or the fact that I had such a conference with him.

13. I am advised and verily believe that on or about the 26th of August 1939 the defendant made a statement to a representative of the Evening Bulletin, a newspaper published in the city of Philadelphia, which statement was republished in the New York Times of August 27, 1939, referring to me and to the aforesaid conference had with me, as follows: "It is an absolute untruth. It is a vicious lie. You have my authorization to deny it in the strongest terms. I never heard of Mr. Griffin."

14. Mr. Churchill has now seen fit to endeavor to destroy my reputation for truth and veracity because at the time he made the above statements to me he was trying to justify England's failure to pay its immense war debt to the United States. He wished to spill the blood of millions of Americans on the battlefields of Europe and to sacrifice not only millions of American lives in defense of the British Empire, but to have America finance the then threatened war. Peace-loving people throughout the world, during the past few years, have recognized that if another war started in Europe, two men, Adolf Hitler, the brutal dictator of the Third Reich, and Winston Churchill, who has been crying for war, would be the men best satisfied by such a happening.

15. The statement made by the defendant that he "never heard of Mr. Griffin" was made deliberately and for the purpose of injuring me. Mr. Churchill is one of the leading members of the Conservative Party of England which has opposed England's living up to the Balfour declaration, under which Palestine was to be made a Jewish homeland, a project which I have long and vigorously championed.

16. Mr. Churchill has been zealous in his denunciation of nazi-ism in Germany insofar as it applies to Hitler's acquiring more territory for Germany. I cannot recall his ever having denounced the denial of civil and religious liberty in Germany.

17. When I had my conference with Mr. Churchill, he knew that I was not only the editor and publisher of the New York Enquirer, but also the American member of the United States-Polish Arbitration Commission, to which high office I was appointed by my friend, Hon. Franklin D. Roosevelt, President of the United States, to succeed the late George W. Wickersham, former Attorney General of the United States, and which post I still hold.

18. This defendant, Winston Churchill, as well as representatives of all other European governments, including those of Germany and France and every other nation indebted to the United States, knows full well that there is a joint resolution before the Congress of the United States proposing that I be named as a special ambassador to go to Europe and collect the war debts due the United States from European powers. I believe the purpose of the defendant, Winston Churchill, in denying his acquaintance with me, was to clear the way for the Government of Great Britain to solicit the aid of the United States, either financially or otherwise, in the then threatening war, a war which has since broken out.

19. That I am entitled to recover the amount claimed in my complaint over and above all counterclaims known to me.

20. That the above-entitled action is about to be commenced for the above stated cause and the annexed summons and complaint herein have been issued and a warrant of attachment is sought to accompany the same.

21. That the property of the defendant available for attachment in this State, I am advised and verily believe, does not exceed $20,000.

22. No previous application for a warrant of attachment of the defendant's property herein has been made to this or any other court or judge.

Wherefore, I respectfully submit that a warrant of attachment issue requiring the sheriff of New York County to attach property of the defendant not to exceed $20,000 in value.

WILLIAM GRIFFIN.

Sworn to before me this 8th day of September 1939.

ROBERT A. SIEBERT,
Notary Public, Bronx County.

Commission expires March 30, 1940.

Mr. FRAZIER. I also have a photostatic copy of the telegram Mr. Griffin received from Winston Churchill, dated August 4, 1936, addressed to "William Griffin, Savoy Hotel." That was while he was in London. The telegram says:

Could you come to see me at 5 ock. at 11 Morpeth Mansions Westminster on Wednesday.

WINSTON CHURCHILL.

I ask that the telegram be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WILLIAM GRIFFIN,
Savoy Hotel, WC 2:

Could you come to see me at 5 ock. at 11 Morpeth Mansions Westminster on Wednesday.

WINSTON CHURCHILL.

Mr. FRAZIER. Mr. President, I also submit for the RECORD excerpts from an article by Carl W. McArdle, published in the Philadelphia Evening Bulletin of August 26, 1939, in which he quotes Mr. Churchill. I wish to read a paragraph or two from Mr. McArdle's article.

Churchill decried "lies" that are coming out of Germany, and made this vigorous assertion, reminiscent of his familiar fighting spirit:

"Germany is putting out a lot of lies, but they're going to get more than lies before we're through with them this time."

That quotation is from Mr. McArdle's article published in the Philadelphia Evening Bulletin just before the war started.

When McArdle asked Mr. Churchill about Griffin's statement, this is what Churchill said with respect to the alleged interview.

Churchill's denial was as sharp as it was complete:

"It is an absolute untruth, it is a vicious lie—you have my authorization to deny it in the strongest terms.

"I don't remember ever talking with a Mr. Griffin. I don't know him. In fact, I never heard of Mr. Griffin.

"Attributing such an assertion to me is preposterous, ridiculous."

I have asked to have printed in the RECORD a photostatic copy of the telegram from Mr. Churchill to Mr. Griffin. I conclude that it is just another case of one of these great men forgetting an interview he gave out, and repudiating it afterward. As I said before, I have every confidence in Mr. Griffin.

I ask to have the excerpts from Mr. McArdle's article printed in the RECORD at this point.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Evening Bulletin of August 26, 1939]

(Article by Carl W. McArdle)

CHURCHILL DECRIES "LIES"

Churchill decried "lies" that are coming out of Germany, and made this vigorous assertion, reminiscent of his familiar fighting spirit:

"Germany is putting out a lot of lies, but they're going to get more than lies before we're through with them this time."

It has been reported that Churchill would be taken into the Cabinet if England goes to war. He was asked about this.

"How do I know?" he asked with a knowing inflection to his voice.

Churchill said that he hoped "America would come along on that neutrality legislation" in the event the crisis becomes worse.

At one point, the telephonic connection was broken, but in a short time Churchill was back on the line.

The question was then repeated about possible appeasement, and he said: "Unless there's something that I don't know about, the situation, as I have said, is very grave."

CLOSE TO GOVERNMENT

Churchill is regarded by many as the outstanding member of the House of Commons not in a government position. It is thought he would be close to affairs in Whitehall, especially in view of the possibility of his entering the Cabinet.

Churchill was Minister of Munitions in 1917, and was Chancellor of the Exchequer from 1924 to 1929.

He was informed of a broadcast to the United States by short wave from Germany last night for which a purported interview with him formed part of the basis.

This interview was supposed to have been between Churchill and William Griffin, publisher of the New York Enquirer.

The broadcast said that Churchill had told Griffin that it was "a horrible mistake" for America to come into the World War, that America should have stayed home and minded its own business, and that if America hadn't participated in the war England could have made peace with Germany in 1917, saving over a million British and French lives.

DENIES INTERVIEW

Churchill's denial was as sharp as it was complete.

"It is an absolute untruth; it is a vicious lie; you have my authorization to deny it in the strongest terms.

"I don't remember ever talking with a Mr. Griffin. I don't know him. In fact, I never heard of Mr. Griffin.

"Attributing such an assertion to me is preposterous, ridiculous."

Mr. FRAZIER. Mr. Griffin has brought suit against Mr. Churchill for slander, as I understand, in the courts of New York State.

Mr. REYNOLDS. Mr. President, in connection with the remarks of the able Senator from North Dakota, I desire to state that last spring I spoke upon the subject of war debts owed us by Great Britain and France and other European powers and long past due. Prior to that time I had talked at considerable length with Mr. Griffin. He is the editor and publisher of the New York Enquirer. I have known Mr. Griffin for a number of years, and I assure the Members of this body that they can depend implicitly upon any statement he might make. According to my recollection, the statements I made on the floor of the Senate as having been made by Mr. Griffin, were previously made by Mr. Griffin before one of our congressional committees.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. VANDENBERG. There has been a great deal of intimate attention paid to those sections of the pending measure dealing with shipping and their repercussions upon the shipping industry of the country, but there has been practically no discussion of the repercussions upon the fiscal system of the country. Before the debate concludes I respectfully submit that there is this other question involved, to which those who are responsible for the legislation should constructively turn their attention. I am thinking of the fact that if we put our trade with belligerents upon a cash-and-carry basis we immediately invite two dangerous repercussions upon our own financial system. First, the dumping of vast quantities of foreign-owned securities for the purpose of creating the cash with which to buy the commodities that are to be carried, and, secondly, and still more important, the ultimate influx into the United States of all the remaining gold in the world, for the same purpose of creating the cash and the credit from which the commodities may be purchased under cash and carry.

I respectfully submit that if we invite a further inflow of gold to an extent that we finally wholly monopolize the world's gold, as we already dangerously come close to doing, we shall have then created the situation wherein there is little or no ultimate hope of remonetizing gold for the purpose of international exchange, and we may find ourselves possessing sixteen, seventeen, eighteen, nineteen, or twenty billion dollars worth of gold, ultimately buried in Kentucky, which is so ably represented by the Senator who now occupies the chair. I suggest that this creates a situation which requires just as earnest and intimate and constructive study by way of creating essential controls as does the shipping problem.

Under date of October 17 I addressed a letter to the Secretary of the Treasury upon the subject. The Secretary has not as yet responded. I shall read my letter to the Secretary into the RECORD, because I wish to express the earnest hope that he may find it possible to reply before this debate is concluded. I wrote the Secretary, as follows:

MY DEAR MR. SECRETARY: I should like to inquire—if I am entitled to the information—whether the stabilization fund is now being used in connection with the stabilization of the British pound and the French franc; and whether there is any stabilization agreement under which we continue to operate in conjunction with England and France or any other foreign countries?

That, however, is incidental to the main inquiry, which is presented as follows. I now continue to read from my letter to the Secretary:

I should also appreciate your viewpoint on another phase of this problem. I assume that you are continuing to purchase at $35 an ounce all foreign gold that is offered. In view of depreciated foreign currencies, is not this equivalent to paying considerably more than $35 an ounce so far as the foreign seller is concerned? If we put our foreign trade with belligerents on a strict cash-and-carry basis, will it not be likely to substantially increase this inflow of foreign gold—perhaps to so dangerous an extent that we finally shall practically monopolize the world's gold supply? Would this not seriously threaten the world's subsequent return to the use of monetary gold—and thus relatively threaten the ultimate value of our own enormous gold hoard? Should not the purchase of foreign gold be curtailed and repriced, at least for the period of the war?

Mr. President, I am raising the general question whether or not, in connection with the cash-and-carry provision, it may be advisable to attempt to create certain collateral fiscal controls, perhaps by way of a formal exchange control; and whether or not it may ultimately become necessary—perhaps it is necessary even now—by way of precaution to deal with the question of the further purchase of foreign gold.

I thank the Senator from North Carolina [Mr. REYNOLDS] for yielding.

Mr. REYNOLDS. Mr. President, initially I desire to thank the able Senator from Michigan, because he has very properly brought to the attention of the Members of this body a most important subject.

My recollection is that today the United States is the possessor of about seven-tenths of all the gold in the world. I know that the able junior Senator from Kentucky [Mr. CHANDLER], who at this moment occupies the chair, does not object to the fact that all of the gold belonging to the United States of America is buried down in his State; and so long as that gold is buried in the State of the able junior Senator from Kentucky I shall have no fear of its being lost.

However, I think we should give very deep and serious consideration to the purchase of any more gold from any quarter of the world as long as the present war lasts. I think some consideration should be given to the price to be paid for that gold, for if the present war in Europe continues we may awaken some morning to find ourselves the possessors of all the gold in the world. If that were to come about, the real

value of gold, insofar as its use as a medium of exchange is concerned, would be considerably lessened.

Mr. President, I desire to begin my remarks at this time by repeating a war prayer:

A WAR PRAYER

O Lord our God, help us to tear their soldiers to bloody shreds with our shells; help us to cover their smiling fields with the pale forms of their patriot dead; help us to drown the thunder of the guns with the cries of the wounded, writhing in pain; help us to lay waste their humble homes with hurricane of fire; help us to wring the hearts of their unoffending widows with unavailing grief; help us to turn them out roofless, with their little children to wander unfriended through wastes of their desolated lands in rags and hunger and thirst, sport of the sun flames of summer and the icy winds of winter, broken in spirit, worn with travail, imploring Thee for the refuge of the grave and denied it—for our sakes, who adore Thee, Lord, blast their hopes, blight their lives, protract their bitter pilgrimage, make heavy their steps, water their way with their tears, stain the white snow with blood of their wounded feet! We ask of One who is the spirit of love and who is the ever-faithful refuge and friend of all that are sore beset and seek His aid with humble and contrite hearts. Grant our prayer, O Lord, and Thine shall be the praise and honor and glory now and ever. Amen.

Mr. President, the prayer I have just repeated was written by Mark Twain, who said of it:

I have told the whole truth in that, and only dead men can tell the whole truth in this world. It can be published after I am dead.

And it was.

This prayer of Mark Twain was brought to the attention of the American public recently, on October 11, 1939, by Mr. Louis F. Dilger, who made that contribution to the columns of the Washington Star, published on October 16, 1939. Mr. Dilger wrote to the editor of the Star as follows:

Your correspondent, Mr. Edmund K. Goldsborough, is to be praised on recalling at this critical time Mark Twain's Concept of War as being applicable today. It is certain that Mark Twain was a type of American that we hold affectionately in our hearts. No one with any intelligence would be bold enough to ignore what this great American philosopher had to say about this war business. His War Prayer is no less a great contribution in the cause of truth, and for your information I submit herewith the text in full.

He concluded his statement to the editor of the Star by saying—a statement that many will verify—

During the last great war such prayers could be heard from almost any pulpit in Europe.

Christian people upon the face of this earth praying for the destruction of innocent women, defenseless children, and decrepit old men, noncombatants all. Such is war.

Mr. President, 1 month ago today this extraordinary session of Congress convened for the purpose of considering a subject which to my mind is more vital and far-reaching in its proposals, and more serious to me, to my constituents, and to the American people, than any other subject I have ever been called upon to consider and finally to cast a vote upon. I recognize that the mother of every American son from 18 years of age upward is today looking to the Members of the Congress of the United States to enact such laws as will keep the United States out of war.

For a solid month I have listened day after day to the brilliant arguments made on both sides of this controversial issue; and when at times it has been impossible for me to be on the floor of the Senate and to hear some of the arguments that I should like to have heard, my evenings have been consumed in reading the printed remarks of Senators whom I did not hear. I have been absorbed in this most momentous issue because I recognize that our acts may or may not lead us into another world conflict which would perhaps take the lives of millions of American sons, and place upon the shoulders of our already overburdened taxpayers additional billions of dollars of debt. I realize that if we become involved in another World War we shall be called upon to pay, and pay, and pay, this payment to be made with the blood of our sons, the tears of our mothers, and the dollars of our taxpayers.

I recognize that it is our duty, as I shall hereinafter state with emphasis, to endeavor to enact such laws as will strengthen the position of the United States. By that I mean, insofar as I personally am concerned as a representative in the United States Senate, I am desirous only of that sort of neutrality which will be of benefit to the people of the United States, regardless where the chips may fall, and regardless whom it may hurt or whom it may help. I want only to bring about the enactment of a law or laws that will be of benefit only and primarily, firstly and lastly, to our own beloved America. I am interested only in the safety of the United States.

After listening for hours, as I have stated, and after having given every argument full and complete consideration, I have finally arrived at a conclusion in my own heart as to where I stand upon these issues, and I pray to God, the Almighty above, that my conclusions, which are dictated by my conscience, may prove to be right insofar as it is my desire to aid in keeping the United States of America out of war.

Mr. President, during recent weeks millions of words have poured forth on the pros and cons of our neutrality legislation. Will more words serve any useful purpose? My justification for infringing now on the time of the Senate is that it is of vital importance to stop and take inventory of the real meaning of contradictory statements before we pass final judgment.

With equal vigor, it has been asserted that the proposed legislation is and is not the road to war; that it does and does not violate international law; that it is neutral and unneutral; that our own interest require that we send and do not send munitions to certain belligerents. The effects of our actions on our own democracy, on world democracy, on civilization itself, on our economic welfare, on our foreign trade, on our merchant marine, and on our very liberties have been presented by equally eminent authorities whose views are diametrically opposed.

Mr. President, I have frankly been milling around in my mind to determine just what feature of this all-important subject I should discuss. I have been endeavoring to ascertain for myself the angle from which I should approach it. It has been extremely difficult for the reason that other Senators have discussed fully practically every single phase of the proposition to be decided upon. Fortunately for me, however, last night, about 9 o'clock, I secured a copy of today's Times-Herald newspaper, and therein I read one editorial and one article, both of which have provided me with the ideas and suggestions which I sought for my own mind. The editorial to which I have referred is entitled "What Are Allies' War Aims?"

The other is an article pertaining to an affidavit filed yesterday and appearing for the first time in this morning's newspaper, pertaining to the sinking of the *Athenia*.

In the course of my address I shall be pleased to bring in full to the attention of the Members of this body the editorial and the article both of which, in my opinion, bear very importantly upon certain phases of the subject we have before us. I may add that I am indebted to the publishers of the Herald-Times for having brought to my attention the editorial and article; and immediately after reading them I set about to prepare the statement which I am privileged to make here today in which I trust I may be able to outline very definitely where I stand upon this all-important question.

Mr. President, John Smith—the average citizen—must by this time be in a perfect fog. If he does not soon receive some clarification in language he can understand, I am afraid he will soon be on his way to the insane asylum from a mental breakdown caused by frantic attempts to discover the real truth from the raging flood of conflicting statements. The propaganda, censorship, half-truths, rumors, and gratuitous assumptions which have hampered accurate reporting of world events, have made the fog almost impenetrable.

I, myself, am just another John Smith, with no claim to any special knowledge of the subject before the Senate. But, as I have said, I have listened to and read carefully most of the debates and have attempted to make, for my own use, a resulting summary of the facts and truths. Possibly this summary made by one John Smith may be useful to millions of other John Smiths who are also seeking the light at this hour

on the eve of our casting our votes on amendments to the pending joint resolution and on the joint resolution itself.

I have approached the consideration of this question not pro anything, except pro-America—which is not only the right but the obligation of every Member of this body. I have made a sincere and conscientious attempt to ascertain wherein lies the true interest of these United States of ours. I do not intend to indulge in any "pussyfooting," of which we have already probably had too much. My remarks are not intended in any way to reflect on the knowledge, integrity, or motives of any of my distinguished colleagues. The sole purpose of each one of us is to present the truth, as we see it, in the best interests of this great Nation which we are all supposed to represent first, last, and always. We know that this is the Congress of the United States—not the congress of the world or of any foreign group in the world—and therefore, our solemn obligation is to act in the interest of these United States, whether or not our actions help or hurt any foreign country on the face of the earth. We are to act solely in the interest of the people of the United States of America. If our action, designed primarily, to help these United States secondarily helps nations that we would like to help, so much the better. But if in order to help others we have to hurt ourselves, I say America first, last, and always, if I may be pardoned the repetition.

In accordance with the general understanding that has controlled these debates, I respectfully ask that there be no interruptions while I deliver my remarks prepared last night and this morning, as I said a moment ago. This is particularly necessary since my statement—at least I hope so—is in the nature of a consecutive summary. I have no objection to being asked any and all questions afterward, and shall attempt to answer them to the best of my limited ability.

Mr. President, Congress at this moment is in special session, or, as some are pleased to call it, extraordinary session, solely because a war broke out in Europe. The call for the special session was hastened, in fact, as a result of the sinking of the British steamer *Athenia*, with loss of American lives.

I stated a moment ago that I decided to mention this matter because the sinking of the *Athenia* has been recalled to my mind by an article which appeared in the Washington Times-Herald of today, October 21, 1939. It is headed: "Nazis Cite United States 'Proof' British Sank *Athenia*."

SURVIVOR IS QUOTED SAYING ENGLISH SUB FIRED TORPEDO

I should like to have the article published in the RECORD at this point as part of my remarks.

The PRESIDING OFFICER (Mr. FRAZIER in the chair). Without objection, it is so ordered.

The article is as follows:

NAZIS CITE UNITED STATES "PROOF" BRITISH SANK "ATHENIA"—SURVIVOR IS QUOTED SAYING ENGLISH SUB FIRED TORPEDO

(By Dana Schmidt)

BERLIN, Saturday, October 21.—An official Nazi account published by newspapers today under headlines "*Athenia* crime proved!" said that an American survivor, Gustav A. Anderson, had established that the British liner was sunk on September 3 at "the command" of Winston Churchill, First Lord of the British Admiralty.

The Germans stubbornly have denied the British charge that a Nazi submarine torpedoed and sank the *Athenia* on the first day of the war and have said that Britain ordered the vessel destroyed in order to arouse American anger against Germany, because many American refugees from the European war zones were aboard.

SAID LINER CARRIED GUNS

Anderson, a travel-bureau operator of Evanston, Ill., who was on the *Athenia*, was revealed last Tuesday to have filed an affidavit with the State Department in Washington stating that the liner carried guns, although none actually was mounted.

(Anderson quoted officers of the *Athenia* as telling him that the guns were to be used for coastal defenses at Halifax and Quebec.)

On the basis of its interpretation of Anderson's statements, the official German news agency D. N. B. said that "responsibility for the sinking of the steamer and the deaths of hundreds of people rests solely with Winston Churchill."

Mr. REYNOLDS. Mr. President, I think the sinking of the *Athenia* has a very important bearing upon the whole situation now existing in continental Europe. I think it likewise has an important bearing upon a part and portion of Asia, and may eventually affect Asia Minor; and that statement I shall attempt to prove.

Mr. President, if Americans are to adopt wise policies, they must eternally safeguard themselves against jumping to conclusions based on unsubstantiated reports or rumors, such as the article which I have just inserted in the RECORD. They might remember the proven adage that the first casualty in war is truth. War facts frequently are not learned until long after the event; but in the meanwhile rumors, if repeated often enough, may be accepted in lieu of facts, as you know, Mr. President.

The case of the *Athenia*, which obviously had something to do with convoking this special session, may throw light on this particular point. It is a fact that the *Athenia* was sunk. The British Government immediately claimed, and most Americans accepted the claim, that it was sunk by a German submarine; and most of the American people now believe that. The German Government promptly denied that they had anything to do at all with sinking the *Athenia*, and intimated that it was sunk by either a British mine or a British submarine. As American lives were lost, as you will recall, our Government has been investigating for a month and a half to find out who was responsible for the sinking. So far as we yet know, our Government, after checking numerous affidavits, has not yet reached any definite conclusion as to who was responsible.

The article I have just referred to mentions one of the affidavits which I assume were filed yesterday with the State Department. In spite of the fact that our own Government, with unusual facilities, has not yet been able to reach any conclusion—and it has not—a large percentage of our citizens probably accept as a certainty the theory that a German submarine was responsible.

In a mystery like this, a competent investigator naturally looks to see who would have a motive and who would profit by the sinking of a ship like the *Athenia*. Our people as a whole have considered only two possibilities—Great Britain or Germany—because they are the ones that are now having some difficulties over there. Most people have promptly rejected the first as too fantastic for consideration, and therefore have adopted the second. Competent observers—and I may classify in that category representatives of our State Department who are now daily investigating the matter—feel that Germany had neither a good motive nor any prospects of profit but rather prospects of some very serious damage caused by sinking this ship with Americans aboard. At the best, it could only further inflame the world, and particularly America, against Germany, with no appreciable profits from the sinking. Many intelligent observers feel that it would be the height of stupidity for the German Government deliberately to sink that vessel under the surrounding circumstances. A few say that the German Government was exactly that stupid, and doubtless did so. More are inclined to think the sinking was the result of the stupid or hasty action of an individual submarine commander. Everybody agrees that it hurt, rather than helped, Germany.

And now for Great Britain: Great Britain possibly could have had a motive and immense profit from the sinking of this vessel, the principal profit being to infuriate the American people to the point where they would give direct or indirect assistance to Great Britain and France against Germany, probably through immediate revision of our neutrality laws to favor the Allies. Most observers agree that the sinking of the *Athenia* was highly profitable to Great Britain. As a matter of fact, we all know that the sinking of the *Athenia* was highly profitable to Great Britain so far as it aided in infuriating and inflaming the American people, and concentrating the hatred of the American people upon Hitler and Germany.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. If the Senator will pardon me, I should not like to yield just now. If the Senator will be good enough to bear with me until I finish, I shall then be very happy to yield to him. If the Senator from Missouri or any other Senator will kindly make notes concerning anything I may say and question me later, I shall be more than happy to respond to the best of my limited ability.

Mr. CLARK of Missouri. Certainly.

Mr. REYNOLDS. On the other hand, few persons would even suspect that the British Government would be guilty of such a dastardly act, in spite of the profit that might accrue to them, and I am one of them. I cannot believe that the British would be so dastardly, so unscrupulous, so without heart as to bring about the loss not only of American lives but of the lives of persons of other nationalities. It is practically unthinkable that the British were responsible for sinking that vessel. But it is difficult to believe that the Germans sank it when it would cause such great damage to the German nation. The casual thinker lets the matter drop there, completely discarding the British and accepting the other alternative in spite of its difficulties.

More careful thinkers, including some responsible officials, have not been content to let the matter drop there. They have been looking around for other and more plausible possibilities and, fantastic as it may seem, the finger of guilt points to Soviet Russia more clearly than to any other nation. But one's immediate reaction to this might be, "Completely absurd. How could, and why should, Soviet Russia do this?"

Fantastic though it may seem, it is certainly less fantastic than some of the other startling surprises of the past several months which are already proved beyond any question. While at this moment most Americans believe that Germany sank the *Athenia*, there has not been published a shred of concrete evidence to prove it. As a matter of fact, there is yet no concrete evidence to prove that any particular nation was responsible. But, in the absence of concrete evidence, if we try this case on the evidence before us, there is a much stronger circumstantial case against Russia than against any other nation.

Any man who has engaged in the practice of criminal law will unhesitatingly state that in many instances circumstantial evidence is a thousand times stronger than the evidence which falls from the lips of witnesses, because circumstances do not lie: witnesses sometimes, and frequently, do.

Mr. President, I would not mention this matter except that a number of competent authorities in Washington and elsewhere are giving it serious consideration at this time. From the angle of motive and profit, which usually controls such cases, the circumstantial evidence against Russia is strong, extremely strong. Let us examine the record of circumstantial evidence for a moment.

War, like politics, makes strange bedfellows. Your friend of today is your enemy of tomorrow. Your enemy of yesterday is your friend of today. A greater truth was never uttered. War makes strange bedfellows, as well as politics does.

Several months ago everyone admitted that Germany and Russia were natural enemies. We all knew it. This was a cardinal premise of both Hitler and Stalin, because it was said of Germany, as it was said of Italy, that the Soviets were stopped. The German people, interested in the preservation of their government, rose and created a strong form of government for the purpose of stopping the Communists, as happened in Italy, where, as will be recalled, prior to the march of Mussolini from the north to the south in October of 1922, the blood of innocent Italians ran like streams upon the streets of Florence, Turin, Rome, and half a dozen other cities, when people were murdered by the Communists in Italy as they were murdered by the Communists in Germany when the Germans were endeavoring to save themselves, and when the Italians were endeavoring to beat off bolshevism or communism. The temporary urgencies of war, however, threw Hitler and Stalin together, not unlike the way in which temporary emergencies sometimes throw former enemies and friends together in political situations. While the enmity between Stalin and Hitler is still existent, it is thinly veiled.

Ultimate Russian interests conflict as much now with German interests as they did before this strange alliance. Another traditional enemy of Russia for a long time has been Great Britain—this enmity has never ceased to exist. The basic thesis of Moscow has not changed during the past 20 years, although at times it has been temporarily covered up—the goal is class war, and class war has its golden opportunity when capitalist nations indulge in a life-and-death struggle with each other.

Let us remember that the two principal enemies of Russia are Germany and Great Britain. What could be sweeter than to help shove them into a life-and-death struggle from which Russia could pick up the profits with little or no cost to herself?

The Soviets have stated repeatedly that any agreements or alliances they have made with any of the so-called bourgeois nations are mere scraps of paper as far as they are concerned.

I state without question that Russia would not hesitate a second to tear up alliances or treaties whenever she found it to her interest to do so. She would not hesitate any more than would Hitler himself, who cannot be trusted, and whom the world would not believe on oath.

Russia could not afford to risk a war with Germany alone or with Great Britain alone or with a combination of them. Some of us may think that the "great brown bear" lumbering along is great only in strength, in sinew, and muscle. The "great brown bear" may look like a real bear—may seem as large as the great brown bear of our Kodiak Islands of the great Alaskan Territory. But that "great brown bear" which looks like a bear will be found, if one makes a close examination and analyzes him carefully, to be the slyest, slickest, most treacherous fox in the world.

It would be very costly for Russia to grab what she wants from either Germany or Great Britain, if they were not simultaneously engaged in war with some other big nation. The ideal combination for Russia was to have Great Britain and Germany fighting one another. By remaining neutral she could not only play one against the other, but also render both of them powerless to impede Russia from carrying out certain of her designs inimical to either or both. For Russia to get half of Poland and substantial control over Estonia, Lithuania, and Latvia, it was essential that Germany be busily occupied with a major opponent in the West. To enable her to creep down toward Persia, now Iran, and, through Afghanistan eastward to India, it was essential that the British be completely occupied in Europe. That is the way Russia works.

According to my recollection, shortly after the World War, when the entire world was upset and weakened, and in a chaotic condition, there was a country then known as Armenia, and my recollection is that Russia walked in and, without any difficulty, absorbed Armenia. We all know that Russia for many years has had her eyes on a portion of northern India, and practically the only practicable way which she can get it is through a portion of Turkey, more reasonably through Beyrouth, the capital of Syria, and across the desert, which is only a day's ride in an automobile, to old Baghdad, and from there to the capital of Persia, which is only 2 days by automobile, to Kabul, in Afghanistan, 3 days from there by automobile to the border of India, just north of Karachi, one of India's greatest ports.

Mr. President, the British must be encouraged, Russia said, to wage a relentless fight against Germany. If they became too cautious and were prone to reach some sort of a compromise and thus end the war, it was necessary to stiffen their backbone by encouraging America to come in on the British side. I hope I have made myself plain.

The sinking of the *Athenia* was of the greatest advantage to the Russians to achieve their ultimate purposes. If they sank the *Athenia*, they must have chuckled with glee when they figured the entire world would blame it on their German ally and not on the Russians.

Up to date how have the developments worked out for Russia? The sinking of the *Athenia* unquestionably stiffened the British determination to fight Hitler to the end. It created considerable American opinion toward helping Britain and hurting Germany. While warfare on land has not actually started as yet on a major scale, the sinking of the *Athenia* has lessened considerably the chances for a

compromise between Britain and Germany, and has increased the chances that America will help Britain, as we have learned if we have listened to the debates which have occurred since the 21st of September, when the extraordinary session of Congress convened. Already Soviet Russia has picked off the profits with practically no cost; she has assumed control of half of Poland without fighting; she has assumed protectorates over Estonia, Lithuania, and Latvia without fighting, and without even the British and French admitting that Russia today has been anything except a complete neutral. Is that not odd? The Soviets are creeping down on Persia and India. Hitler is now in the tightest spot in his entire existence, and, no matter what may happen, it is doubtful if he can effectively deprive Russia of any of her recent ill-gotten gains.

Mr. President, I repeat that Hitler is in the tightest spot that he has ever been in or will ever be in, because this is the end of Hitler. When he stepped into the automobile for that ride on that dark night with Stalin, the arch conspirator of the world, many wondered who would get out, or if both would. I felt that when Hitler was invited to take that ride with the gunman and gangster, Stalin, and the gunman and gangster who would never step out of the car was Hitler himself, and events have proved that to be a fact. Why? Because when the Bolsheviks, the Communists of the Soviets, closed in on Poland, and drew that line from north to south, and placed themselves in a position to get back the land which they once owned in Rumania, that stopped forever the progress of Hitler farther eastward. Then there is that iron ring, which he welded around his own neck in the form of the Siegfried line, which is augmented by the Maginot line constructed by the French.

So we in America need have no fear of Hitler or any of his ilk approaching the shores of America, cherishing the spirit of conquest, because Hitler is in prison. Hitler, in all probability, will never emerge from the territory surrounding him. He there is just as safely and securely confined as was that "Hitler" who met his defeat on June 18, 1815, at Waterloo; I refer to Napoleon Bonaparte, who was the Hitler of that century, who was incarcerated upon the Island of St. Helena, 1,200 miles from the shores of Africa. According to the opinion of many who know more about the situation than I do, and upon whose judgment we may depend, since they are authorities, we need have no fear that Hitler will not stay in prison.

Mr. President, who profited from the sinking of the *Athenia?* There seems to be an obvious answer—Soviet Russia. Until it is proved by concrete evidence that Germany sank the vessel, the circumstantial evidence points to Russia and not to Germany.

Furthermore, careful note should be given the exact wording of the recent German warning to the United States about the intended sinking of the *Iroquois*. It should be noted, also, that the warning did not specify any country, but indicated that an attempt would be made to sink the *Iroquois* under the same circumstances that accompanied the sinking of the *Athenia*. The Senate will recall that incident. I remember it very well. I happened to hear on the radio the annoucement from Presidential headquarters to the effect that the *Iroquois* was going to be sunk. That information had been furnished the Government of the United States by the German Admiralty. Through Germany's secret police, no doubt, she had learned that an attempt would be made to sink the *Iroquois*, and wanted to be sure that the sinking of the *Iroquois* and the destruction of American lives would not be laid to Germany. Therefore, the Germans revealed to the American Government that a deep-laid plot to sink the *Iroquois* had been made, and we evidently believed what the Germans said; otherwise vessels of the American Navy would not have convoyed that steamship to the shores of the United States, as we read in the newspapers a few days ago was done.

It should also be noted that Germany did not specify any country, as I have stated, but indicated only that an attempt would be made to sink the Iroquois. It is indeed by no means outside the realm of probability that Germany meant Russia, but obviously could not say so because presumably Russia is now an ally of Germany. But what an ally. An ally that would stick a grandmother in the back with a knife without batting an eye. The mutual trust between the two is about on a par with that which existed between Dillinger and the United States Government.

Do my previous remarks sound completely fantastic to Senators? I suggest they think them over a bit and perhaps they will not look so fantastic. I assure the Senate that these ideas have been given careful consideration by responsible officials. I pointed them out primarily for the purpose of illustrating how dangerous it is to jump to conclusions when concrete evidence is lacking. Who sank the *Athenia*? Frankly, I do not know, and admit that I do not know. But I think it is unwise for other persons to jump to the conclusion that Germany sank it when such evidence as exists points more clearly to Soviet Russia than to Germany. Certainly no one can assume beyond peradventure that Germany was the culprit.

This morning I dictated some notations for my prepared remarks from the article I inserted in the RECORD a moment ago in regard to the sinking of the *Athenia*, on the question whether or not the ship was armed. However, I have eliminated those portions, as they do not really affect the point I am endeavoring to make.

Mr. President, I should not have taken so much time on the sinking of the *Athenia*, except that it is obvious that the sinking of that ship had much to do with calling this extraordinary session and the urge for quick revision of our neutrality law. Much of our thinking in connection with the revision of the neutrality act has been based on the assumption that the war aims of the belligerents are definite and clear. As a matter of fact, no one at this moment can definitely say what the war aims of either side are, or what either side intends to do when and if it wins the conflict.

Is that true? Let us see. Let me repeat that statement, because, in my humble opinion, it has a bearing on the matter we are considering.

Much of our thinking in connection with the revision of the neutrality act has been based upon the assumption that the war aims of the belligerents are definite and clear. As a matter of fact, no one at this moment can definitely say what the war aims of either side are, or what either side intends to do when and if it wins the conflict.

Thanks again to the Times-Herald for bringing to my attention an editorial and an article on this subject. They gave me an idea what to talk about, since every other phase of the question has been very eloquently and very intelligently discussed. An editorial from the Washington (D. C.) Times-Herald of today says:

WHAT ARE ALLIES' WAR AIMS?

A United Press report from London, which passed the British censor, says England and the exiled Polish Government will not ask Russia to restore the Polish territory it grabbed. So the question becomes even more cogent: What are the Allies' war aims? What are they fighting for?

That is what everybody wants to know.

Do they intend to "destroy Hitlerism" but to sanction and bolster Stalinism? How can they be against Hitler and in favor of his pal, Stalin? And if the Allies aren't against both Hitler and Stalin, what are they fighting for? Merely to see who is the best fighter in Europe?

It is all very puzzling. The only clear thought we can get out of it is that both sides could win a better peace by negotiation now than either side can win after 2 or 3 years' fighting.

In that connection I refer to a gentleman about whom we have all heard. His name is Hugh Gibson. He was in New York on October 18. He may now be in Washington. According to the New York Times of October 18, 1939, Hugh Gibson made a statement on this subject in New York. The article from the New York Times is headed:

Hugh Gibson here, sees war a riddle. Returns after 15 months tour in Europe puzzled over underlying facts. "Guesses" Allies will win.

That is the guess I made a moment ago.

Nazi-Soviet pact held "jolt" to Germans—Britain found grimly facing "hard time."

Mr. President, I shall not read all of this article. I shall read only the opening paragraph, laying emphasis upon the closing line thereof:

> The European situation is "mostly a series of question marks for which nobody seems to know the answers," Hugh Gibson, former Ambassador to Belgium, said yesterday after his return from Europe on the *Samaria*. "There never was a war in which there was so much uncertainty as to where, and how, and when."

That is what we all want to know. We all want to know where, how, and when. Mr. Gibson was formerly our Ambassador to Belgium for a number of years. We are all indebted to him. He says:

> There never was a war in which there was so much uncertainty as to where, and how, and when.

None of us knows. We do not know any more about what secret treaties have been made and filed away than we did before we blundered into the last war and found secret treaties everywhere.

I see that I am honored by the presence of my distinguished and beloved friend, the junior Senator from Utah [Mr. THOMAS], who spent a number of years in China. As a result of his fundamental education, I suspect he knows more about the Asiatic situation of yesterday and today than any other Member of this body. Few men in the United States will ever know as much.

I believe a secret treaty was found under which the Allies made a secret agreement to give to Japan, which was one of their allies, a part of China, which was also one of their allies. What about that? That is something, is it not?

Pursuing the question of the Allies' war aims, referred to in the editorial from which I have read, an influential section of the British public has been repeatedly demanding for the past several weeks that the British Government give a clear statement of exactly what their war aims are. The British public as yet has received no such statement. Outside of saying, in rather broad generalizations, that they are determined to crush Hitlerism, the British Government as yet has refused to give any definite statement. The same thing is true of the French Government. However, we might expect that. We did not expect any statement from the French Government, because all the French are supposed to do is to give 1,000,000 of their sons in battle to save the British Empire. The French will do the fighting and the dying, and the British will do the diplomatic work. That work is really much stronger in many instances than waging physical battle.

Speaking of comparisons of strength and destruction as between diplomacy and battle, it has been said that there is no comparison in strength between propaganda and arms. The pen of a propagandist is keener and more deadly than the bite of a reptile. As one great general said, the pens of propagandists have destroyed more, and have wielded more strength, than all the arms ever devised.

The only thing that is clear about Germany is that she seems to be extremely anxious to call off the whole thing. Why should she not be? She cannot go eastward. She cannot go westward. She cannot emerge northward. She cannot budge southward. She is hemmed in by an iron ring. She wants to quit.

It is not even yet clear whether or not a major war actually is under way. I observe through the columns of the press that the soldiers of the opposing forces are playing baseball and football together. Certainly, the land operations up to date on the western front are more properly spoken of as a series of skirmishes back and forth, with no real major engagements. As a matter of fact, the German Government has repeatedly stated that it has no war with France, and that such fighting as Germany has done against the French was primarily designed to repel French invasion of German territory.

I am something like the lamented Will Rogers, in that, "All I know is what I read in the papers," and what I gather from books, a considerable amount of the material of which is taken from the columns of the press. I read in the newspapers the other day that the Germans had pushed the French back 4 miles. Four miles to where? Four miles to the French frontier. The French had gained about 4 miles in "no man's land," and the Germans walked over and pushed the Frenchmen back to their own line, and they would not go another step farther. That is evidence and proof to my mind that the Germans really meant what they said when they declared they had no quarrel with France.

The Germans recognize that Great Britain is sending a million sons of French mothers to death for the purpose of providing continued superiority for the British Empire; in other words, a million young Frenchmen perhaps—I hope not—will go to their deaths to preserve and keep intact the British Empire. That is what is being said in Europe. I heard people say, "The French are the poor 'suckers'; they are going to their death to save the British Empire." To me, that is pathetic.

The war between Germany and Poland was a separate fight and largely of a localized character. The only thing approaching major warfare between the British, French, and Germans has been on the seas. In certain respects this might be considered a series of reprisals somewhat similar to the limited warfare that the United States had with France for several years at the end of the eighteenth century. My recollection is that that was about 1797. I now mention it because, happily, I chanced, the other day at the Navy Department, to glance through one of the five volumes having to do with that incident.

Mr. President, some of our people are not only prone to hasty conclusions from unverified premises but also to overexaggeration. As a Nation, we like bigger and better things, and some of us like sensational things. A motion picture, to be successful, has to vary from the truth, and the spectator must draw greatly upon his imagination, and that imagination must be extremely elastic.

I repeat, we American people like bigger things, greater things, more exciting things. I may add that while we hear about the French people being excitable and about the Italians being excitable and about the Greeks being excitable, let me say that we are the most excitable people upon the face of the earth.

Do you know, Mr. President, that we in the United States of America today are more concerned and more excited about what is going on in Europe than are the people in the European countries themselves? If you do not believe that, take a trip over there for a week and motor over any part of France or England or Italy, where actual war is not going on, and you will find that to be so. We are more concerned with the war than they are, though it is none of our business. We cannot pick up a newspaper without noting that half the printed matter pertains to the war in Europe.

Americans today consider the European war as another world war. Is not that odd, Mr. President? I ask you, Is it true that the vast majority of nations today have declared or are practicing neutrality in this war—not in this world war, for there is no world war going on, if indeed, any war at all? Until the present moment only three nations are belligerents, the British Empire, France, and Germany; and even within the British Empire the Irish Free State is still neutral. There is no world war.

Senators, I point out these things in order to give another illustration of the danger of jumping to hasty conclusions on unverified statements. Secondly, and much more important, it would be most dangerous for us to formulate definite policies or premises which are either very indefinite or unsupported by facts. We should deal with facts. Is there now a world war because of which we are supposed to be legislating? Obviously no, although it is possible that it might develop into one, and it will so develop if we should be so foolish as to get into it.

As a matter of fact, I ask, Is there any major war at all, in the real sense of the word, going on at this time? Contrary to the general belief of most Americans, competent observers feel that a major war has not yet really started, although they see the probability of such a development in the near future. The point is that this is merely a probability, and it is at least possible that the reverse will happen.

Should we predicate definite and urgent legislation on the unverified assumption that a world war on a major scale is actually in progress when, obviously, there is no world war at present, and there is even doubt whether there is a major was between a limited group of belligerents? Should we enact legislation on the assumption that it is designed to conform to certain objectives, such as war aims and ultimate peace plans of certain belligerents, when nobody in this country today really knows what are the objectives, the aims, and the probable peace plans of the belligerents?

I ask, Is this a war "to save democracy?" Many competent students have grave doubt of it. If the war is "to save democracy," and it should continue sufficiently long, would it or would it not destroy the little democracy remaining in the world? The fact is that about the only real democracy remaining in the world is right here in the United States, for today France and Great Britain are under dictatorships as a result of war emergencies, and if we should become involved in it, of course we would immediately have a dictatorship form of government. Some competent observers are afraid that our entry into it would destroy the democracy that is left in the world and particularly the democracy of America.

Is this a war, I ask, to save civilization? Those who favor the British and French side assert that unquestionably it is a war to save civilization and democracy. Others say that contention is sheer tommyrot.

I ask: Is it necessary to wage a costly war to destroy Hitlerism? Some say it is and others say it is entirely unnecessary, as Hitlerism is doomed, as I said a moment ago, both for internal reasons and because of the Russian menace.

Will it be necessary, I ask, to wage a major war, as some of us are led to believe, in order to prevent bolshevism from sweeping over the world? Some say that even now the Bolsheviks are a menace and a great danger, and they are in this country. Why were they not a menace, I ask, when the British and French tried to make an alliance with them a few months ago? You will remember that, Mr. President. The British and French tried their best to make an alliance with the Russian Bolsheviks. Last month when I was in Europe I heard people saying, "Ha! ha! ha! The Soviet made an alliance with Hitler; that is the first time in the history of diplomacy of the world that Great Britain was ever double-crossed before she could double-cross somebody else." Do the Bolsheviks become a menace solely because they are not on the British side or does the menace of bolshevism exist no matter which side the Russians join?

Mr. President, I ask, Is Russia a belligerent or a neutral? I do not know. Do you? It has been frequently stated on the floor that Russia is really a belligerent. Then, I ask how is it that the British and French governments keep on insisting that Russia is not a belligerent but a neutral, and the British Government a few days ago entered into a deal with the Bolshevists to furnish potential war supplies to the British? You will remember that, Mr. President.

I wish to repeat that statement because I desire to make a reference that parallels it. The British Government a few days ago entered into a deal with the Bolsheviks, who, they say, are menacing the world, to furnish potential war supplies to Britain. That reminds me that the British would not be calling for aid from all parts of the world in the particular form of arms, ammunition, and munitions of war, if it had not been for the fact that the war lords of Great Britain, Vickers and others, multimillionaires, have been enriching themselves and filling their pockets by doing what? By selling the war supplies of Great Britain to Germany to aid her in rearming in violation of treaty stipulations. That is an open secret with all Britishers not only in the British Isles but in the provinces.

If Great Britain had prohibited her war lords and munitions manufacturers from shipping that stuff to Germany to help her rearm in violation of treaties, Great Britain would not now be calling upon the United States Government to become unneutral.

Mr. President, you will note that I have stated these things in part as questions. You may wonder what the answers are. So do I, and so do thousands of other Americans. The only thing I am insisting upon, however, is, Why should we attempt to pass legislation based on supposedly definite conclusions when the conclusions in themselves are highly indefinite?

I again call to your attention, from memory, the editorial I read a moment ago, and the statement of Mr. Hugh Gibson.

Obviously, many of the advocates of repeal of the arms embargo frankly take this course because they want to help the British and the French.

The question is, Help them do what? That is what I want to know—help them do what? The British have never stated what they are going to do, or what they expect to do. I doubt whether any of us can answer with any reasonable degree of certainty what they intend to do, because they themselves have not made clear what they intend to do; so how should we know? How should any of our colleagues know?

What lies back of the vague aim of "destroying Hitlerism"? Is the logical sequence of this, as some competent observers believe, that the intention is to smash up Germany—listen to this, Mr. President—and separate and distribute the pieces, as was done in the case of the Austro-Hungarian Empire 20 years ago?

It was stated in the headlines in the morning paper today that Germany, although she is crying for peace, is prepared to fight to the death. Great Britain stated that, and the others did, too. Some competent observers say that Great Britain will not settle this controversy because she wants to crush Germany, and divide her up into a number of little states, so that Great Britain may continue supreme throughout the entire world.

I do not know the answer to the question I have just propounded, and neither do you. In case of a successful war on the part of the Allies, would they act as they did at Versailles? That is the question. I do not know, and neither do you gentlemen, although there is at least a chance that they have some similar plan in mind. Would you want to back them definitely while having only the vaguest idea as to what their plans really are? Has the Senate forgotten, I wonder, that we entered the World War in 1917 with high hopes and noble motives, including "making the world safe for democracy," "ending all wars," "sparing Christianity," "peace without victory," "victory without spoils," and so forth, and only after we got into the war did we find a whole batch of secret treaties providing for a general reallocation of the world's territories, population, and resources, including, as I mentioned a moment ago, a treaty giving a part of the territory of one ally, China, to another ally, Japan?

Think of it! The great Woodrow Wilson was so ashamed of these secret treaties that he did not want the American people ever to hear of them. We had already taken the fatal step. It was entirely too late to draw back. The exposure of these treaties might have seriously hampered the conduct of the war, entered into by the American people with totally different idealistic purposes, which, of course, were never achieved, in spite of our tremendous sacrifices.

Mr. President, in passing I desire to say again, as I have said innumerable times upon the floor of the Senate—frankly, I do not believe I could say it too frequently—that we were led into the war on April 6, 1917, under the belief and with the conscientious conviction that we were going into it to save democracy, to spare Christianity, to stop all wars for all time. We were hoodwinked. We were fooled. Our mothers gave their sons in death that the world might be saved. Greater assaults have been made upon democracies as such since that time than ever before in all the history of the world. Talk about sparing Christianity and Christians. Thousands upon thousands of temples of the Lord were razed to the ground, and millions of Christians murdered in Russia, and hundreds of thousands of Christians murdered in Spain.

Let us see whether the World War stopped all wars. There have been many wars since the ending of the World War on November 11, 1918, and millions of people have been killed since that time. Let us see. I am not going to count the 4,000,000 people who were murdered by starvation in the

Ukraine of Russia, nor at Odessa, on the Black Sea. I am going to skip that.

But there was a war in South America between two of the high-peaked so-called republics, but which in reality are dictatorships, in which the war of necessity had to stop on account of the fact that the manpower of the combatants had been exhausted by way of elimination. They had to stop those wars over the oil territory because there were no more men left to fight.

In Spain there was a civil war. My recollection is that a million people were killed in Spain in the years of the revolution. I believe the revolution began in July 1936. A million were killed—innocent children, frail old men, unprotected women, together with some combatants.

Today the Japanese are fighting the Chinese. The records reveal that since that war began—that is to say, since its very beginning in 1931, when the Japanese marched toward Manchukuo—more than 2,000,000 Chinese have died as a result of the war. That is 3,000,000.

I was about to forget Abyssinia, or Ethiopia. That war began somewhere along about 1932, perhaps 1933. It reached its climax in 1935. I remember that in 1935 I was in the Mediterranean. I had come up from India, and I saw in the Mediterranean more tons of naval armament than I had ever before seen in all my life; and I was told by naval observers that more tons of naval armament were anchored in the Mediterranean, near Alexandria, than ever before in the recollection of those with whom I conversed. That was when the Ethiopian conflict was going on; and, by the way, that was about the time Mr. Anthony Eden was insisting that the United States of America join Great Britain in the enforcement of the oil embargo against Italy, and at the same time Great Britain was selling Italy all the oil she wanted. The reason why Great Britain wanted the embargo enforced then was because the oil she had to sell had already been sold, and she did not have any more to sell; so then she wanted to enforce the embargo. It was just like the time when Great Britain asked Greece to aid her in the enforcement of the embargo. Greece said, "Why, certainly, certainly; we are with you. All we have to put the embargo on is donkeys, jackasses, but we need all of them that we have. We will help you embargo everything else." So it was all the way around; and so it is in the history of diplomacy as it particularly relates, as we know, to some countries.

Mr. President, the Great War did not stop all wars, as is evidenced by the history of the past 20 years. The Great War did not spare Christianity, as I have shown. It did not prevent assault upon the democracies of the world.

Is there anyone here so gullible as to believe that secret diplomacy has disappeared during the past 20 years and so naive as to be convinced that it is impossible that the belligerents may not have more secret agreements and treaties of the kind to which America is not prepared to subscribe? Have we any business making important decisions in reference to this war—particularly in reference to neutrality legislation—by jumping to hasty conclusions on premises of which we obviously have little knowledge and even less proof?

The only sane basis on which the American Congress has not only a right but an obligation to pass on any of the proposed legislation is whether or not it helps or hurts America, and not whether it helps or hurts foreign nations whose actions and programs are not yet clear to us.

I wish now to make a statement with the view of making myself clear, in order that in the years to come I may not be misunderstood, because in future political battles I will gladly stand upon my record and statement now in reference to neutrality. There is only one kind of neutrality in which I am interested, and that is a neutrality which will benefit the United States of America, and I do not care whether or not it benefits or helps any other nation of the world. My duty is to the American people, and not to another soul upon the face of the earth.

My remarks up to date have been for the purpose of clarifying in the mind of the average John Smith, of whom I spoke earlier, the dangers involved in reaching hasty conclusions about complicated foreign developments of which we have little definite knowledge, and then jumping from those conclusions to specific legislation based on such uncertain premises. My ignorance in these matters is no more than that of countless other Americans, including such trained diplomats as Hugh Gibson. Unlike some of my fellow citizens, I am frank enough to admit my ignorance, and refuse to take action on matters I do not understand. I believe that the only safe ground on which Americans can stand in these matters, in view of the circumstances, is American ground. What should we do regardless of the aims, actions, and plans of far distant nations? We should stand solely upon the soil of the United States of America, upon which reside today 130,000,000 people, whom we are supposed to represent in the American Congress, and not in a congress of the world, or a congress of Europe.

Assuming, therefore, that the primary purpose of our legislation should be to help America and not primarily to help any foreign belligerent, it is essential that our average John Smith have clarified for him the basic things, which are either badly misunderstood, or even misrepresented, even though the misrepresentation be unintentional.

The very first thing which every American should understand clearly is, why do we have any neutrality laws at all; what are the general purposes of such laws? It is obvious that the existing or proposed legislation should stand or fall according to the extent to which it helps or hurts these general purposes. Unfortunately, at this point there seems to have been considerable misrepresentation, although we may assume that this misrepresentation was not intentional. I challenge anyone to prove the statements which have been made on this floor and on the air to the effect that the true purpose of our neutrality legislation is to prevent wars abroad, and that the existing laws have failed because war abroad has occurred in spite of such legislation.

We are legislating with a view to keeping the United States out of any wars abroad. Much has been said, to which I shall refer in a few moments, to the effect that we ought to repeal the embargo because it has not prevented wars in Europe. I was curious to ascertain whether or not anything was said about our preventing wars in Europe when we were considering the neutrality laws of 1935, 1936, and 1937. I heard the statement made on the floor of the Senate that the law was a miserable failure because it did not prevent war in Europe. It almost seemed as if we were spending the money of the people of the United States as their representatives here arguing how to keep people from having a war in Europe, when it was our duty only to consider how to prevent war breaking out here.

I looked through many of the debates, though I admit I did not read all of them, and I did not find a single speech by any Senator upon that subject during the consideration of the neutrality measures in 1935, 1936, and 1937, anything about it being the intention then to stop war from breaking out in Europe. I may be wrong, but even if something was said about it then, what business is it of ours whether or not there are wars over there? It is not up to us, as representing the American people, to try to stop wars in Europe or to try to keep them from breaking out. It is up to us to keep out of them. That is my opinion about the matter, although I admit I may be wrong.

The extensive debates which led up to the enactment of our neutrality legislation in 1935, 1936, and again in 1937, show no convincing evidence that the purpose was to prevent wars abroad. As a matter of fact, the debates show that everyone expected a general war in the very near future, and the legislation was passed to help keep us out of it when and if it did break. Make no mistake about it, the basic purpose of our neutrality legislation has not been to prevent wars abroad, but rather to help keep us out of foreign wars. Wars abroad occur with such dismaying regularity that it is almost correct to say that they are normal; no matter what we pass or do not pass, it is clearly impossible for us by legislation to prevent wars abroad. Our sole job is to assure, so far as possible, that we ourselves keep out of such wars when they occur. American legislation should be just that—American.

It should be designed to preserve, so far as possible, the peace of America, in spite of our regret at the breaking of the peace abroad.

As one of the witnesses before the Foreign Relations Committee well stated:

> There is no proper place in such legislation for futile and dangerous attempts to insure the peace of the world, to punish far-distant aggressors, or to equalize existing inequities between nations. Picking the foreign aggressor is a most difficult, most dangerous, and thankless task.

I repeat, the first thing all Americans should understand is that the true and proper purpose involved in our neutrality legislation is to help keep the United States out of foreign wars which are not a direct or vital concern of ours. No one can say truthfully that any neutrality legislation is a failure until and if it helps to get us into foreign wars which are no vital concern of ours. War in any part of the world naturally concerns us and damages us, but the real question is, Does it concern us to such a vital extent as to warrant indirect, if not direct, involvement therein?

The fact that we deeply regret the existence of wars abroad, or that our sympathies may be overwhelmingly in favor of one side, has nothing whatsoever to do with the effectiveness or the ineffectiveness of our neutrality legislation as such. Its effectiveness should be gaged solely by the extent to which it helps achieve its true purpose—and, I repeat, the only true purpose of a fundamental and primary character is to help keep us out of foreign wars which do not directly and vitally concern us. Legislation should be retained if it promotes this fundamental purpose, and it should be dropped or revised only when and if it is clear that it endangers this purpose and not some other purpose which is not a basic reason for neutrality legislation.

If any foreign war, including the present one, does vitally concern us to the extent that it warrants the colossal cost of our becoming a belligerent, neutrality legislation does not hinder us in the least from so doing. Neutrality legislation or no neutrality legislation, Congress has the constitutional power to declare war; and at any time it may commit America to one side or the other, and change its position as frequently as it likes, regardless of any legislation on the books.

Our neutrality legislation should be designed solely to keep our citizens and officials neutral so long—and only so long—as the Nation itself wishes to be neutral. It should keep the question of neutrality in the hands of the Nation, instead of letting it be determined or influenced by the actions or interests of private citizens, small groups, or even of officials. Contrary to general belief, the neutrality law is not a strait jacket against the Nation; it is a strait jacket against individual citizens, and it may well be a strait jacket against executive officials until and if the only constitutional body in this country that can pass on the question of war—the Congress—has decided to go to war.

I have gone into these matters in some detail because it is perfectly obvious that if, as is sometimes urged, we forget the sound purpose of neutrality legislation, we may, in ignorance, pass legislation which defeats our fundamental purpose. In recent weeks it has been frequently asserted that much of the debate has been on entirely false issues; that the real issue is whether or not we should deliberately help one side in the current European conflict. If this be true—and there is some evidence to support that view—we should not delude ourselves into thinking that our choice is between two different methods of insuring our neutrality. The real issue then would be between whether we should be neutral at all or deliberately become a belligerent, either in halfway fashion or in whole fashion.

If this is the real issue, camouflage should be dropped, and the issue brought into the open, because our decision on such an issue would be vital to the very lives and liberties of 130,000,000 American citizens. Certainly, no decision should be made on any such question without complete knowledge of what we are debating and why. No legislation should be enacted under the soothing label of neutrality and peace when its real purpose might be intervention and war, whether by little steps or by big ones. When and if the American people, in full possession of all the facts, determine that the war in Europe is our war and that we should go into it, I would be ready to go along with them, not by camouflage and half steps, but openly and with full steps. I especially would not want to accept part of the responsibility of helping to edge the American people by little steps into war by telling them that the steps were designed solely to take them in the other direction, away from war.

Mr. President, I never did believe in pussyfooting, camouflage, and evasion. I have the utmost respect for those Americans who have frankly stated that their major purpose in advocating the lifting of the arms embargo is not primarily to help keep us out of war but rather primarily to help one side in the conflict and hurt the other, on the thesis that one side is already our side. Whether or not these gentlemen realize it, they are not talking about neutrality but rather a modified form of belligerency. A deliberate attempt to help one side and hurt the other obviously could not be called neutrality by any stretch of the imagination. I cannot approve of attempts that have been made to achieve this important result by indirect steps under the misleading label of strengthening neutrality.

Since a number of our colleagues apparently believe that we are so vitally concerned in the present conflict, if not actually a part of it, that it behooves us in our own interest deliberately to help one side and hurt the other, why has not the debate on this matter been brought into the open and been more frank? Can the answer be that, while the sympathies of the American people are overwhelmingly on one side, as they are, simultaneously they are almost unanimous in their determination not to become involved in the war? Is the only way to gain their participation through indirection and camouflage, with careful abstention from stressing publicly the prime purpose or possible trend of the veiled steps?

If our prime purpose is to help one side—which obviously is the opposite of ordinary neutrality legislation—why not say so frankly? Why not analyze carefully any and all proposed steps with this objective in view and calculate openly and fully the extent to which these steps might lead to war and their possible ultimate cost? Why prove the wise saying that "Words were invented to hide thoughts"? Why waste time in discussing false premises?

There has been much confusion as to the bearing of international law on the matter, the relations to our national defense, the real or alleged menace to us if one side wins in Europe, how the Monroe Doctrine is involved and not involved, whether we should have an arms embargo or the cash and carry, or both.

As an ordinary John Smith seeking the light, not only for himself but for the use of other ordinary John Smiths, I believe that the debates have developed certain fairly reasonable conclusions which can be reached after balancing back and forth the pros and cons and weighing objectively the conflicting statements.

And now, a very few words as to the international law situation. For those who frankly or covertly advocate that we take sides, deliberately helping one belligerent and deliberately hurting another belligerent, there seems little reason to waste time in discussion of the international law of neutrality. Their program calls for an indirect or modified form of cobelligerency which has little to do with the international law of neutrality.

For those who believe in strict neutrality, the accepted principles and practices of international law in reference to neutrality naturally have an important bearing.

What is the true international law of the matter as shown by the practices and treaties of the United States Government itself and the majority of American authorities on such matters? They can be found in considerable detail in an 800-page volume published only a month ago. I refer to the volume that was recently mentioned on this floor as an outstanding authority and from which quotations were given by one of our eminent colleagues who himself is a distinguished authority on international law. For some reason—doubtless lack of time—our distinguished colleague did not give the

name of the volume nor did he cite some interesting passages in this book from which he took other verbatim quotations.

I shall bring them to the attention of the Senate because it is only fair that we have the other side. Of course, when two lawyers argue a case both will probably be sufficiently well prepared and skilled so as to be able to make a paragraph of any statute apply to their own objectives in the case, and if they could not do that they probably would not have cases in court. Lest my colleagues have the same difficulty I had in locating this work I now identify it as the Draft Convention With Comments, on the Rights and Duties of Neutral States in Naval and Aerial War, prepared by the Research in International Law by the Harvard Law School, and published as section II of the American Journal of International Law under the date of July 1939. My understanding is that there is not a large distribution of copies of this book at the present time.

This work, which is the only complete, up-to-date, and scientific work on the subject in English, was prepared by a most distinguished authority, Prof. Philip C. Jessup, of Columbia University, with a group of some 20 distinguished advisers, including the present legal adviser of the State Department, a former legal adviser of the State Department, the former professor of international law at the Naval War College, and a host of other experts.

Two companion volumes giving the exact text of the neutrality laws, regulations, and treaties of many countries are now on the press, although advance copies are in the hands of several of our colleagues.

From this volume, Mr. President, which was so properly lauded on this floor as the outstanding work, we gather that the generally accepted international law in these matters may be briefly summarized as follows, contrary to what has been repeatedly stated on the floor:

A belligerent has no right to purchase any war materials from a neutral. A neutral has a right, but no obligation, either to permit or forbid export of such materials to belligerents. The only restriction on the neutral is that if it does permit exports to one, it must permit exports to all belligerents. If it forbids exports to one, under international law, it must, of necessity, forbid exports to the others.

No responsible authority in international law has ever claimed that if a neutral imposes embargoes it must insure equal effects on the belligerents, or that a neutral is prohibited from imposing embargoes which act to the detriment of one side. The sole obligation of a neutral is to give equal treatment, regardless of whether or not the effects are equal. As a matter of fact, a neutral is committing a hostile act when it deliberately tries to equalize the effects by giving different treatment to the opposing belligerents.

The authorities generally agree that these matters are controlled solely by the discretion of the neutral itself, regardless of the effect on any of the belligerents. A neutral is compelled to give equal treatment, regardless of unequal effects, with emphasis upon the words "unequal effects."

A neutral is entirely free to impose or not impose embargoes of any sort. We shall examine a little later the question of whether or not, having imposed an embargo before a war, a neutral may lift the embargo after the war starts and still remain a neutral. That is the same question which has been discussed very fully, deeply, and intelligently on the floor of the Senate.

Assuming that neutrals have complete discretion under international law in these matters—which they have—how have they used this discretion? An attempt has been made to spread the theory that embargoes, particularly arms embargoes, are rare, if not entirely new; and it has often been implied in some quarters that America is the only nation to resort to embargoes, and that their use is a recent departure from fixed practice.

According to all the information I have been able to gather—and I admit I have not been able to gather very much—an examination of the practice of nations, including the United States, does not substantiate any such theory. Using their unquestioned discretion in the matter, neutrals in the past have frequently placed such embargoes, including arms embargoes. Many examples can be found from the history of the past 400 years. I have only a few. There must be many more.

Arms embargoes were in effect in the Crimean War, the Franco-Prussian War, the Spanish-American War, the World War, the Chaco War, the Italian-Ethiopian War, and the Spanish Civil War. During the World War arms embargoes were put into effect by Denmark, The Netherlands, Norway, Spain, Sweden, and Switzerland; and, incidentally, all these nations in the immediate zone of war retained their neutrality throughout the entire war. According to the information I have been able to gather, the Scandinavian countries had an embargo on arms during the World War. Some 25 European nations, as well as the United States, had arms embargoes in the recent Spanish Civil War.

Responsible authorities have questioned neither the practice nor the right. In the current conflict, several European nations have already prohibited the exportation of certain products from their territories. We gather that fact through the columns of the press from day to day.

Assuming that a neutral has the unquestioned right to place such embargoes, may it lift them after war starts and still remain neutral? That question was under discussion the other day. The matter has been brought to a head by the fact that when the current European war started, our arms embargo was automatically put into effect in accordance with preexisting law, and it is now proposed that we lift the embargo after the war has started.

In a few words, Mr. President, the situation seems to be as follows:

In 1915 our Government refused to place an arms embargo on munitions at the request of Germany, on the ground that any change in our neutrality law during the progress of the war which would unequally affect the belligerents would be contrary to the indisputable doctrines of accepted international law, and a departure from neutrality. Previously, in 1914, we had agreed with the protests of the British Government against placing an arms embargo. The British Government claimed that it would be unneutral to change the rules while the war was in progress.

In passing, I mention the fact that while the British Government was protesting in 1914 against our placing an arms embargo, on the ground that it would be unneutral, at the same time it was forcing European nations to place embargoes, on the ground that it would be unneutral for them not to place embargoes. Is this consistency? If it is, the British Government ought to join the Inconsistency Club which was organized by our beloved colleague the senior Senator from Arizona [Mr. ASHURST]. I remark in passing that we miss him very much today. I hope he will soon return. We miss his face every day.

Mr. President, in that connection, in running through many papers which I had saved from day to day in my office, thinking I might want to use them at some time in a speech, I find a copy of a letter sent by William Jennings Bryan, then Secretary of State, to the German Ambassador, Von Bernstorff, dated Washington, D. C., April 12, 1915, in which that great statesman, William Jennings Bryan, said, in part, that—

> Any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality.

At this point in my remarks, Mr. President, I ask that this letter be printed in the RECORD, together with a clipping from a newspaper which was mailed to me, entitled "Change in Neutrality Act Seen Violation of International Law. Syracuse Attorney Cites British Protest Made During World War." These two statements are in substantiation of the statement I have just made.

The PRESIDING OFFICER (Mr. HATCH in the chair). Is there objection to the request of the Senator from North Carolina? The Chair hears none, and the matters referred to may be printed in the RECORD.

The matters referred to are as follows:

[From Foreign Relations of the United States, 1915, Supplement]
File No. 763.72111/1930

THE SECRETARY OF STATE TO THE GERMAN AMBASSADOR (BERNSTORFF)
No. 1379]

WASHINGTON, *April 21, 1915.*

EXCELLENCY: * * * In the third place, I note with sincere regret that, in discussing the sale and exportation of arms by citizens of the United States to the enemies of Germany, Your Excellency seems to be under the impression that it was within the choice of the Government of the United States, notwithstanding its professed neutrality and its diligent efforts to maintain it in other particulars, to inhibit this trade, and that its failure to do so manifested an unfair attitude toward Germany. This Government holds, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions, and I respectfully submit that none of the circumstances urged in Your Excellency's memorandum alters the principle involved. The placing of an embargo on the trade in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States. It will, I feel assured, be clear to Your Excellency that, holding this view and considering itself in honor bound by it, it is out of the question for this Government to consider such a course.

I hope that Your Excellency will realize the spirit in which I am drafting this reply. The friendship between the people of the United States and the people of Germany is so warm and of such long standing, the ties which bind them to one another in amity are so many and so strong, that this Government feels under a special compulsion to speak with perfect frankness when any occasion arises which seems likely to create any misunderstanding, however slight or temporary, between those who represent the Governments of the two countries. It will be a matter of gratification to me if I have removed from Your Excellency's mind any misapprehension you may have been under regarding either the policy or the spirit and purposes of the Government of the United States. Its neutrality is founded upon the firm basis of conscience and good will.

Accept [etc.]

W. J. BRYAN.

CHANGE IN NEUTRALITY ACT SEEN VIOLATION OF INTERNATIONAL LAW—SYRACUSE ATTORNEY CITES BRITISH PROTEST MADE DURING WORLD WAR

SYRACUSE, N. Y., September 21.—An authority on international law asserted today repeal of the arms embargo by the United States would be a "direct violation" of international law.

Henry S. Fraser, technical adviser to the late George W. Wickersham on the League of Nations Committee for the Codification of International Law in 1926 and 1927, said in an interview if the embargo is repealed "Germany will instantly have the right under international law to take steps of reprisal and retaliation against American ships."

Such reprisals might be taken against ships even in coastwise trade, and even if they were not carrying contraband, he said in a statement and added:

"There is an established principle of international law that a neutral may not, after the outbreak of war, change its legislation for the purpose of assisting one of the belligerents."

Mr. Fraser, a Syracuse attorney, cited a case in 1914 when an embargo bill was introduced in Congress and Great Britain indicated it would consider such an embargo on arms an unneutral act. President Wilson and Secretary of State Lansing, Mr. Fraser said, agreed with the British view.

The attorney asserted the German Government urged adoption of such an embargo and the United States in a note to the German Ambassador in 1915 replied:

"Any change in its own (United States) laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality * * *."

Mr. REYNOLDS. Leading officials of our Government today urge the repeal of the arms embargo on the ground that its retention violates neutrality, and that its removal would be in accordance with neutrality. So we see, Mr. President, what appears to be a difference in the position of the United States Government between 1914 and 1939. This inconsistency may be more apparent than real, provided certain other things are true.

The authorities clearly show that a neutral may lawfully change its policy of neutrality during the progress of a war; but—and a very big "but," Mr. President—such action must not be at the behest of or in the interest of one of the belligerents, but must be primarily in the interest of the neutral itself.

I digress at this point to ask this question: How would the change of our Neutrality Act by lifting the embargo now be of benefit to the people of the United States? It is obvious that the claim that retention of our arms embargo is unneutral is completely contrary to the views of practically all leading authorities.

We can retain the embargo on arms and still be completely neutral. On the other hand, we can lift the embargo and still be completely neutral, provided certain essentials are met. Primary among those essentials is that the change may not be made at the behest or in the interest of one of the belligerents, but it must be made primarily in our own interest, if such interest can be shown—and I do not believe it can be. The fact that what we do in our own behalf secondarily helps or hurts certain belligerents is not a controlling factor so far as accepted international practice and law is concerned.

Secretary of State Hull, in his official statement of September 21, 1939, was indeed entirely correct in saying:

A neutral nation has a right during a war to change its national policies whenever experience shows the necessity for such change for the protection of its interests and safety.

Secretary Hull was correct; that is the accurate statement of international law. Note that he expresses the necessity for such change for the protection of the neutral's interest and safety. Mr. Hull went still further when he said:

I do not mean to be understood as saying that such action may be taken at the behest or in the interest of one of the contending belligerents.

I thank Mr. Hull.

Mr. President, one of our distinguished colleagues quoted at some length from the comment of the Draft Convention on the Rights and Duties of Neutrals previously mentioned. His quotations were obviously designed to prove that lifting our arms embargo would not be a violation of our neutrality in any fashion.

For some reason—possibly lack of time—our eminent colleague failed to quote the following items of the same comment that he used otherwise. On page 316 of the volume he used, and which I have before me, we find this statement:

The task confronting the neutral state which takes action under this article is to make certain to itself and clear to other states that the motive inducing the adoption of a new rule or regulation, during the course of a war, is the product of its concern to act strictly in accordance with the laws of neutrality and not the result of a desire to aid one or the other belligerent.

On page 317 we find:

It would be improper for the neutral state to consider whether the new rule would work more to the advantage of one than of the other belligerent.

On page 318 we find:

The neutral state which takes action under this article may be required to bear the burden of showing that the change in its rules was induced by its own neutral necessities and not by the desire to aid one or the other belligerent.

So it is obvious that the very authority our distinguished colleague quoted as being most outstanding definitely states, contrary to the view of our colleague, that if the arms embargo should be lifted for the purpose of aiding one belligerent, it would be a violation of international law and definitely an unneutral act. As a matter of fact, the very authority which our colleague quoted, although he did not cite the name of the man who prepared this report—Professor Jessup—has repeatedly stated in print within the last several weeks that the evidence shows that the real purpose of lifting the arms embargo is definitely to help one of the belligerents and therefore a complete violation of international law and unneutral. The fact that within the past several days some of the senatorial advocates of repealing the arms embargo have stated definitely their purpose is to help one belligerent, lends considerable justification to this view of Professor Jessup. Naturally, if we quote a book or person as an outstanding authority, it is not considered

scientific to quote merely parts to fit a particular thesis and omit other parts which tend to rebut our thesis.

The authorities show that while neutrals can change their laws after war breaks out it is a direct violation of international law and definitely unneutral to make any changes except for the primary purpose of promoting the interest and safety of the neutral, regardless of how the legislation affects one or another of the belligerents. To act otherwise is definitely a hostile act. Senators, this is not merely a technical question of international law, it is a fundamental practical question because foreign nations will govern their actions in accordance with the extent which we follow this accepted practice. Those nations that may consider it a violation of standard practice and deprivation of one of their fundamental rights may construe it at least as a modified form of belligerency which eventually might lead to a serious result.

In view of these facts, not only the John Smiths but each one of us must be prepared to answer these questions: Is the proposed repeal of the arms embargo primarily necessary for our own interest and safety, independent of the effect on belligerents? Is the real motive for the proposed lifting of the embargo to help one belligerent and hurt the other? Is the prime purpose of repeal to help Germany's opponents? Many of the advocates of repeal have frankly stated that this is their real purpose, and most of the public discussion of the matter indicates that the prime purpose of repeal, as well as its prime effect, would be to help one side and hurt the other. If the prime purpose is to help the Allies, then, according to Mr. Hull's own specifications, there should be no repeal. If the prime purpose—with an incidental effect on the belligerents—is for our own vital interest and safety, then repeal is a legitimate thing regardless of the effects on the belligerents.

Mr. President, let me repeat that the kind of neutrality in which I am interested is the kind that international law contemplates as under the correct interpretation of international law; and if a change is made in a neutrality act it must be for the benefit of the neutral itself. The only neutrality I honor is neutrality which is of benefit to the people of the United States, regardless of whether it helps or hurts any other nation.

If a number of our Senatorial colleagues are logical about this matter they will have to admit that the repeal with the purposes they have in mind is a violation of international law and definitely an unneutral act. If they wish to be logical they should cease talking about neutrality and direct their remarks to a modified form of belligerency. As an ordinary John Smith examining the debates and public discussion I am compelled to reach the conclusion that a majority of the advocates of repeal properly belong in this category.

But others of my colleagues insist that their purpose is not primarily to help one of the belligerents, but rather to help the United States. Thereupon it becomes necessary to weigh the reasons which they advance in support of their contentions. Frankly, I have been dismayed at the very vague and indefinite statements, lacking details and with little supporting evidence, which have characterized the presentation of their case.

Some have very cautiously indicated that expanding our trade in war munitions may be necessary to help solve our unemployment problem. We have heard that statement. Many feel that this is not only an inefficient but a most dangerous way of solving the unemployment problem, and, if we are compelled to do so, we can find a better solution. Public sentiment against blood profits is so overwhelming that few have dared to press or define this argument.

Mr. President, I have referred to the problem of unemployment and to the fact that some have suggested that the repeal of the arms embargo would help relieve unemployment. I wish to say, incidentally, that before even the remotest or slightest thought is devoted to the idea of helping any belligerent, before we ever think about mobilization for war, I believe that in this country we should mobilize against unemployment, poverty, and crime. The only time that the word "mobilization" ever reaches my ears to please them is when it is used to indicate a mobilization of forces to combat unemployment, poverty, and crime in this country.

Others of our colleagues have said that we need an expanded munitions industry for our own national defense, and that the quickest and cheapest way to get it is to sell munitions to the European belligerents. Here again, statements have been very vague and few details have been offered as evidence. I agree with many of my colleagues that for our own national defense we need more munitions and better facilities for producing them. To those of us who are members of the Military Affairs Committee it is obvious that we can profitably expand our orders and even our factories to meet our own munition needs without the necessity of selling 5 cents' worth to any foreign country. We are sadly deficient in equipment for our Army and Navy. So far as I have been able to learn from my experiences on the Military Affairs Committee I should say the situation is as follows: Do we need to expand production of munitions? Unquestionably yes. But to get this expansion, I ask, do we need to rely on munitions trade with the European belligerents? In my opinion we certainly do not.

The solution of our own munitions problem is to expand our orders for equipment for production of munitions for our own armed forces. Congress should appropriate whatever sums of money and provide such authorizations as may be necessary for these purposes. If the Congress would do that we could develop a completely adequate munitions industry for our own purposes without selling 5 cents' worth to any foreign country. As a matter of fact, we can keep our own factories busy for a long time in caring for our own needs. Do you realize, Mr. President, that our own Army is still using "doctored" powder which is a heritage of the World War of some 20 years ago? Do you realize that much of our equipment is only in sample form, and that we could legitimately increase production to assure that our forces would be properly equipped?

I am in favor of doing anything and everything necessary to assure a proper supply of munitions for the American armed forces; I am not in favor of establishing facilities primarily for the use of the armed forces of other countries. I am not convinced that in order to meet our own needs it is necessary to supply the needs of others.

One of the vaguest of all the arguments for repealing the arms embargo is the assumption, with insufficient supporting detail to convince a person of the average intelligence, that if Germany should win the war in Europe the Western Hemisphere would be promptly menaced, and, therefore, for our own national defense we should take certain steps, most of which are undefined, except repeal of the arms embargo.

In the first place, there is no proof that Germany will win; qualified experts are more inclined to think that the Allies will win in the long run, although they may suffer temporary reverses. Secondly, if Germany should win she would be exhausted for many years to come. Even if victorious, her task would be colossal to hold down the British and French Empires over any length of time. If anyone wants to gage how easy it would be for a victorious Germany to hold down the British and French Empires, let him remember how difficult it was for the British and French to hold down a completely disarmed Germany. The present war is the direct result of the inability of Britain and France to hold down the Germans for more than a few years in spite of the colossal resources that the opponents of Germany had at their disposal. Even assuming that Germany should be victorious in Europe and could without too much difficulty hold down her victims, the possibility of her coming across 3,000 miles of ocean to meet a fresh nation, especially one with huge resources, a first-class navy, and the means of raising a huge army, is something which I defy any competent military expert to explain in a convincing fashion. Of course theoretically it is possible, as Orson Welles' famous Invasion From Mars was also a theoretical possibility. Intelligent governments, however, do not embark on costly programs on such remote possibilities. The present head of the British Navy, Winston Churchill, could undoubtedly tell from his personal

experiences how easy it is to land substantial forces in a hostile country even with the best navy in the world and the invaded country very weak. I refer to the colossal losses of the British during the World War when they attempted to land troops in Turkey—the Gallipoli campaign. If any Senator does not appreciate the difficulties, I suggest that he go back and check the records of that campaign.

We might also remember that Adolf is not the first of the Hitlers that have menaced Europe.

There was a French Hitler in 1812—Napoleon Bonaparte. Did we find it necessary to join the "stop-Napoleon" bloc to secure our safety and our own interests? On the contrary, we joined the Napoleon bloc, because our War of 1812 found us fighting on the same side as Napoleon against Great Britain. And when the British successfully liquidated Napoleon, what happened to us? Britain's ally, Spain—because Spain was her ally then—had to appeal to her victorious friend to help prevent the United States from gaining control of Florida, which was then Spanish territory. We all know about how we got Florida. And what did the victorious mistress of the seas answer to her ally? This is what the British Foreign Minister, Castlereagh, answered on November 11, 1817:

> The avowed and true policy of Great Britain in the existing state of the world is to appease—

Shades of Chamberlain!

> controversies, and to secure, if possible, for all states a long interval of repose.

Away back in 1815 we find the British Empire then appeasing, as we find them now.

The British Foreign Minister then clearly indicated that Spain must be prepared to purchase peace by the cession of Florida to the United States, and to endeavor to secure the best possible concessions from the United States when turning Florida over to her. The British were so exhausted after the war that they were in no position to give any effective aid to their own ally, whose own territory in America was at stake.

I am still waiting for some competent military authority to furnish the details to build up a respectable case on the theory that this hemisphere will be dangerously menaced if Hitler achieves the improbable and wins the war in Europe. All evidence now available indicates that this thesis is pure moonshine, lacking even the kick that our southern moonshine of Tennessee and North Carolina produces on occasions. [Laughter.]

But assume that we prepare on the side of extreme caution, and that there is some possibility that European nations could menace the Western Hemisphere; is the only solution the one that is now being advocated, that it is necessary for us in advance to insure the defeat of a potential enemy by unneutrally helping his opponents even at this moment? Unquestionably there is some risk that such an indirect form of unneutrality or modified belligerency might lead to costly and dangerous consequences. Is there no safer and cheaper alternative?

At this moment the American people are practically unanimous in their determination to have whatever national defense is necessary to protect us against any and all comers. If the menace is as real as some allege, why not meet it in a real American way, and expand our national defense to such an extent that no nation or group of nations in the world will even dare infringe on our territory or vital rights?

Calvin Coolidge estimated that our fruitless participation in the World War eventually will cost us $100,000,000,000. If, by expending one-tenth that amount now for national defense, we can keep out of another one, it seems to me to be wise economy. Would it not be much better for us to expend this sum in our own country, for our own national defense, than to waste it in foreign fields? Simultaneously, it would take care of the unemployment problem much better than would the proposed artificial expansion of our munitions trade with Europe. As a matter of fact, it might cost us considerably less in the long run than permitting a so-called cash-and-carry trade in arms, which might easily develop into the same thing that happened the last time, namely, not business but monkey business, because we actually gave away over $10,000,000,000 worth of goods to the European belligerents.

In connection with Mr. Coolidge's mention of the cost of the World War, let me say that I have in my file a speech which I heard delivered over the radio by Capt. Eddie Rickenbacker, the World War ace, in which he referred to the cost of the war. I ask leave to insert in my remarks at this point a quotation which I have entitled in pencil, "Cost of War—Extracts From Radio Speech Recently Delivered by Capt. Eddie Rickenbacker, World War Ace," showing the tremendous cost of the war.

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

> The cost of the World War approximated $250,000,000,000. With this staggering sum we could have built homes costing $2,500 each on 5-acre plots of ground costing $100 an acre.
>
> We could have equipped each of those homes with a thousand dollars worth of furniture, and given such a home to every family in Russia, Italy, France, Belgium, Germany, Wales, Scotland, Ireland, England, Australia, Holland, and the United States of America.
>
> We could have given to every community in those lands—of 40,000 people or more—a $2,000,000 library, a $3,000,000 hospital, and a $10,000,000 university.
>
> And if we could have invested the balance that would have been left in a way that would have brought a rate of 5 percent annually, there would have been sufficient to pay an annual salary of $1,000 each to 125,000 school teachers and 125,000 nurses.
>
> The cost to these United States—including direct and continued up to date—has totaled approximately $47,000,000,000.
>
> If we placed this staggering sum into peacetime circulation—we would not now have millions of unemployed, plus the direct loss of 50,000 men, and approximately 250,000 casualties.
>
> Well could we rid ourselves, with this vast sum, of the slums of our great cities—the misery and poverty that go with them.
>
> Well could we multiply our opportunities of education and culture, through better and larger institutions of learning.
>
> Well could we afford, not one, but several airports in every large city.
>
> Well could we rid ourselves of the inadequate highways, narrow streets, and the constant congestion in every city—large or small.
>
> Well could we multiply our airways, expediting the transportation of mail, people, and merchandise to and from every hamlet in this country.
>
> Well may we remember the forgotten statistics of the World War. Seventy-four million men mobilized—ten million killed, three million maimed, nineteen million wounded, ten million disabled or incapacitated for the balance of their lives, 9,000,000 orphans, and 5,000,000 widows.

Mr. REYNOLDS. Mr. President, with the approach of December 15 I hope no one has forgotten that our ex-allies will owe us by that date close to $14,000,000,000 on defaulted debts. But you may ask, "Why bring up the war debt? That issue is practically dead and closed." I think it is dead. I do not think we shall ever get a dollar of the amount due us.

But is it closed? Do you realize that during the present year tax collectors of the United States Government are collecting close to $500,000,000 from American taxpayers to pay, not these debts, but only the defaulted interest on them? Do not forget that these bonds are still included in our huge national debt, and do not forget that the United States Government—namely, the United States taxpayers, meaning the John Smith of whom I have spoken and all other John Smiths in this country of ours—are forced by the sweat of their brows to pay the interest which is due the holders of the bonds. Without wasting time on detailed proof as to the rate of interest on these bonds, it is not difficult to show that the average is about 4 percent. When some of us are intrigued with the idea that the Allies have huge cash reserves in this country which would pay for a large war trade on a cash basis, we may well wonder why the American taxpayers at this moment are being assessed huge sums to pay the defaulted debts of the same nations incurred in a similar war only 20 years ago.

But it may be said that my suggestion that we spend, if necessary, $10,000,000,000 more for adequate national defense is a foolish one, in view of the fact we are already in the hole up to our neck with debts. Well, we can spend $10,000,000,000 more much easier than we can finance our participation in a conflict which might cost a hundred billion dollars.

If necessary, we can finance this expansion by a peace defense loan, as we financed the war the last time by so-called Liberty Loans.

My point is that if this menace against us and the Western Hemisphere is so real and so proximate, the cheapest and the quickest way for the American people to meet it is not by supplying foreign armies, but by supplying our own. I doubt that it would take anywhere near $10,000,000,000 to do the job. We could probably do it for far less. But the point is that if it is necessary to spend $10,000,000,000 to insure beyond question the safety of the United States, then let us spend $10,000,000,000 here, and not over there. It would be far cheaper and sounder in the long run. Will anyone sitting here today challenge the statement that by a sufficient expansion of our own national defense any real menace of foreign invasion could be dissipated beyond any doubt?

Mr. President, aside from mentioning the sinking of the *Athenia*, and its effects upon the entire European and Asiatic situation, and aside from mentioning the war aims of Europe, in turning over in my mind last night what I should talk about today I thought about the Monroe Doctrine. Since it has not been mentioned in detail here, I wish to bring to the attention of the Members of this body some very interesting things pertaining to the Monroe Doctrine in connection with Great Britain. Let us see what that doctrine is.

We have heard a great deal in very vague and indefinite terms about the Monroe Doctrine, and the menace to Latin America in case Hitler wins. I seriously doubt that any such menace exists; but, if it should exist, the proposed expansion of our national defense would meet the menace. While we are on this subject, however, would it not be better first to remove some of the existing threats to the Monroe Doctrine, which we are always bragging about?

Mr. Monroe was the fifth President of the United States, and I was interested in looking into the furnishings of his little law office in Fredericksburg, Va.

Let us consider this matter for a moment. Do my colleagues realize that since the Monroe Doctrine was promulgated, over 100 years ago, only two pieces of American territory have passed into the hands of European nations, and that both of those pieces are in the hands of Great Britain, whom we are now called upon to help? Both of the Latin American republics which lost in the deals at this moment insist that the property is theirs and should be returned to them. I refer to British Honduras and to the Falkland Islands. Great Britain is saying to us, "You had better help us, because if Hitler wins, the Monroe Doctrine will be splintered into a thousand pieces." Yet history teaches that the only violations of that doctrine, a doctrine which we are called upon to protect and strengthen, were by Great Britain itself.

Some months ago I had occasion on this floor to bring to the attention of the Senate the White Book of the Guatamalan Government, released in English this year. In this book, which is well documented, the Guatamalan Government insists that Great Britain is unlawfully holding territory which belongs to Guatamala, and without having complied with her treaty obligations. The following quotation from page 15 of this volume might interest my colleagues:

> Great Britain, defender of the rights of weak nations, implacable judge of aggressive states, has refused and refuses to comply with the obligations which she solemnly contracted in the Convention of 1859, and has declared all discussion closed. In face of this inconceivable attitude, the only recourse of the Republic is to appeal to the universal conscience of civilized nations, and protest against the procedure of Great Britain against a nation which is small and weak because of its territory and population.

That feeble little nation, Guatemala, is now pleading with uplifted hands to the civilized nations of the world, to their conscience, to come to their rescue, and to save them from the aggressions of Great Britain.

The book shows that the Guatemalan Government has requested Great Britain to arbitrate this matter with Guatemala, and has urged that Great Britain accept Franklin D. Roosevelt as arbitrator. In view of the very warm friendship existing between President Roosevelt and the British Government, it is rather curious to note that the British Government has refused absolutely to accept our distinguished President as arbitrator. Great Britain commits aggression, taking property unlawfully of another nation right out from under our nose. Yet we hear talk about strengthening the Monroe Doctrine. We had better cure some of its defects. So the matter stands, and so we, who are supposed to be the defenders of the Monroe Doctrine, apparently are doing nothing in this matter. Before we barge forth against mythical enemies of the Monroe Doctrine who are vaguely accused of having designs on Latin-American territory, would it not be much more logical to adjust first a case of this sort which is actually existing and in which one of our sister republics has appealed to us for aid?

With equal insistence the Argentine Government maintains that the British have unlawfully deprived her of the Falkland Islands which rightfully belong to Argentina. Would it not be proper for us, as the great defender of the Monroe Doctrine, to suggest to our British friends that it would be proper to adjust this matter on a friendly basis, inasmuch as they are seeking our aid, presumably on the theory that if we do not aid them the Monroe Doctrine may be threatened by others in Latin America? If any of my colleagues feel that the Argentine Government has forgotten all about the Falkland Islands, I remind them that at the conference of Panama, held several weeks ago, attended by Undersecretary of State Sumner Welles, whom I saw and heard make a speech in the movies, the Argentine Government reaffirmed her claim, by implication, by putting a reservation into the Panama agreement, which reservation unfortunately is being little noticed in the American press.

Mr. President, in September 1939 the Argentine Government again served notice that she does not admit that the Falkland Islands are British territory. Several years ago the Argentine Congress authorized publication of a volume which shows that Argentina still insists that Great Britain is depriving her of her territory.

Possibly the claims of Guatemala and Argentina may not be as good as they allege. But I cannot understand why the United States, the great protector of the Monroe Doctrine, has not taken a hand to insure the fair arbitration of these matters, so that everyone can determine as to the validity of these claims. I say again that before we venture forth on a crusade designed to prevent mythical future aggressions against Latin America, why would it not be most logical first to liquidate the two claimed violations of the Monroe Doctrine resulting in the transfer of Latin American territory to Great Britain?

The resolution I submitted to the Senate last spring requested information from our State Department as to what, if anything, was being done about this matter. Unfortunately, like so many others of my suggestions, I understand the resolution is buried beneath a pile of dust in our Foreign Relations Committee. Would not this be a good time to trot out that resolution and at least find out what, if anything, is being done? Would it not also be a proper time to trot out another resolution presented by me, providing for the naming of Hon. William Griffin, editor, of New York, as debt collector of the United States, to rap daily upon the doors of the British and the French and remind them that they owe us money? It is always said that if one wants to make an enemy out of someone, all he has to do is to lend him money.

In reference to the repeal of the arms embargo, I wish to ask, is it necessary to repeal the arms embargo to insure that we keep out of war, and remain neutral? In all the debates I have seen no convincing evidence to prove any such proposition. I fail to see how not selling death-dealing instruments can involve us in war, unless we assume that this war is already ours, and even if it is already ours, I say that by building up our own national defense we can more quickly and more cheaply meet these needs. If lifting the arms embargo is based on the purpose so many have expressed, namely, to help Great Britain and France, it would be a violation of international law, an unneutral act, and a modified form of war.

Retention of the arms embargo is certainly not the road to war. As to lifting the arms embargo, the evidence seems conflicting; it might or it might not be the road to war. But in cases like this, why should we gamble when there is no necessity that we should gamble? Why take a chance with the lives of millions of sons of American mothers? The saner solution of the question would be to do nothing about the arms embargo, and let it stay as it is. In keeping an arms embargo we would not in any sense of the word be violating international law, we would not be unneutral, we would not be preserving a unique practice, because many other nations in the past have had such embargoes, and they have been successful in remaining neutral, and it is their right to have such embargoes.

In spite of similarities for war purposes between primary munitions and other materials, there are important practical and psychological differences which warrant a different treatment, as is provided in the existing law. In the last war, Germany drew this distinction and centered most of her protests against our being a major source of supply of primary munitions to her enemies. Germany apparently made little effort to question our right to ship other materials used in the war.

I am afraid that many of us have forgotten what might happen in case we act as an arsenal for the Allies. The last time Germany resorted to sabotage in the United States and other drastic measures, which contributed greatly to our ultimate involvement in the war. President Wilson's war message of April 1917 gave this as one of the main causes for declaring war. The sabotage was directed primarily against munitions and not against oil wells, cotton fields, or iron mines. It is only several months ago that the United States Government won a claim of $50,000,000 against Germany for munitions sabotaged in New Jersey prior to our entry in the World War. I refer to the famous Black Tom case and the blowing up of the arsenal at Kingsland, N. J. Lifting the embargo on arms and munitions and placing them on a cash-and-carry basis would not remove the danger of sabotage any more than it did in 1914 to 1917. We already have had many rumors of sabotage and planned sabotage in our own factories manufacturing potential war materials.

Mr. President, the other day I heard the Senator from Idaho [Mr. BORAH] express very forcefully the opinion that, if we lifted the arms embargo, the thing for the Germans to do in that instance—when they were our enemies—would be to sabotage ammunition plants, the transportation system over which the munitions would roll, and the docks at the seaports. We are never prepared, we never get ready until it is too late.

Would there be sabotage in case of war? There is not a manufacturer or industrialist in this country, there is not an operator of a great transportation system in this country who does not know that if we should lift the arms embargo our industrial property would be dynamited and sabotaged. Are they afraid of sabotage? I know of one great transportation system in eastern America, just one company, which within 30 days has been forced to employ 2,000 additional watchmen and patrolmen to keep their bridges, their power plants, their buildings, their railway property from being destroyed. Think of it! I say it is an outrage that an American company must employ an additional 2,000 men to guard its own property in America against alien enemies.

Mr. Edgar Hoover has recently employed hundreds of young men in the Bureau of Investigation in the Department of Justice, the G-men, to run down alien enemies. The Attorney General of the United States, Mr. Frank Murphy, issued a statement to the effect that the United States was honeycombed with spies. The Government cannot find them. Why? Because it does not know where they are. Why does this deplorable condition exist? It is the fault of the American people. Why are they at fault? Because they have not seen to it that the Congress enacted into law my proposed legislation, for which I have been fighting for years—legislation to do what? Legislation the purpose of which is to register and to fingerprint every alien in the United States, so we would know whether he came in legally or illegally, and if legally, whether he is remaining here illegally, whence he came, why he came, and when he came, where he is, and what he is doing.

If this country were to become involved in war we would have between three and seven million potential enemies within our own borders, and we would not know where any of them were. Think of it, between three and seven million aliens, who are potential enemies. We have that number of noncitizens, persons who have never made an attempt to become citizens. We do not know how many of them there are. Why? Because we have never had the foresight to enact a fingerprinting law or a law to register aliens. We never do anything until it is too late. The situation in which we find ourselves is our own fault. Therefore the number of G-men has been increased. That is why the Attorney General of the United States says the country is honeycombed with spies. That is why the great transportation company of which I spoke has been obliged to employ 2,000 additional guards. The mere fact that arms, munitions, and death-dealing implements of war would be carried from our shores by belligerent ships would not serve as a guaranty that American munitions plants would not be destroyed by alien enemies.

Everyone realizes that one of the greatest possible dangers against our neutrality is an artificial war boom. An artificial war boom is not so important in well-established peace industries, because they are normally subject to contraction and expansion in accordance with the law of supply and demand. They are not solely and exclusively dependent on war trade as such. They can contract and expand without necessarily upsetting the entire apple cart. But in the case of primary munitions factories, we might well be establishing a new and artificial industry, possibly leading to a boom—it probably would—and when the cash ran out there would be great pressure to save this artificial industry, which could survive only through further war sales, and we might have an exact repetition of 1914 to 1917.

One reason why a general embargo on war articles is not usually advocated is because of the impossibility of checking and enforcing such an embargo. In the case of primary munitions, their manufacture, sale, and transport can be much more easily checked than in the case of other products. As a matter of fact, we have been checking munitions for the past 4 years, and are doing so even at this moment with considerable success.

Mr. President, in reference to the distinction between the expansion due to increase in war business and the expansion in business due to ordinary trade, I ask to have inserted in the Appendix of the RECORD an article from the pen of John T. Flynn, written in Miami, October 3, 1939, and published in the Washington, D. C., News of the same date, concerning the war-boom effects. To those who do me the honor to read my speech, I refer to that article which will appear in the Appendix of the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection the article will be printed in the RECORD. The Chair hears none and it is so ordered.

Mr. REYNOLDS. Mr. President, if the Congress is finally to lift the arms embargo on the sales of munitions and put them on a so-called cash-and-carry basis, caution must be exercised to insure avoidance of a possible danger. Under international law and practice, while a neutral government has no obligation to prevent its citizens from selling munitions and lending money, the same international law and practice completely forbids any government or any of its agencies from selling arms or extending credits. If a neutral government does so, it is obviously a hostile act and a form of belligerency. I have been somewhat disturbed by items that have appeared in our press in the last several months which imply that if the arms embargo were lifted the United States Government, through certain of its agencies—such as the Reconstruction Finance Corporation—might consider it both feasible and advisable to lend money for construction of plants and plant extensions.

In other words, if the embargo on arms is lifted, and an attempt is made to get blood money from across the sea,

the munitions business will grow overnight as a mushroom. It will need money, and the first place to which it will go for money is the Reconstruction Finance Corporation, because the Reconstruction Finance Corporation has, I understand, a surplus of over $1,200,000,000 in unused credit facilities. While technically and theoretically loans of our Government for plant construction and plant expansion would not be a direct participation in the sale and finance of the munitions trade, in actuality any such advance by the Reconstruction Finance Corporation or any other branch of the Government would amount to practically the same thing.

If Congress sees fit to repeal the arms embargo, I feel that there should be an amendment safeguarding us against any extension of credits, directly or indirectly, by the United States Government in connection with the munitions trade. There is plenty of need for Reconstruction Finance Corporation credit in this country without diverting it into such a violation of international law as helping to finance munitions sales to European belligerents. Outside of press reports, I have no concrete evidence that the Reconstruction Finance Corporation is contemplating such action; but, in my judgment, the mere possibility that it might be warrants an amendment completely preventing any such possibility.

Mr. President, in conclusion, as an ordinary John Smith who has listened to the debates and who has made an honest effort to find out where the real interest of the United States lies, I have come to the conclusion that it is my obligation to vote for 90 percent of the pending measure, but not for the 10 percent covering the proposed repeal of the arms embargo. I mention the 10 percent covering the proposed repeal of the arms embargo because I believe statistics reveal that during the last war only 10 percent of all the money we received from selling all sorts of commodities and products to Europe came from the sale of munitions.

For the safety and interest of the United States, I believe the arms embargo should be retained. Simultaneously, I think all other products should be put on a real cash-and-carry basis, with reasonable modifications to permit United States shipping to operate in localities where there is no real danger to it. At the moment I am 90 percent with our great President and only 10 percent against him, because I have not been convinced that our first line of defense is in France or any other part of Europe. It is in the good old U. S. A., protected as it is by an ocean 3,000 miles wide. As to the 10 percent, where we part company, it is not because I have changed my opinion, for my views on this matter are now the same as they were when the arms embargo was originally passed. At that time our distinguished President himself was one of the greatest advocates of the arms embargo. He convinced me then of its wisdom to such an extent that the more recent arguments have not justified any change in my position. I believe that 90 percent of the pending measure is wise, and in many respects greatly strengthens our ability to stay out of war, as compared with what is contained in the present law. The other 10 percent—the arms-embargo repeal—which is a departure from the existing law, in my estimation is an unwise and dangerous departure. Therefore, I am compelled to follow what I conceive to be my obligation as a Senator of the United States—not of Europe or of the world—and vote against such repeal.

Mr. President, I shall stay with the administration all the way down the line, through the cotton fields of North Carolina, where we have cotton to sell; through the tobacco plantations of North Carolina, where we have tobacco to sell; through the lovely hills of western North Carolina, where we mine mica to sell; and through the eastern part of North Carolina, where we have peanuts and sweet and Irish potatoes to sell. I shall go through the western wheat fields, the great Corn Belt, and the mines of our country hand in hand with the administration. I am 100 percent for the cash-and-carry provision. I want to sell to the world all we can sell for the backs and the stomachs of the unfortunate of the earth. But, Mr. President, as I stroll across the great lands of America, from the east to the west, from the lovely blue waters of the Atlantic to the turbulent waves of the Pacific, when I arrive there and see a sign set atop a great munitions plant where instruments of death are manufactured and powder and dynamite are stored, I stop.

I walk hand in hand with the administration along the highway of peace and happiness, through the cotton fields, the tobacco plantations, the great lands of the East where peanuts and potatoes are grown, the great Corn Belt, the Wheat Belt, and through innumerable textile plants and manufacturing enterprises of every description. But when I see before me a great plant engaged in the manufacture of instruments of death and damnation, I stop. There is a path leading to the right, and there is one leading straight forward. I have decided to take the path to the right. I shall not disregard that sign of danger. I have trod so far in safety, and I shall go to the right instead of venturing into that plant.

So, Mr. President, I shall vote against lifting the arms embargo. Because of the little common horse sense that I possess, I know, by way of illustration, that if two men are fighting, and I am favorable to one, and I pull out of my breeches' pocket a loaded revolver and hand it to him, and he kills his adversary, as the result of my participation and assistance, I am just as guilty of his murder as though I had pulled the trigger. I know that my soul will experience the same punishment in the future as will the soul of the man who actually did the slaying.

Mr. President and Senators, we all love money, and we want to sell all we can. I am 100 percent for that desire. I will never cast my vote to place instruments of death in the hands of any people to slay their fellow men, be they enemies or friends, black or white, from any part of the whole world. That is my position.

Mr. President, unfortunately the people of America do not understand the question before us. Millions of Americans think they will not be able to sell their cotton, their wheat, their tobacco, their corn, their barley, or any of their manufactured products, and receive cash for them, unless we lift the arms embargo. They think that in order to sell their products, farm or manufactured, we must lift the arms embargo. I am sorry that false impression prevails among the American people, because, knowing the American people as I do, I can never bring myself to believe that there is a mother or father in America, or a single living, breathing person among the 130,000,000 people of America, who would participate and become an accessory before or after the fact in a murder merely for the purpose of selling a bushel of wheat. I do not believe it, and I never can be brought to believe it.

Mr. President, I have given this question much study. At this fading hour of the afternoon I wish to say that I have been told by many of my closest friends that 90 percent of the people of my State of North Carolina favor lifting the arms embargo. They have called me time and again, night after night, and said: "If you value your political hide you had better abide by the opinion of your constituents, because 90 percent of them favor lifting the embargo." The great majority of the letters I have received favor lifting the embargo, as against the theory of retaining it.

Mr. President, I have utterly disregarded such statements. I feel that if there ever was a time in all the years I have been a Member of the Senate when I should vote my honest-to-God conscientious convictions, as every other Member of this body will do, that time is now. I have not been conscientiously able to bring myself to any other conclusion than that which I have chosen. I say to the people of my State, to whom I must look for any political future, that in casting my vote I shall cast a vote dictated by the heartthrobs of my conscience; and no one can be blamed for doing that.

I wish to direct my remarks to North Carolina, and to say that I want my friends down there to sell their cotton for cash on the barrel head. I want them to sell their mica, their corn, their tobacco, their peanuts, their potatoes, and their textiles. They want to do it, too. However, I stop

there. I will not vote to sell instruments of death to be used to kill human beings. I do not believe the possessors in North Carolina of the products I have mentioned would ever be willing to be accessories before or after the fact in bringing about the death of their fellow men.

Mr. President, I thank the Senators who have done me the honor to listen to me this afternoon, and who have been most patient with me. I desire to say that, regardless of my vote and regardless of the vote of any other Member of this body, I, like you, shall pray that whatever action we may take will not lead us into war, because, after all, the sole objective we all have in view is that of keeping America out of war, and keeping our sons nestled close to the hearts and the bosoms of their mothers, North, East, South, and West.

Mr. BARKLEY. Mr. President, I ask unanimous consent that beginning on Monday when the Senate assembles, no Senator shall speak more than once or longer than 1 hour on the joint resolution, nor more than once or longer than 30 minutes on any amendment thereto.

Mr. McNARY. Mr. President, I regret that I cannot agree to the proposal made by our able leader. I have very carefully canvassed the sentiment among various Members of the Senate, and I find some opposition to the proposed agreement. I think I can hold out to the able Senator the hope that probably on Monday some such arrangement can be made—I do not know whether or not in the precise form suggested—but I shall be glad to confer with the Senator from Kentucky and see if some arrangement cannot be made placing a limitation on debate, probably commencing with Tuesday.

In behalf of myself and other Members of the Senate, I desire to express our very deep feeling of gratitude to the Senator from Kentucky for the manner in which he has conducted the proceedings during the consideration of the unfinished business. No one can complain of his patience, his generosity, or his good will. At this time, however, I am unable to conform to the proposal made; and therefore I must object.

Mr. BARKLEY. Mr. President, I regret that the Senator from Oregon feels compelled to object. I appreciate the efforts he has made to cooperate in working out a plan by which this measure may be brought speedily to a conclusion. Of course, however, I accept his objection in the spirit in which he tenders it. I sincerely trust, and I have no right to doubt, that he will attempt further to cooperate with me in working out a plan by which we may limit debate during the remainder of the consideration of the joint resolution.

Mr. McKELLAR. Mr. President, on yesterday something was said about the history of former embargoes issued by our Government. Some time ago I requested Mr. Ruskin McArdle, the Librarian of the Senate, to compile the history of each act pertaining to embargoes. He has just handed to me such a compilation, which had already been compiled by the legislative reference service of the Library of Congress, and I ask unanimous consent to place it in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

EMBARGO ACTS OF CONGRESS (1794–1937)

Act of June 4, 1794 (1 Stat. 372, ch. 41)

The President was authorized, until the next session of Congress, whenever in his opinion the public safety required it, to lay an embargo on all United States and foreign vessels, such embargo to expire 15 days after the commencement of the next session (i. e., on December 22, 1795).

Joint resolution of March 26, 1794 (1 Stat. 400, II)

An embargo laid for 30 days on all vessels in United States ports, bound for any foreign port; no clearances to be furnished to any vessel bound for any foreign port "except ships or vessels, under the immediate directions of the President of the United States."

Joint resolution of April 2, 1794 (1 Stat. 400, III)

All registered vessels departing from United States ports required, during the continuance of the embargo of March 26, 1794, above, to give bond, equal to double the value of the vessel and cargo, that the cargo would be relanded in another United States port.

No clearance to be granted to any foreign vessel, during continuance of the embargo; but "all armed vessels possessing public commissions from any foreign power (letters of marque excepted)" were not subject to the embargo.

Joint resolution of April 18, 1794 (1 Stat. 401, IV)

Embargo of March 26, 1794, above, continued until May 25, 1794.

Joint resolution of May 7, 1794 (1 Stat. 401, V)

The President was authorized to direct clearances of United States vessels bound for any port beyond the Cape of Good Hope, notwithstanding "the embargo," provided the owners gave security not to unlade cargo before arrival at Cape of Good Hope.

Act of June 13, 1798 (1 Stat. 565–566, ch. 53)

Section 1. Vessels owned, etc., by residents of the United States prohibited from departing for or trading with France, the West Indies, or any French territory, under penalty of forfeiture of vessel and cargo.

Section 2. All such vessels clearing from United States ports for foreign voyages required to give bond, in sum equal to value of vessel and cargo, not to trade with or go to any port of France, the West Indies, or any French territory, "unless by stress of weather, want of provisions, or by actual force and violence, to be fully proved and manifested before the acquittance of such bond."

Section 4. This act to continue in force until the end of the next session of Congress (i. e., until March 2, 1799).

Section 5. If, before the next session of Congress France should discontinue hostilities, etc., the President was authorized to discontinue these prohibitions, etc.

Act of February 9, 1799 (1 Stat. 613–616, ch. 2)

Act to be effective from March 3, 1799, to March 3, 1800.

Sections 1 and 2 are similar to sections 1 and 2 of the act of June 13, 1798, above, except that the bond is to be in sum equal to value of vessel and one third of the value of the cargo.

Section 4 authorized the President at any time to discontinue the prohibitions under this act.

Section 5 authorized the President to instruct "commanders of the public armed ships of the United States" to stop and examine any United States vessel on the high seas, which there was reason to suspect was engaged in prohibited commerce, and if it appeared to be bound for French territory, etc., to seize same and send it to the nearest United States port.

Section 6 provided for trial of cases of seizure of United States vessels.

Act of February 27, 1800 (2 Stat. 7–11, ch. 10)

Provisions similar to those of February 9, 1799, above, for the period from March 2, 1800, to March 3, 1801, but for the purposes of this act the island of Hispaniola was to be considered a dependency of France.

Act of February 28, 1806 (Stat. 351, ch. 9)

Commercial intercourse prohibited for 1 year between residents of the United States and any part of the island of Santo Domingo not under French jurisdiction, under penalty of seizure and condemnation of vessel and cargo.

Owners of vessels, etc., clearing for foreign voyages required to give bond, in a sum equal to the value of the vessel and cargo, not to go to prohibited parts of Santo Domingo or sell goods to residents there.

Provisions for collection of penalties, etc.

The President was authorized to discontinue prohibitions under this act at any time.

Act of December 22, 1807 (2 Stat. 451–453, ch. 5)

Embargo laid on all vessels in United States ports bound for foreign ports; no clearance to be furnished to any vessel bound for a foreign port except "vessels under the immediate direction of the President"; President given authority to enforce embargo.

All registered or sea letter vessels departing from United States ports required to give bond in sum double the value of vessel and cargo, that cargo would be relanded in some United States port. "Armed vessels possessing public commissions from any foreign power" are not subject to this embargo. (Repealed by act of Mar. 1, 1809, below, effective June 28, 1809.)

Act of January 9, 1808 (2 Stat. 453–454, ch. 8)

Section 1. During the continuance of the Embargo Act of December 22, 1807, above, vessels licensed for coasting trade were required to give bond, in a sum double the value of the vessel and cargo that the vessel would not go to any foreign port and that the cargo would be relanded in some United States port.

Section 2. Owners of licensed fishing vessels or whaling vessels were not to carry any cargo except sea stores, etc.; bond was required, in four times the value of the vessel and cargo, not to go to any foreign port, and to return to some United States port, except that in case of licensed vessels whose activities were confined to United States rivers, bays, or sounds, a bond of $300 for each ton of vessel was sufficient.

Section 3. The penalty for shipping goods in violation of the Embargo Act of December 22, 1807, or of this act was prescribed as:

(1) forfeiture of vessel and cargo, or, if vessel not seized, payment of double the value of ship and cargo.

(2) owner, etc., to be thereafter not allowed credit for duties on any importations.

(3) master or commander and persons knowingly concerned in voyage each to pay penalty of from $1,000 to $20,000 for each offense whether the vessel was seized or not, and

(4) oath of master or commander knowingly offending to be inadmissible, thereafter, before any collector of customs.

Section 4. Exception in favor of armed vessels in act of December 22, 1807, to apply only to public armed vessels and not to privateers, vessels having letters of marque or other private armed vessels, which were to be subject to law governing departure of other private foreign vessels.

Section 5. Foreign vessels were not to carry any cargo except sea stores necessary for the voyage, under penalty of forfeiture and condemnation of vessel and cargo and payment of from $1,000 to $10,000 for each offense.

Section 6. Regulations for collections of penalties, etc.

Section 7. Duration of Embargo Act of December 22, 1807, above, not to be part of 12 months during which imported goods must be exported in order to be entitled to draw-back.

Act of March 12, 1808 (2 Stat. 473–475, ch. 33)

Section 1. During the continuance of the Embargo Act of December 22, 1807, above, ships owned by United States citizens were prohibited from leaving a United States port or receiving clearance, without giving bond for double the value of vessel and cargo not to go to foreign port and to reland cargo in United States port, except in case of American vessels whose trade was uniformly confined to United States rivers, bays, sounds, and lakes, where bond of $200 for each ton of vessel was sufficient. Foreign vessels required to give bond, for four times the value of vessel and cargo before leaving United States ports or receiving clearance with cargo destined for another United States port, not to go to a foreign port and to reland cargo in the United States.

Section 2. Boats without masts or decks and whose trade was confined to United States rivers, bays, and sounds not adjacent to foreign nations, were to be either exempt from bond or required to give bond in sum of $30 for each ton of vessel, not to engage in foreign trade.

Section 3. Certificate of relanding to be produced by party to bond within 4 months after clearance of vesse'ls.

Section 4. Exportation of goods by land or water prohibited under penalty of up to $10,000 for each offense. But power of President under Embargo Act of December 22, 1807, above, and rights of fishing vessels under supplementary act of January 9, 1808, not affected.

Section 5. Masters and mates of fishing vessels required to take oath as to whether fishing fare had been sold during voyage, under penalty of $100, but oath not required of small vessels fishing on our own coasts.

Section 6. Regulations as to collection of penalties, etc.

Section 7. President authorized to permit United States citizens to send vessels to bring back their property in foreign ports provided they comply with certain bond requirements. (Repealed by act of January 9, 1809, below, effective June 28, 1809.)

Act of January 9, 1809 (2 Stat. 506–507, ch. 5)

Placing of goods on board ship or other carrier for exportation in violation of embargo laws made a "high misdemeanor," penalized by fine equal to four times the value of goods in addition to forfeiture of carrier and goods; informers entitled to one-half the fine.

Permit required for loading goods on vessels, loading to be subject to inspection and bond required in sum of six times the value of the vessel and cargo, not to go to foreign port or deliver goods to any other vessel, and to re-land cargo in United States port. Collectors of customs authorized to refuse permit when in their opinion there was intention to violate embargo, or by direction of the President.

Permits required of vessels trading on United States bays, sounds, rivers, or lakes, with bond of $300 for each ton of the vessel, not to depart without clearance or engage in foreign trade, etc., under penalty of forfeiture of vessel and payment of sum equal to value of vessel and cargo by owner, etc.

Owners of vessels held liable for violation of embargo laws in addition to other parties liable. Additional bond of $300 required when new register or license granted or on sale of ship, against use of vessel in violation of embargo laws.

Certificate of relanding of cargo within 2 months required.

Bond required for registered or sea letter vessels similar to that required for coasting trade.

Collectors authorized to seize goods on vessels, etc., if there was reason to believe these were intended for exportation; also to require bonds for relanding of goods in United States ports.

Collectors to obey rules and regulations of the President in exercising powers under embargo laws. Provision for suits against collectors to recover property seized.

President authorized to use land or naval forces to enforce embargo laws.

Provision for collection of penalties, etc.

President authorized to hire for not more than 1 year 30 United States vessels not exceeding 130 tons each for enforcing embargo laws.

Powers of the President under section 7 of act of March 12, 1808, above, to cease. (Repealed by act of Mar. 1, 1809, below, effective June 28, 1809.)

Act of March 1, 1809 (2 Stat. 530–533, ch. 24, secs. 11–19)

11–19).

Section 11. President authorized, in case either France or Great Britain should cease to violate the neutral commerce of the United States, to declare the same by proclamation; after which trade of the United States suspended by this act and the embargo acts might be removed.

Section 12. Embargo acts repealed, except so far as they related to Great Britain and France and their possessions.

Section 13. Bond required of any vessels bound for a foreign port, in a sum double the value of vessel and cargo in case of United States vessels, or four times the value of foreign vessels, that the vessel would not leave without clearance or go to a port of France or Great Britain or their possessions, or directly or indirectly trade with them, and that the provisions of section 2 of Embargo Act of January 9, 1808, above, would be complied with. Certificate of landing of cargo required.

Section 14. Repeal, as of March 15, 1809, of certain restrictions on coasting trade vessels, under the embargo laws.

Section 15. A permit required for coasting trade vessels, also a bond, in a sum double the value of the vessel and cargo, that the vessel would not proceed to a foreign port and would re-land in some United States port; but vessels engaged in trade on rivers, bays, and sounds were required to give similar bond in an amount of $150 only.

Section 16. Vessels departing from United States ports, without clearance or permit or having given bond, to be forfeited; the owner, master, etc., were each required to pay a sum equal to value of vessel and cargo.

Section 18. Regulations for recovering of penalties, etc.

Section 19. Act to remain in force until June 28, 1809, and all embargo laws to be repealed as of June 28, 1809.

Act of June 28, 1809 (2 Stat. 550–551, ch. 9)

Sections 11 and 18 or act of March 1, 1809, above, continued until May 1, 1810.

No vessel "except such as may be chartered or employed for the public by the President" to depart for Great Britain, France, or their dependencies. A bond in the sum of double the value of vessel and cargo, that vessel would not go to or trade with the prohibited countries, required of all vessels bound for foreign ports, under penalty of forfeiture of vessel and cargo and payment of a sum equal to value of ship and cargo by owner, master, etc., "severally."

Provisions for recovery of penalties, etc.

Act of May 1, 1810 (2 Stat. 605–606, ch. 39)

No British or French armed vessel to be permitted to enter waters under the jurisdiction of the United States.

All "pacific" intercourse with British or French armed vessels forbidden; persons offending to be "liable to be bound to their good behaviour" and to pay fine of $2,000.

Provision for discontinuance of restrictions under this act in case either Great Britain or France should cease to violate the neutral commerce of the United States. (Repealed Mar. 3, 1815; 3 Stat. 226.)

Act of April 4, 1812 (2 Stat. 700–701, ch. 49)

Embargo laid for 90 days on all vessels in United States bound for foreign ports; no clearance to be furnished to any ship except vessels in ballast, with the consent of the President.

No registered or sea letter vessel to depart from United States port until master, owner, etc., had each given bond, in a sum double the value of the vessel and cargo, to reland cargo in United States port.

Penalty for violations of this act:

(1) Forfeiture of vessel and cargo; or

(2) If vessel was not seized, owner, etc., to pay for each offense a sum equal to double the value of the vessel and cargo and never be allowed credit for duties on goods imported into the United States.

(3) Master or commander of vessel and all persons "who shall knowingly be concerned," each respectively to pay not exceeding $20,000 or less than $1,000 for each offense, whether the vessel be seized or not, and the oath of master or commander to be thereafter inadmissable before any collector of customs.

Provisions for enforcement of penalties, etc.

Act of April 14, 1812 (2 Stat. 707–708, ch. 56)

Exportation by land or sea of goods, wares, etc., prohibited during continuance of Embargo Act of April 4, 1812, above, under penalty of forfeiture of carrier and goods and payment of not exceeding $10,000 by owner and "every other person knowingly concerned" in such exportation.

The President was authorized to employ land and naval forces or militia for preventing illegal departure of vessels in violation of said Embargo Act or illegal exportation contrary to this act, etc.

Provisions for recovery of penalties.

Act of December 17, 1813 (3 Stat. 88–93, ch. 1)

An embargo to be effective until January 1, 1815, or until cessation of hostilities, was laid on all vessels in United States ports and no clearance was to be furnished to any vessel during that period. But "public armed vessels possessing public commissions from any foreign power" were not subject to the embargo.

Section 2. If any person loaded a carrier with goods for exportation in violation of this act, he would forfeit carrier and goods, be guilty of a "high misdemeanor" and be fined four times the value of the goods.

Section 4. Vessels whose trade was confined to United States bays, sounds, rivers, or lakes could get permits to carry goods under bond of $300 for each ton of vessel, and conditioned on obtaining clearance, delivering manifest, not engaging in foreign trade, and delivery of goods at place mentioned in clearance, etc.

Section 5. Penalty for failure to get permit or give bond as required in section 4, was forfeiture of goods and cargo and payment of a sum equal to value of vessel and cargo, by owner, master, etc., severally.

Section 6. Provision for holding registered, licensed, etc., owner liable for penalties and that bond be required for registration, license, or sale of vessel during continuance of this act.

Section 7. Owners of vessels "licensed for fisheries" or bound on a whaling voyage to give bond, in four times the value of vessel and cargo, not to go to foreign port and to return with their fishing fare to the United States.

Section 8. Penalty for departing without clearance or permit or engaging in foreign trade, etc., in violation of this act was forfeiture of vessel and cargo, owner to pay double the value of vessel and cargo for each offense if vessel was not seized and never to be allowed credit for duties on imports, and master or commander, etc., each to pay not exceeding $20,000 for each offense whether vessel was seized or not, imprisoned for from 6 months to a year, and oath of master or commander to be thereafter inadmissible before collector of customs.

Section 9. Foreign vessels were subject to penalty of forfeiture of vessel and cargo and fine of not exceeding $20,000 for taking on board goods other than provisions and sea stores.

Section 10. Collectors were authorized to take in custody goods found on vessels apparently destined for foreign nations and to require bond for landing of same in United States port.

Section 11. Discretionary powers of collectors under this act were to be exercised under instructions from the President. Provision for suits against collectors for goods seized.

Section 12. President was authorized to employ land or naval forces or militia in enforcing the provisions of this act.

Section 13. "Public and private armed vessels of the United States" authorized to capture vessels violating provisions of this act and send same to port for adjudication.

Section 14. Provision for recovery of penalties, etc.

Section 15. Period during which this act was in force not be part of 12 months during which imported goods must be exported in order to be entitled to draw-back.

Sections 16–19. "Any private armed vessel duly commissioned by any foreign power in amity with the United States" and United States vessels commissioned under the act of June 26, 1812, authorizing issuance of letters of marque and reprisal, were not subject to the provisions of this act, but were subject to seizure by collector of customs if trading with the enemy, etc.

Section 20. The President was authorized to terminate embargo on termination of hostilities, etc.

NOTE.—This act was repealed by act of April 14, 1814 (3 Stat. 123, ch. 56).

Espionage Act of June 15, 1917

Title V (40 Stat. 221–223; U. S. Code 18: 25, 27, 31–38).

Section 1 (Code sec. 31). Clearance may be withheld from any vessel in time of war in which the United States is neutral, when there is reason to believe it is about to carry arms, etc., to a belligerent war vessel contrary to international law or treaty obligations.

Section 2 (Code sec. 32). Armed vessels or vessels manifestly adapted to warlike uses may, in time of war in which the United States is neutral, be detained until the President is satisfied that they will not be used to commit hostilities against a friendly state or people, nor be delivered to a belligerent nation.

Section 3 (Code sec. 33). It is unlawful, during a war in which the United States is neutral, to send out of United States jurisdiction any war vessel with intent to deliver it to a belligerent nation or for use by such nation.

Section 4 (Code sec. 34). Masters of vessels must, during a war in which the United States is neutral, make sworn statements as to any portion of the cargo that is to be transshipped in port or on the high seas.

Section 5 (Code sec. 35). Collectors of customs must refuse clearance of vessels if there is reason to believe the statements under section 4 are false, or that the vessel is not entitled to clearance; it is then unlawful for such vessel to depart, subject to review of the collector's decision by the Secretary of Commerce.

Section 6 (Code sec. 36). Violation of this title is punishable by fine up to $10,000 and/or imprisonment up to 5 years, and forfeiture of the vessel, cargo, etc.

Section 7 (Code sec. 37). Penalty up to $1,000 and/or one year's imprisonment for breach or attempted breach of regulations governing interned members of a belligerent land or naval force.

Section 8 (see sec. 13 of Criminal Code, above).

Section 9 (Code sec. 38). The President may use the land or naval forces to enforce this title.

Section 10 (see sec. 15 of Criminal Code, above).

Title VI (40 Stat. 223–225; U. S. Code 22: 238–245).

Whenever an attempt is made to export arms or munitions of war, etc., in violation of law, or there is cause to believe that such arms, etc., are being or are intended to be exported in violation of law, they may be seized and detained, with the vessel containing them. Procedure is provided for trial of such cases, and forfeiture of property seized if law is violated. President authorized to employ land or naval forces of the United States necessary to carry out purposes of this act.

Title VII (40 Stat. 225–226): President was authorized during the World War to prohibit, by proclamation, the exportation of specified goods to countries named in his proclamation.

Any person exporting goods, etc., in violation of this title was subject to a $10,000 fine and imprisonment for not more than 2 years, or both; each officer, director, or agent of a corporation who participated in any such violation was liable to like fine or imprisonment, or both.

Collector of customs was authorized to refuse clearance or forbid departure of vessel when there was cause to believe that they were about to carry prohibited exports. Taking or attempting to take such vessels out of port was punishable by $10,000 fine or imprisonment for not more than 2 years, or both, and forfeiture of vessel and cargo.

Neutrality Act of August 31, 1935, as amended May 1, 1937 (50 Stat. 121–123, ch. 146, secs. 1, 2; U. S. Code Supp. 22: 245a, 245a½)

Section 1 (Code sec. 245a) (a). When the President finds that there exists a state of war between two or more foreign states he "shall proclaim such fact"; "it shall thereafter be unlawful" to export arms, ammunition, or implements of war, either directly or indirectly through a neutral state, to any belligerent state named in such proclamation.

(b) Embargo is to be extended to other states when they become involved in the war.

(c) When the President finds that a state of civil strife exists in a foreign state and that export of arms, ammunition, or implements of war to such state might endanger the peace of the United States, he "shall proclaim the fact"; "it shall thereafter be unlawful" to export arms either directly or indirectly through a neutral state to such foreign state.

(d) The President "shall from time to time by proclamation definitely enumerate the arms * * * the export of which is prohibited."

(e) Fine of not over $10,000 or imprisonment of not more than 5 years, or both, and property and vessel subject to seizure and forfeiture, for exportation in violation of this section.

Section 2 (Code sec. 245a½) Cash-and-carry provision for exportation of supplies other than arms, etc., to belligerent (no longer in force).

EMBARGO AND NONINTERCOURSE ACTS UNDER WASHINGTON, JEFFERSON, MADISON

The confiscation of American vessels entering French ports was at its height when the news reached Paris of the act of May 1. Napoleon, without any intention of lifting the offensive decrees, but with the hope of further embroiling England and America, then announced his intention to permit a certain number of our vessels to enter French ports, provided they came with certain goods and accepted others in return. He thus hoped to alleviate some of the distress of which his own merchants complained. An assurance was given that the Berlin and Milan decrees would be revoked on the 1st of November.

Acting on these advices, Madison issued a proclamation on November 2 in which he served notice on Britain that her decrees must be revoked within 3 months or the old nonintercourse law would be put into effect against her. The dead line, February 2, approached with no word of revocation from England. Congress delayed as long as possible and then took up a bill to revive the nonintercourse laws.

There followed a debate which is described by historians as equal in violence to any which ever took place in the American Congress. Certain persons challenged the sincerity of France, saying she did not intend to repeal the decrees as promised, and offered evidence to support it. Madison, believing the French to be sincere, stoutly maintained that the decrees had been revoked and sent certain documents to the House, which swung the tide in his favor. Immediate proposals to revive the nonintercourse measures against Britain followed and there came an even more tempestuous session, which resulted in a challenge to duel directed to Randolph by John W. Eppes.

On March 2, 1811, there was approved an act of Congress whereby the provisions of the Nonintercourse Act were to become effective in regard to commerce with Britain unless prior to the date of enactment she should have modified the edicts which had placed such a burden on American commerce and had violated the rights of a neutral nation.

March 9, 1812, saw these beliefs dispelled when the captain of the American brig *The Thames*, made affidavit that in the previous January he had been stopped by the French ships of war and informed the squadron had been sent to sea early in January with orders to seize American shipping. Napoleon had promised such seizures would stop on November 2, 1811. It was only too apparent that the decrees were still in effect.

Since American ships were being seized by both French and British warships, it was decided to lay down an embargo. A secret message from Madison arrived at the House April 1, 1812. The House passed it at 9 o'clock that night. The Senate acted almost immediately, and the bill became law April 4, 1812. The measure was for only a 90-day period.

An act declaring war on England was approved June 18, and a proclamation followed the next day.

The period immediately preceding the declaration of war was one of utmost confusion. Conflicting economic and political interests divided the country. The opening weeks of the Congress which was to declare war showed plainly the existence of a militant war party; yet in April the war spirit had died to the point where the Congress nearly adjourned until June. It was on the 1st day of June that Madison's war message was received.

As was to be expected, the British upon the opening of hostilities sent vessels to blockade American ports. Since it was impossible to trade safely with any nation so long as English vessels were lurking outside the harbors, some of the people decided the only thing to do was to trade with the British. It became apparent that this trade which was supplying the British forces in this hemisphere was being enjoyed primarily by the New England States which were hostile to the war; other ports, such as Baltimore and Philadelphia, were subjected to such a rigorous blockade that any trade was impossible.

The situation led to the introduction of a bill to lay an embargo upon all commerce. The bill passed both Houses after some debate and was signed by Madison, December 17, 1813. A similar bill had been introduced in the House during the preceding session, but had failed of passage in the Senate. A discussion of the earlier bill and of the bill which became law during the second session will be found in the Annals, Thirteenth Congress, First and Second Sessions, 1813–14.

This was the last of the embargo acts. Probably had the bill not been enacted when it was, there would have been no embargo laid. Since the act in no way inflicted a hardship upon Britain so far as her commerce was concerned and since it met with almost immediate demands for repeal by our citizens, the act was short-lived, being repealed in April of the following year. Then, too, the news of Napoleon's defeat reached the United States about 3 weeks following the passage of the act; this news simply meant that all of Europe was open to Britain's commerce and the act would be of little benefit to us while at the time bolstering the British blockade of our ports.

The history of the various embargo acts is very complex if one is to consider the conditions which promoted their adoption and repeal. Probably as good a picture of the period as any is contained in the work by McMaster entitled "History of the People of the United States." While the work consists of six volumes, volume 3 and volume 4 are concerned with this period.

Mr. CLARK of Missouri. Mr. President, I also have had prepared a little summary of the history of embargoes. I ask unanimous consent that I may be permitted to insert it in the RECORD at a later date.

Mr. McKELLAR. That is entirely satisfactory. Two histories of embargoes will be better than one, of course.

Mr. CLARK of Missouri. I am certain that that is true, because I think mine will be more correct. [Laughter.]

Mr. McKELLAR. The Librarian of the Senate is a very accurate and painstaking gentleman. I have great confidence in what he has furnished me, and if it is wrong, the fact can be easily ascertained.

The PRESIDING OFFICER. Without objection, the request of the Senator from Missouri is granted.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until Monday, October 23, 1939, at 11 o'clock a. m.

SENATE

MONDAY, OCTOBER 23, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Gracious Father, who art worthy of a love greater than we can either give or understand, pour into our hearts such love toward Thee that we may find in Thee, our refuge and our strength, a very present help in time of trouble. Shed upon our spirits the freshness of the dawn, touch our lips with something of the prophet's fiery splendor as we speak truth with awed lips and feel a confidence of which we had not dreamed. Teach us that it is not sufficient that we do brave deeds and steel our hearts against corrupting fear, but do Thou strengthen us to bear the burdens of the world and to share alike the agonies and consolations that embitter and allay the sorrows of this present hour; and though we be so sorely tasked, yet do Thou keep our lives pure, free from all dust and soil, and without the shadow of a stain. And as we labor on through changing light from midday unto moonrise, may the meaning of the cross be ever clearer—God revealing Himself, not in splendor but in thorn-crowned pain, for in all our afflictions He was and is afflicted. We ask it in the Saviour's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, October 21, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reynolds
Andrews	Davis	King	Russell
Austin	Donahey	La Follette	Schwartz
Bailey	Downey	Lee	Schwellenbach
Bankhead	Ellender	Lucas	Sheppard
Barbour	Frazier	Lundeen	Shipstead
Barkley	George	McCarran	Slattery
Bilbo	Gerry	McKellar	Smith
Borah	Gibson	McNary	Stewart
Bridges	Gillette	Maloney	Taft
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Tobey
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holt	Pepper	White
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New Jersey [Mr. SMATHERS], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is absent on official business.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury and the Navy, and the W. P. A., which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

PETITION

Mr. HOLT presented a resolution adopted by the Council of the City of Wheeling, W. Va., favoring the preservation of American neutrality, and protesting against repeal of the embargo on the shipment of arms and munitions to belligerent nations, which was ordered to lie on the table.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENT

Mr. BROWN. Mr. President, I ask unanimous consent that my substitute for the Pittman amendment to subsection (F), on page 17, which is on the clerk's desk, be printed, and also printed in the RECORD at this place, for consideration at the time the Pittman amendment is considered.

I should like to state very briefly that this amendment relates to the prohibition which we feel interferes with the normal trade on the Canadian and Mexican borders. The amendment would permit American citizens who sell to citizens on the Canadian side of the border, and on the Mexican side of the border also, to retain title to their goods until paid for.

The purpose of subsection (c) of section 2 of the measure, which requires that all title in an American seller should be divested before the goods cross the line, was to prevent any possible involvement of this country in war on the theory that those goods might be destroyed. Of course there is no opportunity for anyone to destroy goods crossing the Canadian border.

I may say that if this amendment is adopted, the amendment proposed by the Senator from Iowa [Mr. GILLETTE] and the Senator from Nebraska [Mr. BURKE] will be unnecessary. It provides briefly that American citizens may retain title or lien upon goods that are shipped across the border. I have consulted with several Senators representing border States before presenting this proposal.

There being no objection, the amendment was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. BROWN, in the nature of a substitute, to the amendment intended to be proposed by Mr. PITTMAN, on page 18, beginning in line 1, of the committee amendment to the joint resolution (H. J. Res. 306) Neutrality Act of 1939, viz:

In lieu of the language proposed to be inserted by Mr. PITTMAN, insert the following:

"(1) To such transportation of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i), or (2) to any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i)."

ADDRESS BY SENATOR BORAH ON NEUTRALITY LEGISLATION

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BORAH on October 22, 1939, on the subject of pending neutrality legislation, which appears in the Appendix.]

JOINT RADIO DISCUSSION ON NEUTRALITY BY CERTAIN SENATORS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a discussion before the American Forum of the Air between Senator PEPPER and Senator MCNARY, and a panel consisting of Senator BURKE, Senator FRAZIER, Senator HOLT, and Senator THOMAS of Utah, on the subject of neutrality, which appears in the Appendix.]

ADDRESS BY ARCHIBALD MACLEISH AT PITTSBURGH, PA.

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address delivered by Archibald MacLeish, Librarian of Congress, at Carnegie Institute, Pittsburgh, Pa., October 19, 1939, on the subject of libraries in the contemporary crisis, which appears in the Appendix.]

ARTICLE BY WILLIAM ALLEN WHITE ON OUR MIDDLE-CLASS STATESMAN

[Mr. BROWN asked and obtained leave to have printed in the RECORD an article published in the New York Herald Tribune Book Review of Sunday, October 22, 1939, entitled "Our Middle-Class Statesman," which appears in the Appendix.]

POLL ON NEUTRALITY BY WHEELING INTELLIGENCER

[Mr. HOLT asked and obtained leave to have printed in the RECORD a poll taken by the Wheeling Intelligencer on the subject of neutrality, which appears in the Appendix.]

EDITORIAL BY PETER MOLYNEAUX ON NEUTRALITY

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an editorial by Peter Molyneaux on the subject of neutrality, printed in the Texas Weekly of Saturday, October 14, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR LEE ON DRAFTING OF MONEY IN TIME OF WAR

[Mr. MINTON asked and obtained leave to have printed in the Appendix a radio address delivered by Senator LEE on October 22, 1939, on the subject, Should the Government Draft Money as Well as Men in Case of War? which appears in the Appendix.]

ADDRESS BY SENATOR M'CARRAN BEFORE AMERICAN FEDERATION OF LABOR

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an address delivered by Senator MCCARRAN on October 11, 1939, before the annual national convention of the American Federation of Labor at Cincinnati, Ohio, which appears in the Appendix.]

SIGNS OF PROSPERITY

Mr. WILEY obtained the floor.

Mr. MCKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. WILEY. I yield.

Mr. MCKELLAR. Mr. President, if the Senator will yield to me for a moment or two I should like to put into the RECORD some evidences of returning good times. As we all know, the Washington Star carries a financial page every Sunday. While there are items on that page of yesterday's Sunday Star under headlines such as "Scrap concerns face profitless prosperity," "Exchange volume sags further in week," and "Spiegel, Inc., reports drop in earnings," those are comparatively small items; yet in the headlines of that newspaper, in column 1, I read "District of Columbia bank loans and discounts show gains"; in columns 2 and 3, "Metropolitan building reaches new peaks in 9 months despite September lag"; in column 4, "Cleveland Cliffs net reaches $1,505,505 in third quarter, profit contrasts with $329,820 recorded in 1938 months"; in column 5, at the top of the page, "Factories work at top speed during week"; in column 6, "Furniture sales up 18 percent from levels years ago"; column 7, "Large rail orders spur equipment industry"; and, in column 10, "Selected stocks rise fractions to $2 or more."

Then, in other columns, "General Cigar Company," "U. S. Hoffman Machinery," "Thompson Products," "Wickwire-Spencer," "Alleghany Ludlum," and "Bendix Aviation," all show an increase of business and earnings.

On the same page, the front page, I read the following headlines:

Virginia Public Service securities authorized.
Lead shipments rise sharply in month.
Foreign purchases keep copper market busy.
Arlington leads upturn in State realty sales.
North American aviation profits up sharply.

In addition to that, on the first page of the Commercial Appeal of Memphis of last Friday morning is an article, the headlines of which read as follows:

"Golden days" return as business upswing finds sellers short. Production is below demand for the first time since the twenties. Memphians are pleased. Merchants in all lines say trade is on upgrade. Hard to get deliveries.

Mr. President, I ask, as a part of my remarks, that this article be inserted in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article is as follows:

"GOLDEN DAYS" RETURN AS BUSINESS UPSWING FINDS SELLERS "SHORT"—PRODUCTION IS BELOW DEMAND FOR THE FIRST TIME SINCE THE TWENTIES—MEMPHIANS ARE PLEASED—MERCHANTS IN ALL LINES SAY TRADE IS ON UPGRADE—HARD TO GET DELIVERIES—IT'S NOT "HOW MUCH" BUT "HOW LITTLE CAN YOU GET BY ON," MANUFACTURERS INQUIRE—"BOOM" NOT CAUSED BY WAR

(By John Hutchison)

Memphis is experiencing a sellers' market for the first time in a long time.

Remember back in the early twenties when you had to order a new car 3 months before it was delivered? Business has once more begun a trend toward those golden days. Whether it will be sustained, no one can say, but men in a variety of businesses ranging from walking plows to diamonds agreed yesterday that business is better.

SELLERS CAUGHT SHORT

A sellers' market is one in which the seller has the upper hand—in which the buyers, including jobbers, wholesalers, and retailers, have difficulty in getting as much of a product as they want or as soon as they want it.

"We have had considerable trouble in getting delivery in cottons, clothing, and shoes," a wholesale dry-goods executive said. "Manufacturers weren't making surplus stocks, and when the business upturn came, they were caught short. Some plants supplying us are working 24-hour shifts. Our customers were somewhat excited early in September, but they are buying more conservatively now."

A Memphis cosmetics-producing firm is working overtime in the shipping department to supply a business that has been gaining steadily for months.

DELIVERIES DIFFICULT

A dealer in farm machinery and tractors said he could not supply deliveries in desired quantities because production is behind demand.

A wholesale hardware executive called attention to heavy future orders, and to difficulty in getting delivery by the manufacturer on building materials, certain tools, and steels. Some producers of hardware will take orders for no delivery before December 15, while the jobbers want delivery earlier to protect themselves from anticipated shortages.

Lumber sales are up 100 percent better than they were under normal production. Production itself is short, since hardwood dealers were caught with short stocks. Buyers are clamoring for hardwood. Hikes in pay and cut in hours under the wage-hour law, which particularly affects the lumber industry, will send lumber prices higher soon.

NOT A WAR BOOM

"The public is in an optimistic frame of mind," said a jewelry man yesterday. "They are more inclined to spend. If we demanded immediate shipment on large consignments of some sizes of diamonds, or on Swiss watches, we would be told that delivery would be delayed."

To a man, the executives interviewed denied that the upturn is dependent entirely on the European war. Business was accelerating before the war broke out, and would be showing some improvement if there were no war, they said, although they credited the conflict with spurring sales a great deal.

Meanwhile Memphis is experiencing, one official said, an atmosphere in which the manufacturer's response to an order is not "How many can you take?" but "How few can you get along with?"

Mr. McKELLAR. One other article which I desire to insert in the RECORD is from the Washington Post of October 23. It is headed, "Best October business in 10 years, Babson says."

I ask also that that article be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article is as follows:

[From the Washington Post of October 23, 1939]

BEST OCTOBER BUSINESS IN 10 YEARS, BABSON SAYS—PRESENT STATUS IS 22 PERCENT ABOVE LAST OCTOBER AND ONLY 2 PERCENT BELOW PEAK REACHED IN 1937

(By Roger W. Babson)

BABSON PARK, MASS., October 22.—Business this month is the best for any October in 10 years. The United States has experienced one of the most sensational boomlets in its history in the last 2 months. Figures gathered from all over the country, which I found on my desk on my return from the Far East, tell a spectacular story. Business is now 22 percent above a year ago and within 2 percent of the 1937 peak:

I can hardly believe that business has soared so rapidly. Yet, the figures which I have at hand do not lie. They show that textile mills, automobile factories, machine tool shops, steel mills, railroads, power plants, lumber camps, and shipyards are bristling with activity. When I sailed out of the Golden Gate on August 25 the temperature of business was 97 percent, according to my Babsonchart. Today it is 112 percent, compared with the 1937 high of 114 percent and the 1929 all-time peak of 122 percent.

FREIGHT GAINS SPECTACULAR

Here are the facts concerning the Nation's leading industries:

(1) Textiles: Cotton mills have boosted schedules 15 percent in the past 8 weeks. Woolen factories are operating day and night. The rayon industry has shot ahead. The textile industry as a whole, while not the most active of the Nation's monster businesses, is flirting with its 1937 highs.

(2) Railroads: A spectacular increase has taken place in railroad traffic. Weekly freight car loadings have jumped to 835,000 from 680,000 in the Labor Day week. With the exception of 1 or 2 weeks in 1937, railroad traffic is the highest since the lush days of a decade ago. This tremendous increase in the transportation of goods simply means that there has been a huge gain in the amount of business being transacted.

(3) Automobiles: This is normally the season when automobile assembly lines speed up, so the rise in weekly motor output from 12,000 cars before Labor Day to around 90,000 at present breaks no records. New-car sales are reported to be exceptionally good and motor makers are boosting their production schedules faster than is customary.

(4) Building: Latest figures on home building show a splendid gain over the faltering figures of the late summer and a 30-percent step-up over a year ago. Moreover, the building upswing has injected new life into the lumber camps, where orders are running far ahead of both the "cut" and shipments.

SHARPEST STEEL RISE IN HISTORY

(5) Steel: Activity in this industry is accurately measured by the weekly rate of operations. The sharpest rise in steel operations in history has taken place since August. Starting at around 60 percent of capacity in the Labor Day week, they have skyrocketed to around 90 percent—an increase of 30 points in less than 2 months. Reports indicate that thousands of workers have returned to their jobs in the steel towns.

(6) Coal: for 2 years the soft-coal industry has been "in the dog house." Ever since the 1937 boom backfired, the coal mines have been limping along at about 60 percent of normal. Within 6 short weeks daily coal output has caromed up 25 percent. The recent report stating that the first barge load of coal sent to Europe in 12 years has just left the United States provides a clue as to the war's effect on this industry.

(7) Mining: Copper sales in September were the highest on record. Metal prices have been marked up 25 to 30 percent. Operations at the copper, zinc, lead, iron, and other mines are marching toward the 1937 levels. Meanwhile activity in the petroleum industry as a whole is at an all-time high.

(8) Utilities: The measure of activity in the electric industry is the weekly power-consumption figure reported in the newspapers. Readers who follow this total know that more electric power is being used today than at any time in the history of the country. In almost every week since Labor Day consumption of electricity has set a new all-time peak.

(9) Machine tools: The machinery and machine-tool industry is small compared with such giants as building, railroads, and steel. Nevertheless, it is a vital barometer of activity in the labyrinth of industries such as cutlery, business machines, aviation, radio, hardware, railroad equipment, and the like. Hence, it is very encouraging to learn that machine-tool orders in recent weeks have smashed all previous records.

OPINION DIVIDED ON TREND

This is the most bullish report on American business that I have been able to write for 2 years. There is no forecasting in what I have said above. All statements are facts concerning what has happened. Whether or not activity can continue at the present pace is another question and one which is too difficult to answer right now. Some observers believe that this boom was touched off by the war and will fold up like an accordion if hostilities are suddenly halted. Others insist that the tremendous step-up in industrial activity was already under way this summer and would have taken place, though less rapidly, war or no war.

I have not had time yet to study the situation and take any position on this question. Perhaps the answer is a middle ground—somewhere between the above two views. However, unless retailers boost their merchandising efforts and keep their cash registers clanging, the industrial boom will peter out. In order to maintain our current pace raw materials and goods which have been purchased in anticipation of higher prices must move along to the customer so that new orders can be placed with manufacturers and raw-material suppliers. A few weeks should tell the story.

Mr. McKELLAR. I thank the Senator from Wisconsin very much for yielding to me.

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. TOBEY. Mr. President——

Mr. WILEY. I yield to the Senator from New Hampshire.

Mr. TOBEY. I offer an amendment to the pending joint resolution which I ask to have lie on the table and to be printed, and also printed in the RECORD. At the appropriate time I shall move its adoption, and make some comments thereon.

The VICE PRESIDENT. The amendment will be printed and lie on the table, and also, without objection, will be printed in the RECORD.

Mr. TOBEY's amendment is as follows:

Amendment intended to be proposed by Mr. TOBEY to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz:

At the end of the joint resolution add the following new section:

"SEC. 20. (a) It shall be unlawful for any foreign vessel at any time to use the flag of the United States thereon, or to use any distinctive signs or markings, in order to make it appear that such vessel is an American vessel, regardless of whether such use is for the purpose of escaping capture by an enemy vessel or for any other purpose.

"(b) Any vessel which violates the provisions of this section shall be forfeited to the United States, together with the equipment and cargo of such vessel; and the master of any such vessel shall be fined not more than $20,000 or imprisoned not more than 2 years, or both.

"(c) The Secretary of State is hereby authorized and directed to notify all foreign states of the provisions of this section."

Mr. WILEY. Mr. President, I heard one Senator ask another not long ago, "Do you think it would have been better if the President had not convened the Congress in special session to debate this issue?" The second Senator said "Yes." I asked, "Why?" The answer given was substantially as follows: "You know why. Look at the mental state the country is in. Look at the contentions which are made by the partisans in this debate. Each side claims that if it does not succeed this country may get into war. Look at the

letters as they come in, showing that many of the people do not fully understand the issues which are involved. Millions of them apparently think Congress is voting on war or peace. Millions have had their blood pressure built up to almost a bursting point under the impression that this is one of the great momentous occasions in history. When the affair is over, millions of people on the losing side will be of the opinion that Congress has sold out America." "Don't you think," this Senator continued, "it would have been better not to have had all these fireworks, all this blowing off of steam, all this fear, agitation, and hysteria?"

He presented this argument with such force that I was prone to answer in the affirmative, but I hesitated, and then said "No." When the debate is closed and the people settle down to a contemplation of these "feverish weeks," they will realize, first, that there was no need for them to get unduly agitated. Secondly, they will realize that many of them have been victims of propaganda, misinformation, and illogical thinking. Thirdly, they will be prepared if and when a real occasion arises to think more clearly and act more rationally. Fourth, they will realize that they have had an experience similar to many of the experiences that some of the people in Europe went through time and time again before they finally surrendered their liberties to a ruling group.

I believe this experience will bring to the consciousness of the people the realization that this Nation is made up of individuals, and as these individuals think and act so will the Nation. Fifth, I believe also that out of this experience the people will realize the need of unity. They will see that there are forces which would split them asunder. They will realize that by centering their thought and energy upon America and America's needs, and thinking less about other countries, they will find here that which will bring about national unification for the great purpose and object of peace.

The people are realizing more and more that this war in Europe is not our war, and they are beginning to feel, in spite of excited radio expounders, that no American war is even remotely in sight.

Thus, I answered the question of the Senator.

Mr. President, during the course of this debate I have been privileged to listen to many brilliant, analytical, and enlightening discussions. They have directed public opinion along healthy and constructive channels. There has been present at times a spirit of wisdom and understanding. It must be admitted, however, that during these feverish days of debate our discussion has often strayed far from the immediate issue. That straying might be condoned, Mr. President, if it accomplished some constructive purpose.

Unfortunately, that has not always been the case. In a crucial time, such as this, when it is absolutely imperative that America be kept calm—and I say that with a conviction so deep that nothing can disturb it—here in Washington we have been guilty of fanning the fires of old hatreds, stirring the emotional embers of foreign quarrels that have been smoldering for generations.

That is a serious indictment, but we have only to glance through recent issues of the CONGRESSIONAL RECORD to see how this august body has in several instances pawed through the blackest chapters in history to drag the darkest pages into a debate that should be an unemotional appraisal of what is best for America, not what has been worst in any land. Yes; we have here—here where mental balance is taken for granted—even had aggressive warfare suggested as a part for us to play.

Mr. President, I digress here, because there comes to me, not from the page of my manuscript, a little example of Wisconsin wisdom, homely but dynamic:

Baloney never made a statesman. It did make a Barnum.

Mr. President, I do not intend to take the time to discuss at length the great racial contributions that have been made by all races in the last few centuries of our long climb upward from the rock bottoms of history's fagot-lit caves. I take it for granted that we are familiar with these contributions; that in these chaotic days of tottering civilizations we read and reread the story of man's monumental achievements. In so doing we shall not lose hope in the sad realization that man still clings to a war barbarism only a step removed from the days when men "drank blood from the scraped skulls of their victims."

Mr. President, we have at some points in this debate been guilty of a similar orgy, even here on the Senate floor. We have raked up the ashes of many a smoldering sacrificial offering to war. From the muck of history we have infiltrated old hatreds into the American consciousness.

RACIAL CONTRIBUTIONS

So, Mr. President, it is probably fitting that we should take a moment to step out of the shambles of English, French, and German hatreds and consider some of the great racial contributions that transcend all hatreds—great achievements that are deathless—great humanitarians who are immortal—great paintings and great songs that know no race—great books that are written in the language of all mankind.

In considering these contributions we may be able to dissipate the red haze of history-inspired racial hatreds. When we stop fighting for or against any country we can sanely return to the issue which confronts this Senate. That issue is not what is best for England, not what is best for France, not what is best for Germany, but solely and only what is best for America.

Now, let us return to the matter of hatreds. If there is no hatred in the hearts of the American people, we will never get into war. If we can outlaw hatred, we can forever outlaw any American war except a war of defense. So let us pause very briefly to consider the historic racial achievements which should be recalled here just as faithfully as have been the historic racial crimes.

It is vital that in our emotions we do not confuse a leader with a people—do not confuse a mobilized nation with a peacetime nation of great social contributions.

I do not wish to be thought unduly idealistic, but I honestly believe that when we look beyond the external militarism which today represents some of the great powers, we rediscover men who have made great universal contributions. I honestly believe that when we think of these contributions hatred becomes difficult. And when hatred becomes difficult we have begun to till the emotional soil for something besides wartime crosses.

In the great deathless contributions to mankind there is an abiding kinship which should make impossible any wartime propaganda. Over the martial music of trumpets we can still hear the music of a Polish Paderewski, a German Strauss, a Finnish Sibelius, or a Norwegian Grieg.

While a perverted modern science works with poisonous gases we can still recall the humanitarian contributions of a Polish Mme. Curie, a German Wassermann, a French Pasteur, an English Darwin, a Swedish Linnaeus, or a Danish Niels Bohr.

While a knowledge of color is being turned to painting camouflage on steel tanks, ships, and planes, we can still recall a German Shongauer, a Spanish Velasquez, a Flemish Rubens, a Dutch Rembrandt, an English Constable, a French Delacroix, or an Italian Michelangelo.

While literature takes second place so that governments may propagandize, we may still read a Polish Krasinski, a German Goethe, a Russian Tolstoy, a French Voltaire, an English Shakespeare, a Norwegian Bjornson, or a Danish Anderson.

While new ideologies are being written daily, we can still ponder over a German Fichte, an English Spencer, a French Rousseau, or an Italian Aquinas.

While religious leaders all over the world stand in the lengthening shadows of war ideologies, we can remember that Sweden produced a Swedenborg, Holland an Erasmus, Spain an Ignatius, Germany a Luther, Britain a Wesley, France a Calvin, Switzerland a Farel, Italy a Pope Pius XI.

While we think of those things, let us remember that from Poland came those heroes Count Pulaski and Kosciusko, from France Lafayette, from Germany Carl Schurz, as well as thousands of others from the various countries of Europe.

Mr. President, there is an old couplet which applies:

Two men looked through prison bars,
One saw mud, the other the stars.

In all of us there is the clay man, and there is also the man of God; and so, as nations are but the composite picture of individuals, there is much of the clay and much of the spirit in all nations.

In approaching the issue of this debate, if I am to think of England, I am going to think of her as the mother of the common law, the mother of parliaments; and if I am to visit any of her shrines, it will not be her war memorials—it will be Westminster Abbey and St. Pauls, and I will walk along the Avon and into the church where lie the mortal remains of the immortal Shakespeare, and think his thoughts. And if in this debate I am to visit France, it will not be to stay long by the tomb of Napoleon; rather I shall try to catch the spirit of her writers, her philosophers, her great thinkers, and her people. And if in this debate I am to visit Germany, it will not be to dwell on her warriors, but on her thinkers and her scientists. I shall travel the Rhine from Wiesbaden to Heidelberg, and I shall visit her great cathedrals, her beautiful castles, and I shall mix with her common people.

Mr. President, so much has been said in our newspapers about the Germans that I wish to say a word on that subject. I know the German people. There are no finer people on earth. I have grown up with them. I can, to a limited extent, speak their language. I have read much of their great literature in the original. I know that from the standpoint of Americanism our citizens of German descent are as loyal and as true as any race that is in the melting pot of America. I know, too, that probably 99 percent of the Americans of German descent do not approve of Hitler or of the new paganism in Germany. This, however, is not a factor in their unwavering determination to keep America out of this war—though we can readily understand if they are sympathetic to some of the national aims of the greater Germany. If this is a crime, then, according to the Gallup poll, 83 percent of the rest of the people are likewise guilty, because they have expressed their sympathy toward the Allies.

Mr. President, the outstanding issue in this debate—the repeal or failure to repeal the embargo—divides itself into three parts: The legal question, the moral question, and the economic question.

It will be noted that, in my opinion, the war question is not in the debate. It has been dragged in.

It will be noted also that, in my opinion, the fact that the present law favors Germany and its repeal would favor the Allies is not among the issues of the debate.

I shall not burden the Senate today with a rehash of the arguments on the legal question, nor shall I burden the Senate with a restatement of the arguments on the moral question, and I assure my colleagues that I shall not go into a discussion of the economic question to any extent. These matters have all been considered so fully and so often I feel that it is my duty to refrain from further discussing them except that I shall refer to one phase of the economic question.

REPEAL OR FAILURE TO REPEAL EMBARGO NO STEP TO WAR

Mr. President, in view of the repeated assertion made so often in the last few weeks that if we repeal the embargo it may be a step to war, I wish briefly to analyze this assertion, and I hope to prove that it is incorrect.

Why, it may be asked, am I interested in proving the incorrectness of this assertion? I am interested because it appears that the embargo is likely to be repealed. That is what is said in the newspapers and that is what a poll of the Senate shows. It is well, then, that the many millions of our people who have been fed the questionable idea that repeal means a step toward war be made to realize that this is not correct.

I desire to again state my conviction that if the present law is repealed, its repeal will not be a first step toward war. Let us see on what premise that argument is based. The claim is made, first, that if we repeal the embargo now, and it must be remembered that the munitions sales will amount to only 13 percent of the total sales, it will mean that credit will afterward be extended, then bonds will be floated in this country. As a consequence America will have a financial interest and then America will get into the war as she did in the previous war in which we had a financial interest. That is the argument, and let us get it straight: If we repeal the embargo it will mean the extension of credit, and that will mean the flotation of bonds, and as a result America will have a financial interest, and then we will get into the war, as we got into the previous war. The trouble with that argument is that not one of the premises can be established. Let us analyze this thought.

(a) If we sell munitions and implements of war, credit will follow. Why do I say that is an incorrect contention? Because, first, we will in the proposed measure build an insulation by a cash clause, which we did not have in the previous war. Secondly, when previously credit was extended, 87 percent of it was not used for the purchase of munitions and implements of war, but for other materials which were then, in accordance with law, sold for credit. It will be remembered that not only England and France, but Germany also floated bond issues here. Now we have the Johnson Act, and if the pending measure is passed, we shall have two legislative prohibitions which we did not have previously against selling anything on credit—munitions and implements of war, as well as other commodities such as wheat, cotton, butter, and so forth. So it will be seen that we have here an economic Maginot or Siegfried line as a defense against becoming involved, which we did not have in 1917.

(b) The argument is also fallacious for the reason that it assumes that the credits and bonds got us into the previous war. There is absolutely no proof to establish that conclusion. Von Bernstorff, the German Ambassador, states in his book that the immediate cause of the war was the breach of the understanding with the United States, a breach that loosed unrestricted submarine warfare, resulting in the destruction of the lives and property of our citizens, contrary to international law. Of course, the other causes were 2½ years of extended warfare, which included the rape of Belgium, the sinking of the *Lusitania*, and an "emotional build-up" of our citizens.

To my mind the "emotional build-up" of our citizens was the greatest cause of all. That is why we are called upon here to think straight and act accordingly; to realize that the people are listening; for what is said too often provides a poor guide for their thinking and for their action.

If the suggested law goes into effect, it is highly improbable that there will be any destruction of American lives, because there is the prohibition against Americans traveling in the ships of the combatant nations, and the prohibition against Americans traveling through the war zone, and against American ships going into the war zone.

Then there is another comforting answer, and it is this: The American people are peace-conscious as they never were before. Why? Because most of them know first-hand the cost of war, not only in blood and money, but in seared hearts and minds and consciences. This is indicated by the Gallup poll, which shows that a large percentage of the American people are sympathetic toward the Allies. It shows, further, however, that the percentage which would involve this country in war, in spite of their sympathies, is growing daily less and less. That is a good sign, a sign indicating that the people are thinking and not being stampeded.

We have demonstrated clearly that it was not the American financial interest that got the American people into the last war, and we have demonstrated that if the pending measure is passed, there will be provision made not only restricting the sale of arms and ammunition on credit, but also—and this is not included in the present law—requiring the sale of everything else to be on a cash basis. So there will not be any credit interest involved, and incidents involving loss of life will be made highly improbable.

In view of the so-called war talk we hear, I desire to reiterate what I have said many times. I know of no Senator who

wants to get America involved in war. I know that labor does not want war. Senators who listened to the speech made yesterday by the commander of the American Legion over the radio heard him state emphatically how they felt. The veterans do not want war.

I know that big business does not want war. There may be some blind businessmen, but big business knows that if America gets into the war they will not have any big business when it is over. I know that Congress and the President do not want war. Why then is there so much discussion about this matter? The answer must be that the exponents on both sides of the embargo issue want the people to believe—and they have so argued to sustain their position—that war might come if we do not follow the course they suggest. I say to the Senate that, in my judgment, war will not come as a result of either the repeal or the failure to repeal the present act. I shall keep on saying that. Why? Because one side must lose in this debate. I do not then want that side convinced that war is inevitable, and I do not want it to keep on trying to convince the American people that war is inevitable.

Let us puncture this war balloon right now.

Suppose we retain the embargo. It is claimed that it works to the advantage of Germany. If that be true, she certainly will not declare war if we retain it. On the other hand, Great Britain and France are not going to declare war if we retain it. They want the other 87 percent of our merchandise, our wheat, our steel, our cotton, the stuff that makes munitions. Suppose we retain the embargo. What will happen? Nothing.

Suppose Congress repeals the embargo law. If that works to the advantage of Great Britain and France as the maintenance of it works to the advantage of Germany, she will not declare war on us by reason of its withdrawal. Germany may not like it but certainly she would rather endure it than draw us into the conflict on the side of the Allies.

PEACE OR WAR FACTORS

There has been so much war talk that instead of discussing the arguments which have been advanced pro and con, I should like to speak to the Senate for a few moments on peace or war factors. Let us be reasonable. Let us sit down in the quiet of our homes when the radio is turned off and no "heat" is turned on, and think over the problem. Let us be sensible, let us be reasonable, let us be calm, deliberate, thoughtful. Let us think the problem through. Let us for just a moment try to determine what the factors are that will make for war or peace in America, and then when we analyze those factors we may reach the conclusion that neither repeal nor failure to repeal would be one step or part of a step toward war.

Let us for just a moment or two try to determine what the factors are that will make for war or peace in America.

First, Chancelor Hitler—and perhaps Stalin—and what he does in the future.

Second, the American people and what they do in the future.

Third, the political leadership of America and what it does in the future.

I need not go into detail as to the first one of these factors which will contribute toward war or peace for America—"Chancelor Hitler and what he does in the future." It suffices to say that if he should violate the neutrality of Belgium or Holland, should open up a gas war or an acid war, or a germ war, it would have a tendency to make a large percentage of our people see red. If Chancelor Hitler should send agents to this country who would duplicate what was done previous to our entry into the World War, agents who would sabotage our property, that, too, would have significant consequences. Whatever one may say about Chancelor Hitler—I have not heard anyone here who holds a brief for him—one must admit that he is a shrewd individual, and he knows that in any war he would go down if he had American resources, American troops, and American ships against him. He will do everything to avoid a conflict with America.

I have come to the second factor which will contribute toward peace or war for America. It is this: "The American people and what they do in the future." Therefore we ask the question, What can the average American do to keep the covenant of peace and to practice peacetime patriotism? What we need now is peacetime patriotism, not any more buncombe.

I answer that question as follows:

First. He can keep calm and not allow an emotional bias to sway his judgment.

Second. He can keep in mind the fundamental truth that we have nothing to gain and everything to lose by participating in another war. He must aid in balancing our economy, so it will be shock proof against excess wartime demand and profits.

Wartime demand and profits! I heard an impressive speech over the radio last night by the Senator from North Dakota [Mr. NYE]. I have heard him speak several times on the floor, but I have never heard him nor have I heard any other Senator talk about reducing the wartime profits except on the 13 percent involved in munitions and implements of war. Everyone knows that if the Allies do not get arms, ammunition, and implements of war the remaining 87 percent will be increased to 100 percent; in other words, they will take that much additional material to manufacture arms, ammunition, and implements of war in Canada and in England.

Third. He can keep in mind that it is not our job to settle European disputes—or meddle in Europe.

Fourth. He can refuse to accept any war propaganda from any side, remembering that his obligation is to remain pro-American.

Oh, how important that is! Senators may have heard Goebbels' talk from Germany last night. What was he doing? He was doing what has been done so often in America, smearing the opposition. He took a crack at Churchill, literally calling him names that could not be used over the American radio. What was the purpose of that? It was to take the attention of the German people off their domestic problems. I remember what Lincoln said—and I have used it many times effectively in lawsuits. Lincoln said that when a man does not have a good case of his own he damns the opposition, which is pretty good proof that he has a damned poor case of his own. [Laughter.]

Mr. CHAVEZ. Mr. President will the Senator yield?

Mr. WILEY. I yield.

Mr. CHAVEZ. Did the Senator listen to the radio address of the Senator from Idaho [Mr. BORAH] last night?

Mr. WILEY. I am sorry I did not. I shall be very happy to read the address of the Senator from Idaho.

Mr. President, I have said that the average American can refuse to accept any wartime propaganda from any side. I said "any side." He should remember that his obligation is to remain pro-American.

Fifth, and I now speak to the members of the Press Gallery [who are not guilty of the offenses I shall cite]. The average American can express his mandate to newspaper publishers, owners of radio stations, and motion-picture producers all over America that America is not to be terrorized by scare headlines which inflame American emotions; that war-news presentations must be strictly factual and must be torn from their bold-faced prominence and placed in a more fitting obscurity.

Mr. BROWN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. WILEY. I yield.

Mr. BROWN. I think there is a very low form of profiteering and propaganda now going on in the country, which, of course, is not designed to get us into war but which has that tendency. I refer to the revival of motion pictures which were based upon incidents which occurred during the great World War. I am referring to such pictures as All Quiet on the Western Front and What Price Glory, which I believe it is proposed to revive, and the new picture Thunder Afloat. I do not think the motion-picture producers

are doing it to encourage the war spirit. They are doing it for profit; but it has the effect of encouraging the war spirit. Along the line of the Senator's remarks, I wish to express my condemnation of this practice by certain sections of the motion-picture industry engaged in this type of profiteering at the present time.

Mr. WILEY. I thank the distinguished Senator from Michigan for his contribution. I heartily agree with his sentiments. We are an emotional people. However, as I have heretofore said in my remarks, one of the great benefits that has arisen from this debate is that we are becoming acquainted with ourselves. An ancient philosopher said "Know thyself." The great Shakespeare said:

> "This above all: to thine own self be true,
> And it must follow, as the night the day,
> Thou canst not then be false to any man."

If we know ourselves, and are true to ourselves, we cannot be false to America.

One thing that is imperative—and we who sit here know how imperative it is—is for the people back home to be calm, for Senators to be calm, for every class to be calm, and not become mentally stampeded.

As my fifth point, I have said that the average American can express his mandate to the newspapers, radio stations, and motion-picture producers. Our domestic problems are far more important to America than Europe's war. Let our newspapers, radio stations, and motion pictures concentrate on putting the emphasis of American attention back where it belongs—on America.

This is not a callous indifference. It is one intelligent way to preserve American democracy as a beacon light for war-torn Europe. It is not a panicky, head-in-the-sand escape from realities. It is a realistic approach. Take Europe out of the headlines and put America back in the forefront of American consciousness. America is worth it. She has everything. It is our part to bring America back in the forefront of American consciousness.

Sixth. The average American can concentrate on American peace rather than European war. The average American can stop taking sides. Neutrality begins in the mind of the individual, not in legislative halls. When we think unneutral thoughts we are scuttling American peace.

Seventh. The average American can realize that his voice is the most potent in the world. Mr. President, this is the only land in the world where the voice of the average citizen has such potency. He can accept the challenge to peace and find a way to keep America at peace, and a way to embargo war. The average American can tell his public servants to stop talking war.

Eighth. The average American can think less of Europe and more of America. I know, from the letters I am receiving, that he expects Congress to do the same.

Thus far we have discussed two of the factors which make for war or peace: First, Hitler and his future acts; and, second, the American people and their future acts. The next determining factor is the political leadership of America and its future acts. How can that leadership practice peacetime patriotism?

First. The political leadership of America, both executive and legislative—and I am talking to Senators and to the executives of this land—can write a moratorium on politics when peace is at stake and follow the same peacetime credo that we have just outlined for the average American.

Second. The political leadership of America, both legislative and executive, can give more time to the consideration of Washington's advice—no entangling alliances—remembering that financial and economic alliances may be as dangerous to peace as political alliances.

Mr. President, if I may be pardoned a personal reference at this point, recently it was my privilege to represent in part this body in Oslo, Norway. In the last days of the Interparliamentary Union meeting there I saw an exhibition which clarified my mind more than anything I had experienced for a long time. Two of the Balkan countries which were represented there got into a fight, literally, on the floor of the Parliament in Norway. One side got up and started to tell where the correct line between their countries was. The other side got into the dispute and the controversy was on.

I had not intended to speak, but when that happened I took the floor, and among other things said:

> We in America want to be helpful to Europe, but we want to help you to find a way to help yourselves. This last situation illustrates that we do not know anything about the equations which are troubling you over here, and I think we do not want to know. We want to be helpful.

I concluded my remarks with this statement:

> Mr. President, I do not crave for my beloved America a meddler's part in Europe.

I say that now. Everywhere there are potential fights. Everywhere there is opportunity for disagreement. Should we turn constantly to Europe when, God knows, we have problems enough at home to look after? So the political leadership of America should give more time to the consideration of Washington's advice.

Third. The political leadership of America can accomplish a constructive purpose by standing for an added check on the dogs of war, aiding in having a war referendum amendment adopted, making it necessary for Congress to have a mandate from the people before this Nation may engage in foreign war.

Mr. President, at the previous session of Congress I introduced such a bill. It was different from any similar bill previously introduced. It was not the so-called Ludlow amendment. The bill provided, in substance, that before we could become involved in a foreign war there must be a referendum of the people; and then, if the people should vote for war, their vote would not be mandatory but only advisory upon the Congress.

Back in the early days of this Nation, when there was written into the Constitution the proviso that only Congress may declare war, the statement was made, "We have added a check to the dogs of war," meaning that there had been taken from the Executive the power to make war, and that power had been put in the hands of the representatives of the people. Now, let us consider that we add another check, so that those who have sons, and those who have businesses, and who will be called upon to spend their resources, may have a right to vote on that issue.

Fourth. The political leadership of America can formulate legislation and plans that not only will aid our national economy now, but will especially prepare for the shocks and problems which will arise when the present war in Europe ceases.

Yes; at the next session we should give particular attention to that question, and prepare for the shocks which will come, whether we like it or not, when the war in Europe ceases.

Fifth. The political leadership of America can define and restrict the powers of the Executive in relation to our foreign affairs. Rightly or wrongly, the haunting precedent of totalitarian states makes the average American fearful of the encroachment of any one man on the powers that must be shared in a republic.

Sixth. The political leadership of America can stimulate trade with South America and other noncombatant countries, think our farm problem through, think our labor-capital problem through, and solve these problems.

Seventh. The political leadership of America can reinstate in the American people a feeling of confidence; it can demonstrate the Government's ability to balance the Budget; it can get rid of government by experts and return the Government to the people.

Mr. President, grave as the European situation appears, we in America need not be appalled; we need not fear and distrust the future of our country. Men's minds here are alert, independent. They are not palsied; they are active. We are arising to meet the challenge head-on, and my faith is that it will be met and America will remain at peace. In spite of the fear mongers and the hysteria begetters, I am glad to ascertain that more and more people are coming to the conclusion that we will not be drawn into this European war. They are realizing that Congress alone has the power to declare war, and that this power is the greatest insulation against America's involvement.

Mr. DANAHER. Mr. President——

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Wisconsin yield to the Senator from Connecticut?

Mr. WILEY. I yield.

Mr. DANAHER. A few moments ago the Senator from Wisconsin made reference to propaganda, and, of course, the implication was that the propaganda was entirely from overseas. The junior Senator from Michigan [Mr. BROWN] thereupon made reference to certain moving pictures which have been flashed across the American screen during the last few weeks. The junior Senator from Michigan hastened to point out that he did not believe that those pictures were being offered as propaganda but rather that there was a profit motive back of them. Thereupon, when I heard that expression, I sent to my office in order that I might give to the junior Senator from Michigan the observations of News Week, a magazine with which, no doubt, the junior Senator from Michigan is familiar. On September 18, under the heading "Screen openings," appears this statement, which I quote exactly:

> Thunder Afloat (Metro-Goldwyn-Mayer). The release date of this "preparedness" film, like that of 20th Century Fox's Twenty Thousand Men a Year, was advanced at the request of the United States Government.

I should like the junior Senator from Michigan, therefore, to know that a responsible magazine, News Week, which is circulated widely throughout this country, has ascribed that particular showing of propaganda, which the Senator from Michigan has condemned, to the United States Government itself, and it has appeared during the pendency and continuation of this debate.

I wish to thank the Senator from Wisconsin for his courtesy, but I thought that we should complete the record in this particular.

Mr. BROWN. Mr. President, let me make one brief observation.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. WILEY. I yield.

Mr. BROWN. I merely wish to say that I do not in any way retract my condemnation of that type of propaganda, and the fact that some persons in the present Government may approve it does not change my opinion at all. I think pictures of that type are most unfortunate in their effect upon public sentiment in this country.

Mr. BARKLEY. Mr. President, will the Senator from Wisconsin yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. WILEY. I yield.

Mr. BARKLEY. I should like to ask the Senator from Connecticut if that article states who in the United States Government or what branch of the United States Government approved the picture referred to, for, as he knows, the Government is made up of many agencies; and if any department or any official has been responsible for the production of this movie or for its reproduction, it seems to me the name ought to be given, because a blanket statement that the United States Government, which is an impersonal entity, has approved it is rather meaningless.

Mr. DANAHER. Mr. President, will the Senator from Wisconsin yield to me briefly?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further to the Senator from Connecticut?

Mr. WILEY. I yield.

Mr. DANAHER. I thank the Senator. Let me say to the Senator from Kentucky that the picture is one in which there are wooden fishing vessels, supposedly off the coast of New England, which have been sunk by so-called U-boats. In this U-boat picture a gentleman, whose name, I think, is Wallace Beery, a screen actor, purports, almost single-handed, to go out and down the entire German U-boat navy. Of course, the submarines which are pictured there are not U-boats and they are not German submarines, but they are submarines, and they are in New England waters. Whether or not they are the ones the President has heard of in recent weeks I do not know, but the submarines are in the picture, and I assume they are the submarines of the United States Navy, the loan of which has been permitted, no doubt, in order to make this film possible. If the United States Government has been generalized in the description, it is not my language; it is that of News Week; and if the United States Navy, as a distinct and special branch of the United States Government, participated, or, at least, authorized the use of submarines of our Navy to make that film possible, it would jibe, would it not, with the conclusion of News Week as announced in the statement I have quoted?

Mr. BARKLEY. The Senator may have noted not long ago that the name of the United States Senate was used in connection with the production of a picture. I do not think anybody would concede that the United States Senate authorized or sponsored that picture. If it did, it was certainly a conglomeration and aggregation of fools to have anything to do with a picture such as that to be exhibited before the people of the United States as representing the Senate. I do not know whether or not the Navy permitted the use of the so-called submarines. The fact that it might have done so in order that the picture could be produced should not necessarily cause it to be held responsible for the type of picture that is produced, any more than the Senate can be held responsible for the type of picture released the other night at the D. A. R. auditorium.

Mr. DANAHER. But if this release was advanced in behalf of propagandizing the people of the United States that they might more readily understand that certain nations in the past have been guilty of certain atrocities, then we have a very different situation. Without reflecting in any way upon the "conglomeration," taking the language of the Senator from Kentucky to describe them, I was not one of those to permit anybody to take any pictures of the United States Senate, and I was very happy when the practice was discontinued. Very shortly after the Seventy-sixth Congress convened I saw some unflattering pictures of that "conglomeration" and was glad when the practice was stopped.

Mr. BARKLEY. The practice had never existed, but the rule was relaxed here for one or two pictures, which did not show up much better than the one on the movie screen, which we feel did not really represent this august body, and therefore no good public service would be served by continuing it.

Mr. WILEY. Mr. President, I am happy that Senators have gotten something off their chests, and I am happy also to be able to comment on what has been said.

Mr. FRAZIER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. WILEY. No. I desire to proceed, and the Senator can ask me any question after I shall have concluded.

Mr. FRAZIER. I merely wanted to comment on what other Senators have said.

Mr. WILEY. If I continue to yield to Senators, I fear my speech will be extended ad infinitum.

My idea, which provoked this interchange, was simply to indicate to the press, the radio, and the moving-picture concerns—my only object was to call the attention of these three agencies to the obligation they undoubtedly know exists. Of course, it is a serious thing—yes, unthinkable—to think in free America of trying to restrain by force—because it would do more harm than good—freedom of the press, freedom of speech, freedom of the moving pictures, but these institutions having such great freedom must recognize that they have not only a privilege but an obligation; and most responsible newspapers and radio stations do recognize their responsibility. Probably this debate itself has brought to the fore some good, at least, in that direction.

Mr. President, there has been too great a tendency to draw a comparison between 1914 and 1917 and 1939. We have already shown that there is a world of difference in the following respects: (a) There will be less opportunity for incidents; (b) there will be less opportunity for loss of American lives; (c) there will be less opportunity for loss of

American property; (d) the American people are awake to the terrible cost of war.

If we can alter the fatalistic defeatism that draws too close a parallel between these years, we shall to that extent at least have lessened an unfortunate and dangerous hysteria.

If we have learned one lesson from 1917 it is the lesson that America must not again be mentally shell-shocked into a fighting mood. That in itself is the biggest difference between 1939 and 1917, because, after all, the greatest menace to American security is a blind unreasoning fear, a mental defeatism that accepts war as inevitable and a dangerous tendency to become pro-British or pro-German or pro-French instead of remaining solely and only pro-American.

THE TIDES OF TRUTH ARE WORKING

Thank God, the tides of truth are working. The debate has been interesting to me not only because light has been shed upon the controversial subject—and there is only one big issue now, and that is the repeal of the embargo—but because it has given me an opportunity to observe the effect of the debate upon the public mind. I have listened to practically every speech in this debate. Throughout the entire session I have done my best to be calm, listening to all the evidence and the arguments in an impartial frame of mind.

OBLIGATION OF REPRESENTATIVE TO CONSTITUENTS

Mr. President, we know that public opinion on this issue has been more actively evidenced than on any other issue which has confronted the Seventy-sixth Congress. Since there has been so active an interest, it follows that the legislators have been faced with a current example of a problem ever present in representative government. Let us briefly consider this interesting problem, both as an academic question and in the light of its practical application to pending legislation.

I call the attention of the Senate to Edmund Burke's statement outlining the obligation of a representative of the people:

> Their wishes (meaning the electors' wishes) ought to have great weight with him, their opinion high respect, their business unremitting attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions to theirs and, above all, and in all cases, to prefer their interests to his own.
>
> But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or any set of men living. These he does not derive from your pleasure, no, nor from the law and the Constitution. They are a trust from Providence, for the abuse of which he is deeply answerable.
>
> Your representative owes to you not his industry alone but his judgment, and he betrays instead of serving you if he sacrifices it to your opinion.

Burke laid down the rule which obtains in England. In this country there has been some conflict of opinion as to the obligation of a representative who is elected by the direct vote of the people. In our Government sovereignty, which is the ultimate political authority, resides in the people. In other words, a public official is looked upon as a servant of the people. Under these circumstances, all legislative representatives are faced with the problem of determining the nature of their obligation to their constituents and to the country at large.

How far and to what extent should a legislative representative be guided by the will of his constituents? It seems evident that any legislative representative should possess and exercise full independence of judgment and action on all matters that come before him, although he should never ignore the opinion of the electorate of his State. It might be phrased in this way: A legislative representative should not recklessly disregard the sentiment of his constituents, but should, so far as is consistent with his best judgment and sense of duty to the Nation, give effect to their sentiments. If this is the obligation of a legislative representative, then there is a corresponding obligation for his constituents which might be phrased in this way: It should be realized that under normal conditions the judgment of a legislative representative, because of the advantage of experience and probably completer information, should be regarded with respect by his constituents.

Mr. President, I may be pardoned if I turn now from this academic discussion of the responsibility of a legislative representative to a specific application to the pending legislation. As this debate went on, I came to three conclusions:

First. That repeal or failure to repeal the embargo would not be a step toward war.

Second. That a majority of the Senators were for repeal.

Third. That is a debate in which there is so much merit in the arguments on both sides, and in which the Senate vote on the issue has been virtually determined, it would be no compromise with personal conviction to permit the studied judgment of my constituents to be the determining factor.

I am satisfied that a large majority of my constituents in Wisconsin—the people who took an untried man out of a country law office and a busy business life and sent him to the Senate of the United States—feel that the embargo should not be lifted. I have not arrived at that conclusion from my mail alone, some of which may have resulted from organized pressure groups. No; that conclusion represents an honest evaluation of public opinion, painstakingly gathered from the crossroads all over Wisconsin by nonpartisan folks whose judgment I respect. There are others who are of the opposite opinion whose opinion is equally honest. They are, however, but a small minority group.

Mr. President, I shall vote to retain the embargo. The reason I have given.

When I recently went to Norway to attend the meeting of the Interparliamentary Union, it was my privilege to pass through England. In London I saw St. Paul's Cathedral, the great structure which Sir Christopher Wren designed. You will remember this incident: It is told that during the construction of that cathedral, one of the greatest in the world, a foreigner saw two workmen engaged on the structure. He went to one and said, "What are you doing here?" The man replied, "Oh, I am laying brick. I am getting so many shillings a week." The foreigner said to the other man, "What are you doing?" The second man, too, was a bricklayer. He replied, looking up to the spires, with light in his eye, "I am helping Sir Christopher Wren build a cathedral." I think in this country we are building a new America.

Mr. President, an ancient philosopher, looking up at the starry heavens at night and trying to read the answers to many of the questions that came up in his mind, asked the eternal question, "What are we here for?" Paraphrasing that statement, I might ask, "What are we here in this debate for?" Apparently, we are here to answer this question, and this question alone: Shall we repeal the Embargo Act, which will permit the sale of arms and ammunition—amounting to 13 percent of our total sales from 1914 to 1917—or shall we not repeal it, making it necessary for the Allies to purchase additional raw material to make up the 13 percent?

When we entered upon this debate I had expected that we would go into the question fully and completely of whether or not we should return to international law. Of course, what we do here now will have some future significance; but we are not debating the larger issue, and that is, whether we are standing for a rejuvenated law of nations. Therefore, the issue has become practically as I have phrased it. On all the other matters contained in the joint resolution there seems to be practical unanimity. I refer to cash for goods, a restriction on our own bottoms traveling through war zones, a restriction on American citizens traveling through war zones, and the passing of title to property purchased in this country.

This situation provides an additional reason why I have reached the conclusion that I have. I do not think it is significant in any respect, except possibly in a psychological one, whether the embargo is repealed or not. If it is repealed, part of the material we produce for munitions and implements of war may be manufactured into munitions and implements in this country. If it is not repealed, the material will be used for manufacture abroad and in Canada; but no one yet has claimed, or attempted to prove, that the volume of trade will be less. I have kept faith with my constituents and with myself when I promised to weigh and consider all the facts and arguments before reaching a decision.

Mr. President, I am practically through with my part of this debate, with one exception; and this, to me, is the larger issue. I wish I could impress it upon the whole country:

WHAT WILL HAPPEN AFTER THE DEBATE IS OVER?

Mr. President, what has happened during this debate is important, but probably it is not nearly so important as what will happen after this debate.

One side must lose on this issue. I do not want to see that side then convinced that war is inevitable. I do not then want to see that side gloomily adopting a dangerous defeatism. I do not want to see that side then remaining aloof from the successful side. I do not then want to see the American public divided on an issue that has been settled.

I do not believe that will happen. I believe American sportsmanship, if nothing else, will insure a gracious acceptance of the verdict. I believe American common sense will see the folly in either side accepting the verdict with a die-hard conviction that it must inevitably result in war. I believe American intelligence will demand that all of the factions in this debate shall accept the verdict in a spirit of harmony. I believe American patriotism will mobilize for a spirit of unity that will be bombproof against any attempt to prod America into Europe's war.

NEED FOR UNITY

There is a need for unity. We have only to look to the plucky little Scandinavian countries for a heartening example. Just last Wednesday the Swedish monarch and the Kings of Denmark and Norway and the President of Finland met in Stockholm to discuss the Finnish-Russian question in a spirit of unity. This is an example of nations allied by the consanguinity of a common cultural heritage, a common political democracy, a large measure of social equality, and a common desire to remain independent. Bonded just as we are by a kindred ideology and a kindred level of life, these little nations have banded their countries together in a united front of 17,000,000 of peace-loving people.

This is an inspiring example of unity. The question "Where will the Congress stand on the embargo question?" is not nearly so important as "Where will the American people be after the smoke of the debate clears?"

I have every confidence that America will keep faith—that both factions will unite not to stir the ashes of the debate but to concentrate on building for an abiding American peace.

Mr. President, for the past few weeks we have witnessed the ludicrous sight of a great congressional debate dragging on long after the ballots have been counted. For the past few weeks we have smiled at the incongruity of Senators speaking to chairs empty of all but the speakers' own partisan adherents. For the past few weeks we have witnessed the pitiable sight of a congressional debate reduced to the level of a frequent dodging of the issue, to goad old animosities and old hatreds to new life. For the past few weeks we have heard too much that is pro-English or pro-French or pro-anything but pro-American.

It is time and high time that this debate be finished. The position of almost every Senator in this room is already known.

The high and unalterable ideal of every Senator must be to settle the pending issue so that the attention now being paid to Europe's war may be shifted back to America, where it belongs. Our every energy must now be concentrated on mending the breaks in American unity, in again welding American spirit.

Our great need will be to mobilize against war and to build for peace. We must concentrate on safeguarding against a distortion of cost factors in our economy. European purchases will be more restricted than in the last war, because European credit has been shot through and through with the shrapnel fire of broken obligations. The spirited European competition of the last war will not be a serious factor in boosting the American market, because that competition has virtually disappeared under rigorous price restrictions. Moreover, the other neutrals will undoubtedly get a share of the business.

So our business is to stop looking across the sea and look back at America, so that our internal economy may be directed toward a healthy consumption, rather than a speculative and unwarranted industrial expansion which would bring the potential threat of another economic collapse.

Mr. President, I believe that America will meet these challenges. I believe that after the smoke of the debate clears Americans on both sides of this debate will join hands in a common, fervent desire to remain at peace with all the world. I believe that America will emerge from this period of world crisis greater than ever before. I believe that America will turn from Europe to march on to a high and unique destiny of her own. In that hope, Mr. President, I conclude.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reynolds
Andrews	Davis	King	Russell
Austin	Donahey	La Follette	Schwartz
Bailey	Downey	Lee	Schwellenbach
Bankhead	Ellender	Lucas	Sheppard
Barbour	Frazier	Lundeen	Shipstead
Barkley	George	McCarran	Slattery
Bilbo	Gerry	McKellar	Smith
Borah	Gibson	McNary	Stewart
Bridges	Gillette	Maloney	Taft
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Tobey
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holt	Pepper	White
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, there is a quorum present.

Mr. CLARK of Missouri. Mr. President, previously, during the course of the debate, and many times outside this Chamber, I have made the remark that the greatest service the United States could render to democracy in the world would be the preservation of democracy in the United States of America. I believe that with every fiber of my being.

I also stated, when I addressed the Senate week before last, that if I believed that the American frontier was on the Rhine, or that the American frontier was the Maginot line, or if I believed that the first line of American defense was the British Navy, I would scorn, as an American Senator or an American citizen, to vote for either the arms embargo or cash and carry, or credit and carry, or any other of the various proposals which would make us hucksters of slaughterhouse weapons to those who were in actuality defending the United States.

I stated that I had no such belief, but if I did believe that the French and British were fighting our battles, and that they were defending the United States, I would vote for a declaration of war, even though I knew that it meant the end, at least temporarily, and perhaps permanently, of most of the liberties which we hold most dear.

Mr. President, there has been some question about the statements I have made, and because I believe that the pending proposal for the repeal of the arms embargo is a first step toward involvement in war, as I have said before on this floor, and as I repeat, I desire to examine briefly some of the plans already on foot which lead me to believe that the involvement of the United States in war would be immediately followed by the setting up of a totalitarian government in this country, to all intents and purposes as effective as that of any other totalitarian government in the world.

In making these statements I do not wish to be misunderstood as meaning any particular criticism of the War Department, or of anyone who has had to do with the drawing up of these plans, because it is freely admitted on all sides that a dictatorship, a totalitarian form of government, is the best possible form of government so far as efficiency is concerned, for the conduct of war, and that a free democracy is possibly

the poorest and most ineffective form of government for the conduct of a war.

I bring this subject to the attention of the Senate again today merely once more to emphasize the fact that when we allow our sympathies—which have been in the last few days freely expressed on the floor of the Senate by certain Senators—when we allow our sympathies for one side of the belligerents as against another to lead us into war, we are putting in pawn the very dearest of our liberties, which we may never be able to redeem.

Mr. President, let me quote a text from a book officially approved by the War Department, and apparently by the Navy Department—certainly by the War Department—because it contains a foreword, in most eulogistic and laudatory terms, from The Assistant Secretary of War, the Honorable Louis Johnson, who afforded the author of the book an office in the War Department for the purpose of writing it, and who in his foreword almost officially assumes responsibility for it. At page 118 of his book, Adjusting Your Business to War, Mr. Cherne has stated:

War is no longer simply a battle between armed forces in the field; it is a struggle in which each side strives to bring to bear against the enemy the coordinated power of every individual and every material resource at its command. The conflict extends from the soldier in the most forward line to the humblest citizen in the remotest hamlet in the rear.

As I said a moment ago, Mr. President, what I wish to say today involves no criticism of military men who, necessarily, are intent on the military purpose of winning a war; who, necessarily, are impatient at any civilian restraint; who, necessarily, have no sympathy with the purely civil rights of our population; who have in mind only the one overwhelming purpose of military effectiveness, which is the system upon which every totalitarian power in the world—Germany, Italy, and Russia—has been geared. I have no criticism of the professional men, who conceive that the most effective defense of the United States today—that the most effective military purposes of the United States—could be best effectuated by a military dictatorship. I make these remarks simply for the purpose of pointing out to the American people the direction in which they are heading when they allow their sympathy for one set of belligerents to engage them in a war.

Let me explain the background of this book to which I shall refer, because it is an illuminating explanation of the present industrial mobilization plan of the War Department. Let me say that, so far as the basis of the 1939 industrial mobilization plan of the War Department is concerned, it is not essentially different from its 1933 industrial mobilization plan, which we discovered and whose production we subpenaed during the course of the munitions investigation. I discovered at that time, I may say, Mr. President, that the War Department had already drawn and held in reserve in the War Department a number of bills designed to make up the War Department's industrial mobilization plan, a war mobilization plan which had never been sent to the Congress. Those bills were not intended to be sent to the Congress but were to be held in the War Department. Colonel—now General—Harris, the representative of the War Planning Board, admitted the bills were to be held in reserve in the War Department and sent up immediately upon the declaration of war, with the idea that the Congress would not at that time dare enter into any careful scrutiny or any extended debate on the plan, but that the whole plan would be followed, that it would be put through under whip and spur, and that there would never be any questioning of the wisdom of the army and naval officers who had formed the plan.

To a certain extent I became familiar with the plan by invoking the committee process and getting it. Then I introduced those bills in the Senate of the United States, although I stated when I introduced them that I was not in favor of any of them. I introduced them so that they might be called to the attention of the country and, so far as was in my power, I did call them to the attention of the country. I had them referred to the munitions committee, and presented adverse reports on those bills to this body.

Now I discover that the industrial mobilization plan of 1939 is not very much different from the mobilization plan of 1936, and the bills which were already prepared, which I introduced, word for word will put the plan into effect—except that the industrial mobilization plan of 1939 is a little more reticent. They do not want to have a plan that is quite so outspoken, which some Senate committee or House committee could get hold of and expose to the public view before the time they wish to send it up to the Congress.

After that in this year there came out the book Adjusting Your Business to War, by Leo M. Cherne. Mr. Cherne was afforded quarters in the War Department for the writing of this book, where he could have the immediate assistance of high officials of the War and Navy Departments for the explanation of the industrial mobilization plan to his subscribers and constituents. In his dedication he says:

I must give thanks to those without whom this volume could not have been written, Joseph Lewis Simon, Harold B. White, Arthur Vail Hart, and to each of the following members of the War and Navy Departments who not only contributed their time and knowledge but the research and data which they have each labored years to perfect:

The Army and Navy Munitions Board; Hon. Louis Johnson, The Assistant Secretary of War; Hon. Charles Edison, The Assistant Secretary of the Navy. * * *

And various other officers whom he sets out in that dedication.

Then in the foreword, written by Louis Johnson, Assistant Secretary of War, we have one of the most fulsome and laudatory endorsements that any book could possibly have.

Mr. President, although the President said he was not familiar with the book when it was called to his attention by the Secretary of Labor, there can be no question, from the fact that Mr. Cherne wrote this book in consultation with responsible officers of the War and Navy Departments, being furnished office and clerical help in the War Department itself by The Assistant Secretary of War, that Cherne was familiar with the implication and the intendments of the present Army mobilization plan. I said a moment ago that the plan was not essentially different from the plan of 1933, which was brought up and put into the RECORD by the Munitions Committee. It is only different in the reticence of the expression of the 1939 mobilization plan, as shown by the mimeograph pages, because they have reserved certain annexes described in Mr. Cherne's book—precisely the real intendment of the act—but Mr. Cherne's book may be taken as the Bible and the Testament of what is intended under that Army mobilization plan.

Let us now see what it is. It is well summarized by Assistant Secretary Johnson, who is quoted in that book in the following words:

Investigations have made it increasingly evident that the provision of material and the mobilization of manpower must be synchronized if initial efforts are to be effected in the field. Since to create in peace—

Since to create in peace—

a full war reserve of material would beggar even the richest of nations, the only solution of the problem—adequate production after hostilities have been joined—engages the major portion of our attention.

The work of wartime procurement planning and industrial mobilization is concerned with nearly every element—

With nearly every element—

of our national industrial life.

In other words, The Assistant Secretary of War is saying that when war comes nearly every element of our national industrial life is going to be affected.

Mr. President, that statement is so accurate that it amounts to a truism, but many of our fellows, many of our friends in every walk of public life, including men in this body, do not realize that fact when they assert that we can assist one set of belligerents without involvement or disturbance of our whole national life. Mr. Cherne's volume has not been for public distribution or public sale. As I remarked the other day, it was not intended for the perusal of such as I. It was put out at the very large price of $6.50 a volume for the dis-

tribution to a limited number of subscribers, and was not for sale, even at $6.50 or $10, to such men as United States Senators who might be interested in finding out the implications of the War Department's program.

I was able to obtain a copy of the book through the courtesy of a friend of mine in the newspaper business.

An examination of Mr. Cherne's volume, whose foreword, as I have said, was written by Assistant Secretary of War Johnson, shows that the term "industry" includes just about everything, and just about everybody, from the manager of a manufacturing plant to the humblest worker, including farm workers. Make no mistake as to the inclusiveness of this planning. The Cherne volume and the document upon which it is based—the industrial mobilization plan—leave no shadow of doubt on that point. Men and women in every essential industry and in every agricultural pursuit are covered in detail by this program. It makes no difference whether one lives in New York, Seattle, Chicago, Houston, or Bowling Green, Mo. All are covered.

Mr. LEE. Mr. President——

Mr. CLARK of Missouri. I yield.

Mr. LEE. Does the plan provide for a mobilization of finances, or does it deal only with industry?

Mr. CLARK of Missouri. The Senator will have to read the mobilization plan for himself actually to determine that question. As a matter of fact, I do not think it provides for the mobilization of finances in any degree whatever. As to those provisions the plan is so vague that it is possible an argument might be made on that score. To my mind it is perfectly clear that there is nothing mandatory about any such provisions.

It makes no difference, Mr. President, whether the worker has the dirt of the factory or the dirt of the farm on his hands. They are all covered. It makes no difference whether the man or woman holds an office, a shop, or a field post. All are covered. The United States of America joins with the rest of the regimented nations just as soon as war comes. When I say "regimented nations" I mean all the belligerents. We have heard much about dictatorships in Italy, Germany, and Russia; and yet under the French law today Daladier is as much a dictator, or has the power to be as much a dictator, as any of the rest of them. We have only to read the public press from day to day to find cases of regimentation and the breaking down of the Bill of Rights of Great Britain. So we might all just as well recognize that if the United States ever goes into the war it will join with the rest of the regimented nations. We shall do it just as soon as war is declared.

Mr. LEE. Mr. President, will the Senator yield further?

Mr. CLARK of Missouri. I yield.

Mr. LEE. Does the Senator from Missouri know whether or not this book has any official color other than that the foreword is written by The Assistant Secretary of War?

Mr. CLARK of Missouri. I will say to the Senator that I know that the book was written in the War Department. I know that space was afforded to this man Cherne in the War Department to write the book. I know that he is referring, section by section, to a War Department document, the industrial mobilization plan; and I know that since the publication of the book there has been no repudiation or question as to the accuracy of the method in which he wrote. It has also been published in the newspapers that when Secretary Perkins called the matter to the attention of the President in Cabinet meetings be said he was not familiar with the book. He also said that most of the people who write about such subjects do not know what they are talking about, a statement in which I agree. However, in view of the official character of this publication, in view of the fact that Mr. Cherne is himself a consultant in the formation of the plan, and the fact that the book has been in existence for more than a month, with the imprint of The Assistant Secretary of War, referring step by step, paragraph by paragraph, and sentence by sentence to the industrial mobilization plan, I say it is entitled to be treated as an authoritative work.

Mr. LEE. My memory was that when the President was asked at a press conference concerning the book he disclaimed any official responsibility for it.

Mr. CLARK of Missouri. He said he did not know anything about it.

Mr. LEE. I further understood that the Secretary of War, Mr. Woodring, himself declined the opportunity to write the foreword.

Mr. CLARK of Missouri. So far as the industrial mobilization plan is concerned the Secretary of War does not have anything to do with it. Under the law The Assistant Secretary of War is charged with the responsibility of getting up the industrial mobilization plan; and he reports directly to the President, and not to the Secretary of War. Naturally the Secretary of War would not have written the foreword, because he has nothing to do with the plan.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Kentucky.

Mr. BARKLEY. I know nothing about the statement of the Senator that this man Cherne was afforded quarters or space in the War Department.

Mr. CLARK of Missouri. I think if the Senator will inquire he will find that that statement is absolutely accurate.

Mr. BARKLEY. I have inquired, and I expect to have the information in a few minutes. However, I do know that the Secretary of War, Mr. Woodring, who is the head of the War Department, stated in the press at the time—and that statement has been reiterated more recently—that he knew nothing about the book, and knew nothing about the foreword until he saw it after the book had been published.

Mr. CLARK of Missouri. I am thoroughly convinced that that is true, Mr. President; but the Senator from Kentucky overlooks the fact that so far as the preparation of the plan and the control of it is concerned—as I shall presently show if I have an opportunity—The Assistant Secretary of War is not only independent, but also has control over the activities of the Navy in the matter.

Mr. BARKLEY. What is the difference between the relationship of the Secretary of War and The Assistant Secretary of War to the industrial-mobilization plan?

Mr. CLARK of Missouri. The Senator ought to be familiar with that matter. He was in Congress when the authorization was first passed. I was not. The Assistant Secretary of War is especially charged with responsibility for the industrial-mobilization plan; and he reports directly to the President, and not to the Secretary of War.

Mr. BARKLEY. What relationship did this man Mr. Cherne have? The Senator stated he was a consultant. Was he an official of the War Department in that respect?

Mr. CLARK of Missouri. I understand he is one of the civilian officials who are constantly being dragged in from time to time. A big conference was held down there last week in connection with the industrial-mobilization plan.

Mr. BARKLEY. Was it in his capacity as a consultant of the War Department that he was given space, if he was given space?

Mr. CLARK of Missouri. The Senator will have to obtain that information from the War Department, because he has better facilities for doing so than I have.

Mr. BARKLEY. Not at all. All I can do is to ask the Secretary of War; and the Senator from Missouri can do the same thing.

Mr. CLARK of Missouri. I do not think the Secretary of War knew very much about the matter until it was brought up in Cabinet meeting.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Indiana.

Mr. MINTON. I have been very much interested in what the Senator from Missouri has had to say about Mr. Cherne's book and the facilities that were made available to him for writing the book. The Senator seems to be somewhat disturbed about that phase of it.

Mr. CLARK of Missouri. Mr. President, so far as that is concerned, I will say to the Senator that I do not care anything about that, because I fully recognize that a man who is able to put out a book at $6.50, with 20,000 assured subscribers already, would not care whether somebody gave him an office or not. The use of a Government office was simply a matter of facility. I mentioned the fact because it fitted in with the foreword by Assistant Secretary of War Johnson, the dedication by Assistant Secretary of the Navy Edison, and various other elements which tend to give verisimilitude to his analysis of the industrial mobilization plan of the Army. The matter is not important, because any Senator who can get hold of one of the mimeographed forms of the industrial mobilization plan—and I will say that it cannot be obtained in the Government Printing Office, although it is supposed to be a public document—can make an analysis for himself. He does not have to rely on Mr. Cherne. I simply used Mr. Cherne's analysis for the purpose of convenience.

Mr. MINTON. I misunderstood the Senator's position. I thought he was disturbed because Mr. Cherne had been there in a capacity which the Senator thought perhaps was not quite right. I could not understand that, because I remember that Mr. Raushenbush, who was the investigator for the Munitions Committee, of which the Senator was a member, and his wife, who also worked for the Munitions Committee, wrote a book, using the Munitions Committee's records before they were made available to the Senate.

Mr. CLARK of Missouri. Mr. President, I am very certain that they never used any records that had not previously been made matters of public record.

Mr. MINTON. At least they were using the facilities of the Munitions Committee to write a book, and they had as much access to records as did Mr. Cherne, so I could not see why anyone should be much concerned about that question.

Mr. CLARK of Missouri. The Senator has entirely misapprehended my thought. If Mr. Raushenbush and his wife used the records which had been made public records of the Munitions Committee, they certainly were entitled, having helped to work up the records, to speak with authority. The only point I am making as to Mr. Cherne is that when he writes this book he speaks with authority because he was one of those who helped to work up the whole industrial mobilization plan. I simply mention that matter for the purpose of showing the authenticity of Mr. Cherne's analysis of the industrial mobilization plan.

Mr. MINTON. Did not the Senator just say that he had obtained one of the mimeographed copies of the plan?

Mr. CLARK of Missouri. I have not. I have seen one, but I have not been able to come into possession of it. It is supposed to be a public document; but it is impossible, and was from the very time it was made a public document, for anybody to obtain a copy from the Government Printing Office. One of my colleagues, more fortunate than I, was able to procure one.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Idaho.

Mr. BORAH. The Senator may have stated who Mr. Cherne is; but if so, I did not hear his statement. I was not present during the first few moments of the Senator's speech. Will the Senator state who Mr. Cherne is, his antecedents, and his connections?

Mr. CLARK of Missouri. Mr. President, I am unable to do that. He sets himself down in his book as executive secretary, Tax Research Institute of America; author of Adjusting Your Business to the New Legislation; editor of the Business and Legislation Reports, and so forth, with the additional notice of a foreword by Hon. Louis Johnson, Assistant Secretary of War. I do not know who Mr. Cherne is except what I have read in the newspapers. I do know that he occupied an office in the War Department while he was preparing his book.

I do know that the Assistant Secretary of War who is charged with the preparation of the industrial mobilization plan, has written a very fulsome foreword for it, and that in his dedication the author expressed particular thanks to the men without whose aid he could not have written the book, Hon. Louis Johnson, Assistant Secretary of War, and Hon. Charles Edison, Assistant Secretary of the Navy. I also know that that book was not printed for public consumption; that the Senator from Idaho could not walk down to a book store in this city, pay $6.50, the price at which the book is put out, and obtain a copy of it; that I could not do so; that the Senator from Kentucky could not do so, and no other Member of this body could walk down to a book store and find the book on sale. It was printed for private circulation for some 20,000 subscribers, according to the statement made by the Tax Research Institute of America.

Mr. BORAH. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from Idaho.

Mr. BORAH. I understand the Secretary of War declined to write the foreword.

Mr. CLARK of Missouri. That statement was made here a moment ago, and, knowing the Secretary of War, I am entirely prepared to believe that would be true.

Mr. BORAH. And knowing the Assistant Secretary of War, the Senator would have no doubt that he would write it?

Mr. CLARK of Missouri. I would not be surprised.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. CLARK of Missouri. I yield first to the Senator from Oklahoma [Mr. LEE], who has been on his feet for some time.

Mr. LEE. I wish to know further as to the source of the Senator's information—I am not questioning what he says, let him understand—but I want to know, for my own information, what is the source of the Senator's information that Mr. Cherne had offices in the War Department and by whose authority?

Mr. CLARK of Missouri. Mr. Cherne was quoted in the public press as having stated that he did have offices in the War Department, and that statement has been many times repeated in the public press without any denial whatever.

Mr. MINTON. Mr. President, if I may interpolate, the Senator from Missouri makes no point of that, does he?

Mr. CLARK of Missouri. Not at all. I simply refer to it as showing the authenticity of the analysis of the plan to which I am trying to address myself.

Mr. BARKLEY. Mr. President——

Mr. CLARK of Missouri. I now yield to the Senator from Kentucky.

Mr. BARKLEY. I do not desire to take the Senator's time, but I have felt it my duty to call not only the Secretary of War but the Assistant Secretary of War, Mr. Johnson, as to one or two statements the Senator has made, one with regard to this man Cherne having space or quarters assigned to him in the War Department. Mr. Johnson tells me that that is absolutely inaccurate; that he only had such avenues as any other man would have who would come there and seek to obtain information from the Public Relations Division of the War Department.

He further states that, while he did sign the foreword as Assistant Secretary of War as a matter of identification, he states in the foreword, which I have not read, that he does not regard this as authoritative; he does not put the stamp of authority of the War Department on it, and, furthermore, that what the author said in the book was based on the mobilization of the plan of 1936 and not that of 1939, and, therefore, cannot be authoritative. That is the information that comes to me.

Mr. CLARK of Missouri. I stated earlier in my remarks that the only difference between the mobilization plan of 1933, that of 1936, and that of 1939 is that the mobilization plan of 1939, having been fired at on several occasions, is a little more reticent, and it is said that the details will be published in appendixes.

Mr. BARKLEY. This book was written in February, I think, of 1939; the mobilization plan of 1939 had not been promulgated at that time.

Mr. CLARK of Missouri. Of course, they put out new mobilization plans every few days to meet criticism that arises.

Mr. BARKLEY. I am sure the Senator from Missouri would not want to make an inaccurate statement.

Mr. CLARK of Missouri. I certainly would not, and my statement, which I said was unimportant, as to the use of office space, was based on a public statement of Mr. Cherne which was published in the newspapers.

Mr. BARKLEY. I myself think it is not very important.

Mr. CLARK of Missouri. As a matter of fact, I think I was inaccurate when I said "in the War Department"; to be perfectly accurate, I think, it was in the Munitions Building.

Now, Mr. President, let me reinforce the point which I was trying to make by reading another statement from Mr. Cherne's book. I quote:

> Who comes under industrial mobilization? Which organizations are "material and industrial organizations essential to wartime needs," for the purpose of industrial mobilization? Col. F. H. Miles, Jr., O. D., Director of the Army Industrial College, has defined this phrase to include "all industrial organizations directly or indirectly. It is even broader, and should be correctly stated as all elements in the economic sphere, including service industries, agriculture, labor, financial institutions, and commercial institutions participating in domestic and international trade. Action in one part of the economic field produces reactions in all other parts. The operation of one industry requires the support of other industries, of labor, of finance, etc. The economic structure of this country must be considered as a closely knit, integrated whole" (pp. 14–15).

Which means, Mr. President, in time of war a closely integrated whole with the Army or the Navy and special emergency organizations set up in complete control, as complete control as exists in any other country in the world; and not only does the Army have the responsibility for the War Department, as I mentioned a moment ago, not only does the Army have the responsibility for the War Department procurement and control of American economic life for that purpose, but, as Mr. Cherne's volume continues:

> Although the Assistant Secretary of War has no control over the Navy planning, over industry, or the civilian population, he is charged by law with providing for mobilizing the economic resources of the country in such a way as to satisfy the needs of the Army and Navy, as well as the civilian population. The Navy Department is as vitally interested in this problem as the War Department, and it is necessary that the needs of the two Departments be coordinated in order that there be proper planning. Through joint administrative action, the necessary coordination has been provided for by the establishment of the Army and Navy Munitions Board. This includes the procurement of not only every finished item of supply or equipment but also of many contributory requirements, such as raw materials, semifinished products, power, labor, money, transportation, etc. Since it is impossible to make a plan for industry and confine the plan to the industries required in the production of Army items alone, it is the problem of the Assistant Secretary of War to prepare a national plan for all industry.

That is the gentleman who wrote the foreword to Cherne's book.

Notice, Mr. President, how nicely this regimentation is limited and defined; notice what we are heading into once we have agreed to be lured into the war.

> It is the problem of the Assistant Secretary of War to prepare a national plan for all industry.

This is not only a plan for getting supplies for the Army and Navy but a plan for all industry. It is not partial control; it is complete control for every industry, for agriculture as well as for factories, and for the human beings who will do the work. It is totalitarian control as complete as that in any totalitarian state.

The fact that our country is a democracy now will not affect the all-inclusive nature of the controls that will be fastened on the country when this plan goes into effect.

Mr. MINTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Indiana?

Mr. CLARK of Missouri. I yield.

Mr. MINTON. Of course, the Senator agrees that that plan could not be put into effect except under the war power?

Mr. CLARK of Missouri. There is no question about that. If the Senator was present when I began my remarks, he heard me say that by accident I discovered the fact that these bills in the 1933 mobilization plan of which the Congress had not been advised had already been drawn in the War Department; that they would be sent up as soon as a declaration of war was made, on the theory that they could be put through under whip and spur without any considerable debate, and under such circumstances that any Senator or any Member of the House of Representatives who dared to raise his voice to question these measures would be accused of being unpatrictic, of being a slacker, of being a traitor, of being pro-British, or pro-Stalin, or pro something else. That is the whole purpose of the plan—to keep these matters in reserve until they can be sent here and put through in a time of hysteria, after, say, war has developed.

Mr. MINTON. The Senator from Missouri is not only a distinguished public civil servant but is a distinguished former soldier.

Mr. CLARK of Missouri. I thank the Senator for those kind words.

Mr. MINTON. The Senator knows that a nation cannot go upon the battlefield with any degree of success or hope of success if it has not some plans made against the day when it might be called upon to resort to arms. Is the Senator against the Government of the United States having plans ready?

Mr. CLARK of Missouri. I said when I began my remarks that I had no personal criticism to make of anybody in connection with this plan; that what I am trying to do is to point out to the American people that when we get into a war we are getting into a dictatorship and are imperiling the dearest of our own civil rights. I say very freely that a dictatorship is better geared and better calculated for the conduct of a war than is a democracy, and we need not think we are fighting the battle of democracy if we get in——

Mr. MINTON. Mr. President——

Mr. CLARK of Missouri. I will yield in a moment. We need not think we are fighting the battle of the world's democracy in Europe if we lose our freedom and democracy in the United States.

Mr. MINTON. Mr. President, will the Senator yield further?

Mr. CLARK of Missouri. I yield.

Mr. MINTON. Who is urging us to go to war now?

Mr. CLARK of Missouri. We are being urged to take the first step that will lead us into war.

Mr. MINTON. The Senator says "the first step," but there is no evidence it is the first step. With all due respect to the Senator from Missouri, his assertion does not make it "the first step."

Mr. CLARK of Missouri. I understand that.

Mr. MINTON. And even though the statement is fortified with the assertions of many other eminent Senators, there are others here and over yonder who do not agree.

Mr. CLARK of Missouri. Mr. President, of course I am familiar with the mental obfuscation of my dear friend the Senator of Indiana.

The Senator from Indiana reminds me of a story my father used to tell when I was a boy. He said that in a little town in Missouri there was a leading citizen who had been a great "joiner." He was a member of the Masons, the Odd Fellows, the Knights Templar, the Knights of Pythias, the Woodmen of the World, the Married Men's League, the Elks, the Eagles, and the Moose, and nearly every other organization that ever came along. Finally, when he died, they gave him the biggest funeral the town had ever had. The procession started out down the dusty road, with all the brethren of the various orders in regalia, and the old town brass band turned out. An old-fashioned horse-drawn hearse was leading the procession. They got about halfway down to the cemetery, and the band was playing the Dead March, from Saul, and all of a sudden the trombone player let out the most awful raucous discord that anybody had ever heard. It caused the horses drawing the hearse to run off and throw the corpse out in the ditch and caused all the brethren in regalia to stampede up and down and knock down a number of persons. The band leader rushed back and said to the trombone player, who himself had been knocked down in the melee, "What in the devil did you sound that awful, outrageous discord for?" The trombone player said, "Boss, I'll tell you: There was a hossfly lit on my book, and I took her for a note, and I played her." [Laughter.]

So I am thoroughly familiar with the fact that no argument on this floor will convince the Senator from Indiana to the contrary of any proposition that the administration is for, or that he thinks the administration is for, or that he even suspects the administration is for.

Mr. MINTON. Mr. President, will the Senator again yield?

Mr. CLARK of Missouri. I yield.

Mr. MINTON. I want to plead guilty to being "obfuscated" still after the Senator's story. [Laughter.]

Mr. CLARK of Missouri. Mr. President, the War Department knows that this is not a simple matter of a few executive orders, a few rules, and regulations. It is, and must be under this plan, the function of the military to mobilize a nation—mobilize it 100 percent, just as the dictatorships have been doing for years. Everything and everybody must be geared to the war machine under the program.

Here is what Mr. Cherne has to say at another point:

Mobilizing a nation for war is an intricate process. It involves every element of the nation—raw materials, manufacturing capacities, fuel, transportation, and finance. These elements have to be coordinated in full support of any military effort in which the United States is engaged. During the World War, the War Industries Board, headed by Mr. Bernard M. Baruch, was the superagency created to coordinate the industrial effort. The industrial mobilization plan now provides for the creation by the President of a War Resources Administration, a civilian superagency, similar to the old War Industries Board, to exercise the President's war power for the mobilization of industry. In the course of the planning and mobilization, every element of national life is considered along with the strictly military effort. The home front is considered as important as the battle front in order that the national morale be maintained at a high level (p. 17).

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. CLARK of Missouri. I am glad to yield to the Senator from Texas.

Mr. CONNALLY. It is true, is it not, that this so-called plan has never been enacted into law?

Mr. CLARK of Missouri. That is entirely correct.

Mr. CONNALLY. So, after all, what the Senator is complaining about is something that someone in the Departments or otherwise proposed?

Mr. CLARK of Missouri. That is entirely correct.

Mr. CONNALLY. They cannot exercise any of the powers against which the Senator is inveighing until Congress—not the Senate, but the House and the Senate combined—grants the power.

I say to the Senator that I am largely in agreement with some of the things he expressed as a member of the Military Affairs Committee. As I recall, he did not favor the so-called Sheppard-Hill bill.

Mr. CLARK of Missouri. I did not. I intend to discuss that measure later in my remarks.

Mr. CONNALLY. The Senator did not favor it for the very reason that it gave too much authority to the Executive.

Mr. CLARK of Missouri. That is entirely correct.

Mr. CONNALLY. I have no quarrel with the Senator with respect to that matter; but what I am trying to point out is that the dangers which the Senator is discussing, and from which he is rapidly fleeing, are dangers which are yet to be encountered if and when the Congress grants any such powers. I am not prepared to grant any such powers.

Mr. CLARK of Missouri. Wait a minute, Mr. President. Let me say to my friend the Senator from Texas that I very thoroughly agree with him that these powers cannot be put into effect until Congress shall have enacted them; but, as I intend to show in a moment, Mr. Cherne, apparently inspired by War Department officials, thinks the President can put them into effect. However, I entirely agree with the proposition of the Senator from Texas.

Mr. CONNALLY. Who is Mr. Cherne? Is he the Congress and the President?

Mr. CLARK of Missouri. He seems to be their spokesman.

Mr. CONNALLY. That is just another bogey that the Senator from Missouri has built up—all these ghosts behind the bushes, and so forth. The Senator creates a bogey with a wave of his hand. The point I am making is that this is something that some "brain truster" or somebody else has proposed, and the Senator now is assuming that it is going to be done, when it cannot be done, and none of it can be done—not a line of it, not a paragraph of it, not a sentence of it, not an edict under it, not an Executive order under it, none of it can be done—until, if and when Congress enacts it. It has not been enacted, and, so far as I know, it is not going to be enacted.

Mr. CLARK of Missouri. Mr. President, I have seen Congress speedily enact so many edicts prepared by "braintrusters," which I thought were perfectly preposterous on their face when they were sent up here that I have long since given over disregarding as inconsequential the edicts of the bureaucratic braintrusters downtown. Nevertheless, Mr. President, leaving that point aside, I propose to discuss this question now because I know that after the war has been declared, and they send these things up here for passage under whip and spur, any Senator who dares even to enter into any debate on any question as to the provisions of those measures will be dubbed a traitor, a slacker, and any other term they can devise.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Indiana.

Mr. MINTON. After being obfuscated, and this horsefly dragged in—of course I know the story to the effect that you cannot fool a horsefly—what I want to know from the Senator is whether or not he believes that the Government should have no plans against the day when it may have to go to war.

Mr. CLARK of Missouri. Mr. President, I have explained to the Senator from Indiana five or six times, and to the Senate——

Mr. MINTON. I did not hear it.

Mr. CLARK of Missouri. If the Senator cannot understand it I am not responsible, that the proposition I am advancing is that we should know in advance what we are going to run into if we allow our sympathies for one set of belligerents to drag us into a war. I stated in the first sentence I uttered when I took the floor that I had no criticism to make of anybody for getting up a plan. I simply want the country to know what the plan is, and to know when they allow their sympathies for Great Britain and France and Poland to drag them into a war, as has been proposed on many sides in this country, what they are heading into to, and the fact that they are giving up the dearest of their liberties.

Mr. MINTON rose.

Mr. CLARK of Missouri. If the Senator from Indiana will listen to me for a few minutes, I believe I shall be able to develop the trend of my argument more consistently than I can do with constant interruptions on extraneous matters.

Mr. MINTON. I beg the Senator's pardon. I shall not interrupt him any more. I am glad to receive his assurance that, of course, he is not against the Government having some plan in case of war.

Mr. CLARK of Missouri. I said in the beginning——

Mr. MINTON. Of course, I regret that I was not here.

Mr. CLARK of Missouri. I said in the beginning that I recognize very fully that a dictatorship is more efficient in the conduct of a war than is a democracy; but a dictatorship is not more efficient in the perpetuation of our institutions and of our liberties than is a democracy; and that is the reason why I do not want our country to get into a war.

Notice, as Mr. Cherne points out, "* * * every element of national life is considered * * *." What could be closer to the totalitarian ideal? There, "every element" is "considered." Here, "every element" will be "considered." A perfect pattern, with no overlapping.

WHAT DOES THE PLAN INCLUDE?

I quote further from Mr. Cherne's book:

The War and Navy Departments expect the President to receive from Congress, probably before the outbreak of war, the necessary legal authority to impose, wherever desirable, the following indus-

trial controls: (a) Price fixing, (b) priorities control, (c) compulsory orders, (d) commandeering of materials and plants, (e) licensing, (f) apportioning commodities and raw materials (p. 114).

Now, this legal authority which the Departments expect is not a simple industrial control. It is a totalitarian control system. What else could it be with—

(a) price fixing, (b) priorities control, (c) compulsory orders, (d) commandeering of materials and plants, (e) licensing, (f) apportioning commodities and raw materials (p. 114)?

What more complete totalitarian control can be imagined than fixing the price the manufacturer, the raw-material producer, the transport facility may get for their products and their services?

What could be more complete than the power of "priorities control," which means that some Government board—very likely an understrapper, or a subunderstrapper, or an assistant subunderstrapper of some Government board—dominated by military requirements, can put a manufacturer out of business, or cripple him so badly that his whole investment is gone if he does not jump when the whip is cracked by Washington?

Think of the ramifications when the power of priorities control is used. If the wartime administration does not like the editorials a certain newspaper is printing, and wants to hush it up, it can hold up deliveries of newsprint or printer's ink so no paper is available to that journal for printing or ink for printing it. It can say "No more ink—it's needed elsewhere," and that newspaper will be forced to stop printing.

Mr. President, that is the most effective censorship that can possibly be imagined. They do not want to write it in large letters in the law. If they have the power, which we know will be exercised when the time comes, it makes no difference whether it is written on the face of the law in explicit terms or hidden in the law in such fashion as I have suggested, we have established a censorship whenever we pass any such law.

This is merely a sample of what control of priorities means. And remember that this is only one of the restraints to which the country is to be subjected when M day rolls around. To talk about recent domestic business controls in the same breath with this power, power to make or break a man by withholding materials and fixing priorities on deliveries, is nonsense. Our present business regulation is mere child's play beside that sort of control. Let Mr. Cherne tell us about the penalties available for noncooperation. I quote further from his book, pages 129 and 130:

Although there is nothing in the industrial mobilization plan which is designed to make the control of priorities other than a means of controlling essential contributory factors of the production of essential military needs, it is important to recognize that resistance to the needs of the armed forces, or failure of industrial cooperation can be met effectively by the control of priorities, in addition to the power of commandeering.

Thus, it is conceivable that a recalcitrant or obstinate manufacturer will find his obstinacy embarrassing if overnight the Policy Division of the War Resources Administration, decides that the power which he has been utilizing can more effectively be utilized by another competitive company manufacturing essential commodities for the Government.

What is that but a bald statement, which would be blushed at in Germany or Italy, that a government functionary can tell an independent American businessman that if he does not obey his ukase, he will ruin him by taking his power away from him in favor of a competitor?

What could be more complete than the power to enforce compulsory orders, to commandeer materials and plants, to require a license, to establish priorities, and so forth? The answer is that nothing could be more complete in its regimenting potentialities.

As the Senator from Texas and the Senator from Indiana said a moment ago, it is not the law. "But we do not have this enacted into law," say the uninitiated. How easily our people can be fooled! Of course, we do not have this plan enacted in legislative form, but that does not matter. Listen to what Mr. Cherne has to say on that point, at pages 114 and 115 of his book:

The industrial-mobilization plan proceeds on the theory that these powers will be placed in the hands of the necessary superagencies during wartime. The fact that Congress has not yet granted those powers is, in this instance, however, not of paramount concern. It must be remembered that the President, as Commander in Chief of the armed forces of the United States during wartime, has what is commonly referred to as the "war powers of the President," the great reservoir of authority which the custom of this country has permitted to be used as the emergency may require. These powers have not been completely defined in law or in the expressions of court and as a matter of actual fact are not only indefinable but beyond practical limit. The wartime powers of the President as exercised by Woodrow Wilson during the World War would have been ample to insure the immediate and complete application of the industrial-mobilization plan in all of its details without a single enactment of Congress, if this were considered desirable in an emergency.

Think of the situation! Without a single enactment of Congress, the plan could go into operation under the wartime powers of the President.

The senior Senator from Michigan [Mr. VANDENBERG], with the unanimous backing of this body, made an attempt recently to learn from the Attorney General of the United States what these wartime powers of the President covered in the President's proclamation of national emergency were, and we got the reply from the Attorney General that he could not give us an answer. I do not know whether it was because the Attorney General did not know or because he would not give us an answer, but I do know that the Attorney General of the United States refused the request of the Senate of the United States to give us an answer as to what the wartime powers covered by the President's proclamation in national emergency amounted to.

A few days ago the Senator from Wisconsin [Mr. LA FOLLETTE] spoke of those powers on the floor of the Senate. Let me remind my colleagues of them in this connection.

During the World War the President had complete control of the transportation system. He was free to requisition and fix the price of supplies for the Army. He could commandeer factories, procure ships and war materials. He completely controlled the price of wheat and coal and imposed many special regulations concerning marketing. He had broad powers in the censorship of communications.

These are only samples. There are many more, some of which are still in force, waiting only to be invoked at the President's wish.

The Senator from Wisconsin also mentioned the "tremendously far-reaching powers" that have been given the President since the World War. I quote him:

Under the Federal Communications Act he has the power, in war or national emergency, to close any radio station or take it over for the use of the Government. Under the Merchant Marine Act of 1936 the Maritime Commission may requisition merchant vessels during any national emergency declared by the President. Under the section of the 1917 Trading With the Enemy Act, which was amended and incorporated in the Emergency Banking Act of March 9, 1923, the President has very wide powers over the Nation's fiscal and credit transactions "during time of war or during any other period of national emergency declared by the President. * * *" (CONGRESSIONAL RECORD, October 12, 1939, p. 329.)

That is what we must contend with. That is what the manufacturer, the laborer, the farmer must contend with. Just as soon as war comes there will be no debating the issue. It is all settled now; and what can be done about it?

The only thing that can be done is to keep out of war, so that this devilish program cannot be fastened on our national life. That in itself is a powerful reason for not taking a single small step toward letting down the barriers against war involvement. And do not forget that it will be done by small steps, no one of which by itself can be said to be a direct cause of our getting into war. But mark my words, when we take the first step, we have set our compass. The second step becomes a little easier. As we go on the pace is accelerated, and one sad day we find that the sum total of all these steps, each one taken without any intention of getting into war, has landed us and our institutions and our posterity squarely in the lap of war.

Mr. President, when I was a small boy I used to hear my father quote these words from Virgil: "Facilis decensus averni"—easy is the descent into hell. I fear that the small

steps which we may take in this crisis may eventually be steps which will land the country in the bottomless pit of war. From then on it is farewell to freedom, to liberty, to all the cherished privileges we have enjoyed under our democracy, at least during the course of the war, and possibly for a long time afterward.

This is what the War Department, according to Mr. Cherne, has to say about labor in war times:

In time of war the manpower of the Nation has two distinct functions—to provide men for the armed forces and to provide men for the maintenance of those armed forces. The war labor administration must supervise this problem and provide machinery for the equitable and voluntary distribution of labor, skilled and unskilled, male and female, to industry and agriculture during the war, and to further to the utmost the war efforts without causing unnecessary destruction to normal industrial efforts.

Mr. President, here are some of the labor difficulties to be solved by "an advisory council" which will be appointed to assist the war labor board, according to Mr. Cherne. He says:

An advisory council will be appointed to consider the following principal labor problems to make sure that they are accomplished:
(1) Measures to prevent grievances of employers or employees, whether actual or imaginary, from interfering with war production.
(2) The effect of organization of employers into trade associations—

Which, of course, means the emasculation of the antitrust laws—

and of the right of collective bargaining between such organizations on industry's ability to meet the material requirements of the armed forces.
(3) Standards of wages, hours of labor, and working conditions.

Everything that labor has fought and contended for in this country since the foundation of the Republic shall be placed into the hands of this advisory council.

(4) Equality of pay for identical work.
(5) Necessity for the modification of the statutory workday—

A statutory workday, which has been a matter of struggle on the part of labor in this country ever since I can remember—

with due regard for the national necessity and the welfare of labor.
(6) Maintenance of maximum production in all war work and the suspension for the period of the actual emergency and a reasonable adjustment thereafter of restrictive regulations not having the force of law which unreasonably limit production. (Adjusting Your Business to War, p. 142.)

Note that this advisory board can only advise on points 3, 5, and 6.

This means that the key protection of labor's present rights depend, in the last analysis on a war labor administration. This board or the administrator can dictate:

(1) Standards of wages, hours of labor, and working conditions. (No. 3, p. 142.)
(2) * * * the modification of the statutory workday with due regard for the national necessity and the welfare of labor. (No. 5, p. 142.)
(3) * * * a reasonable adjustment * * * of restrictive regulations. * * * (No. 6, p. 142.)

What could be more complete than that? What and where is the difference between this sort of a program and totalitarianism's control over labor?

Let us look into some of these labor provisions and see just what will happen to labor.

In the first place, the war labor administration will be dominated by industrialists. The employee point of view will have little chance for expression. Labor is to be used only as a means to an end.

I do not find that Mr. Cherne says who will make up the personnel of the war labor administration. But the 1933 edition of the plan, on which the 1939 version described by Mr. Cherne is based, indicates what may be expected. On this question the Munitions Committee, in a report presented by me, said of the earlier plan:

The administrator of war labor should be an outstanding industrial leader. He is to be assisted by a deputy nominated by himself who presumably would also be an industrialist. He will be assisted in the control of labor by the labor division of the war industries administration. This body is composed primarily of men chosen by the industrialists heading the general control agencies or the military departments. There is no provision for a single direct representative of labor, either organized or unorganized, on it.

This agency is to deal with some of the most important differences of interest of modern times and is to have powers vitally affecting the well-being of millions of working people. Yet, as planned, it is completely dominated by one party in the case—the employer side. It is not planned to offset this by representation of the labor side in positions of authority or even to include neutral individuals representing the public. Such an organization may be very antagonistic to aims with which labor is concerned. For example, of the five representatives of employers on the National War Labor Board of the World War only one had ever dealt with labor unions in his business.

The only representation for labor provided in the plan is in connection with an advisory council for the labor administrator. This is to be composed of five representatives for industry and the same number for labor. Final authority rests with the "prominent industrialist," who is to be the administrator, rather than with the advisory board. And there is a strong possibility that whatever influence the board may have will be nullified. The matters with which it will be concerned, such as collective bargaining, labor disputes, wage rates and hours, are extremely controversial. Experience under the N. R. A. shows that settlement of such problems may in some cases require a year. In war such delay would be impossible. So if the advisory board should deadlock the administrator would have to settle such issues himself (Senate Munitions Report, No. 944, pt. 4, pp. 47–48).

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. CHAVEZ. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reynolds
Andrews	Davis	King	Russell
Austin	Donahey	La Follette	Schwartz
Bailey	Downey	Lee	Schwellenbach
Bankhead	Ellender	Lucas	Sheppard
Barbour	Frazier	Lundeen	Shipstead
Barkley	George	McCarran	Slattery
Bilbo	Gerry	McKellar	Smith
Borah	Gibson	McNary	Stewart
Bridges	Gillette	Maloney	Taft
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Tobey
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holt	Pepper	White
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. CLARK of Missouri. Mr. President, the 1939 plan, like the 1933 edition, invokes the work-or-fight principle used in the final months of the World War. Of this drastic principle the Munitions Committee report says:

The wartime authorities can largely determine where men whose draft has been deferred are to work. Mr. Baruch has described the work-or-fight order as saying to these men:
"No matter what the grounds for your deferment may be, unless you are faithfully, continuously, and usefully employed in a capacity and for an enterprise determined by the Government to be essential to the prosecution of the war, your deferment will be canceled and you will immediately be called for service with the colors."
He has said that the Government—
"Can go much further. It can say that if a man be called and found unfit for military service but fit for other work in the essential lists (of industries), he must so employ himself or be cut off from rations, transportation, fuel, and supplies."
He favors the use of this principle in the next war and states that it "is capable of immense expansion."
The committee believes that if the work-or-fight principle is authorized by law, along with a draft act such as the War Department contemplates, then this country will have for all practical purposes a draft of labor. The military and industrial authorities are interested in two things in connection with labor—an adequate supply of workers in the jobs where they are needed and continuity of employment with no stoppage of work. Under the above set-up they can achieve these aims. They cannot perhaps order every individual to work at a particular job picked out for him specifically but they can order him not to work in certain industries and they can specify certain industries in which available men must be employed if they want to stay out of the Army. If they refuse to allow men to remain idle at all, as they would have a right to do, then workers would have to accept the particular jobs indicated to

them by the Government, since even in war it requires some time for a man who has just lost one job to find another without assistance. Furthermore, the Government authorities could break any strike simply by canceling the deferments of the strike leaders and as many of their men as necessary and drafting them into the Army.

Mr. Baruch has said that the work-or-fight plan is even more effective than the draft of labor in achieving the aims of war control of labor.

"The draft of men for industrial employment is not only impossible; it is wholly unnecessary. The work-or-fight method is a better way. It is compatible with our institutions and far more effective than any chain gang or impressment that could be invented.

"There is no doubt that in any future emergency there must be just such a control of human effort as has here been suggested. The productive effort of war must be very much greater than the productive effort of peace, and it must be made at a time when the very cream of the country's physical manpower is being withdrawn by millions from productive effort. Such vast demands can be met only if everybody goes to work." (Senate Munitions Report, No. 944, pt. 4, pp. 48–49.)

Labor's right to strike and the growth of union organization may be dealt a death blow under the plan. This is what the Munitions Committee report says on that point:

The necessity for increased production may bring the Government into conflict with organized labor. The industrial-mobilization plan provides that the War Labor Administration shall consider the question of:

"Maintenance of maximum production in all war work and the suspension for period of the actual emergency and a reasonable adjustment thereafter of all restrictive regulations not having the force of law which unreasonably limit production."

This might include the abrogation of union contracts pertaining to wages, hours, and conditions of work. In an effort to hurry production the War Department undertook in the last war to allow contractors for cantonments to hire nonunion labor. This stand was modified following a protest from the American Federation of Labor.

Labor organization by itself does not guarantee the worker his rights in a wartime situation. Much depends on what use is made of the organization. In war, labor unions may not be as militant in seeking to gain their ends as they are in peace. Labor leaders are particularly subject to the patriotic pressure of wartime. Samuel Gompers, president of the American Federation of Labor during the World War, in the spring of 1917, called a conference of both labor and industrial leaders which reached an agreement that "neither employers nor employees shall endeavor to take advantage of the country's necessities to change existing standards."

As a result the Washington labor leaders ceased to push organizing campaigns as vigorously as they might otherwise have done, according to some who also hold that if it had not been for the activities of the rank and file, the situation in the industrial relations might have been frozen and labor would have gained much less from the war. The officers of the federation "put aside their roles of organizers and strike leaders to become conciliators and mediators."

This question of patriotic pressure has an important bearing on the use of labor's most fundamental means of gaining its demand—the strike. A strike by labor cannot be secret like those strikes by industry discussed above. It will be open and subject to public scrutiny. This fact is bound to reduce the readiness of labor leaders to resort to strikes in war.

Even if labor does feel it necessary to resort to strikes, there is no guaranty that it will be free to do so. In Great Britain the right to strike was abridged by law. In this country one of the principles adopted by the Labor Conference Board was that there should be no strikes or lock-outs during the war. The War Department has said that problems "that arise from differences between employers and employees * * * can be minimized by foreseeing and wherever possible forestalling such disputes * * *."

If a strike should break out, ways of dealing with it are available to the Government authorities. It has been pointed out that the deferment system of the General Draft Act, either with or without a work-or-fight bill, constitutes a tremendously effective strikebreaking weapon. It is also possible for the military authorities to take soldiers in uniform, order them to work for private employers, and break a strike in this fashion.

According to the minority report of the Graham committee, soldiers were set to work in this manner in the lumber mills of the Pacific Northwest during the last war with the knowledge of Mr. Gompers and the Secretary of War. Mr. Howard Coffin testified regarding this incident before the War Policies Commission as follows:

"Mr. COLLINS.—

That is Representative COLLINS, of Mississippi—

"Mr. COLLINS. Now, you spoke about labor. What do you think about the Government drafting about twice as many men as it needs and then taking those that it does not need for strictly fighting purposes and using them as labor?

"Mr. COFFIN. Entirely impractical, except in some specialized instances, as, for instance, our timber situation in the Northwest. That was a situation that, late in 1917, had to be met in just that way, and it probably was the wisest way to meet it."

The attitude of military men may be hostile to strikes even in peace. According to testimony before the committee, a Captain Williams, of the Navy, was sent up to Camden in connection with the strike then in progress at the plant of the New York Shipbuilding Corporation. He was reported to have "intimated very strongly" to labor officials that unless the strikers returned to work upon the company's terms the Navy would remove an unfinished cruiser from the yards (Senate Munitions Report, No. 944, pt. 4, pp. 51–53).

Mr. President, on the all-important question of wages, labor is sure to come out on the bottom. It is certain that in wartime, in spite of any price-fixing controls now contemplated, living costs will go up. But will wages be permitted to keep pace with increasing living costs? It is hardly likely, and on this score, as on many others, labor will be left holding the bag.

Listen to what the Munitions Committee report says of wage control:

The industrial mobilization plan clearly contemplates control over wages in the next war. Among the points to be considered by the War Labor Administration are standards of wages, hours of labor, and working conditions. The actual control over wages is delegated to the price-control committee. Mr. Baruch has specifically recommended the fixing of all wages. A determined effort to keep wages down is possible in the next war. If the methods of preventing labor from protecting its rights described above are employed, it may be successful. The committee has pointed out that any effort to prevent a wartime rise in prices and profits is unlikely to be effective. If wages should be stabilized and there should be a wartime increase in the cost of living the position of labor would become intolerable (Munitions Report, No. 944, pt. 4, p. 53).

The selective service provides another opening for laying restrictions on labor's shoulders. The Munitions Committee report describes how the draft can be used to exert complete control over labor's activities. I again quote from the report:

The Honorable David Lloyd George, wartime premier of Great Britain, has stated that there was no need for special legislation to control British labor after general conscription was put into effect. In this country, as has been pointed out, there will be considerable flexibility as to who is drafted and who is deferred under the War Department's selective-service law. The decisions on this point are entirely in the hands of the draft authorities. "With 5,000 local boards engaged in selecting fighting men, mistakes are to be expected."

It will be quite possible for these draft boards to use their power of canceling deferments for the purpose of regulating the activities of workers in the same manner as under a work-or-fight bill, the only difference being that the real reasons for the cancellations will not be officially recognized. Especially will this be true if the personnel of the draft boards is like that of the other war agencies in being composed mainly of men sympathetic to the employer's point of view. (Senate Munitions Report, No. 944, pt. 4, p. 50.)

So far as the matter of draft is concerned, I should like to remark at this point that during my temporary absence from the floor the other day the Senator from Illinois [Mr. LUCAS] saw fit to question the statement which I had made as to the intention of the mobilization plan with regard to the draft of boys 18 years of age and up. He questioned my authority in that matter.

Mr. President, for many years I held the same position in the Missouri National Guard as the Senator from Illinois now occupies in the Illinois National Guard. I am as familiar as he is with the mechanics of draft regulations.

I also, Mr. President, came into possession during the Munitions Committee investigation of a bill already on file in the War Department for the drafting of man power in the event of war. As I stated in the beginning of my remarks, I introduced that bill, stating at the time that I was not in favor of it; had it referred to the Munitions Committee, and reported it adversely.

So I was informed as to precisely what the intentions of the War Department were, and there was no question as to the age to be included in the draft. The bill to which I referred was Senate bill 1721, Seventy-fourth Congress, first session, introduced by me on February 6, 1935, referred to the Munitions Committee, and shortly thereafter adversely reported by me from that committee.

Section 2 of that bill provides:

That every male person, except as hereinafter provided in this section, who shall have reached the eighteenth anniversary of the date of his birth on or before the day or days fixed for registration,

shall be subject to registration in accordance with regulations to be prescribed by the President; and upon proclamation by the President, or other public notice given by him, or by his direction, stating the age groups of those to be registered, * * * it shall be the duty of all such persons * * * to present themselves for and submit to registration under the provisions of this act.

It does not lie in the mouth of the Senator from Illinois or anyone else to dispute what the purpose of the War Department is in that matter, because it has been given out publicly from time to time. It is included in the 1933 industrial mobilization plan, and it is included, not quite so explicitly, in the 1939 plan. There can be no question on earth as to the intention of the War Department to draft or register for the draft boys of the age of 18 or from 18 up and to take them as their class may be called. Of course, it is perfectly true that they would constitute the second class to be called, but, nevertheless, a boy who is 16 years old now or a boy who is 17 years old now, if the United States should not get into war for another year or two, would undoubtedly be in the second class of the draft in accordance with the War Department's plan.

Most Americans think of national defense in the terms of defending the United States, or at least of defending the United States plus Hawaii, the Canal Zone, and the Caribbean Sea, or, at most, the Western Hemisphere. What sort of an army would be needed for any of these defensive areas? Certainly any one of the three possible defense areas would not necessitate operations of the magnitude of those undertaken in the last war when we raised 4,000,000 men. Yet we find, according to Mr. Cherne—and I quote from his book again:

> The War Department's protective mobilization plan, a plan which outlines the manpower needs and the distribution of those needs after M day, initially contemplates mobilizing only the Regular Army and National Guard. But the plan does set up a procurement objective for the first 4 months of 1,200,000 men. The manpower needs are broken down to 300,000 the first month, 200,000 the second, 300,000 the third month, and 400,000 the fourth. The Army's problem is not only one of getting a lot of men but getting them quickly after mobilization starts. If the war is one of great magnitude, there is the additional problem of procuring men for subsequent mobilization in monthly totals of from 200,000 to 400,000, until the maximum possible forces have been raised.
>
> The armed forces today have complete plans for reenacting a Selective Service Enabling Act in time of emergency. But even with these plans, an estimated 60 days will elapse between the declaration of war and the time that actual recruits will be available as a result of draft. The problem of voluntary enlistment occurs during those first 60 days.
>
> It is estimated that approximately 500,000 volunteers will be needed during the 2 months after M day. This estimate is made despite the fact that the United States has never succeeded in obtaining volunteers in any such numbers. The record during the World War shows that in April 1917, 86,000 were secured, in May, 119,000, and in June, 95,000. Thus in 8 months of voluntary enlistment during the World War the military got slightly more than the present objective for 2 months (p. 194).

An army of 1,200,000 men, set up in 4 months, plus possible "subsequent mobilization in monthly totals of from 200,000 to 400,000, until the maximum possible forces have been raised," indicates that something more than mere defensive arrangements are contemplated. I do not know of any recognized military authority out of the armed services who has stated that a force of this size is needed for defense.

What is this army for? Where is it going to be used? That is something the American people have a right to know.

Yet this is what is contemplated by the industrial mobilization plan. Where will this octopus next fasten its grip?

And beyond the voluntary enlistment program we have the draft, to catch every section of our manpower. If the people do not come in of their own volition and enlist, they will be hauled in by the draft act.

Just what does the draft mean to the human beings who are spoken of so glibly in this plan that is to be clamped down on the country as inexorably as night falls, on M day, the day of mobilization? Readers' Digest for August 1939, in a condensed version of the article by Cabell Phillips and J. D. Ratcliff, published originally in the August American Legion magazine, describes the situation in which Henry Putty, a fictitious Oklahoma City garage mechanic who has just read the glaring newspaper headlines announcing the war declaration, finds himself:

> When Henry Putty, Oklahoma City garage mechanic, for instance, reads the electrifying headlines in his evening paper on the fateful day, he may tell himself that he had seen it coming. But until that moment war had probably seemed to him only a distant threat, and his own involvement even more remote. He reads the President's speech before the joint session of Congress. But the significance of another news item escapes him. Immediately after voting to go to war, Congress unanimously passed the Selective Service Act.
>
> It would be annoying to Henry if he knew how completely that act has planned his life for him. But of course he doesn't. He has never had access to that 32-page mimeographed document, the selective-service law; nor to the thousand and one other details of the plan that affect him. Let's accept Henry as 25, unmarried, living with self-supporting parents—the representative of 10,000,000 American men—and see what happens to him.
>
> The morning after declaration of war Henry reads that the President will speak over the largest radio hook-up ever put together, instructing everybody between the ages of 21 and 30 to report to his regular voting place to register for military service. The registration date is set for the next week.
>
> During this intervening period there is an enormous blast of publicity. Posters go up: "Patriots will register—others must." Henry, knowing little about the mechanics of lithography, won't pause to wonder how these posters were produced with such magic speed. Nor will he notice the pattern that runs through all the newspaper feature stories. They are written in a highly patriotic vein, but each carries a threatening undertone, suggesting that serious things will happen to anyone who refuses to register. Henry dutifully reports on registration day.
>
> Ahead of him in line is an uncombed individual with fierce black eyes, who begins to harangue those in charge about constitutional rights and the evils of war. He is stopped almost before he has started. The man behind the table starts reading from the regulations:
>
> "If the prospective registrant is sullen or inclined to falsify, his attention should be called to the penal provision of the law. * * * If he is still refractory, the case is reported to the necessary police authority. * * * The registration must not be obstructed."
>
> There are several policemen standing by. The registration proceeds.
>
> Henry signs his card and is given a second card—for purposes of identification. He must be able to produce it at any time he is called on to do so. It carries the number 800, which means he was the 800th man to register in his district. From the moment he puts his signature on that card, he is subject to military law—all this, understand, by the time the war is 8 days old.
>
> On this same day 12,000,000 other men have filled out cream-colored cards precisely like the ones Henry signed. The all-inclusive ritual extends even to jails and insane asylums. Four days later, the lottery is announced. The newspapers say that the President will draw the first number capsule determining the order in which men will go into the army, and they urge every one to listen to the broadcast. If the President draws number 346, that means every man with this number on his registration card should prepare to leave at once. At his radio Henry hears various numbers announced. And finally 800 is called, moving him a few more feet toward the front.
>
> Five days later, Henry receives a long questionnaire which he is directed to fill out. The questions puzzle him. Does he have a wife? Is she self-supporting? What crops does he raise? Did he file an income tax last year, and does he own his own home? Henry fails to wonder how these questionnaires were ready so quickly. He has had no way of knowing that months were spent on devising questions which would extract a maximum amount of information and that master copies of the resulting questionnaire were kept in every State capitol ready to go to the printer when M Day arrived.
>
> Two days after mailing his questionnaire back to the local Selective Service Board which has miraculously sprung up, Henry is informed that he is in Class I and should report to a designated doctor for physical examination immediately. Class I indicates that there is no reason why he should not be inducted into the military service. Class II would signify that he was engaged in some necessary work—like making shells or running a wheat combine. Class III would mean that he had a family dependent on him, and Class IV that he had a glass eye or a cork leg.
>
> Henry passes his medical examination, and 9 days later is ordered to report to camp—along with some 300,000 other young Americans. A scant 30 days after the declaration of war, Henry Putty, garage mechanic, has become Private Henry Putty. He can never get it quite straight how these things happened to him so rapidly. The answer, of course, lies in the fact that all preparations had been made in advance.

Mr. Cherne in his book refers to a humorous illustration of what a draft act includes. He quotes the draft act of Abyssinia as cited by Major Hershey, as follows:

> Every one will now be mobilized, and all boys old enough to carry a spear will be sent to Addis Ababa.

Married men will take their wives to carry food and cook. Those without wives will take any women without husbands.

Women with small babies need not go. The blind, those who cannot walk or for any reason cannot carry a spear, are exempt.

And finally, terse but effective:

Anyone found at home after receipt of this order will be hanged.

Now, I would not want to compare the industrial-mobilization plan to the Abyssinian draft act; but there is, to be frank, a similarity in the extent of their coverage of manpower resources. All but the lame, the halt, and the blind are covered by the industrial-mobilization plan; and those groups will be told how they shall live, too.

Women are not to escape, if we are to believe Mr. Cherne's story—a story apparently approved by the Assistant Secretary of War—for he says:

Briefly surveying the Nation's manpower and determining the part which can be set aside for exclusive use of civil enterprise, there are some 41,000,000 men between the ages of 16 and 64. In addition, there are millions of women who can be used for war or essential nonwar work. In the group exclusively available for civil enterprises, the Army tabulates the following: Twenty million women; 13,000,000 men, 45 to 64; 2,000,000 men, 16 to 18; and initially 13,000,00 men, 31 to 45.

A total of 48,000,000.

Do the American people know what is in store for them? Do they know that men and women—every one—will be at the command of this octopus? That is the way in which we are going to save democracy! That is the way in which we are going halfway around the world to fight, to save democratic institutions in this country. In other words, we will save them even at the cost of giving them up.

But there are those who say that this plan will keep down profits and equalize the burdens of war. This is pure bunk. Look at our past experiences, and see how much truth there is to such a statement.

WILL PRICE FIXING KEEP DOWN PROFITS?

What about price fixing in wartime? Does it not prevent undue profits?

Let me recite some of our past experiences in this regard. I quote from the report of the Munitions Committee, part 4:

On August 8, 1917, the War Industries Board offered the copper producers a tentative price of 22½ cents per pound for copper. This was refused, although the "copper emergency required immediate action necessary to secure a supply for our Government and our Allies."

The matter hung fire until in September the Federal Trade Commission reported that 97 percent of the production was costing the companies less than 20 cents per pound. The average cost was 13.6 cents, and important companies were producing for 7 and 8 cents. Under these circumstances the price of 22 cents per pound, which the Board then suggested, was liberal, to say the least. Again the producers refused, holding out for a 25-cent price. Mr. Ryan, of the Anaconda Copper Co., a spokesman for the industry, stated that if the price was fixed at 22 cents, "it would be impossible to obtain the voluntary cooperation of the majority of mine owners." On September 21, a month and a half after the Government's first offer, the price was fixed at 23½ cents, which represented a splitting of the difference between the opposing views.

Even before war was formally declared, negotiations leading toward price fixing were begun with the steel industry. One Government official told Judge E. H. Gary, who represented the steel producers, that he thought the price for steel plates should be $2.90. Judge Gary offered a price of $3.50 in a letter to Secretary of the Navy Daniels, which the latter declined on the ground that the highest price heretofore paid by the Government was $2.90. Mr. Baruch has stated that "almost immediately after the declaration of war" he got in touch with the steel people and found them insisting upon a price of 4½ cents a pound for ship plates. He "urged them not to insist upon that price because it was too high and unfair in the circumstances," but they were adamant. By June this obstinacy was "handicapping the work" of Government procurement very seriously because "the steel companies will not accept an order without a price." It was stated in the minutes of the General Munitions Board that "practically everything is held up because of the unsettled condition * * * and * * * the delay was seriously hampering the preparations for war." As late as August 6, Mr. Scott, Chairman of the Board, stated that he "did not believe Bethlehem [Steel Co.] would agree to accept only Army forgings at the prices agreed upon." Prices were finally fixed on September 24, 1917, at levels which permitted large profits even to so-called low-cost producers. As Judge Gary summarized the attitude of the industry, "manufacturers must have reasonable profits in order to do their duty."

I desire to read that statement again for the RECORD. Judge Gary said that—

Manufacturers must have reasonable profits in order to do their duty.

Judge Gary was not concerned with the Americans who were called on to do their duty by getting stuck with a bayonet, or hit with a piece of high-explosive shell, for a dollar and a quarter a day on foreign fields.

When asked by the chairman if there were more instances of this sort during the war, Mr. Baruch testified, "Yes, sir." (Munitions Report, No. 4, p. 37.)

Of course, there is no real control over business profits during wartime if the businessman wants to hold out for his price. The war must be won. Profit controls take second place.

Let me quote another section from the same report.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from California.

Mr. DOWNEY. The discussion of the able Senator from Missouri appeals particularly to me, because my mind operates along economic channels, but I should like to make this comment to the very able Senator:

This discussion so far has proceeded upon the assumption that with proper and legitimate action we might be able to keep down prices, and keep wages parallel to prices as they had been, but I should like to point out this fact:

Our military men are now envisioning an army of about 5,000,000 men for some indefinite venture. If we should put 5,000,000 men into the field, it would cost approximately $2,000,000,000 a month, or $24,000,000,000 a year to provide the war materials for them to blow away and to support them. Now, assuming that with that many million men in actual service the production of our wealth was about $75,000,000,000 and, assuming that $24,000,000,000 of that, or, say, $25,000,000,000 was in war materials, which would be blown away and not consumed by anybody, we then would have given out $75,000,000,000 worth of purchasing power to produce $75,000,000,000 of wealth, but $25,000,000,000 of that would not be consumed for humankind, but would be blown away, which would mean that there would be only $50,000,000,000 of consumable wealth to allocate against $75,000,000,000 of purchasing power.

That would mean, if there were the most advantageous price-fixing scheme possible in effect, that the $50,000,000,000 worth of consumable goods would have to prorate with the $75,000,000,000 of purchasing power, because twenty-five billion would have been blown away, and would not be available for the workers to consume.

I wanted to make this point to the very able Senator from Missouri, even assuming the most righteous and highly intelligent price-fixing plan under some regimenting dictatorship, which would virtually make us all serfs, assuming that, because of the fact that one-third of the wealth produced would be blown away, of course, there would necessarily be a tremendous increase in the price of the remaining wealth.

Then, with seventy-five billions of purchasing power to allocate against fifty billion of consumable goods, we are thrown into what is called a seller's market, the profiteers about whom the Senator is reading come into the picture, and instead of having a 50-percent increase in price, there would be 100-percent increase or 150-percent increase.

Mr. CLARK of Missouri. I thank the Senator from California. I do not have the slightest doubt in the world as to the entire accuracy of his prognostications on that subject, because it is inevitable from the circumstances of the case that there will be a seller's market. I think that when the World War was over, many of the industrialists of that time, even in spite of the enormous profits they made, were astounded at their own moderation, as some of them indicated before committees of which I have been a member.

Mr. DAVIS. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.

Mr. DAVIS. Would it not also naturally follow that wages would go up, prices would rise, and there would be the vicious circle again? And even the Budget would have to be increased.

Mr. CLARK of Missouri. I do not think there is the slightest question in the world, so far as the last war demonstrated—and I dare say the same situation will develop in the next war—that while the dollar return of labor rose, in view of the tremendous increase in the cost of everything the laborer had to eat and wear and everything he needed to sustain him, actually wages did not increase during the war, and actually wages will not increase in any war, in spite of the fact, based on the number of dollars, some of the laborers might receive a very high wage during the war, certainly much higher than the men in the Army receive. But the laborers had to support themselves, and the men in the Army did not. As the Senator from Pennsylvania has said, it is simply the start of the vicious circle again.

I wish to quote a little further from the report of the Munitions Committee:

These strikes by industry were an important feature of the last war. But the evidence reveals only occasional instances because, in general, industry got what it wanted without having to resort to any such drastic tactics. There was no occasion for it to strike. If the wartime controls should ever begin to bite rather deeply into profits, the use of this weapon would undoubtedly increase.

Apparently the Government could deal with these strikes by using its war power to commandeer. Actually commandeering is not an effective method of compelling industry to come to terms. Industry need not fear it because the courts have so interpreted the fifth amendment to the Constitution that commandeered companies are sure to be just as well off as if they had been let alone. In *L. Vogelstein* v. *U. S.*, the Supreme Court ruled that the company should be paid for its requisitioned copper stock at the liberal price fixed by the War Industries Board. In some cases a company may even find it an advantage to be commandeered. The court, in *U. S.* v. *New River Collieries*, permitted the use of export prices rather than domestic contract prices which were lower.

Even if commandeering could carry an effective penalty, the administrative obstacles in the way of its application on a large scale reduce its effectiveness as a means of compelling cooperation. Mr. Baruch stated before the War Policies Commission that he could not recall a single case of an important industrial concern being taken over by the Government, because the personnel was not available and "the mere process of change would destroy efficiency at the outset." The War Industries Board talked of commandeering the steel industry. Yet Mr. Baruch testified he did not know how commandeering would have been put into execution if the Board had tried to make good on this threat. Industry was aware of how highly improbable it was that the Government could get the personnel and create the organization necessary to operate a large number of plants all at a time when it was imperative to prevent a break in production. When the Board was talking of commandeering the copper industry, they were bluntly told by its representative, Mr. Ryan, that "it would be impossible to commandeer all of the small high-cost mines as there are such a great number."

Then we come to the case of the efforts of the Government to establish a powder manufacturing plant in Tennessee during one of the most critical times of the war. I quote again from the report of the Munitions Committee:

The War Department recognizes that the difficulties of commandeering are insuperable. It intends to "depend for enforcement upon the popular morale and collective patriotism."

When the Senator from Michigan [Mr. VANDENBERG] asked Colonel Harris, now General Harris, of the Ordnance Department, what the war plans provided as a means of dealing with a strike like that of the Du Pont Co., in connection with the Old Hickory powder plant during the war, Colonel Harris said:

As a matter of fact, whether we are right or wrong, we are counting on the cooperation of industry in our plans. Personally, I do not think we can fight a war unless we can depend on industry to meet us in fair agreements.

It has been shown that the Government cannot necessarily get a fair deal from industry by depending upon voluntary cooperation. Yet it has no other alternative (Munitions Report 4, pp. 38–39).

Industry holds the whip hand, and industry makes the most of it by refusing to supply what the Government needs unless industry's price is met. If the Government objects to a price set by industry, industry may go on quiet strike, as in the last war. Here is an illustration of how a strike by industry works. I again quote from the Munitions Committee Report, pages 35–36:

During the World War industry struck in connection with Government procurement.

The War Department became convinced that there was desperate need for vast additional powder-manufacturing capacity in the fall of 1917. The Du Pont Co. by its own admission controlled "about 90 percent of the smokeless powder producing capacity of the United States." It had constructed the large plants from which the Allied Governments had been supplied during the period of our neutrality.

Incidentally, it made enough profits out of that manufacture to buy control of one of the largest industries in the United States, namely, the General Motors Corporation.

I quote further from the report:

So it had practically a monopoly of the construction and operating experience necessary for the contemplated plant. Naturally the Government turned to this company for assistance. It could not do otherwise. Yet for 3 months the building of this powder factory was delayed because the Du Pont Co. would not accept the liberal contract terms offered it. When asked about the critical character for the prosecution of the war for the period when this delay occurred, Lieutenant Colonel Harris testified:

"It is hard to say which was the most critical time of the war, but that was a very critical time."

The Government offered to pay "every dollar of expense," to advance $1,000,000 on account of profit, and to pay additional profit as determined by arbitration. This was rejected by the company's board of directors upon the recommendation of Mr. Pierre du Pont. He wrote that, "* * * we cannot assent to allowing our own patriotism to interfere with our duties as trustees" for the stockholders. At the time, he was one of the 10 largest holders of the company's common stock.

The Government threatened to build the plant itself, but it had no real alternative to accepting the terms of the du Ponts. A man was appointed to undertake the work who apparently had no prior experience in powder manufacture. The Du Pont Co. refused to cooperate in assisting the Government effort. Finally a contract was signed under which the Du Pont Engineering Co., a wholly owned subsidiary of the Du Pont Co., built the Old Hickory Powder Factory without risk to itself and made a profit on operation of the plant amounting to $1,961,560. If the war had continued the profit per year would have been about $15,000,000.

In November 1917 the Ordnance Department wished to place an order for powder to be manufactured in a certain plant of the Aetna Explosives Co. According to the minutes of the War Industries Board, the company "refused to operate this plant unless they received an order at over 64 cents per pound which was 15 cents higher than the price being paid the Du Pont Co." The Board approved a contract for powder with the Hercules Powder Co., at what it considered "a high price" for the reason that "it was either necessary to pay the 70 cents per pound or go without this powder" (Senate Munitions Report No. 944, part 4, pp. 35–36).

Note that in 1937, when Senate bill 25, a measure supposedly aimed at the prevention of profiteering in time of war, was before the Senate Military Affairs Committee, the War Department sent a representative to the Capitol to support the bill. This bill, Senate bill 25, Seventy-fifth Congress, first session, contained the essential powers needed by the War and Navy Departments to put the mobilization plan into operation in time of war. The two Departments were in general support of the measure.

In a letter to the Senator from Texas [Mr. SHEPPARD], dated March 10, 1937, and inserted in the report on the bill, page 14, Secretary Woodring said:

The bill as a whole is favorably considered by the War Department.

Secretary of the Navy Swanson, in a letter to the Senator from Texas, dated March 11, 1937, said:

This bill, if enacted into law, would go far toward strengthening the hand of the President in any national emergency, and greatly assist in the orderly mobilization of the industrial forces of the country in the support of the armed services, insure that the interests of the civilian population are properly taken care of, and make the transition from peace to war and back again far easier, avoiding many of the tragic economic and social consequences of the last war (p. 17, S. Rept. on S. 25, 75th Cong., 1st sess.).

This bill represented the views of the two Departments. Let me read from the minority report on the bill which the Senator from Minnesota [Mr. LUNDEEN] and the Senator from North Dakota [Mr. NYE] submitted on May 6, 1937:

Is capital called upon to sacrifice sufficiently to warrant calling upon labor to sacrifice so greatly as is proposed in this bill?

All statutes standing in the way of wartime procurement are to go. I take it this may mean the National Labor Relations Board Act and State minimum wage and hours laws.

Mr. President, I may say in connection with what the Senator from Minnesota and the Senator from North Dakota said in the minority report, that it is clearly demonstrated in the Cherne analysis of the War Department mobilization plan that the various State and Federal laws with regard to hours of labor and with regard to the conditions of labor for women and children are to be wiped out under the mobilization plan.

The minority report continues:

The War Department representative has told us frankly that even the Comptroller General is to be regimented. Under a really determined Executive, every labor union in the Nation could be broken up, exactly as Hitler has done.

Even as the bill stands, without the addition suggested by Mr. Baruch and the War Department for further language specifically fixing wages, wages can and will be fixed under this bill. The President is allowed to fix "compensation." That certainly means wages. The Walsh-Healey Act is specifically slated to go, according to the War Department. Doubtless the Vinson Act, attempting to hold down naval shipbuilding profits to 11 percent, will be another victim of the war.

Is capital called upon to sacrifice as much as labor under this bill? There is no evidence of it. The equivalent of depriving labor of unions, of the right to collective bargaining, would be to deprive capital of the right to a fair return for its services—which is not remotely attempted in this bill Practically every witness has pointed out that capital must have what it wants or the successful conduct of the war will be slowed down and jeopardized (Rept., S. 25, p. 24).

Again referring to the same report, let me read another section:

This bill is a bad bargain for the boys who will, under it, be sent abroad. They get no real assurance that profiteering is abolished or that democracy is saved in the very country which proposes, in this bill, to send an army overseas, supposedly again to save the world for democracy.

It is a bad bargain for labor unionism. Unionism takes the risk of death.

Under certain types of Presidents this might even, although barely conceivable, be a bad bargain for capital. At present, of the three groups, capital stands to lose least (Rept., S. 25, p. 28).

That was in 1937. I cannot distinguish any real essential difference between the industrial mobilization plan before us then and that which is in the files of the War Department for use today.

The same powers, the same gaps are apparently in the present plan—the 1939 version—if we are to believe Mr. Cherne's book, which must have been read by the Assistant Secretary before he wrote the foreword to the volume.

Mr. President, I might stand on the floor of the Senate the remainder of the session attempting to analyze the industrial mobilization plans of 1935, 1936, and 1939. It is possible to make distinctions between the specific provisions of those various industrial mobilization plans, but essentially they are the same, with the same ugly lineaments designed to set up a dictatorship in this country immediately we have gone into war. I wish to repeat what I said in the beginning, that I am not criticizing anyone for trying to bring about a dictatorship when we go into war, because admittedly and concededly a dictatorship is much more efficacious and efficient for the conduct of a war than is a democracy. But I am trying to point out to the people of the United States what they are heading into when they permit themselves to enter upon any course which may result in our drifting into war. Now is the time to stop it. Now would be a fine time to stop all inflammatory talk about the possibility of our being dragged into a war. Now would be a splendid time to practice real neutrality.

Mr. President, I cannot refrain again from referring to some of the things that have already gone on tending to show an absolute lack of neutrality on the part of the Government or of some of those in high position. I refer again to the Executive order providing the emasculation of the merit system throughout the whole civil service of the United States, wherever it may be construed to apply to preparedness or neutrality, which is a definition sufficiently large to apply to nearly every section of the whole civil service. I refer again to the Executive order of the President in which he transferred the authority over the Panama Canal from the Governor of the Panama Canal Zone to the commander of troops in the Canal Zone, referring in his Executive order to a section of the statute which only gives him authority to make that change in the event of a state of war in which the United States is engaged or when war is imminent.

I refer again to the various inflammatory remarks emanating from the War Department—officials of the War Department going around interviewing draft boards, setting up draft machinery, when at the present time we do not have a quarrel of any serious nature with any nation in the world.

Mr. President, I refer to the action of the President on yesterday, being present at a service, having his picture taken with the pastor who had been praying for the triumph of the King of Great Britain over all of his antagonists.

I pray for a real neutrality. It does not make any difference where the sympathies of any individual may lie in this controversy abroad. We all have sympathies, but I do say that every step which is taken in an official capacity—every step showing partiality on the part of the Government or its high officials, brings us simply one step closer to war, and I have taken the trouble to stand here on the floor today and in a more or less tedious way to read some of the provisions of this industrial mobilization plan to demonstrate what we are heading into if ever we do let our sympathies lead us into the war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. I read the article in the newspaper this morning and I saw the picture of the President at Hyde Park in connection with the incident yesterday when the pastor of the church prayed, I suppose, from the Episcopal prayer service.

Mr. CLARK of Missouri. From the Canadian Episcopal prayer book.

Mr. BARKLEY. From a Canadian Episcopal prayer book. Probably he used it—I do not know about that—in part of the service.

Mr. CLARK of Missouri. So the article stated.

Mr. BARKLEY. Does the Senator really seriously think there is any significance attached to an incident of that sort, or that the President of the United States knew what the pastor of that church was going to pray, or from what book he was going to read?

Mr. CLARK of Missouri. I certainly do not want to impose the duty on the President of the United States of getting up and walking out of the church during the prayer. But the news of it went out to the civilized world, and after the incident, to have the President have his picture taken with the pastor glancing at this prayer book which had been presented by the King and Queen does not add anything to our general reputation for impartiality and neutrality in that connection.

Mr. BARKLEY. Probably no more than pictures taken of opposing Senators here after they have lambasted each other on certain issues, and then have pictures taken showing that after all, while they denounced each other on the floor of the Senate, personally they had no objection to having their pictures taken together.

Mr. CLARK of Missouri. I agree with what the Senator has to say about that. However, I suggest to all concerned, from the President down, that at a time like this, instead of reading from the King of England's prayer book, that we should go down and look at the old prayer book that reposes in the cellar of the oldest Protestant church in the United States at Williamsburg, Va., in which was printed in large type, "God save the King," and the old pastor of the church at the time of the Revolution struck that out, and in place of it there is written in with a pen, "God save the President of the United States."

Mr. BARKLEY. I think it would be better if we did a little praying ourselves on our own responsibility, and not depend so much on prayers made by other people.

Mr. CLARK of Missouri. I agree, and I shall be glad to join with the Senator.

Mr. BARKLEY. I shall be glad to make a date with the Senator now, because I think the Senator needs it.

Mr. CLARK of Missouri. I think the Senator needs it more than I do.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. DOWNEY. I wish to say to the able Senator from Missouri that I know I am personally in accord with him, and I think most other Senators are. That another military adventure in Asia or Europe would throw us into the clutches of a dictatorship in which we might be involved for an indefinite period. I ask the Senator from Missouri, because of his wide knowledge of military affairs, is he of the opinion that a purely defensive war by the United States against any combination of powers that we might reasonably expect to be brought against us would involve such an effort that we would require this sort of a dictatorship?

Mr. CLARK of Missouri. Mr. President, that is the point I was trying to make. I am certainly very clear that a defensive effort on the part of the United States on our own ground, with our Navy based on Hawaii, in defense of our own ground, would not require any such effort as outlined in this plan against the whole world combined. I do not believe that there is any nation or possible combination of nations that could come over and successfully attack us on our own ground, assuming that we reasonably maintain the Army and the Navy and the air force of the United States.

I can say in that connection that we have been spending a good deal more than any other nation in the world for the purpose of maintaining this armed force, and if we do not have the best Navy and the best Army in the world we ought to have an investigation to find out what has been happening to the billions of dollars that have been appropriated.

Mr. DOWNEY. Mr. President, will the Senator yield further?

Mr. CLARK of Missouri. I gladly yield.

Mr. DOWNEY. I take it, then, that the Senator from Missouri is very much in agreement with the Chief Executive of the United States who, when he was Assistant Secretary of the Navy, stated that a conflict of any importance between Japan and the United States was physically impossible because of the 5,000 miles of water between them?

Mr. CLARK of Missouri. Mr. President, I do not think there can be the slightest possibility of doubt about the accuracy of President Roosevelt's statement at that time. It is universally agreed among naval experts—at least those whose statements I have read—that successfully to conduct naval warfare five or six thousand miles from home it is necessary to have some bases and a preponderance of at least 3 to 1.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I will yield in just a moment.

We have no such preponderance over Japan. It is not probable that in the immediate future, or even the remote future, with the differences in cost of production here and in Japan, we shall have a preponderance of 3 to 1 over Japan. Therefore we should be starting a war at a very great disadvantage if we should undertake to conduct a war in the Orient. On the other hand, Japan certainly has nothing even approximating equality, much less a preponderance of 3 to 1 over us; and she would have to pass the strongest naval base in the world at Pearl Harbor to get over here against a very strong Navy on our part based in the United States. The danger of Japan attacking the Pacific coast or any other part of the United States is perhaps the most ridiculous assumption that has been advanced in many years.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. LEE. Is it not true that the oceans have become smaller since that statement was made? So far as I am concerned, I should like to have the isolationists get out some ocean stretchers and stretch the oceans. They are becoming too small for comfort in the light of modern inventions.

Mr. CLARK of Missouri. It is entirely true that transportation has been expedited and the time of travel shortened; but no one has yet suggested any way in which a surface fleet, a submarine fleet, or an air fleet of any power in the world could come over in sufficient force to attack the United States of America.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. CHAVEZ. We do not see any Germans landing in England, and we do not see any English landing in Germany. We are 3,000 miles from there. Is it likely that we shall be attacked?

Mr. CLARK of Missouri. The question of the Senator from New Mexico reminds me of one of the famous maxims of Napoleon, possibly the greatest military genius the world ever saw. Hitler may be thinking about it at the moment. At one time some of Napoleon's generals told him that they were working on a scheme to try to land an army in England. Napoleon said that so far as he was concerned he was not interested; that he had figured out seven different schemes for landing an army in England, but that he had never been able to figure out one for getting his army out of England.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. DOWNEY. For 2 or 3 years Japan has been throwing its tremendous striking power into China. I believe the Senator from Oklahoma [Mr. LEE] will agree that the Chinese people do not have 10 percent of the striking or defensive power of the American people; and yet, as the Senator from Missouri knows full well, Japan is only a few hundred miles from the mainland of China and, according to authorities, is now almost destroying itself in attempting to conquer those people, almost within a stone's throw, infinitely weaker, with probably not as much military strength as the State of New York alone, or the State of California alone.

Mr. NYE. Mr. President, I recognize that there exists some little feeling that there is a desire on the part of some Senators unnecessarily to delay the hour when the Senate can reach a decision with respect to the joint resolution which is now pending. For my own part, I have no such desire whatsoever; and I know of no other Senator who desires that there shall be unnecessary delay.

I am delighted that there has been insistence on the part of the Senator from Missouri in making clear—or clearer than it has been made—the record relating to the industrial mobilization plan. There are other considerations in the exploration of the general subject matter before us to which the Senate could well afford to devote hours and days; but I have no desire unnecessarily to delay the decision which the Congress is being asked to make.

Mr. President, I rise at this time solely for the purpose of giving such answer as I am able to give to three or four of what I consider to be the most preposterous representations to which I have listened in my 15 years of service in the Senate of the United States. I have been amazed at some of the reasons which have been presented for the repeal of the arms embargo. I have been amazed at the will of some men to turn their backs completely upon the record of facts and devote themselves to guesses as to what might or might not be the result in the event of certain circumstances arising. I have heard Senators rise and ask, "What proof is there that England wants the arms embargo repealed?" There is only one answer to that question: What evidence is there that England does not want the arms embargo repealed?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CONNALLY. What evidence is there that Hitler does not want it repealed?

Mr. NYE. None whatsoever.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BARKLEY. There was a big celebration in Berlin last summer when it was discovered that the arms embargo was not to be repealed at that time.

Mr. NYE. I do not care how many celebrations may be held in Berlin, Moscow, Rome, London, or Paris. There is

one thing I wish the Senate of the United States would realize and that is the importance of abandoning any interest in what foreign nations have to say and what they are thinking and remembering a little more about what our real interests in the United States are.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. NYE. I yield.

Mr. BARKLEY. I thoroughly agree with that statement; but the Senator provoked this colloquy by bringing in Great Britain and referring to what she wanted or did not want.

Mr. NYE. The question has been raised, and the answer has been given. The question has been asked, What proof is there that England wants the arms embargo repealed? I say that not a soul in the United States is laboring under the impression that England does not want it repealed.

Mr. BARKLEY. So far as I am concerned, Mr. President, I am not interested in what England wants or does not want, or what Hitler wants or does not want. We can argue much on both sides as to what each of the belligerents would like. As Artemus Ward once remarked, "One man has as much human nature as another, if not more." I suppose the same statement is true of a nation. We might assume that Great Britain and France prefer to have the embargo repealed, and we might assume that Hitler and Germany do not want it repealed. I do not want any Member of the Senate to be actuated by the desire of either side as to what we shall do with the embargo and the neutrality law. I certainly am not actuated by any desire on the part of either side.

Mr. NYE. Then the Senator and I have everything in common.

Mr. BARKLEY. Not everything. We have that much in common.

Mr. NYE. We have at least that much in common.

Mr. BARKLEY. Yes; not everything.

Mr. NYE. Very well.

Mr. President, today we see scores upon scores of planes which have been produced since the arms embargo went into effect being moved to points where they can be quickly transported to England and France, where they are wanted, as soon as we shall have accomplished repeal of the arms embargo. Within the past 48 hours eminent Englishmen have arrived to add their numbers to the already large number who since last spring have been busily engaged for months in contacting educational institutions and other influences throughout the land, building up sympathy, building up sentiment, all of which, they seem to hope, might culminate in the repeal of the arms embargo, which they of necessity look upon as being a step which will accord the favor of the United States to their side, at least to the extent of whatever commercial relationship can exist during the conduct of their war in Europe.

Mr. President, I have heard very direct and very emphatic representations that our dependence upon the British Fleet and the continued existence of the British Empire are very essential to our own well-being in the United States and to the defense of the United States. Last night, in a period on a national broadcasting chain, I devoted myself to a discussion of the question of the embargo and national defense. In the interest of saving the time of the Senate, I ask unanimous consent that this address may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). Without objection, it is so ordered.

(See exhibit A.)

Mr. NYE. It would be laughable, if the consequences were not so serious, to listen to the representations of Members of this body who have risen in their places and pleaded that they thought that when the arms embargo was enacted in 1935, 1936, and 1937 its purpose was to prevent war in the world. That is why they voted for it; and in the light of that representation, because there has been war, the law is a failure.

Mr. President, there is not a man who can point to a single line in the CONGRESSIONAL RECORD, starting in 1935, where any Member of Congress represented that it was our purpose, through the neutrality law, to try to prevent war in the world. Instead the whole argument reveals that every Member of Congress who spoke his mind upon the subject recognized there would be war in Europe again, and they were writing the neutrality law and giving their support to it to the end that the United States might succeed in staying out of that war. But now one Senator after another comes forward and pleads that the law has failed because it has not prevented war; that it has failed to accomplish that which it was never intended to accomplish. I may come back to that record that was made in 1935, 1936, and 1937 later in my argument this afternoon.

Mr. President, I have been perplexed, dumbfounded, at the representation that has been made in the Senate to the effect that the munitions trade and the credit and financing end of it played no part in influencing American consideration to an extent affecting our entry into other people's wars. I have witnessed men turn their backs upon page upon page of thoroughly established writings, revealing not that the munitions makers took us to war, but revealing clearly that the munitions trade, the war trade, and the necessity for financing that trade, were basic to a larger consideration that ultimately had the United States tramping straight into a war, even, Mr. President, at a time when men were standing in their places and saying, "We are not going to war; we should like to see them drag us into their war over there; we want none of it; we will stay out of that war." Let no one be concerned about that.

The war mothers of another day, while being assured, day after day, by men who stood at their places in Congress that we were not going to war, the same mothers who today are Gold Star Mothers are being assured again we are not going to enter the European war and, being thus assured by men who wholly in their hearts believe what they are saying, who believe that we can repeal the arms embargo without jeopardizing our security and without weakening the chance that is ours to stay out of that European conflict. I would say, if I had to say it to myself, that none of us here knows what he may have to do in certain eventualities. I like to believe that under no circumstances will I ever cast a vote here that will move the son of a single American mother across the Atlantic or across the Pacific to engage in other peoples' wars, but at the moment I can see the possibility of eventualities which might make my position exceedingly embarrassing; and I say that if we will retain the arms embargo, supplement the arms embargo with a thoroughgoing cash-and-carry provision, and strengthen our neutrality law in other respects, we will have a much greater prospect of avoiding participation in that conflict abroad than would otherwise be the case.

It is contended that the munitions trade and the bankers' interests played no part in the considerations leading to our entry into the European war in 1917. What man who has access to the record of facts can honestly and consistently contend that our war trade played no part in our entry ultimately in 1917 into the European war?

Mr. President, on October 13, a week or so ago, I addressed the Senate on the relationship between our foreign policy from 1914 to 1917 and our huge war trade with the Allies which developed during those years. I spoke of the effect of the involvement of our industrial and financial machine with the cause of one set of belligerents on certain of our neutrality policies enunciated early in our period of neutrality. I indicated the way in which the growth of the munitions trade and the general war trade with the Allies, and the necessity of financing such trade, if it was to continue, affected our foreign policy. I quoted from our highest officials at that time to the effect that once we had allowed such a huge war trade to develop we could not refuse to finance it without disaster to ourselves.

My remarks were based on the documentary record of those years, a record which I insist speaks for itself; a record which those who have tried to answer have ignored completely. That record cannot be and has not been controverted. The documents introduced here by myself and others came from the records not of the Munitions Committee but from the records and files of our own Department of State, from the

files of J. P. Morgan & Co., who were the commercial and financial agent of the Allies during the World War; the documents and records came from the files of the Federal Reserve Bank of New York City and from the files of the Federal Reserve Board. Those documents, I insist, Mr. President, are real. No one has represented them or contradicted them as being otherwise than real. They, and not the undocumented assertions by Members of this body, are the record; and until they are controverted they remain the record. When in future years historians turn back to the pages of this debate and observe from the RECORD the undisputed facts which have been laid down and then note that in spite of that record of facts the Senate blindly turned its back upon the proven facts and did the thing that experience dictated so clearly it should not do, they will have cause to wonder about the considerations that moved men in this hour. Those records can neither be tossed off lightly or laughed out of existence, much as certain gentlemen might want to attempt to do that. Long after their undocumented remarks are forgotten the record will be remembered. Not a single Senator who has attempted to refute my address on our financial and industrial involvement in the years from 1914 to 1917 has yet challenged the basic documentary proof contained in the letters and memoranda of various of our highest officials in 1914, 1915, 1916, and 1917, which have been inserted in the RECORD by myself and by other Members of this body.

The majority leader of the Senate, the very able and distinguished Senator from Kentucky [Mr. BARKLEY], in his address before the Senate a few days ago quoted from an article by Newton D. Baker, a former Secretary of War, in which Mr. Baker stated that he had never had a conversation with a banker while he was a member of the Cabinet from 1916 to 1921. Note those dates, Mr. President—1916 to 1921. Well, the important change in our policy regarding credit to belligerents took place not in the years from 1916 to 1921 but took place in October 1914; and the important change in our policy respecting loans to belligerents took place not from 1916 to 1921, but took place in August and September 1915, long before Mr. Baker became a member of President Wilson's Cabinet.

In the matter of correspondence and conferences on the part of certain bankers and, at different times, certain high officials of the State Department, Treasury Department, Federal Reserve Board in 1914, 1915, and 1916, on the subject of credits and loans to the Allies, I refer the Senate, in addition to the documents inserted in the RECORD on October 13, to the Senate Munitions Committee report, part 6, pages 19, 21, 39 to 42, 44 to 46, 50 to 52, 106, 121 to 123, 129 to 132, and to the committee hearings, parts 25, 26, 27, and 28.

Mr. President, I care not what may be the individual reaction of individual Members of the Senate or of any other person to the work that was done by the Senate Munitions Committee; I care not where they may want to place blame or credit; I care not how much they may want to criticize the work that was done; but I do have reason to believe that for generations to come the work which that committee performed, participated in industriously by seven Members of the Senate, will stand the test of time and serve constantly as a warning to America as to what not to do and what to do in some respects when we are again challenged from abroad.

Mr. LEE. Mr. President——

Mr. NYE. I yield to the Senator from Oklahoma.

Mr. LEE. Let me say that the personal opinion of this one Senator is that the Munitions Committee did a fine job, and it was very wholesome to have the light turned on the unconscionable profits which were made during the war.

While I am on my feet, let me remind the Senator that when the fine work of that committee had not been finished, and the committee came back to this body and asked for more money to continue the Senate munitions investigation, this body did not grant the money, but the President of the United States himself secured the money from another department of the Government and made possible a continuation of the fine work of the committee.

Mr. NYE. Mr. President, I have always appreciated the thorough good will of the Senator from Oklahoma toward the Munitions Committee; but I have no recollection at the present time of the President ever rallying to the assistance of the committee to the extent he has stated. We have always gotten from the Senate the money we asked for from the Senate. If the Senator is trying to say, as I think he means to say, that the administration, through the President, loaned its agencies of government to the use of the committee during the investigation, he is quite right.

Mr. LEE. W. P. A. money was spent for work through W. P. A. employees to continue the work of the committee.

Mr. NYE. That is correct; but never was it a case of dependence upon W. P. A. to continue or to prosecute further the investigation which was being made.

Mr. CLARK of Missouri. Mr. President——

Mr. NYE. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. What the Senator from North Dakota says is perfectly correct. It is true that during the progress of the munitions investigation the President at various times very generously and wholeheartedly put the assistance of various agencies of the Government at the disposal of the Munitions Committee. For instance, at times we borrowed some experts from the Interstate Commerce Commission; we borrowed some experts from the Navy Department and the War Department by the President's order, and certain clerical assistance was put at our disposal as a W. P. A. project. It is not true, however, that we ever came to the Senate and the Senate refused to provide any necessary funds, and that thereafter the President provided them.

I merely want to keep the record straight.

Mr. LEE. The Senator is correct in that statement. I remember, however, that when the question was considered, and there was discussion about it, while of course the decision was not actually made, there was considerable talk to the effect that it might not be possible to continue to supply the necessary funds; at least, I heard that said. It is true that the President did cooperate in every way.

Mr. CLARK of Missouri. The President at all times cooperated wholeheartedly in the munitions investigation.

Mr. NYE. That statement is never going to be disputed.

Mr. CLARK of Missouri. And he put at our disposal documents and clerical assistance which we could not have secured in any other way.

Mr. NYE. That is quite correct.

Mr. BYRNES. Mr. President——

Mr. NYE. I yield to the Senator from South Carolina.

Mr. BYRNES. The Senator, however, as chairman of the Munitions Committee, will state that the resolution of the Senate authorized the departments to furnish those employees to the committee.

Mr. NYE. That is true.

Mr. BYRNES. I do not want the President charged with that responsibility.

Mr. NYE. Mr. President, returning now to the insistence of some of our leaders that war trade, bank credits, and bank loans were playing no part in the consideration which had put us on the road to war in 1914, 1915, 1916, and early 1917, let me say to those who refer to the nonexistence of a sizable munitions industry up to the time of our going to war in 1917—as Mr. Newton D. Baker has insisted and been quoted, apparently with approval, by the senior Senator from Kentucky [Mr. BARKLEY]—that I must, even though it necessitates going back briefly over some old ground, demonstrate that there was a munitions industry in this country before we went to war. I must insist that that munitions industry was sizable, and that its conduct before we went to war was such that it was not ready to respond to the needs of the United States Government when we did go to war.

The Du Pont Co. stated that their war orders for explosives alone from September 1914 to December 1915 were $343,000,000 worth. Is anyone going to argue that that was an insignificant trade? Why, a Du Pont annual report stated that the Du Pont output was 40 percent of the amount of propellent explosives made throughout the world for the

Allies during the war. Is an industry that can produce 40 percent of the total output of propellent explosives an insignificant industry?

During the years 1915 to 1918, inclusive, the Du Pont Co. paid dividends which add up to 458 percent on the par value of its original stock; but men will rise and say that we had no munitions industry of any import prior to our entry into the World War—no industry so sizable that its well-being might have a tendency to lead a country, quite unconsciously, but lead it nevertheless, on into a war that was none of our business.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. NYE. Just one moment, and I will gladly yield.

In contrast, Mr. President, to this percentage of dividends that the Du Ponts were paying in that period, pre-war earnings of the Du Ponts had been 10 percent in 1911, 11½ percent in 1912, and 12.8 percent in 1913. The then president of the Du Pont Corporation explained their situation in 1916, and I quote him:

> If the war had ended, we would have been in a bad condition.

He was explaining that they would at one time have had to return $100,000,000 to the Allies.

I now yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, did I correctly understand the Senator to say a while ago, in effect, that the munitions makers led us into the war?

Mr. NYE. No.

Mr. CONNALLY. Would the Senator mind having the Official Reporter repeat what he said on that subject?

Mr. NYE. Mr. President, I am so sure I did not say that that I am not going to stop to quibble about it now, but if the Senator will get the transcript of the remarks and point to anything that even alluded to that, I shall come back to it.

Mr. CONNALLY. If the Senator will further yield. I will state what I understood the Senator to say. He referred to the $400,000,000 profit that the Du Pont Co. are supposed to have made from their war business, and I do not challenge that statement. He then said that it was accompanied with so much profit that he would not be surprised if it had unconsciously, so far as the people were concerned, led us into war.

Mr. NYE. No; I did not say that, Mr. President.

Mr. CONNALLY. Has the Senator ever charged that the munitions makers got us into the war? Does he make that charge?

Mr. NYE. Mr. President, I understand precisely what the Senator is getting at.

Mr. CONNALLY. I am glad the Senator does.

Mr. NYE. I am going to come back to that subject. If the Senator will pardon my stepping beyond it at the moment, so that I may make a connected argument on the extent of the munitions industry at that time, I shall be happy to come back and meet what some are so eager to charge has been a representation on my part that it was munitions makers and bankers who took the United States into the World War in 1917.

Mr. CONNALLY. Regardless of whether there was a big munitions outfit or a little one or a medium-sized one or an inconsiderable one or a giant one, does the Senator now charge, and has he ever in the past charged, that the United States was led or forced or induced to enter the World War by the munitions manufacturers?

I should like to have a categorical answer to that question, and then the Senator may proceed.

Mr. NYE. Whatever approximating that the Senator from North Dakota has said has been that the war trade and the credit and loan interest has assumed proportions that were basic to the building in the United States of an economy that ultimately became dependent upon a continuation of that war. I am going to come back to that subject. I plead with the Senator to wait until I can conveniently do so.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from South Carolina.

Mr. BYRNES. Did the Senator state that no member of his committee had said that the bankers and munitions manufacturers were responsible for influencing our entrance into the war?

Mr. NYE. Will the Senator repeat his question?

Mr. BYRNES. I say, did the Senator state that no member of his committee had made the statement that the bankers and munitions manufacturers were responsible for our entering the war?

Mr. NYE. I think I have made that statement. If I have not made it, I should be inclined to make it right now. [Laughter.]

Mr. BYRNES. The Senator, in a radio broadcast which is in the CONGRESSIONAL RECORD, and which he is supposed to have made on May 27, 1935, is quoted as saying:

> Did the American people know that they were fighting to save the skins of the bankers who had coaxed the people into loaning $2,000,000,000 to the Allies?

The Senator said that; did he not?

Mr. NYE. Yes; but I wish the Senator would read in entirety what was said before and after that particular declaration. It might make a difference.

Mr. BYRNES. I do not have it here, or I should be glad to do what the Senator suggests.

In a radio broadcast on August 27, 1935, the Senator is quoted as saying:

> The bankers—particularly the Morgan firm—finally grew fearful of their position. Today the record very clearly establishes the fact that because of these bankers and munitions makers our declared neutrality of 20 years ago was only a dream.

The Senator is quoted as having said, this month:

> Much has been said about our financial and industrial involvement with the Allied cause as the underlying reason for our going into the war in 1917. However, what is meant by this term is not always clear. I have heard men make impassioned speeches to show how impossible is the thought that a great country such as ours could go to war to protect the profits of munitions makers and the risky loans of bankers. I could make such a speech myself. No such thing ever happens. I know of no responsible person who ever said or thought that this country went to war to protect Du Pont's profits or Morgan's loans.

Because the quotations from the two speeches are in conflict——

Mr. NYE. I insist they are not in conflict in the least.

Mr. BYRNES. What I wanted to ask the Senator, if he thinks they are not, is whether he would give the Senate his explanation of the difference; and I am asking only because there appears to be a direct conflict.

Mr. NYE. Very well; in a word I say to the Senator from South Carolina that if we had not developed that wartime trade during our days of neutrality—and we could not have developed it except that American bankers were ready to underwrite it, and did underwrite it to a point where they utilized all of their own credit—the United States might never have been challenged, as it was ultimately challenged, to go the steps further—which it did take—steps which ultimately took us straight into the European conflict.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. Not yet. If there is any Member of the Senate who feels that any other Senator has done an injustice to the munitions makers, I think I can cite him to a representation in the Senate which did not make a very good case for the munitions makers, and I wish to read it. This language was read from the desk in the Senate one day:

> The private and uncontrolled manufacture of arms and munitions and the traffic therein has become a serious source of international discord and strife. * * * The peoples of many countries are being taxed to the point of poverty and starvation in order to enable governments to engage in a mad race in armaments which, if permitted to continue, may well result in war. This grave menace to the peace of the world is due in no small measure to the uncontrolled activities of the manufacturers and merchants of engines of destruction.

The date of that word read to the Senate was May 18, 1934, in the form of a message of the President of the United States to the Congress of the United States.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BYRNES. I am not interested in the Senator's view of the munitions manufacturers. I am interested in his view

as to whether or not his statement can receive any construction other than that the Morgan firm finally grew fearful of their position, and, because they were fearful, they influenced the Congress of the United States to vote for the war resolution?

Mr. NYE. Where is there any reference to the Congress of the United States having been influenced to vote for the war declaration?

Mr. BYRNES. The Senator knows that there could be no war resolution unless the Congress of the United States voted it, and that the Congress did vote it. I only wish to know whether the Senator charges that the Senator from Idaho [Mr. BORAH], the Senator from Virginia [Mr. GLASS], the Senator from California [Mr. JOHNSON], the Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. CONNALLY], and the other Members of the Senate were influenced by Morgan & Co., bankers, or by munitions manufacturers, to vote for the resolution under which this Nation went to war.

Mr. NYE. Mr. President, the Senator's question hardly merits an answer. Certainly not.

Mr. BYRNES. Certainly not?

Mr. NYE. Certainly not.

Mr. BYRNES. If the Senator says that they were not, then Morgan & Co. and the munitions manufacturers had no effect upon the men who cast the votes and passed the war resolution.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I gladly yield.

Mr. CLARK of Missouri. The statement of the Senator from South Carolina by no means follows, and the Senator from South Carolina is undertaking to create a wholly false issue. So far as I have ever heard, no one has reflected on any Member of the Senate or any Member of the House of Representatives. It has been pointed out that a situation which had come into being over a period of several years, prior to our entry into the war, partly by the Morgan manipulation of the exchange market, which changed our original neutrality position, and partly by the tremendous involvement of the United States, as pointed out by Ambassador Page, had created a combination of many elements, all of which, taken together, finally led us into the war. No one has ever reflected on the Senator from South Carolina, the Senator from Texas, the Senator from Idaho, or anyone else. I say that the remarks of the Senator from South Carolina are an attempt to inject a wholly false issue into the discussion.

Mr. BYRNES. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. BYRNES. The people of America know that the war resolution could not have been adopted except by a vote of the majority of Congress. If it is said that by any manipulation of Morgan & Co. or munitions manufacturers Members of the Senate and of the House voted for it, they voted for it either intentionally because of the influence of the manufacturers and Morgan & Co., or, as the Senator from Missouri suggests, because they did not have sufficient intelligence to understand the motives that were really actuating them.

So far as the Senator from South Carolina is concerned, I voted for the war resolution, not to make the world safe for democracy, not at the behest of munitions makers or bankers, but because the German Government, after continued protests from this Nation, continued to sink American ships, kill American citizens, and destroy American property. I voted as the people of America wanted the Congress to vote, to protect the lives and the property of American citizens whenever they are upon the high seas on peaceful mission bent.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota yield to one more interruption?

Mr. NYE. I yield.

Mr. CLARK of Missouri. As I have stated, no one has reflected, so far as I have ever heard, on the integrity of any Member of the House or the Senate who voted for the war resolution. Nevertheless, it is true that we now know a great many things we did not know 20 years ago. It is entirely possible that if the Members of the House and the Senate had known as much about the causes which led up to the war, and of the diplomatic processes which had been going on, as they afterward learned, they would not have voted for the declaration of war. Certainly it is not necessary, as a condition precedent to believing in the integrity of any Member of the House or the Senate in 1917, to assume that he has not learned anything in 20 years, and that his mind stopped operating on the day the declaration of war was adopted.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BARKLEY. Not only in this debate, but for the last few years, the insinuation has constantly been made that the bankers and munitions makers were responsible for our entering the war in 1917. It serves no purpose to keep throwing out those hints and yet individually exculpate Members of the House and the Senate of any wrongdoing in connection with the war resolution.

It is neither true that those who were Members of Congress were wholly dumb during the period from 1914 to 1917, nor is it true that they were unacquainted with what was going on. Every diplomatic note, every representation made by the Government of the United States was made public. There was no secret diplomacy, so far as I know, between the State Department and President Wilson——

Mr. NYE. Is the Senator saying that every document was made public?

Mr. BARKLEY. I do not mean every document and memorandum and every conversation, but all the protests and representations which set forth our position during that entire period were made public. So that the Members of Congress were not altogether unaware of what was going on. They knew the history of the whole development, and I do not think it is fair to say that they were ignorant of the situation. But that is not the matter about which I rose to question the Senator.

Mr. NYE. If I may interrupt at that point, before the Senator goes further, what he has said is not in contradiction of anything I have ever stated.

Mr. BARKLEY. I am not saying that it is.

Mr. NYE. Very well.

Mr. BARKLEY. The Senator has mentioned the enormous credit and trade developed during the two and a half years from 1914 to 1917. Would the Senator be able or willing to tell us what percentage of that trade represented articles now included in the embargo?

Mr. NYE. That is my purpose here this afternoon, and the Senator will be pleased, I am sure, by the complete demonstration I shall make of just what part of our foreign trade was arms, ammunition, and instruments of war. I do not believe the Senator himself realizes how extensive that trade was.

Mr. BARKLEY. What I should like to ascertain, if it was so extensive as to have brought us into the war, is why it was that it took us nearly the entire period of the war, after we got in it, to develop an airplane; why it was that for most of the period of the war after we got into it we had to purchase our supplies from France?

Mr. NYE. I think I shall be able to show that to the Senator also.

Mr. BARKLEY. I hope the Senator will.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. MEAD in the chair). Does the Senator from North Dakota yield to the Senator from Texas?

Mr. NYE. I yield to the Senator.

Mr. CONNALLY. Much has been stated about what the Senator has not said or has said in the past, and what he did

not mean when he did say it. This is what he said today, according to the official reporter:

During the years 1915 to 1918, inclusive, the Du Pont Co. paid dividends which add up to 458 percent on the par value of its original stock; but men will rise and say that we had no munitions industry of any import prior to our entry into the World War. No industry so sizeable that its well-being might have a tendency to lead a country—quite unconsciously, but lead it, nevertheless—on into a war that was none of our business.

Now, let me ask the Senator——

Mr. NYE. Let me suggest to the Senator that there will be no revision of those remarks by me.

Mr. CONNALLY. Not now, because they are now a part of my remarks.

Mr. NYE. I meant just what I said; they will appear in the RECORD just as the Senator read them.

Mr. CONNALLY. The Senator denied that anyone led us into a war, but he said the munitions makers are so sizable that their well-being might well have a tendency to lead the country quite unconsciously into war. In other words, they would fool the country. The country would not know that it was being led. The country would be led unconsciously, but led nevertheless.

Quite unconsciously, but lead it nevertheless, on into a war that was none of our business.

Mr. NYE. Precisely, Mr. President, as a developed war trade today, with the repeal of the arms embargo, will lead the United States unconsciously, but lead it nevertheless, a little closer to the doors that are being opened for us to get into their war.

Mr. CONNALLY. What did the Senator mean, if he will yield further, when he said that in 1917 we were led "into a war that was none of our business"? Does he believe that it was none of our business that Americans were murdered on the high seas? Does he regard it as none of our business that ships which were sailing the seas engaged in their peaceful pursuits were sunk on the high seas not alone in violation of every international law but of every law of humanity? Does he mean that all that was none of our war or none of our business? Does the Senator mean that the present war is none of our business?

Mr. President, I think it is a shameless, a baseless, and an infamous thing that opponents of the embargo now, in order to seek to justify their present opposition, should smear all over with slime the record of America in entering the World War, and cast a reflection not alone upon the President and all the Members of the Congress, but upon every soldier and every marine and every member of the Navy, all the fighting forces that shed their blood and brought back in their wounded and maimed bodies the badges of honor and of service. I think it is infamous for the opposition to establish a basis or premise here by besmearing, vilifying, and defaming the record of the United States in the World War.

Mr. NYE. Mr. President, I shall never cease paying my respects to that part of America's manhood which, starting in 1917, rallied to the cause to which they gave their bodies, their lives, and offered their all. Never, never, never shall I cease paying respect to them. Nor shall I ever bring myself to believe for one moment that any Member of Congress in 1917 rose in his place and voted for a declaration of war for causes which we now conceive to have played a large part in moving us in the direction of war. Never will I believe that.

But, Mr. President, those boys who rallied, and that Congress which rallied, having rallied to the causes which were alleged, having lost every blessed one of those causes, without an exception, have a right to rise up in their places today and say, "Do not do that same thing with my son."

Why did we go into the war? The Senator said here this afternoon that it was because the Germans sank our ships and murdered our sailors. What was it that did the sinking? German submarines under the so-called unrestricted submarine warfare. The United States once had it in its power to stop that unrestricted warfare by simply prevailing upon England to abandon her unlawful blockade of Germany. Lord Grey said that their trade over here was of such importance at that time that if we had put it up to Great Britain in that light—"No trade unless you abandon this illegal blockade"—Great Britain would have been obliged to give in, abandon her blockade as respects foodstuffs, and there would have been no unrestricted submarine warfare.

It was the unrestricted submarine warfare that took us into the World War. The submarine did it. Great men, students, learned men, men who occupy presidencies of great universities, are among those still insisting to this day that it was the submarine that took the United States into that war.

Mr. President, it has been noted time and time and time again in the RECORD, but once more let it be noted, that Germany and no other nation upon the earth could have had a submarine at that time except as the right to possess, the right to buy the patents, plans, and designs needed for construction of submarines, was made available to those that had the price to pay for them by an American corporation which made a stupendous fortune out of the business of arming all the world with submarines.

Our own American conceiving, our own American construction, men say to this day, was responsible for our entry into Europe's war.

I want a better reason than that, and the boys who were in the service want a better reason than that for having been called to make the sacrifice which they finally made.

Mr. President, I hope that that was not the purpose; but if the present interruption was intended to divert me and to drag me away from demonstration of the existence of a large munitions trade in 1914, 1915, 1916, and 1917, I want the RECORD at this point to make note that I have not lost that string, and I shall now come back to it to the extent, perhaps, of repeating a statement which I wish Senators, if they have not already done so, may fix in their own minds.

The president of the Du Pont Corporation explained in 1916 their situation in these words:

If the war had ended, we would have been in a bad condition.

He was explaining at the time that they would at one time have had to return $100,000,000 to the Allies. Mr. Pierre du Pont stated:

We came into this war in 1917 with plants capable of making 400,000,000 pounds of powder annually in our own country. The annual report of the Du Pont Corporation in 1916 stated that the taxes in 1916 alone will aggregate an amount equal to 170 percent of our entire net earnings for the year 1912, in which year we had the largest earnings in the history of the company.

Mr. President, I may remark that this is slightly indicative of the keenest kind of growth, starting in 1914, of the munitions industry in this land.

The idea that there were no munition makers in America at the end of 1916 to the beginning of 1917 who profited from a continuation of the war, and who would have lost by its sudden close, is simply preposterous, and it is not believable that a Member of the United States Senate would rise in his place and so contend.

The following names of companies, and the types of munitions and material produced, are from exhibit No. 2156, beginning at page 7941 of the Senate Munitions Committee hearings, part 26. Mr. President, the table from which I am quoting was prepared from the J. P. Morgan & Co. records, and I am citing from it only arms, ammunition, and implements of war produced for the British Government by American companies in 1915 and 1916, for which payment was made by J. P. Morgan & Co., commercial and financial agency for the British Government during the war. No reference is made to the sales made to France; no reference is made to the sales made by other agencies than J. P. Morgan & Co. to England.

The Allegheny Steel Co.—and this is the information the Senator from Kentucky was so eager to have—was producing $1,800,000 worth of shell forgings and shell steel for the British Government in 1916.

The Aetna Explosives Co. was producing $1,300,000 worth of nitrocellulose powder for the British in 1916.

The American Munitions Co. was producing $1,600,000 worth of fuzes for the British in 1915.

But that, Mr. President, was small potatoes, that was nothing by comparison with what other corporations were doing.

The American Can Co. was manufacturing $32,800,000 worth of shrapnel shells for the British in 1915 and 1916.

The American Car & Foundry Co. was manufacturing $30,000,000 worth of shells for the British in 1915 and 1916.

Oh, what a miserably insignificant trade was the trade in munitions.

The American Locomotive Co. was manufacturing $94,000,000 worth of shells and fuzes for the British in 1915 and 1916. No munitions trade? It was insignificant. It was of no influence, no weight at all, prior to our entry into the World War.

The American Steam Gauge Co. was making four and a half million dollars worth of fuzes for the British in 1915 and 1916.

The American Steel Foundries were manufacturing $35,000,000 worth of shells for the British in 1915 and 1916.

The Ansonia Manufacturing Co. was producing $4,600,000 worth of fuzes for the British in 1915 and 1916.

The Artillery Fuse Co. was making $6,100,000 worth of fuzes for the British in 1915.

The Baldwin Locomotive Co. was manufacturing $32,000,000 worth of—what? Locomotives? Thirty-two million dollars worth of shells for the British in 1915 and 1916.

The Bethlehem Steel Co. was producing $183,000,000 worth of shells and ammunition for the British in 1915 and 1916.

The E. W. Bliss Co. was making $33,000,000 worth of shells and explosives for the British in 1915 and 1916.

The Bartlett-Hayward Co. was manufacturing $14,500,000 worth of shells and ammunition for the British in 1915 and 1916.

The Senate will note I am still in the B's.

The J. G. Brill Co. was producing $1,500,000 worth of shells for the British in 1915.

The Burton-Richards Co. was making $4,500,000 worth of TNT for the British in 1915 and 1916.

No trade in munitions to speak of. Not an influence upon our economy. Mr. President, I point out that those I have mentioned are only the A's and B's of the alphabet of American corporations which were doing a business in arms, ammunition, and implements of war with Britain alone in 1915 and 1916. I have gone through only the A's and B's and have not tried to cover them all. I shall be most happy, if the Senator from Kentucky insists, to go through the C's, D's, E's, F's, G's, and so forth, down through the Z's. I have page after page of them, revealing how very tremendous became the trade in munitions in the United States for foreign governments in 1915 and 1916.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I am glad to yield.

Mr. BARKLEY. To what extent did the concerns which were selling these products to Britain and France lose that business when we entered the war? To what extent were they required to curtail sales abroad in order that they might supply our own Government?

Mr. NYE. I shall show the Senator that most of them did not curtail sales abroad at all. They even continued furnishing foreign governments at the expense of our own national defense, refusing to fill the orders of the United States Government when American bankers insisted that industries first fulfill the orders of foreign governments. I shall show that to the Senate.

Mr. BARKLEY. Was that on the ground that they had contracts that they could not revoke?

Mr. NYE. In part; just as there are now floods of contracts in American aircraft factories from Britain and France to such a point that the expectations of our Army and Navy with respect to the supply of aircraft for our own Military Establishment are not being fulfilled.

Mr. LEE. Mr. President, will the Senator yield?

Mr. NYE. I yield

Mr. LEE. Would not legislation to prevent war profiteering take care of the condition to which the Senator is referring? I am in full agreement with the Senator in his fight against war profits and his effort to remove anything that might be an incentive to war, but would not that problem be taken care of by legislation to prevent profiteering in wartime?

Mr. NYE. Mr. President, I do not believe any legislation proposed in the name of war-profits legislation would have had the least effect upon our 1914 and 1915 trade with the Allies, or would have any effect upon our present trade with the Allies, or our trade with nations at war, up until the time we become actively a part of such war. I should like to reach the situation which we now have and which we had in 1914, 1915, and 1916—and I think the Senator from Oklahoma agrees with me—with a tax program. In 1914, 1915, and 1916 the Government levied a so-called munitions tax, which did not amount to very much. It might have been much greater than it was, to the greater security of the United States and its people.

Mr. LEE. At the present time, regardless of what may happen in the future, it seems to me a good preventive measure would be for Congress to pass anti-war-profiteering legislation. The Senator, himself, is a coauthor, along with many other Senators, of tax legislation which would recover profits resulting from war. Such legislation could even be made to apply to profits from any wars, regardless of whether or not the United States participated. My understanding of such legislation is that it is intended to prevent, so far as possible, any interest in anybody else's war, and to remove any possible profit incentive from war. It seems to me the facts to which the Senator is referring deal with the situation of war profits, and should be taken care of with war-profits legislation. We have such legislation pending. The President, in two speeches to Congress, has recommended legislation to prevent war profiteering. It seems to me that is a question which must be dealt with by separate legislation.

Mr. NYE. It is; and, knowing of the Senator's keen interest in accomplishing that kind of legislation, I will say to him that there is no road on which I will not go with him to the end in securing the passage of adequate wartime tax legislation. Perhaps when we are through with the pending legislation we may have an opportunity to provide some taxation to apply to American industries which grow fat at the expense of other peoples' wars, and to the incomes of which we ought to have larger access.

Mr. MINTON. Mr. President——

Mr. NYE. I yield to the Senator from Indiana.

Mr. MINTON. I should like to ask the Senator from North Dakota whether or not I understood him correctly a moment ago. Did the Senator say that our air program was not keeping up with schedule, and that it was somehow being delayed?

Mr. NYE. I did.

Mr. MINTON. The Senator's source of information is different from that of the officer who is charged with responsibility for the progress of the program. I refer to General Arnold, who told us not more than a week ago that the Army was abreast of its schedule with its air defenses in the program mapped out by the Congress. He has the responsibility for that program.

Mr. NYE. Mr. President, in a previous address to the Senate on October 13, I made reference to this same matter. The RECORD is complete with respect to my views and representations upon that score. On a previous date the Senator from Wisconsin [Mr. LA FOLLETTE] dwelt at great length upon the interference with our own production for national defense in the form of aircraft. I shall not go back over that ground again at this time.

I return to the point I was making. I have gone through only the A's and B's, citing a very small part of American industry which was filling tremendous orders for the Allies in 1914 and 1915, and building a tremendous munitions trade in this country, in answer to those who have been insisting that the munitions industry in the United States in 1914, 1915, and 1916 was insignificant and did not amount to anything at all. I repeat, that the cases which I have cited take us only through the B's on the Morgan contracts for

the British on arms, ammunition, and implements of war. If Senators need further facts to convince them of the existence of a very large-scale munitions industry throughout the country in 1915 and 1916, I can continue through to the end of the list, and then begin on the arms, munitions, and implements of war produced by American companies for the French, paid for through Morgan & Co. in 1915 and 1916. This industry was equipped to produce munitions of war for the British and the French. No request has been made for further reading; but I note, for the information of Senators who are interested that if they will consult part 26 of the munitions industry investigation they will find, starting at page 7941 and running to and including page 7985, how extensive was the trade with Great Britain alone handled through J. P. Morgan & Co. during the 2 years prior to our entry into the war.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. NYE. I gladly yield to the Senator from Georgia.

Mr. GEORGE. I should like to ask the Senator at that point if the credits handled by J. P. Morgan & Co. for the British and French did not also comprise other things than arms and munitions?

Mr. NYE. No, Mr. President. I have gone through the list and have selected only those items which would lend themselves to the classification of arms, ammunition, and implements of war under the arms embargo.

Mr. GEORGE. I understand what the Senator has done. My question is, Did not J. P. Morgan & Co. also handle other credits? Were they not also purchasing agents for the Allies in connection with food supplies?

Mr. NYE. They were.

Mr. GEORGE. Yes.

Mr. NYE. But that is not included in the figures I have quoted here today.

Mr. GEORGE. I understand and appreciate that. I was asking that question preparatory to asking another question. During the World War, from 1914 to 1916, we had a very great expansion in all our commerce and trade with belligerent countries, did we not?

Mr. NYE. That is quite true.

Mr. GEORGE. Will the Senator be able to point out during the course of his address the percentage of that trade and commerce which properly should be allocated to arms, munitions, and implements of war and to other articles that would not be used for war purposes?

Mr. NYE. I think I can approximate the figures at this time. If I am not mistaken, of our total trade with Great Britain in those 2 years, somewhere between 22 percent and 24 percent was confined to arms and munitions and instruments of war, and about 13 to 14 percent of our whole trade with France during that period lent itself to the description under that category of arms, ammunition, and instruments of war. Does that answer the Senator?

Mr. GEORGE. Yes; but I also wanted to invite the Senator's attention to the fact that in the period of the World War, with such a large portion of the world involved, there was bound to be a certain war economy in any nation that was supplying large quantities of raw materials or of manufactured products or both. I think we could all agree upon that.

Now I wish to invite the Senator's attention to the fact that although credit was not extended directly by the munition makers, was it not one of the chief vices of the 1914, 1915, and 1916 period that credit was extended in the United States for arms, munitions, and war supplies?

Mr. NYE. Yes; I think those of us, including the Senator from Georgia, who served upon the committee to which I have referred, came very definitely to that conclusion.

Mr. GEORGE. Of course, I know the Senator is not unmindful of the fact that in the measure now before the Senate we have pressed our ingenuity almost to the breaking point to prevent the extension of credit for arms, ammunition, and implements of war.

Mr. NYE. I wish I could feel with the Senator that all the loopholes have all been stopped, but I cannot do so.

Mr. GEORGE. I would not say that "all have been stopped," but we have gone as far, I think, as any great nation has ever gone to prevent the extension of credit for strictly war purposes.

Mr. NYE. I think that is quite true.

Mr. GEORGE. I think I fully appreciate the Senator's argument, and that is that in the period of 1914 to 1916, inclusive, we had in this country a rapidly developing war economy. That is unavoidable, and my distinguished friend from Oklahoma [Mr. LEE] is not going to remedy that situation by locking the stable after the horse has been stolen. He will by heavy taxes only add to the difficulty.

Mr. NYE. That is true.

Mr. GEORGE. He will only increase in any wartime period the cost of living and the cost of everything the people have to buy. It is very proper to tax excess war profits, but there is no real way to avoid a war economy as I see it. We may limit it or we may restrict it.

Mr. NYE. May I suggest that there is a real way, though probably a way in which only a small minority of the Members of the Senate would concur. That would be a complete embargo upon all trade with nations at war. We could prevent then the expansion of that kind of economy.

Mr. GEORGE. That might accomplish it, and, I think, perhaps, it would.

Mr. NYE. I beg the Senator's pardon; there would be one more method, and that would be to restrict wartime trade on the basis of the normal flow before war arose, and strive to maintain on a quota basis only that normal average flow of commerce to nations at war.

Mr. GEORGE. I would not want to enter into that discussion, because I apprehend that neither this Nation nor any other great nation would pay a price of that kind now when productive capacity is so great.

The point I wanted to bring to the Senator's attention was that certainly in this measure now before the Senate we have gone to the utmost—indeed, I know of no great power in the history of the world that so exhausted its ingenuity as we have in the pending joint resolution—to prevent the building up of a war economy, at least on a credit basis, which was the vice of conditions which arose in the United States between 1914 and 1916, inclusive. Of course, the war economy itself, though on a strict cash basis, has certain very great disadvantages; certain very palpable objections; I grant that; but I think that we must look at these questions practically, and there is a point beyond which we cannot go in dealing with our people. Therefore, when we have taken away the opportunity of building a war economy in this country on the credit basis, which I concede to be the vice of what happened between 1914 and 1916 in the United States so far as it may have been one of the influences that led us into the World War, I want to direct the Senate's attention to the fact that we have gone certainly a long way to prevent a war economy built upon credit.

Mr. NYE. I agree with that, and I agree that we went a long way in 1937 when we wrote what is now the Neutrality Act. We had gone a much further way on the 1st day of last May than we had on the 2d day of May when the administration permitted a part of our neutrality law of 1937 to expire; namely, the cash-and-carry feature, which applied to all commerce that was not covered by the arms embargo. There is no denying that the administration let the cash-and-carry feature of the law die, the same forces that today are arguing we must have cash and carry.

The Senator from Georgia makes the point that we have gone a long way. We have done so. The pending measure, though it lends itself to a great deal of criticism, which will be voiced when we get to the amendments, does go a long way, further by far, I presume, than anyone would have dared a dozen years ago to believe a nation would ever go. But right here and now we can go a considerable degree further. If we will only hang on to the arms embargo, and then adopt cash and carry and make it apply upon such commodities as the embargo does not cover, we can destroy

what might be a heavier influence upon us than we are ready and willing now to admit.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. NYE. I yield.

Mr. SCHWELLENBACH. May I ask the Senator why he says that on the 2d day of May the administration permitted the cash-and-carry provision to expire? Did it not expire as a matter of operation of law under the terms of the act itself?

Mr. NYE. That is correct, but without any effort on the part of those who are now seeking to reinstate the cash-and-carry provision to accomplish its renewal.

Mr. SCHWELLENBACH. The Senator, I think, must stand corrected, in that those of us who are interested in the administration did everything we possibly could to try to get some such provision in the law last May. We started hearings, as I remember, in April, and were ready to go ahead. The responsibility for the failure of the cash-and-carry provision, which expired on the 1st of May to be reinstated in the law cannot be transferred from those who refused to permit it to go through at that time over onto the administration. It was the administration that wanted to reinstate it. I I have no objection to argument as to the merit or the lack of merit of the arms embargo, but certainly the Senator from North Dakota is not being fair with the administration when he says that it was the administration that made it possible for the cash-and-carry provision to expire on the 1st day of May.

Mr. NYE. Who did make it possible for the arms embargo to expire on the 1st of May?

Mr. SCHWELLENBACH. The same gentlemen who are attempting to defeat this legislation at the present time.

Mr. NYE. The same gentlemen who are now attempting to retain the arms embargo and write into the neutrality program a provision which will provide a cash-and-carry cover-all for other commodities? Is the Senator saying that the Senator from Missouri [Mr. CLARK] and I, who last spring introduced legislation which was referred to the Foreign Relations Committee, asking for a renewal of cash and carry, are responsible for its death last May?

Mr. SCHWELLENBACH. I say that absolutely. There are some Members of this body who believe they know so much more about this question than anybody else that if the "t's" are not crossed the way they want them, or the "i's" are not dotted they way they want them, then the whole thing must go out of the window; they are willing to stand up and fight.

Mr. NYE. Mr. President, the Senator from Washington is saying that the Senator from Missouri [Mr. CLARK], the Senator from Michigan [Mr. VANDENBERG], and I last spring were not ready to trade cash and carry for repeal of the arms embargo. If that is what he is trying to say, I plead guilty; but that does not have anything to do with the will that was here then, as it is now, to renew cash and carry, but leave the arms embargo where it is.

Mr. SCHWELLENBACH. Will the Senator again yield?

Mr. NYE. I gladly yield.

Mr. SCHWELLENBACH. I do not think the Senator is quite correct, and I doubt either the patriotism or the statesmanship of making a statement of that kind in the discussion of this very serious question, that anybody wanted to make a "trade." I believe that the United States can best stay out of war by means of the repeal of the arms embargo. The Senator from North Dakota disagrees; but at that time and at this time I think the Congress of the United States should take some action upon it, and certainly it was not the administration that stopped action during May, June, and July of this year. It was those who were opposed to the administration who stopped action at that time.

Mr. NYE. Mr. President, coming back again to the influence, the magnitude of the munitions industry in the United States in 1915 and 1916—which, after all, is the thing I am trying to establish here this afternoon—I want to cite once again those Du Pont figures.

For 1915 and 1916 they were doing $269,000,000 worth of explosives business for the British alone, not including the French, and not including the Russians. By September 1, 1916, there were about $15,000,000 worth of machine-gun contracts placed here. Through that period the total trade in munitions which had been established had assumed not an insignificant proportion but a tremendous magnitude. That munitions trade became a really vital part of our economy here in the United States even before we entered the war. Exhibits before the Committee on Munitions have shown that of the total exports to Great Britain and France handled by the purchasing agency of J. P. Morgan & Co. alone, the bulk of the contracts were completed by the end of 1917; and the figures are therefore related to the total export figures for the years 1915, 1916, and 1917.

The description of the Morgan exports given in these exhibits shows that for the years in question exports of material covered by the present embargo amounted to $1,464,762,543, or approximately 70.2 percent of the total business to England handled by Morgan's export department; the figures for France for the same period are $322,379,733, or approximately 30 percent of the exports for France handled by Morgan's purchasing agency; a total of approximately $1,800,000,000 of foreign trade in commodities that today stand defined as arms, ammunition, and implements of war. Those figures do not include the exportations that were made aside and apart from those handled by J. P. Morgan & Co.

It would not be at all unfair to say that our trade in that period in arms, ammunition, and implements of war had assumed a total of as much as $2,000,000,000; and yet men will stand here on the floor, turn their backs upon that record, and say that our munitions industry was insignificant—insignificant when it was so tremendous a part of our whole economy.

The representation regarding the insignificance of our munitions industry was introduced here by reference to Mr. Newton D. Baker's words as to what were and what were not facts as of that period. The Senator from Kentucky [Mr. BARKLEY] quoted further from Mr. Baker's article to the effect that the United States had to get munitions from England and France because our own munitions makers were not equipped to supply us.

I dislike having to go over ground that the senior Senator from Missouri [Mr. CLARK] has so adequately covered; but, Mr. President, I want this record never to be covered. I want there never to be any chance for anyone to point to the record and ask, "Why were not these facts driven home again and again and again when advocates of repeal were misrepresenting the facts as they were being misrepresented, consciously or unconsciously?" The fact of the matter is that the munitions industry in this country was too busy supplying England and France during 1915 and 1916 to bother about American orders, and further they were tooled to allied specifications, and had a hard time turning over to American specifications after we got into the war.

Let me read to the Senate some very revealing excerpts from correspondence on this subject between the Midvale Steel Co., J. P. Morgan & Co., and E. W. Moir, agent in the United States for the British Ministry of Munitions, in 1916.

On June 23, 1916, Mr. Moir wrote to Morgan's concerning the Midvale Steel Co.'s 12-inch shell contracts for the British Government. He pointed out that Midvale had been producing shells for the British, and that they were installing new machinery in a building constructed for the purpose of making shells. He said:

> We have always understood that it was the intention to continue working the existing plant on British 12-inch shell after the new shop is finished, until the completion of the contracts, but now I am informed that the company intend turning over existing machines and the labor employed on same on to the manufacture of shell for the American Government.

Get this point! Here is a representative of the British Munitions Ministry wanting to know, "Is it possible that

American industries are going to turn over the capacity to producing munitions for America?"

He went on in his letter:

This means, of course, that unskilled labor is going to be put on the manufacture of 12-inch British shell, and in consequence it appears that deliveries for some considerable time will remain unsatisfactory.

For the purpose of the record, let the RECORD show that this communication will be found at page 8187 of part XXVII of the Senate Munitions Hearings.

In other words, Mr. President, Mr. Moir, representative of the British Munitions Ministry, was worried about delivery of the British shells; whereupon E. R. Stettinius—where have we heard that name more recently?—E. R. Stettinius, head of J. P. Morgan & Co.'s export department, wrote to Mr. A. C. Dinkey, president of the Midvale Steel Co., on July 22, 1916, asking:

Have you accepted any orders from the United States or Italian Governments, the execution of which has interfered or may interfere with the orders you have received?

That is, the British orders. Listen, Senators:

On July 27, 1916, Mr. Moir, the British agent, informed Stettinius, of Morgan's, that he had seen the Midvale people, and—

They assured me that they have given up the idea of turning over the old shop to the United States Government shells, and that they will put their whole capacity on the British order, except to the extent of four lathes which will be used for the United States.

Considerate of them. Most considerate of them.

Finally, on July 29, 1916, the president of Midvale Steel, Mr. Dinkey, wrote Stettinius, of Morgan's, the following:

We have accepted no orders from either the Italian Government or the United States Government, the execution of which has interfered or may interfere with orders we have taken for English projectiles. On the contrary, in order to further production—

I want this heard, especially by those Senators who were asking during the course of the afternoon for this information—

On the contrary, in order to further production of English projectiles on orders which we have on hand, we have seriously delayed the completion of orders for American projectiles which were placed long prior to your orders and on which delayed orders we are paying penalties in serious amounts.

Mr. President, foreign orders of American munitions plants had assumed such proportions that the foreign needs went ahead of American needs in our munitions plants. I suppose there will be those who will say it will not happen again. Who are we to say that it will not happen again?

Mr. HOLT. Mr. President——

The PRESIDING OFFICER (Mr. BROWN in the chair). Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. NYE. I yield.

Mr. HOLT. The Senator from North Dakota has read in the London papers, no doubt, about the great applause the English people have given the appointment of the son of Mr. Stettinius to the War Munitions Board of the present administration. They remember very vividly how much his father did for England during the World War, and they welcome his appointment.

Mr. NYE. I quite appreciate that; but the Senator from Kentucky and I have agreed, at least for the course of this day, that we do not care a tinker's dam what is thought in London, or in Berlin, or in Moscow, or anywhere else, about what we are doing here. We are acting now for America, and for America alone.

I now come back to the demonstration of how American industry was responding first to foreign requirements, and secondly only to American requirements. Certainly it is fair to say that it is putting the national defense of the United States anything but first, is it not?

Mr. FRAZIER. Mr. President, will my colleague yield?

Mr. NYE. I yield.

Mr. FRAZIER. I should like to ask the Senator whether the same thing is not true today, in the case of the building of airplanes—bombers? Our orders are being held up, as I understand it, in order that the orders of Great Britain, France, Canada, and Australia may be filled.

Mr. NYE. Yes. Demonstration of that has been afforded in previous addresses which have been made in the Senate, and reference was also made to it previously today, during an hour, perhaps, when the Senator was not able to be present.

Certainly the defense of the United States was not then being considered first. It was allied war orders that were getting the first attention. That is the advantage of turning over our munitions industry to supply the Allies, so that our own orders can take second place. No wonder the United States Army was not decently equipped, according to Mr. Baker, even after we had been in the World War 18 months. With Morgan's handling the British orders over here and insisting that deliveries for their customers have preference, naturally American needs took second place. Oh, no; that will not happen again; never, never, never. Is there anyone here who wishes to say today that he was in Congress and knew this to be the state of facts? No; certainly not. Yet there are those who at once inquire, "Are you attacking those of us who voted the declaration of war in 1917? Are you calling us dumbbells?"

I have never noted, in 15 years, a debate in the Senate where there has been so much will to cover up the real, vital issues, and sail off into realms many of which have no relation whatsoever to the issue we are now challenged to meet in the Senate.

Now, Mr. President, in spite of this past experience, and more which might be resorted to in order to demonstrate the point of the influence of foreign orders, it is proposed that we repeat the 1914–17 performance, and gear our munitions industry to British and French needs, to their specifications.

Mr. Leland Summers, who was vice chairman of the War Industries Board in 1917–18, while we were at war, made a special examination at the request of the Board chairman, Mr. Bernard Baruch, into the causes for the slowness of American munitions production.

Is any Member of the Senate interested in knowing what that study revealed? He found, if you please, on May 13, 1918, that the delay in the production of 75-mm. field artillery was due to the changes in the American type of gun. As soon as a switch was made to the French type, production proceeded; but in the production of the American type there could be no progress.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. NYE. I yield.

Mr. BARKLEY. Was that not due to the fact that the factories had been geared to production during the 2½-year period——

Mr. NYE. Mr. President, that is what I have been endeavoring to make clear this afternoon, that we had geared our production for foreign orders to a point where we could not supply our own needs in our own country.

Mr. BARKLEY. Of course, the Senator would not advocate that, in order that we might produce a particular type of cannon or gun for the American Army, we should not have gone ahead and made them, as we had been making them, for the foreign purchasers, would he? Is he criticizing our Government because it accepted the French design instead of undertaking to manufacture a new design?

Mr. NYE. Heaven help us, our "second choice" government at that time had no other choice. They had to take what American industry had geared itself to produce. However much they wanted a product of their own specifications, the military authorities of the United States could not have it, and they had to be content with production under specifications afforded by foreign governments.

Mr. BARKLEY. The Senator will not contend that the same situation exists now, because up to that time this type of gun had not been manufactured in the United States at all, and they had to transform the activities of many of the factories which were producing, not arms, ammunition, and

implements of war, but ordinary commercial products, so that they could produce the products which were being sold to the belligerents on the other side of the Atlantic. Having geared their industries to that sort of production, it would have been folly to have undertaken to change it all and to have had the same experience we had with the Liberty motor, which we started from scratch, as the Senator will recall. It took us a long time to get a motor which would be satisfactory to the Government, and after we got it, we did not get fighting planes in Europe in quantities sufficient to send enough to supply our own Army with our own planes.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. MINTON. Does not the Senator know that we took the French 75's during the World War, not because the machinery of this country was geared to make the 75's, and not 77's, or whatever the caliber of the American Army gun was, but we took the French 75's because they were the best shooting piece of artillery in the world, and, thank God, the French had been buying them in the United States, and we were prepared to make 75's. That is the reason why we took them.

Mr. NYE. If the Senator can feel so good about what happened, that is splendid; but that was not what Mr. Baruch's investigators reported as the reason why the Army and Navy had fallen back on the French gun. I shall read it again. Let us not confuse the record of facts.

I am trying to show what Mr. Baruch's investigator for the War Industries Board reported was the cause for the slowness of American munitions production. He found on May 13, 1918, that the delay in the 75-millimeter field artillery was due to the changes in the American type of gun. As soon as a switch was made to the French type, production proceeded.

He found that Bethlehem was using the British type of 75's which they had been producing. "The Bethlehem Steel Co. did not actively push their American order," he reported.

The delay in the 4.7-inch field guns, he reported, was because an American type had been decided upon. He reported further that only the heavy type of howitzer, the British type, was being manufactured—fifth section from top of page 10228.

He reported that the cause for the delay in artillery was that the contracts were "not entered into until late in 1917 or early in 1918." He goes on:

> Starting first with the element of steel, the specifications adopted by the Ordnance Department differed quite radically from the specifications which the French Government have standardized.

And so on and so forth. Here, Mr. President, let the RECORD note that from which I have quoted is to be found at page 10228, sixth section from the top, in the Senate Munitions Committee Hearings.

Mr. MINTON. Mr. President, will the Senator again yield?

Mr. NYE. I yield.

Mr. MINTON. The Senator has been talking about other guns than 75's. The gun I was talking about was the 75-millimeter gun. The Senator has been talking about 4.7's and howitzers, and so forth. But the French 75 was admitted by everyone who knows anything about artillery, and of course the Senator from North Dakota knows a great deal about it, to be the best shooting piece of artillery in the world. The reason the American Army adopted the French 75 and used it extensively, and almost exclusively in the World War was because it was the best piece of artillery, and I say again, thank God that the machinery of America was geared to make the French 75, and shells for the French 75, because that was the best gun we had with which to arm men on the allied side and our side in the World War.

Mr. NYE. Which does not alter the fact that there was a moment when the War Industries Board had no knowledge that the French gun was a better gun than the one they wanted to produce according to United States specifications.

In other words, our artillery-making plants were tooled up only to British and French specifications.

The investigator found general delay and disorganization, but nothing at all backing up Mr. Baker's statement that there were no munitions companies. The delay and disorganization was, according to Mr. Summers, and also according to the chairman of the production committee, Mr. Vauclain, exhibits 3985 and 3986, due with respect to artillery to constant changes of design by Mr. Baker's own War Department.

Nor can I quite let pass without a word the comments of the Senator from Kentucky in regard to the destruction of American ships during the World War. The list of the ships that he gave us on October 19, to be found on page 607 of the RECORD, is identical with the list I placed in the RECORD on October 13.

Only the interpretation of what these facts mean is in dispute. In regard to the *Gulflight*, it is important to note that she was under armed British convoy at the time she was attacked, and was mistaken, so it was claimed, for a British ship. In any event, the matter was adjusted by peaceful diplomatic means between Germany and ourselves.

We did not go to war over the *Gulflight* or over any of the other sinkings without loss of life up to March 1917. We must realize, as it was realized by the State Department at the time, that a blockade was being enforced by both sides. Vessels traversing a blockade since time immemorial have been seized and sunk. No nation claims the right to send its ships with any cargo unscathed through a blockade. We did not permit England to do it during the Civil War, and we seized and sank many of her ships that tried it.

No; all the sinkings prior to March 12, 1917, may have given rise to diplomatic friction, disputes as to the legal rights of American shippers and German war vessels, but they were not causes of war. The occasion of war was not the earlier sinkings but the unrestricted submarine warfare, which was proclaimed February 1, 1917, and put into force against us, with the sinkings, with loss of life, of American vessels after March 16, 1917.

But it is important to bear in mind that on March 12, 1917, the President by Executive decree ordered the arming of American merchant ships. That was when trouble for American ships started.

The law covering armed ships used by the State Department in 1916 to justify permitting armed belligerent ships to use our ports was the decision of Justice Marshall in the Neriede case.

Yet in that very decision Justice Marshall says this:

> The celebrated case of the Swedish convoy has been pressed into service. But that case decided no more than this, that a neutral may arm but cannot by force resist a search (9 Cr. 429).

The dissenting opinion of Justice Story, dissenting not because he thought the Court went too far, but because he thought it did not go far enough, expresses the Chief Justice's thought on armed ships with even more force:

> An act perfectly lawful in a belligerent may be flagrantly wrongful in a neutral; a belligerent may lawfully resist search, a neutral is bound to submit to it; a belligerent may carry on his commerce by force, a neutral cannot (9 Cr. 439).

I do not think I can add to Justice Story's analysis of the meaning of the Executive order of March 12, 1917. A neutral cannot carry on its commerce by force. If it does, it is no longer a neutral.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum dated March 9, 1917, from the Secretary of the Navy, Mr. Daniels, to President Wilson, showing what part the case I have been referring to played in the decision as to whether or not the United States should arm its merchantmen.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

> [Excerpt from memorandum, March 9, 1917, from the Secretary of the Navy (Daniels) to President Wilson: (Maritime Commerce in War, Volume II, 1914–18, pp. 578–79)]
>
> Admiral Benson is strongly of the opinion that the first thing to be done would be to notify Germany that, in view of the declaration that she intends to sink our ships without warning in a certain zone, it is our purpose to arm our ships for protection. He believes if this information is imparted, it is barely possible that Germany might not carry out her threat. If we deny the right of visit, Germany would declare that to be a warlike act, and that we were responsible for bringing on war. It is entirely

probable that the next step would be war. If we must enter it to protect our rights and the lives of our people, I have felt we ought to do nothing to put the responsibility for this step upon our Government.

Last night I conferred with Admiral Palmer about the crews to man guns. He has taken action, and sends this note, which I thought you would like to read. It is as follows:

MARCH 9, 1917.

From: Bureau of Navigation.
To: Operations.
Subject: Arming merchant vessels with naval gun crews and a naval officer.

Before any action is taken the Secretary should know that the presence of United States sailors (and an officer) on merchant ships will probably be considered an act of war from the German viewpoint.

That it is most probable that a German submarine, knowing an American merchant vessel is armed, and has armed forces of the United States on board, for the definite and sole purpose of resisting attack of submarines, will attack without warning.

That the master of the merchant vessel and the naval officer will believe the German submarine will attack without warning, and therefore, for the safety of the vessel, passengers, United States sailors, and crew, they will fire at the submarine on sight.

The Secretary should be fully informed on this subject before final steps are taken to place 50 United States sailors and officers on armed merchant vessels.

LEIGH C. PALMER.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. PEPPER. I want to ascertain whether I am correct in my understanding of the point the Senator has made. The point he made, from that reference, was that the United States Government, being a neutral, had no right to arm its merchant vessels?

Mr. NYE. That is correct.

Mr. PEPPER. The decision is that the vessels had no right to arm themselves so as to resist search. Does it follow from that that they had no right to arm themselves to resist indiscriminate sinking without even any authority to search?

Mr. NYE. No. It assumes simply that once a vessel arms itself it ceases to be a neutral vessel entitled to the consideration that ordinarily accrues to the vessels of neutral nations.

Mr. PEPPER. If a belligerent power proposes to exercise only its right of search of a neutral vessel there is a possibility that it will find that there is no contraband, either absolute or conditional, upon that vessel, and therefore there is no violation of the rights of neutrality. No neutral ship properly approached by a belligerent vessel has the right to deny search. But if instead of insisting on the privilege to search, which can legitimately be done by a vessel of a belligerent country, the belligerent vessel, without making any effort to search, should indiscriminately sink the neutral vessel, then I ask the Senator if he believes it would be wrong for a neutral vessel, no matter how harmless may be its character, to resist that kind of aggression?

Mr. NYE. Mr. President, it seems to me that that is quite aside from the question. The point made is that a neutral cannot carry on its commerce by force and remain a neutral, and be entitled to the consideration due to a neutral.

Mr. PEPPER. Mr. President, the Senator says that a neutral may not carry on its commerce by force. Suppose a belligerent power attempts to do the unlawful—and there is such a thing as international law that restrains even a belligerent power—in the absence of an international police force, what force except the neutral's force is there to protect the neutral against the violation of its right through the unlawful exercise by the belligerent of its asserted right?

Mr. NYE. I will say there is nothing except the neutral's will to do that act which becomes of itself an act of war. We had ample demonstration in 1914, 1915, 1916, even early in 1917, that we had not one thing to say about what was and what was not international law, or what were the rights of neutrals on the high seas. Every time we called Britain's attention to her violations of our rights she twiddled her fingers at us to the point where ultimately we find a Secretary of State saying that the notes of protest which were dispatched to Great Britain because of these violations were never intended to be taken seriously; that they were only intended to drag out a long controversy and avoid the necessity of a decision upon it.

Mr. PEPPER. Was not the order for American merchant vessels to arm themselves issued after the German Government announced indiscriminate submarine warfare upon all shipping?

Mr. NYE. Yes; it was.

Mr. President, to repeat, a neutral cannot carry on its commerce by force. It is no longer a neutral when it does so. With our own ships, as with belligerent ships, our legal troubles with Germany turned invariably on the problem of armed merchant ships. We held that though they could sink a submarine on sight, still the submarine could not sink them on sight. By doing so we backed away from the sound principles of our own law and equally the laws of all nations, that whoever on land or sea is entitled to resist with arms is also subject to attack with arms.

As Justice Marshall held in the *Neriede* case:

> She does not rove over the ocean, hurling the thunders of war, while sheltered by the olive branch of peace. * * * She is an open and declared belligerent; claiming all the rights and subject to all the dangers of the belligerent character. She conveys neutral property * * * which encounters the hazard incident to its situation (9 Cr. 430).

In the same case, in the concurring opinion of Justice Johnson, we find this conclusion:

> The general rule, the incontestable principle, is that a neutral has the right to employ a belligerent carrier. He exposes himself thereby to capture * * * (9 Cr. 432).

That is, to all the damage incident to armed capture, which, of course, includes being sunk.

Again, Justice Story dissented because he believed that the Court did not go far enough. He felt that on armed ships of belligerents there was no neutrality whatever.

"Why," he asks—

> should a neutral be permitted to do that indirectly which he is prohibited from doing directly? Why should he aid the enemy by giving extraordinary freight for belligerent ships, sailing under belligerent convoy, with the avowed purpose of escaping from search and often with the concealed intention of aiding belligerent commerce, and yet claim the benefits of the most impartial conduct? (9 Cr. 446).

Again, continuing to quote Justice Story:

> In the first place, it is to be considered, whether a neutral shipper has a right to put his property on board of an armed belligerent ship, without violating his neutral duties? * * * What would be the consequences, if neutrals might lawfully carry on all their commerce in the frigates and ships of war of another belligerent sovereign? That there would be a perfect identity of interests and of objects, of assistance and of immunity, between the parties. The most gross frauds and hostile enterprises would be carried on under neutral disguises, and the right of search would become as utterly insignificant in practice as if it were extinguished by the common consent of nations. * * * Such false and hollow neutrality would be infinitely more injurious than the most active warfare. It would strip from the conqueror all the fruits of victory and lay them at the feet of those whose singular merit would consist in evading his rights, if not, in collusively aiding his enemy. It is not, therefore, to be admitted, that a neutral may lawfully place his goods under armed protection, on board of an enemy ship. Nor can it be at all material whether such armed ship be commissioned or not; that is an affair exclusively between a sovereign and his own subjects, but is utterly unimportant to the neutral. For whether the armament be employed for offense, or for defense, in respect to third parties the peril and the obstruction to the right of search are equally complete (9 Cr. 448).

Justice Story ends with these words:

> Had this been an ordinary case, I should have contented myself with silence; but believing that no more important or interesting question ever came before a prize tribunal, and that the national rights, suspended on it, are of infinite moment to the maritime world, I have thought it not unfit to pronounce my own opinion. * * * (9 Cr. 455).

Not being conversant with the law as a lawyer, nevertheless, I think I shall not be disputed when I say that of all the legal minds this country has known, none was greater on maritime law than Mr. Justice Story.

It was tragic that in the last war we failed to follow the clear analysis of the problem of armed ships left for us in all three opinions in this key case. Instead, we supported the

impossible, illogical position that an armed ship could defend herself but was not subject to attack; that she could lawfully inflict death and injury on others, and yet remain exempt from death and injury inflicted on her.

This same dangerous and illogical position may still be held by the present administration, and certainly is not ended by the pending joint resolution.

The Senator from Kentucky urged us to pass the joint resolution to prevent another such horrible disaster as that of the *Lusitania*. He pictured what would happen if the *Lusitania* were to sail on her fatal voyage today. He told us:

> The 124 Americans would have been murdered, in violation of the law of nations, under the present law and under the embargo which is now in force.

I do not understand what the Senator could have had in mind. The present law, passed in 1937, forbids Americans to travel on belligerent ships. This is the provision:

> SEC. 9. Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation, except in accordance with such rules and regulations as the President shall prescribe.

Perhaps the Senator can explain how the *Lusitania* disaster could occur today under that law?

Later in his address the Senator discussed the *Gulflight* incident and correctly pointed out that under the present law this incident would not have been avoided. He asked if the *Gulflight* incident could have been avoided under this joint resolution. He assured us it could be. He said:

> Every Senator knows that it could not only not have sailed with such a cargo, but could not have sailed at all, with or without a cargo, destined for a belligerent country.

Mr. President, I do not know that to be the case. I only know that under the terms of the joint resolution the *Gulflight* could not have sailed to a belligerent port, but I do not know that her cargo could not have been destined for a belligerent.

Still later the Senator from Kentucky said this:

> The law we are proposing will keep American ships and American cargoes and American sailors and American travelers out of the present regions of danger.

The Senator from Kentucky said further:

> No American ship nor its crew can therefore be within the range of destruction by the kind of sea warfare which occurred in the World War, or is likely to occur in this one. No category of arms, ammunition, or implements of war can be carried in our ships under any condition.

Mr. President, I can find no provision in the joint resolution which affords such safeguards.

What I find that the joint resolution does is to forbid American ships to go to belligerent ports. It does not prevent their carrying cargoes—including arms and ammunition—to neutral ports for transshipment to belligerents. I can find nothing in the joint resolution that in and of itself will prevent an American ship from landing arms and ammunition at Ostend, Belgium, for transshipment to the French armies, or the German armies for that matter.

The joint resolution gives the President power to define combat areas; and it is the definition of those areas, not the resolution itself, which will determine whether or not American ships and American crews will be seeking to land arms and ammunition at Ostend or any other neutral port in Europe.

In the first place, it is important to note that the proclamation called for under section 1 does not require the establishment of a combat area at all. An additional proclamation is required under section 3. It says in section 3, word for word, that if after issuing a proclamation under section 1 "he shall thereafter find that the protection of citizens of the United States so requires" he shall then issue another proclamation defining combat areas. Two proclamations are required to establish combat areas.

But that discretion does not operate in a vacuum. This joint resolution lays down the principles on which it is to operate. Everything in this joint resolution prior to section 10 is to operate in accordance with the principles and guides to policy laid down in section 1. These are instructions from the Congress to the President; this is what they say, that he shall issue a proclamation when—

> It is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens.

He is given three guides to policy: security, peace, lives.

By what warrant can it be said that an arms trade or oil trade or any other trade to the European neutrals for transshipment to the Allies must necessarily be considered inimical to the security, peace, and lives of the United States?

Let us consider security. We have word from excellent sources close to the President, we have inferences from his own words, that he considers the security and peace of the United States involved in the allied cause, that both would be promoted by allied victory. Are we not therefore telling him that on two of the three principles laid down in this joint resolution not only may he but possibly it is his duty, as he sees it and we understand it, to help the Allies by letting American ships carry cargoes to them indirectly? If that process endangers the third principle, American lives, then, and then only, the combat areas of section 3 are to be established.

What are the principles under which the combat areas are to be established? The first two, of course, which run through the entire joint resolution, the security and peace of the United States; third, lives; and then, note this: Section 3 does not read "save the lives of citizens." It reads "protection of citizens"; and the protection of a citizen is not only the protection of his person but his property.

What might it not mean? The combat areas for the "protection of citizens" are to be traversed only in accordance with rules and regulations prescribed by the President. What rules and regulations? In defining a combat area and laying down rules and regulations to preserve the security and peace of the United States and protect its citizens, would it not be possible to provide that American vessels could proceed to Ostend loaded with arms for the British and French? What in this joint resolution would prevent that? That would fulfill every requirement, legal and moral, of the joint resolution.

It is useless to say that no such thing will come to pass; that no American munitions carrier will go to neutral ports with cargoes for the French and British Armies. The power to do it is here. The law to do it is here. I believe the moral justification for doing it is here. I am not sure there is not even a moral duty to do it in order to preserve the security and peace of the United States as the President sees them, and as we are on notice that he sees them—that the security and peace of the United States are involved in allied success, as has been repeatedly stated by administration supporters on this floor.

Mr. President, if we do not want these things to be done, why should we give the President the power to do them? If the President does not want to do them surely he will not want the power to do them, and surely the administration supporters would be glad to add a simple amendment forbidding transit traffic without impairing any of the rest of the President's discretion, to the end that the Senate may have a chance to pass upon them. Senators are going to find an amendment offered proposing just that end.

In conclusion, Mr. President, neutrality is neutrality, not partiality. We may, if we desire, be partial. We may, by this joint resolution, by this formal act of our Government, give aid to England and France if we want to do it; but, if we do, we cannot then claim to be neutral. We cannot engage in open partiality and then feel that there is a legal and moral duty on the Germans to assist us in aiding their enemies. We may declare war on Germany, but we have no legal or moral right on earth to ask the Germans to help us help their enemies' war commerce; yet that is what we shall be doing if we are going to send our ships to engage in transit traffic through the European neutrals.

Are we going to ask the Germans to let those ships through? Would we ask the British to let similar cargoes through into Germany?

The consequences of partiality must be faced and ought to be faced here and now. We must decide whether we will attempt to send such ships through, and we must decide now what we shall do if the Germans refuse to let them through.

We have already decided that very question in regard to England. We will not try to arm Germany through neutral ports. We all know that. What shall we do about arming England and France through neutral ports? Shall we forbid it by defeating or amending this joint resolution? Shall we permit it? If we permit it, what shall we do, Mr. President, in the face of a German blockade applied through neutral ports, as the British blockade is now applied through neutral ports?

We cannot close our eyes and ears to the ruthless logic of this thing. We cannot pretend that these ship provisions do not bring us directly to the question of war against Germany. We dare not leave the question unresolved unless we deliberately wish to create an excuse for war, and create that excuse, of all things, in the guise of a neutrality measure.

In conclusion, Mr. President, I do not know whether or not previous reference has been made today to this incident; but this morning's newspapers reveal not only the continued influx of Duff Coopers and others from England to move into the colleges and the universities and the churches of this land, and preach the doctrine of a united front by the English-speaking peoples, a doctrine dictating: "We must preserve the English Fleet if we want to preserve and make stronger our own national defense." That was not the only news in the newspapers this morning. Reference to any morning newspaper will reveal that in an outstanding church of the United States yesterday an outstanding clergyman gave voice to a prayer for victory for one side engaged in the European war.

I wonder how much editorial kick-back there is going to be about that incident this afternoon and tomorrow. I wonder how much criticism there is going to be of that kind of thing. I wish there might be much. There ought to be much. I do not think there is going to be more than a little, if any. But I rise, Mr. President, to ask, What would be the reaction from coast to coast in this land of ours today if perchance a German Lutheran minister had delivered the same prayer in his church on yesterday, expressing a hope for victory for the German people? If that had been true, Mr. President, I wonder instead how few would have been those in this body who would not have been on their feet today damning and condemning the use to which some men were putting their opportunities to prejudice, to lead a Nation in its thinking into a cause that was wholly foreign to anything that was American.

Mr. President, I had hoped for more opportunity to speak today; but, while I have not had a chance to go through with a great deal of material that I should have liked to go through, even though it had necessitated staying late tonight, physically I am not prepared to continue. That condition of affairs will not cause me to ask for any additional time, however, if there is any will or any ability now to accomplish agreement in the Senate and consent in the Senate, possibly, to the reasonable limitation of debate. In other words, I do not want the fact that I have not been able to finish my argument to stand in the way of that sort of an agreement.

EXHIBIT A

There is only one issue in the present neutrality debate. It is this: Will taking sides in the present war in Europe, will helping England and France keep us out of war? The President and his supporters think it will. I believe, on the contrary, that it is evident from the record of the last war that we cannot take sides in a war and then stay out of it once our favorite side is in any danger of losing that war.

This is the real issue and always has been. The legislation we have been debating in the Senate is no neutrality bill. It is a bill to take sides, a bill to throw our neutrality overboard. If the administration was concerned, first and foremost, with writing a law to keep us out of war, they would have used the present law as a base and added to it the further safeguards we need. Under the present law we have now in force an arms embargo against all belligerents, an embargo against loans, a ban against Americans traveling on belligerent ships. The President and his supporters have announced with terrific fanfare, "Ah, but we must have cash and carry." They have tried to make the country believe we can only have cash and carry or the arms embargo. Of course, that is completely untrue. We can and should have both. We had both until the administration let cash and carry expire last May. I have been for cash and carry since the first discussion of neutrality legislation in 1935. But the administration blocked at every turn those of us who fought for strong, mandatory neutrality in 1935, 1936, and 1937.

No, if the Bloom-Pittman bill was a bill primarily in the interest of keeping the United States from taking any steps toward involvement in the present queer war in Europe, let me tell you what it would include. It would retain the arms embargo, the loan embargo, the ban against Americans traveling on belligerent ships (all in our present law), and would add the readoption, in stronger terms, of the cash-and-carry provision which lapsed May 1 of this year, and a ban against the use of our ports to armed belligerent merchant vessels, which are war ships. Finally, and this is most important, their bill would have introduced a provision to restrict the war boom which we can see coming and which can only end in disaster for us.

But we are asked to give up the arms embargo and get in its place an alleged cash-and-carry provision—a provision which does not in fact keep American ships out of the danger zones of Europe, except at the President's discretion. A provision which allows hundreds of millions of Allied debts and obligations to be introduced into our banking and industrial system. Under the pending bill Allied bonds can be sold in this country and Allied obligations can be pledged with American banks. The loopholes in the credit restrictions are so great that the restrictions themselves are practically worthless, however much they may be praised by advocates of embargo repeal.

Behind this present move to repeal the arms embargo is another very positive desire—a desire to make use of Europe's war as a corrective of our own economic ills, as a kite to which to tie our business and fly to prosperity, as the route to quick riches, high wages, reduced agricultural surpluses, and profits.

Only 3 years ago our President warned us against the very train of events toward which he is now leading us. He said at Chautauqua, August 14, 1936:

"Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster. It was the prospect of war profits that made our farmers in the West plow up prairie land that should never have been plowed but should have been left for grazing cattle. Today we are reaping the harvest of those war profits in the dust storms which have devastated those war-plowed areas.

"It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.

* * * * * * *

"If we face the choice of profits or peace, the Nation will answer—must answer—'We choose peace.' It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous."

But today he tells us—I quote from his September 21 message to Congress:

"From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?"

Let me warn you, American people, that just as soon as we accept the fool's gold of a war boom, just as soon as we allow our economy to become the slave of any set of belligerents, just as soon as we grow temporarily fat on the blood money from the European war, we will give up our own independence of action and find ourselves drifting into the 1914–17 situation. Remember what President Wilson's official biographer wrote of that previous war trade:

"Thus by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our case was lost."

However determined men may be to avoid letting war abroad cause desire for profit from that war, there are very definite influences in our land which smell and see wholesale death in the making and want the United States to move in for the feast of profits wholesale deaths may afford. This is disgusting to say the least, yet we may as well face the facts and know that these influences are at work. I read now from a front-page editorial published in one of America's first rank daily papers:

"Our material interests lie with the English and the French * * * We have an immediate concern. The farmers of the United States have just harvested a bumper wheat crop. The corncribs of the Middle West still contain millions of bushels of last year's crops. Wheat and corn prices are painfully low. Surplus cotton bales are bursting warehouses in the South and a new crop is on the way. Cotton is selling at starvation prices. With war cutting off production in Europe there will be huge armies as well as civilian populations to feed. * * * In our cities are from ten to twelve million unemployed. Everywhere there are idle factories, capable of giving employment to the jobless if they are permitted to fill the demands that cessation of industry in warring countries will create. * * * Finally there are the industrialists * * * eager to resume full-time production with the profits that would bring."

Disgusting, isn't it? But shall we, simply because it is disgusting, turn our back upon it and refuse to see it? Isn't it better to acknowledge that we do have in our ranks a consideration that is not divorced from this appetite for profit when considering America's neutrality laws and its own national welfare?

Just get the picture of those who reason as the quoted newspaper reasons: There are huge armies and civilian populations to feed; come farmers, come factory owners, come factory workers, get up to the trough; repeal the embargo, get your napkin on and enjoy this feast; there is prosperity for us, if we will only feed Europe's war.

Those who will remember what followed our last feast at the expense of a European war are going to fully appreciate the coldness of men who will let themselves lead a people into repetition of an experience which must be avoided at almost any cost. And let us acknowledge, too, that such influence as that I have quoted will grow and grow and grow in constant proportion to the extent that the people give way and the Congress gives way to that influence through the weakening of the laws that were built to curb that very appetite and influence.

And remember, any who are eager for quick war profits now, you will be paying later in the blood of your sons and in the loss of your own freedom.

A thing that ought to be causing concern is the assumption that underlies one argument for abandoning the arms embargo. That is the assumption that for us to embark on any other course than to help Britain and France is unthinkable, the assumption that to assure that "our side" wins is so great a good as to overshadow all others.

I am speaking of the assumption that our first line of defense is the British Fleet, that so long as the British Fleet remains supreme, our shores are safe from attack. I am speaking of the hypothesis that since the British Fleet is so invaluable to our defense, we must aid Britain every time she gets into a jam, which means we fight if Britain needs us, to preserve her empire. I am speaking of the demand that we repeal the arms embargo so that American supplies can continue to flow in a steady stream across the Atlantic Ocean to back up the British nation and enable it to maintain its fleet second to none.

Acceptance of these assumptions without examining them with great care would brand us as derelict in our duty. Let us scrutinize the oft-expressed belief that we must, in our own interest, help Britain win this war, a belief from which I heartily dissent.

The demand that we help Britain now with our materials is part and parcel of that same point of view that is always urging us to hitch our wagon to the British star, willy nilly. One of its outstanding spokesmen is the former Secretary of State Henry L. Stimson who said in a radio address a few weeks ago:

"I ask you, in all seriousness, cannot you, yourselves, see how the security of the people of the United States will be affected by a naval disaster to those two nations? If the fleets of France and Great Britain should be beaten down by the danger that threatens them today, have you any doubts as to the seriousness of the situation which would then confront us? Have you any doubts as to the jeopardy in which our own American interests in this hemisphere would then be placed? * * * my view is that the security, present and future, of the United States and of its people will be promoted by the repeal of the embargo and that such a step will not tend to drag us into war. So long as Great Britain and France are fighting and their forces command the seas, the people of the United States cannot be dragged into war except by their own deliberate volition."

Now, what is this, if not a clarion call to the American people to save the British fleet? Are we to understand that a great country like the United States, a country rich in resources, in industry and agriculture; a country that spent just under $2,000,000,000 last year for its military and naval defense establishment, is so dependent on the British fleet that we must go to the defense of that fleet whenever it is involved in a dispute, to preserve and defend it so that some day it may turn around and defend us? It doesn't make sense on the very face of it.

When we realize what acceptance of that policy involves, it seems to me that idea must have been conceived in the brain of the mad hatter.

If we are to save the British fleet, that means that we shall go to Britain's rescue every time the empire is threatened. It means that just as we did 22 years ago, every 5 or 10 or 20 or 30 years we can count on a military expedition in which American lives will be lost in order to hold together the topheavy and far-flung structure of the British Empire.

It means, in effect, that we contract in the binding ceremony of war for an endless series of wars. It is the same as saying, "Britain, I take thee to be my lawful wedded defender, and I am thine; for richer, for poorer; for better, for worse; in any threat to thy far-flung empire, and in good times, thee can count on me to see thee through, even if it means going to the ends of the earth; till war destroys us completely. Amen."

It would be a mésalliance, not in the sense that either Britain or the United States is inferior to the other, but in the sense that as a wedding partner Britain is entirely unsuited to our needs, as I shall show.

A sensible policy for any nation is one that is firmly based on enlightened self-interest. And in a world of chaos—conviction becomes ever deeper that the United States should pursue a policy that is to her own best interest. That means a policy that is geared to the needs and happiness of our own people.

No nation is so fortunate as the United States in having been situated by the hand of fate in so desirable a position. Few nations are endowed with the natural resources and the natural defenses that are ours. For these great blessings we can take no credit to ourselves; they exist through no act of our own. Circumstances beyond our control simply dumped into our laps great benefits that the disunited nations of Europe would pay a great price to possess. It would be folly to fly in the face of Providence and do anything that would in any sense abjure these blessings, and that is just what we shall be starting out to do if we put our first thoughts on attempting to help Britain every time it is endangered through circumstances not of our making; indeed, circumstances largely of her own making.

What should our attitude be? I have seen nothing better than the excellent statement by Charles Beard, the most eminent historian of our time, on this point. I am quoting him:

"Europe has a set of 'primary interests' which have little or no relation to us, and is constantly vexed by 'ambition, rivalship, interest, humor, or caprice.' The United States is a continental power separated from Europe by a wide ocean which, despite all changes in warfare, is still a powerful asset of defense. In the ordinary or regular vicissitudes of European politics the United States should not become implicated by any permanent ties. We should promote commerce, but force 'nothing.' We should steer clear of hates and loves. We should maintain correct and formal relations with all established governments without respect to their forms or their religions, whether Christian, Mohammedan, or Shinto, or what have you. Efforts of any European powers to seize more colonies or to oppress independent states in this hemisphere, or to extend their systems of despotism to the New World will be regarded as a matter of concern to the United States as soon as they are immediately threatened and begin to assume tangible shape."

That makes good and sound sense. It is based on realities, not on any sentimental attachment for an old idea that may have outlived its usefulness. It is based on the "point of view of the interest of the United States as a continental nation in this hemisphere."

This is the doctrine George Washington first enunciated, the doctrine which James Monroe restated in 1823, the doctrine which we followed in all those years when our country was becoming a great nation.

Such policy is founded on solid rock. It is based on our impregnable geographical position and our practical national interests. It is a policy that says that we shall wash our hands of all disputes over territory, over rival imperialistic ambition over boundaries, over forms of government, over national interests that do not affect us, that says we shall not mix in affairs about which we know little and which we cannot solve.

It is a policy that says that nothing is so important to us as the welfare of our people and that we do not intend to be diverted from long-time programs for their benefit by allurements of temporary gain if we will but turn our eyes toward other continents far to the east or to the west.

It is a policy that says we will have no truck with supporting one alliance against another, realizing that alliances exist only for the interest of those parties to them, and for preserving imperial domains.

It is a policy which says that tying our future to the vicissitudes of the British Empire, about whose administration we have absolutely nothing to say, is sheer folly; that no gain we could possibly imagine from assuring the preservation of the British Empire and fleet would begin to compensate for the terrific losses we are sure to incur—not only material losses but losses to our prestige, self-respect, and national well-being.

It is a policy that says our national wealth and resources—money, men, and materials—will never be handed to Britain or any other power on a silver platter for the defense of interests that are not ours.

It is a policy that to my mind flatly denies the thesis to which many subscribe, the thesis that we must help Great Britain because any threat to Britain is a threat to the British Fleet, and any threat to the British Fleet is a threat to our defense. It is both short-sighted and unintelligent to feel that our security is based on the continued existence of an empire which has been on the defensive since the World War.

Then why are we casting our eyes across the broad stretches of the Atlantic? Why do we even think of casting our lot with those who quarrel over interests that are strictly European and have nothing to do with the interest of the United States as a continental nation in this hemisphere? We have not the slightest chance of bringing about an end to the age-long struggles of Europe. Even the missionary zeal of some of those who want to bring light into dark places cannot settle Europe's troubles. Then why adopt a policy that will set our feet in the path that ultimately leads straight into the whirlpool of Europe's conflicting interests?

Such a policy is beautifully damned by Historian Beard as "quixotic for the reason that it is not based upon a realistic comprehension of the long-time history of Europe and Asia and of the limited power which the United States has over the underlying economies and interests of those two continents. It assumes that the United States can in fact bring those continents into a kind of stable equilibrium, assure them the materials of a peaceful economic life, and close their history in a grand conference of the powers—perhaps as successfully as Locarno. It assumes that somebody in the White House or State Department can calculate the consequences likely to come out of the explosive forces which are hidden in the civilization of those immense areas. Does anyone

in this country really know what is going on in Europe, behind the headlines, underneath the diplomatic documents?"

What do we know about the wheels within wheels that are spinning the European continent at such a giddy pace? Who knows now what new threat is materializing to give Britain a case of the jitters over a distant part of her Empire? Has anyone a clear idea of what Russia's intentions are? Do we know how far she intends to go in the Balkans? Will she in time have such free access to the gateway to the East that Britain will declare her lifeline to be threatened?

If that does happen, and Britain needs help, we can be sure we shall be notified and in terms that are alluring to those who are not averse to fighting a war so long as the appeal to fight is clothed in ideological raiment. We can be very sure that a resounding moral basis for war will be present.

Do any of us know what the real war aims of England and France are? Do we know what ending Hitlerism means in terms of the basic economic and political problems of Europe—problems which ending Hitlerism will not solve? Do we have any picture of England and France repentant of their disastrous post-World War diplomacy, planning now to build a new and peaceful Europe after this present conflict?

If we accept a manufactured "moral base" as an excuse for giving our aid to keep Russia or any other power from expanding at the expense of Britain's far-flung interests, remember that it will be in Britain's interest, not ours, because our interests are separate. Our future lies in our development within the area circumscribed for us by the hand of fate—the Western Hemisphere.

Of course, some who advocate lifting the embargo on the ground that we should help Britain may feel that our last expedition to help Britain was worth it. Many times the economic, military, and spiritual losses we incurred in that little crusade of over 20 years ago have been weighed. Perhaps some think it was worth it. But I do not. And I do not believe that the millions of men and women who paid out of their hearts and pocketbooks think it was worth it. And I am opposed, as they are, to doing it again.

There is a new factor in the situation today which should not be lost sight of. Those Americans who look upon the British fleet as our first line of defense may, in the course of the next few months, have to revise their views as to the efficiency of battle fleets in meeting the now highly developed weapons of war exemplified in the submarine and the bombing plane. It may be that we are seeing the days of the end of fleets as effective blockading instruments or as commerce destroyers. If important units of the British fleet can be sunk in its own seas it ought to be fairly clear that a hostile fleet far from its base can be sunk by our airplanes and submarines if ever it attempts to fight a battle or guard an invasion 4,000 or 6,000 miles from its home base. The sinking of two of Britain's fine warships—the *Courageous* and the *Royal Oak*—bring up these considerations. We may, in the next few months, see a test of the heavy battleship versus the bombing plane. Who knows now what the outcome would be?

There are forces at work in the world today which make it hazardous to gamble on the permanent stability of the British Empire—forces over which we have no control, the rise of Japan in the East, the growing nationalist movements in India and Egypt, the threat to Britain's interests in the Near East, and India implicit in the new Soviet imperialism. Are we willing to underwrite the British Empire in an attempt to hold these forces in leash? Do we have any alternative once we commit ourselves to the preservation of the British Empire?

Even yet we do not know what Britain's war aims are. The veteran Lloyd George has been hammering at Prime Minister Chamberlain for days in an effort to win a statement of what Britain is fighting for. So far the answers have been evasive. The witty Mr. Shaw wrote an article in which he, too, raised the question of war aims.

If the British people are willing to continue supporting this war without a clear statement of just what they are fighting for, that is their business. But it is our business when we are asked to give help to Britain to win its war.

A war to "stop Hitler" some say. Of course—I know that answer. And so does everybody else in the world today who has eyes to read a newspaper or ears to hear the blare of the radio or a heart to sense the ominous rumble that is shaking the whole world. I know that. But I do not know what "stopping Hitler" or "ending Hitlerism" means in terms of the concrete problems of central and eastern Europe. Do the British and French Governments have an alternative for nazi-ism in Germany or fascism in Italy, or the more or less complete dictatorships in the Balkan nations? Do we know that they are planning to do all those things they left undone during the post-Versailles days?

To identify ourselves with the British Empire seems foolhardy, especially when our own destiny is so clearly defined as being separate from Europe.

This is a dynamic world. It is time we packed away in moth balls a sentimental attachment for an aging concept which dynamic forces are rendering impotent. It is time we made up our minds to create a tradition of our own, to pursue a foreign policy rooted in our own interests. The actions growing out of that policy will have to be indigenous to American interests and American understanding. It will have to be a hardheaded, practical policy, based squarely on our practical American national interest.

That means that our destiny will be worked out primarily within the confines of the Western Hemisphere. The way was pointed to that as far back as 1823 by James Monroe.

The Western Hemisphere offers a broad enough theater for the development of our national interest. To extend our commitments beyond that point would be to overreach ourselves. Within the Western Hemisphere there are adequate natural resources, with few exceptions, to supply the needs of the 130,000,000 citizens of the United States, the 37,000,000 Brazilians, the 10,000,000 Argentineans, and the rest of the approximately 230,000,000 people that make up the Pan American nations. There are facts and figures showing how well equipped this hemisphere is in natural resources. The only major shortage is rubber. And Brazil can produce adequate rubber supplies for the American nations if capital and improved technical methods, which are available in the United States, are introduced.

Militarily, the Western Hemisphere is a compact unit capable of comparatively easy defense against successful attack from outside nations. We don't need to follow in the train of Britain's interests in order to merit her support of our hemisphere against attack. We in the Western Hemisphere can do our own job.

The best evidence given by impartial military experts, and not by "crackpot" civilians, offers little encouragement to the belief that the Western Hemisphere is vulnerable to successful attack. Maj. Gen. Johnson Hagood says:

"Considered from a defensive standpoint, America is the strongest military Nation on earth—that is, it is the easiest Nation to prepare for defensive warfare. It would not take much to make it invulnerable against any nation or any combination of nations that could possibly be brought against it.

"The fashion of the day is to minimize the strategic strength of the two great oceans on our east and west and to discount the enormous difficulties that these trackless seas would impose upon our would-be invaders."

Hanson Baldwin, recognized as a military and naval expert, has gone so far as to say, even before we launched the big-navy program over a year ago, that the Army and Navy are "prepared to defend both coasts of the United States against simultaneous invasion, and at the same time to protect Hawaii, Panama, Alaska, and probably South America from any attacks that can reasonably be foreseen."

Admiral William S. Sims, commander of the American Fleet in European waters during the World War, said that the United States was safe from attack because "no foreign power or group of powers can operate across the ocean and stand in combat with the American Navy and planes operating from home bases."

These authorities and others base their belief in our safety from attack primarily on our geographical position. As Gen. Douglas MacArthur, formerly Chief of Staff of the American Army, puts it:

"The protective value of isolation has time and time again been demonstrated in military history. No other operation in warfare is so difficult as that of transporting, supplying, and protecting an army committed to an overseas expedition."

Major Eliot, in his book The Ramparts We Watch, places the effective operating range of a modern fleet at "* * * about 2,500 sea-miles at best, probably nearer 2,000 under war conditions." This estimate is supported by Maj. Gen. William C. Rivers, United States Army, retired, who says that "a modern warship is so tied to a base that it can operate but 2,500 miles away—then back to the base for fuel, supplies, and repairs."

On the possibility of air attacks against us, Major Eliot says:

"The question of whether we shall within the foreseeable future be liable to air attack by direct flight across the oceans may be answered by a decided negative, as far as anything more than tip-and-run raids are concerned. * * *

"Therefore, the maximum radius of action of 1,500 miles, which might be thought possible on the basis of the existing world's record, must be still further reduced in war. * * * Planes which did not expect to return might raid our coasts, but no nation has enough long-range bombers and highly trained crews to waste them in enterprises of this nature, for which the military return is likely to be incommensurate with the results achieved, still less so with the loss of the whole attacking force."

The scare propaganda that the United States might be invaded successfully by an enemy is completely without foundation. I have not heard a single military or naval expert who subscribed to that belief. Our unusual geographic position, our excellent Navy, Army, and air force are, in fact, a protection the equal of which no other nation in the world possesses.

Economically, the nations of the South and the North American Continent are a complementary unit. South America is rich in opportunities. The interiors of such enormous countries as Brazil are waiting to be opened up and developed. Politically, we have much in common with our sister nations to the south. Many of them were born out of struggle against oppression. They are pioneer nations. I am quite aware that many of the South American republics are democracies in name only, but I believe that the will toward democratic practice exists, and that when the dissatisfaction growing out of poverty, out of the scramble for power that occurs in any nation in which there is not enough to go around, can be satisfied by increasing the prosperity of these countries democracy will develop. In helping this development the United States has both opportunities and responsibilities.

Culturally, the north and the south should be mutually stimulating. Out of our north European background and out of the Latin heritage of the nations to the south should emerge an exchange of ideas that will enrich the cultures of both. There is no question of our adopting a missionary attitude to bring light into the dark corners of South America. Our tradition has no deeper roots than theirs. They have much to offer us.

To summarize briefly, the nations of the Western Hemisphere together have a common destiny to work, a destiny that does not need to wait for its fulfillment on the vicissitudes of the British Empire. It is based on a realization that these nations have a common interest. From the point of view of natural resources, from the point of view of military, economic, political, and cultural considerations, their interests are joined.

With this desirable condition right at our doorstep, it is folly to give it second place in our thoughts and actions. We need to concentrate our energies on developing the potentialities of the Western Hemisphere, where our real interest lies.

Here is a task to challenge the best in every one of us. Here is a destiny to work out, a future to be built, not a past to be justified.

These considerations are important in our thinking as we move toward the day when the measure now before this Congress is decided. If the embargo on arms and ammunition is abandoned, that means we shall have taken a step to ignore the challenge of the Western Hemisphere and involve ourselves again in Europe. If we refuse to take any step toward involvement, we can resolutely set our face toward the Western Hemisphere, toward the New World. Here our real future lies.

Mr. BARKLEY. Mr. President, I desire at this time to renew the request I made on Saturday. All the Members of the Senate assure me that they are anxious to bring the discussion to a conclusion at the earliest possible date, and reach a vote on amendments and on the joint resolution. We are now entering the fourth week of debate, during which every Senator has had ample opportunity to express his views. We have not yet voted on a single amendment.

I think the whole country recognizes that the Senate has had ample opportunity to discuss the joint resolution, and I think there has been a reasonable disposition on both sides to bring about an accommodation in regard to the final disposition of the measure. I do not think anyone can reasonably complain that those of us who have espoused the cause of the resolution have sought in any way to hinder, handicap, or restrict the fullest sort of debate on it.

All Senators seem imbued with the desire to finish the consideration of the joint resolution and vote on it during the present week, and I certainly share that hope. To that end, I ask unanimous consent that beginning tomorrow no Senator shall speak more than once or longer than 1 hour on the joint resolution, or more than once or longer than 30 minutes on any amendment.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, in the first place, I should want to offer some suggestions as to a modification of the proposal made by the Senator from Kentucky. I think he should omit the provision that no Senator should speak more than once, in the application of the order to amendments and the joint resolution itself, so that a Senator might not speak more than an hour in toto.

Mr. BARKLEY. I have discussed that feature with a number of Senators, and one or two at least desire to offer amendments, and they fear that if they exhaust the 30 minutes, or whatever we agree on, in one speech, they might want a few minutes in which to reply to some other Senator, and I have no objection to that process.

I will modify the request in this respect, that beginning tomorrow no Senator shall speak in the aggregate more than 45 minutes on the joint resolution or in the aggregate more than 45 minutes on any amendment. That would still give an hour and a half, and it would permit a Senator to divide his speech, if he is advocating or is opposed to an amendment, into more than one speech on the subject.

Mr. McNARY. Mr. President, I have conferred again today with a number of Senators, and I find most of them in accord with the proposal now made by the Senator from Kentucky. I am advised by the able Senator from California [Mr. JOHNSON] that he desires to call a meeting of his group opposed to repeal for tomorrow, to consider the matter, and that he will not be ready to report on the proposal until the meeting of the Senate tomorrow. Therefore, at this time I must enter a second objection.

The PRESIDING OFFICER. Objection is heard.

Mr. BARKLEY. Mr. President, in view of the fact that the Senator from Missouri [Mr. CLARK] discussed at some length today the book written by Mr. Cherne, and the foreword written by Assistant Secretary of War Louis Johnson, I ask unanimous consent that the foreword be inserted in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From Adjusting Your Business to War, by Leo M. Cherne]

FOREWORD

The battlefield effort of modern war has become of itself a monstrous thing. The progress of science has created weapons which will require for their use or for defense against them the products of practically the whole of modern industry in quantities far exceeding their peacetime production. Truly, modern war has become not only a conflict of soldiers but of economic systems, and, other things being equal, the timely and effective mobilization of industry and control of economic resources will determine the final outcome.

The United States entered the World War with no plan for industrial mobilization. This condition produced competition among supply agencies, uneven distribution of the war load over industry, unnecessary delay in production, an unbalanced production program, unwarranted waste of Government funds, and finally a disarrangement of the economic structure. Among other things, this economic disarrangement brought about rapidly rising prices, food and fuel shortages, transportation congestion, labor unrest, and suffering and weakened morale among a large portion of the civilian population.

To overcome these difficulties Congress granted such increased powers to the war President as to place him in supreme control of the economic effort. The war President thereupon mobilized industry and resources and controlled this ponderous mass by superagencies under his direction. These developments, in the absence of any predetermined plans, proceeded in what might be termed "a trial and error fashion." Action was taken as the necessity therefor arose, or as experience proved that a previous method was inadequate or impracticable. The war was nearly over before our national resources had finally been mobilized for an effective, if not wholly efficient, war effort.

Many valuable lessons may be drawn from the methods and organizations employed during the World War. The most important of these lessons are: (1) That an industrial mobilization plan is necessary for adequate preparedness for future wars; (2) that temporary Executive control and coordinating agencies must be set up to act for and under the President, with delegated war powers which expire with the close of the emergency. Such delegated war powers thus do not tend to perpetuate themselves as might be the case if such war powers were given by legislation to our existing peacetime Government agencies and departments.

Foreign powers, having learned similar lessons, have already adopted economic mobilization laws or regulations much more dictatorial or restrictive in their application.

Our industrial mobilization plan attempts to anticipate the World War difficulties in any future war and visualizes an orderly transition from a peace status to a maximum war effort, with the minimum disruption to our peacetime methods and procedure, and with post-war readjustment given careful consideration.

The need to inform the American business community of these plans and of the reason for their existence is apparent from the very extensiveness of the changes which war must of necessity impose upon private enterprise. The intelligent executive not only does his business a service but aids immeasurably the plans for national defense by understanding the adjustments business must make in the event of an emergency.

The Tax Research Institute, in publishing Leo M. Cherne's Adjusting Your Business to War, has effectively taken an important step forward for the welfare of the business community and, inseparably, for the furtherance of national defense.

LOUIS JOHNSON,
Assistant Secretary of War.

Mr. BARKLEY. Mr. President, inasmuch as there has been a good deal of publicity given an address delivered by Assistant Secretary of War Louis Johnson on "Lessons from Poland," at White Sulphur Springs, W. Va., on October 10, and apparently some misunderstanding of the address, I ask unanimous consent that the address be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? There being no objection it is so ordered.

Mr. JOHNSON of California. Mr. President, when I am in a common enterprise with other men, all directing their utmost energies in one direction, I feel they are all entitled to know what is to be done, and to know exactly what is before them. For that reason I said to the Senator from Oregon that I would call for tomorrow morning a meeting of all of the members of the group who constitute those opposed to the repeal of the arms embargo, and submit to them the exact situation. Although I have very little doubt about it, I do not know with certainty what their conclusion will be. I ask the Senator from Kentucky to have the

Senate meet at the usual time tomorrow, so as to give us an opportunity to have our meeting.

Mr. BARKLEY. Mr. President, I have no desire not to accommodate the Senator from California. I had understood that conferences had been in progress for the past 2 or 3 days on this subject. The Senator from Oregon assured me last Saturday that he thought there might be a chance to agree today, and I know the Senator from Oregon has made every possible effort to confer with all Senators interested in the subject. I have no desire to forestall the opportunity of the Senator from California to have a meeting of his group tomorrow morning.

Mr. JOHNSON of California. I want the group to meet at 11 o'clock, the Senate may meet at 12, and we can reply at once as to what the situation is.

Mr. BARKLEY. There are no committees holding meetings.

Mr. JOHNSON of California. I realize that.

Mr. BARKLEY. I do not see why the Senator's group could not meet at 10 o'clock.

Mr. JOHNSON of California. Because of what the Senator knows to be a fact, that it is not possible to get Senators together at 10 o'clock.

Mr. BARKLEY. Why not? Every other Government employee goes to work at 9, and all over this country men and women go to work at 8 o'clock. Why cannot Senators get to work at 10?

Mr. JOHNSON of California. Because they are all very busy men.

Mr. BARKLEY. Doing what?

Mr. JOHNSON of California. Working.

Mr. BARKLEY. The committees of the Senate have not held any hearings during the extraordinary session.

Mr. JOHNSON of California. Senators are working on their mail in their offices. I hope the Senator will see fit to have the Senate meet at 12 o'clock tomorrow instead of at 11.

Mr. BARKLEY. The Senator from California assures me that in his opinion we will really save time by permitting his group to meet and discuss this matter and try to reach an agreement, and of course I can rely on the Senator's good faith in the matter. I am therefore willing to move, at the conclusion of business today, that the Senate recess until 12 o'clock noon tomorrow. But I hope the Senator will call his group together and thresh this matter out and that he will return with an understanding into which we can enter.

Mr. JOHNSON of California. We are going to thresh it out; but each Senator is entitled to know what we are going to do, and to have a part in doing it.

Mr. BARKLEY. I have no objection to that, of course.

Mr. JOHNSON of California. Of course the Senator has not, and I have not, and I insist that opportunity shall be accorded.

Mr. BARKLEY. Very well.

Mr. HATCH. Mr. President, the Senator from Kentucky has just made a statement to the effect that no committees of the Senate are meeting. In that I think the Senator is in error. A committee under the able chairmanship of the Senator from Colorado [Mr. ADAMS] is meeting.

Mr. BARKLEY. The Committee on Appropriations?

Mr. HATCH. No; it is a committee investigating the wool industry, a special committee.

Mr. BARKLEY. I was not aware of that. The statement I made is true generally that the committees of the Senate are not meeting. If a special committee is holding meetings, that still would not be in disagreement to the statement that the committees generally are not meeting.

Mr. MINTON. Mr. President, this afternoon the very able and amiable Senator from Missouri [Mr. CLARK] and the distinguished and zealous Senator from North Dakota [Mr. NYE] have held forth at great length. The Senator from Missouri spoke about a bill that he was not against, and he was not criticizing.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. BARKLEY. I wish to say, and I do not say this in any spirit except to advise Senators, that unless we can tomorrow arrive at an understanding with respect to a limitation of debate, I hope Senators who have dinner engagements for tomorrow night will proceed to cancel them, because we will make an effort to hold the Senate later than the usual hour of adjournment.

Mr. MINTON. The Senator from Missouri, as I said before, was not against the bill, and neither did he criticize it. But he built up a horrendous picture of what would happen in this country if the measure were enacted. He thought the measure was a good one—perhaps that is not quite right—that the idea back of the measure was a good idea.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. I hope the Senator will not put words in my mouth. I know what the Senator is referring to.

Mr. MINTON. The Senator had an idea in mind with which he was not in disharmony at all, namely that the Government should go ahead and have some plans for its own defense, even in times of peace. But he built up a picture which frightened us all, even though we have had our nerves steeled against the coming of Halloween.

Last night we heard over the radio the deep, sonorous voice of the lion of the Rockies, the distinguished Senator from Idaho [Mr. BORAH], and the radio dripped with blood as he charged that we were taking the first step toward intervention. A horrible picture is being limned so as to frighten the people of the country. All afternoon here on the floor of the Senate we have seen this horrendous picture being painted. The Senator from North Dakota took two hours and a half, and reached only letter B in the alphabet; he took two hours and a half to demonstrate to the Senate what nobody disputed, that there was a munitions industry in this country. He painted a frightful picture of the terrible munitions industry, which he never charged, and no member of his committee ever charged, ever led this country into any war.

I assert now, and I challenge any Senator on the other side to dispute it, that never in the history of our country or in the history of any other country did the sale of munitions ever drag a country into war.

Oh, but we have before us a horrible picture. Ghosts and goblins and bogeymen are conjured up by the Senator from Missouri, by the Senator from North Dakota, and by the Senator from Idaho. They describe the horrible things that may occur if this, that, and the other happens, or if this is not done, and that is not done, and the other is not done. Horrible, terrible pictures are conjured up.

Mr. President, they remind me of the old maid down in southern Indiana. A friend came up to her as she was sitting beside a cistern weeping as if her heart would break. Her friend say, "Why, Mandy, what in the world are you crying so about?" "Oh," she said, "I was just thinking; suppose I was married and had a baby, and it fell into this cistern and drowned, wouldn't that be awful!" [Laughter.] So it is with the Senators who are conjuring up these frightful pictures here on the eve of Halloween.

The Senator from North Dakota said with much force and vehemence, "I will not be diverted from my proof that there is a munitions industry." Of course not. You could not divert him if you tried. He has been out proving it to the people of the country on every lecture platform throughout the country, at so much a demonstration—I do not know how much. I do not know how much Du Pont made on his investment in the munitions industry since 1935, but I dare say the Senator from North Dakota has made more from his lectures on munitions than Du Pont has made.

The Senator from North Dakota said that when the pages of history are written—ah, the pages of history—when they are written about this debate, thus and so would

be recorded. But I dare say that the historian, when he writes the history of this debate, will have a very difficult time following the peregrinations of the Senator from North Dakota. He has been on every side of the question since the question of arms embargo has been discussed in the Congress of the United States. Awhile ago in anwser to a question by the Senator from West Virginia [Mr. HOLT], the Senator from North Dakota said that he did not give a tinker's dam about London or Paris or Berlin. But I asked the Senator from North Dakota, How about Madrid? We have a neutrality law which contains provisions with reference to embargo, and the same embargo applied to Spain that now applies in the war which is going on across the water today. It is identically the same law, sponsored then by the Senator from North Dakota.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. The Senator from North Dakota is not present, but I am certain that the Senator from Indiana does not desire to misrepresent the circumstances. The act which applied to Spain was not part of the original Neutrality Act, and the Senator from North Dakota had nothing whatever to do with proposing it. As a matter of fact, I think he was the only Senator on the floor who raised an objection to it. It was brought forward on the first day of the session, after the civil war had already developed in Spain, and it was put through here under whip and spur on the first day of the session. The measure was introduced by the chairman of the Foreign Relations Committee, the Senator from Nevada [Mr. PITTMAN], with the understanding that it had been sent up from the State Department, and that it was necessary to adopt it on that day, due to the fact that a ship loaded for loyalist Spain was about to sail. I do not think it is fair to say that the Senator from North Dakota had anything to do with it, because I am very certain that he did not.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. PITTMAN. I think the situation should be stated entirely correctly. The chairman of the Foreign Relations Committee did introduce the measure dealing exclusively with Spain by name, by reason of an emergency, as the State Department saw it. The Senator from Missouri on the floor objected to it being applied solely to Spain, and stated that it should have general application.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for the purpose of asking a question?

Mr. MINTON. Yes; I yield.

Mr. CLARK of Missouri. I asked the question of the Senator from Nevada, why there was any reason for applying it to one country and not to all? The Senator will recall that I did not object to its consideration and did not vote against its adoption but did inquire of him why it should be applied to one particular country without regard to other countries. The Senator from Nevada, as I recall—not having read the RECORD lately—said that he agreed entirely with that proposal, and when the later amendment to the then existing Neutrality Act came in, the provision was extended to apply to civil wars in other countries—that is, in countries other than Spain. Is that not a correct statement?

Mr. PITTMAN. That is true. I stated at the time that it was to meet an emergency which we knew existed, but later on when we considered the 1937 act we incorporated in the act a provision applying not only to Spain but to all other countries.

Mr. CLARK of Missouri. That is true. I was in favor of that provision then, and I am in favor of it now.

Mr. PITTMAN. And it was supported by the Senator from Missouri.

Mr. CLARK of Missouri. There is no question about that.

Mr. PITTMAN. I wish the RECORD to show that.

Mr. CLARK of Missouri. But when the Senator from Indiana states that the Senator from North Dakota was one of the sponsors, I am certain he is mistaken.

Mr. PITTMAN. I think the RECORD will disclose that all Senators who at that time favored the embargo favored that provision in the joint resolution.

Mr. CLARK of Missouri. So far as I am concerned, I am entirely prepared to believe that. I think the amendment with regard to Spain passed the Senate without a dissenting vote, and the Senator from North Dakota was the only one who raised any question or objection with respect to it.

Mr. MINTON. Mr. President, so far as I can find, the RECORD does not reveal any objection on the part of the Senator from North Dakota. I think if we read the RECORD through we shall find that he claims credit for the Munitions Committee, of which the Senator from Missouri was a member with the Senator from North Dakota, for obtaining such embargo legislation as we have. The fact remains that the Congress of the United States in January and May of 1937 passed the joint resolutions which constitute the existing neutrality law. The Senator from North Dakota had from January until May to say something about it if he was not pleased; but, so far as I can find, the Senator from North Dakota did not have anything to say until May 2, 1938; and on May 2, 1938, the Senator from North Dakota—the same Senator who has been standing on the floor of the Senate during the debate on this joint resolution, and who has consumed about 6 hours of time in pointing out how the repeal of the embargo would lead us into war, how it would be the first step toward war, and all the other horrible things which would follow in its train—that same Senator, speaking about the same measure, and with the same embargo in mind, on May 2, 1938, wanted to lift the embargo on arms, ammunition, and implements of war which applied against Spain. He wanted to lift it as against Spain. He wanted to lift the same embargo which he now does not want to have lifted in the war which exists in Europe today.

He introduced in the Senate of the United States a joint resolution, to do what? To tighten the embargo? To keep the embargo as it then was, so that it would keep us from taking the first step toward war? Did he want to keep our hands clean? Did he want to keep the blood off our hands by having us refrain from this terrible business of dealing in munitions? Not at all. He wanted to lift the embargo and send munitions and implements of war into Spain—the same embargo to which we are referring today.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from New Mexico.

Mr. HATCH. Was there a war in progress in Spain at the time the joint resolution was introduced?

Mr. MINTON. Yes.

Mr. HATCH. Would it have been an unneutral act at that time to change the law?

Mr. MINTON. Yes.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. Of course, the original joint resolution imposing the embargo was passed after the civil war had developed in Spain; and, as I understand, it was the contention of the Senator from North Dakota—it so happens that I was not in agreement with the Senator from North Dakota——

Mr. MINTON. We will get to the contention of the Senator from North Dakota.

Mr. CLARK of Missouri. It so happens that I was not in agreement with the Senator from North Dakota about lifting that embargo. However, in answer to what the Senator from New Mexico has said, it is a very poor analogy, because the embargo has been adopted after the civil war had developed in Spain.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. HATCH. The Senator from New Mexico was making no analogy. He was merely asking a question.

Mr. CONNALLY and Mr. NYE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield, and if so, to whom?

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, in answer to the Senator from Missouri, I understand that the Senator from Indiana is about to give the interpretation of the Senator from North Dakota on his own action, rather than the interpretation the Senator from Missouri now seeks, nunc pro tunc, to put in the mouth of the Senator from North Dakota as of May 2, 1938. Is that not correct?

Mr. MINTON. Yes.

Mr. CLARK of Missouri. I was answering something suggested by the Senator from New Mexico [Mr. HATCH].

Mr. CONNALLY. I think it is well to take what the Senator from North Dakota said he meant, rather than what the Senator from Missouri now says he ought to have meant.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. I do not wish to delay the Senator from Indiana. However, the Senator from Texas evidently has been inattentive to what has been going on in the Senate, because the only suggestion I made as to what the Senator from North Dakota meant was in reply to the suggestion of the Senator from New Mexico that it would have been an act of unneutrality to change the law after the civil war had developed in Spain, when, as a matter of fact, the original joint resolution was passed after the civil war had developed.

Mr. HATCH. Mr. President, will the Senator yield for just a moment?

Mr. MINTON. I yield.

Mr. HATCH. I do not want to interrupt the Senator; but I do not want the Senator from Missouri to say that I have said that it would have been an act of unneutrality. I made no such statement as to the position of the Senator from North Dakota at that time. I make no such statement now as to the pending measure. I merely asked the question, because consistency sometimes is a virtue.

Mr. NYE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. NYE. I have had the opportunity to hear only briefly the more recent remarks in the Senate. I did not intend to interrupt the Senator at this particular moment. However, I wish only that the RECORD be clear that we amended the existing neutrality law, including the arms embargo, to cover a civil war after civil war had come to Europe, with the civil war in Spain specifically in mind as the thing at which we were aiming. I wish the RECORD to show that fact.

I also wish the RECORD to be clear that on the date the Senate overwhelmingly—indeed, unanimously—passed the Spanish arms embargo only one voice in the Senate was raised in any degree of criticism or caution as to what was being done.

Let the RECORD further show that my effort to accomplish repeal of that action, which had made the embargo apply to the civil war in Spain, was made only after it had been demonstrated that once again our great European Allies had led us to the slaughter.

Mr. BARKLEY. Mr. President, will the Senator permit me to ask the Senator from North Dakota a question?

Mr. MINTON. I yield.

Mr. BARKLEY. The Senator from North Dakota opposed imposition of the embargo as to Spain, and then he sought to repeal it.

I hope this question will not be regarded as unfair. If it is, the Senator need not answer it. Was the Senator motivated in any way in either of those actions—his opposition to the embargo or his effort to lift it—by any sympathy he had one way or the other as to either side in the Spanish revolution?

Mr. NYE. Mr. President, I am glad to answer that question. I wish I could be more emphatic than I am able to be. Most definitely and emphatically, my action in connection with that issue was dictated in no degree by any sympathy I entertained with respect to one cause or the other involved in the Spanish revolution. My whole interest was in consistency on the part of my own country, and an abandonment of the game of following and doing whatever England and France wanted done, only to see them running away from us after we had accepted the challenge and had gone along.

Mr. MINTON. Mr. President, it is getting late. I do not desire to detain the Senate, and I presume the best thing to do is to get along with what the Senator from North Dakota had to say when he introduced his joint resolution. He is the author of this joint resolution. Not any of the Members over here with "blood on their hands," not any of the Members over here who want to "take the first step," not any of the "interventionists" on this side of the aisle, are authors of this joint resolution to repeal the embargo as it applied to Spain. It is the same embargo, the same great neutrality law that the Senator now stands up and vehemently defends.

Mr. NYE. The Senator is not insisting that I was asking repeal of the arms embargo except as it related to its coverage of civil war, is he?

Mr. PEPPER. Mr. President, that was the only war in progress then; was it not?

Mr. MINTON. There may have been other wars elsewhere, but certainly that was the one the Senator had in mind.

Mr. NYE. That is not an answer to my question; and for the purpose of clarifying the RECORD I should like to have it answered.

Mr. MINTON. What is the Senator's question? Will he repeat it?

Mr. NYE. Is the Senator implying that by that joint resolution I was undertaking to repeal the arms embargo except with reference to its application to civil war?

Mr. MINTON. No; I do not think so.

Mr. NYE. I thank the Senator.

Mr. MINTON. I am now going to read the joint resolution of which the Senator was the author, and let it speak for itself. We can better understand, when we read the joint resolution, what the Senator had in mind, and why he wrote the joint resolution, and why he wanted it enacted, because he not only introduced the joint resolution but he made a short statement with it.

This is the joint resolution which he read into the RECORD:

> Whereas the joint resolutions of the Congress dated January 8, 1937, and May 1, 1937, in whole or in part treated with civil wars; and
>
> Whereas the invoking of these provisions of law had as their purpose a denying of aid through supplies to the end that civil strife might be more quickly ended and that the United States might avoid endangerment of its peace * * * and—

The same purpose that they claim for the embargo now—that we should maintain the embargo now in order not to endanger our peace—

> Whereas it is established that the purpose has not been served and that a situation exists as a result which is wholly contrary to long-standing policy and principle practiced by the United States—

The Senator from Texas [Mr. CONNALLY] did not make that statement. The Senator from Texas did not write that joint resolution. He has been fighting valiantly here today to lift the embargo, but he did not write that lifting resolution. The Senator from North Dakota wrote it. What did he mean by the "long-standing policy and principle practiced by the United States"?

Mr. NYE. Mr. President, is the Senator asking what the Senator from North Dakota meant by that?

Mr. MINTON. Yes.

Mr. NYE. The Senator from North Dakota meant that it had been the long-standing practice of the United States to keep hands off where civil war was involved, and in that instance we were not doing it.

Mr. MINTON. It has been the long-standing practice of this Government to keep its hands off ever since Thomas Jefferson's day, ever since George Washington's day, when he said there should be no entangling alliances. That has been the policy of this Government from its very inception. It is its policy down to today. There is nothing new about that. We never had the policy just to keep our fingers out of civil wars. As a matter of fact, we have horned into civil

wars more than into any other kind, down in South and Central America.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. I am very much interested in the statement of the Senator from North Dakota. He says it has been our policy to keep our hands off other controversies, and that we were not keeping our hands off in the Spanish controversy; that we had an arms embargo at that time. He has been arguing, and all the opponents of the pending measure have been arguing, that through an arms embargo we would be keeping our hands off other controversies; and I was very much interested in his statement that then we had to repeal the arms embargo in order to keep our hands off the controversy in Spain.

Mr. MINTON. I thank the Senator from Washington.

Mr. NYE. Mr. President, if I may make a remark——

Mr. MINTON. Yes; I yield.

Mr. NYE. The Senator is thoroughly confusing the issue as between war between nations and a civil war in a country in Europe.

Mr. MINTON. It does not make much difference to the fellow who gets stuck in the ribs with a bayonet whether it is in a civil war or a war between nations; it is war just the same.

Mr. PEPPER. Mr. President——

Mr. MINTON. I yield to the Senator from Florida.

Mr. PEPPER. I desire to ask the Senator if he thought it was altogether one of the usual types of civil war when it was pretty generally understood that Italy and Germany and Russia were taking direct advantage of it.

Mr. MINTON. Yes; I think the Senator from North Dakota realized that fact. I think he mentions it in some of his statements which I shall read later.

Mr. NYE. I hope the Senator will show that.

Mr. MINTON. The "long-standing policy and principle practiced by the United States." The Senator from North Dakota says that is not keeping our fingers out of other people's civil wars. Ah, Mr. President, I think the long-established policy and practice of the United States has been that under international law it was the right of a neutral to sell munitions and implements of warfare to anybody who wanted them and take them to the purchasers if we could get there with them. That has been the practice under international law, and that is the long-established principle and practice which has prevailed in this Government from its inception. We have claimed that right under the doctrine of the freedom of the seas ever since this country has had a government. We claimed the right to sail the seas, and claimed the right of a neutral in time of war to take our products wherever we pleased, and sell them wherever we could, and deliver them if we could, notwithstanding the action of any belligerent. However, we are going to recede somewhat from that position. But, Mr. President, that is the long-established principle and doctrine which I understand the Senator had in mind when he drafted the joint resolution. Otherwise, it does not make sense in the light of the history of our country.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Is the Senator from Indiana aware that the Senator from North Dakota, on the final vote on the joint resolution of 1937 against which he is now talking, voted for it, and that it carried forward and included the terms with regard to civil commotions and civil wars? That was in 1937. Then in 1938 he made the speech and introduced the joint resolution to which the Senator from Indiana has referred. I ask the Senator from Indiana if anywhere in the joint resolution or the speech of the Senator from North Dakota the claim is made that he was seeking to repeal the embargo because it was passed during the pendency of the Spanish War?

Mr. MINTON. Oh, no; not at all.

Mr. CONNALLY. There is no intimation of that kind?

Mr. MINTON. Let me say to the Senator from Texas that the Senator from North Dakota, in reply to a question which was asked him by me in the time of the Senator from Tennessee [Mr. McKELLAR] on October 20, 1939, said:

> I shall reply in only a few words. The embargo against Spain was voted by the United States Congress after war came to Spain. Its repeal under those circumstances was quite different from the repeal which is now being asked.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Kentucky.

Mr. BARKLEY. One of the reasons urged by the opponents or some of the opponents of repeal of the embargo now is that, aside from the question of neutrality, they do not desire arms shipped from the United States to be used in killing people.

Mr. MINTON. That is correct.

Mr. BARKLEY. In other words, they do not desire English or French to kill Germans with arms manufactured in this country; they do not desire Germans to kill French or English with arms manufactured in this country, or any other nationals to kill the nationals of any other nation. But am I to assume that the effort to repeal the Spanish embargo was based upon the assumption that it was all right for Spaniards to kill Spaniards?

Mr. MINTON. There was a special equity for Franco and his forces. In other words, the rule of clean hands did not apply. It certainly did not apply under the joint resolution drafted by the Senator from North Dakota.

I continue reading the joint resolution:

> *Resolved, etc.*, That the joint resolution to prohibit the export of arms, ammunition, and implements of war from the United States to Spain, approved January 8, 1937, at 12:30 p. m., be, and the same is hereby, repealed.

The Senator from Nevada [Mr. PITTMAN] did not write that joint resolution. The Senator from Nevada was not writing a repealer back on May 2, 1938. That was written by the Senator from North Dakota [Mr. NYE], who now says that to repeal would be unneutral; not only unneutral, but intervention.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. In the light of disclaimer of responsibility for this state of civil strife arms embargo, I think it might be interesting to consider Senate bill 2370, introduced in the Seventy-fifth Congress, first session, by the Senator from North Dakota [Mr. NYE], the Senator from Missouri [Mr. CLARK], my colleague [Mr. BONE], and the Senator from Michigan [Mr. VANDENBERG], section 2 of which provided:

> Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel to carry any arms, ammunition, or implements of war, or any other articles or materials whatever, to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists.

That was offered on May 10, 1937.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. Since my name has been mentioned in this connection, let me say that the bill which the Senator from Washington has just read represented my views at that time; it has represented my views at all times since; and it represents my views today. When the State Department sent up a joint resolution to the Congress on the first day of the session to be put through under whip and spur, applying only to Spain, I could not see any reason why that principle should be adopted with regard to Spain respecting civil war, and not be adopted as to all countries in which civil wars might break out. I was for that bill at the time, and have been for it at all times since, and and am for it now.

Mr. MINTON. Did not the Senator from Missouri vote for the joint resolution which was passed while war was going on in Spain?

Mr. CLARK of Missouri. I voted for the Neutrality Act.

Mr. MINTON. And when the provision was brought in to apply it to the civil war, the Senator voted for it?

Mr. CLARK of Missouri. Yes.

Mr. MINTON. And the war was going on?

Mr. CLARK of Missouri. That was a civil war——

Mr. MINTON. Oh, yes.

Mr. CLARK of Missouri. The Senator should have some understanding about propositions before he starts in to discuss them on the floor. The principle of embargo as to a civil war was an entirely separate and distinct proposition and had nothing whatever to do with the general principle of embargoing exportations of arms to belligerent countries. Nevertheless, when it was proposed it was adopted by unanimous consent in the Senate, and it was later made to apply to all countries in the future, with regard to civil wars, as well as wars between nations.

Mr. MINTON. If I have understood the argument of the Senator from Missouri and the Senator from North Dakota, and all the rest on the other side, an embargo is a thing which keeps you from "taking the first step to war." Nothing was said about civil war or war between nations. War is war.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. BYRNES. And it keeps you from selling those things which will make you responsible for "mass murder."

Mr. MINTON. Yes. I was just about to come to that.

Mr. CLARK of Missouri. If the Senator will yield, of course, the practice of the United States has always been, from time immemorial, not to permit the exportation of arms to an unrecognized government, and the proposition of the Senator from Nevada merely extended it a little further, and he even proposed our refusing to permit the sale of arms to a recognized government. It has nothing whatever to do with the principle of international law having to do with wars between two separate nations.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Indiana yield?

Mr. MINTON. I yield.

Mr. SCHWELLENBACH. Recurring to my reading from Senate bill 2370, I did not have in mind any defense the Senator from Missouri might make for himself, or a defense so far as the Senator from North Dakota was concerned, but the Senator from North Dakota was not responsible for the civil strife resolution, and therefore he had a right to introduce the resolution repealing the embargo as against Spain. I read the extract to point out that about a year before the Senator from North Dakota presented a resolution to repeal the embargo against Spain, he joined three other Senators in introducing a bill which would provide for an embargo against Spain.

Mr. NYE and Mr. LEE addressed the chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield, and if so, to whom?

Mr. MINTON. I yield to permit the Senator from North Dakota to reply.

Mr. NYE. Let me suggest at that point that at the time of the introduction of the bill to which the Senator from Washington refers there was no civil war in progress.

Mr. SCHWELLENBACH. In May 1937?

Mr. NYE. Did not the Senator say it was introduced before?

Mr. SCHWELLENBACH. No; in May 1937.

Mr. NYE. Very well. We had established at that time, as a policy, the inclusion of civil wars within the scope of the law that was called a neutrality law, and I am ready to leave in the law the provision as to civil war, so long as it is not applicable to civil wars which might be in progress at the moment the law was adopted.

Mr. SCHWELLENBACH. I should like to ask, What possibility of logic is there in making a distinction, so far as the removal of an embargo is concerned, between an embargo that was placed on after a war started and one that was placed on before a war started? We have heard here for the last 3 weeks, "Oh, this is the first step toward war, because it is unneutral. We were notified Mr. Hitler would resent it; that was to be our position; and now we are changing our position in time of war." You change your position in time of war if you remove an embargo that was placed on after the war started just as much as if you remove an embargo that was placed on before the war started.

Mr. MINTON. Mr. President, I suppose that was just a little bit of a war over in Spain! Perhaps this is somewhat different.

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. LEE. Does the Senator think it would make any difference to the munitions makers, so far as the profits they receive are concerned, whether it were a civil war or a war between nations?

Mr. MINTON. I thank the Senator from Oklahoma. I am sure it would not make the least difference to the munitions makers whether they hold guns with which to shoot the boys down within the boundaries of their own country or to shoot them down across the border line of some other country. Of course, there might be a distinction in the mind of the Senator from North Dakota. He might hold that their hands were clean of blood if they sold the cannon and the shot and the shell and the airplanes with which to bomb people out of their homes in their own country, that there would be no blood upon their hands then, oh, no, but if they merely cross a line into some other country, and start bombing its people out of their homes, and running women and children into the cellars and murdering them from the sky, or in sinking vessels as they sail the seas, without warning, as was done in the case of the *Athenia*—that is a different thing. Then you get blood on your hands, then you are unclean. Then come into effect these great principles about which the Senator has been speaking.

Mr. President, let me proceed with this joint resolution:

> And be it further
> *Resolved*, That the President be and is hereby authorized to raise the embargo against the Government of Spain, provided that no goods or materials to which the embargo had been made effective and applicable shall be owned by citizens of the United States in whole or in part at the time of shipment or transported in American bottoms or ships flying the American flag from the United States or any part thereof or from any place within its jurisdiction to the country to which the embargo had been made effective and applicable or into the territorial waters of that country.

In other words, that is just the cash-and-carry provision. Then, in explanation of his joint resolution, the Senator said:

> The enactment of this joint resolution would have the effect of altering the present situation as it relates to the embargo against the exportation of arms to Spain.

Altering it. Surely the Senator does not mean to tell me that it would be all right to alter the embargo with reference to Spain, with war going on in Spain, and would not be all right to alter it now. The Senator from North Dakota said, back in May 1938, that he wanted to alter it as to Spain, and later, even in January 1939, he wanted to alter it so far as Spain was concerned.

> I am not prompted—

Said the Senator—

> by the interest of either side involved in Spain.

Did we ever hear that before?

> I am not prompted by the interest of either side involved in Spain.

How many times have we heard it said upon the floor by one side or the other "I am not prompted by the interest of France or Britain, I am not prompted by the interest of Hitler"? The Senator from Tennessee [Mr. STEWART] has said that he did not care who whipped Hitler. How many times, in the course of this debate, have we heard the same statement made as that made by the Senator from North Dakota about the embargo as it applies to the present European war, disclaiming any interest on either side, and stating

that he wanted it to be perfectly neutral, wanted it to work out just as it should, impartially and with neutrality, as I shall point out later in the Senator's remarks.

I am prompted only by a desire to right an injustice.

Right an injustice. What has neutrality to do with righting injustices? Have we not heard that before? I think I have heard the Senator from North Dakota say, and, if I have not, I will stand corrected; I know I have heard the Senator from Missouri say, have I not?——

Mr. CLARK of Missouri. I do not know to what the Senator is referring.

Mr. MINTON. "I am prompted only by a desire to right an injustice." The Senator from Missouri said we did not have anything whatever to do with righting injustice.

Mr. CLARK of Missouri. I did not say anything of the kind. I did say that I thought the interest of the United States was paramount to any other interest, and I was interested in the interest of the people of the United States first and last, and not interested in anybody else. The Senator can find what I said in a couple of places, but he cannot put words in my mouth.

Mr. MINTON. I do not want to do that. I would not want to do an injustice to the Senator from Missouri, for whom I have a deep regard, and more than that, a very great respect, because of his outstanding ability. I certainly would not misrepresent him. If he believes that it is not our business to right an injustice——

Mr. CLARK of Missouri. Mr. President, the Senator can look through many of my remarks and find a repetition of the view which I have expressed, which is that we should attend to our own business, stay on this side of the ocean, and keep out of other people's quarrels. If that is what he means by the paraphrase of what the Senator said, then I say, "All right."

Mr. MINTON. I think we could, without stretching a point, include the Senator in this category, and I am sure he would go along with the sentiment that we must not try to right an injustice. Why, that is the very essence of unneutrality. That is the very essence of partiality. That is what we have been told here for 4 weeks. Some of us here on this side could hardly get a chance to say a word edgewise by reason of the thunder that came from the other side. It was asserted that it was not our business to right an injustice; it was not our business to nose into the affairs of other governments; we should stay here and keep our nose out of other people's business.

I am prompted only by a desire to right an injustice growing out of the embargo program.

What embargo? The same embargo we are talking about now. Not a different one. The embargo applied to a war, just as the embargo applies now, and the Senator wanted to right an injustice resulting from the embargo in that war.

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. LEE. Perhaps the Senator was like the man holding a hot potato; he changed it back and forth from one hand to the other, and did not know whether to peel it or not peel it. [Laughter.]

Mr. MINTON. The Senator from North Dakota continued—

An injustice which reflects upon our country because of the departure from age-old principles.

I suppose that is the age-old principle that we should not interfere in a civil war. My interpretation is a little different, and the Senator will pardon me if I disagree with him as to what that departure relates to.

The Senator continued:

The resolutions by Congress dated January 8, 1937, and May 1, 1937, were requested by the administration at a time when it appeared that there might be accomplishment of an effective embargo against all exportation of arms to both sides in Spain. Obviously, this collective effort has failed. Not only has it failed, but the effort results in aid for one side as against another.

What do we care whether it fails? What do we care whether it affects one side or the other? We wanted to be neutral, we wanted to keep our nose out of other people's business, we wanted to keep hands off. And here the Senator admits that this great embargo, this thing which keeps us from taking that first step, and from getting that blood upon our hands, failed.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. SCHWELLENBACH. Is it not in exact analogy with the argument the Senator from Nevada [Mr. PITTMAN] has made in the Chamber here in the last few weeks? I am familiar with the argument made by the Senator from North Dakota in favor of the repeal of the embargo. He argued that it was possible for the Franco forces in Spain to obtain munitions in this country because of the fact that they were being helped by Mussolini and by Hitler.

The Senator from Nevada made an analogous argument, that it is now possible for Germany to get munitions, while it is not possible for England and France to get them, because Germany can get them from Mussolini through Italy, and can get them through Russia, and other countries surrounding Germany. But when the Senator from Nevada says that we should make a change to right that unpleasant and unneutral position, then we hear the thundering voices say, "Oh, no; you cannot do that. That is unneutral." We must permit that injustice to continue, because if we attempt to do what the Senator from North Dakota claims we should have done some time ago in reference to Spain, it would be unneutral, and might cause us to get into the war.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. If the argument so eloquently and cogently made by the Senator from Washington as to the unneutral policy is good now, why was it not good when the Senator from North Dakota offered it in regard to Spain? Why did not the Senator from Washington and the Senator from Nevada agree with him then?

Mr. SCHWELLENBACH. Mr. President, if the Senator wants an answer to that question I will give him the answer. The answer is the answer I gave to those who wanted me to do what the Senator from North Dakota did. I said, "Go to those who foisted the mistake onto our policy. Hold it up to them. Let the Senator from North Dakota explain on the floor of the Senate and admit, as he will have to do if he introduces that resolution, that the arms embargo is a mistake. Let him stand up and admit that an arms embargo is a mistake and results in injustice." If the argument made by the Senator from North Dakota was good then it is good now. I do not agree with his argument made either time, so far as that is concerned.

The Senator from Missouri, the Senator from North Dakota, and others have been urging a theory on the Congress for the last several years. It is not consistent with that theory to pick out one particular place, and say that because we do not like the way the law is working in one place we will repeal it as to that place, but leave is so far as the rest of the world is concerned.

Mr. MINTON. Mr. President, the Senator from North Dakota says not only has the effort failed but the effort resulted in aiding one side as against another, and that neither neutrality nor nonintervention is accomplished.

That is what he said about this embargo. That is, the embargo as it applied in that war. But when it applies to the present situation it is an entirely different story.

The Senator continued:

It has been the recognized and accepted policy of the United States in regard to civil strife to proceed in keeping with the Habana Convention of 1928, ratified by our country on May 21, 1930, which declared a purpose—

"To prohibit the traffic of arms and war materials, except when it is destined to a Government, so long as the belligerency of the rebels has not been recognized, in which case the rules of neutrality shall be applied."

This language is found under the head of "Rights and duties of States in the event of civil war."

The purpose hoped of achievement by our act of last January 8, and again on May 1, has not been served. Instead, a result has developed that is partial to one side and against the side of a friendly and recognized government.

It could not have been the Senator from Texas who was making that very cogent argument, strange as it seems.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CONNALLY. The Senator from North Dakota for some reason is absent. He was here a moment ago. I wonder if he could have anticipated what the Senator from Indiana was going to quote him as having said.

Mr. MINTON. Perhaps he is out hunting an answer to this position.

Our peace is jeopardized by the situation in Spain.

What? Does anyone mean to tell me that our peace could be jeopardized by something that happened across 3,000 miles of water? The peace of the United States? No one could destroy, no one could invade the peace of the United States if he tried.

Yet here the Senator from North Dakota is telling us that our peace is jeopardized by the situation in Spain only in the possible destruction of American ships. Then he discusses the question of cash and carry——

Mr. NYE. Mr. President, may the RECORD show that I am not absent?

Mr. MINTON. Yes. I am very glad the Senator has returned.

Mr. CONNALLY. Mr. President, I am sorry. I did not hear the Senator, and I thought he was absent.

Mr. MINTON. Mr. President, back in January 1939, when the Senator from North Dakota was interested in the situation in Spain and wanted to lift the embargo with reference to that war, he was making identically the same arguments which Senators have been making on the floor to lift the embargo with reference to the war now in progress.

The Senator from North Dakota received a great amount of mail with reference to his position about repealing the Spanish embargo, so he made a statement for the RECORD in order to have something to mail out in answer to the people who were writing to him. In that statement he said:

First of all let me say that I favor the lifting of the embargo. I proposed a resolution in the Senate to accomplish this. This proposal grew out of a desire by me to have my country adopt a consistent position and a position of greater neutrality in the Spanish situation than is that prevailing with the embargo in force.

In other words, the Senator wanted to get more neutrality, not less. How was he going to get more neutrality? He proposed to repeal the embargo. What embargo? The same embargo he now seeks to retain.

Mr. NYE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. NYE. I have listened to a repetition of that statement for very nearly an hour. I have at no time asked for the repeal of the arms embargo as respects its relationship to war between nations. The repeal I was seeking was the repeal of an embargo respecting civil war, which was written while that civil war was in progress, not before and not after.

Mr. MINTON. I have read the statement of the Senator from North Dakota at the time he put the joint resolution in the RECORD, and I ask him to point out in that statement where he took that ground at that time.

Mr. NYE. Mr. President, I ask unanimous consent that at the end of the remarks of the Senator from Indiana, who has been taking great pleasure in chopping up the joint resolution and chopping up the argument which I presented in the RECORD on May 2, 1938, there may be presented in its entirety the statement as it appears on page 6030 of the RECORD of that date.

The PRESIDING OFFICER. Is there objection?

Mr. MINTON. Mr. President, I will accommodate the Senator even more than that. I ask unanimous consent that the statement and the joint resolution introduced by the Senator from North Dakota, as of May 2, 1938, be inserted in the RECORD immediately following his speech of today.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from North Dakota? The Chair hears none, and it is so ordered.

(See exhibit A.)

Mr. NYE. Mr. President, I hope it is not understood that the statement will appear twice.

Mr. MINTON. I will let the Senator take his choice.

The PRESIDING OFFICER. The Chair has not put the second request.

Mr. MINTON. I do not care where it comes. I will give the Senator from North Dakota his choice as to where it comes.

The PRESIDING OFFICER. Does the Senator from Indiana withdraw his unanimous-consent request?

Mr. MINTON. I do.

The PRESIDING OFFICER. The request is withdrawn.

Mr. CONNALLY. Mr. President, I wish to call to the attention of the Senator from Indiana the fact that the Senator from North Dakota stated earlier in the day, and now repeats, that his reason for wanting the embargo as to Spain repealed was because the embargo had been passed after the civil war began. That is what he now says; but what did he say on the 2d of May 1938?

He said then:

Instead, a result has developed that is partial to one side and against the side of a friendly and recognized government.

That was his view as to why it should be repealed in 1938. Let me ask the Senator again, is there anything in his speech on the 2d of May, 1938, which anywhere intimates that his reason for wanting repeal was because the embargo had been enacted after the Spanish war started?

Mr. MINTON. The only thing I can find is the first sentence in his statement:

The enactment of this joint resolution would have the effect of altering the present situation as it relates to the embargo against the exportation of arms to Spain.

That is the nearest approach I can find to it.

Mr. CONNALLY. I suggest to the Senator that that does not refer to the enactment of the original embargo against Spain. The Senator from North Dakota admits that his joint resolution, which would have repealed the embargo with reference to Spain, would alter the situation of the parties and was intended to alter the situation of the parties. The purpose of it was to alter the situation of the parties. Now he says that should not be done.

Mr. MINTON. He did it in the interest of his own country, and as he says in the RECORD of January 25, 1939, in the interest of greater neutrality in the Spanish situation. He said something else in the same statement. I should like to have the attention of the Senator from Texas to this excerpt from the statement of the Senator from North Dakota on January 25, 1939, when he was putting the statement in the RECORD to send out to people who had been writing to him. He said that the effect of the embargo as to Spain was that—

We might then be in the position of holding the arms of one side of Spain, while the other side dealt blows with outside help that they could get.

That is the reason why the Senator was against the embargo. It was holding the arms of somebody while somebody else outside got all the help he could to pummel the fellow whose arms were being held.

That is the same fine argument which the Senator from Texas made against this iniquitous embargo when the Senator from Texas pointed out that under the existing embargo and under existing law an aggressor nation could get all the supplies it wanted in time of peace, and could build up all the armaments it thought it might need against the day when it would declare war, and then it would pick out the day when war was to come, and have war upon that day. Then, under this iniquitous embargo, the fellow who was being attacked, and who was not armed to the teeth, could

not turn to us and obtain a single weapon for his own defense.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. BARKLEY. I understand that the argument was that under the conditions which existed, the Franco forces could obtain arms from Italy and Germany, and the Loyalist government could not obtain them from us.

Mr. MINTON. That is correct.

Mr. BARKLEY. Therefore, we ought to make it possible for them to obtain arms from us to offset those which the other side were obtaining from Italy and Germany.

Mr. MINTON. I will say to the Senator from Kentucky that I cannot put any other construction upon the argument because the Senator from North Dakota says that the embargo has the effect of holding somebody's arms while somebody else attacks him.

The statement could not refer to anybody who was being held except the Loyalist forces in Spain; and the fellow who was attacking them was Franco, with the help of Hitler and Mussolini. There the Loyalists were, with their arms pinned, fighting for the life of their nation, attacked by Hitler, Franco, and Mussolini; and the Senator from North Dakota wanted to go to their rescue because they were held, because their arms were pinned.

Mr. NYE. I wanted to go to the rescue and repeal a law which we had passed after that situation arose in Spain.

Mr. MINTON. The Senator did not say so then.

Mr. NYE. Oh, well, the Senator did not understand it.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. McKELLAR. I am not sure whether, in the request of the Senator from North Dakota to have his joint resolution and statement inserted in the RECORD, he included, on page 6030 of the RECORD of May 2, 1938, the remarks of the Senator from North Dakota immediately following the resolution, and extending to the bottom of the page. If he did not, Mr. President, if the Senator will permit me, I ask unanimous consent that the remarks of the Senator from North Dakota in the remainder of that column be included.

Mr. NYE. Mr. President, I am sure that was covered by my own request.

Mr. McKELLAR. If it was, very well; but I wanted to be certain to have that part put in the RECORD.

The PRESIDING OFFICER. The Chair holds that the matter referred to was covered in the request of the Senator from North Dakota.

Mr. McKELLAR. That is entirely satisfactory.

Mr. MINTON. So, Mr. President, whatever was in the heart of the Senator from North Dakota, what came from his lips is the RECORD as I have read it. I do not know what he held to his bosom as the real reason why he wanted to lift the embargo against Spain. I only know what he put in the RECORD; and, as I read the RECORD, the arguments he was making for lifting the embargo against Spain are the arguments that are being made here today for lifting the embargo. So the Senator from North Dakota was not only in favor of lifting the embargo in 1938; he was in favor of lifting it on January 22, 1939.

Senators will recall that the distinguished former Secretary of State, Mr. Stimson, had come out with a proposition to Secretary Hull and to the President of the United States that they lift the embargo.

By the way, when the Senator from North Dakota wanted the embargo lifted with reference to Spain, he took the position that the President of the United States himself had the right to lift it. He did not need any help from Congress. The President of the United States could do the job; and the Senator, by indirection, wanted to know why the President of the United States did not lift the embargo which the Congress of the United States had provided should go down upon Spain. So, I say, when Mr. Stimson came out advocating repeal of the Spanish embargo, the Senator from North Dakota [Mr. NYE] supported it.

I now read from the New York Times of January 23, 1939, an article headed:

NYE BACKS STIMSON ON SPANISH EMBARGO—SENATOR ALSO SAYS PRESIDENT HAS RIGHT TO AID LOYALISTS

WASHINGTON, January 22.—The letter of former Secretary of State Henry L. Stimson to Secretary of State Cordell Hull urging him to ask President Roosevelt to lift the Neutrality Act embargo against the Spanish Government was endorsed today by Senator GERALD P. NYE, of North Dakota.

The Women's International League for Peace and Freedom asked the President for an embargo against nations that are supplying munitions to the Spanish rebels.

Let me ask the Senator from North Dakota if the Women's International League for Peace and Freedom is Miss Dorothy Detzer's organization.

Mr. NYE. Is the Senator really making that inquiry for information?

Mr. MINTON. Yes. I do not know, and I thought probably the Senator would know.

Mr. NYE. I do not know whose organization it is; but the Women's International League for Peace and Freedom is the organization which Miss Dorothy Detzer has graced with her leadership for a great many years.

Mr. MINTON. It is the organization with which she is connected?

Mr. NYE. That is correct.

Mr. MINTON. She is the lady who took the credit for the organization of the Munitions Committee, the passage of the resolution, and all that sort of thing that led to the investigation of the munitions industry.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. Yes; I yield.

Mr. CLARK of Missouri. I should simply like to add this statement about Miss Dorothy Detzer: She is also a lady who is very much opposed to war because she had a twin brother killed in the war.

Mr. MINTON. I sympathize with her. I saw a number of men "over there" who were killed in the war.

Mr. CLARK of Missouri. So did I.

Mr. MINTON. In fact, I think I can sympathize with anybody who has lost a dear one in war. My father was a war baby who never saw his soldier dad. I know what war is, and the pinch of war, and the poverty that follows war, because my soldier grandfather never came back from the Civil War, and left five little children, my father the youngest of the brood, a babe in arms who never saw his soldier dad. So I know something about the pinch of war, because poverty was the direct inheritance of the sacrifice my grandfather made upon the battlefields of this country. So I can sympathize with Dorothy Detzer, and I can sympathize with anybody else who knows about war.

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. Yes; I yield.

Mr. LEE. Did the Senator's father lose his life in the Civil War?

Mr. MINTON. No; my grandfather.

Mr. LEE. Was the loss softened at all by the fact that it was a civil war?

Mr. MINTON. Not at all; not at all. There coursed down the cheeks of the women of the North and the South the same tears that coursed down the cheeks of the women of England and France and Germany in a war across the water. Borders make no difference in the tragedy of war. Borders make no difference in the policy we should pursue in the question of our own peace and neutrality.

But it is getting late. Let me continue with what is said in this article in the New York Times:

Asserting that the matter was "not a partisan or a political issue," the Senator said he concurred in Mr. Stimson's belief that the President has a legal right to lift the embargo.

"Certainly," he added, "he has as much power to lift it as he has exercised in failing to place an embargo on the other two nations to the dispute, Italy and Germany," which continue to purchase arms in the United States.

Is that not like the argument we have heard here now about Italy and Russia?

Quoting the Senator further, this article says:

I have never noticed before that Mr. Roosevelt was timid about exercising his authority. But if the President feels the need of congressional support I should be glad to introduce once more a resolution authorizing him to lift the embargo against Spain.

That is the end of the quotation from the Senator from North Dakota. Then the article continues:

Most of the American people, Democrats and Republicans alike, the Senator said, appear to be convinced that Spain is the unfortunate battleground between democracy and dictatorship in a war not of her own choosing——

Mr. CONNALLY. Mr. President, will the Senator pardon me?

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Is the Senator speaking now of the present war, or of the Spanish war?

Mr. MINTON. The Senator surely would not expect the Senator from North Dakota to be speaking thus about the present war.

Mr. CONNALLY. I did not hear from what the Senator was reading.

Mr. MINTON. He was speaking about the war in Spain at the first of the year 1939—

and one which would have collapsed months ago if Premier Benito Mussolini and Chancelor Adolf Hitler had withdrawn their troops and arms.

He said he had been informed that the latest offensive by Generalissimo Francisco Franco had been inspired by the necessity of producing immediate results or of facing a revolt of civilians behind his own lines.

The Senator from North Dakota wanted to intrude us into that situation. He wanted us to take that first step. Oh, there is no question about that—that first step! It has nothing written on it but war—war—the road to war—and yet he wanted us to take it! He wanted us to take it in May 1938, and he wanted us to take it in January 1939.

Mr. CONNALLY. Mr. President——

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Did the Senator from North Dakota want to change the rules of the game after the game had started?

Mr. MINTON. The Senator from North Dakota is perfectly willing to change them when it is a game in which men are cutting out people's hearts inside the borders of their own country, but he does not want to change the rules if they go across the boundary line.

Mr. NYE. Mr. President, will the Senator yield?

Mr. MINTON. Yes; I yield.

Mr. NYE. What the Senator from North Dakota is ready and willing to do is to change the rules of the game that are prescribed after the game has started.

Mr. MINTON. I do not think it makes any difference whether the rules are changed after the game has started if the rules as changed do not discriminate against either side. If the rules are changed in the middle of the game, and the rules apply to both sides alike, it does not make any difference; but I do not think war is a game. I think it is a serious business, probably the most serious business in which human beings indulge.

The Senator from North Dakota wanted to get in there with aid from the United States before Franco won; but now he is wholly unconcerned about getting over there with any aid to England and France before Hitler wins.

Recalling that when he offered a resolution in May 1938 to lift the embargo the President and the State Department were convinced the government could not hold out another month, he added that press reports say it still may continue months more, even if Barcelona falls.

He said that though the administration apparently realizes its tragic mistake in opposing his resolution, there is still no intimation that it plans to do anything except express private sympathy.

In other words, the civil war in Spain could continue, as the Senator from North Dakota pointed out, with the Loyalists having their arms pinned back and unable to get any help while Franco was pummelling them to death. And the Senator chided the President of the United States and the Congress of the United States because they had expressed only private sympathy. But now, in the consideration of this joint resolution, we hear nothing from the opposition except "don't even look with sympathy toward those people over there. It is their war. It is not our war. Stay out. Do not interfere. Do not intrude. Do not take that first step to war, and keep your hands clean from the blood of people killed with munitions."

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. LEE. It seems that some of the Senators are more disturbed over a preacher praying for England than they were over Hitler preying on Poland. [Laughter.]

Mr. MINTON. It all depends on how the word is spelled, I suppose.

Mr. President, I think I have quoted sufficiently from the record to demonstrate at least that the Senator from North Dakota should be on our side on the question of the repeal of the embargo, because substantially every argument that has been made on our side of the aisle, and by our friends on the other side of the aisle who agree with us for the repeal of the embargo applying to this war, was made by the Senator from North Dakota concerning the repeal of the embargo with reference to the Spanish situation.

On the record, Mr. President—and I am speaking only by the record; I will let the Senator plead otherwise here if he desires to now—speaking from the record, as I have said, the Senator from North Dakota was not thinking about the enactment of this law while war was going on in Spain. That is an afterthought, if I may so suggest; and the Senator from North Dakota today, in my judgment, finds himself in the inconsistent position of supporting the repeal of the embargo with reference to Spain, and refusing to support the repeal of it with reference to the existing war.

I leave the record as the Senator from North Dakota made it. It is his record, and he may extract such comfort from it as he can find.

EXHIBIT A

EXPORT OF MILITARY SUPPLIES TO SPAIN

Mr. NYE. Mr. President, earlier in the day I introduced Senate Joint Resolution 288, reading as follows:

"Whereas the joint resolutions of the Congress dated January 8, 1937, and May 1, 1937, in whole or in part treated with civil wars; and

"Whereas the invoking of these provisions of law had as their purpose a denying of aid through supplies to the end that civil strife might be more quickly ended and that the United States might avoid endangerment of its peace; and

"Whereas it is established that the purpose has not been served and that a situation exists as a result which is wholly contrary to long-standing policy and principle practiced by the United States: Therefore be it

"*Resolved, etc.*, That the joint resolution to prohibit the export of arms, ammunition, and implements of war from the United States to Spain, approved January 8, 1937, at 12:30 p. m., be, and the same is hereby, repealed; and be it further

"*Resolved*, That the President be and is hereby authorized to raise the embargo against the Government of Spain, provided that no goods or materials to which the embargo had been made effective and applicable shall be owned by citizens of the United States in whole or in part at the time of shipment or transported in American bottoms or ships flying the American flag from the United States or any part thereof or from any place within its jurisdiction to the country to which the embargo had been made effective and applicable or into the territorial waters of that country."

The enactment of this joint resolution would have the effect of altering the present situation as it relates to the embargo against the exportation of arms to Spain.

I am not prompted by the interest of either side involved in Spain. I am prompted only by a desire to right an injustice growing out of the embargo program—an injustice which reflects upon our country because of the departure from age-old principles.

The resolutions by Congress dated January 8, 1937, and May 1, 1937, were requested by the administration at a time when it appeared that there might be accomplishment of an effective embargo against all exportation of arms to both sides in Spain. Obviously, this collective effort has failed. Not only has it failed, but the effort results in aid for one side as against another, and neither neutrality nor nonintervention is accomplished.

It has been the recognized and accepted policy of the United States in regard to civil strife to proceed in keeping with the Habana Convention of 1928, ratified by our country on May 21, 1930, which declared a purpose "to prohibit the traffic of arms and

war materials, except when it is destined to a government, so long as the belligerency of the rebels has not been recognized, in which case the rules of neutrality shall be applied."

This language is found under the head of "Rights and Duties of States in the Event of Civil War."

The purpose hoped of achievement by our act of last January 8, and again on May 1, has not been served. Instead, a result has developed that is partial to one side and against the side of a friendly and recognized government. Our peace is jeopardized by the situation in Spain only in the possible destruction of American ships and goods in foreign bottoms. Our security is to be found in the provision of the joint resolution I have introduced, which would require that American ships refrain from participating in this traffic.

I hope the joint resolution will receive at the hands of the Committee on Foreign Relations the earnest consideration to which I feel sure it is entitled and that it will be enacted. Incidentally, I desire to remark that there are many Members of the Senate who entertain views in harmony with those expressed by the joint resolution itself.

Mr. BARKLEY obtained the floor.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HOLT. Since we have started to discuss inconsistencies, I should like to have inserted in the RECORD at this point a request by me that there be printed in the RECORD a statement of the inconsistency of United States Senators on the arms embargo.

Mr. SCHWELLENBACH. Reserving the right to object, I should like to inquire just what the request is.

Mr. HOLT. I may find some inconsistencies on the part of the Senator from Washington. I do know as to many of the others.

Mr. SCHWELLENBACH. I concede that; but I did not quite understand the request.

Mr. HOLT. I have asked that at this point in the RECORD it be shown that I ask for unanimous consent to place in the Appendix of the RECORD a list of the inconsistencies of Members of the United States Senate between their positions on the embargo when it was passed and up to this time, and their positions in the present debate.

Mr. CONNALLY. Mr. President, if the Senator wants to print in the RECORD the official roll calls on all these matters, I have no objection, but if he is going to print someone else's construction as to who has been inconsistent, and so forth, and so on, I would object, unless someone can look it over. So far as I am concerned, I have admitted on the floor many times that I make many mistakes. When I voted for the embargo I made a mistake, and I have been sorry for it ever since. If changing my position on that question is evidence of inconsistency, God help me that I may be guilty of some more similar inconsistencies in the future.

Mr. HOLT. I desire to say that I can quote the Senator as late as May 1939 on this list. All I ask is to put in the RECORD the Senator's words, and let the people be the judge.

Mr. BARKLEY. Is the Senator asking that he extend in the RECORD his own remarks?

Mr. HOLT. Oh, no; all I ask is to put in parallel columns statements of Senators on the embargo in the past, and their statements in the present debate. That is all I ask.

Mr. BARKLEY. Has the compendium been made up?

Mr. HOLT. It is being made up; and it is very interesting, I may say to the Senator from Kentucky.

Mr. BARKLEY. I am not concerned in how interesting it may be, but as to whether the Senator is asking the Senate to violate its rule, which has heretofore prevented a Senator from extending his own remarks in the RECORD in the same fashion in which remarks are extended in the RECORD in the other House.

Mr. HOLT. No; I ask only that at this point I be shown as making the request, and then I will extend the matter in the RECORD.

Mr. BARKLEY. In today's RECORD?

Mr. HOLT. No; I have not compiled it.

Mr. BARKLEY. I think the Senator should wait until it is compiled.

Mr. HOLT. But I want to show that I made the request at this particular time, since we are discussing consistency.

Mr. BARKLEY. We may have other occasions to discuss that before we conclude the debate.

Mr. HOLT. If the Senator objects, I want the RECORD to show that, and if there is any objection, I will read the matter into the RECORD.

Mr. BARKLEY. I understand the Senator can do that, but what I am trying to get clear is the fact that the Senator is asking that in some future RECORD he may be permitted to insert a compendium which he is preparing with respect to consistency or inconsistency of Senators, and I say that it is better practice, and has always been the practice, when the RECORD is being made up during the sessions of the Senate, for a Senator to ask that he be allowed to put matter in and not get a blank check for inserting something in the RECORD in the future before final adjournment of the Congress is taken, which seems to be the gist of the Senator's request.

Mr. HOLT. No; the Senator from West Virginia merely requests that at this point——

The PRESIDING OFFICER. The Chair suggests that a request affecting the consistency or inconsistency of Senators should not be passed on in the absence of the senior Senator from Arizona [Mr. ASHURST]. [Laughter.]

Is there objection to the request of the Senator from West Virginia?

Mr. CONNALLY. Mr. President, for the present I object, until we see what the matter proposed to be inserted may be. If the Senator from West Virginia desires to read it into the RECORD, that will be fine; we will then know who made it up and who is responsible for it.

Mr. HATCH. It might be better to do it in that way; and then if a Senator present is quoted, he can answer.

Mr. CONNALLY. Exactly. I do not want to consent to the insertion of something which is not yet made up, which is palpably and on its face prepared for the purpose of reflecting on Senators. I do not care what the Senator puts into the RECORD about me, because I have not discussed any of the prior embargo acts. I have discussed the pending law, and I very frankly have stated that I voted in the wrong way when I voted for it. But I do not propose to have some ghost writer, or some expert, or somebody else, reflect on Senators in a statement when we do not know what language is contained in the statement, until it is brought here and someone can look at it. If the Senator from West Virginia desires to read it into the RECORD, that will be fine. He will then sponsor it, he will be the author, and other Senators can challenge it if they see fit to do so.

Mr. HOLT. No ghost writer writes my speeches. I realize that the Senator from Texas naturally would think so. So far as my speeches are concerned, they are my own. That is why they are so poor. I do not have to go to Charley Michelson to have my speeches written.

Mr. CONNALLY. I do not think Charley would write one for the Senator if he did. [Laughter.]

The PRESIDING OFFICER. Objection is heard.

Mr. HOLT. If Charley Michelson should write one for me I would not deliver it as my own, as some other Senators on the floor do here today.

Mr. CONNALLY. Mr. President, that is a sample of the insinuation I am trying to keep out of the RECORD. The Senator from West Virginia is perfectly willing to besmear all Senators on the theory that Mr. Michelson writes their speeches.

Mr. HOLT. Does the Senator deny it?

Mr. CONNALLY. I do not know anything about it. He never wrote one for me.

Mr. BARKLEY. Mr. President, I do not yield any further for the purpose of having a controversy started.

Mr. CONNALLY. I wish to say that Mr. Michelson has never written a speech for me. I dare say I would have made much better speeches if he had. I never heard of any other Senator for whom he did write a speech. If the Senator from West Virginia knows—he seems to know—that is his business, but I do not think it is fair to Senators to make a blanket charge like that when they are not here and cannot deny it.

I did not say any ghost writer wrote the speeches of the Senator, but I presume some ghost writer is getting up this information, because the Senator says it is not yet completed, and I assume that if he were going to do it, he would just rise and make the statement without any preparation, or anything of the kind.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MINTON. I should like to say to the Senator from West Virginia before I ask to have certain matter placed in the Appendix of the RECORD that I am one of those who spoke today, and I do not think it would be doing Mr. Michelson justice to say that he wrote the speech I made. I can assure Senators that he never wrote that one, nor did he ever write one for me or furnish me any material for one.

Mr. WILEY. Mr. President, I had the good fortune to make a speech on the floor of the Senate today, and if the distinguished gentleman who they say writes speeches for the administration will say that he wrote my speech I might be very happy. But I do not have the benefit of his acquaintance. So I think that leaves the Senator from North Dakota [Mr. NYE] and the Senator from Missouri [Mr. CLARK] as the only remaining Senators who spoke at length in the Senate today.

We might as well get it cleared up. I ask the Senator from Missouri [Mr. CLARK], Did Mr. Michelson write the Senator's speech?

RECESS

Mr. BARKLEY. Mr. President, in order to terminate this ghost writing experience meeting, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 42 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 24, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 23, 1939

The House met at 12 o'clock noon.

Rabbi Isaac Landman, of the Eighth Avenue Temple, Brooklyn, N. Y., offered the following prayer:

Heavenly Father, we invoke Thy blessing upon our country and upon this House, representatives of the will of our citizenry. Prosper our Nation, O Lord, in all its industries and its commerce, on land and on sea, so that there may be no want or scarcity. Grant that they whom the people have placed in authority may be filled with Thy spirit, the spirit of wisdom and understanding, the spirit of knowledge and the fear of Thee. May Thy blessing rest upon our free institutions, that our beloved land may remain forever the home of liberty. May good will obtain among all its inhabitants and peace dwell within its borders. Guide us and help us, O Lord, to make our country a stronghold of peace, and the advocate of peace in the counsels of nations; and vouchsafe, O Heavenly Father, that the spirit of religion pervade our every home, so that America may be exalted in righteousness. Amen.

The Journal of the proceedings of Friday, October 20, 1939, was read and approved.

THE LATE FRED S. PURNELL

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, it is with deep sorrow that I arise to announce the death on last Saturday, October 21, of a former distinguished Member of this body, the Honorable Fred S. Purnell, of Indiana.

Fred Purnell, then a young man 35 years of age, came to Congress in 1917 as the representative of the old Ninth Indiana District. His first service was in the Sixty-fifth or war Congress. For 16 of the best years of his life he served his district and his State and Nation with honor and distinction. That he became ranking Republican member on the Rules Committee and second ranking Republican member of the Committee on Agriculture, is evidence of his high standing and influential position in the Halls of Congress.

Those who knew Fred Purnell personally will best remember him for his fine congeniality and affable disposition which, together with his unceasing diligence and great ability, earned for him the sincere respect of his colleagues. His was the sort of service which is typical of the best of representative government. His was a service which any young man coming to Congress may well emulate. With such service the future of representative democracy is assured.

The country can ill afford to lose such a loyal and patriotic citizen as was Fred Purnell. His passing is a distinct loss to his State and Nation.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Speaker, as the senior member of the Indiana congressional delegation in point of service, whose privilege it was to be associated with Mr. Purnell in Congress, I appreciate this opportunity to pay a humble tribute to his memory.

As my colleague has announced, Fred Sampson Purnell, Representative from Indiana for seven terms, beginning with the Sixty-fifth Congress and ending with the Seventy-second Congress, passed away at Walter Reed Hospital Saturday afternoon after a lingering illness of 2 years, which took an acute form about a week ago.

Many Members still serving in the House and Senate will remember him with endearing recollections, as he was a general favorite in the national lawmaking body on account of his sterling character and his warm, ingratiating personality. Enemies he had none, and there were no party lines in his friendships. His genial, sunny nature, his bon homme qualities, and his keen sense of humor made him the life of every party that was graced with his presence. One of his old friends, speaking of him yesterday, paid him the beautiful tribute of saying: "All through his life he scattered sunshine." He had an amazing faculty for making friends. As a raconteur this body never had his superior. Not even Thomas Bracket Reed, James E. Watson, "Uncle Joe" Cannon, or John Sharp Williams eclipsed him as a story teller, and his comments about persons and things were free from rancor and without any tinge of malice. He was an accomplished speaker, and in his younger days had been a very good amateur actor. His widow and two sons, Samuel and Fritz, survive him. The Purnell home at Attica, Ind., was famous as a center of gracious friendliness where Hoosier hospitality flourished at its best.

It seems only a little while since Fred Purnell was a forceful and dramatic figure on this stage of action. When I first came here as a Member in the Seventy-first Congress the party to which Mr. Purnell belonged was in control, and he was one of the outstanding leaders of the House, constantly on the firing line and playing a heavy role in its deliberations. The field of his activities included the Rules Committee, the Committee on Agriculture, and the steering committee, which arranged the House program. He was third on the Committee on Rules, with Bert Snell, of New York, as chairman, and was the ranking member of the Committee on Agriculture. In the Seventy-second Congress, with control having switched to the Democrats, he became ranking minority member of the Rules Committee and had as associates on that committee five gentlemen who are still Members of the House: Mr. Speaker BANKHEAD; the gentleman from Illinois [Mr. SABATH]; the gentleman from Georgia [Mr. COX]; the gentleman from Michigan [Mr. MICHENER]; and the gentleman from Massachusetts [Mr. MARTIN]. He had a brilliant and active mind, which was quick to seize legitimate party advantage, but with no trace of unfairness toward his adversaries. It was on the Committee on Agriculture that his talents shone most luminously. Born on a farm, he carved out for himself a successful career in the law, but he never got far away from the tang of the soil. He was a deep student of agricultural problems and was the author of considerable agricultural legislation, including the law now on the statute books under

which patents are granted to those who produce new and distinctive species of flowers and fruits. He and the wizard, Luther Burbank, collaborated in drafting this bill, and Mr. Purnell was its legislative father.

Funeral services were held at Hines' funeral parlors yesterday afternoon with many Members and ex-Members of Congress and others of distinction in the audience; and our honored Chaplain of the House, James Shera Montgomery, delivered a wonderfully beautiful and consoling sermon.

On Wednesday afternoon, out in Indiana, amid the hallowed scenes of his boyhood, the body of our former colleague will be committed to the grave—"earth to earth, ashes to ashes, dust to dust"—and many are there who mourn, and many are here and throughout the country whose hearts are touched, for Fred Sampson Purnell was widely known as a man without guile—a good citizen in every sense that meaningful term connotes, a true friend, and a great American.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, I want to join with many of his other friends in paying a word of tribute to Fred Purnell. I think the House soon gets the measure of a man after a rather brief period of service, but there is no place where we learn to know men better than when we serve with them on the same committees.

It was my privilege to serve for a number of years on the Committee on Agriculture with Fred Purnell, of Indiana. He was one of the truly fine spirits with which it has been my privilege to be associated. He was clear minded, he was able, energetic, and industrious. When he gave you his word you could bank on it like you could bank on water running downhill.

One of the beautiful things connected with service here is the fine memories that one has of his experiences with other chosen representatives of the American people. From time to time both in committee and on the floor of the House I have had sharp tilts with Fred Purnell, but I never knew him to hit below the belt. I never knew him to take an unfair advantage. I never knew him to do other than the straightforward thing. That type of man, it seems to me, is not only a credit to his party and to the House of Representatives, but is truly an asset to the country.

In addition to industry and ability, he was a man of fine personal qualities, one with whom it was a pleasure to associate, and one from association with whom you carry away many glorious memories. His death is not only a loss to his State but is a loss to the entire country. He was one of those truly able citizens who was always willing when a crisis came to place his country above his party. I feel that he is worthy of all of the generous things that may be said about him on this occasion.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, death has again invaded the ranks of those who have been our colleagues in this great lawmaking body. In the death of the Honorable Fred S. Purnell, which occurred in Washington on Saturday, the 21st day of October, 1939, we have lost a very distinguished citizen and a fine friend. The death of this good citizen is a very distinct shock and loss to me.

Fred S. Purnell served in this body continuously from 1917 until 1933, representing the Ninth District, as then constituted, of the State of Indiana. During his long period of service in the Congress he was a member of the Agricultural Committee, and he later became the chairman of that great committee. His services in this body were outstanding and he put his full energy and his undivided devotion into his work.

The successive steps of the life of our friend, in the more active period of it, began following his graduation from Indiana University in the year 1904; he immediately began the practice of his chosen profession, the law, in which field of activity he made a marked progress, and later, in the year 1910, he was chosen as city attorney of his home city, Attica, Ind., which position he held until in the year 1914. He was elected by the people in his district as a Member of the Sixty-fifth Congress and he was elected and served as the Representative of the people of his congressional district for the period of 16 years. Throughout his life and in the various positions of trust he occupied he was entirely devoted to the duties before him. He was true to the trust reposed in him. He was a faithful public servant. The fine service he rendered in the Congress will long be remembered by all of those who served with him and who knew him.

May I say in passing that this fine friend of ours, Fred S. Purnell, possessed a fine character. One of the outstanding characteristics he possessed was his friendliness to the people; his smile was ever a beacon of sunlight and love to his friends; when the vision of worlds gone wrong came upon others, even in time of great stress, a kindly word and a friendly smile from our esteemed friend made all seem right again. He filled his niche in life with a fine devotion to the helpfulness of others.

Mr. Speaker, in the closing of the life of our distinguished colleague of former years, whose devotion to duty was his watchword, whose unwavering study and interest in all great public questions did not dim as the years passed by, whose unfaltering energy buoyed him up and spurred him on to meet the exigencies of life even in the face of failing health, we may truly say of him, "This was a man!"

We say farewell to him today. His life and his achievements will inspire us throughout the years to come.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS. Mr. Speaker, it is with a heavy heart that I rise to address the House on this occasion. The death of Fred Purnell has been a shock to me. He was my friend.

For 16 years Fred Purnell served in this House as my Congressman from the old Ninth District of Indiana. He was highly respected and loved by the people of that district and the State of Indiana. He served in this body with honor and distinction to his country and to his native State of Indiana, which he loved so well. Fred Purnell typified the finest in American statesmanship.

Born on an Indiana farm, he grew up in the best of middle-American traditions. He was educated in the public schools of Veedersburg, Ind., a peaceful little rural community which he always called home.

His passing is indeed a loss to the people of Indiana and the people of this Nation. I shall ask the indulgence of the Members of the House at a later date to pay a more just and adequate tribute to the memory of Fred Purnell.

Mr. MICHENER. Mr. Speaker, I arise to pay my tribute of love, honor, and respect to the life and character of one who has crossed the bar.

Fred Purnell was my friend. His friends were limited only by his acquaintances. He had an unusually attractive personality. Possessed of a quick mind and a responsive tongue, he was always careful not to use that tongue to the discomfiture of those about him. He was at his best in general debate on the floor of the House. He was an extraordinary public speaker—one of the kind recognized because of his effectiveness. His speaking ability made him popular throughout the country, and to my personal knowledge he received many, many invitations to speak before various groups on various subjects.

He was a Member of the House when I came here in 1919. Our families lived at the same hotel. Our children grew up together. In short, I knew him well. We served together on the Rules Committee for a number of years, and I came to know intimately of his great ability and fairness. The gentleman from Texas [Mr. JONES] expressed well my sentiment when he said, in substance, that Mr. Purnell was the type of man to be both feared and respected in debate, and that he never struck below the belt.

Politically, Mr. Purnell was a Republican. He was not passive but, on the other hand, an active Republican. He was a Republican because of the faith that was in him, yet he conceded the right to the other fellow to be just as sincere in his political faith. He was always tolerant. We shall miss him

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. CROWE].

Mr. CROWE. Mr. Speaker, I was saddened because of the death of my friend Fred Purnell, formerly a Member of Congress from Indiana.

It was my great pleasure to know Mr. Purnell for a number of years. I had always known him to be a real gentleman, an honorable citizen, and a dependable and loyal friend. He served the House and he served the country with distinct ability and statesmanship. I regret very much to learn of his passing, which was so premature, as he was probably only in middle life or a little past. It is regrettable that a man of such high attainments and such good character, such a splendid citizen and gentleman as Fred Purnell, should pass away so suddenly and unexpectedly. He was an able legislator. He bore much of the load on many occasions when legislation of importance was before the House. He did not lend himself to idle talk but adhered to the subject matter to which he addressed himself. To know him was to love him, and everyone with whom he came in contact was enriched by his acquaintance. May his rest be peaceful.

Mr. GRANT of Indiana. Mr. Speaker, it was not my privilege to have served with the Honorable Fred Purnell during his illustrious career in the House of Representatives. I learned to know him shortly after the beginning of the regular session last January, at which time he occupied a high position in the office of the Comptroller General. It was my privilege to see him often in the months that followed. At our Indiana gatherings he was the friend of all, and all were his friends.

The high esteem and the affection for Fred Purnell shared by all Hoosiers was well exemplified there.

He was a kind and loving husband, father, and friend—one of whom it can truly be said the world is a better place in which to live for his having been with us.

Our deepest sympathy in this hour of sorrow goes out to his widow and children. Indiana has lost, America has lost, a great leader, a great statesman, and a great American.

Mr. GILLIE. Mr. Speaker, in the passing of our late beloved colleague, Hon. Fred S. Purnell, Indiana has lost one of its most distinguished, earnest, and faithful patriots, and the people of the old Ninth District have lost one of the most conscientious Representatives any district ever had.

Only a few days ago Fred Purnell was a visitor on the very floor of this House. Although he was in poor health, he was still the same jolly good fellow who won the devotion of countless thousands during his long career of public service.

Today he is on his way back to his beloved Indiana, and his many friends here in the Nation's Capital are with him in spirit. On Wednesday he will be laid to rest in the soil of the country he loved so well.

Fred S. Purnell led a full, eventful, varied, and colorful life, and had in turn been a student in school and university, a lawyer and city attorney, a Member of Congress, and a Federal Government official. He took very seriously the duties and responsibilities of his position as a Member of this body and labored incessantly without surcease in the interests of his constituents and the American people as a whole.

As one of his friends and associates, I mourn his passing with those who have likewise been associated with him. To his sorrowing widow let us extend the sympathy which her hour of grief and sorrow entitles her, but let us bring to her also the consolation that a faithful servant and a devoted husband has gone to his just reward.

ORDER OF BUSINESS

The SPEAKER. Under a special order of the House heretofore entered, the gentleman from Michigan [Mr. ENGEL] is entitled to be recognized for 20 minutes.

Mr. DONDERO. Mr. Speaker——

The SPEAKER. Does the gentleman from Michigan yield to his colleague?

Mr. ENGEL. If it is not taken out of my time; yes, Mr. Speaker.

The SPEAKER. The Chair is of the impression that where a special order has been entered, as is the case here, for a Member to be allowed to address the House immediately after the reading of the Journal, the gentleman is entitled to be recognized and any other proceedings would, under the rules, be taken out of his time. The Chair wishes to announce this at this time because he has given some consideration to the matter. This applies to both sides of the House.

Mr. DOWELL. Mr. Speaker——

The SPEAKER. The gentleman from Michigan has the floor. Does the gentleman yield to the gentleman from Iowa?

Mr. ENGEL. I yield, Mr. Speaker.

Mr. DOWELL. I only wish to make the suggestion that by unanimous consent the House can permit the gentleman from Michigan [Mr. DONDERO] to proceed for a few moments before the gentleman from Michigan [Mr. ENGEL] proceeds in the time allowed him.

The SPEAKER. If the gentleman from Michigan will yield for that request, the Chair will recognize the gentleman.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that my time be extended 5 minutes, and then I can yield to these gentlemen, if that is in order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. ENGEL]?

There was no objection.

Mr. ENGEL. I now yield to the gentleman from Michigan [Mr. DONDERO], Mr. Speaker.

Mr. DONDERO. Mr. Speaker, with a world in confusion caused by war, with governments threatened, some tottering while others have entirely disappeared, it may be well for us here in the United States to take inventory of some of the privileges and securities under which we live in this country as compared with the conditions that exist and under which people in other parts of the world are compelled to live.

In a weekly newspaper published in my congressional district, the Clawson-Troy News, under date of October 19, 1939, there was inserted by Mayor Ernest R. Baldwin, of Berkley, Mich., also in my congressional district, this short résumé of what we as Americans may do well to appreciate today. I want to give it to the House.

IT'S GLORIOUS TO BE AN AMERICAN THESE DAYS

(By Mayor Ernest R. Baldwin, of Berkley)

This is a review of an article which appeared recently in the New York Sun:

"He is an American."

He hears an airplane, and if he looks up at all does so in curiosity, neither in fear nor in the hope of seeing a protector. His wife goes shopping and her purchases are limited by her needs, not by decree.

He comes home at night through streets which are well lighted.

He reads his newspaper and knows that what it says is not concocted by a bureau, but an honest effort to present the truth.

He has never had a gas mask on.

He has never been in a bomb-proof shelter.

He belongs to such organizations and clubs as he wishes.

He adheres to a political party, but with the distinct reservation that he may criticize any of its policies, even, if it be his decision, one which holds that the theory of government of the country should be scrapped.

He does not believe, if his party is out of power, that the only way in which it can come into power is through a bloody revolution.

He converses with anyone, expressing freely his opinion on any subject without fear.

He does not expect his mail to be opened, nor his telephone to be tapped.

He has not registered with the police.

He thinks of his neighbors across international borders—of those north as though they were across a State line, rather than foreigners—of those to the south more as strangers since they speak a language different from his, and with the knowledge that there are now matters of difference between his Government and theirs, but of neither with an expectancy of war.

He worships God in the fashion of his choice.

His children are with him in his home, neither removed to a place of greater safety, if young, nor, if older, ordered ready to leave the State.

He has his problems, his troubles, his uncertainties, but all others are not shadowed by the imminence of battle and sudden death.

He should struggle to preserve his Americanism with its priceless privileges.

He is a fortunate man.

He is an American.

EXTENSION OF REMARKS

The SPEAKER. The Chair will recognize Members for requests to extend their own remarks in the RECORD.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a poem called The Flag on Ehrenbreitstein.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an address I delivered Friday night at Fort Worth, Tex., including in the address some extracts from previous reports of the House and an address I made on the subject of petroleum.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GAVAGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent speech I made.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I received from the welfare officer of the Order of the Purple Heart.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the reciprocal-trade agreements and include therein an editorial from the Washington Post and a short article from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short newspaper article from the Milwaukee Journal.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PITTENGER, Mr. LAMBERTSON, and Mr. THORKELSON asked and were given permission to extend their own remarks in the RECORD.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution passed by the National Convention of the American Legion on neutrality.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein Views of the News, appearing in the Los Angeles Daily News and Evening News of September 26–27, 1939.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that on Thursday next, following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech I delivered before the Republican Club of Chambersburg, Pa., setting forth the achievements of the minority party during the Congress and condemning certain communistic activities.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD following the remarks of the gentleman from Indiana [Mr. HARNESS] on the life, character, and public service of Mr. Purnell.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Michigan [Mr. ENGEL] is recognized for 23 minutes.

NEUTRALITY

Mr. ENGEL. Mr. Speaker, while many amendments have been proposed to the present neutrality law, I want to confine my remarks this afternoon to the question, "Will the repeal or the failure to repeal the arms embargo tend to get us into war?" I am frank to confess that personally I have the same prejudice that the most radical anti-Hitler Member of this House has.

My ancestors came from Alsace-Lorraine. For hundreds of years they fought in French wars. My grandfather was an employee of the empire under Napoleon III. My father and mother were born in France. Three uncles and my father served in the Franco-Prussian War of 1871. In 1871 Alsace-Lorraine had a population of three millions of people. When France took those provinces back in 1918, there were approximately 750,000 original inhabitants left. The remainder were Germans. Some of my relatives went to France, some to America, and a few remained in Alsace. My father and mother came to America in 1871.

I served 27 months in the Army during the World War, including nearly 23 months in France and Germany. One of my cousins was killed in the German Army on the Russian front. Another, I was informed, was killed at Verdun in the French Army. Still another, while in the German Army, walked across the lines because he refused to fight against the Americans and was in a detention camp at Tours. The father of these boys was a crippled veteran of the war of 1871. He told me that from 1871 to 1919, and for 48 years, each morning he had gone to church and prayed that the Almighty God might let him live to see Alsace French again. When Alsace became French he went to church every morning and thanked the Almighty God that he did let him live to see Alsace French again. This despite the fact that all his sons served in the German Army. Alsace-Lorraine was the Poland and the Czechoslovakia of the Franco-Prussian War of 1871.

Naturally, my sympathies are with the Allies, and with those smaller liberty-loving nations who have been so ruthlessly crushed. I consider the partition of Poland and Czechoslovakia outrageous. Every drop of my blood rebels against Hitlerism and Stalinism. I have the same prejudices and sympathies that the most rabid anti-Hitler-Stalin Member of this House has. Nevertheless, my duty as a Member of Congress is to remain neutral. True neutrality, the kind and the only kind of neutrality that will keep us out of war, is the neutrality that scrupulously refuses to take sides in the conflict.

THE MOST IMPORTANT QUESTION BEFORE THE CONGRESS IS: "WILL THE REPEAL OR THE FAILURE TO REPEAL THE ARMS EMBARGO TEND TO GET US INTO THE EUROPEAN WAR?"

This question should be decided calmly and deliberately. Our personal sympathies, prejudices, hatred, likes, or dislikes for individuals or governments have no place in making this most important decision.

Four years ago we enacted a neutrality law. This act was passed by an almost unanimous vote of both Houses of Congress, without regard to party, on the recommendation of the President. It was passed after an investigation into the munitions traffic by a special committee which spent months obtaining information. It had the almost united support of the entire Nation. The Foreign Affairs Committee—an able body in both Houses—gave it months of consideration. After calm and deliberate consideration we, in effect, said: "If another world war comes, this is what America must do to keep out of war." This act was amended several times since then, but not once was it suggested that we should repeal the arms embargo.

We are now asked to repeal the most important part of that law—the arms embargo. The burden of proof is with the proponents of repeal. The proponents claim that the arms embargo is unfair to England and France; that it is unneutral. The President—the leading proponent of repeal—in his message to the Congress asked for its repeal because "it impairs the peaceful relations of the United States with foreign nations." "I ask it"—the repeal of the provisions of the arms embargo—he says, "because they are, in my opinion, most dangerous to American neutrality, American security, and American peace." He then discusses other amendments, including the waiving of certain American rights.

He argues that the law should be amended to make certain acts illegal which are now legal, and which might get us into war. With this contention I am inclined to agree. But what has this to do with the question as to whether the arms embargo should be repealed?

He says that the arms embargo threatens our neutrality and that a failure to repeal its provisions endangers American peace and will bring us nearer to war. Nearer to war with whom? With Germany, Italy, or Russia, assuming that these three nations will ultimately be opposed to England and France? Will failure to repeal the arms embargo enacted 4 years before war was declared endanger our peace and bring us nearer to war with these countries? To argue that a failure to furnish arms and ammunition to England and France with which to shoot German, Italian, and Russian soldiers; with which to devastate their lands and villages; with which to kill their civilian populations, will bring us nearer to war with those countries is the height of absurdity. Surely the President could not have meant that.

Endanger our peace with France and England? Would France and England declare war on the United States because we refused to furnish them arms or ammunition with which to carry on their warfare? What about Holland, Denmark, Norway, Sweden, and other countries which have similar laws. Have such laws endangered their peace? Was there one word of protest from any country when the act was passed or since? Who says that our arms embargo is unneutral? Surely not Germany, Russia, nor Italy. England and France have made no claims that the act was unneutral. To argue that England and France would declare war against the United States and throw the enormous power of our air forces, Navy, and economic power to the German side is absurd. Surely the President did not mean that our failure to repeal the arms embargo endangered the peace with France and England. What then did he mean? God and he only know.

The fact of the matter is that the failure to repeal the arms embargo and the refusal to furnish arms and ammunition to warring nations is the surest way to keep us out of war. No one will declare war if we take no action.

Ah! But you argue, "If Germany wins and England and France are defeated, she will come over here and make war on us. It is better to help France and England to defeat Germany than to be compelled to fight her alone in case the Allies are defeated." Is not that the crux of the entire argument for repeal? Is it not based solely upon our desire that England and France win and that Germany be defeated? Since when has Germany or any other nation become the traditional enemy of the United States? If this be our attitude, if the repeal legislation is based upon our desire to defeat Germany and bring about victory for France and England—and judging from congressional debates it apparently is—what becomes of our neutrality? Let us face the facts. Let us be fair and frank and call this an unneutrality bill or a law to help England and France to defeat Germany, since that seems to be the objective of the proponents of repeal.

I, as all of the other Members of Congress, received many letters, perhaps 50 to 1 against repeal. One of these letters was short, concise, and to the point. It expressed the argument, desire, and hope of the repealists in the most concise way. This writer said:

I want you to be just as damn unneutral as you can be without getting us into war.

Let us be frank and say that the purpose of this bill is to be "just as damn unneutral as we can be without getting us into the war." Repealists want us to skate just as close to the brink of war, just as near to the precipice beyond which is ruin, death, crippled soldiers, financial disaster, bankruptcy, and all the horrors of war, without going over the brink. That is a dangerous policy, Mr. Speaker, and I refuse to follow it. On the contrary, I am going to stay just as far away from that precipice and from the dangers of war as possible. We followed a similar policy of unneutrality in 1915–17 and got into the war. The same policy will take us in again.

The argument that "if the Allies lose we will be compelled to fight Germany alone" was the same argument advanced in 1915, 1916, and 1917. It had its beginning, I believe, in a statement issued by Sir Edward Grey, British Minister, in May 1915, when he said:

America must remember that we—

England—

are fighting her fight as well as our own to save the civilization of the world.

It was the same argument upon which England and France based their claim that we should not collect the war debts. It was the same argument that finally found growth in the minds of the American people and helped to get us into the war in 1917. And how was it answered in 1915? Colonel House, in writing to President Wilson in July 1915, ridiculed that argument.

Page—

American Ambassador—

is in a blue funk.—

He wrote.—

To read his letters one would think that the Germans were just outside of London and moving rapidly on New York.

Again he wrote Wilson:

Our hopes, our aspirations, and our sympathies are clearly woven with the democracies of France and England, and it is this that causes our hearts and potential economic help to go out to them and not the fear of what would follow for us in their defeat.

Woodrow Wilson, in commenting upon the same subject, said:

No matter how the Great War ends, there will be complete exhaustion, and even if Germany wins, she will not be in a condition to seriously menace our country.

There is not a responsible Army officer, active or retired, who will uphold that argument. I have talked with many of them and they state that there is little or no danger of German attack.

Gen. Hugh Johnson, in his column of October 12, in discussing this possibility, said:

It is argued that we must get in for self-defense because Hitler threatens us. If that were remotely true, we ought to get in tomorrow, not on any such powder-puff assault as this but with horse, foot, and guns.

Again he said:

It is not true at all. It is the most ill-informed, half-baked, blatant, dangerous, and insupportable demagogy—it is exactly the soapy sophistry that pulled us into the World War and almost ruined us.

General Johnson branded that argument for what it is—pure propaganda.

If anyone thinks that the prorepealists, including the President, are neutral, let them answer this question: If Germany, instead of England, controlled the high seas, would the President have called a special session of Congress and would Congress now have before it a bill to repeal the Arms Embargo Act? You and I know that we would not be confronted with this legislation. This in itself stamps this an unneutral act. The bill to lift the arms embargo is the most unneutral act ever presented to Congress, and its passage will stamp us as unneutral in the eyes of the world.

LIFTING ARMS EMBARGO AN UNNEUTRAL ACT?

The lifting of the arms embargo would in itself, under our own interpretation of the accepted rules of international law, be an unfriendly act so serious as to justify Germany, under international law, in declaring war upon the United States. The same question presented to Congress today was presented to Mr. Wilson and the Congress of the United States in 1914 and 1915. In December 1914 Senator Hitchcock, of Nebraska, introduced a resolution in the Senate placing an embargo on the export of munitions of war to any belligerent. Germany and Austria protested the selling of arms and ammunition and war supplies to the Allies on the grounds that it constituted an unfriendly and unneutral act. Secretary of State Bryan, with the approval of President Wilson, on April 21, 1915, and just a year after the World War began, in a note to Germany expressed this Government's view of the question from an international law point of view as follows:

> This Government is constrained to hold in view of the present indisputable doctrines of international law—that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions. The placing of an arms embargo on the trade in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States.

On December 11, 1914, Hon. Walter Hines Page, the American Ambassador to Great Britain, cabled the Secretary of State as follows:

> Sir Edward Grey unofficially expressed the hope to me that the bill introduced by Mr. Hitchcock in the Senate will not pass, aimed to prohibit the exportation by private firms of munitions of war to any belligerent. He calls attention to the fact that this would be special legislation passed while war is in progress, making a radical departure from a long-established custom, and that for this reason (it would appear?) an unneutral act toward the belligerents that can profit by it.

This view has been recently expressed by Dr. Charles Cheney Hyde, my old professor of international law at Northwestern University, and his colleague, Dr. Phillip C. Jessup, now both of Columbia University. The gentleman from Connecticut [Mr. MILLER], on October 17, page 529 of the RECORD, stated that within 48 hours after the special session was opened he asked the State Department to suggest to him four or five names of men they considered outstanding authorities on international law. He had submitted to him five names: Dr. Jessup and Dr. Hyde, of Columbia; Dr. Beamis and Dr. Griswold, of Yale; and one other whose name Mr. Miller could not recall. Upon inquiry, each one of the five expressed the opinion that the repeal of the arms embargo under existing circumstances would be an unfriendly and unneutral act.

Some months ago President Roosevelt, in a moment of displeasure, ordered our Ambassador to return to the United States to report on the condition in Germany. Germany, in retaliation and resentment, ordered her Ambassador to return to Germany, and for months we have had no Ambassador at Berlin and Germany has had no Ambassador at Washington. All the work of the two embassies is being done by secretaries. We are, and have been for months, just a step, and a short step at that, from the severance of diplomatic relations with Germany. Should we repeal the arms embargo Germany would, under the accepted rules of international law, be justified in severing diplomatic relations on the ground that we had committed an unfriendly act with the sole purpose of bringing about her defeat in the present war with England and France. She could point to the congressional debates, press and radio speeches by Members of both Houses of Congress as substantiating her position.

She would undoubtedly point to our own statement that "any change in its own law—United States laws—of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principles of strict neutrality." Germany could, and would, point to our own interpretation of international law and say that if the placing of an arms embargo on the trade in arms after the declaration of war was an unneutral and unfriendly act during the World War, then the taking off of an embargo on trade in arms after the declaration of war in the present war would be "under the indisputable doctrines of international law," an unfriendly and unneutral act.

She would point out the fact that such action was taken deliberately with the sole purpose of bringing about the defeat of Germany and the success of England and France. She need go no further than our own CONGRESSIONAL RECORD for conclusive evidence that under the "indisputable doctrines of international law" we had been guilty not only of unneutral conduct but of deliberate unfriendly acts so serious in their effect as to convict us by our own record in the court of world opinion, and justify Germany under the rules of international law in not only severing that slim thread upon which our present diplomatic relation now hangs but justify her in declaring war against the United States.

If we remain neutral, as I believe America hopes and prays we shall, many questions involving our rights upon the high seas, many questions involving our rights under international law not covered by the Neutrality Act will arise, particularly between England and America and Germany and America.

Our State Department has time after time deplored the fact that foreign countries have violated the rules of international law. We have denounced Germany and other nations in the past, time and again, for those violations. Thus far, since Herr Hitler has been in control of Germany, as far as America is concerned, Germany has apparently scrupulously obeyed the rules of international law. Let us be fair and, much as we may dislike him, give him credit for that fact. Although I have asked many Members of Congress, none has been able to point out one instance where Germany, since the Hitler regime, has willfully and deliberately violated one international right the United States has had.

How can we expect Germany or any other nation to continue to observe the rules of international law in the protection of our rights, and how can we condemn them for violating such rules of law, if we, under our own accepted definition of international law, have been the first to violate them? How can we insist upon our rights when we, in the repeal of the arms embargo—should it be repealed—have been guilty in our own language of an "unjustifiable departure from the principle of strict neutrality" and of an unneutral act under "the present indisputable doctrines of international law"?

I believe it is the duty of Congress and America, under the admitted rules of international law, to take absolutely no sides; that the repeal of the arms embargo is taking sides and is an unfriendly and unneutral act under our own interpretation of international law. The real threat of war today lies in the repeal of the arms embargo, which, under every rule of international law and under our own interpretation of international law, is an unfriendly and unneutral act.

Let us not be guided by prejudice, by hatred, by a desire to help England and France, and to see Germany lose, in the decision of this question. Let us not be just as unneutral as we can be without getting into war.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Michigan be extended 10 minutes.

The SPEAKER pro tempore (Mr. TERRY). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ENGEL. The history of the World War has now been written. After 20 years the papers, letters, and messages, notes, and so forth, of the makers of history are available. The historian now can judge their action calmly and in the light of history. No one can look over that history without finding much to condemn in the attitude of our own Government and on the part of at least some of those who made that history. No one can read that history without saying that America, through its officials, was deliberately unfriendly and unneutral before we declared war. We are not writing history today. We are making it. The historian of the next quarter of a century will write it. If we follow the same course which we followed 25 years ago, we in all probability will obtain results more serious than before—so serious as to threaten our Republic.

The result may be war with all its casualties—dead, mental defectives, widows, orphans, and Gold Star Mothers; billions of dollars in taxation on top of the tremendous taxation we now have; billions of dollars in debt piled up on top of the $45,000,000,000 debt we now owe. Calvin Coolidge once said that when the last pension claim will have been paid, our cost of the World War will have aggregated $100,000,000,000. Anyone who can look at this picture calmly and deliberately must decide that the tragedies that will follow our entry into a second war will be much worse than the first. I am more concerned with saving our Republic from such a disaster than I am with saving the so-called democracies of Europe, whose greatest regret is that Germany crawled into the Communist bed first and left no room for the so-called democracies, England and France; that after Hitler got into bed with Stalin there was no room for Chamberlain and Daladier; democracies who, when we were trying to make the world safe for democracy, had already signed, without our knowledge, a secret treaty dividing the spoils in case of victory.

Let me warn my comrades, the veterans of the World War, that the cost of another World War, with thousands, or perhaps hundreds of thousands, of wounded, widows, and orphans—another war debt on top of the $45,000,000,000 debt we now have—will make necessary another Economy Act and wipe out or drastically reduce to a mere pittance every veteran's benefit—the present or future war veteran, his widow, and orphans will receive.

Mr. Speaker, this bill violates every principle of true neutrality as expressed by President Woodrow Wilson when he issued his first neutrality proclamation at the beginning of the World War.

The United States—

He said—

must be neutral in fact as well as in name during these days that are to try men's souls. We must be impartial in thought as well as in action.

Mr. PATRICK. Mr. Speaker, will the gentleman from Michigan yield?

Mr. ENGEL. I yield to the gentleman from Alabama.

Mr. PATRICK. Does the gentleman take the position, then, that whatever happens to be our law at the time two nations declare war, we are frozen in our tracks that we make for ourselves with respect to enacting legislation in the matter of neutrality during the course of that war, even if it runs 25 years or 100 years?

Mr. ENGEL. My position is exactly the same as that of the five authorities on international law recommended by Mr. Hull, and also the position that Lansing and Wilson and the others took in 1917, that certain changes in our domestic law after war has been declared constitute an unneutral and an unfriendly act if these changes benefit one belligerent as against the other.

Mr. PATRICK. As far as I am concerned in this matter, let me say preliminarily, it does not make one iota of difference who has the advantage of the seas, whether it is England or Germany or France, insofar as the effectiveness and the efficacy of this legislation is concerned, and does not the gentleman concede that this is a law passed by us and for us, so far as this Nation is concerned, and whatever changes may take place over there as to who has the advantage of the seas, that should not affect us, and if we were to adopt the policy the gentleman has referred to with respect to making laws, then we would be bound by whatever our law happened to be at the initial time, and we could not pursue a course to meet anything that might come up in the future.

Mr. ENGEL. My position is based upon our own interpretation of international law; namely, that any change or changes that benefit one side as against the other, which are made after war is declared, is an unneutral act.

Mr. PATRICK. Has that anything to do with us? Can we have anything to do with who has the advantage on the high seas?

Mr. ENGEL. That has nothing to do with who has the advantage on the high seas at all.

Mr. PATRICK. Does this law have anything to do with it?

Mr. ENGEL. It would be an unneutral act under our own interpretation of international law. International law is like our common law—a series of rules and precedents.

Mr. PATRICK. That is true.

Mr. ENGEL. And we have been following them for years.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. HOFFMAN. May I say to the gentleman from Alabama—Birmingham, I think it is?

Mr. PATRICK. Yes.

Mr. HOFFMAN. Suppose it is third down and four to go; do you want to make it third down and two to go—is that fair?

Mr. PATRICK. Tennessee won the game Saturday.

Mr. COX. Mr. Speaker, I would like for the gentleman to yield to me in order that I may say that I think the gentleman has made a very valuable contribution to this important debate. While I reach a conclusion different to that reached by the gentleman, nevertheless, I deem it but fair to say that the logic of the gentleman's statement is most difficult to answer. The gentleman has met the issue fairly and squarely, and he has discussed it as an honest man, giving this House and the country the benefit of well-considered and well-formed conclusions reached by the gentleman.

Mr. ENGEL. I thank the gentleman from Georgia. [Applause.]

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. WOLCOTT. Is not the point of the gentleman's remarks, in answer to the point raised by the gentleman from Alabama [Mr. PATRICK], simply this: That, of course, nothing in international law can prevent this Congress changing any law which it has originally passed, but the point is whether we can do it and still be neutral?

Mr. ENGEL. That is exactly the question.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. RANKIN. In answer to the contention that the repeal of this law would render our attitude unneutral, because it would be licensing the munition manufacturers in this country to ship explosives and poison gas to be used largely to destroy the lives of helpless women and children in Germany, someone came back and said, "No; that is not true, because if this embargo is raised the munitions can be shipped to Germany through Russia and be used also to destroy the lives of innocent women and children in France and England." He said, "To make the picture more complete, if we get into war later, those same munitions might be used to destroy the lives of women and children in this country." I am wondering if the gentleman thinks that that proposition, that those munitions will be shipped to all countries to destroy the lives of innocent civilians, has any tendency in his mind to offset the contention that the repeal of this law would not be a neutral act?

Mr. ENGEL. I am absolutely opposed, and have been, to the sale of munitions of war to any of these countries. The President, I believe, has the power to prohibit shipments if he thinks they are not going to a neutral country. England and Russia recently made a trade treaty whereby Russia was to furnish England timber and England was to furnish Russia with rubber. How do we know that that rubber which

England is trading to Russia for timber is not going to be used for tires on military trucks? I am opposed to the sale or transportation of arms and ammunition to any belligerent whether it be England, France, or Germany.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman.

Mr. PATRICK. In the application of this law for England or Germany or France, or whoever is the prospective purchaser of ours, is the important thing the finished product or the makings of it? What do they care a continental whoop whether they have the thing finished when they can assemble it and put it together in a few hours?

The SPEAKER pro tempore (Mr. TERRY). The time of the gentleman from Michigan has again expired.

Mr. GIFFORD. I ask unanimous consent that the gentleman have 1 additional minute.

Mr. MAPES. Mr. Speaker, I ask unanimcus consent that the gentleman's time be extended 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PATRICK. Will the gentleman yield?

Mr. ENGEL. I yield.

Mr. PATRICK. What is the importance to the prospective purchaser whether he has the unfinished product or whether he has it in explosive state? Is not the important thing whether he has the makings, and does this embargo, as it now stands, prevent one item going over there, if it can pass entirely through, just the same as if we did not have an embargo?

Mr. ENGEL. It is a moral question to me. If I give a bandit a gun with ammunition and he goes out and kills somebody, they can put me in prison. If I give him the steel or brass with which he can possibly make a gun, I am not responsible morally or legally. It is a moral question. Domestic and international law define the words "arms and ammunition" very clearly.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. GIFFORD. Your remarks have been very helpful to me in preparation of the remarks I expect to make on Wednesday. My mind goes back to the remarks made on the floor at the most recent enactment of this neutrality legislation. The gentleman from New York [Mr. WADSWORTH] and others pleaded for international law and not to have an embargo. Others said, "International law has gone by the boards. Enactments of international law and precedents are no longer persuasive; that we need to put on an embargo in spite of international law." Today international law, as you present it, is very persuasive. You rest your case so largely upon it. You have quoted so much about it. Are you willing to rest your case on present international recognition?

Mr. ENGEL. I am taking this position, that under our own interpretation of international law, the repeal of the arms embargo after war has been declared is an unneutral and unfriendly act, and in the face of congressional debates, in the face of the CONGRESSIONAL RECORD, so serious as to justify Germany in declaring war against us, and by our record prove that that act was a deliberate and unfriendly act and passed for the very purpose of bringing about her defeat and perhaps her destruction.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. RANKIN. I agree with the gentleman from Michigan on this one proposition: I am pro-Ally; I have nothing for Hitler or Hitlerism. But I want to call attention to the fact that David Lloyd George, perhaps the ablest, certainly the most experienced member of the British Parliament so far as war is concerned, is appealing for an armistice. I want to ask the gentleman a question, but first I want to disabuse the public mind of any idea that this proposition is going through on a landslide—I doubt if it goes through at all. There are some very grave doubts in the minds of many Members of the House. We all want to keep out of war, but many fear that lifting this embargo will get us into war.

Does the gentleman agree with me that if this entire legislation were sidetracked for 60 days this war would more than likely come to a close and that peace would break out in Europe, to the satisfaction of the whole world? [Applause.]

Mr. ENGEL. I feel that by lifting the arms embargo we are helping continue a war.

Mr. RANKIN. Mr. Speaker, will the gentleman yield further?

Mr. ENGEL. I yield.

Mr. RANKIN. As I said on the floor the other day—and my statement was inspired by the speech of David Lloyd George and other great Britishers who are appealing for peace—the war on the western front is merely in its preliminary stages. There is no real war going on yet. Oh, there is some bomb dropping, but they are merely playing pinochle on the western front. It is my belief that the peace of the world and the fate of nations is going to turn on what we do in this Congress within the next 6 months; and I base my belief on the point of view of men like David Lloyd George, who is trying to bring this war to a close in order to save the lives of millions of young men and perhaps save the civilization of the world. [Applause.]

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. DONDERO. As one who had a part in the making of the neutrality law as a member of the Committee on Foreign Affairs, I recall distinctly with what force and eloquence the passage of that act was asked. The underlying motive, and the only one, was that if we passed it, it would have a tendency to keep this Nation out of war. We are today asked to repeal it to keep us out of war. When were we right?

[Here the gavel fell.]

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Michigan may be extended 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. RANKIN. In reply to the statement of the gentleman from Michigan [Mr. DONDERO], let me say that I was one of the men who enthusiastically supported the passage of this Embargo Act in the beginning, and I did it in order to keep this country out of the Spanish War. The international Communists were doing everything they could to drag us into that war, and we were determined to keep out. This embargo helped keep us out of that war.

Mr. DONDERO. Does not the gentleman believe that the purpose behind the passage of that act was broader than just keeping us out of the Spanish War?

Mr. RANKIN. It was for the purpose of keeping us out of all wars; but the Spanish War was going on, and attempts were being made to get us into it.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. SHAFER of Michigan. I will not propound a question. I merely desire to take advantage of this opportune moment to support the contention of the gentleman from Mississippi that the longer we postpone action on the proposition to repeal the arms embargo, the sooner we will bring peace to this troubled world.

That the gentleman's contention is well founded is evidenced in a letter I have received from my friend, Thomas Spencer Cobb, of New York, who, only recently, returned from a visit to Great Britain, during which time he interviewed many persons of high rank in the British Government. With your permission I will read this letter into the RECORD at this point:

THOMAS SPENCER COBB,
New York, N. Y., October 1, 1939.

Hon. PAUL SHAFER,
Washington, D. C.

DEAR PAUL: This last Friday I returned to New York on the *Nieuw Amsterdam* after spending 3 months in the British Isles. While in England I met and talked with countless people, including among others, Hore-Belisha and Lloyd George.

The belief is prevalent in England that the United States, after repealing the neutrality arms embargo legislation, will, in the near future, join England in the war against Germany. This wishful thinking has been encouraged, I am afraid, by indiscrete private conversations of our Ambassador in London. Wherever I went I was asked, "How soon will America join England in the war against Germany?" When I replied that the United States would probably remain neutral, my questioners would express startled unbelief.

I very much fear that if the arms embargo is lifted the British will interpret the move as confirmation of a future American war alliance with them. Such false hopes should be nipped in the bud. No matter what Congress decides about the pending neutrality legislation, I trust the debate will bring out clearly and emphatically the point that America does not intend to become involved in another European war.

A real factor in the comparative lack of activity to date on the western front is, I believe, the desire of both England and Germany to remain in the good graces of American public opinion. Obviously Germany wants the embargo; England hopes it will be lifted. As long as America's decision remains in doubt, there is a good possibility that neither country will unleash the full force of their military machines against the other.

I suggest, therefore, that a month's delay or more in determining what form the neutrality legislation may take might be the means of causing the combatants to postpone intensive aerial bombardment of each other. This delay in hostilities is most desirable to enable Americans still in Europe to return safely to these shores. And during this interval there is an outside chance that peace can be patched up.

I believe, then, it is in the best interests of America and the people everywhere who wish for peace to postpone, at least temporarily, any revision of the Neutrality Act.

Cordially yours,

TOM COBB.

I desire to thank my colleague from Michigan [Mr. ENGEL] for permitting this interruption. At the same time, I commend him for his statement today which, in my opinion, is a very valuable contribution to this neutrality debate.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Connecticut.

Mr. MILLER. To make the record complete, the name of the other authority on international law who was mentioned was Professor Frazier, of Syracuse, who was secretary to the Wickersham committee appointed in 1926 and 1927 to codify international law.

If the gentleman will permit, answering the gentleman from Alabama, I would ask him if he does not think neutrality is a domestic issue, that while it was passed to govern our dealings with foreign countries, is it more of an international problem or a domestic problem?

Mr. ENGEL. I thank the gentleman for his contribution. [Applause.]

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article by S. A. Baldus, managing editor of the Extension magazine, published in Chicago. This article will appear in the November issue under the caption, The Time Has Come.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address I delivered over the red network of the National Broadcasting Co. on last Saturday.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Washington Post on the strike situation in the Chrysler plants.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my remarks in reference to the question of mink furs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. BOLLES]?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD following those tributes tendered in memory of the late Fred Purnell earlier this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. GRANT]?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD on aeronautical research.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

The SPEAKER pro tempore. Under an order previously entered, the gentleman from California [Mr. LELAND M. FORD] is recognized for 20 minutes.

NEUTRALITY

Mr. LELAND M. FORD. Mr. Speaker, I want to speak on House Joint Resolution 306 with particular reference to the embargo section. Many general statements have been made in connection with this bill. I think the general statement made that we are following the parallel that we had in 1917 can be answered in this way: In 1917 we did not have the experience in this country, the costly experience, if you please, that we have today; therefore, we are not likely to follow those lines of argument and receive them as we did in those days. I think that answers the argument fully from start to finish.

There are other questions involved here. I hate to say that accusations are being made from time to time. Those who are for the embargo are accused of being for Germany. Those who are in favor of repeal of the embargo are accused of being for France and England. I am going to give credit to everyone on either side of the question, whether they be for or against, as trying to exercise his good, sound, American judgment and as trying to do the thing which he thinks is right and proper and for the best interests of the American people. I think many of these things are said in the heat of argument. In some instances, the statements are made as excuses rather than as reasons and are given in trying to persuade persons to get on either side of the argument.

It has been mentioned that this country may become involved in the war by either the passage or repeal of this section of the bill, and I refer to the arms-embargo section. I think there is a safer side in repeal of the embargo than there is in the other side; but I do not think that the action here taken need necessarily involve us in war if we will keep cool. After all, we find that the policy of foreign relations is in the hands of the President of the United States and his Secretary of State. They make the policy and they administer it; therefore, in the making of it, they are accountable and responsible to the people of this country. I do not think there is any question but what that is far more important than either passage or rejection of this section of the bill. However, there have been many statements made that many of us regret to hear made, particularly with reference to their effect on foreign relations. I have heard many statements made mentioning different countries, and different things with regard to neutrality. I wonder if the people who make those statements ever stop to consider the effect it may have on the actual foreign relations of this country as those relations are now being carried on. After all, and I do not care whether you like the administration or do not like the administration, foreign relations have to be carried on and some of those things may be embarrassing. This is our country. I might ask those people how they would like to have the job of carrying on these foreign relations in the face of various statements that are made. Therefore, let us temper our statements with the dignity and reason that becomes the highest governmental body of the United States.

I do not think there is any question whether the people of our country want war. I do not think they do. At least those are my sentiments and I believe when I express those sentiments I express the sentiment of every Member of this House. We should not become so enthusiastic or prejudiced on either side that we blind ourselves to either the future effect of our statements or to the full consideration of all

and every one of the facts involved in the repeal of this embargo section.

I think we ought to approach the matter fairly. We ought to allow room for differences of opinion. We should give credit to those on the other side for honesty of their convictions and approach the situation from an absolutely impersonal and nonpartisan standpoint. If there ever was a question that should be considered from a nonpartisan and impersonal standpoint it is this one.

Mr. Speaker, I have heard it stated that business wants to go to war. I do not think that statement is true. It comes under the head of very general statements that have been made. I do not think that any war ever paid nor ever will pay. There may be temporary profits for business during war time, but there is a tremendous difference between a temporary seeming profit and a permanent real gain. I think it will be found that throughout the depression that follows every one of these wars those profits are taken away from business and individuals in about the same proportion that they are earned—in taxes.

Let us see whether business in this country wants war. What is the aftermath? Unemployment, relief, and Government debt, the same as we have had in this country for the last 6 or 7 years, with the funds necessarily having to be raised to pay them, which in turn must be paid through taxes. Business has to pay these taxes. Every dollar that is spent by this Government or any other government has to be paid by taxes from the people, and it must come from some of the ramifications of business. If war is declared, one of the first things that would happen would be an increase in taxes, and I do not think business would like an increase in taxes at this time or any other time. They would lose their peacetime business, upon which they had spent thousands of dollars in advertising to build. They would have to convert their plants over to wartime production, which is only temporary production. After that production has ceased through lack of demand for war supplies, where is business? It has no business; it has no sales, and it must then go back and reclaim that business which it lost through the war activity.

I do not believe it should be said that business really wants war in this country or in any other country, because whether we get into this war or not there is bound to be a depression, as a reflection of the war, that we are going to feel at a later date.

In addition, I believe there is a far more serious aspect. Business does not like any too much of Government regulation. Business does not like the semigovernmental management which it might get. Business does not like regimentation. It does not like the idea that its plants may be drafted or entirely taken away from it for at least the duration of the war.

I believe if you will fairly consider these things you will find that business does not actually care for war either in this country or in any other country.

I do not believe that we ought to go to war. I do not believe that if this country does go to war it will be because of the repeal or passage of this embargo section of this bill. If we go to war, I believe it will be because our people have been misled by selfish foreign propaganda from either or both sides. I think it is up to us to advise our people to remain cool, calm, and collected, not to become agitated, stirred up, or panicky, try to distinguish between selfish foreign interests and American interests, and to do their own independent thinking and not take advice from someone else about things of which they know nothing themselves, for in the taking of such advice they are likely to become the innocent victims of propaganda. I believe we ourselves in Congress should distinguish between sound reasoning and propaganda, between pertinent, important facts, and the excuses advanced to win arguments.

I am for the repeal of this embargo because I believe it carries the preponderance and maximum of safety. I shall discuss this question from two angles. The first will be from the angle of strict enforcement of the embargo and its probable effect on this country, and the second will be from the angle of the repeal of the embargo and its probable effect on the country. I shall give my reasons for what I believe would happen under the conditions of the embargo if it were actually enforced as it is. They are as follows:

1. I am against it because it is not specific, and on account of its lack of definition of arms, ammunition, or implements of war, and its being, therefore, too general. What is an implement of war? Is it a truck, oil, cotton, coal, iron, steel, wheat, oranges, or many other items one could name? Is it a fabricated or an unfabricated product? When we go into the range and scope of definition as it applies to arms, ammunition, or implements of war, and to raw products, we had better stop and hesitate to see how we are going to affect our industries in this country. In my opinion, the definition of these articles will cover an extremely wide range and we had better consider the effect such a wide range of definition will have on us.

Let us take as an example a truck or a pick and shovel. If a truck is used on our streets for carrying rocks in building a street, carrying garbage, or carrying freight, or in its other usual uses, I say it is not an implement of war. But transport that same truck to a foreign country to be used to carry arms and ammunition or soldiers, machine guns, and equipment up to a front, and what is it? It is an implement of war. You might use as a similar example a pick or a shovel. If used on our streets here, certainly it is not an implement of war, but if it is taken to the other side and used to dig trenches or to run tunnels to lay mines under certain objectives so that they may be blown up, then it is an implement of war.

When we come into the ramifications of a definition of all these products that may constitute arms, ammunition, or implements of war under this act we had betteer consider the matter very, very carefully.

This would bring us into the question of contraband. What would be contraband? Whose list would apply? Would it be our list or the list of other countries that might be embroiled in this war, the belligerents? After all, every one of these belligerents import foodstuffs, raw materials, and manufactured goods from us. All these goods as well as the efforts of the combatants are going to be directed toward the economic defeat as well as the armed defeat of the enemy.

I believe this section of the arms embargo is particularly dangerous because it is open to too many interpretations. Any instrument that is open to several interpretations, any one of which may be reasonable, would certainly lead to argument and diplomatic incidents, and is therefore dangerous.

2. It is one thing to issue a proclamation on an embargo and it is another thing to compel or persuade a nation to observe it collectively or individually. I might quote the prohibition law as an example. Every single one of us in this country knew that technically we had prohibition; but we never had it practically, because it was practically impossible of enforcement. I say to you that if this Embargo Act is laid down and strict enforcement is tried to be had of it the sun will not go down any night before every little harbor or inlet from Maine down through Florida, around the Gulf of Mexico, and across our borders will be the scene of activities by gun runners and smugglers and others of similar type who will get through.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LELAND M. FORD. I would prefer not to yield until I get through with my statement, because I believe that perhaps many of the questions that might be asked will be answered by that time.

There will be considerable expense involved in enforcing this law, if it can be enforced at all. That is a point to consider.

3. Under international law, the burden of enforcement of this law would be on us. We are responsible and accountable for the effective enforcement of this law. It will not be those we catch ourselves for whom we will be accountable, but it will be those who get through and deliver their contraband goods for whom we will be held accountable.

Another thing as to which a question might arise is with regard to whose flag these persons may be sailing under. I

believe if they flew any flag at all it would be the flag of the United States, and this would lead to diplomatic incidents.

3. ECONOMIC EFFECTS OF BUSINESS AND INDUSTRY

I believe the enforcement of this Embargo Act will drive our business and industry out of this country to foreign countries, because if they cannot sell in this country they are certainly not going to fill their warehouses up with commodities they cannot sell, and when they cannot sell them here they are going to do one thing or the other—cut down or move it into other countries. We have seen capital driven to foreign countries by such circumstances before. I do not believe there is any question but what they would cross the line into Canada, Mexico, or the Argentine, taking with them their own capital, their equipment, their plant, their trained personnel, and all of those things which go to make up plants for the production of such materials. If we drive them out of here, they will go to those foreign countries. Then I say to you that every city, every county, every State, as well as the Federal Government, is going to miss that taxable wealth when it comes to collecting its taxes to pay its bills, not only from the wealth itself but from the income therefrom, and I wonder how they will get along without it.

Now I am going to ask you a question. Do you think it would be easier for those remaining industries and we who remain here to pay the $13,000,000,000 of current bills that we passed here in the last Congress, to say nothing of the $45,000,000,000 of national debt, than it would be had those industries not been driven out? I do not think there is any question about its being a big consideration. Then how about the after-the-war depression day that is coming, in which these very industries will be in competition with us? I am not thinking now of the export business, but I am thinking about the great 90-percent American market, which is the greatest market in the world.

When these industries are driven out and the war ceases, there are no war orders for them and there is no business. It is my opinion that these industries will go into the production of hundreds of commodities, fountain pens, typewriters, and a whole list of articles, and will be in direct competition with our people here in the United States. They will have an advantage in foreign labor paid 25 to 50 cents a day gold, and how are we going to compete with those people? You may say tariffs, but a tariff cannot be high enough to offset the difference in wages of 15 or 20, or, perhaps, 50 cents per day at the maximum in foreign pay.

What is going to happen then to our so-called American standard of living? What is going to happen to our business that has to work under the wage and hour law—shortened hours, and regulated hours, and higher bases of pay? Certainly we cannot produce and compete under such circumstances. It is my opinion we will have much unemployment, and having such unemployment with these industries cut down, where are we going to get the money? I believe, like my friend the gentleman from Pennsylvania, BOB RICH, I am going to ask his question. Where are you going to get the money and from whom are you going to get the money to pay these bills with industry in this position? I say it is not wise to create conditions that will cause the flight of capital, industries, and trained personnel out of this country. I say it is not wise to cause those conditions that will bring about that type of competition to our 90-percent market and which will injure us greatly in the future.

I do not think my statements are overdrawn, and I cite as proof an article written within the last 8 or 10 days, stating that the British Government itself is making advances to our industry in an endeavor to take $6,000,000,000 of the money of our people into Canada to build industrial plants. Now, you cannot discount that. I think it is a very practical situation, and we might just as well look it in the face.

4. ECONOMIC EFFECT UNDER THIS EMBARGO

Will our industries, driven out, pay foreign countries' current operating costs of government and national debts instead of ours?

I believe they will. Let us hold them here.

5. UNEMPLOYMENT

Now, in consideration of the matter of unemployment, I have gone through the range and scope of commodities affected, and, necessarily, if they cannot be sold, production is going to be restricted. It is going to be slowed down and certainly will be cut, just to what degree I am not definitely able to say.

I do not believe anyone in this House is able to say. But I do believe that any man here will admit that under that embargo it will be cut. When it is cut what is going to happen to the employees who are now on the pay roll? Will they be added to our already 10,000,000 unemployed, for which we owe $45,000,000,000 trying to take care of them? If that war continues for 2 years or 3 years or any length of time, how many unemployed will we then have? Will we have twenty million coming out of that period at the end of 3 years, owing $100,000,000,000, and, if we do, how are we going to pay it? What is going to happen to this country under those conditions? Will it crack confidence in our credit? If it does, will that crack confidence in the Government? If so, will we be able to maintain a democratic government, or supplant it with a dictator? Those are things that must be considered. Heretofore we have been trying to encourage industry, trying to furnish our people with jobs, through asking business to employ them. Are we going to stop that? I say you will, under the application of this embargo. How about the hundreds of thousands that are now being taken off of W. P. A.? Are we going to add other unemployed to those hundreds of thousands and are we going to increase our bills to pay the cost? Are we going to reinstate all those things? If we had some extra business furnishing jobs in this country, I see an opportunity to get those people back on the pay rolls of private industry, where they properly belong, and off the semidole of Government.

6. TRANSSHIPMENT

I think the question of transshipment is one of the most dangerous features of the whole matter. What do we mean when we say that we should stretch out the long arm of the American Government into foreign governments and tell them how to run them? Let us consider that question. We part title with a commodity. We sell it to a foreign national who takes it to his country, then the long arm of the United States Government reaches out to tell that government what they must do with something that they own, that they have absolute title to, that they have already bought and paid for, and then try to enforce our regulations. You cannot do it. How would we feel if one of those countries came to us and tried to impose their law upon us? We have no jurisdiction over those countries. I say to you that you would have more diplomatic incidents than we would know what to do with, not only with the Argentine but with Holland, Japan, and every other country. I say that is a very dangerous section in the bill.

7. CASH PAYMENT NOT 90-DAY CREDIT

I like the provision in the amendment for the cash payment. I like the fact that the 90-day period has been stricken out. At least I hope it will be. I will vote to strike it out. It takes money to carry on wars. Wars are carried on by finances, and it means this: That some of the belligerents are going to run out of money, and when they run out of money the war will be shortened. The shorter it is the less opportunity there will be for us to get in.

I want to say I am not for any of those nations at all—Germany, Italy, Russia, England, and France—every single one of them owe us money, and they would not pay us. If they did pay us that which they owe us, they would not be able financially to carry on any war at all and we would not have this threat of war in this country.

[Here the gavel fell.]

Mr. KRAMER. Mr. Speaker, I ask unanimous consent that the gentleman be given additional time.

The SPEAKER. The gentleman from Texas [Mr. MANSFIELD] is entitled to be recognized at this time. Is it agreeable to the gentleman from Texas that the time of the gentleman from California be extended?

Mr. MANSFIELD. If it does not come out of my time, it is.

The SPEAKER. It would come out of the gentleman's time, unless there is an agreement. A request could be made that the gentleman's time be extended, not to be taken out of the time of the gentleman from Texas.

Mr. MANSFIELD. I make that request, Mr. Speaker.

The SPEAKER. How much additional time does the gentleman require?

Mr. LELAND M. FORD. About 10 minutes.

Mr. KRAMER. Mr. Speaker, I make that request. I think the time should be apportioned so that the gentleman may finish his address.

The SPEAKER. Is there objection to the request of the gentleman from California that the time of his colleague be extended 10 minutes, not to be taken out of the time of the gentleman from Texas?

There was no objection.

8. SHIPPING AND MERCHANT-MARINE AMENDMENT

Mr. LELAND M. FORD. Mr. Speaker, I think we should pay some attention to the shipping and merchant-marine amendment coming through. I do not think that our ships should be tied to our piers. I do not think they should be left there to deteriorate, particularly in areas like the Pacific, where there is no war. I am glad to see the type of amendment that is being talked of in connection with this section. After all, we have spent millions of dollars developing a merchant marine, and it should not be thrown away. I am particularly interested in this, being from the West, because this will have a good effect or an adverse effect on our western agriculture and manufactures. If those ships are tied up, we are dependent upon those ships to move our products, all of them, both our raw material and our finished products, into the eastern markets. We have benefited greatly by the lower freight rates through those ships, and it is going to injure us materially. As a matter of fact, there are 42 ships now on the way here—foreign ships. What do you suppose they are coming for? I do not think there is any question but what it is to take over the foreign trade we are developing. If our ships are tied up, we could not have the benefit of these lower rates. I say to you that again there will be great unemployment.

9. NATIONAL DEFENSE

I say that under this embargo our national defense will be materially affected. Suppose we should need national defense, with our industries moved out of this country into foreign countries, operated there with the personnel, plants, and equipment, where will we be when we need them after having driven them out? Will those foreign countries give us the same kind of embargo when we want to have arms, as we are giving them? I think we should consider that angle.

10. PROFITS

Much has been said against repeal on account of profits. People have said that business wanted this repeal because there would be more profits. I believe we should get this matter straight now. So far as I am concerned, I would like to see a few more profits in this country, because it would mean there would be less unemployment, there would be less national debt, more money with which to pay taxes, and it would mean ability to pay debt; and I might ask those who question profits whether they believe current operating expenses and the national debt should or could be paid out of capital assets? If we did pay out of capital assets, how long would they last under such a program, and what would happen to the country? Do we want to liquidate this country? If we did pay them out of capital assets there is no question of what would happen to business, employment, and the Government. I do not believe we have become so socialistic and communistic in this country that we despise, hate, and condemn the profits either from business, or labor, or other vocations. I think that is just an excuse for argument, not a reason.

I think it is far better for this country to go into the next depression, which is certainly coming, cushioned with the profits of business, than to have no reserve. I think it was just such a cushion that enabled us to sustain ourselves during the present depression. Where would we be today had we gone into this depression without profits?

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. LELAND M. FORD. If the gentleman will permit, I would rather not yield until I have completed the main portion of my speech.

Let us consider the effect of repeal of embargo on this country. I am going to be for repeal of this embargo section, and here are my reasons:

EFFECT OF REPEAL OF EMBARGO ON THIS COUNTRY

1. It carries preponderance and maximum of safety, as it gives real neutrality under international law. All nations are treated alike.

The principles of international law are just as sound today as ever. So are the principles of the Ten Commandments. Because all do not observe them is not any reason to vitiate them.

2. Cuts out dangers of lack of definition and being specific.

3. The problem of maintaining good foreign relations with all countries will be less controversial and complicated. This means fewer chances for involvement, therefore safety.

4. Will not give us additional unemployment.

5. Will give us additional employment.

6. Will help employ those unemployed, taken off W. P. A., and so forth.

7. Will put unemployed back on pay rolls of business, where they permanently belong and want to be, rather than on a Government semidole.

8. Will cut down governmental expense by lowering relief costs.

9. Will give our country more taxable wealth to pay not only our current operating bills but also our national debt.

10. Will not increase our national debt.

11. Will help preserve democratic government.

12. Will not furnish incentive for business to go to foreign lands.

13. Will protect our own domestic market after war closes.

14. By keeping industry here, will give us a safer, more adequate defense, if needed.

15. Practical enforcement of law will be easier, less expensive, with less responsibility and accountability to foreign nations, thereby giving fewer international incidents that might lead to war.

16. Cash payment will shorten war and thus lessen our chance to get in.

17. Dangers of trouble over transshipment will be out.

18. Will not disturb any chance we may have for recovery.

19. Will give us better market for farm and all other products.

20. Will protect our investment in merchant marine, the right arm of the Navy.

21. Will not turn over all our shipping to foreign interests.

In conclusion, let me say that I have analyzed this bill to the best of my ability, and my judgment is that the repeal of the embargo section is the safest course to follow, as, in my opinion, it carries the preponderance and maximum of safety for this country and for peace. I therefore ask every Democrat and every Republican to vote for this repeal on the common nonpartisan ground of the safety and welfare of this Nation above all else. [Applause.]

Mr. VOORHIS of California. Mr. Speaker, does the gentleman care to yield to answer questions?

Mr. LELAND M. FORD. I believe that out of courtesy to the gentleman from Texas, who yielded that I might finish my speech, I should not further impose on his generosity. I appreciate his kindness to me.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes at the conclusion of the other special orders for the day.

The SPEAKER pro tempore (Mr. KRAMER of California). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that on Friday next after the reading of the Journal and the disposition of such special orders as have already been entered for that day, the gentleman from Ohio [Mr. SMITH] may address the House for 30 minutes.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Texas [Mr. MANSFIELD] is recognized for 20 minutes.

NEUTRALITY

Mr. MANSFIELD. Mr. Speaker, so much has been said on the subject of neutrality that it is difficult for anyone to advance a new thought at this time. The present law forbids any citizen of this country to sell to a nation at war any arms, ammunition, or implements of war. It does not prohibit the sale of articles of contraband, such as oil, gasoline, cotton, wheat, airplane parts, and various other commodities used in war. All these articles can be legally sold to any belligerent Nation, and carried in American ships for delivery.

If our ships are to be permitted to engage in such trade upon the high seas they, with their cargoes, will be subject to seizure and confiscation by England and France if their cargoes are for delivery to Germany. If the cargoes are for England or France, they will be subject to being sunk by German submarines. This is the course that was pursued in the World War, and we have no reason to expect that a different course will be pursued at this time.

Of the 28 American ships sunk or attacked by Germany before our entry into the World War, I am advised that only 1 carried arms, ammunition, or implements of war. The other 27 ships had cargoes that could not be so classed, though much of it consisted of oil, wheat, cotton, rice, and various other articles necessary for an army in war. The sale of such articles to a nation at war is permissible under our present neutrality law and our ships are legally permitted to carry them in the war zones.

In the early discussions of this subject many persons, with the best of intentions, were petitioning Congress to keep the present neutrality law intact, without any amendment whatever. From the lights before them at the time they thought that such would be the best course to keep us out of the war. Perhaps no one at this time who is familiar with the subject would favor keeping our present law without amendment, as it permits our ships to engage in the same lines of traffic that caused us to get into the World War.

If we are to be kept out of the war, our ships must not be permitted to carry any contraband to any belligerent nation. Such a course might temporarily inflict heavy losses upon our merchant marine, but such losses would be light as compared with conditions that might result in the event our present neutrality law should remain in force, without amendment, and which would almost certainly result in our becoming involved in the conflict, as was the case in 1917.

It is not my purpose to engage in a general discussion of the neutrality question at this time. The bill is not before the House, and we do not know what form it will take before it leaves the Senate. I will simply call attention to a few features that, in my opinion, have not been fully understood by the public, and some of which have been unduly minimized in the general discussions.

In the first place, an effort has been made to create the impression that the manufacturers of war materials are back of the bill for the repeal of the embargo in order that they may be permitted to sell their products to the warring nations. This contention does not seem to be borne out by the facts.

The Congressmen from the districts where these articles are principally manufactured are generally opposed to the repeal of the embargo. The gentleman from Connecticut [Mr. MILLER], who delivered a very able argument against repeal, called attention to the fact that his district perhaps manufactured more arms than any other district in the United States, and that his manufacturers were very much opposed to the repeal of the embargo.

Col. Charles A. Lindbergh, who is doubtless more interested than any other person in the manufacture and sale of airplanes, is using all the powers at his command in opposition to the repeal of the embargo.

The statement has been made that the repeal of the embargo would constitute an unneutral act in favor of England and France, and to the detriment of Germany. "Arms, ammunition, and implements of war" are the only commodities whose sale to belligerents is prohibited by the Neutrality Act. With the possible exception of airplanes, probably none of these articles would be sold to any of the warring nations if the embargo should be repealed. These nations are already well supplied with such things and have the greatest factories in the world for turning out more if needed. What these nations need above all other things is gasoline, and the sale of gasoline, together with its delivery in American ships, is permissible under present law.

Early in the World War Lord Kitchener realized the importance of gasoline, or petrol, as he called it, for military purposes. His interview with Irvin S. Cobb was published in the Saturday Evening Post of December 5, 1914, in which he referred to it. Under present conditions gasoline is a thousand times more important than it was in Kitchener's time. Without it there is no practical way of mobilizing or moving a mechanized army. Without it U-boats and airplanes could not operate.

The great tanks now massed along the German-French border require great quantities of gasoline, the 20-ton type consuming 1 gallon for each mile traveled. Mr. Friedenburg, the great German economist, has estimated that Germany would require from 12,000,000 to 20,000,000 tons of gasoline annually for a complete offensive. Her needs of crude oil for all military purposes are estimated at from 84,000,000 to 140,000,000 tons.

Mr. Frank I. Weller, of the Associated Press, has recently published an interesting article from which it will appear that Germany is fairly well supplied so far as her gasoline needs are concerned. Her domestic production of crude oil is sufficient to supply about one-third of her peacetime needs, and this has been augmented by a somewhat larger production from oil fields in Poland.

Germany's principal supplies of gasoline are expected to come from Rumania and Russia, especially from Russia, which has had an enormous petroleum production in the Baku district. Germany also produces large quantities of gasoline from coal and lignite, but the cost of this is said to be much greater than that of gasoline produced from petroleum.

So far as I am advised, England and France have no domestic production of petroleum or gasoline. Their supplies must all be imported, and neither railroads or pipe lines are available for the purpose. It must all go in by tanker ships.

On June 30 last there were 1,546 tankers afloat of 2,000 tons and over. These were the ships of all nations, and of these, 1,165, or three-fourths of the total, were under the registration of 4 countries—Great Britain, the United States, Norway, and Holland, respectively. The other 381 tankers were under the registration of various other countries, 22 in number.

If Congress passes the bill prohibiting American tankers from carrying gasoline to any belligerent, then England and France will be virtually restricted to the tankers under their own registration to supply their needs. The 365 tankers under our registration would be prohibited by law and those of Norway, Sweden, Holland, and other countries being practically prohibited on account of their geographical location from engaging in such trade.

On June 30 last England had 431 tankers and France 44. Some of these have since been destroyed, notably the French ship *Emile Miguet*, the largest tanker afloat, with its cargo of 126,000 barrels—19,000 tons—of oil. This ship received its cargo at the port of Texas City, in the district I have the honor to represent. It is said to have been the largest ship that ever entered a Texas port, and its cargo of 19,000 tons was perhaps

the largest, or at least one of the largest, ever carried in an ocean-going ship.

The destruction of this huge tanker, with its immense cargo of such vital military importance, is a distinctive loss to the western powers. Owing to the fact that gasoline is their greatest possible war need and that tanker ships available for its transportation will be greatly reduced in number in the event the Senate bill becomes law, it is impossible to give a reasonable evaluation of the extent of such a loss.

If the embargo is repealed, as provided in the bill now before the Senate, then citizens of the United States will be permitted to sell to the warring powers arms, ammunition, and implements of war. On the other hand, no American ship will be permitted to carry gasoline or anything else across the ocean for delivery to any belligerent.

All the nations at war would doubtless be glad to have us sell and deliver gasoline to them. Would any of them purchase arms, ammunition, or implements of war from us if there were no obstructions, legal or otherwise, to interfere? I respectfully submit that I believe they would not do so, because they have ample supplies on hand and ample industrial plants for making more in the event their supplies should become exhausted or greatly reduced.

The gentleman from Pennsylvania [Mr. ALLEN] on last Tuesday called attention to the fact that in the World War less than 10 percent of the allied purchases in this country was for munitions. The gentleman from Connecticut [Mr. MILLER] in this connection called attention to the fact that we furnished practically no arms to our Allies, but that they, having ample supplies, actually furnished us with such things, and that at the close of the war our soldiers were still using French guns.

In the existing circumstances I am thoroughly convinced that the repeal of the embargo on arms, ammunition, and implements of war is entirely immaterial and will not injure or benefit any nation now at war.

On the other hand, the provision in the Senate bill prohibiting our ships from engaging in the transportation of all commerce with the warring nations will greatly injure the cause of England and France and should not be enacted except for the sole purpose of its having a tendency to keep our Nation out of the conflict. [Applause.]

Mr. Speaker, I have here a statement furnished me by the United States Maritime Commission showing the number of tankers in use on June 30 last by all nations, the age, tonnage, and speed. This, I believe, will be of general interest to all Members, and I ask unanimous consent that it may be inserted in the RECORD in connection with my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. MANSFIELD]?

There was no objection.

The statement referred to follows:

World ocean-going tankers of 2,000 gross tons and over as of June 30, 1939

Countries where owned	Total number and gross tons of tankers				Age, 10½ years and under				Speed, 12 knots and over			
	Number	Percentage	Tons	Percentage	Number	Percentage	Tons	Percentage	Number	Percentage	Tons	Percentage
British Empire	431	27.89	3,110,000	28.27	196	30.35	1,549,000	29.24	122	30.50	1,011,000	28.79
Percentage					45.48		49.81		28.31		32.51	
United States	365	23.62	2,678,000	24.34	64	9.92	554,000	10.45	52	13.00	445,000	12.68
Percentage					17.53		20.69		14.25		16.62	
Norway	265	17.15	2,082,000	18.93	176	27.25	1,463,000	27.60	89	22.25	801,000	22.81
Percentage					66.42		70.27		33.58		38.47	
Netherlands	104	6.73	514,000	4.67	57	8.82	351,000	6.63	26	6.50	190,000	5.41
Percentage					54.81		68.29		25.00		36.96	
Panama	53	3.43	469,000	4.26	28	4.33	284,000	5.36	20	5.00	213,000	6.06
Percentage					52.83		60.55		37.74		45.42	
Japan	44	2.85	422,000	3.84	32	4.95	341,000	6.44	31	7.75	335,000	9.54
Percentage					72.73		80.81		70.45		79.38	
Italy	73	4.72	388,000	3.53	8	1.24	61,000	1.15	5	1.25	45,000	1.28
Percentage					10.96		15.72		6.85		11.60	
France	45	2.91	313,000	2.85	22	3.41	190,000	3.59	11	2.75	117,000	3.33
Percentage					48.89		60.70		24.44		37.38	
Germany	33	2.13	259,000	2.35	10	1.55	117,000	2.21	11	2.75	110,000	3.13
Percentage					30.30		45.17		33.33		42.47	
Sweden	18	1.16	150,000	1.35	13	2.01	115,000	2.17	6	1.50	56,000	1.59
Percentage					72.22		76.67		33.33		37.33	
Argentina	23	1.49	116,000	1.05	3	.46	22,000	.42	7	1.75	52,000	1.48
Percentage					13.04		18.97		30.43		44.83	
Russia	17	1.10	113,000	1.03	14	2.17	100,000	1.89	8	2.00	55,000	1.57
Percentage					82.35		88.50		47.06		48.67	
Denmark	13	.84	105,000	.95	5	.77	45,000	.85	2	.50	20,000	.57
Percentage					38.46		42.86		15.38		19.05	
Spain	13	.84	71,000	65	7	1.08	44,000	.83	7	1.75	43,000	1.23
Percentage					53.85		61.97		53.85		60.56	
Belgium	10	.65	70,000	.64	4	.62	33,000	.62	2	.50	11,000	.31
Percentage					40.00		47.14		20.00		15.71	
Venezuela	22	1.42	62,000	.56	4	.62	12,000	.23				
Percentage					18.18		19.35					
Greece	5	.32	23,000	.21								
Percentage												
Rumania	3	.20	15,000	.14								
Percentage												
Mexico	2	.13	10,000	.09								
Percentage												
Honduras	1	.06	8,000	.07	1	.15	8,000	.15	1	.25	8,000	.23
Percentage					100.00		100.00		100.00		100.00	
Finland	1	.06	6,000	.05	1	.15	6,000	.11				
Percentage					100.00		100.00					
Philippine Islands	1	.06	5,000	.05								
Percentage												
Turkey	1	.06	4,000	.04								
Percentage												
Yugoslavia	1	.06	3,000	.03	1	.15	3,000	.06				
Percentage					100.00		100.00					
Peru	1	.06	3,000	.03								
Percentage												
Brazil	1	.06	2,000	.02								
Percentage												
Total	1,546		11,001,000		646		5,298,000		400		3,512,000	
Percentage		100.00		100.00	41.78	100.00	48.16	100.00	25.87	100.00	31.92	100.00

NOTE.—All figures subject to revision. Source: U. S. Maritime Commission, Division of Research, Sept. 5, 1939.

Mr. JOHNS. Will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Wisconsin.

Mr. JOHNS. The gentleman says he does not feel it would make any difference whether we repeal the embargo clause or not. That being true, why repeal it then?

Mr. MANSFIELD. I may say to the gentleman that so far as I am concerned I consider it immaterial. I would be glad to vote either way, provided it meets with the majority view of the House and Senate. I would be glad to follow the line of least resistance along that line. It appears at this time that the Senate is going to repeal it by a large majority, and if we took a different view we perhaps would be killing time and not accomplishing anything.

Mr. HOFFMAN. Will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I understood the gentleman to say that in his judgment it would not make any difference to any other nation whether we repealed or not—not that it would not make any difference to us. Maybe I was in error. The gentleman from Wisconsin stated the other proposition—that is, it would not make any difference to us. Does the gentleman feel that if we repeal it we will incur the ill will of Germany and the good will of the Allies, so-called?

Mr. MANSFIELD. I believe, if it is understood, we would be more likely to incur the ill will of England and France than of Germany.

Mr. HOFFMAN. If we refused to repeal it?

Mr. MANSFIELD. Yes. That is, if we couple with it the prohibition of our ships to engage in trade, including the hauling of gasoline in our ships.

Mr. PATRICK. Will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Alabama.

Mr. PATRICK. Does not the gentleman, in analyzing the position of the manufacturers of implements of war and from studying the figures presented here, believe that so far as their profit and interests are concerned they are protecting the present embargo for the purpose of sending all unassembled munitions of war and matters of that kind to be assembled later, so that they can be sent on our ships, as they will be sent out to all belligerents on the high seas on ships flying our flag and manned by our men? May I ask further if that does not give them a better avenue of sale of the munitions of war while still holding the manufactured or finished product here so as to swell their market rather than cut it off, so there can be no sending of any of the things that may be used in high explosives in a war on our vessels unassembled, but to be assembled after they reach the place near where they are to be used?

Mr. MANSFIELD. There is so much in what the gentleman states I do not believe I can remember all of it.

Mr. PATRICK. I will try to boil it down. Does not the gentleman believe that with the seas open to American vessels they can unload the unfinished products by our merchant marine and get a bigger profit and quicker money from the business they are in than if the embargo were repealed?

Mr. MANSFIELD. That is possibly true, but I am not prepared to answer that question.

Mr. RICH. Will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman believes that, notwithstanding any Neutrality Act that might be passed, it is our duty here not to figure out what is for the best interests of any particular nation in Europe, but, on the contrary, that we ought to give every concern, first, to keeping this country out of war, and, second, to doing the thing that is best for America and its people? [Applause.]

Mr. MANSFIELD. That is my attitude. I would be glad to injure all those countries reasonably, if necessary, to keep us out of war. I would not consent to injure them otherwise.

[Here the gavel fell.]

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the gentleman may have 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

Mr. DONDERO. Will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Michigan.

Mr. DONDERO. I think we are all united in our determination to keep this country out of war, but there is some difference of opinion as to how best that might be done. If we repeal the arms embargo, do we not stand almost in the same position as the football referee who attempts to change the rules of the game after the game has begun, either to help or hurt one of the teams on the field?

Mr. MANSFIELD. There is a good deal of logic in what the gentleman has stated. It would have been better if we had acted before the war actually came on. However, if we go ahead and prohibit our ships from conveying the necessary things to the other countries that they would otherwise reap the benefit of, we are injuring them, and perhaps more so than we are Germany.

Mr. DONDERO. In other words, the position of the gentleman from Texas is that as far as that phase of the neutrality bill is concerned it should be left as liberal as possible to American shipping?

Mr. MANSFIELD. I would think so; yes. That would be my judgment.

Mr. LUTHER A. JOHNSON. With the consent of the gentleman from Texas, and replying to my good friend the gentleman from Michigan [Mr. DONDERO], may I say that we are neither a referee nor a participant in the war going on in Europe, so we do not make or change the rules insofar as the conduct of the belligerents is concerned.

I should like to make this observation: That if it is unneutral after the war starts to change our law with reference to any provision of it which affects Germany adversely, would it not be just as unneutral to change any provision of the law that affects the Allies adversely?

Mr. DONDERO. Most certainly, exactly; that is my argument; that we should not change the rules of the game.

Mr. LUTHER A. JOHNSON. We could not make any change, then. We cannot have cash and carry, because cash and carry will hurt the Allies, and therefore we cannot change the law now inasmuch as the war has started. The whistle has blown, and we cannot change the law. We are helpless. We cannot change the provisions either way, as I understand the gentleman. Such a position is wholly illogical. We can make any change in our own law at any time.

Mr. DONDERO. Let me ask this question.

Mr. LUTHER A. JOHNSON. What about my question?

Mr. DONDERO. Does the gentleman from Texas believe that if the German ships stood outside the 3-mile limit ready to obtain arms and ammunition from the United States we would be in special session of Congress here in Washington today?

Mr. LUTHER A. JOHNSON. I do not believe I catch the question.

Mr. DONDERO. If Germany were over here ready to obtain arms and ammunition from us and had control of the seas, does the gentleman believe we would be in special session of Congress today?

Mr. LUTHER A. JOHNSON. I do not know. As far as I am concerned, I do not care a continental about Germany, or the Allies, either. I am looking at the question from our own viewpoint alone.

Mr. DONDERO. None of us does. Let us do our thinking on this side of the Atlantic.

Mr. LUTHER A. JOHNSON. I am thinking about our own interests. I rather resent the idea that some think that because certain persons take one position they are trying to hurt someone else. The question the gentleman raises is that you cannot change the rules of the game after the whistle

blows and the game has started. If you cannot change the rules as they affect one contestant, you cannot change them as to the other. If that is logical, you cannot change the law at all. We cannot have cash and carry, because we do not now have any cash-and-carry provision, and cash and carry will hurt the other side. That is what I mean.

Mr. DONDERO. In answer to the gentleman's statement, is not that exactly the position we took in 1914? We refused to lay an embargo on arms because England protested and because it would be violating the law of nations and considered an unfriendly act by any nation affected adversely.

Mr. LUTHER A. JOHNSON. We did not have any such law at all in 1914. We would not even advise our people not to travel on belligerent ships, under the McLemore amendment. We would not do anything. We let nature take its course, and nature took its course and we got into the war.

Mr. DONDERO. We never placed an embargo on arms.

Mr. LUTHER A. JOHNSON. We never did have an embargo on arms for 150 years until this present act in 1935.

[Here the gavel fell.]

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from Pennsylvania [Mr. RICH] is recognized for 10 minutes.

INDUSTRY AND EMPLOYMENT

Mr. RICH. Mr. Speaker, it is a great honor and pleasure to me to have the privilege of addressing the House while the Speaker is in the audience. It is a great pleasure, because when he is in the chair I sometimes provoke him, and probably sometimes when he is in the audience I do the same. But there is nobody I would rather see on the floor of the House with the other Members than the Speaker. I can "tell it to him," as it were. He is always congenial, one of the fellows with whom we like to associate.

While we are talking about neutrality—and that is primarily what we are here for—we sometimes overlook other things in this great Nation of ours, things that are happening every day, that are probably just as important and just as interesting to the American people, and probably more so, than neutrality; because when we talk about neutrality all we are thinking about is trying to do the right thing in order that it may not provoke some other nation or lead it to do something we might deem unjust, and thus cause us to get into a world war. We do not want war, and we do not need to have war.

I do not believe that the American people do now or ever will want to get into any war in which they will send their boys across the ocean. We have enough to do here in America to take care of our own business. When we have 11,000,000 people out of work and on the pay roll of the Federal Government, it is a problem, and a mighty big problem, for the Members of Congress to solve. We have some legislation to pass that is essential and necessary in order that we may help get these people back in jobs. We can do it by repealing some laws or, at least, aid very materially.

The gentleman from California [Mr. LELAND M. FORD] made a neutrality speech a little while ago that ought to be digested very carefully by the Members of the House. He stated that if we did not give encouragement to business interests in this country it would leave for another country, and he is absolutely right.

The businessmen of a nation—that is, farmers and all forms of businessmen—create jobs, and they can do more to create jobs than all the State legislators and Congress. So Congress must make laws to encourage business, not kill it, if you want employment.

When we consider the things that are vital and essential to the welfare of the American people, we must also consider the businessmen of this Nation who have the initiative and the ability to go ahead and endeavor to operate their business in such a way as to create more jobs. How are they going to do this? This certainly cannot be done when we have laws on our statute books that make it so difficult for a man with any capital to operate that he does not want to go into business.

It is time for the Members of Congress to think, and think hard, about why the people who ordinarily would be interested in going ahead with business are refusing to enter business. It has been stated here many, many times that the three things vitally essential to any business enterprise are, first, manpower, which is the employee; second, the man with ability who wants to go ahead and operate the business, and he is the employer; and the third is capital. No business can go ahead and succeed without these three things and they have to work hand in hand. Their interests are mutual.

When you have on your statute books today a law which the gentleman from Michigan [Mr. HOFFMAN] has been so diligently fighting to have changed, the Wagner Act and the National Labor Relations Board, I say to you there is nothing that can be done that will cause employment to increase more than a change in these acts so that the employer and the employee may have the same rights. There was a time when the employer had rights to the extent that he could do just what he pleased, even though it was to the disadvantage of the employee, and business did not succeed very well under that plan and the country did not succeed very well, because a few people received too much of the benefits. Now we have an act where the employee or the labor leaders of the employees are making the rules under the operations of the Wagner Act and the National Labor Relations Board, and they are so detrimental to the employer that the employer has not much say about his business any more. He is forced to quit and close up his business, thus throwing men out of work. It has even gone to the point where he cannot take on any new employees in connection with the operation of his plant so he can school them for a position of responsibility. This is a pretty bad state of affairs, but it is just what is happening to business in this country today. A manufacturer cannot take on and school young fellows in the practical side of the operation of his plant without being interfered with by the labor unions. The radical labor leaders, because they refuse to let you take on anybody except older employees, and yet everybody knows that all men are not equal in the operation of a business, and it is now getting to the point where business is not going to go ahead until we make certain changes in the Wagner Act and get a new Labor Board.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Will the gentleman tell us something about this? I have been told by both the employees and the employers that where a factory receives an extra order that would give extra work, if the employer steps out and hires some men, and in the course of 6 months, or even later, after that order is finished these men have to be discharged, they get unemployment insurance.

Mr. RICH. Well, that is the case under the present law. They are assessed a certain amount on wages, and the manufacturer has to pay for it during the time they are employed; and if a manufacturer goes ahead and provides such employment for immediate work, which might be expanded, those men are always on the list of that employer and he must take those men back before he can ever take any other additional employees. If, for instance, some of his old employees have sons coming on who have graduated from school or from college and live right alongside the plant, he is compelled to take men who live, perhaps, 25 miles away and were inferior employees rather than to try to take on and keep the employees that belong right in that local community. It is because we have such laws that the manufacturer has no say over the employees after they once get a foothold, and the gentleman knows this. The National Labor Relations Board rendered a decision with respect to a manufacturer up in New England who had received applications for employment, and because the manufacturer refused to take those men they were compelled to pay them a year's back salary. That was the decision of National Labor Relations Board. Did you ever hear of such a ridiculous thing

as that in all your life? It is downright disgusting and disgraceful. Yet the Government fosters such action by the Board.

Mr. COX. Mr. Speaker, will the gentleman yield? Does not the gentleman think that outfit is on its way out?

Mr. RICH. Well, I will say to the gentleman from Georgia that if we had 300 Members of Congress like the gentleman, whom we honor and respect, I know quite well they would be on their way out. They would be out.

Mr. COX. Does the gentleman think that any government in the world can exist with people of that type administering its laws?

Mr. RICH. I will say to the gentleman from Georgia that no business, nothing, can exist under conditions like that. I just wish that we had a lot more men who think the way the gentleman from Georgia does, because he is a sound and sincere thinker in that respect, and for constitutional government. [Applause and laughter.]

Mr. HOFFMAN. I am glad to hear the gentleman say "in that respect." [Laughter.]

The SPEAKER pro tempore (Mr. KRAMER). The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RICH. The gentleman from Georgia [Mr. Cox] not only thinks right in that respect but he is a sound and sincere thinker in all respects. [Applause and laughter.]

Mr. HOFFMAN. The gentleman from Georgia [Mr. Cox] said something about "that outfit." I presume he referred to the Labor Board. Does the gentleman think they are on their way out fast enough, so that we do not have to set stakes to see whether they are moving or not? [Laughter.] I want to ask the gentleman this question, please: A coal-mine operator said he could use 50 more men. I said, "Why do you not use them?" He said, "If I hire 50 men to fill orders now, just as soon as business slacks up by the closing of the Great Lakes, where my coal goes, I will have to pay those men unemployment insurance." Is that true?

Mr. RICH. He does not have to pay them unemployment insurance as an individual. The Federal Government is supposed to pay them unemployment insurance, or the States.

Mr. HOFFMAN. Where does the Federal Government get the money?

Mr. RICH. The Federal Government does not have the money. [Applause and laughter.] I want to say to you that the Federal Government reaches down and issues I O U's. Let me show you something that will open your eyes. Here is Mr. Morgenthau's Treasury statement.

Mr. HOFFMAN. It is the same thing. It is still in the red.

Mr. RICH. It ought to be printed in red, but it is always printed in black. They are fooling and humbugging the people by printing that sheet in black every day. It is red all over, and each day it is redder, and should be so designated by red ink.

Let me show you how much they have collected in these social-security taxes. They have collected $158,249,433.08. What do they do with that money? That is intended to pay for unemployment insurance and social security. It collected billions of dollars since that law went into effect. Where is it? It is in Government bonds. Let me show you. We are $40,925,125,000 in the red. We have not got a penny. Your grandchildren will be assessed for the debts that the House of Representatives and the Senate and the President are creating. It is the most unjust, the most unheard-of operation of government that has happened in the 150 years of American existence; and just think of an administration that is as extravagant as this one.

Let me quote what the President of the United States said on July 2, 1932:

> For 3 long years I have been going up and down this country preaching that government cost too much. I shall not stop that preaching.

Have you heard the President of the United States in the last 3 years say a word about Government expenses? About economy? No; he is the greatest spender of all ages.

Mr. HOFFMAN. I read this morning that his preacher asked that Great Britain and France should win this war.

Mr. RICH. What I want to know is why he stopped preaching, as he promised the American people? Why does he spend more and more.

Mr. HOFFMAN. Because his preaching does not match with his acts.

Mr. RICH. That is the point exactly. Very seldom they do.

Let me quote you again from the Democratic platform of 1932:

> We favor the maintenance of the national credit by a Federal budget annually balanced on the basis of accurate executive estimates within revenues raised by a system of taxation levied on the principle of the ability to pay.

Let me say that this administration has been in power for 6 years, almost 7 years. They have been off-balance more than a billion and one-half dollars, from one and one-half to four billion dollars every year. They are going to be out of balance $4,000,000,000 this year. Is not that terrible? Where are you going to get the money? Let somebody on this side tell me where you are going to get it. Where is the gentleman from Mississippi [Mr. RANKIN] who is always telling us about the utilities and how the Government operates them? Let him tell us where we are going to get the money to operate this Government. He cannot tell you. There is not a man in the House of Representatives who can tell me.

Mr. RANKIN. Will the gentleman yield?

Mr. RICH. There is no better fellow in this House than the gentleman from Mississippi, but neither he nor the Speaker can tell how to save money or balance the Budget. [Laughter.]

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has again expired.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. HAVENNER (at the request of Mr. WELCH), for 1 week.

EXTENSION OF REMARKS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at the point immediately following the last speaker with reference to the death of the late Hon. Fred Purnell.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a history of the cheese industry in the United States.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of title 16, section 715a, United States Code, the Chair appoints as a member of the Migratory Bird Conservation Commission to fill the vacancy thereon, the gentleman from Missouri [Mr. COCHRAN].

EXTENSION OF REMARKS

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include resolutions adopted by the National Small Business Association Convention at Detroit, Mich., October 10, 11, and 12.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday next, after business on the Speaker's desk

and any other special orders heretofore made, I may address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, I ask unanimous consent that on Thursday, after the completion of the special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 24, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1105. Under clause 2 of rule XXIV, a letter from the Secretary of War, transmitting a report of designs, aircraft parts, and aeronautical accessories purchased by the War Department, was taken from the Speaker's table and referred to the Committee on Expenditures in the Executive Departments.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 7592. A bill to require ratification by the Senate of foreign-trade agreements; to the Committee on Ways and Means.

By Mr. RANKIN (by request):

H. R. 7593. A bill to provide Government protection to widows and children of deceased World War veterans; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 7594. A bill granting a pension to Clarinda E. Kenyon; to the Committee on Invalid Pensions.

By Mr. KRAMER:

H. R. 7595. A bill for the relief of Eugene Gruen and his wife, Kate; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5817. By Mr. HANCOCK: Petition of the Citizens Council for Defense of Freedom of Speech, Robert B. Anderson, secretary, of Syracuse, N. Y., protesting against discrimination in awarding radio time for the discussion of public questions; to the Committee on Merchant Marine and Fisheries.

5818. By Mr. HEALEY: Petition of William D. Tribble and 5,198 of the citizens of the Eighth Congressional District of Massachusetts, urging Congress to maintain the arms embargo and to adhere to the Johnson Act; to the Committee on Foreign Affairs.

5819. By Mr. JOHNSON of Illinois: Petition of Mrs. Cyril De Witt and 11 other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to warring nations; to the Committee on Foreign Affairs.

5820. Also, petition of Mrs. Theophil Lievens and 12 other citizens of Rock Island County, Ill., to keep America out of war and not sell anything to warring nations; to the Committee on Foreign Affairs.

5821. Also, petition of Mrs. Harold Kleinman and 108 residents of Rock Island County, Ill., to keep America at peace and not sell anything to warring nations; to the Committee on Foreign Affairs.

5822. By Mr. SCHIFFLER: Petition of Mrs. Adam Phillips and members of the Woman's Home Missionary Society of the First Methodist Church of Cameron, W. Va., urging that we keep the present neutrality law in force; to the Committee on Foreign Affairs.

SENATE

TUESDAY, OCTOBER 24, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O, Thou who art the giver of every good and perfect gift, we thank Thee for Thy manifold blessings bestowed upon us and upon our beloved country. Give to us, dear Lord, a real love for the day's work, but deliver us from its bondage when the hours of toil are past. Help us to be sincere in word and deed, and give to us that high integrity of purpose that shall build up a moral and spiritual reserve against all undue strains. Grant that we may never trifle with life, and do Thou keep our hearts pure and our thinking straight, that, though the winds may blow and the tempests rage against us, we may find ourselves untroubled and unafraid, as we stand firm on the Rock of Ages, touched by the breath of a Wordless Presence, and soothed by the sense of Thy sheltering love. We ask it in the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, October 23, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	King	Russell
Andrews	Davis	La Follette	Schwartz
Ashurst	Donahey	Lee	Schwellenbach
Austin	Downey	Lodge	Sheppard
Bailey	Ellender	Lucas	Shipstead
Bankhead	Frazier	Lundeen	Slattery
Barbour	George	McCarran	Smathers
Barkley	Gerry	McKellar	Smith
Bilbo	Gibson	McNary	Stewart
Borah	Gillette	Maloney	Taft
Bridges	Green	Mead	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Truman
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	Nye	Vandenberg
Caraway	Herring	O'Mahoney	Van Nuys
Chandler	Hill	Overton	Wagner
Chavez	Holt	Pepper	Walsh
Clark, Idaho	Hughes	Pittman	White
Clark, Mo.	Johnson, Calif.	Radcliffe	Wiley
Connally	Johnson, Colo.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Montana [Mr. WHEELER] is unavoidably detained.

Mr. MCNARY. I announce that the Senator from Kansas [Mr. REED] is necessarily absent.

The VICE PRESIDENT. Ninety-one Senators have answered to their names. A quorum is present.

PETITIONS

Mr. LODGE presented petitions of sundry citizens of the State of Massachusetts, praying for the preservation of American neutrality and also that the United States join with other neutral nations in efforts to achieve a speedy, just,

and lasting peace, and protesting against the sale of arms and munitions to warring nations, which were ordered to lie on the table.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENTS

Mr. DOWNEY submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. DOWNEY to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz: At the end of the joint resolution add the following new section:

"SEC. 20. (a) From and after the approval of this joint resolution it shall be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States, except to nations on the American Continents engaged in a defensive war against a non-American state or states.

"(b) The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this section; and he may exercise any power or authority conferred on him by this section through such officer or officers, or agency or agencies, as he shall direct.

"(c) Any arms, ammunition, or implements of war exported or attempted to be exported from the United States in violation of any of the provisions of this section and any vessel or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., title 22, secs. 238–245).

"(d) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this section, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States."

Mr. LA FOLLETTE submitted amendments intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. LA FOLLETTE to the Neutrality Act of 1939 (H. J. Res. 306), viz: At the end of the joint resolution insert the following new section:

"SEC. —. (a) Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its Territorial possessions, or by any non-American nation against any country in the Western Hemisphere, a national advisory election shall be held in the several States upon the question of war or peace prior to any declaration of war by the Congress.

"(b) Every citizen of the United States qualified to vote according to the laws of the State of which he or she is a resident shall be entitled to vote at such election. Such election shall be held and conducted under such rules and regulations as may be prescribed by the United States Referendum Election Board, except that such election shall be by secret written ballot and shall be conducted as nearly as possible in accordance with the laws of the several States for the conduct of their respective State elections.

"(c) There is hereby created a United States Referendum Election Board (hereinafter referred to in this section as the Board) to be composed of the President of the Senate, three members of the Senate Committee on Foreign Relations to be appointed by the President of the Senate, and of whom not more than two shall be members of the same political party, three members of the Committee on Foreign Affairs of the House of Representatives to be appointed by the Speaker of the House of Representatives, and of whom not more than two shall be members of the same political party. Any vacancy in the membership of the Board shall be filled in the same manner as in the case of an original appointment. The President of the Senate shall be chairman of the Board ex officio, but shall have no vote except in case of an even division between the members. The members of the Board shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Board.

"(d) The national advisory election herein provided for shall be called whenever four or more members of the Board shall file with the Secretary of State of the United States a written demand therefor. The question to be submitted at the election shall be, Under existing conditions shall the United States go to war? The Secretary of State shall by proclamation fix the day of the election, which shall be held not less than 15 days from the filing with him of the demand for the election as herein provided.

"(e) In conducting any such election the Board shall, so far as practicable, use the election officials and the polling places provided for by the laws of the several States.

"(f) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Board to carry out its functions and duties, and the Board is specifically authorized and empowered to make arrangements with the Governors of the several States, or other appropriate State officers, or with towns, cities, villages, and counties or their respective officers, for using the State or local election officers, employees, and equipment in the conduct of the said election; and the costs and expenses for holding the said election shall be paid for at the same rate as may be provided by the laws of the respective States.

"(g) The Board shall make public immediately the results of each national advisory election, together with the number of votes cast in each State for and against the question submitted at the election."

Amendments intended to be proposed by Mr. LA FOLLETTE to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 16, line 14, after the word "transferred", insert "for cash."

On page 17, line 6, after "States", insert the following new sentence: "As used in this subsection, together with the number of votes cash' shall not include ordinary commercial credits or short-time obligations."

At the end of the joint resolution insert the following new section:

"EXPORT CONTROL BOARD

"SEC. —. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), he shall thereupon establish an Export Control Board (hereinafter referred to in this section as the Board), to be composed of a chairman to be appointed by the President; the Secretaries of State, Commerce, and Interior; two Members of the Senate, to be appointed by the President of the Senate, not more than one of whom shall belong to the same political party; and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, not more than one of whom shall belong to the same political party. A vacancy in the membership of the Board shall not affect the power of the remaining members to execute the functions of the Board, and shall be filled in the same manner as the original appointment.

"(b) In order to prevent the growth and subsequent collapse of a short-lived war boom, with its attendant dangers to our peace, prosperity, and cost of living, it shall be the duty of the Board to limit the annual exportation of commodities from the United States to each state named in any such proclamation to the average annual exports to each such state from the United States during any 4 consecutive years of the 12-year period immediately preceding the date such proclamation is issued.

"(c) The Board shall compute for each such state as soon as practicable the average annual exports of commodities from the United States to each such state for each of the following major categories: Crude materials, crude foodstuffs, manufactured foodstuffs, semimanufactures, and finished manufactures. The computation so made with respect to each such major category for any such state shall thereafter be the annual quota for such category for such state.

"(d) Upon the establishment of an annual quota for each major category for each such state, the Board shall, upon the request of the duly authorized and empowered purchasing agent for such state, issue licenses to such agent for the exportation of commodities to such state. No licenses shall be issued to any such agent during any 1 year for the exportation of commodities within each major category in excess of the annual quota established for such category for such state: *Provided*, That if the President shall find that the civilian population of any such state is in extreme need as a result of the war to which the President's proclamation relates, he may increase the annual quotas for such state so long as such need exists, but such increase shall not exceed 10 percent of such annual quotas.

"(e) Whenever a stored surplus of commodities within any such major category exists in the United States and such surplus is not necessary for the welfare or defense of the United States, licenses for the exportation of such commodities shall be limited to such stored surplus so long as such surplus exists.

"(f) It shall be the duty of the Board to tabulate and examine the character of exports to neutral states, and if the Board finds (1) that commodities in any major category are being imported from the United States by any such neutral state in abnormal quantities, (2) that such imports are not in lieu of imports previously secured from belligerent states, and (3) that such imports are not for their own needs but are being transshipped to belligerents, the Board shall announce such finding and thereafter the provisions of this section shall apply to such neutral state with respect to such major category in the same manner and to the same extent as it applies to such belligerents.

"(g) The Board shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. The Board is authorized to utilize the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government. The members of the Board shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Board. The Board is authorized to make such rules and regulations as may be necessary to carry out its functions under this section.

"(h) During any period in which the provisions of this section are in effect it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any such state during any

calendar year any such commodities in excess of the quota so established; and it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any such state any such commodities without first having obtained a license therefor.

"(i) The provisions of this section shall apply only during a period in which a proclamation issued under the authorty of section 1 (a) is in effect; and shall cease to apply to any state named in any such proclamation when such proclamation has been revoked with respect to such state."

Mr. LUCAS submitted sundry amendments intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz: On page 22, strike out lines 12 to 14, inclusive, and insert in lieu thereof the following:

"(b) The provisions of this section shall not apply to a renewal or adjustment of indebtedness in existence on—

"(1) The date of any proclamation issued under any prior neutrality law after September 4, 1939, in the case of any state named in such proclamation, political subdivision thereof, or person acting for or on behalf of either; or

"(2) The date of any proclamation issued under section 1 (a) of this joint resolution in the case of any other state named in such proclamation, and any political subdivision thereof, or person acting for or on behalf of either."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz: On page 23, after line 2, insert:

"(e) No provision of this section or of any other law, or of any rule, regulation, proclamation, Executive order, corporate charter, or corporate bylaws shall be deemed to authorize the United States or any agency or instrumentality thereof or any corporation the majority of whose voting stock is owned by the United States or by any agency or instrumentality thereof, to extend any credit to, or purchase or accept any short-time obligation of, any government, political subdivision, or person to which subsection (a) relates, or to facilitate directly or indirectly the extension of any such credit or the purchase or acceptance of any such short-time obligation by any person, or the export of any articles or materials to any such government, political subdivision, or person."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz: On page 29, after line 22, insert:

"(j) Valid certificates of registration (including amended certificates) issued under section 5 of Public Resolution No. 27, Seventy-fifth Congress, shall remain valid for the same period as if this joint resolution had not been enacted. In all other respects (including amendments to such certificates), such certificates shall be deemed to have been issued under this section."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 29, strike out lines 17 and 18 and insert "including the name of each purchaser, in the case of exportation, and each seller, in the case of importation, and the terms of each sale made under each such license."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 29, strike out line 15 and insert "who have registered under this section."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 29, lines 12 and 13, strike out "including the name of the purchaser and the terms of sale made under such license."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 22, strike out all after the period in line 1 down through the period in line 8, and insert "No further extension of credit shall be made or authorized under this subsection to the government of any state, political subdivision thereof, or person acting for or on behalf of such state or political subdivision, for any period during which any one or more of them is in default, in whole or in part, on any obligation to which this subsection relates."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 21, line 14, after "proclamation", insert "or issued after the date of any proclamation issued under any prior neutrality law after September 4, 1939, and prior to the date of enactment of this joint resolution, in the case of any state named in any such proclamation, or any political subdivision of such state, or person acting for or on behalf of either."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 21, line 13, after "State", insert "or of any political subdivision of any such State."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 20, line 25, strike out "commerce with any foreign state" and insert "foreign commerce."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 20, line 5, after "by", insert "all the."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 17, after the period in line 20, insert: "Notwithstanding this subsection, the estoppel provided for in subsection (c) and the prohibitions on claims provided for in subsections (c) and (d) shall remain in effect."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz: On page 17, strike out lines 7 to 15, inclusive, and insert:

"(d) For the purposes of subsection (c), the transfer of the interest of an insurer as insurer in articles or materials or in vessels carrying such articles or materials shall not be required prior to transportation or exportation. No insurance policy issued on such articles or materials or vessels, and no loss under the policy or by the owner of the vessel shall be made the basis of any claim put forward by the Government of the United States."

Amendments intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 16, line 21, strike out "as shall be promulgated" and insert "issued."

On page 16, line 22, after "time", insert "to carry out this subsection."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 26, line 11, after "apply", insert "except as to offenses committed prior to such revocation."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 26, line 8, strike out "in his judgment" and insert "he finds that."

Amendments intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 25, line 18, strike out "merchant."

On page 25, line 23, strike out "merchant."

On page 26, line 24, strike out "merchant."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 24, line 2, after "resolution", insert "except section 12."

Amendments intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 23, line 13, before the comma insert "in connection with the war to which the proclamation under section 1 (a) relates."

On page 23, line 14, before the comma insert "occasioned by such war."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 23, lines 6 and 7, strike out "for any person within the United States" and insert: "(1) Within the United States for any person, or (2) either within or without the United States for any person who is a citizen of the United States."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 28, line 14, strike out "for export."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 28, line 9, after "chaser", insert "in the case of exportation, and the name of the seller in the case of importation."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz:

On page 27, lines 6 and 7, strike out "whether as an exporter, importer, manufacturer, or dealer."

Amendment intended to be proposed by Mr. LUCAS to the Neutrality Act of 1939 (H. J. Res. 306), viz: On page 28, strike out lines 17 to 23, inclusive, and insert:

"(f) Licenses shall be granted by the Secretary of State, on application, to persons who have registered as herein provided for and shall contain such terms as the Secretary prescribes as necessary to assure compliance with this joint resolution and the rules and regulations prescribed under it. A valid license granted under the authority of section 5 of Public Resolution No. 27, Seventy-fifth Congress, shall be considered a valid license granted under this joint resolution and shall remain valid for the same period as if this joint resolution had not been enacted. No license shall permit, or be construed as authorizing, any act which would be a violation of this joint resolution, any rule or regulation prescribed under it, any law of the United States, or any treaty to which the United States is a party. The Secretary of State shall revoke any license granted under this section, or the corresponding section of any prior neutrality law, if he finds, after giving the licensee reasonable notice and an opportunity for hearing, that the licensee has violated the terms of any such license or any provision of, or rule or regulation prescribed under, this joint resolution, any other law of the United States, or any treaty to which the United States is a party. Thereafter no license shall be granted to such person."

INDUSTRIAL MOBILIZATION PLAN (S. DOC. NO. 134)

Mr. McCARRAN. Mr. President, I ask consent to have printed as a Senate document, with illustrations, the Industrial Mobilization Plan, Revision of 1939, approved jointly by the Acting Secretary of War and the Acting Secretary of the Navy.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESS BY SENATOR NYE ON PENDING NEUTRALITY LEGISLATION

[Mr. NYE asked and obtained leave to have printed in the RECORD a radio address delivered by him on Sunday, October 22, 1939, on the pending neutrality legislation, which appears in the Appendix.]

THE NATIONAL HEALTH PROGRAM—ADDRESS BY SENATOR WAGNER

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator WAGNER October 23, 1939, on the subject of the national-health program, which appears in the Appendix.]

ADDRESSES BY SENATORS LODGE AND WHEELER AT WHEELER HOMECOMING CELEBRATION

[Mr. WALSH asked and obtained leave to have printed in the RECORD addresses made by Senators LODGE and WHEELER on the occasion of the Burton K. Wheeler homecoming celebration at Hudson, Mass., October 1, 1939, which appear in the Appendix.]

ADDRESS BY SENATOR SCHWELLENBACH AT CENTENARY CELEBRATION AT BALTIMORE CITY COLLEGE

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD the address delivered by Senator SCHWELLENBACH on the occasion of the concluding banquet of the centenary celebration of the Baltimore City College, in Baltimore, Md., October 21, 1939, which appears in the Appendix.]

DRAFTING OF WEALTH IN WARTIME—ADDRESS BY SENATOR BRIDGES

[Mr. GURNEY asked and obtained leave to have printed in the RECORD a radio address delivered October 22, 1939, by Senator BRIDGES, of New Hampshire, on the so-called Lee bill providing for drafting wealth in wartime, which appears in the Appendix.]

DRAFTING WEALTH IN TIME OF WAR—ADDRESS BY SENATOR GURNEY

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD a radio address delivered on October 22, 1939, by Senator GURNEY on the so-called Lee bill, providing for drafting wealth in time of war, which appears in the Appendix.]

ADDRESS BY SENATOR CHANDLER ON PENDING NEUTRALITY LEGISLATION

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address on pending neutrality legislation, delivered by Senator CHANDLER before the annual convention of the Disciples of Christ at Richmond, Va., October 21, 1939, which appears in the Appendix.]

HISTORY OF EMBARGO POLICY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article written by W. B. Hesseltine, associate professor of history at the University of Wisconsin, on the history of the embargo policy, which appears in the Appendix.]

THE BANKHEADS OF ALABAMA—EDITORIAL FROM ALABAMA JOURNAL

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial from the Alabama Journal of October 19, 1939, entitled "Two Brothers," which appears in the Appendix.]

EMERGENCY EXECUTIVE POWERS—TELEGRAM FROM FRANK GANNETT

[Mr. NYE asked and obtained leave to have printed in the RECORD a telegram dated October 2, 1939, from Mr. Frank Gannett, which appears in the Appendix.]

NEUTRALITY LEGISLATION—EDITORIAL FROM BALTIMORE SUN

[Mr. NYE asked and obtained leave to have printed in the Appendix an editorial by H. L. Mencken, printed in the Baltimore Sun of October 1, 1939, entitled "Sham Battle," which appears in the Appendix.]

LIST OF AMERICANS KILLED AND NEUTRAL SHIPS LOST IN WORLD WAR AND EUROPEAN WAR

[Mr. BAILEY asked and obtained leave to have printed in the RECORD a list of American lives lost and American ships sunk prior to the entry of the United States into the World War, together with a list of neutral ships lost in the European war from September 3 to October 23, 1939, which appears in the Appendix.]

SINKING OF THE "ROYAL OAK" BY COMMANDER GUENTHER PRIEN

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD an editorial published in the Elko Daily Free Press of Elko, Nev., of October 21, 1939, on the subject of the sinking of the battleship *Royal Oak* by Commander Guenther Prien, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. BARKLEY. I ask unanimous consent that during the further consideration of the joint resolution now before the Senate no Senator shall speak, in the aggregate, more than 45 minutes on the joint resolution or, in the aggregate, more than 45 minutes on any amendment thereto.

The VICE PRESIDENT. Is there objection?

Mr. NYE. Mr. President, reserving the right to object——

Mr. BARKLEY. Mr. President, I yield to the Senator for a statement which he desires to make.

Mr. NYE. Reserving the right to object, I have a brief statement which I wish to make to the Senate at this time. I hope I may not be required to resort to the personal-privilege rule, and I am obliged to the Senator from Kentucky for the permission which he grants.

Mr. President, the closing considerations in the Senate on yesterday are well described by the press this morning as having witnessed, for the first time in 4 weeks of debate, the falling of the debate from its high plane to a level devoted to indulgence in personalities. The RECORD itself will forever bear witness to the fact that this first break away from that higher level was made by the leadership of the majority that has been pleading for a debate devoid of personalities.

The Washington Post this morning was fair enough to say of yesterday's proceedings:

A bitter personal attack on Senator NYE by the Senate's majority whip climaxed the day.

I suppose, Mr. President, that, in the light of the personal attack of yesterday, I am expected to become likewise personal in retort. I shall not. So far as I am concerned, this debate shall continue on the higher plane it has occupied. But I cannot ignore, and I do not ignore, wholly what was said and done by the majority whip and some of his associates on yesterday. There must be refutation of certain

alleged motives ascribed to me, a refutation which can be afforded without personal attack upon those whose inconsistency on the embargo issue during recent years leaves them without right to question the consistency of others, to say nothing of the motives of others.

It is quite true that I have done considerable public lecturing on the subject of American neutrality and upon the arms embargo. It is true that I have been paid fees for some of this kind of work. It is probably not material that I have delivered many more lectures without the involvement of honoraria than I have delivered lectures for fees. It is material, however, that I have never forced myself upon any individual or group of sponsors. Those who have wanted me to talk to them upon the subjects mentioned have volunteered their rewards, if any at all; and I have no apology whatever for doing what others in the Senate have been doing for generations so far as the lecture platform is concerned.

Some of us here in the Senate have no economic needs that require the supplement of outside income. I am not one of those so fortunate. In the political field, too, I am without the advantage which some enjoy, the advantage of machine backing, the support of a political machine, for example, that gets its "oil" from a 2-percent assessment upon public officials and employees, to be used in meeting the expenses of campaigns in support of favored candidates for Senator, Governor, President, or what not. My contact with my own people constitutes a bill of expense that must be met from my own income and not from an assessment upon $100-per-month governmental employees.

There is will to declare me to have been inconsistent in my present position in stanch support of the arms embargo. Some would have it appear that I once favored repeal of the embargo against the shipment to nations at war of arms, ammunition, and implements of war. This contention is absolutely without foundation. I did question the wisdom of our adoption of an embargo against the shipment of arms to Spain on the ground that the act would be bound to injure one side and aid another in what was purely a civil war, and, furthermore, that the act had been passed after the outbreak of the civil war. I never asked for inclusion within the neutrality law of a provision that would make the law cover civil war until after the policy of including civil wars in our neutrality legislation had been adopted by Congress.

My move to repeal the Spanish arms embargo was made when it became apparent that our course resulted in our being very unneutral. The record speaks for itself in this respect.

Mr. President, no desire exists on my part to indulge in personalities. It does no credit to any cause; it does no credit to any individual championing a cause to indulge in personalities. It can only be an evidence of complete bankruptcy of reason in support of the cause one pretends to favor.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky [Mr. BARKLEY]?

Mr. CLARK of Missouri. Mr. President, reserving the right to object, I will say to the Senator from Kentucky that those of us who are opposing the repeal of the arms embargo are agreeable to a limitation of debate so far as the time element is concerned—that is to say, 45 minutes on the joint resolution and 45 minutes on each amendment, to be distributed as the Senator may elect—but it seems to us there should be some assurance as to the hour of meeting, the general length of the sessions, and that threats which have been heretofore made of meeting at 10 o'clock in the morning and holding sessions at night are not to be carried out if the agreement is entered into. Also, we feel that there should be an agreement as to the question of making motions to lay amendments on the table. We feel that the Senate should have assurance that bona fide amendments are to have an opportunity of consideration and debate.

Mr. BARKLEY. Mr. President, I will say to the Senator from Missouri that, so far as the hour of meeting is concerned, in view of the fact, as I stated yesterday, that committees are not in session and are doing no work, and the only purpose for which we are here is to deal with the problem now before the Senate, the Senate should meet earlier than 12 o'clock. If this agreement is entered into, I have no desire or intention to be unreasonable in trying to force long hours on the Senate; but I would not agree not to have the Senate meet earlier than 12 o'clock. I would rather the agreement would fail than to agree to tie my hands as the days go on with regard to my right to move that the Senate meet at 11 o'clock instead of 12.

Mr. CLARK of Missouri. So far as I am concerned I do not think that is an unreasonable suggestion because, in view of the fact that committees are not meeting, I believe 11 o'clock meeting is not unreasonable.

I will say to the Senator from Kentucky that, so far as we are concerned, we are perfectly willing to cooperate in every way in obtaining a final disposition of this measure this week.

Mr. BARKLEY. I appreciate that fact; so, with that understanding, that part of the matter is disposed of.

On the question of moving to lay amendments on the table, I will say to the Senator from Missouri and all other Senators that I have no intention of moving, and so far as I can control the matter I should discourage motions, to lay on the table any bona fide amendment that is germane to this subject; but in order to get a limitation of debate I will not agree to forego the right to move to lay on the table extraneous, outside matters which may be offered as amendments for the purpose of trying to "gum up" the joint resolution.

Mr. CLARK of Missouri. I will say to the Senator publicly, as I have said privately before this debate began, that, so far as I am concerned—and I think I speak for all of our group—I would vote with the Senator to lay on the table purely extraneous amendments in the nature of adding a different proposition, such as the Senator has suggested to me. I think the matter can be handled in the spirit in which the Senator from Kentucky has announced his position. I hope that will be the understanding and spirit in which the Senate will proceed.

Mr. BARKLEY. I will say to the Senator from Missouri that I desire to have all bona fide amendments offered to the joint resolution, on the subject with which it deals, passed on upon their merits; and I have no intention of taking advantage of any parliamentary right I may have to bring about an immediate disposition of an amendment by moving to lay it on the table if it is germane to and deals with the subject.

Mr. CLARK of Missouri. With that understanding, I have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. PITTMAN. Mr. President, as to the order of considering amendments, the parliamentary situation with regard to the pending legislation is that the Committee on Foreign Relations reported a substitute for the House joint resolution. That substitute is pending. The Senator from Missouri [Mr. CLARK] offered the first amendment, I believe, to the joint resolution. The Senator from Nevada, as chairman of the committee, then offered a series of perfecting amendments. It would appear that the proper procedure would be to act first upon the amendment of the Senator from Missouri, and then to take up the series of perfecting amendments I have offered on behalf of those who were instrumental in preparing and reporting the joint resolution.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. CLARK of Missouri. I will say to the Senator from Nevada that if he desires to take up the perfecting amendments first, it is entirely agreeable to me; or the other arrangement is entirely agreeable to me.

Mr. PITTMAN. If the Senator is satisfied with that course, I think probably it would be better to consider first the perfecting amendments to committee amendment in the nature of the substitute.

Mr. CLARK of Missouri. That is entirely agreeable to me. Therefore, I temporarily withdraw my amendment.

The VICE PRESIDENT. The amendment offered by the Senator from Missouri is temporarily withdrawn.

The Senator from Arizona [Mr. ASHURST] advised the Chair this morning that he desired to make a brief statement to the Senate. The Chair recognized the Senator from Nevada, and now understands that the Senator from Nevada asks unanimous consent that the perfecting amendments to be offered by him be first considered. Is there objection? The Chair hears none.

Mr. PITTMAN. Mr. President, I offer first the amendment which I send to the desk, so that it may be pending.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Nevada yield for a question?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. PITTMAN. I do.

Mr. JOHNSON of Colorado. After the committee amendments shall have been acted on, is it the purpose to start at the beginning of the joint resolution, take it up section by section, and consider individual amendments section by section?

Mr. PITTMAN. That matter will be determined by the Senate itself when amendments are offered.

The VICE PRESIDENT. Let the Chair say to the Senator from Colorado that bills and joint resolutions are not considered in the Senate as they are considered in the House of Representatives. The joint resolution is considered as a whole, and amendments may be offered to any section at any time. Therefore, when the Senator from Nevada concludes offering his amendments, any Senator may offer an amendment to any portion of the joint resolution at any time.

Mr. PITTMAN. I do not ask that my amendment be read at this time.

The VICE PRESIDENT. The amendment will be the pending amendment in the present parliamentary situation.

Mr. PITTMAN. I take that course for the purpose of yielding the floor so that the Senator from Arizona may proceed with his statement.

Mr. ASHURST. I thank the Senator from Nevada.

The VICE PRESIDENT. The Senator from Arizona is recognized.

Mr. ASHURST. Mr. President, the subject of the pending joint resolution has very deeply stirred the feelings of some excellent persons.

Not a few citizens, although thoroughly schooled and well trained in self-control, have, in discussing the joint resolution, been unable to keep their emotions within bounds.

During the past month some calumnies have been inflicted posthumously upon the memory of some characters who during their lifetime deserved well of our country and were highly esteemed by their countrymen.

It is, however, some consolation and comfort to know that such calumnies as were inflicted posthumously were not uttered in the Senate or by any Senator. They were uttered elsewhere.

Caustic words and whizzing javelins of accusation hurled in the hot blood of excitement and in the rough-and-tumble of debate against a living person are easily endured and quickly forgotten.

Unfair imputations uttered against a man while he is in existence will, if he declines to notice them, fall soon enough into the abyss of oblivion, as silence is the noblest weapon and most devastating rebuke with which to meet calumny; but when misconduct is charged to one whose voice is forever silenced, the dead must be allowed to reply in the only way they may reply; that is, through the record of their deeds done.

When, in his last hours, Woodrow Wilson said, "I am ready," he spoke as few men may speak. He was, indeed, ready. He had enlightened thousands of our young men and had sent them forth from our colleges with minds and characters trained for the truth; he had enriched our literature; he had been Governor of a proud State; he had, as President, ennobled labor and had shown a nation how to be valiantly honest. Such a man is always ready.

The Wilson administration was an epoch crowded with complex governmental problems; grave international involvements creating desperate emergencies, the surmounting of which ran to the foundations of our national existence; training, victualing and transporting vast armies; providing and deploying an immense navy; raising revenue aggregating billions of dollars. In all of these stupendous duties Woodrow Wilson was moved by a zeal as warm as ever inspired the breast or nerved the arm of patriot warrior.

Rarely has there been a character like Woodrow Wilson. Even under the pressure of catastrophic events he insisted that all problems, at whatsoever pain to himself, should be solved only by the rule of justice.

The alluring temptation, always before public men, to obtain for immediate constituents some trifling benefit today, although at the sacrifice of a nation's vitality and efficiency for the future, has been the Circean spell that has, since the days of antiquity, deflected the purpose and weakened the fiber of many statesmen; but such temptation never influenced Woodrow Wilson.

He could not negotiate compromises; hence he did not consider what was or was not expedient. He reckoned not the cost to his health or to his fame, but pressed forward to his duty as he saw it, and as the horologe of time ticks on and on the waves of malice and hatred that once rolled so furiously about him will spend their force and his fame will be far shining, for he strove for superlatively great ideals.

Woodrow Wilson believed that human liberty is like unto a coral island—built from the deeps and by the dying of the builders until at last it greets the surface and the sunlight—and high above the range of doubt or fear, with the charm of a poet, Woodrow Wilson sacrificed himself in an effort to banish from the earth the incarnate Moloch of War. Such a man is always ready.

Mr. SMATHERS. Mr. President, on behalf of some 5,000,000 citizens of the State of New Jersey I wish to thank sincerely the senior Senator from Arizona [Mr. ASHURST] for the magnificent and glowing tribute he has just paid to the immortal Woodrow Wilson.

The VICE PRESIDENT. The question is on agreeing to the first amendment offered by the Senator from Nevada [Mr. PITTMAN].

Mr. PITTMAN. Mr. President, I offer an amendment to the pending amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 18, line 1, beginning with the word "to", it is proposed to strike out through the word "vessel" in line 4 and to insert in lieu thereof the following:

(1) to such transportation of mail, personal effects of any individual on any such vessel or aircraft, and necessary supplies for any such vessel or aircraft, or (2) to any other transportation on or over lands bordering on the United States of mail, personal effects of any individual, and necessary supplies for any vehicle used as a means of transportation on or over such lands.

Mr. VANDENBERG. Mr. President, may not the amendment be stated in its original form so that we may know what amendment is pending?

The VICE PRESIDENT. The Senator from Nevada stated that he was offering an amendment to his amendment. The Parliamentarian advises the Chair that it does not touch that amendment. So the Chair is at a loss to know just what the parliamentary situation is.

Mr. VANDENBERG. So is the Senator from Michigan.

Mr. PITTMAN. Mr. President, I should like to have the amendment returned to me.

The VICE PRESIDENT. The amendment will be sent to the Senator from Nevada.

Mr. PITTMAN. Mr. President, the amendment the Senator from Nevada originally presented is not an amendment to the amendment, but it is an amendment to be acted on preceding action on the first amendment offered, and relates to the same subject in the joint resolution.

The VICE PRESIDENT. Then, if it is not an amendment to the originally offered amendment, the Senator would better offer it as his first amendment, and the amendment he sent up first will be considered next.

Mr. PITTMAN. Let the Senator from Nevada explain. The amendment deals with the cash-and-carry provision of the substitute which has been reported by the committee. In the existing law certain exceptions are made in favor of Canada and Mexico. Subsequent to the time the substitute was reported, by the amendment I have just handed in—that is, the first amendment, certain exceptions were made with regard to carriage by American vessels, and with regard to the Caribbean, South America, and the Pacific, the exceptions being stated as subsections (g), (h), and (i). All of the exceptions embracing Canada will be considered at the same time, because they relate to the same subject. The only change with regard to existing law respecting Canada is that the proposed substitute did not take land transportation into consideration. That is added as an amendment to subsection (f) on page 17 of the proposed substitute.

Mr. VANDENBERG. Mr. President, I am trying to determine textually what it is precisely at the moment the Senator is asking us to confront.

Mr. PITTMAN. If I may be pardoned, I will read the brief section.

Mr. McNARY. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. I assume we are working on the committee amendment to the House text.

The VICE PRESIDENT. The Senator is correct.

Mr. McNARY. The Senator from Nevada has proposed an amendment to section 2 of the committee amendment?

The VICE PRESIDENT. That is correct.

Mr. McNARY. To understand properly the matter which he is discussing, I should like to know what part of the amendment he now desires to modify by his present motion.

The VICE PRESIDENT. The Senator from Nevada will have to tell the Senator from Oregon, because the parliamentarian has advised the Chair that the second amendment the Senator from Nevada sent forward, which was supposed to be an amendment to the amendment he offered to the substitute, did not refer to the original amendment, did not affect it. Therefore the Chair called the attention of the Senator from Nevada to that fact.

Mr. PITTMAN. Mr. President, it is true that the amendment the Senator from Nevada sent forward did not deal with Canada. I now ask unanimous consent that we take up the second amendment I offered instead of the first one.

The VICE PRESIDENT. In other words, the second amendment will become the pending amendment. Is there objection?

Mr. McNARY. Just a moment. Are we working on the text of the Senate committee amendment which has been reported by the Committee on Foreign Relations, or are we working upon the proposal of the Senator from Nevada?

The VICE PRESIDENT. First, the substitute for the House measure has been reported as one amendment.

Mr. McNARY. I appreciate that.

The VICE PRESIDENT. Now the Senator from Nevada offers an amendment to that amendment.

Mr. McNARY. To the text before us.

The VICE PRESIDENT. Without objection, the clerk will report the proposed amendment.

Mr. AUSTIN. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. AUSTIN. Is it not appropriate to have the original amendment read?

The VICE PRESIDENT. The Senator from Nevada has asked unanimous consent to lay that aside temporarily that he may offer a second proposed amendment, and when that amendment comes up, of course, it will be proper to have it stated. The Senator can have it reported from the desk now if he desires.

Mr. AUSTIN. I think I do not understand the proposed amendment to the amendment without knowing what the original proposal was.

The VICE PRESIDENT. The original substitute is one amendment. That would have to be read. That is considered as an original bill in the Senate. It has been reported by the committee. Now the Senator from Nevada desires to withdraw his first amendment and to offer the second one to the committee amendment.

Mr. AUSTIN. I thank the President. I now understand that that which is printed after striking out what appears in the last print before us is what is regarded as the original amendment.

The VICE PRESIDENT. The Senator is correct. The clerk will state the amendment now proposed.

The LEGISLATIVE CLERK. On page 18, line 1, beginning with the word "to", it is proposed to strike out through the word "vessel" in line 4 and to insert in lieu thereof the following:

(1) to such transportation of mail, personal effects of any individual on any such vessel or aircraft, and necessary supplies for any such vessel or aircraft, or (2) to any other transportation on or over lands bordering on the United States of mail, personal effects of any individual, and necessary supplies for any vehicle used as a means of transportation on or over such lands.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nevada to the amendment in the nature of a substitute reported by the committee.

Mr. McNARY. Mr. President, I did not clearly understand from the reading which language is proposed to be stricken out. May the clerk read that more slowly?

The VICE PRESIDENT. The clerk will again state the amendment.

The LEGISLATIVE CLERK. On page 18, line 1, beginning with the word "to", it is proposed to strike out through the word "vessel" in line 4 and to insert in lieu thereof the following:

(1) to such transportation of mail, personal effects of any individual on any such vessel or aircraft, and necessary supplies for any such vessel or aircraft, or (2) to any other transportation on or over lands bordering on the United States of mail, personal effects of any individual, and necessary supplies for any vehicle used as a means of transportation on or over such lands.

Mr. PITTMAN. Mr. President, I may state the principal change is with respect to overland transportation; the language of the joint resolution in its present form overlooks transportation by automobile and rail.

Mr. BROWN rose.

The VICE PRESIDENT. Let the Chair state to the Senator from Nevada and the Senate that the Senator from Nevada obtained unanimous consent that the Senate should first consider the amendments which he desired to offer, which were in the nature of perfecting amendments. Now the Chair feels that under that unanimous-consent agreement he should recognize the Senator from Nevada to offer his amendments until they are concluded. When the Senator from Nevada has no more amendments to offer the Chair will recognize other Senators.

Mr. PITTMAN. The Senator from Nevada has other amendments to offer if the Chair will simply give him a little time to arrange them.

Mr. BARKLEY. Mr. President, I understood that the Senator from Michigan [Mr. BROWN] desires to offer a substitute for the amendment which has just been offered by the Senator from Nevada but that he has not yet had an opportunity to do so. Is that correct?

Mr. BROWN. Yes; that is correct.

The VICE PRESIDENT. To what amendment does the Senator from Kentucky refer?

Mr. BARKLEY. The Senator from Michigan desires to offer an amendment as a substitute for the amendment offered by the Senator from Nevada.

The VICE PRESIDENT. The Chair recognizes the Senator from Michigan.

Mr. BROWN. Mr. President, I ask that the amendment offered by me in the nature of a substitute for the amendment of the Senator from Nevada be stated.

The VICE PRESIDENT. The amendment offered by the Senator from Michigan to the amendment of the Senator from Nevada will be stated by the clerk.

The LEGISLATIVE CLERK. In lieu of the amendment proposed by Mr. PITTMAN to the committee amendment, on page 18, beginning in line 1, it is proposed to insert the following:

(1) To such transportation of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i), or (2) to any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i).

Mr. BROWN. Mr. President, the purpose of this amendment is to continue between the United States and Canada on our northern border, and between the United States and Mexico if it becomes a belligerent, on our southern border, the same normal trade relations that now exist, with one important exception. Under the committee substitute for the House measure, which is pending before the Senate, it would not be possible for an American exporter to retain title to the goods which he shipped to Canada. The purpose of subsection (c) of the Pittman substitute, which is now pending, was to prevent a situation arising which might cause us to become involved in war. The purpose was to prevent the retaining of title in any goods shipped across the Atlantic Ocean which might be the subject of attack by a submarine. There is, of course, no possible danger of that kind upon the waters of the Great Lakes, nor is there any possible danger of that kind in the case of goods transported by automobile or transported by rail across the Canadian border. My amendment would exempt the trade between the United States and Canada from the provision in section (c) on page 16 of the joint resolution. It would permit the present trade practices and the present trade relations to continue. I see no reason why——

Mr. BURKE. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. BURKE. I have read with interest the amendment which the Senator now offers as a substitute for the amendment offered by the Senator from Nevada. On last Saturday the senior Senator from Iowa [Mr. GILLETTE] and I joined in offering an amendment to take care of the same situation.

That amendment is now pending. But as I read the amendment which the Senator from Michigan is now discussing, it seems to me to cover what the Senator from Iowa and I are trying to provide for and is in a little broader language.

Mr. BROWN. That is correct.

Mr. BURKE. And it would accomplish better results than would our limited amendment. If we are correct in that assumption, we desire not to press our amendment, but to support the proposal of the Senator from Michigan.

Mr. BROWN. I take it, if my amendment should be adopted, the amendment proposed by the Senator from Iowa and the Senator from Nebraska would not be necessary.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. OVERTON. The purpose of the Senator's amendment is to authorize the transportation into Canada of all articles except——

Mr. BROWN. Munitions of war.

Mr. OVERTON. Except what may be declared to be contraband of war under a declaration by the President of the United States.

Mr. BROWN. The Senator from Louisiana is correct in that statement.

Mr. OVERTON. And also to remove the ban in reference to the cash provision?

Mr. BROWN. I will say to the Senator that the cash provision is not involved. A private citizen in the United States can now sell on credit to a private citizen in Canada, but under subsection (c) he could not retain any lien whatsoever or title in the goods sold. What I am seeking to do is to remove that part of section (c) on page 16 which denies an American exporter the right to retain title to his goods until they are paid for.

Mr. OVERTON. And, in addition to that, to export everything except munitions of war?

Mr. BROWN. Yes. There are no restrictions on exports at all.

Mr. CONNALLY. Arms and ammunition may be exported, but the title must pass.

Mr. BROWN. Yes.

Mr. CONNALLY. American citizens could ship all the arms and ammunition they wanted to under this amendment, but title must pass at the line. The effect of the Senator's amendment would be to exempt from the title requirement commerce moving to Canada, irrespective of how it moves.

Mr. BROWN. As to all articles and materials other than munitions of war, as defined by the Munitions Control Board.

Mr. President, I shall be very glad to answer any questions that any Senator may desire to ask me.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. TAFT. A number of companies in Ohio and in other States have plants in Canada; American companies, in other words, operate Canadian plants. I understand the Senator's amendment will remove the objections they have made that they cannot ship their own goods to their own plants in Canada. Is that correct?

Mr. BROWN. Yes.

Mr. TAFT. The provision applies also to Mexico, but it does not apply to Australia and New Zealand.

Mr. BROWN. It applies only to countries which border upon the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Michigan [Mr. BROWN] to the amendment offered by the Senator from Nevada [Mr. PITTMAN].

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. BARKLEY. Would the Senator's amendment have any effect on the ban placed in the measure against the shipment by American vessels from ports in the United States to Canada, outside the lake regions, on the oceans or contiguous waters?

Mr. BROWN. It would not remove the ban on any ocean shipping. It relates solely to shipping on the Great Lakes and the crossing of the border by vehicles and by railroad trains.

Mr. PITTMAN. Mr. President, the amendment, as I read it, does not change existing law except in one particular. Under the existing law, while Canada is excepted from the carry provision applying to belligerents, she is not excepted from the title provision. The Senator from Michigan proposes to except Canada from the title provision. Is that statement correct?

Mr. BROWN. Yes.

Mr. PITTMAN. The proposal has nothing to do with the financial provisions, which would require the Government of Canada or any national of Canada, to pay cash, as required under other provisions of the measure.

Mr. BROWN. It would not affect the present law or the pending measure in that respect.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. DANAHER. By his exception of goods listed under a proclamation to be issued under section 12 (i), is not the Senator taking out of the operation of section 2 (c) arms, ammunition, and implements of war?

Mr. BROWN. No; I am including them. Only those articles which are not munitions of war would be affected by my amendment. All the ordinary articles of commerce which are shipped from the State of Connecticut to Quebec and other places in Canada would be subject under the Pittman resolution to the restriction with respect to title. Under my amendment all such goods would be relieved from that restriction, except munitions of war as listed and defined by the Munitions Control Board under section 12 (i), on page 29.

Mr. DANAHER. I thank the Senator. I am fully aware of the purpose of the Senator's amendment. I wonder if the language of his amendment will accomplish what he proposes, because the language applicable, commencing in line 25, at

the bottom of page 17, I think expressly states that the provisions of section (c) shall not apply, and thereafter continues the language of the Senator's proposed substitute.

Mr. BROWN. I have taken the matter up with the Senator from Texas [Mr. CONNALLY], the Senator from Nevada [Mr. PITTMAN], and several other Senators, and also with the Legislative Counsel, and they believe that my amendment would fully accomplish the purposes which I have stated.

Mr. DANAHER. I thank the Senator. I think the authorities he relies upon are adequate.

Mr. PITTMAN. Mr. President, the Senator from Michigan spoke to me with regard to this matter, and I told him that those who drafted the substitute had not given very much consideration to the particular question with regard to Canada, although they had given consideration to the subject with regard to other portions of the world. I asked the Senator from Michigan if Senators from States along the Canadian border and the Great Lakes concurred in his form of amendment. I now ask him that question.

Mr. BROWN. Yes; I have talked with the Senators from Vermont [Mr. AUSTIN and Mr. GIBSON], both Senators from Maine [Mr. HALE and Mr. WHITE], my colleague [Mr. VANDENBERG], and I think also the Senator from Washington [Mr. SCHWELLENBACH] and others. They are agreeable to the purpose which I seek to effectuate by my amendment. No one of those Senators has expressly approved the exact language, but I think it is their general opinion that it is sufficient. I went to the Legislative Counsel and told them what my purpose was, and they brought me the amendment which I have submitted, and which I myself have carefully examined. I think it would bring about the desired result.

Mr. PITTMAN. Mr. President, as I say, the group who were preparing the substitute did not give extensive consideration to this question. It was not brought up at that time. We had before us the existing law with regard to the carry provisions as to Canada. The general carry provisions with regard to belligerents do not apply to Canada under the existing law. As has been stated by the Senator from Michigan, the chief object of those who drafted the substitute was to prevent American seamen and citizens on belligerent vessels from being killed in attempting to do business with belligerents. It dealt largely, of course, with transportation on the high seas, and we had in mind the destruction in 1917 by submarines.

Personally, I do not see that the United States gains any greater protection of its peace by requiring the transfer of title to property going to Canada. While I am not in a position to speak on behalf of the entire group, that is my view with regard to the matter.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. BARKLEY. As I understand the difference between the joint resolution and the amendment offered by the Senator from Nevada, on the one hand, and the substitute offered by the Senator from Michigan on the other hand, under the amendment offered by the Senator from Nevada transfer of title is required in the case of all goods going to Canada, including ordinary commercial commodities, and also arms, ammunition, and implements of war, whereas under the provisions of the substitute offered by the Senator from Michigan transfer of title would not be required as to any articles except arms, ammunition, and implements of war.

Mr. PITTMAN. That is correct.

Mr. GILLETTE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. GILLETTE. The Senator from Nevada submitted an amendment just prior to the substitute offered by the Senator from Michigan. Was the amendment offered by the Senator from Nevada agreed to?

The VICE PRESIDENT. The amendment of the Senator from Nevada has not been agreed to. Therefore the substitute is in order.

Mr. GILLETTE. Mr. President, I should like to ask the Senator from Michigan [Mr. BROWN] a question.

The proposed substitute carries two different categories. The first is:

(1) To such transportation of any articles or materials other than articles listed in the proclamation issued under the authority of section 12 (i)—

Which, of course, would be arms, ammunition, and implements of war. Then there is the second category:

(2) To any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i).

What is the reason for those two categories?

Mr. BROWN. Mr. President, my substitute follows the form of the Pittman amendment. The first section relates to transportation by vessel and the second section relates to transportation over land by rail or vehicles.

Mr. GILLETTE. But the Senator provides that subsection (c) shall not apply to the transportation of any articles or materials other than munitions of war, or to any other transportation on or over lands bordering on the United States. Why does the Senator make that distinction?

Mr. BROWN. As I say, the joint resolution was designed to cover shipments by water. It then occurred to the Senator from Nevada and myself that with respect to Canada a large part of our goods is transported by rail or by vehicle. Therefore he added section 2 of his amendment to cover transportation by rail, which of course is necessary because the greater part of the goods shipped to Canada is carried on land mainly by rail, some by truck.

Mr. GILLETTE. I thank the Senator.

The VICE PRESIDENT. The question is on the amendment of the Senator from Michigan [Mr. BROWN] in the nature of a substitute for the amendment of the Senator from Nevada [Mr. PITTMAN]. Without objection, the amendment to the amendment is agreed to; and, without objection, the amendment as amended is agreed to.

The next amendment offered by the Senator from Nevada will be stated.

Mr. PITTMAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. PITTMAN. In the beginning the Senator from Nevada asked that the Senate proceed to consider the substitute for the House joint resolution as an original joint resolution before the Senate.

The VICE PRESIDENT. Under the rules of the Senate and under the custom of the Senate it is considered as an original joint resolution.

The next amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 18, beginning with line 5, it is proposed to strike out through line 20 and to insert in lieu thereof the following:

(g) The provisions of subsection (a) of this section shall not apply to transportation by American vessels (other than aircraft) of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (i)) (1) to any port in the Western Hemisphere south of 30° north latitude, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, and the Arabian Sea; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such vessel, and necessary supplies for any such vessel. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such vessels.

(h) The provisions of subsection (a) of this section shall not apply to transportation by aircraft of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (i)) (1) to any port in the Western Hemisphere, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, and the Arabian Sea; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such aircraft, and necessary supplies for any such aircraft. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such aircraft.

(i) Every American vessel to which the provisions of subsections (g) and (h) apply shall, before departing from a port or from the jurisdiction of the United States, file with the collector of customs of the port of departure, or if there is no such collector at such

port, then with the nearest collector of customs, an export declaration (1) containing a complete list of all the articles and materials carried as cargo by such vessel, and the names and addresses of the consignees of all such articles and materials, and (2) stating the ports at which such articles and materials are to be unloaded and the ports of call of such vessel. All transportation referred to in subsections (f), (g), and (h) of this section shall be subject to such restrictions, rules, and regulations as the President shall prescribe; but no loss incurred in connection with any transportation excepted under the provisions of subsections (g) and (h) of this section shall be made the basis of any claim put forward by the Government of the United States.

On page 18, between lines 20 and 21, it is proposed to insert the following new subsection:

(j) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, the provisions of subsections (f), (g), (h), and (i) shall expire.

And on page 19, line 4, after the period, it is proposed to insert the following new sentence:

The combat areas so defined may be made to apply to surface vessels or aircraft, or both.

Mr. McNARY. Mr. President, this is a major amendment, one of the most important that will be considered during the consideration of the joint resolution by the Senate. I wish to suggest the absence of a quorum if we are now to consider the amendment. I ask the able Senator from Nevada if he is willing to pass this amendment over until tomorrow, or whether he wishes to have it considered today? One or two Senators who are absent could probably be brought into the Chamber by the suggestion of the absence of a quorum.

Mr. PITTMAN. I think we should try to consider it today. We have a larger attendance at this time than I have seen at almost any other time during the debate.

Mr. McNARY. This amendment is probably more interesting than some of the speeches that have been made. [Laughter.]

Mr. PITTMAN. I think it is really a simple question.

Mr. McNARY. I suggest the absence of a quorum.

Mr. CONNALLY. Mr. President, will the Senator withhold his point of no quorum in order to permit me to offer an amendment to the amendment?

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Oregon withhold his point of no quorum in order that the Senator from Texas may offer an amendment to the amendment of the Senator from Nevada?

Mr. McNARY. Yes.

Mr. CONNALLY. I offer an amendment to the amendment of the Senator from Nevada, and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas to the amendment of the Senator from Nevada will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 1, line 3, of the amendment, it is proposed to strike out "subsection (a)" and insert in lieu thereof "subsections (a) and (c)."

Mr. CONNALLY. Mr. President, I do not care to take up much of the time of the Senate, except to say that the amendment offered by the Senator——

Mr. McNARY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. McNARY. The Senator is always lucid in his comments and arguments, and I should like to have a quorum before he makes his speech. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Byrd	Frazier	Holt
Andrews	Byrnes	George	Hughes
Ashurst	Capper	Gerry	Johnson, Calif.
Austin	Caraway	Gibson	Johnson, Colo.
Bailey	Chandler	Gillette	King
Bankhead	Chavez	Green	La Follette
Barbour	Clark, Idaho	Guffey	Lee
Barkley	Clark, Mo.	Gurney	Lodge
Bilbo	Connally	Hale	Lucas
Borah	Danaher	Harrison	Lundeen
Bridges	Davis	Hatch	McCarran
Brown	Donahey	Hayden	McKellar
Bulow	Downey	Herring	McNary
Burke	Ellender	Hill	Maloney
Mead	Pepper	Slattery	Truman
Miller	Pittman	Smathers	Tydings
Minton	Radcliffe	Smith	Vandenberg
Murray	Reynolds	Stewart	Van Nuys
Neely	Russell	Taft	Wagner
Norris	Schwartz	Thomas, Okla.	Walsh
Nye	Schwellenbach	Thomas, Utah	White
O'Mahoney	Sheppard	Tobey	Wiley
Overton	Shipstead	Townsend	

The PRESIDING OFFICER. Ninety-one Senators having answered to their names, a quorum is present. The question is on the amendment offered by the Senator from Texas [Mr. CONNALLY] to the amendment offered jointly by the Senator from Nevada [Mr. PITTMAN] and the Senator from Texas.

Mr. McNARY. Mr. President, when the roll was called I assumed the able Senator from Texas wanted to discuss this proposal.

Mr. CONNALLY. If the amendment to the amendment could be voted on immediately, I would forego discussion. If not, I will say that the amendment which I have offered to the joint amendment offered by the Senator from Nevada and myself proposes to amend the amendment in line 3, by striking out "subsection (a)" and inserting "subsections (a) and (c)."

To understand the significance of my amendment to the amendment, I will have to touch a little upon the amendment of the Senator from Nevada. That amendment, in short, has the effect of exempting from section 2 (a), which is the prohibition against any ship going to a belligerent port, all character of commerce, except that which is listed under section 12 (i), which covers arms, ammunition, and implements of war, in the Pacific Ocean, the China Sea, the Bay of Bengal, the Arabian Sea; and paragraph (h) makes similar exemptions as to commerce with Central and South America. In other words, under the amendment offered by the Senator from Nevada and myself any normal commerce on the Pacific Ocean or the Indian Ocean or destined to points in the Orient may go to a belligerent port, such as Hong Kong or ports in India or Australia or New Zealand. American vessels may go into that trade, but they can carry only general commerce; they cannot carry arms, ammunition, and implements of war which may be listed by the President and which have already been listed under the present Neutrality and Embargo Act. The amendment of the Senator from Nevada simply exempts that shipping from the prohibition and permits American ships to engage in such commerce, but it retains the provisions regarding title. My amendment proposes, if the cargo is in an American vessel, flying the American flag, there shall be no requirement of transfer of title in the case of ordinary commerce, such as general commodities and materials.

It does not affect American ships insofar as arms and ammunition are concerned because they cannot carry such articles.

I will state the reason why I offer the amendment to the amendment. When we first began its consideration the joint resolution made an absolute prohibition against any American vessel going to any port, possession, or dependency of a belligerent country. We later decided that it was perfectly safe for American ships to engage in commerce on the Pacific Ocean, even to belligerent ports, if they did not carry any arms and ammunition. We also decided that it was perfectly safe for them to go to Central and South America and touch at ports which belong to belligerents. The joint resolution now permits them to do that. If we are to permit American vessels to go there at all, what is the necessity for requiring that the title to cargo shall be conveyed to some person in another country? Any sort of requirement of that kind impedes and hampers and hinders the free movement of commerce. If we do not want the ships to engage in such commerce at all, very well; do not let them sail; but if we do permit them, there is just as much danger of an American ship flying the American flag being sunk, regardless of whose cargo it is.

Our theory originally was that we would not let any American ship go to any belligerent ports. If the cargo, on the other hand, is carried by a neutral ship we then require that

there shall be a change of title in order to make it impossible for any American cargo destined for a belligerent or any American ship destined for a belligerent to be on the seas. But when we exempt the ship from the prohibition against certain forms of commerce, there is no sense in requiring that the title to the cargo shall be changed.

Shipping men and others tell me that in the Pacific Ocean especially it would be very difficult to comply with the requirement as to change of title. They say that many of the small merchants in Chinese and other far eastern ports are not able to establish bank credits in the United States, and that the goods are ordinarily paid for on delivery; in other words, the shipping company collects from the consignee in China or Hong Kong or India. It would destroy that kind of commerce if we should require the transfer of title before the vessels leave San Francisco or Seattle or Los Angeles. There is just as much reason for waiving the change of title requirement, in fact, more reason, than there is to permit the vessel to go at all. If it is not dangerous for a vessel to go, it is not dangerous for its cargo to go.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Ohio?

Mr. CONNALLY. I yield.

Mr. TAFT. Do I understand, however, that if a company ships to its own agent in Australia in a British ship, then it must change the title? This proposal only affects the shipments in American ships. Is that correct?

Mr. CONNALLY. The amendment relates only to American ships. Personally, I should not object to the provision relating to neutral ships so long as they are confined to those areas that are exempt, but, on the other hand, there is the consideration that we are supposed to have better control of our own ships than of foreign ships, and if we made the exemption apply to neutral ships, there is a bare possibility that somewhere we would get into trouble.

Mr. President, let me also point out to the Senate the fact that no claim could be presented by reason of a loss of cargo under these circumstances, because there is a general clause in the joint resolution later on under which the exemption, when applied, cannot be made the basis of any claim, and it is specifically applied in this particular measure.

Mr. DANAHER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Connecticut?

Mr. CONNALLY. I yield.

Mr. DANAHER. I notice that the amendment first submitted by the chairman of the Committee on Foreign Relations was submitted jointly by both him and the Senator from Texas.

Mr. CONNALLY. That is correct.

Mr. DANAHER. The amendment which is now offered by the Senator from Texas is offered by himself alone, I take it?

Mr. CONNALLY. That is what the RECORD shows.

Mr. DANAHER. Yes. Does the Senator from Nevada, the chairman of the Committee on Foreign Relations, agree with the Senator from Texas in this particular?

Mr. CONNALLY. That is up to the Senator from Nevada. I think the Senator from Nevada is sympathetic toward my amendment, but I do not know that he is for its adoption. However, let me say to the Senator from Connecticut the amendment provides exactly what we have done with relation to Canada. We have exempted from the title requirement all shipments to Canada except shipments of arms, ammunition, and implements of war. Why? Because there is no danger in cargoes going there. This amendment exempts the Pacific Ocean and the Indian Ocean and permits American ships to go there. Why? Because there is no danger in going there. Why should we not exempt them from the title requirement just as we have done in the case of Canada?

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. CONNALLY. Yes.

Mr. DANAHER. Is it not a fact that the full effect of the amendment offered by the Senator from Texas, plus the amendment offered by the Senator from Nevada, is to restore to American vessels in the particulars outlined in this amendment the identical situation that now exists under the present law on our statute books?

Mr. CONNALLY. No.

Mr. DANAHER. In what particular does it differ?

Mr. CONNALLY. In these particular areas it exempts American vessels from the general requirements of the subsections (a) and (c) of the joint resolution; that is all.

Mr. DANAHER. Mr. President, I point out to the Senator from Texas that under the present law, as distinguished from the pending joint resolution, American ships may go to any of the places named in the amendment. Is not that so?

Mr. CONNALLY. Yes; they may.

Mr. DANAHER. And American ships may carry American goods without the transfer of title in advance, may they not?

Mr. CONNALLY. That is correct.

Mr. DANAHER. So, in effect, we merely restore to American ships the very rights they now have under the American law. Is not that the fact?

Mr. CONNALLY. I assume that the Senator from Connecticut is correct in that statement. I am not trying to track the old law. We are now talking about a new measure. Let me say to the Senator from Connecticut, since he has wrapped into his bosom the old, present act, that yesterday, or a day or two ago, according to this morning's newspapers, the German admiralty seized an American vessel and took it into a Russian port. That is happening under the present law. That is happening under the embargo. That could not happen under the joint resolution we are sponsoring, because there would not be any American vessel on the high seas destined for a port in Great Britain.

Mr. TAFT, Mr. DANAHER, and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield, and, if so, to whom?

Mr. CONNALLY. I presume I shall have to yield first to the Senator from Connecticut.

Mr. DANAHER. I thank the Senator from Texas. Let me point out that 3 weeks ago the British seized an American vessel carrying a cargo of phosphates, unloaded the phosphates, and sold them.

Mr. CONNALLY. Yes.

Mr. DANAHER. Let me further point out that when the Tobey motion was up for consideration more than 2 weeks ago, I was one of the Senators who supported it.

Mr. CONNALLY. I did not yield for anything but a question.

Mr. DANAHER. Had it been agreed to, we would long ago have voted in favor of reasonable restrictions upon the operations of American vessels, and would have removed the possibility of such incidents as that in which the *City of Flint* was concerned; and the Senator from Texas voted against the motion to recommit.

Mr. CONNALLY. With all due despect to the Senator from Connecticut, the Senator from Texas yielded for a question, not for an oration.

Mr. DANAHER. Then the Senator from Texas does not want the RECORD to show, I take it, that we could have protected against this situation long ago had the majority been willing.

Mr. CONNALLY. The Senator from Connecticut referred to Great Britain's seizing a ship. Let me say that that happened under the embargo, and it could not happen under the joint resolution. If the joint resolution should be enacted neither Great Britain nor Germany nor France nor anybody else could seize an American ship bound for a belligerent port, because there will not be any such ship.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. The whole theory of the joint resolution being to keep our ships and our nationals out of the zones where trouble is liable to arise and therefore create incidents

that may drag us into war, the Senator's theory is that if we can risk our ships in the Pacific we can risk the question of title. Is that correct?

Mr. CONNALLY. Exactly; especially since, if there is a loss, the Government will not prosecute it. The shipper will take that risk.

Mr. TAFT. Mr. President——

Mr. CONNALLY. I yield to the Senator from Ohio.

Mr. TAFT. Is not the *City of Flint* owned by the American Government?

Mr. CONNALLY. Indirectly.

Mr. TAFT. Then why is the American Government permitting an American ship to go into a zone where an incident may occur which may lead to war? If the officials of the Government really are anxious to keep the United States out of war, why did they permit the *City of Flint* to go into a submarine zone?

Mr. CONNALLY. I will say to the Senator from Ohio that the *City of Flint*, like all other ships, is trying to make money and trying to fulfill its contracts. I do not know what the contracts are, but I know that a great many shipping men are appealing to me to have attached to the joint resolution an amendment that will give them an opportunity to complete the contracts they have already made, and make voyages for which they have already contracted, and get goods over there in compliance with their agreements, and thus enable them to earn the money they have already received. I do not know what the motives were. Let me say that irrespective of whether or not the Maritime Commission should have kept vessels out of British ports, it was acting under the law. It was acting under the embargo which Senators are so anxious to retain. An American vessel today has the right under the law to go to any belligerent port and carry any kind of commerce except arms, ammunition, and implements of war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. The *City of Flint*, like all ships which are operated by the United States Lines, is owned by the United States Lines, which is an American corporation. The Government of the United States has an indirect interest in it, because it has a mortgage on the ship, which it transferred to the United States Lines.

Mr. CONNALLY. That is all.

Mr. BARKLEY. As the Senator said, there is no law preventing those ships from going into belligerent ports, and naturally they are seeking trade; but under the measure we are seeking to enact the *City of Flint* could not leave an American port destined to any belligerent port, and if this measure had been in effect this incident would not have occurred.

Mr. CONNALLY. Exactly. I thank the Senator.

Let me make a suggestion in the interest of accuracy. The Senator from Kentucky says the *City of Flint* is owned by the United States Lines. I understand that the Maritime Commission owns the ship, but that it has leased it to the United States Lines. Of course, that gives the United States Lines, for the period of the lease, just as much control over the ship as if they owned it.

Mr. BARKLEY. I thank the Senator for the correction.

Mr. CONNALLY. I understand that to be the situation.

Mr. BARKLEY. I thought the Commission had actually sold the ship, but it may be that they have leased it. Whatever the contract may be, the American Government has only an indirect interest in the ship.

Mr. CONNALLY. It has only an indirect interest. I suppose the Senator from Ohio [Mr. TAFT] is proceeding on the theory that the President of the United States personally should watch and direct all the operations of these ships. I cannot see any other implication from his remarks, because he was asking, "Why does not the Government do this?"

Mr. TAFT. Mr. President, it seems to me that if the Government is sincerely desirous of carrying out the cash-and-carry plan, the President can issue orders, at least affecting ships which the American Government owns, sending them to other parts of the world than submarine zones.

Mr. CONNALLY. Will the Senator point out that authority? I hope the Senator would not entertain any such expansive idea of the Executive authority if by mishap he should become President of the United States. [Laughter.]

Mr. BARKLEY. Mr. President, if the Senator will yield at that point, the only control over the matter would be, as I see it, refusal of the Treasury Department, the Customs Service, to issue clearance papers to a ship of that sort to sail from an American port.

Mr. CONNALLY. Of course.

Mr. BARKLEY. If the Department did that with respect to the *City of Flint*, it consistently would have to do it with respect to all other ships.

Mr. CONNALLY. Of course it would; and if the President could issue an Executive order to stop the *City of Flint*, he could issue an Executive order to stop every other ship of American registry. Of course, he has no such power as that, and he ought not to have any such power. We are trying to let Congress deal with this subject. The Senator from Ohio seems to want to let the President do everything.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TAFT. As I read the message of the President, he said he had that power. If Senators will read the message of the President addressed to the Senate, they will find that he said he had that power; and if he has it, and is sincere in his desire to carry out the cash-and-carry plan, the thing for him to do is to exercise that power.

Mr. CONNALLY. I suggest that the Senator from Ohio read the message again. At any rate, whether the President has or has not the power in question under the present law, this company has its ship chartered, and for the period of the lease it belongs to the United States Lines. Ships are now going all over the ocean—not simply ships of the United States Lines, but all American ships are sailing now to belligerent ports. They are proceeding under the sanction of the present Embargo Act; but, as suggested by the Senator from Kentucky, if the joint resolution should be enacted, they could not any longer do so. There would be no American ships en route to belligerent ports. There would be no American cargoes en route to belligerent ports. That is my answer to the Senator from Ohio.

Mr. President, I do not care to consume any more of the time of the Senate. I submit the amendment as to title in the Pacific Ocean and ports in Central and South America on the theory that if it is safe for the ships to go, it is safe for the cargo to go without impeding and harassing and annoying trade by requiring a transfer of title before the goods leave the shores of the United States.

Mr. GEORGE. Mr. President, may I ask the Senator from Texas a question?

Mr. CONNALLY. I yield.

Mr. GEORGE. Is the Senator proposing to insert the same amendment, or in substance the same amendment, elsewhere in the amendment offered by the Senator from Nevada?

Mr. CONNALLY. I will say to the Senator from Georgia that I do not think it is necessary.

Mr. GEORGE. At present the amendment is simply to strike out "subsection (a)", line 3, and insert "subsections (a) and (c)."

Mr. CONNALLY. That is the language. I shall be obliged to the Senator from Georgia if he will give that matter his own careful and well-considered scrutiny. I prepared the amendment rather hastily, because I did not apprehend that there would be a vote so early on the amendment of the Senator from Nevada. I will state that I have sent for the legislative counsel to sit here with us and help us with regard to these details. I will say to the Senator from Georgia that if it develops that that subsection of the measure should be changed in any other particular, I shall certainly be delighted to carry out the change.

Mr. TAFT. Mr. President, I will merely say that I am heartily in favor of the amendment offered by the Senator

from Texas. The controversy did not relate to the merits of the amendment.

Mr. CONNALLY. I certainly thank the Senator from Ohio for his interruption. If he can be so easily convinced, I hope he will interrupt again. [Laughter.]

The PRESIDING OFFICER (Mr. BROWN in the chair). The question is on agreeing to the amendment offered by the Senator from Texas [Mr. CONNALLY] to the amendment offered by the Senator from Nevada [Mr. PITTMAN].

Mr. McNARY. Mr. President, I am heartily in favor of the adoption of the amendment. I should like to have it stated where it is to be inserted in the Pittman amendment. I think the clerk can do that.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 3, of the amendment proposed by the Senator from Nevada, the Senator from Texas proposes to strike out the words "subsection (a)" and insert the words "subsections (a) and (c)."

Mr. DANAHER. Mr. President, I should like briefly to observe that, in spite of all the talk all these weeks about a strict cash-and-carry plan, about the transfer-of-title plan, we are now asked to exempt from control by this legislation all of those articles which comprise more than 90 percent of our total export commerce, transfer of title to which will not be required if they are shipped in American ships, which may be taken to Australia and other ports named in the proposed amendment, there to be transported and transferred to belligerent nations, irrespective of what our attitude may be on the general law. In my opinion, the amendment as offered by the Senator from Texas should be defeated.

Mr. CONNALLY. Mr. President, on careful examination I think subdivision (c) should also be inserted in paragraph (h), relating to aircraft, if we are to exempt shipping from the transfer of title. I do not see why aircraft should not be. They will not carry much commerce, but to whatever extent they may carry commerce, we should exempt them from the title provision. They cannot carry any arms or ammunition.

The PRESIDING OFFICER. Does the Senator refer to line 7 on page 2?

Mr. CONNALLY. Line 7, page 2.

The PRESIDING OFFICER. It will be so regarded.

Mr. CONNALLY. Let it be a joint amendment.

Mr. BORAH. Mr. President, there was some disturbance in the Senate, and I did not understand the statement made by the Senator from Connecticut as to his objection to the amendment. It has seemed to me a desirable amendment, but I should like to know what his objection is, because I did not hear his statement.

Mr. DANAHER. Mr. President, I thank the Senator from Idaho even for doing me the courtesy of regarding my claim with reference to the matter. Let me explain it the more carefully.

I have pointed out the complete inconsistency of the position hitherto taken and now presented by the proponents of the joint resolution before the country and the Senate respecting the cash and carry with a strict transfer of title provision which the proponents of the resolution wrote or purported to write into section 2 (c).

Now we discover that, first, the Committee on Foreign Relations submits an amendment, which is the one I hold in my hand, which would, on page 18, beginning with line 5, strike out everything through line 20 in the pending joint resolution. Then we find that the junior Senator from Texas proposes to amend further the amendment submitted by the Committee on Foreign Relations, and, according to the amendment submitted by the Senator from Texas, we would exempt from the necessity of transfer of title before the goods leave our shores more than 90 percent of all our export merchandise. In other words, under the proposed amendment American vessels will not have to transfer title before the goods leave our shores. Hence, foreigners may take our goods to Australia, or to any other country named in the proposed amendment, without the payment of even one cent of cash, without the transfer of title in advance, and consequently without even the protection which the present law gives us against the shipment to neutrals and transshipment by neutrals to belligerents. As the Senator knows, no such limitation exists in the pending joint resolution. Consequently, from any of the ports herein named, the articles so exempted from the cash-and-carry idea may be transferred, from Australia, from New Zealand, in ships bound to Great Britain, or any other belligerent nation.

Consequently, it seemed to me—and I hope I have made it clear to the Senator from Idaho—that in the interest of consistency we ought to retain our present law, which authorizes American ships to do business reasonably wherever they want to on the high seas, so far as noncontraband articles, in particular, are concerned, and thus, if anything, instead of trying to tighten us up and trying to limit us in this fashion, which in my opinion is subversive of every claim offered hitherto, we ought frankly to face the situation as to whether as a matter of principle Americans have rights. That is the way I feel about the matter.

Mr. BORAH. Mr. President, I was interested in the statement of the Senator because I respect his judgment very much. But, insofar as the proponents will eliminate from the joint resolution the shipping interests of the United States, I am bound to vote with them, and vote very heartily to support their position.

I do not believe in the so-called cash-and-carry proposition, and I therefore want every American ship eliminated from its control, so far as possible. I can understand perfectly why those who do believe in it desire that ships going into certain regions should be under the cash-and-carry plan, but where it is possible to eliminate it, upon any theory of reasonable safety, I certainly favor doing so. In other words, even an advocate of cash and carry should not want to destroy our shipping interests or put our seamen on charity where danger does not demand it.

Mr. WHITE. Mr. President, I desire to express myself as in complete accord with the statement just made by the senior Senator from Idaho [Mr. BORAH]. One of the things that troubles me about the proposed legislation is the provision of section 2 (a), and any relaxation proposed either by the chairman of the Committee on Foreign Relations or by the Senator from Texas has my approval. I hope the amendment offered by the Senator from Texas will be agreed to, and that the amendment as amended will have the approval of the Senate.

Mr. BORAH. Mr. President, leaving the joint resolution as it will be after this amendment is made, there is going to be a tremendous loss to American shipping anyway, and it is going to be felt in the economic condition of this country. If I had any say about the matter at all, I would extend it instead of limiting it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. CONNALLY] to the amendment proposed by the Senator from Nevada [Mr. PITTMAN].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. CONNALLY. Mr. President, the adoption of this amendment to the amendment requires another change in wording, that is, to strike out, on page 1, line 11, the language:

> And the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects—

And so forth. That is unnecessary language, because under the amendment which I offered all articles can move, and therefore there is no sense in repeating that. Then we should strike out similar language on line 14, page 2, down to the word "aircraft" in line 17.

The PRESIDING OFFICER. Without objection, the perfecting amendments are agreed to.

The question is on agreeing to the amendment as amended.

Mr. WAGNER. Mr. President, I desire to ask the Senator from Nevada whether he will not accept another amendment to his amendment, which I think would cure what was more or less an inadvertence. The amendment offered by the

Senator from Texas, which has been adopted, provides that, with respect to belligerent ports to which our ships may go, title to the cargoes carried does not have to pass. That includes all of the Western Hemisphere and all of the ports of belligerent countries in the Pacific Ocean. By some inadvertence Bermuda has been excluded from the measure. There is no more danger in our vessels going to Bermuda than to ports in South America owned by belligerents, or ports in the Pacific Ocean.

I merely suggest an amendment on line 8, instead of the words "thirty degrees," to amend it to read "thirty-five degrees." That would include Bermuda, along with the other belligerent ports in this hemisphere. Otherwise, there would be a very unfair discrimination. We are permitting aircraft to go to Bermuda now, under another amendment, but we are excluding ships, for no very good reason I can imagine. I ask the Senator if he will accept that amendment.

Mr. PITTMAN. Mr. President, I do not feel that I have any authority to accept any amendment.

Mr. WAGNER. May I offer the amendment?

Mr. PITTMAN. Please let me conclude my statement.

Mr. WAGNER. I beg the Senator's pardon.

Mr. PITTMAN. I do not feel that I have authority to accept any amendment at all. The substitute was prepared by a group, as the Senator knows, and the amendment to the substitute which is now under consideration was also prepared by that group. I have no instructions from the group with regard to the matter.

Of course, the policy which actuated the group with regard to cash and carry, as it is termed, which really means conveyance of title and carriage, was discussed and approved. The governing policy in this matter, as has been stated before, was that we took action under section 2 (a) to prevent American vessels from engaging in any commerce with belligerents, so as to prevent the happening of incidents which might bring about controversies, and arouse a fever in this country which might lead to war. That is the policy underlying it.

It was urged before this group very strongly, first with regard to Canada, that we had found that there was no danger, apparently, of the loss of life on an American vessel going to Canada by the Lakes or inland waterways, and that therefore they should be exempted from the provisions of section 2 (a), which prohibits commerce with belligerents.

Then the question was raised, which was raised this morning by the Senator from Michigan and others, that if it were safe for our ships to go across the Lakes to Canada—and that is the main question in our minds, the safety of the ships, not by reason of the character of the vessels particularly, because the vessels are insured, but by reason of the possible danger to the lives of seamen on board—if it were safe for those ships to go across the Lakes, would their safety be increased in any way whatever by the requirement of conveyance of title to property being carried across the Lakes? The amendment by which the Senate provided for the transfer of title would not add to the safety of the people of the United States in such a case nor to the peace of this country.

There is a slight difference, however, when we are dealing with belligerent countries across an ocean, because we realize that our ships are subject to destruction on the ocean by aircraft or submarines or surface craft, and we must keep in mind our main policy, which is to eliminate so far as possible the danger of the sinking of our vessels by a belligerent, which might result in loss of life.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I yield.

Mr. BORAH. As I understand, what the Senator from Nevada has in mind, and what the committee had in mind, was to go as far as it was thought advisable to go without endangering the lives of our citizens traveling on ships?

Mr. PITTMAN. That we must consider that.

Mr. BORAH. May I suggest that it seems to me the danger resulting from including Bermuda is very small? I cannot see how that will in any degree at all endanger the situation. There exists a possible danger even where we have already acted to eliminate it, but it is not a probable danger. It does not seem to me that we ought to take our ships and our business off the ocean to any greater extent than the situation actually requires us to do.

Mr. PITTMAN. There is a little difference even between Bermuda and the ports of the Pacific which are exempted, and the ports of the Caribbean which are exempted. All vessels passing through the Caribbean generally go to South American countries, which are neutral. Our vessels engaged in trade on the Pacific will not use belligerent ports, incidentally. Their trade is much greater with neutrals. But there are some places, such as Hong Kong, which are technically belligerent because they are possessed by Great Britain. However, there is no war activity in that neighborhood. There are no ships being sunk there. So for the time being it seems that stopping at a few such ports would not be dangerous. Apparently it is essential to stop at some of those belligerent ports for the purpose of refueling, and for repairs, and other necessary specific requirements.

Exactly the same situation does not exist with regard to Bermuda. Bermuda is, in a sense, a belligerent country. On their way to other ports our ships do not touch there. Our airships engaged in traffic to Portugal and other neutral countries may stop at Bermuda, and we have to take a chance on that. There is very little danger to an airship which stops at Bermuda, but we hesitated to remove the restriction on vessels going that far cut into the Atlantic Ocean.

At the same time we had to consider a similar question, and that was whether or not it was safe for an American ocean-going vessel to go, say, from Boston 100 miles out to sea and then to Halifax, Nova Scotia, and to other parts to the north. In that case the vessel would go directly to a port of a belligerent. It might be an active belligerent, and we might have reason to think that submarines might stop that traffic. We could not bring ourselves to the point of thinking that it was not dangerous to the lives of our seamen to engage in that traffic. What we are concerned with is the lives of our seamen. Cargoes are taken care of by insurance companies. The vessels are taken care of by the insurance companies. In addition to all the exceptions we have put in the measure we have included the express provision that no loss of vessels or cargoes shall be made the basis of a claim by the United States, which means that the shipping is engaged in at the shipper's risk. But the seaman cannot travel at his own risk. If he is killed, nothing will compensate for the loss of his life. So I doubt whether we should go as far in the North Atlantic as Bermuda, because I do not believe we can go to Nova Scotia.

Mr. BORAH. Mr. President, of course the Senator from Nevada understands my position, and in going along with the amendment I do not want to be considered as approving the principle of cash and carry. The Senator is desirous, of course, of protecting our vessels against dangers which might arise and of which he speaks. But while we are protecting our interests, we have also to take into consideration that the seamen have to live, and under the present condition in this country, if he is deprived of his job he will probably be quite badly hurt, because he will not have any other work which he can undertake.

According to the figures which have been furnished me the adoption of this provision will occasion a very great loss of business, loss of property, and loss of opportunity for work, and I submit to the Senator whether he believes the danger arising from our ships going to Bermuda is so great that we need to deprive our people of this business opportunity and the opportunity of seamen to obtain work? I think the comparison is on the side of eliminating that provision. Another thing, Mr. President, we cannot overlook the fact that in the long run the destruction of our ships and the impoverishment of our seamen may endanger the safety of this country more than that of some stray submarine.

Mr. PITTMAN. Mr. President, in the proposed substitute not only is authority given to the President to designate combat areas, but when he finds that in order to protect the lives of our citizens it is necessary that to designate a combat area around the section where the lives of our citizens

may be threatened he is directed to do so. If a "school" of submarines were to appear around Bermuda, I admit that travel could be suspended by virtue of such a situation. But of course a great many persons seem to be unwilling to grant any discretion to the President in the matter, and therefore we have attempted to define exactly what Congress wanted, wherever it could be defined.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. WALSH. Is not all that has been said by the Senator from Idaho about Bermuda applicable to the claim urged in behalf of transportation on the Atlantic coast to Nova Scotia and New Brunswick?

Mr. PITTMAN. Not in the same degree; no. In one case, the ship goes directly to the port of an active belligerent; in the other case it goes to the port of a technical belligerent, occupying an island which is really nothing except a resort.

Mr. WALSH. So the Senator is of the opinion that Bermuda has a better case than Nova Scotia?

Mr. PITTMAN. I certainly think Bermuda has a better case than Nova Scotia.

Mr. WALSH. Did the committee give consideration to the claims of the steamship lines operating to Bermuda and to Nova Scotia?

Mr. PITTMAN. Yes; the committee gave very careful consideration to them. In fact, the question of transportation to Bermuda and transportation to Nova Scotia was discussed at great length.

Mr. WALSH. And the committee finally practically unanimously agreed to eliminate both of those zones?

Mr. PITTMAN. I think they were unanimous in deciding to eliminate those zones.

Mr. WAGNER. Mr. President, I propose to amend the pending Pittman amendment, on page 1 of the amendment, line 8, to substitute for the word "thirty" the word "thirty-five." It will then read "35 degrees," thus including Bermuda. We have already recognized in this very amendment the right of aircraft—going both to Europe and from New York to Bermuda—to land at Bermuda. Had we not adopted that amendment the commercial air line going to Portugal by way of Bermuda would have been put out of business, and also the air line going from the United States to Bermuda, lines which do a very substantial business.

Mr. President, I make no objection to the amendment. I voted for it. I make no objection to allowing our ships to go to Australia and New Zealand and other belligerent ports and to the ports of South America. I can see no logical reason for excluding Bermuda. So far as danger is concerned, if at any time the President deems Bermuda to be in a danger zone, he can under this very measure include it in the combat area, and any risk to our citizens or their ships would be eliminated.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. TAFT. Is the Senator from New York familiar with the fact that a vessel going from Boston to Brazil would go within a very few miles of Bermuda; so that actually if we should permit them to go to Bermuda we would not extend the zone in which our boats would go on the sea to South America.

Mr. WAGNER. Yes.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. CONNALLY. Did the Senator notice in the press of yesterday or this morning—I forget which—that a German raider or a German submarine attacked a vessel in the neighborhood of Bermuda?

Mr. WAGNER. That has happened in other sections. If the President finds that area to be a danger zone, he may include it in the combat area, just as he may include the ports of Australia, New Zealand, or any of the other belligerent countries.

Mr. PITTMAN. That is true. If we should exempt a certain area, the President, if he saw fit, could superimpose a combat area on that territory.

Mr. WAGNER. Or upon any portion of that territory which we tentatively exclude.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. WAGNER] to the amendment of the Senator from Nevada [Mr. PITTMAN].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Nevada, as amended.

Mr. LODGE. Mr. President, I move to amend the amendment of the Senator from Nevada by inserting, in subsection (g), line 9, after the words "north latitude, or (2)", the following:

To any port in the Western Hemisphere north of 35° north latitude and west of 66° west longitude, or (3).

Mr. President, the reason for that amendment is so that American ships going to New Brunswick and Nova Scotia on the Gulf of Maine and Bay of Fundy side shall be included in the amendment. My amendment is so drafted that longitude 66 would exclude the big ports on the open ocean, but would permit ships which now run to the so-called inland ports on the Bay of Fundy and the Gulf of Maine to operate.

It is my understanding that the amendment as it now stands permits American vessels to go anywhere in the Pacific, and to go into the South Atlantic to possessions of belligerents, such as Jamaica, Barbados, the West Indies, and the Bahamas. The amendment has also been broadened so as to go out to sea and take in Bermuda.

Mr. President, it seems to me that if the principle of protecting American ships from submarine attack is good for one section, it is good for another; and if it is perfectly safe to allow ships to go to Bermuda or the Bahamas when they are not on the trans-Atlantic steamship lines, it is equally safe to allow American ships to go to New Brunswick and Nova Scotia ports on the Bay of Fundy, which are also far removed from the steamship lines.

I know that the Senator from Nevada is fair and just. I respectfully request him not to raise an objection to this amendment, which I am sure he will agree is a logical conclusion from the amendment of the Senator from New York [Mr. WAGNER] which the Senate has just adopted.

Mr. WHITE. Mr. President, I wish to associate myself with the junior Senator from Massachusetts in urging the adoption of his amendment.

As the situation now stands with respect to Canada, we are permitting American vessels to cross the Great Lakes carrying not only arms, ammunition, and implements of war, but a thousand and one other things that have both civilian and military usefulness. As the legislation now stands, vessels may proceed in the Puget Sound area from American ports to Vancouver and other Canadian ports. It seems to me entirely proper that our vessels, which are really not much more than coastwise vessels, should be permitted to move from the North Atlantic ports to the interior waters, as I call them, of Nova Scotia. As a matter of fact, there are few vessels of any size engaged in that trade. There are only four American vessels of substantial size, and they are vessels of about 5,000 tons each, moving in the summertime from the port of New York up to the area I have indicated. When those vessels come out of New York Harbor they go up through Long Island Sound. They keep inside of Block Island, they keep inside of Nantucket, and they are exposed to the open ocean for hardly any part of the journey.

Mr. President, as the legislation now stands, a fishing smack could not leave the port of Jonesport, Maine, and take a smoked herring up to the Bay of Fundy without being liable to the pains and penalties of the law. A dried codfish could not be taken by a small fishing schooner from the port of Portland to the harbors of Nova Scotia. It seems to me we have had a nervous chill with respect to this legislation which has carried us to all sorts of absurdities. The notion that a submarine is likely to cross the broad Atlantic and torpedo a little 20-ton fishing boat is a complete absurdity.

I think it is not only right, but eminently sensible, that this amendment should be adopted.

Mr. AUSTIN. Mr. President, I favor this amendment.

I wish to read into the RECORD a statement which was written to me by the Eastern Steamship Lines, Inc., which serves the route referred to. This letter describes the route with such precision that I think all Senators can see how little advantage there would be to our national defense in proscribing these waters.

I read a very short extract from the letter:

The ships from New York to Nova Scotia sail through Long Island Sound, Block Island Sound, Vineyard Sound, and Nantucket Sound; and when they enter the Atlantic, they are over 60 miles northwest of the trans-Atlantic lanes and then diverge farther from the lanes out of New York.

The ships out of Boston, upon leaving the harbor, diverge at an angle of more than 30 degrees from the trans-Atlantic route, and at no time are on that route. In other words, these ships operate far inshore from the trans-Atlantic routes and sail in open water only through Massachusetts Bay, the Gulf of Maine, and the Bay of Fundy. Shoal waters, ledges, and violent tides make these waters highly undesirable for submarine operation, and there is comparatively little steamship traffic to attract them in any event.

This company operated continuously through the 4 years of the last World War, with both British- and American-flag ships, without having a ship molested in any way.

The ships call only at ports on the Bay of Fundy side of Nova Scotia and New Brunswick, and do not ever call at Halifax or anywhere else on the Atlantic side of Nova Scotia, so they are obviously far inside the trans-Atlantic lanes.

Mr. PITTMAN. Mr. President, I have already discussed this question in a colloquy with the Senator from Idaho.

I think there is a great distinction between commerce with Bermuda and commerce with Canada by oceangoing vessels. I think it is dangerous to carry on commerce with Canada, which is an active and very capable belligerent. If the vessels could go entirely through the inland waters, they would be exempt. However, they cannot go entirely through the inland waters. They go out to sea. There is great danger of submarines being all along the Canadian coast and our coast. Such commerce may result in the loss of life of seamen.

Of course, I understand that since we have made it absolutely unlawful to arm our vessels engaged in foreign commerce, the danger of sinking without notice is largely removed, as was only recently demonstrated. Nevertheless, while there might be the intention not to sink vessels without notice and to save the seamen, a submarine commander might sink them without notice.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. McNARY. I wish to ask the able Senator from Nevada what character of commerce is carried in the vessels using this route.

Mr. PITTMAN. I do not know. In fact, it does not seem to make much difference what they carry, judging from recent events.

Mr. McNARY. The able Senator from Maine has stated that the cargo is mostly fish and fish byproducts. Does not the Senator think it would take quite a vessel to lure a submarine? Would a submarine be after small watercraft of that kind?

Mr. PITTMAN. I do not know whether or not it is desired to limit the size of the watercraft going to Nova Scotia. Probably it would be desirable to limit them to small craft. I do not know how small the craft are, nor do I know what the cargo is, or what they can carry. It might be desired to limit them to small fishing craft.

Mr. McNARY. Mr. President, I am conversant with this subject only from what has been said; but it occurs to me that we ought to apply the rule of reason to limitations on the use of the water for the transportation of commerce. I cannot conceive of a submarine coming across the ocean to sink a fishing sloop. As we all know, submarines seek out the large ships carrying commerce. The craft in question are not numerous, and it is not by any means likely that ships carrying commerce between the points suggested in the amendment offered by the distinguished Senator from Massachusetts would in any way be a lure for submarines. I think we should take these matters into consideration.

As the able Senator from Nevada stated a few moments ago, and as we all know, the President may declare combat zones. If there should be an infestation of submarines in that vicinity, the President could take care of the situation by the general authority already in the pending measure.

In a spirit of fair play and reason, I suggest to the Senator from Nevada and other Senators that the Senate should adopt the amendment offered by the Senator from Massachusetts [Mr. LODGE], ably supported by the Senator from Maine [Mr. WHITE]. I feel that we should give larger consideration to those who desire not to have their commerce destroyed unless it is necessary in the matter of national defense.

Mr. PITTMAN. Mr. President, I have attempted to be reasonable. I certainly do not want any commerce to be carried on with belligerents unless it appears almost certain that there will be no loss of life by reason of it. I cannot feel that there is no danger of loss of life in this character of transportation directly to Canada.

Mr. VANDENBERG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Michigan?

Mr. PITTMAN. I yield.

Mr. VANDENBERG. In connection with this general subject, will the Senator state, for the RECORD, what his interpretation is of the extent of our territorial waters?

Mr. PITTMAN. Three miles.

Mr. VANDENBERG. The Senator stops at 3 miles, and does not follow into the nebulous realm of national interest, wherever it may extend?

Mr. PITTMAN. I have answered the question. I say I think our territorial waters, at the present time, extend 3 miles.

Mr. VANDENBERG. I think the Senator is entirely correct.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. LODGE] to the amendment proposed by the Senator from Nevada [Mr. PITTMAN].

The amendment to the amendment was agreed to.

Mr. WHITE. Mr. President, calling the attention of the Senator from Nevada to the language in line 10, on the first page of the amendment, where it refers to "any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, and the Arabian Sea," I move to amend by inserting after the word "sea", in line 10, the words "the Tasman Sea."

Mr. PITTMAN. I see no objection to that at all. I do not accept it, but I see no objection to it.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In the amendment proposed by Mr. PITTMAN, on page 1, line 10, after the words "China Sea", it is proposed to insert the words "the Tasman Sea."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Maine [Mr. WHITE] to the amendment jointly offered by the Senator from Nevada and the Senator from Texas.

The amendment to the amendment was agreed to.

Mr. WHITE. In the amendment on page 2, line 13, after the word "sea", I move to insert the same words, "the Tasman Sea."

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to, and without objection, the amendment as amended is agreed to.

Mr. BORAH. Mr. President, in connection with the amendment which has just been agreed to, I ask unanimous consent to have printed in the RECORD an article from the New York Times of Sunday last by Mr. Kluckhohn.

The VICE PRESIDENT. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of October 22, 1939]

UNITED STATES ACTS TO LET ITS SHIPPING LIVE—MERCHANT MARINE THREATENED BY SACRIFICE OF PRINCIPLE OF FREEDOM OF THE SEAS—MORE TRADE RIGHTS URGED

(By Frank L. Kluckhohn)

WASHINGTON, October 21.—With both the administration and the opposition in Congress agreed on the move, the United States is

preparing to sacrifice the principle of the freedom of the seas, for which it waged war in 1812 and which played a part in its entry into the World War.

It is doing so because of widespread popular feeling that the time-honored right of a neutral nation to ship wherever it wishes in its own bottoms, without hindrance by belligerents, is no longer worth sustaining if the price that may have to be paid is to sacrifice its peace.

With both administration and "isolationist" Members of Congress expressing the view that the possible sinking or capture of American ships by belligerents—and the possible killing of American seamen—is a danger that must be averted, there is little opposition to the move.

The chief question has been whether American ships are to be swept almost entirely from the seas, as proposed in the neutrality bill put before Congress at this session, or whether the right of American ships to trade would be banned merely with reference to the principal center of conflict in Europe.

AMENDMENT WORKED OUT

That question was practically settled this week when administration Senators, led by KEY PITTMAN, chairman of the Foreign Relations Committee; TOM CONNALLY, of Texas; and JOSIAH W. BAILEY, chairman of the Commerce Committee, worked out an amendment to the administration measure which would, in effect, bar American ships from trafficking with European ports both on the Atlantic and the Mediterranean, and with the eastern coast of Canada.

Under this amendment, American ships could trade with all ports, including those of belligerents, in the Pacific and Indian Oceans, the China Sea, the Bay of Bengal, and the Arabian Sea, as well as Atlantic ports south of 30 degrees north latitude, unless the President should decide that any particular area of these waters had become a "combat zone" and thus dangerous for the ships of a peaceful nation.

The amendment is intended to remove ships of this country from danger, and, at the same time, to permit them to engage in trade and carrying in other areas unless they bear officially designated instruments of war. It is expected to pass, if the neutrality bill does, because it is not the desire of the most extreme isolationist at this time to cut off trade in safe waters by American vessels or to limit, in any respect, traditional insistence by the United States upon the open door in China.

MANY LINES MUST QUIT

Even so the problems created for American shipping and trade by the voluntary abandonment of an ancient policy are enormous and unpredictably far-reaching. The most widely known Government and private merchant marine and commerce experts cannot foresee all the effects of such a change.

The present principal services of such American shipping lines as the United States Lines, American Export Line, and American-Scantic Line, as well as those plying by open sea with Canada and ports north on the Atlantic, must be discontinued.

The neutrality bill, even when revised with regard to shipping, merely opens the problem of how the merchant marine of this country can be kept alive during the present war without undue loss to private enterprise and without hamstringing the merchant marine as an important subsidiary of the United States Fleet in case this country should ever be forced to move to protect itself.

Not until the next session of Congress in January can the problem of cushioning the immediate shock to shipping be met.

American-flag vessels engaged in the transportation of passengers and dry cargo in our foreign trade number 326 and total 2,150,000 gross tons. Of these vessels, 44 of 308,000 tons are owned by the Government and 282 of 1,842,000 gross tons are owned and operated by private capital. Only 150 vessels of 1,000,000 tons, less than half of this fleet, are operating under Government subsidy contracts.

IMMENSE FLEET BUILDING

In addition to these ordinary ships, there are 365 tankers of 2,678,000 tons which fly the American flag. Such vessels are often shifted between foreign and domestic runs and provide an additional problem.

This is not all, however. In the last 2 years the Maritime Commission has ordered for itself, or in conjunction with private operators, 129 new vessels of more than 1,000,000 gross tons. Of these, 22 already have been launched and the rest will be completed in a year or two at the outside. About $300,000,000 is being invested by the Government and shipowners in these vessels. Over a period of 10 years plans call for construction of a total of 500 new ships at a total cost of $1,250,000,000.

It is estimated in Washington that there are from 8,500 to 9,000 seamen on passenger and cargo vessels that may be forced to suspend service as the result of even partial abandonment of the principle of the freedom of the seas. These men draw annual wages exceeding $10,000,000, and they have been trained in a service that requires long apprenticeship. In the hope of establishing a satisfactory merchant marine for this country, schools have been opened for training new sailors.

STAKE IS HUGE

Vast sums have been spent by private owners and the Government in building up cargo arrangements and good will in these services and others. Gross annual revenues of more than $50,000,000 would be lost, it is estimated, even if the modifying amendment to the neutrality bill were accepted. Officials here believe that 96 American-flag ships of 629,414 gross tons would have to be taken off their present runs in spite of this amendment.

The war already has forced the suspension of the American Scantic Line service through the Baltic beyond Copenhagen because its officials recognized the impossibility of operating there. Two ships of this service, and two belonging to the Maritime Commission, have been put in Latin American service since the war started.

"Very few foreign vessels have been withdrawn from the South American trade," the Maritime Commission reported to Senator BAILEY before the modifying amendment was agreed upon by key Senators. "The South American trade volume may increase, but steady employment for more than 100 additional American ships, or even a considerable portion of them, cannot be visualized.

"Similarly, trans-Pacific trade with the Orient has declined within the last year, and there appears no room for any number of additional vessels in this trade."

REROUTING IS A PROBLEM

Even should the number of ships taken off service to Europe, the Mediterranean, and Canada be reduced to 96 or less by the amendment, the difficulties in the way of rerouting all these ships are felt here to be almost insuperable.

Influential Senators who have become interested in the vital problem created have virtually decided upon introducing legislation in the next session of Congress by which Federal compensation would be provided for American ship lines which suffer unusual losses as a result of new policies. This cost, of course, would have to be borne by taxpayers.

Ambassador Joseph P. Kennedy stated, when he was head of the Maritime Commission, that the merchant fleet has become a vital element of national defense; it must be ready to support the fleet; conduct vital supplies such as tin, rubber, and manganese not produced in commercial quantities in this country; and, in the case of United States island possessions and the Panama Canal, to transport troops. It must also be prepared to carry out its part in preventing any alien attacks on Latin America.

The problem of supporting in idleness a large part of our merchant fleet is an enormous one, but officials here express the opinion that, under any and all circumstances, the United States merchant marine must be maintained in first-class trim and strengthened.

Mr. AUSTIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. AUSTIN. Does the amendment last agreed to include all that is printed on pages 1 to 3 of the amendment intended to be proposed by the Senator from Nevada [Mr. PITTMAN] and the Senator from Texas [Mr. CONNALLY]?

The VICE PRESIDENT. The Chair is informed by the Parliamentarian that it does.

Mr. PITTMAN. I offer two amendments, which should be considered together, as they constitute a motion to strike out and insert.

The VICE PRESIDENT. The first amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. It is proposed to strike out all that portion of subsection (a) of section 7 after the word "person", in line 16, page 21, commencing with and including the word "*Provided*", down to and including the word "involved", in line 11, page 22, and to insert in lieu thereof a period after the word "person", in line 16, page 21.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nevada.

Mr. VANDENBERG. Mr. President, may we have the subsection now read as it will read if thus amended?

The VICE PRESIDENT. The clerk will read the subsection as proposed to be amended by the Senator from Nevada.

The Chief Clerk read as follows:

SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. PITTMAN] to the committee amendment.

Mr. VANDENBERG. Mr. President, will the Senator explain the purpose of the amendment?

Mr. PITTMAN. I think its purpose is perfectly apparent. The amendment proposes to strike out all discretionary power in the President in regard to the matter referred to in the subsection.

The VICE PRESIDENT. The question is on agreeing to the emendment offered by the Senator from Nevada to the committee amendment.

The amendment to the amendment was agreed to.

Mr. PITTMAN. Mr. President, I offer another amendment.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 21, line 16, after the word "person", it is proposed to insert the following:

The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation issued under the authority of section 12 (i).

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nevada [Mr. PITTMAN] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. PITTMAN. Mr. President, I have one other amendment to offer. Unfortunately I do not have it before me at the moment. It is merely a perfecting amendment. I will get the exact language a little later on. It comes at the end of line 4, page 19, following the word "area", to insert the words, as I recall, "and such area may be made to apply to surface vessels or aircraft or both." I think that is the language.

Mr. AUSTIN. Mr. President, will the Senator from Nevada yield?

Mr. PITTMAN. I yield.

Mr. AUSTIN. At the time of the proceedings I wrote down the language of the Senator's amendment in my copy, and it was as follows:

The combat areas so defined may be made to apply to surface vessels or aircraft or both.

Mr. PITTMAN. That is the exact language. I move the insertion of those words.

The VICE PRESIDENT. The Senator proposes as his amendment the words suggested by the Senator from Vermont?

Mr. PITTMAN. That is what I propose.

Mr. McNARY. Where is the amendment to come in?

Mr. PITTMAN. On page 19, at the end of line 4. I will say that the reason for it is that it is obvious there might be danger zones for surface ships which would not be danger zones for aircraft.

Mr. CLARK of Missouri. Mr. President, may the amendment be again stated?

The VICE PRESIDENT. The clerk will again state the amendment.

The CHIEF CLERK. In line 14, on page 19, after the word "area", it is proposed to insert the words "The combat areas so defined may be made to apply to surface vessels or aircraft or both."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. PITTMAN] to the committee amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. Has the Senator from Nevada further amendments to offer?

Mr. PITTMAN. I have no further amendments to offer at the present time.

The VICE PRESIDENT. The joint resolution is before the Senate and open to further amendment.

Mr. WAGNER. Mr. President, I should like to ask the Senator from Nevada a question.

The VICE PRESIDENT. The Senator from New York is recognized.

Mr. WAGNER. I should like to make an inquiry of the Senator from Nevada to clear up the situation in my mind. A short time ago the Senate adopted an amendment which would permit American ships to carry goods to belligerent ports, speaking generally, outside of Europe, without requiring that the title to the cargo be transferred prior to the departure of the vessel from an American port.

Mr. PITTMAN. That is on American vessels, of course?

Mr. WAGNER. Yes; on American vessels. Am I to understand that the cash provision or the credit provision no longer applies?

Mr. PITTMAN. Oh, no; not at all. The Senator will remember that the cash provisions in the existing law and the cash provisions carried in the pending measure are entirely separate.

Mr. WAGNER. That is true.

Mr. PITTMAN. And this exception has nothing on earth to do with the financial terms which require governments to pay cash and require all nationals of any belligerent government also to pay cash for anything that is listed under section 12 (i).

Mr. WAGNER. I understand that. I was about to ask a further question, if the Senator will yield again. If goods leave this country without title having passed, there may not yet be a prospective purchaser of those particular goods, because the ownership is still in the American citizen, the seller of the goods. When is cash to be paid if the purchaser has not yet been ascertained?

Mr. PITTMAN. We have in the joint resolution a provision which requires information to be given to the collector of the port before the vessel leaves as to the port of destination, the consignee, the character of the goods, and everything connected with the cargo.

Mr. WAGNER. I see a slight conflict, and the reason I am inquiring is to clear up the matter. I know the Senator is able to clear it up; but may not the situation arise which I am about to state? Let us be clear about it now, so as not to have a controversy about it later.

An American ship takes cargo to New Zealand. Under the amendment as adopted title does not have to be transferred prior to the cargo leaving our port. Therefore it may very well be that there is no purchaser yet in sight.

Mr. PITTMAN. There is a consignee in sight, however.

Mr. WAGNER. In other words, the Senator's position is that the consignee, whoever he may be, would have to pay cash for the material before it leaves our port?

Mr. PITTMAN. He would, except for this exemption. If he is in a neutral country, he will not have to pay cash. If he is in a belligerent country, he will have to pay cash.

Mr. WAGNER. Whether or not title is transferred, the Senator's view is that that would have to be done. I agree with the Senator.

Mr. PITTMAN. And if there should be an attempted evasion of the law, the shipper would be guilty of a penitentiary offense.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, in the nature of a substitute, as amended.

Mr. CONNALLY. Mr. President, with the consent of the Senator from Nevada, I ask unanimous consent to reconsider the vote by which the amendment offered by the Senator from Nevada was adopted a moment ago, because I desire to offer another amendment to it, amending subsections (g), (h), and (i) of section 2—a shipping amendment. I was temporarily out of the Chamber and had an amendment I desired to offer. In my absence the Senate adopted the amendment offered by the Senator from Nevada. I desire to recur to that amendment and have it reconsidered so that I may offer an amendment to it.

The VICE PRESIDENT. Will the Senator indicate to the clerk what the amendment is which he desires to have reconsidered?

Mr. CONNALLY. It is the amendment offered by the Senator from Nevada [Mr. PITTMAN] and the Senator from Texas relating to subsections (g), (h), and (i) of section 2 of the joint resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas? The Chair hears none. The vote by which the amendment was agreed to is reconsidered, and it is now pending before the Senate.

Mr. CONNALLY. Mr. President, I offer the amendment which I send to the desk to the pending amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 1, line 11, after the semicolon, it is proposed to insert: "or (3) to any port on the South Atlantic Ocean south of 30° north latitude".

Mr. CLARK of Missouri. Mr. President, page 1 of what?

Mr. CONNALLY. Page 1 of the amendment of the Senator from Nevada, which is on the Senator's desk.

Mr. CLARK of Missouri. It seems to me the amendment should be drawn with reference to the joint resolution as it is going to be enacted.

Mr. CONNALLY. It cannot be, because the amendment of the Senator from Nevada replaces language in the joint resolution; and if we are going to amend the amendment, it is necessary to direct the amendment to the original amendment rather than to the joint resolution. I can very briefly explain it.

Mr. CLARK of Missouri. I shall be glad to hear the Senator's explanation.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas to the amendment of the Senator from Nevada.

Mr. CONNALLY. Mr. President, just a few words in explanation.

Under the amendment of the Senator from Nevada [Mr. PITTMAN] which is now pending, we have exempted shipping to South and Central America south of 35° north latitude. This amendment has as its objective in the South Atlantic purely Africa south of 30°. I do not want to bring it up to 35°, because, if that were done, we would get up in the neighborhood of the Mediterranean, where there are French and other possessions that we do not want to touch; but under the amendment I now offer, American vessels may operate in the South Atlantic south of 30° north latitude.

The only real objective is Capetown. We do not think there is any real danger there; but the shipping interests claim that while, under the existing law, they may go to Liberia for rubber, and all that sort of business, unless they are allowed to touch at the other ports farther to the south the business is not profitable, and they will be very greatly hampered.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. Is it the Senator's idea that the principal amendment offered by himself and the Senator from Nevada permits American vessels to navigate the South Atlantic?

Mr. CONNALLY. It does not, unless this amendment shall be adopted. They may go into the South Atlantic, but they may not go to any belligerent port in the South Atlantic. They may not go to Capetown, for instance.

Mr. CLARK of Missouri. I am in sympathy with the Senator's objective in this matter, but I should like to know whether the Connally-Pittman amendment, or the Pittman-Connally amendment, as the case may be, prohibits American vessels from going through the South Atlantic. In other words, it seems to me it is perfectly obvious, as has been represented to me by the representatives of one of the only two lines that run to Capetown, that if it is necessary for American ships to go through the Panama Canal and go down the west coast of South America, or else go across the Pacific and come around through the Indian Ocean, involving possibly 17,000 miles of additional voyage, those lines will be automatically put out of business. On the other hand, if they are permitted to come through the South Atlantic, it seems to me they run just as much risk of being sunk by submarines, or attacked by raiders, in going through there and passing by Capetown as they would by going around the Cape of Good Hope and landing at the first port on the Indian Ocean. I should simply like to have the Senator's opinion as to whether, under his own amendment, shipping is barred from going through the South Atlantic Ocean.

Mr. CONNALLY. Oh, no. I will explain the matter to the Senator.

Mr. CLARK of Missouri. I shall be very glad to hear the explanation.

Mr. CONNALLY. Under the joint resolution as originally conceived, and under the amendment drawn by the Senator from Nevada and now pending, we do not prohibit American ships from going anywhere except to belligerent ports. They may go now all over the South Atlantic, and unless they carry something to a belligerent port there is no prohibition on their movements.

Since they may go to South Africa and trade with all the other little countries along the coast, I see no reason why they should not be allowed to touch at Capetown, because they may now go and will go to the other places in that area; and if it should develop that submarines were active in that area, the President, of course, could put down a combat area over Capetown and exclude it. I am simply trying to let our ships go wherever they may go without danger.

Mr. CLARK of Missouri. Mr. President, if the Senator will yield——

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. I think his present contention is entirely logical, and I think it exposes the weakness of the whole caucus amendment relieving the Indian Ocean. In other words, it seems to me it is no more dangerous to go to Capetown than it is to go to Mossel Bay, the first port in the Indian Ocean, 150 miles from Capetown. It seems to me the Senator's contention exposes the weakness of the whole amendment in permitting American vessels to go through the danger zone and clear around to the Indian Ocean.

I have no opposition to the Senator's amendment. I think that if the caucus amendment should be adopted, this is a very logical provision.

Mr. CONNALLY. I thank the Senator from Missouri. I think Senators generally agree that in view of the other provisions which we have already adopted, or will adopt in a moment, it is entirely logical to exempt the South Atlantic south of 30° north latitude. Under the joint resolution now, vessels may sail all over the South Atlantic and all over the North Atlantic so long as they do not go to a belligerent port.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas to the amendment of the Senator from Nevada [Mr. PITTMAN].

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. TAFT. Mr. President, I offer an amendment, which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. In the committee amendment on page 19, after line 21, it is proposed to insert the following:

(d) So long as the present war between Great Britain, France, Germany, and other countries continues, all waters within 300 miles of the continent of Europe, of Great Britain, of Ireland, are hereby declared to be a combat area, with the same legal effect as if the President had proclaimed such waters a combat area under paragraph (a) of this section, and had not modified, extended, or revoked such proclamation under paragraph (c) of this section.

Mr. TAFT. Mr. President, the amendment proposes that we declare a legislative combat zone on all waters within 300 miles of the continent of Europe. I yield to no one, not even to the Senator from Nevada, in my devotion to the cash-and-carry principle, but it seems to me that it was always a mistake in the joint resolution to prohibit shipments to belligerent countries. I do not see what relation that has to keeping American ships out of danger.

This conclusion is illustrated by the fact that we have had to amend the joint resolution and amend it and amend it by making all kinds of exceptions. If, instead of eliminating it altogether, we can accomplish the same purpose by amending it, I have no great objection. But certainly there is no logic, so far as I can see, in permitting American ships to go to Belgium, Holland, and Spain, right through the submarine zone, and in prohibiting their going to Bermuda or to some

other section of the world where there is practically no danger whatever.

It seems to me, furthermore, that we should ourselves assume to say what the war zones should be. I do not see how anyone can declare a war zone in Europe, if he desires to be impartial, without doing substantially what I propose shall be done under the amendment I have offered.

If the President, for instance, should declare a war zone which did not include Portugal, then American ships could go to Portugal and carry goods to be transshipped to England, and every submarine in the Atlantic Ocean would be outside of the port of Lisbon waiting for those ships.

The argument which has been made has made it perfectly apparent that what the Senator from Nevada desires is to keep all American ships from going to Europe, and he does not care where else they go in the world; and that is exactly my position. I think we ought to carry out that provision by providing for this limitation.

I might say, furthermore, that I do not share the fear for American shipping we hear expressed. American shipping comprises less than 5 percent of the total shipping of the world. The effect of removing it from the European zone entirely is merely to force the British to bring their ships in to transport goods through that zone and leave other places in the world where American shipping can well be taken care of. In fact, I should be very much surprised if American ships did not make two or three times the profits during the next year, and while the war lasts, they made in peacetime, before the war started. So it seems to me that the sound and logical position for the Congress to take is to impose a legislative prohibition on ships of any kind going to Europe. I think the fact which I have pointed out today, that the *City of Flint* has been allowed by the Maritime Commission to go right through the submarine zone, illustrates my point. They say they cannot govern such a vessel, but under the statute they have the right in an emergency to cancel any charter if the charteree is not willing to accept the orders they issue as to ships going into a zone where its presence might give rise to an incident which would provoke war.

I think it is our responsibility. It is wrong for us, in carrying out the cash-and-carry plan, to permit American ships to go into a zone which is just as dangerous, whether they are going to Belgium or Holland or Scandinavia, as it is if they are going to France and England.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CONNALLY. Does the Senator know of any ship so far that has been stopped in any of these waters that was not going to one of the belligerents? The Swedish and the Danish and the other ships which have been sunk were all destined for belligerent ports, were they not?

Mr. TAFT. I am not sure about that. I do not think we know, and I do not know any way by which I could find out.

Mr. CONNALLY. Even the *Athenia* was on its way to Canada, which technically is a belligerent country. No ship has been sunk where it has not been destined to a belligerent port.

Mr. TAFT. That is by the merest chance, I think. I do not think it makes any difference to the Germans whether a ship is going to Portugal for the goods to be transshipped to England or going direct to England. I do not see why they should care to distinguish.

Mr. PITTMAN. Mr. President, I think the restriction proposed by the Senator from Ohio is greater than any restriction that has ever been suggested by any other Member of the Senate. We did go as far as we could with regard to belligerents when we proposed to make it unlawful for American vessels to carry on any commerce with belligerents. But there are only three belligerents in Europe today, and there are 10 or 15 neutral countries which probably would be covered by this zoning proposal. The Senator proposes to put into effect a zone and to prohibit absolutely American vessels from going into the zone or through the zone, without any experience or knowledge with regard to whether or not any danger would be involved. Our experience so far during this war has not indicated any danger whatever to the lives of our citizens, and that is what I am interested in. I want it distinctly understood that my interest in the ships and the cargoes is entirely secondary.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. TAFT. How is a German submarine commander to tell whether an American ship is going to England or Holland?

Mr. PITTMAN. By going on board and examining it.

Mr. TAFT. But will he go on board and examine it? The World War was brought about, as the Senator so eloquently described, by the sinking of American ships by submarines without notice, and that is the thing we have to fear now.

Mr. PITTMAN. I agree with the Senator.

Mr. TAFT. As soon as this joint resolution shall be disposed of one way or the other all this holding off is going to end. At the present time I have no doubt that the German Government and others desire not in any way to alienate American opinion, but once the joint resolution is disposed of, I do not care which way the vote goes, we will have the threat, at least, of an unrestricted submarine warfare.

Mr. PITTMAN. It is undoubtedly true, as the Senator has said, that it may develop, as it did in 1917, that there will be unrestricted submarine activities, which will mean the sinking of merchant vessels without regard to their nationality and without regard to whether or not they are carrying contraband and without regard to their destination. But until that is indicated by one of the belligerents, it seems to me to be both unwise and unnecessary to cut off our commerce with all of the neutral nations of Europe because there are three belligerents there.

When our ships were sunk during the World War the Germans asserted that they were sinking them because they were dealing with their enemies, and that they could not tell whether they were going to their enemies or going to neutral countries, since they could change their courses. They also contended that the goods which were billed for neutrals were carried in as prizes by the British Government to their ports and the materials taken possession of. But be that as it may, it finally developed that the Germans, through retaliation and otherwise, commenced to submarine neutral vessels without notice, with accompanying destruction of lives of seamen, and at that very minute we should have stopped our ships from going into that zone. But we had no law by which we could do that. At that time we were standing on international law.

Let us suppose that vessels going to Holland, or Norway, or Sweden, or Belgium, or Denmark are seized, just as the *City of Flint* was seized yesterday. If vessels are seized in that manner, then there is no danger to the peace of this country, because there is no danger to the lives of any citizen of this country. The question as to whether or not the *City of Flint* was carrying contraband is a legal question, which first is determined by the belligerent. After the war is over, it may be determined by arbitration.

Let us assume that one ship got through to Holland, or Belgium, or Norway, or Sweden, or Denmark, and that others were captured as was the *City of Flint*. The ship may be insured by an insurance company, but under the provision of the joint resolution neither the amount paid by the insurance company nor the amount representing the loss of the ship itself can be made the basis of a claim by the United States Government. The cargo, if it is not going to a belligerent, is insured in nearly every case. If every seizure of a ship, even one going to Great Britain or France, should be accompanied by the circumstances surrounding the seizure of the *City of Flint*, there would be no threat to our peace at all.

Mr. TAFT. But does the Senator think that, once the joint resolution is disposed of one way or the other, we will have this very courteous treatment, by which the *City of Flint* is merely seized as a prize and run into a neutral port, from which we can probably recover it? Does not the Senator realize that the moment we have disposed of this matter, and the Germans do not care any further how they affect public opinion, they are just as likely to torpedo a ship such as the

City of Flint? Is it not only the fact that this controversy is pending that has resulted in this extraordinarily polite treatment accorded to an American ship in the submarine zone?

Mr. PITTMAN. I do not believe they will be so polite, I agree with the Senator, but by the pending joint resolution we make it unlawful to arm our vessels, not as provided in the present law, vessels engaged in commerce with belligerents, but we make it unlawful to arm our vessels engaged in any foreign commerce. Therefore every belligerent has notice that our ships cannot be armed. That is No. 1.

No. 2. If we do not simply rely on the flag, but before they leave the ports, if we mark our ships on the port side and the starboard side, there will be no excuse for search and seizure under international law, will there?

Mr. TAFT. The excuse is not needed, but if the Senator will yield, I wish to ask him a further question. Has the Senator any advice as to what zones the President would declare to be war zones if the pending measure should be passed? He can declare a war zone, but is not this a declaration of a war zone without favoring one nation or the other?

Mr. PITTMAN. It is perfectly equal and perfectly fair as between all nations. But the question comes down to the point whether it is not an unnecessary surrender of our commerce at the present time, without any experience whatever, or without any loss of life having occurred at all, simply to say that by law we make a zone covering practically the whole of Europe, in which an American ship cannot go, and that provision will remain in the law until Congress meets again and repeals it. How much more practical is the provision of the pending measure. If the President finds that American vessels engaged in neutral commerce are being submarined, with the loss of life of our seamen, he may establish combat areas where there is need, and when there is need, and only so long as there is need.

Mr. TAFT. Do I understand that the President then will not declare any war zones at all under the authority of the pending measure under present conditions unless something further develops?

Mr. PITTMAN. I do not know why he should do it.

Mr. TAFT. The Senator's opinion, then, is that there is no need for any declaration of war zones; that American ships can go directly to all the countries of Europe, right through submarine zones? It seems to me the Senator is stultifying every argument he has made in favor of the measure by his argument today that it is safe to send American ships to Europe through submarine war zones, where they may be sunk.

Mr. PITTMAN. I think it is always dangerous for a neutral to engage in commerce with a belligerent. I still so contend. I maintain that that is one of the causes which brought us into the World War. It directly resulted in the submarining of our ships without notice and without the chance of saving life. But the Senator from Nevada has not gone so far as to say that our ships shall not deal with neutrals throughout the world. The Senator, however, would suggest the proviso that if dealing with neutrals resulted in unlawful acts on the part of belligerents, resulting in the loss of life of our seamen and citizens, the President should temporarily stop commerce in such areas by proclaiming the existence of the combat area zones. That is all I have to say at present.

Mr. BORAH. Mr. President, the amendment provides:

> (d) So long as the present war between Great Britain, France, Germany, and other countries continues, all waters within 300 miles of the continent of Europe, of Great Britain, of Ireland, are hereby declared to be a combat area, with the same legal effect as if the President had proclaimed such waters a combat area under paragraph (a) of this section, and had not modified, extended, or revoked such proclamation under paragraph (c) of this section.

As I understand this amendment, it would practically prevent any shipment on the part of American vessels to any part of the European Continent.

Thomas Jefferson once said that a belligerent had two great objectives. One was to win the war and the other was to seize the commerce of neutrals. We are making a great contribution to the commercial interests of other nations. Yielding as I am now yielding to the cash-and-carry policy because I have to, it seems to me that it is nothing less than our supreme duty to make as little sacrifice of our shipping interest as possible and still keep out of danger. In other words, we should not take our ships off the sea unless it seems necessary to do so. I would not take a single ship off the sea unless I was satisfied that it was entering a real danger zone, unless I was satisfied that such action was necessary in order to protect the lives of our seamen and our property. Where there is little or no real danger, let us protect our important shipping business.

Mr. President, we are making a tremendous sacrifice by keeping our ships off the sea even to the extent already provided in the bill. The resultant loss will be greatly felt throughout the country, do the very best we may. It seems to me there ought to be as much of a limitation as is practically possible when it is proposed to take our ships off the sea.

I therefore feel that we ought not to adopt an amendment of this kind. As I understand the Senator from Ohio, he would practically sink all our ships.

Mr. TAFT. Mr. President, is the Senator from Idaho aware of the fact that 90 percent of our trade to Europe is already carried in foreign ships and not in our own ships? Is he aware of the fact that American shipping comprises less than 5 percent of all the ships in the world; that there are plenty of places for American ships to go outside of Europe?

Mr. BORAH. No. I think the Senator is in error as to his percentages. I am not aware either that there are plenty of places outside of Europe for our ships to go. We ought to seek to build up our shipping business. If it is possible for us to build up a shipping business, we ought to do so. We should not, every time a disturbance takes place, get off the sea and indicate to the nations of the world that we are willing to get off the sea. What incentive will people have to build up our shipping interests if we sacrifice their business by such proposals as this every time a disturbance happens in Europe?

Mr. BARKLEY. Mr. President, just a word with respect to this amendment. If it should be adopted it would be impossible for an American ship to go to Norway, Sweden, Holland, Belgium, Russia, Spain, or to get into the Mediterranean Sea at all. There is no war in the Mediterranean Sea up to this time. Of course, if Italy should ever get into the war she would become a belligerent, and there would be a war in the Mediterranean; but even if she should not get into the war, the President, under the provisions of this measure, if it shall be adopted, could establish a war zone in the Mediterranean by reason of the fact that France borders on the Mediterranean for a certain distance.

If the proposed amendment should be adopted, although there is now no danger, and there never may be any danger in the Mediterranean Sea, no American ship could go through the Straits of Gibraltar and into the Mediterranean.

Mr. TAFT. Mr. President, does the Senator think that any American ship gets through without a thorough examination by the British?

Mr. BARKLEY. It probably does not. But it could not even pass through the Straits into the Mediterranean under the Senator's amendment. I agree with the position taken by the Senator from Idaho. Are we willing to take our merchant marine from the high seas when no real danger exists?

Reference has been made to the *City of Flint*. If the joint resolution which we are now advocating had been a law yesterday, the *City of Flint* would not have been captured. That incident would not have occurred, because that ship could not have been destined toward any English port. No matter what it carried—even if it carried umbrellas or shoes or golf balls, or whatever it carried—it could not have gone into any English port, and therefore there would have been no reason for its seizure.

I certainly hope that we are not ready now to say that because there is a war among three nations in Europe, we shall deny the right of our ships to go to any other nation in Europe. If danger zones should be created because of change in the situation, the President could take care of the matter. Certainly we ought not to try to do it by law.

Mr. WHITE. Mr. President, I am reluctant to be in disagreement with the Senator from Ohio, but I cannot give my approval to his proposed amendment. I suppose no Member of the Senate is more reluctant than am I to see extraordinary powers conferred upon the President of the United States, but it seems to me that if we are to accept the principle of combat zones at all—if we are to give approval to that principle—in the last analysis we must lodge in the Executive discretion to determine those combat zones. If we write into the statute such a provision as is here suggested, we shall have rigidity. We shall be utterly unable to adapt our commerce to the changing circumstances of a war.

It has been suggested by the Senator from Kentucky that under this amendment our ships could not enter the Mediterranean area at all. I agree with him. The statement is a correct one. I have the hope, I have the belief, that even with the war now raging, we can send our ships with a reasonable degree of safety through the Straits and into the Mediterranean area.

The Senator from Ohio referred to the small percentage of cargoes carried in American ships to the ports of Europe. Mr. President, almost 25 percent of American exports going to the United Kingdom today are being carried in American ships. Of the American exports going to the Mediterranean area today, more than 30 percent are carried by American ships.

The joint resolution, as it stands, strikes a damaging blow to the American merchant marine. I find it impossible to reconcile all the figures I have seen; but I believe it to be reasonably accurate to say that, even with the amendments now adopted, 40 percent of the American tonnage will be swept from the oceans of the world. I am not willing further to hamper, disrupt, and destroy American trade in American ships. I am quite content—because I think the necessities of the situation require it—to leave to the flexibility of administration the determination of combat zones.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] to the committee amendment.

Mr. TAFT. Mr. President, if Senators will look at the map of Europe on the back wall they will see that, if we declare a war zone at all, it is almost impossible to exempt from the war zone the waters of the English Channel, if our ships are to be allowed to go to Belgium or Holland. Submarines are extremely active in all this area. It is not possible to go to Scandinavia without going right through the war zone. I do not understand how any submarine commander can tell where a ship is going. Lisbon is largely under English influence, so that any ship going to Lisbon would be suspected by the German submarine command.

Mr. President, we want to avoid danger to American ships and to avoid events which are likely to get us into war. The same situation would apply to ships going to Lisbon as would apply to ships going to Belgium, Holland, or anywhere else in Europe. The Mediterranean is not now a war zone, but vessels going through that area may well be bound for Marseilles. That is one of the best ways to get material to the French Army. There is no reason at all why German submarines cannot operate in the Mediterranean. I do not know that I have seen notices of any Mediterranean sinkings, but certainly the danger is just as great there as anywhere else. A submarine base can be located in the Adriatic Sea, as was done in the World War. If we want to avoid danger, if we want to assume the responsibility for really preventing war, the only way we can do it is to provide that American ships shall not go into a zone which today is the battleground of the nations of Europe, whether it be in the Mediterranean or on the Atlantic Ocean.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. GILLETTE. Does the Senator have in mind, if his amendment should be adopted, that it would not only prohibit American ships from going into the area he delineates but would prevent American citizens from going into that area?

Mr. TAFT. No; I think American citizens could go on neutral ships.

Mr. GILLETTE. If the Senator will pardon me, the section in question prohibits any citizen of the United States or any American vessel from proceeding in or through a combat area after such area has been defined.

Mr. TAFT. I think that provision should be eliminated from the joint resolution. I did not know it was there. Suppose the President should, under the authority granted him, declare a combat area. We should not say to him that he may not declare a combat zone without prohibiting Americans from going through that combat zone on the *Statendam*, for example, which is a Dutch passenger ship. I think that would be a great mistake; and if the joint resolution so provides, that provision ought to be eliminated.

Mr. GILLETTE. The joint resolution certainly provides that; and if the amendment of the Senator were adopted, providing that the same prohibition shall extend 300 miles from continental Europe, it would also prohibit American citizens from going to Palestine.

Mr. TAFT. The argument against that provision is only slightly stronger than the argument against the joint resolution as it stands, which provides that the President may declare a combat zone only if he is willing to prohibit American passengers as well as ships from going into it.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CONNALLY. As I understand, the Senator's objective is to keep any American ship from going within 300 miles of Europe.

Mr. TAFT. Yes.

Mr. CONNALLY. Yet he says he is willing for American citizens to go into that combat zone.

Mr. TAFT. That is correct, because, in general, American citizens will not go to Europe. The State Department is limiting passports to those who absolutely must go to Europe. They will get there in one way or another, and should. We simply must take a chance on a few Americans possibly being killed.

Mr. CONNALLY. What is the logic in saying that we will not let ships go into such areas, but will permit American citizens to go there? It seems to me the life of an American citizen is worth more than any ship afloat.

Mr. TAFT. Yes; but it is not so likely to result in war.

Mr. BARKLEY. Why not?

Mr. TAFT. In the World War the *Lusitania* was sunk almost 2 years before we declared war. The sinking of the *Lusitania* did not produce war. What finally produced war was the sinking of American ships and the killing of American citizens on American ships.

Mr. CONNALLY. Certainly; but the Senator would not say that the sinking of the *Lusitania* did not have a profound effect on the psychology of the whole world, would he?

Mr. TAFT. It had some effect; but long after the *Lusitania* had been sunk, the Democratic Party campaigned on the argument that the Democratic administration had kept us out of war.

Mr. BARKLEY. And long after the German Government had agreed not to repeat the offense. Does the Senator think that the American people would become more aroused over the sinking of a ship operated by a belligerent, with Americans on it, than they would over the sinking of a neutral ship with Americans on it?

Mr. TAFT. I think they would not be greatly alarmed by the sinking of a Dutch ship on which a few Americans had obtained special permission from the State Department to sail to Europe under special passports on what was recognized as perfectly legitimate business.

Mr. BARKLEY. One of the reasons why we are putting American citizens on the same basis as American ships, and keeping both of them out of the danger zones, is that we regard the lives of American citizens as of equal value with property. As President Wilson said, property can be compensated for, but lives cannot be compensated for.

Mr. TAFT. Yes; but we cannot eliminate all chance of trouble. We cannot eliminate, for instance, the chance that

a ship may be sunk going to Bermuda. It might be. We cannot eliminate the chance that a few Americans going to Europe, strictly limited by the State Department under authority of law to a very few, might possibly be killed.

Mr. BARKLEY. But if we are to avoid the incidents and causes of complaint and protests out of which war might come, certainly we are as much obligated to protect the lives of American citizens by forcibly keeping them out of war zones as we are to protect merchant vessels or property carried thereon, because, as we all know, the things which will arouse the American people, as they did in 1914, 1915, 1916, and up to the 6th of April 1917, are not so much the destruction of property carried under the flag of the American Republic as the destruction of American lives. Even the destruction of the lives of 124 Americans on the *Lusitania*, which was a belligerent ship flying the British flag, came perilously near bringing us into war. As the Senator knows, many persons were urging us to go to war on that account. What we are trying to do is to keep down the possibility or the probability of such incidents by keeping our people out of war zones and penalizing them by a heavy fine and imprisonment if they violate the law.

Mr. TAFT. Under the joint resolution, as it now stands, we say we will not permit an American ship to go to Halifax, but we will permit it to go through the English Channel to Belgium or Holland. I say that is utterly illogical. The chances of destruction are infinitely greater in going to Belgium, Holland, or Spain than they are in going to Halifax. What we are concerned with is producing a condition in which American ships are not so likely to be sunk. We cannot entirely eliminate the chance of American ships being sunk.

Mr. BARKLEY. Ships do not have to go through the English Channel to reach Belgium. They can go around Scotland and come down the North Sea.

Mr. TAFT. There is about four times as much submarine activity in the latter area as there is in the former.

Mr. BARKLEY. But they have more water in which to maneuver.

Mr. TAFT. Mr. President, I feel very strongly that we should try to avoid incidents which might bring America into the war. I believe very strongly that if combat areas are not declared, the prohibition against ships going to belligerent countries is hardly worth the paper on which it is written. It is a slight improvement, but it does not by any means get at the principal danger which we face in the creation of incidents which may lead to war. If Congress refuses to declare a legislative war zone, the responsibility for such incidents rests upon our shoulders.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] to the committee amendment.

Mr. TAFT. Mr. President, I ask for the yeas and nays.

Mr. CONNALLY. Mr. President, I very much hope that this amendment may be defeated. It would be practically destructive of our entire commerce. Under the joint resolution the President has the power to designate combat areas.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio to the committee amendment.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Gerry	Johnson, Calif.
Andrews	Capper	Gibson	Johnson, Colo.
Austin	Caraway	Gillette	King
Bailey	Chandler	Green	La Follette
Bankhead	Chavez	Guffey	Lee
Barbour	Clark, Idaho	Gurney	Lodge
Barkley	Clark, Mo.	Hale	Lucas
Bilbo	Connally	Harrison	Lundeen
Borah	Danaher	Hatch	McCarran
Bridges	Davis	Hayden	McKellar
Brown	Donahey	Herring	McNary
Bulow	Ellender	Hill	Maloney
Burke	Frazier	Holt	Mead
Byrd	George	Hughes	Miller
Minton	Radcliffe	Smith	Vandenberg
Murray	Reynolds	Stewart	Van Nuys
Neely	Russell	Taft	Wagner
Norris	Schwartz	Thomas, Okla.	Walsh
Nye	Schwellenbach	Thomas, Utah	White
O'Mahoney	Sheppard	Tobey	Wiley
Overton	Shipstead	Townsend	
Pepper	Slattery	Truman	
Pittman	Smathers	Tydings	

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

The question is on the amendment of the Senator from Ohio [Mr. TAFT] to the committee amendment on which the yeas and nays are demanded.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. CLARK of Missouri. The Senator from Montana [Mr. WHEELER] is unavoidably detained from the Senate. I am authorized to say that, if present, he would vote "yea."

Mr. SHIPSTEAD. I have a pair with the Senator from Virginia [Mr. GLASS]. I understand, if present, he would vote as I intend to vote. Therefore I am at liberty to vote, and vote "nay."

Mr. McNARY. I announce that my colleague the junior Senator from Oregon [Mr. HOLMAN] is necessarily detained. If present, he would vote "yea."

The Senator from Kansas [Mr. REED] is necessarily absent.

Mr. MINTON. I announce that the Senator from Virginia [Mr. GLASS] is detained from the Senate because of illness. I am advised that if present and voting, he would vote "nay."

The Senator from Washington [Mr. BONE] is detained because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from California [Mr. DOWNEY] has been unexpectedly called to one of the Government departments on matters pertaining to the State of California.

The result was announced—yeas 18, nays 71, as follows:

YEAS—18

Capper	Gurney	McCarran	Tobey
Clark, Mo.	Hale	McNary	Walsh
Donahey	Johnson, Calif.	Nye	Wiley
Frazier	La Follette	Overton	
Gibson	Lundeen	Taft	

NAYS—71

Adams	Clark, Idaho	King	Schwartz
Andrews	Connally	Lee	Schwellenbach
Austin	Danaher	Lodge	Sheppard
Bailey	Davis	Lucas	Shipstead
Bankhead	Ellender	McKellar	Slattery
Barbour	George	Maloney	Smathers
Barkley	Gerry	Mead	Smith
Bilbo	Gillette	Miller	Stewart
Borah	Green	Minton	Thomas, Okla.
Bridges	Guffey	Murray	Thomas, Utah
Brown	Harrison	Neely	Townsend
Bulow	Hatch	Norris	Truman
Burke	Hayden	O'Mahoney	Tydings
Byrd	Herring	Pepper	Vandenberg
Byrnes	Hill	Pittman	Van Nuys
Caraway	Holt	Radcliffe	Wagner
Chandler	Hughes	Reynolds	White
Chavez	Johnson, Colo.	Russell	

NOT VOTING—7

Ashurst	Downey	Holman	Wheeler
Bone	Glass	Reed	

So Mr. TAFT's amendment to the committee amendment was rejected.

Mr. DANAHER. Mr. President, I send an amendment to the desk and ask that it be stated by the clerk.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 28, line 10, after the word "therefor", it is proposed to insert a semicolon and the following words:

Provided, no license shall be issued by said Board for the export of aircraft of any type, whether assembled or unassembled, and all engines and parts thereof as described in category III and category V of Presidential Proclamation No. 2,237, issued May 1, 1937, until there shall have been delivered to the Army and Navy of the United States at least 3,000 completely equipped military and naval aircraft or such larger number as shall be certified by the General Staff to be necessary for the defense of the United States. Upon such certification of the Board, licenses to export such aircraft may be issued.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Connecticut to the committee amendment in the nature of a substitute.

Mr. DANAHER. Mr. President——

The VICE PRESIDENT. By the sound the "noes" seem to have it.

Mr. CLARK of Missouri. Mr. President, a point of order. The Senator from Connecticut was addressing the Chair.

The VICE PRESIDENT. The Chair begs the Senator's pardon. The Chair was looking directly at the Senator from Connecticut when he put the question.

Mr. CLARK of Missouri. Mr. President, if the President will permit, I not only saw but heard the Senator from Connecticut address the Chair. I do not believe business will be expedited by trying to railroad it in this body.

The VICE PRESIDENT. The Chair is not going to try to railroad it, but there is not going to be any "horse and buggy" procedure in the Senate. [Laughter.] The Senator from Connecticut.

Mr. DANAHER. Mr. President, in the RECORD for January 12 of this year there appears a message from the President of the United States to the Congress in which the President proposed that $300,000,000 be appropriated for the purchase of several types of airplanes for the Army.

The President at that time told us that this sum—

Should provide a minimum increase of 3,000 planes, but it is hoped that orders placed on such a large scale will materially reduce the unit cost and actually provide many more planes.

The President also told us:

All of the above constitutes a well-rounded program, considered by me, as Commander in Chief of the Army and Navy, and by my advisers, to be a minimum program for the necessities of defense. Every American is aware of the peaceful intentions of the Government and of the people. Every American knows that we have no thought of aggression; no desire for further territory.

But specifically, Mr. President, the Chief Executive told us that this program was a minimum program necessary for our defense.

When the matter came on for argument before this body, testimony was read into the RECORD from General Arnold, who testified that we had only 879 fighting planes in the Army at that time.

The matter was fully debated here on the floor; and the Senator from Texas [Mr. SHEPPARD], who is chairman of the Committee on Military Affairs, pointed out our woeful lack of adequate air defenses. The distinguished senior Senator from Texas told us that—

We cannot draw a line around the sea and land frontiers of continental United States and say that this alone is what we will defend. It is not so simple as that. The Panama Canal, Hawaii, Puerto Rico, and Alaska are vital links in our defense chain. These possessions are often referred to as outposts. So to designate them is to commit an error. Outposts are usually considered as warning or delaying forces to be withdrawn when they have accomplished their mission. There can be no withdrawal from Panama, Hawaii, Puerto Rico, and Alaska. To permit these strategical areas to fall into the hands of an enemy would jeopardize the security of continental United States itself.

The senior Senator from Texas also told us this on February 27:

The President in his message of January 12 stated that the amount set aside for additional planes should secure a minimum number of 3,000, but added that it is hoped that orders placed on such a large scale will materially reduce the unit cost and actually provide many more planes. He did not make the statement that 3,000 would be sufficient. When it is remembered that, whatever number is secured under the maximum of 6,000, the total fighting front-line plane strength will be under 2,500, and that not until 1941, I trust no objection will be raised to the maximum of 6,000 planes.

The senior Senator from Kentucky [Mr. BARKLEY] at that time entered the debate, and pointed out that—

Germany at the beginning of this year, for instance, had in the neighborhood of 10,000 airplanes, and that Italy had between 4,000 and 5,000, making their combined strength between 14,000 and 15,000 planes.

The Senator from Georgia [Mr. GEORGE] entered the debate, and pointed out—I read from the CONGRESSIONAL RECORD, volume 84, page 1916,, that Great Britain is capable of producing about 500 planes a month, and the Senator from Texas [Mr. SHEPPARD] answered that the same ratio of production was obtaining in France.

The Senator from Georgia thereupon asked:

And how does our own production capacity rank?
Mr. SHEPPARD. We are below those figures at present.

Mr. President, acting upon that situation the Senate and the House both voted to appropriate the sum of $300,000,000 for airplanes to be used for our adequate defense, to be used for what the President said was our minimum of defense. With those thoughts in mind, and in view of the fact that actually there is a war in progress, and that there are those who have threatened us with possible attack, I offer this amendment, in the thought that the very least the United States ought to do is to secure to itself its own minimum necessities for defense before ever there is an airplane sent overseas.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Arizona.

Mr. HAYDEN. I remember the discussion when the appropriation was made for airplanes. The principal argument was that by appropriating a large sum of money, the capacity to produce airplanes in the United States would be increased. The effect would be exactly the same if the money were provided by England or France as though it were provided by the United States. That is to say, if there are large orders in this country for airplanes, it does not make any difference what government buys them; the capacity to produce airplanes will be increased.

The second argument was this: We were repeatedly told that it was not the desire of our authorities to have an enormous number of airplanes built on the present models; that there were continued improvements being made in airplanes, and therefore, while we wanted a substantial number, there was a positive advantage in taking into consideration the improvements as time went on.

Does not the Senator's amendment, therefore, mean that we should buy airplanes with the idea of increasing the capacity to produce them in this country, and that we should obtain the airplanes now when perhaps, if we waited a little while, we would get better airplanes, and get them for less money, because the productive capacity of the country would be increased?

Mr. McCARRAN. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. Yes; I yield to the Senator from Nevada.

Mr. McCARRAN. I wish to propound a question to the able Senator from Arizona through the Senator from Connecticut.

As I understood, the Senator's expression was that at that time we sought to appropriate $300,000,000 for the production of airplanes, regardless of who might have those airplanes; but, as a matter of fact, we appropriated the $300,000,000 so that our air defense might be brought up to a peacetime standard. That was the assurance given to us. It was the expression of the President. It was the expression of the Appropriations Committee, of which both the able Senator from Arizona and I happen to be members.

Mr. HAYDEN. But the Senator will concede that one of the primary purposes in making the appropriation was to increase the capacity to produce planes in the United States.

Mr. McCARRAN. For the United States; not for Great Britain or France, which would be implied from a statement, as I caught it, made a moment ago by the able Senator from Arizona.

Mr. HAYDEN. No; the Senator from Arizona makes the very clear distinction, as the Senator from Nevada must and the Senator from Connecticut must, that the principal object we had in mind was ability quickly to produce airplanes. If, by appropriating a large sum of money ourselves, we could stimulate the production of airplanes, that was a highly desirable thing to do. Conditions have changed. Somebody else is willing now to pay for them.

The second point is that airplanes cannot be produced in a moment. The Senator from Connecticut said it would be 1941 before we could obtain them; and it is quite probable, with the increased capacity to produce which foreign orders are bringing us, that we can still get the number of airplanes we desire by 1941.

Mr. McCARRAN. Mr. President, may I propound another question to the able Senator from Arizona along the same line?

Mr. DANAHER. Yes; I yield.

Mr. McCARRAN. Does that mean that the $300,000,000 which was appropriated by the Congress is to be applied now to produce airplanes for foreign countries?

Mr. HAYDEN. Why, of course not. The Senator's question answers itself.

Mr. McCARRAN. Of course, it should answer itself; but the assertion of the able Senator from Arizona refutes the answer, because he proposes to lay the foundation by which we will not produce airplanes for a peacetime basis for this country until after we have supplied foreign countries.

That was not the spirit of the appropriation. It cannot be the spirit of this country. I hope it is not the spirit of the able Senator from Arizona. It certainly never was the spirit of those who understood the proposition.

If I may go further in the time of the Senator from Connecticut——

Mr. HAYDEN. Mr. President, I do not care to impose on the Senator from Connecticut, but it is perfectly obvious that the airplane manufacturers of the United States are going to deliver the airplanes to our Government under the terms of the contracts, and therefore the amendment offered by the Senator from Connecticut is wholly unnecessary, and its only implication can be that we do not want airplanes produced for sale abroad, when it could just as well be done without injury to ourselves.

Mr. DANAHER. Mr. President, I do not wish to yield further at the moment, because I wish to let the RECORD itself answer the Senator from Arizona. All this we went into in March, every bit of it. We discussed then about the $300,000,000 appropriation and the necessity for it, and in January the President told us that his plan contemplated an appropriation of $10,000,000 of the $525,000,000 which he recommended, that we might place additional orders, as he put it; that we might enable our airplane factories to produce.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. DANAHER. Not at the moment. I have so little time. I will later yield to all Senators who desire to interrupt.

At the time to which I have referred the senior Senator from Kentucky said:

> As I understand, unless a great emergency should occur, it would not necessarily be desirable that they should produce all these planes at once, because if that were done, unless there should follow another program, or the necessity should arise as soon as this program was completed, all these factories would then have to close and cease operations, which would be an undesirable thing from an economic or industrial standpoint. Having in view the length of time necessary to bring about the delivery of the first planes provided for, and having in view also the economic and employment situation, it would not be desirable, even if they could all be turned out and delivered in 6 months, that that should be done.

The senior Senator from Texas [Mr. SHEPPARD] said:

> That is correct. Under the plan proposed in this bill, the new planes are to be delivered over a period of 2 years in increments, and the first delivery will take place within about 6 months.

On January 12 the President of the United States told us:

> Those of us who took part in the conduct of the World War will remember that in the preparation of the American armies for actual participation in battle the United States, entering the war on April 6, 1917, took no part whatsoever in any major engagement until the end of May 1918. In other words, while other armies were conducting the actual fighting, the United States had more than a year of absolute peace at home without any threat of attack on this continent, to train men, to produce raw materials, to process them into munitions and supplies, and to forge the whole into fighting forces. It is even a matter of record that as late as the autumn of 1918 American armies at the front used almost exclusively French or British artillery and aircraft.

Mr. President, if in March of this year British and French airplane factories were equipped to turn out 500 planes a month in each of those countries, and if at that time our plants were equipped to produce less than that, and if the first planes under the $300,000,000 appropriation were to be delivered in 6 months, we apparently have not even yet received our own planes from our own factories, and it would seem to me that, to bring this amendment to bear, I should call attention to the fact that under the pending joint resolution, on page 28, it definitely appears that no license may be issued by the Munitions Board for the export of munitions and implements of war, including aircraft, and that it shall be unlawful to export without that license except under certain conditions.

I, therefore, merely ask the Senate, and I ask the Congress of the United States, to take the position that for once at least during the progress of this debate we will regard the exigencies of the United States. I, therefore, say that the very least we ought to do is to build up our own aircraft strength, our own fighting defense requirements, to the minimum the President told us he wanted the $300,000,000 for; and that is what we gave him.

Mr. HILL. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. HILL. Can the Senator enlighten the Senate as to whether or not at this time the production of any airplanes by American manufacturers or the sale of any airplanes by American manufacturers to any foreign country is in any way interfering with the Government of the United States carrying forward the program relating to aircraft for which the Congress appropriated the money for our Army and Navy?

Mr. DANAHER. Answering the question of the Senator from Alabama, let me point out that the Senator from Arizona wants to let the foreign countries spend their money in developing American airplanes.

Mr. HILL. I can say to the Senator that I consulted the Chief of the Air Corps, Gen. H. H. Arnold, just a few days ago about this very matter, and he told me that our program for the acquisition of aircraft for the Army and the Navy was going forward 100 percent; that we were getting all of our planes on time; that we were carrying out the program exactly as the Congress authorized it and appropriated for it.

Mr. DANAHER. How much is 100 percent; how many a month?

Mr. HILL. We are getting that number each month the Air Corps said we needed, and for which the Congress appropriated in carrying out the program.

Mr. DANAHER. How many is that? Can the Senator tell the Senate?

Mr. HILL. I cannot tell the Senator in numbers whether it is 50, 60, or 75, or what the number may be, but I can tell him that the Chief of the Air Corps, the officer of the Army above all others responsible for our Air Corps program, assured me that we are going forward 100 percent with our program; that we are getting planes just as rapidly as the Army needs them, and as the Congress has appropriated for them.

Mr. DANAHER. Mr. President, the Senator recognizes, does he not, that such a program is necessary?

Mr. HILL. Oh, surely, it is necessary. I voted for the program, and supported it, and I am delighted that the program is going forward just as we intended that it should.

Mr. DANAHER. Mr. President, the program was developed at a time when the war in Europe had not broken out, and it was then stated to us—and I read it from the RECORD—that we were not to get the first planes under it until 6 months from last March. In March we were told that the first planes under the program would be delivered in 6 months, but the factories could not produce the minimum of 3,000 required earlier than 1941. If we needed those planes then, and we voted for the program on the ground that we needed them, with a war in the immediate offing, with a possible threat and danger of attack upon us, with the British Navy our defense overseas, and some Senators saying that they want to vote for the joint resolution now pending be-

cause they want to vote for a national defense program 3,000 miles away, the least we can do, it seems to me, is to vote to protect the United States, and to see that our plane requirements are brought up to an immediate minimum of required strength, before we ever let a combat plane leave our shores.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. Does not the Senator know that under the program authorized by Congress bids have been advertised for and contracts have been awarded for the construction and delivery of airplanes to the Army and Navy, and that those contracts must be carried out according to their terms?

Mr. DANAHER. Mr. President, I will ask the Senator from Kentucky whether every contract with a foreign government does not carry in it a clause providing that, in the event the exigencies of the United States shall require, planes shall first be delivered to the United States?

Mr. BARKLEY. Yes; but I think the War Department and the Navy Department are sufficiently alert to look after the interests of the United States under the contracts without having Congress say that before anyone across the seas can get a plane we have to offer 3,000 planes to the War Department or the Navy Department, whether they are in position to use them or take them or not.

Mr. DANAHER. Does the Senator imply that we do not need the 3,000 planes?

Mr. BARKLEY. I am willing to risk the judgment of the War Department and the Navy Department on the subject, and I do not express my own opinion as against theirs.

Mr. DANAHER. I was thinking of what the Senator told us last March, when he asked us to vote for the bill. At that time the Senator from Kentucky urged that we adopt a $300,000,000 appropriation to provide 3,000 planes required as a minimum for our defense; and the President told us that if we placed so large an order as 3,000 planes he hoped it would reduce the unit cost, and that we would actually get more planes for our money than the 6,000 he anticipated. Does the Senator remember that?

Mr. BARKLEY. I remember it exactly, and of course it was to be carried out under a program provided under the supervision of the War Department and the Navy Department. These planes were not all to be furnished at one time. If they were, they might become obsolete before the program was carried out. They are to be furnished under the program provided by the Departments, which is in process of being executed, and in no way does the sale of planes for which any foreign government has already contracted interfere with the delivery of these planes according to contract entered into by the two Departments.

Mr. DANAHER. Let me ask the Senator from Kentucky, Does he know of any reason why we should not take care of American plane requirements before we send even one plane overseas?

Mr. BARKLEY. No; and I know of no reason why we are not doing it now, and will continue to do it, without the amendment of the Senator from Connecticut.

Mr. DANAHER. For the reason that under our present appropriation of $300,000,000 the production of planes is going forward and, on the word of the Senator from Alabama, it is going forward 100 percent according to schedule, but we do not know whether that is 10 a month or 50 a month, and he cannot tell us.

Mr. BARKLEY. Whatever it is, it is according to contracts already entered into.

Mr. DANAHER. We can enter into more contracts if we need them.

Mr. HILL. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. HILL. The program is going forward just as fast as the money Congress appropriated will permit it to go forward; it is going forward just as fast as the Congress intended it should. The trouble with the Senator from Connecticut is that, although he is for this program, he really does not understand the basic philosophy of the program. The basic philosophy of the program was not that we should proceed to manufacture a large number of planes and pile them up and pile them up and pile them up, and then have a great number of obsolete planes on our hands, planes which a year or 2 or 3 years from now might be obsolete and no good. The idea was to build up capacity production in this country, so that if we should confront an emergency and should need planes, they could be produced without a great deal of delay.

Mr. DANAHER. Mr. President, let me ask the Senator from Alabama if he still believes he can tell me how much a month is being expended of the $300,000,000 Congress has already appropriated for this purpose.

Mr. HILL. It is being spent just as rapidly as is necessary to carry forward the program which Congress intended and provided for.

Mr. DANAHER. Mr. President, let me point out that the Senator from Alabama simply does not know how much is being spent, or how many planes are being produced, and knows nothing about the state of our program except that it is in 100-percent condition at this minute. Yet the very aircraft factories which would normally be producing planes are now under contract to produce for nations overseas. Over 300 bombers and other combat planes are awaiting transshipment this morning, and the newspapers yesterday told of the 400 Lockheed bombers which had been flown across the continent and were at Floyd Bennett Air Field, ready to be shipped abroad. What is the state of these contracts? Why can we not know whether the defense of the United States is technically being taken care of? How much are we spending a month? How many planes are we getting a month? One hundred percent, according to the statements of some. Yet we do not know whether our national program is being impaired or not.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. DANAHER. Happily.

Mr. SCHWELLENBACH. The Senator has asked a great many questions about the matter. I should like to inquire if the Senator has gone to the telephone and called up the War Department and the Navy Department to ascertain the facts for himself. He is the one who offered the amendment. What are the facts? Has the Senator telephoned the War Department or the Navy Department?

Mr. DANAHER. Mr. President, the Senator from Kentucky says he wants to leave all these matters to the War Department and the Navy Department, and if, in his judgment, the War Department and Navy Department are doing the job, there is no reason why I should call up those Departments. It seems to me the place for me to make the inquiry is in the Senate of the United States.

Mr. SCHWELLENBACH. Will the Senator again yield?

Mr. DANAHER. I yield.

Mr. SCHWELLENBACH. Has the Senator called the War Department and the Navy Department?

Mr. DANAHER. No; I have not called the War and Navy Departments.

Mr. SCHWELLENBACH. The Senator has known for some time he was going to present this argument. I hope he has not presented it on the spur of the moment. Does not the Senator think that before he came upon the floor of the Senate and accused the Army and Navy Departments of being neglectful of the needs of national defense in this country, he should, at least, have taken the telephone and tried to find out what are the facts? It is not hard to telephone.

Mr. DANAHER. If we have a War Department and a Navy Department whose officials will tell the possessor of an unknown voice at the other end of the wire, over the telephone, how much money we are spending and how many planes we are building, we ought to look into that matter. [Laughter.]

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TYDINGS. In order to relieve the tension and bring out the correct answer as to how much money is being spent to carry out this program, I may say to the Senator from Connecticut that the program is going forward 100 percent, and will continue until the deficit is exhausted. [Laughter.]

Mr. MINTON. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. MINTON. In all seriousness, I wish to say to the Senator that I did take the trouble to call up General Arnold. I do not know whether or not General Arnold recognized my voice—probably he did—but he did confide in me that the program of the Government of the United States for the procurement of airplanes is right up to the minute, and it is not being postponed at all by any orders from any foreign countries or for any other reason. It is right on schedule. I am sure the Senator from Connecticut will accept the statement of General Arnold, who is the head of the aviation branch of the Army. I am sure the Senator would like to have the facts, because he asked for them; and those are the facts, as I myself obtained the information from the War Department.

Mr. DANAHER. Mr. President, not only am I glad to have the facts, and not only do I thank the Senator from Indiana for supplying that thought, but I now know from what the Senator from Alabama has told me that the plan is going forward 100 percent, and I do not have any doubt about that. [Laughter.]

Mr. President, I say, however, that the President of the United States told us what our minimum requirements are. He told us what we needed for defense. The Senator from Texas [Mr. SHEPPARD], the chairman of our Military Affairs Committee, told us that he wanted a minimum of 3,000 planes for defense. He told us, and the Senator from Kentucky endorsed his proposal, that we should appropriate $300,000,000 for the purpose, and we did so. Whether or not the program is complete to date, whether it is being carried through on time or not, the fact remains that it was not to be in full operation until 1941. This year is 1939. I shall reread my proposed amendment, Mr. President, in order to accentuate in the minds of Senators exactly what is involved. It is not much. It is just the welfare of the United States in which I am interested. My amendment provides:

Provided, That no license shall be issued by said Board for the export of aircraft of any type, whether assembled or unassembled, * * * until there shall have been delivered to the Army and Navy of the United States at least 3,000 completely equipped military and naval aircraft—

That is the number the President asked for, Senators will see—

or such larger number as shall be certified by the General Staff to be necessary for the defense of the United States.

The reason why I took the 3,000 figure was that the President said:

All of the above constitutes a well-rounded program considered by me as Commander in Chief of the Army and Navy and by my advisers to be a minimum program for the necessities of defense.

Naturally we want to have at least a minimum program, do we not? And by the amendment we say that if the General Staff certifies that we need a larger number, then we shall not issue licenses to export aircraft until that larger number necessary for our defense shall have been provided for our Army. It seems to me to be a perfectly reasonable and proper requirement.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. NORRIS. It is not intended, as I understand, that that program will be completed until 1942?

Mr. DANAHER. Nineteen hundred and forty-one.

Mr. NORRIS. Yes; 1941. If the Senator's amendment is agreed to, as I understand its language, it will not be possible for any planes or parts of planes to be shipped to any foreign country until 1941?

Mr. DANAHER. Oh, no, Mr. President.

Mr. NORRIS. Then I misapprehend its provisions.

Mr. DANAHER. I am very glad the Senator brought up that question, because I know I can answer it. If the Senator from Texas was correct in anticipating that we need to have a minimum of 3,000 planes, let us say, available by the end of the current fiscal year, then by the end of the current fiscal year we should have our minimum of 3,000 planes.

Mr. NORRIS. I do not understand that to be a fact; that may be true; I do not claim to be an expert on the subject. But our intention was that the airplanes for which we appropriated $300,000,000 should not all be delivered at once, at least that was my understanding of the matter, and that they would not all be delivered until 1941. Assuming that to be true, does it not follow that under the Senator's amendment no airplanes or parts of airplanes could be shipped from the United States to any foreign government until 1941?

Mr. DANAHER. No. Let me say to the Senator, in the first place, the program contemplated 6,000 planes, the six thousandth plane to be delivered in June 1941. That is the first point. But, coming back to the question from another standpoint, if we need 3,000 planes for our defense—and the President certainly told us we did, and that is the basis upon which we acted—then all I say is, "Get the 3,000 planes." I do not care when they are obtained, whether it is this month or next month or January—perhaps we will have them by January, for the Senator from Texas told us that when this industry got into production it could produce about a thousand planes a month. So if we reach our minimum necessities next January, then the licenses may be issued.

Does that make it clear to the Senator?

Mr. NORRIS. No. It may be due to my ignorance that I do not understand the Senator. It seems to me perfectly clear that if our program is carried on and completed in 1941 we will not be able to ship a single airplane or part of an airplane until that completion takes place. It seems to me that follows naturally under the terms of the Senator's amendment.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. The program provided for 6,000 planes, and the delivery to be completed by June or July 1941, so that the production and delivery of the entire 6,000 was to be staggered over the period beginning approximately July 1, 1939. Therefore, if the entire 6,000 cannot be delivered until June or July 1941, it is hardly probable that half of them, 3,000, could be delivered before June or July 1940. Those planes can be produced more rapidly per month toward the end of the period than they can at the beginning, because the factories must be geared up for the larger production. So under the Senator's amendment no foreign plane or part of a foreign plane could be sold or shipped until the first 3,000 of the 6,000 planes had been delivered to the United States. That is true, is it not?

Mr. DANAHER. That is correct.

Mr. BARKLEY. So it might involve the impossibility of shipping any plane to a foreign country until June or July of 1940, or even January of 1941, because we cannot tell what proportion of the 6,000 planes will be produced prior to next July and what proportion will be produced after that time. At any rate, the first 3,000 planes would have to be delivered to the United States—and they can be delivered only according to the contracts already entered into—before we could ship any planes to any foreign country.

Mr. DANAHER. Mr. President, the answer that they could be delivered only in accordance with the contracts already entered into simply begs the whole question. There is no reason why we should not make additional contracts. Whatever is required for our minimum defense ought to be done. That is the situation which confronts us, Mr. President.

So far as productivity is concerned, the moment the plants are equipped with their jigs, tools, and dies to produce even one plane, they can go forward and turn them out as rapidly as occasion may require.

The Senator from Texas [Mr. SHEPPARD] told us:

If all the factories in the United States were producing at utmost capacity, we could turn out something like a thousand planes a month; but they are not working at capacity. Numbers of them are without much to do at present.

Mr. GEORGE. We have a potential power to produce, then, of approximately a thousand planes per month?

Mr. SHEPPARD. That is true.

The administration went forward with the program in order to give the factories a chance to get into production, to learn how to produce, to learn how to make planes according to our Government specifications; and I submit that the program ought to be undertaken with the utmost dispatch. General

Arnold told us in March that we had only 879 fighting planes, at a time when the Senator from Kentucky told us that Germany and Italy together had 15,000 planes. It seems to me that before we send any planes overseas we had better look out for the United States.

Mr. President, the amendment is pertinent. It follows identically the recommendations of the President and the recommendations of the chairman of the Committee on Military Affairs.

I hope the amendment may be agreed to.

SEVERAL SENATORS. Vote! Vote!

Mr. CLARK of Missouri. I suggest the absence of a quorum.

Mr. AUSTIN. Mr. President, will the Senator withhold his suggestion of the absence of a quorum?

Mr. CLARK of Missouri. I withdraw the suggestion.

Mr. AUSTIN. Mr. President, I shall not detain the Senate long.

I wish to observe that there is no cause for this excitement. The members of the Military Affairs Committee of the Senate, admitting and recognizing that they had no special knowledge or skill with respect to the national defense as our aeronautics affected it, called in experts, and, of course, acted upon the testimony of those experts. They made no individual claims of knowledge of what was necessary or what ought to be done. They accepted the undisputed evidence that what we needed immediately was progress in the development of airplanes, and that if in 2 years we produced a certain number of airplanes, having the advantage during that time of the special skill and knowledge which would come to us from all parts of the world, and having the advantage also of the development of the capacity to produce, thereby we should be acting in the national defense.

Thereupon the question arose which seems to be the basis of this excitement: Would this course interfere with the procurement of planes for our own defense, if we needed such planes?

I do not make the answer. I read from the testimony of probably the best expert in the country, as found on page 101 of the testimony in the hearings on this matter:

Senator NYE. Is this building program contemplated by the United States military to slow up the delivery of orders that France and England have pending in this country?

General ARNOLD. The orders that France and England have pending in this country now were made with the understanding that they would not slow up our production. So if we go into this increased production we would just quite naturally slow up their deliveries.

Senator NYE. If we do go into it, it will have a tendency to slow up their production?

General ARNOLD. Yes, sir.

Senator HILL. You say that after the third year under this program we can have a production in this country of 10,000 or 12,000 planes a year?

General ARNOLD. Yes, if we go full speed ahead. We could not do it under existing law, because it requires, and quite wisely so, that we have competitive bidding. That is the reason why we have empty factories today, because the engineers of certain companies produce better designs than others. But if, in order to spread the load so as to get maximum production, the third year would give production of approximately 12,000 planes, maybe 14,000.

Mr. President, in further reference to the matter of interference with our own program, I read from page 99 of the hearings:

Senator CLARK of Missouri. Did you not say yesterday, General, that this plane that crashed out at Los Angeles just 2 or 3 days ago, which was a plane intended, apparently, to be entered in the War Department competition, could have been sold that very day to the French Government or any other government?

General ARNOLD. Yes, sir; it could have.

Senator CLARK of Missouri. Therefore, unless we write some provision into the law with regard to priorities, we have no assurance on earth that—of course, as long as there is the gentlemen's agreement in existence that would require the consent of the Secretary of State and the Secretary of War—but Congress, which appropriates the money and is supposed to make the law, has no assurance that these planes, which may be the last word in airplane construction in the whole world, and which are in preparation for the United States Army, may not be sold to somebody else at the last minute. Is not that true?

General ARNOLD. We could always stop them.

Senator CLARK of Missouri. How?

General ARNOLD. By refusing them permission to export them.

Mr. President, let me call attention to the fact that the provision we are asked to amend is not new in principle. The provision which we are asked to amend requires a license to export airplanes. That principle has been in the law since the Espionage Act of 1917. We have operated under that act, and, so far as we could ascertain in examining the witnesses, airplanes were not exported to any country without a license.

Much of the excitement which caused considerable publicity arose over the conference between the Secretary of State, the Secretary of the Navy, the Secretary of War, and the Secretary of the Treasury, which is required under the Espionage Act of 1917 before the Secretary of State may issue a license for the exportation of arms, ammunition, and equipment.

Mr. CLARK of Missouri. Mr. President, will the Senator permit an interruption?

Mr. AUSTIN. I yield.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator's trend of thought; but let me say to the Senator from Vermont that the controversy last winter about the so-called French plane shipments came about not by reason of any conference between the Secretary of State, the Secretary of War, and the Secretary of the Navy. It came about by reason of the very abnormal circumstances testified to before the Military Affairs Committee, as I am certain the Senator from Vermont will recall, in which the American Ambassador to France, Mr. Bill Bullitt, sent a French mission, not to the Department of State, not to the War Department, not to the Navy Department, but to the Treasury Department; and thereupon the Treasury Department proceeded to put the French mission in communication with American airplane manufacturers with a view to purchasing American planes, and permitted the inspection of planes which had never even been flown, but were intended to be entered in the American Army competition. The whole procedure was so abnormal that it aroused the immediate interest of everyone who became familiar with the facts.

I am certain the Senator from Vermont will recall the fact that when I asked General Arnold, on the basis of a story published by the Associated Press and printed in the Washington Star of that afternoon, what the French observer was doing in a plane which was to be entered in American competition—supposedly a very secret plane—he said we would have to ask the Treasury Department about it.

Mr. AUSTIN. Mr. President, the way in which the Senator from Missouri interprets the events of those days and the way in which I interpret them are of little importance in connection with the pending amendment. I do not care to detain the Senate to debate that side of the issue. Of course, I cannot pass it without saying that I do not understand it the same way as does the Senator; but I have a recollection of an exchange of notes between the different Departments, including the Chief Executive himself, which finally expressed the concurrence of all of them in granting a license to export planes to France.

Mr. President, to return to the point in question, that point is merely this: It is charged, for some reason—and I have no doubt of the good faith of the distinguished Senator from Connecticut [Mr. DANAHER] in making the charge—that perhaps it would be un-American and not fully loyal to this country if we should adopt the amendment as it stands, without his amendment. I cannot quite agree with that contention. As a matter of fact, I contend that his amendment would not be in the interest of the national defense of America, for, basing my judgment on the evidence of experts and not asserting it out of my own mind, basing it on the evidence I have read a further brief extract which I will read to the Senate, it is clear to me that it is in the interest of security of the United States to carry out the President's program for the production of airplanes on a flexible basis, extending through a period of 2 years, with the right to sell planes to France, and England or any other country, subject to the license which must be first had from the various

Departments. That is what this amendment proposes, nothing more and nothing less. Let me read it:

(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Board the name of the purchaser and the terms of sale and having obtained a license therefor.

That will provide for adapting sales to foreign countries to our own national defense.

Mr. NORRIS. Mr. President——

Mr. AUSTIN. I yield to the Senator from Nebraska.

Mr. NORRIS. I rose to ask a question of the Senator, because I think that there might be a misapprehension as to just what he meant. He said, to begin with, "that is what this amendment proposes," and then he proceeded to read it. The ordinary listener might get the idea that the Senator was referring to the amendment proposed by the Senator from Connecticut, which I understand is not his idea at all. The Senator meant the amendment in the joint resolution.

Mr. AUSTIN. I am grateful to the Senator from Nebraska for his suggestion. I will make it clear at once that I was referring to what was before us in the joint resolution as reported by the committee, offered as an amendment to the House joint resolution.

Mr. NORRIS. That is correct.

Mr. AUSTIN. I was not referring to what was offered by the Senator from Connecticut.

Mr. NORRIS. The amendment of the Senator from Connecticut seeks to amend the language the Senator has read.

Mr. AUSTIN. I thank the Senator from Nebraska. That is exactly so. It seeks to amend by having us decide right now that it is in the interest of the national defense to stop expansion, to stop manufacture for other nations, and to go to work on nothing but a limited number of planes for the United States.

Mr. President, we are not particularly interested in the precise planes manufactured today. They will be obsolete so soon that if we should provide our national-defense forces with a great number of planes made immediately we would soon have planes which would be inferior to those of other countries that extend their program, that develop the power and the capacity and the skill of airplane manufacture and thus keep up with the march of progress.

I am going to conclude with just a few words on the question of America's capacity to produce, as it was at the time the testimony was given, and I shall read from the testimony of experts. We know nothing of our own right about this matter, and so it seems to me the experts should guide us. I read from page 98, as follows:

Senator NYE. Now, then, what of America's capacity to produce the planes that would be required under this program?

General ARNOLD. The last airplane should be produced before the end of the second year.

Senator NYE. How much increase is private industry going to have to afford in its capacity to do that?

General ARNOLD. No increase at all in facilities. An increase in personnel only. At the present time most of our factories are operating with one shift. In two instances, I think, they may have two shifts or a shift and a half. But we also have about five factories that are not engaged in producing any Government work at this time. One of the largest is practically shut down. That is Consolidated. In addition to that, the Northrup plant is practically shut down. Vought, Sikorsky, Seversky have no Government work in them at all to speak of. Martin is producing nothing right at this time for the Army. It is, however, producing quite a few airplanes for foreign countries. So by using all those facilities we should have no trouble at all in producing this number of airplanes.

Mr. President, I am opposed to the amendment offered by the Senator from Connecticut.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Connecticut [Mr. DANAHER] to the amendment reported by the committee.

Mr. LODGE. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS]. I transfer that pair to the junior Senator from Oregon [Mr. HOLMAN], and will vote. I vote "yea."

The roll call was concluded.

Mr. McNARY. I announce that my colleague the junior Senator from Oregon [Mr. HOLMAN] and the Senator from Kansas [Mr. REED] are necessarily absent from the Senate.

Mr. MINTON. I announce that the Senator from Virginia [Mr. GLASS] is detained from the Senate because of illness. I am advised that if present and voting, he would vote "nay."

The Senator from Washington [Mr. BONE] is also detained because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from California [Mr. DOWNEY] and the Senator from Missouri [Mr. TRUMAN] have been called to Government departments on matters pertaining to their respective States.

The Senator from Montana [Mr. WHEELER] is unavoidably detained. I am advised that if present and voting, he would vote "yea."

The result was announced—yeas 24, nays 62, as follows:

YEAS—24

Borah	Davis	Lodge	Reynolds
Capper	Donahey	Lundeen	Shipstead
Chavez	Frazier	McCarran	Townsend
Clark, Idaho	Holt	McNary	Vandenberg
Clark, Mo.	Johnson, Calif.	Nye	Walsh
Danaher	La Follette	Overton	Wiley

NAYS—62

Adams	Ellender	King	Schwartz
Andrews	George	Lee	Schwellenbach
Austin	Gerry	Lucas	Sheppard
Bailey	Gibson	McKellar	Slattery
Bankhead	Gillette	Maloney	Smathers
Barbour	Green	Mead	Smith
Barkley	Guffey	Miller	Stewart
Bilbo	Gurney	Minton	Taft
Bridges	Hale	Murray	Thomas, Okla.
Brown	Harrison	Neely	Thomas, Utah
Burke	Hatch	Norris	Tydings
Byrd	Hayden	O'Mahoney	Van Nuys
Byrnes	Herring	Pepper	Wagner
Caraway	Hill	Pittman	White
Chandler	Hughes	Radcliffe	
Connally	Johnson, Colo.	Russell	

NOT VOTING—10

Ashurst	Downey	Reed	Wheeler
Bone	Glass	Tobey	
Bulow	Holman	Truman	

So Mr. DANAHER's amendment to the amendment reported by the committee was rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee, in the nature of a substitute.

Mr. CLARK of Missouri. Mr. President, I now ask that the amendment which I temporarily withdrew earlier in the day be laid before the Senate.

The VICE PRESIDENT. The amendment offered by the Senator from Missouri will be stated.

The CHIEF CLERK. On page 26, line 18, it is proposed to strike out the word "and" and to insert after the word "Commerce" in such line a comma and the following:

two Members of the Senate, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. A congressional vacancy in the membership of the Board shall be filled in the same manner as the original selection.

Mr. CLARK of Missouri. Mr. President, I think it will be advisable for me to read the section of the proposed committee substitute.

Section 12 of the proposed committee or caucus substitute provides as follows:

NATIONAL MUNITIONS CONTROL BOARD

SEC. 12. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the "Board"). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce.

My amendment would provide for inserting, immediately after the designation of the Secretary of Commerce, two Senators as members of the Board, to be appointed by the Presiding Officer of this body, the honored Vice President of the United States, and two Members of the House of Representatives, to be appointed by the designated spokesman for that body, the Presiding Officer, the distinguished Speaker of the House.

Except as otherwise provided in this section, or by other law, the administration of this section is vested in the Secretary of State.

No such provision would be changed by the amendment I have sent forward.

The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

(b) Every person who engages in the business of manufacturing, exporting, or importing any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $100.

(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Board the name of the purchaser and the terms of sale and having obtained a license therefor.

(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

(f) Licenses shall be issued by the Secretary of State to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

(h) The Board shall make a report to Congress on January 1 and July 1 of each year, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war, including the name of the purchaser and the terms of sale made under such license. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder, including the name of the purchaser and the terms of sale made under such license.

Subsection (i) is the one to which reference has been made in several previous subsections of this section:

(i) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

Mr. President, I have taken the trouble to read that whole section for the purpose of demonstrating the fact that the National Munitions Board set up under this measure, which is simply a repetition of the existing law, is not an arm of the executive branch of the Government. It is simply an advisory body, as is completely shown by the language of subsection (i), which, as I understand, is a repetition of the existing law, where it says:

The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

In other words, the National Munitions Board, composed of a group of Cabinet officers, is not an arm of the executive branch of the Government. It is an advisory body, upon whom no executive function of the Government rests, but upon whose advice the President of the United States is authorized to perform certain executive acts.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. The Senator from Missouri is, as a matter of principle, a great stickler for the separation of the three branches of the Government.

Mr. CLARK of Missouri. There is no question about that.

Mr. BARKLEY. And I pay tribute to his sincerity in that regard, that the three branches—legislative, executive, and judicial—should be kept separate, which, of course, involves opposition to the executive impinging upon the rights and prerogatives of the legislative and the judicial, and vice versa.

Mr. CLARK of Missouri. If the Senator will permit me, I do not think he will find any example whatever of my having departed from that principle since my service in this body began.

Mr. BARKLEY. How does the Senator reconcile that position, which he has always maintained, with his proposal now to have four Members of Congress appointed on an executive board in an executive department of the Government to participate in the execution of a law enacted by Congress?

Mr. CLARK of Missouri. Mr. President, that is exactly what I was trying to explain when the Senator from Kentucky rose. I insist that the language of subsection (i) of section 12 completely discloses the fact that the National Munitions Board is not an arm of the executive branch of the Government—that it is simply an advisory body. I insist that when it comes to furnishing information on questions which may lead us into a state of war, the Congress of the United States should have representatives on the advisory body.

Mr. BARKLEY. Will the Senator yield further?

Mr. CLARK of Missouri. I am glad to yield.

Mr. BARKLEY. We advise the executive departments when we pass a law. We tell them what we want the law to be, and usually set out in some respects the metes and bounds by which it may be executed or enforced. But obviously this board is an executive board.

Mr. CLARK of Missouri. Mr. President, I differ entirely with the Senator.

Mr. BARKLEY. It may be an agent of Congress, but so is the Interstate Commerce Commission, so is the Federal Trade Commission, so is the Communications Commission, so is the Maritime Commission. Would it be any more logical to put four Members of Congress on this board than it would be to put four or any other number of Members of Congress on any of these other agencies which have been set up by Congress to execute laws which have been enacted by Congress?

Mr. CLARK of Missouri. Mr. President, the National Munitions Board has no executive functions whatever. It is purely an advisory body, created to advise the President.

Mr. BARKLEY. That of itself is an executive function.

Mr. CLARK of Missouri. It is not an executive function unless Congress has set it up.

Mr. BARKLEY. It has set it up.

Mr. CLARK of Missouri. It is a legislative function primarily.

Mr. BARKLEY. It has set it up in the State Department. While it is composed of others than the Secretary of State, it has its offices in the State Department.

Mr. CLARK of Missouri. Let me read again subsection (i).

Mr. BARKLEY. I know about that.

Mr. CLARK of Missouri. It reads:

The President is hereby authorized—

That is an executive function—

The President is hereby authorized to proclaim, upon recommendation of the Board, from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

Why should not Congress have the right to have a voice in recommendations to the President?

Mr. BARKLEY. Of course, if Congress wanted to have a voice in determining what is to be set out in categories of arms, ammunition, and implements of war, Congress could by act itself prescribe those things and relieve the President or any board of the responsibility. But this board does other things besides advise the President under subsection (i). It has many functions which are not included in subsection (i).

Mr. CLARK of Missouri. I think the Senator will have a very difficult time in pointing out functions of the National Munitions Board which are not advisory rather than executive.

Mr. BARKLEY. The Munitions Board keeps records with respect to these various things. That is not an advisory function.

Mr. CLARK of Missouri. Many advisory boards keep records.

Mr. BARKLEY. Yes. Of course, the Secretary of State issues licenses based upon the records kept by the Munitions Board and reports made to him by it, and so forth. All of those are executive functions; they are not legislative. I do not wish to take the Senator's time, but it seems to me that to have four or any other number of Members of Congress, who are legislators, who are passing laws and giving instructions to the departments and to this very Board, sit in in the execution of laws of their own making is no more justifiable in connection with this Board than in connection with any other board Congress has set up.

Mr. CLARK of Missouri. When the Senator comes down to that point, let me say that I think it would be an excellent thing if there were representatives of Congress on every board which has been set up, to see that the will of Congress was carried out. I have no confidence in the devotion of the Executive, any executive, not the present one, to principles adopted by Congress in laws.

Mr. BARKLEY. If that is true——

Mr. CLARK of Missouri. Let me finish this thought, and then I shall be glad to yield to the Senator from Kentucky. We all know of repeated instances in which Congress has passed laws which have been deliberately flouted, wherever they could be, by the representatives of the executive department. I remember the controversy between the Senator from Nevada [Mr. PITTMAN] and the Interior Department, a controversy the account of which I read in full, and from which I was completely convinced that the Interior Department had deliberately flouted the law. I think Congress, on a matter of the importance of that now before us, at least ought to have representatives on such a body as the National Munitions Board, a body which might exercise control of the question as to whether we would sooner or later get into a war. Now I gladly yield to the Senator.

Mr. BARKLEY. If the Senator has no confidence in the executive departments, as he has said—and that is wholly impersonal, as he says, and I am sure he means that—to carry out the laws passed by Congress, then the logical conclusion would be to abolish all executive departments, and set up committees of Congress to execute and enforce the laws passed by Congress.

Mr. CLARK of Missouri. That does not by any means follow, but I think it certainly would be an excellent thing to have a check, in a matter of this vast importance, through the Congress itself, to see whether the intent and the avowed purpose of its act is being carried out.

Mr. HAYDEN. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.

Mr. HAYDEN. As I have understood the Senator, he has stated that this is merely an advisory board and not an executive agency.

Mr. CLARK of Missouri. I think that is entirely correct.

Mr. HAYDEN. If it is merely advisory, the executive power must be in the Secretary of State. It would follow from that statement that the Secretary of State could disregard the advice if he chose to do so.

Mr. CLARK of Missouri. No, Mr. President; I think the Senator from Arizona misunderstood what I said. The whole Munitions Board, including the Secretary of State, is an advisory body to the President of the United States. It is entirely possible that, even if we had representatives of the Senate and the House on the National Munitions Board, or whether we had or not, the President might disregard the recommendations of the National Munitions Board; but certainly we would be in better position if we had representatives of the Senate of the United States and the House of Representatives on that Board, who could be called up for inquiry on the floor of this body or of the House of Representatives, than we are without such provision.

For instance, if the Senator from Arizona were a member of the Munitions Board and any action were taken by the Munitions Board which might seem to any Member of this body to be contrary to the policy of Congress as enunciated in the law, any Senator would have a right to rise in his place and ask the Senator from Arizona as to the theory upon which the Munitions Board had taken certain action. Without that we are entirely helpless, and actions of an advisory nature, which will be carried out by the President, we will say, may be taken, actions of most momentous consequence, about which the Senate and the House are entirely helpless when it comes to securing information.

Mr. ADAMS. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.

Mr. ADAMS. It occurs to me that if we are being so scrupulous in reference to the confusion of the three Departments of the Government, there is another section of the paragraph which provides that the Secretary of State may provide rules and regulations for carrying it out, and a violation of the rules and regulations is made a felony. In other words, that is a delegation of a legislative power to the Secretary of State.

Mr. CLARK of Missouri. I agree with the Senator from Colorado, but under the rules of the Senate I can offer only one amendment and have it pending at one time. If the Senator from Colorado will offer an amendment to strike out that provision, I shall be very happy indeed to support it.

Mr. President, I do not wish to detain the Senate unnecessarily about this matter. I took the trouble to read the section in full so that we could see exactly the power that is being granted and the application of my proposal to add two members, which would be a minority of the National Munitions Board—two Members of the United States Senate, to be appointed by the presiding officer of this body, and two Members of the House of Representatives, to be appointed by the presiding officer of that body—because I think we are granting and have already granted tremendous power to this Board, and Congress should retain some measure of control of the supplying of information, if not all.

I submit the amendment without any further discussion or debate, because I think it is a proposal which every Member of the Senate or the House of Representatives, sworn on his oath to represent the people of the United States, should consider.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. HATCH. There is one point which I understand arose when the measure was considered, perhaps in 1935, and that is that membership by Senators or Members of the House on a board of this nature might be in conflict with the Constitution. I should like to have the Senator from Missouri elucidate that point, because I tell him frankly I am in sympathy with what he proposes.

Mr. CLARK of Missouri. Of course, Mr. President, I have had that proposition in mind, which was the reason for the discussion in which I have recently engaged. There is no question that under the Constitution of the United States the Congress has no right to exercise an executive function.

Mr. HATCH. I have been off the floor for a time, so did not hear all the Senator's statement.

Mr. CLARK of Missouri. I am glad to recur to it. Under the plan proposed in the pending measure and the proposed amendment to it, the function of the Board will be advisory. In other words all action must be taken in the name of the President of the United States. The Board is an advisory board to the President of the United States. There is no question on earth that the President has the right to approve or disapprove the findings of the Board. The President has complete control of it. The theory of my amendment simply is that there should be some avenue by which the Congress of the United States, humble as it may be, by which the Senate of the United States and the House of Representatives may have representatives on the Board who can answer questions as to what a body which may at times be the most important body in the country is doing at any given time.

Mr. HATCH. It is the interpretation of the Senator from Missouri that no executive power is vested in the Board itself. Is that correct?

Mr. CLARK of Missouri. That is entirely my understanding.

Mr. THOMAS of Utah. Mr. President, I shall support the amendment, and I am personally very happy that the Senator from Missouri offered it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. CLARK of Missouri. I should have said in my previous statement that the ablest argument that has ever been made, in my opinion, for the principle of this amendment was made by the Senator from Utah when the bill was previously before the Senate. I meant to say that.

Mr. THOMAS of Utah. When this measure came before the Senate of the United States in 1935, when the National Munitions Board was set up, the Senate adopted an amendment, after the Senate Foreign Relations Committee had accepted it, requiring the Board to have among its members the chairman of the Foreign Relations Committee of the Senate and the chairman of the Foreign Affairs Committee in the House. The Board was set up primarily for the purpose of gathering information. The intention was that from time to time information might come from the executive branch of the Government to the Congress of the United States in relation to this great experiment—and it was an experiment—in the complete control of the munitions industry so far as its exports were concerned.

It will be noticed, Mr. President, that in this measure, after 4 years' experience, we have emphasized more than any other single thing that the primary function of the Munitions Control Board is to keep Congress informed in regard to the exportation of munitions. We have required that reports shall come to Congress, not merely once a year, as was provided in the original measure, but that they shall come to Congress twice a year; and, in order that we may know the exact effect of the lifting of the arms embargo, if the pending measure shall be adopted, we require that the first report shall be submitted to the Congress on the 1st of January next year.

Mr. President, as a result of the emphasis placed upon the theory of the separation of powers, there has grown up in our country a belief that we have many governments in the United States instead of just one government. The branches of the Government of the United States are coordinate branches. They do not function by themselves. The assumption that we can draw a line between what constitutes executive duty, what constitutes legislative duty, and what constitutes judicial duty, results into utter confusion unless we go into the purposes for which each department or each agency of government is set up.

Probably one of the greatest troubles that has come to us as a nation, is due to the conflict between the Executive and the Senate in regard to treaties. It would be very difficult to draw the exact line between what is an executive duty and what is a legislative duty when it comes to the ratification of treaties. It is extremely difficult to draw the line when it comes to the appointive power of officers of the United States. And when we get out into the realm of administrative law, we discover that we are faced all the time with a rule which does not hold in actual practice. If there is any one thing which will benefit the Government of the United States and insure more certainly the perpetuation of democracy in the United States, it is the bringing of the legislative and the executive closer together in an understanding of things, and having them work for a given objective without being too cautious about stepping on one another's toes.

Mr. President, it will be seen then that this Board is primarily a board which acts for the purpose of gathering information. Although the Board has great powers when it comes to enforcement of the law of the United States, that is the law of the United States and not the law laid down by the Board.

I hope the Senate will accept the amendment.

Mr. CONNALLY. Mr. President, I very much hope the amendment will not be adopted. It is no part of legislative function or duty to undertake to perform an administrative duty. I trust the Senate will vote down the amendment.

Mr. BYRNES. Mr. President, I agree that the duties of administrative character reside in the Secretary of State—certainly in great measure—but in practical operation the members of this Board are specialists, men possessing expert knowledge, who determine what shall be classified as arms and implements of war. They arrive at that determination through an investigation of all the decisions of the armament boards during the years that have passed. When they have reached a conclusion they submit their recommendation to the President.

In addition, by the terms of the pending measure, they are directed to secure information of value for the determination of questions connected with the control of the trade in arms and ammunition. The Board is directed to include in a report to the Congress a list of all persons required to register under the act and to give full information concerning the licenses issued under the act, including the names of the purchasers and the terms of the sales.

Mr. President, it seems to me that should be the duty of administrative officials of the Government and not of Members of the United States Senate or of the House. In practical operation, not the Secretary of State but a representative of his, meets with the other members of the Board two or three or four times a year. When they meet, will the two Senators and two Members of the House come to Washington to meet with them, get a list of the persons to whom licenses were issued and the terms of sale and prepare a report to the Congress? We all know that in practical operation it will not be done. They would be members of a board, meeting with some subordinate officials of the Department. It is something I do not want to see come to pass. I do not think it is necessary. After all, what are the functions of the Board? Its functions are to secure the names of the persons who receive licenses, the terms of sale, and to report back to the Congress, so that Congress shall have the information. It is unnecessary for us to delegate two of our Members to collect such information and bring it back to us.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. BARKLEY. It is provided in the pending measure that reports shall be made twice a year, instead of once a year, as heretofore, but Congress could adopt a resolution once a month, if it wanted to, asking the Board or the Secretary of State for any information concerning the administration of its duties under the law, so that Congress is not lacking in opportunity to obtain the information from the Board as frequently as it wishes.

Mr. BYRNES. Of course, that is true. As often as we think we should receive information we can provide under this measure that such information be furnished. We could require more detailed information. But I do not believe it is necessary, in order to get the information, to appoint two Members of the Senate and two Members of the House to sit with the employees of the Department and assist in procuring a list of the persons who secured licenses and the terms of sale or of the purchases made under this act.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at this point?

Mr. BYRNES. I yield.

Mr. CLARK of Missouri. The very argument the Senator from South Carolina is making as to the nature of the reports required by the Board is certainly an argument in behalf of the proposition that there is no executive function involved in the work of the Board. Its function is purely advisory.

Mr. BYRNES. The Senator was out of the Chamber when I agreed with him. I say that the administrative functions are in the Secretary of State. The only administrative functions are securing the names of the licensees, the names of the persons who make purchases, and the terms of the purchases and preparing the licenses. Presumably if we put Members of Congress on the Board, we want them to act, and not to be mere figureheads. The congressional members of the Board should obtain the names of the purchasers and all the necessary information.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. THOMAS of Utah. I imagine that the Senator from South Carolina was guilty of a slip of the tongue when he called the members of the Board employees. The Senate representatives and the House representatives would sit on the Board.

Mr. BYRNES. It was not a slip of the tongue. What I said was that my information was to the effect that in practical operation, not the Secretary but an employee of the Secretary acts in obtaining the information. A man who is supposed to have expert knowledge is assigned to the task; and, as a practical matter, up to this time—whether it be right or wrong—my information is that the members of the Board have met only once a year to pass upon the report, and that all the other meetings have been meetings of persons designated by the Secretary.

Mr. THOMAS of Utah. Of course, Mr. President, that is the legal requirement. The Board is required to be convened by the chairman and to hold at least one meeting a year.

Mr. BYRNES. That has been done. It has just occurred to me that with the Board meeting throughout the year, at times when Congress is not in session, it would be a very unusual thing to have Members of Congress as members of the Board. I do not think it is necessary when we require the Board to report all the information twice a year so that Congress may have all the information that is necessary.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. CLARK of Missouri. The Senator may not think it would do any good, but he has not assigned any reasons why it would do any harm.

Mr. BYRNES. I have stated the reasons why I believe it would be unnecessary. I do not think it would do any harm. I do not think it would do any harm for a Member of the Senate and a Member of the House to sit on each of the numerous boards which are directed to obtain information and submit it to the Congress. I wonder if they would do it, and I wonder if it is necessary.

Mr. CLARK of Missouri. Mr. President, will the Senator yield further?

Mr. BYRNES. I yield.

Mr. CLARK of Missouri. For many years, long before either of us came to the Senate, I was associated with the Senator from South Carolina. I have never known him to fail to perform a public duty which was assigned to him. Does not the Senator think it might be very helpful in a Board of this magnitude if the Senator from South Carolina, for example, were appointed by the Vice President to sit on the Board, so that when Senators in the best of faith were anxious to find out what was going on in the National Munitions Board they would have a right to ask the Senator from South Carolina, who, in the full performance of his duties—which I know he always gives to any duty assigned to him—could inform the Senate?

Mr. BYRNES. Mr. President, I thought of that when I read the amendment; and I am very frank to say that I pictured what I would do should the President of the Senate appoint me on a board of that kind. I would not serve, and the Senator from Missouri would not serve.

Mr. CLARK of Missouri. The Senator is mistaken. I should be very glad to serve. I do not think I would be appointed.

Mr. BYRNES. I should not be willing to serve as a member of any board in the executive department of the Government to obtain information of the character required and submit it to Congress. I believe I would have something else to do in life which I should prefer to do and which might be of greater importance.

SEVERAL SENATORS. Vote! Vote!

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment in the nature of a substitute.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Lee	Schwartz
Andrews	Donahey	Lodge	Schwellenbach
Austin	Ellender	Lucas	Sheppard
Bailey	Frazier	Lundeen	Shipstead
Bankhead	George	McCarran	Slattery
Barbour	Gerry	McKellar	Smathers
Barkley	Gibson	McNary	Smith
Bilbo	Gillette	Maloney	Stewart
Borah	Green	Mead	Taft
Brown	Guffey	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Truman
Byrnes	Hatch	Norris	Tydings
Capper	Herring	Nye	Vandenberg
Caraway	Hill	O'Mahoney	Van Nuys
Chandler	Holt	Overton	Wagner
Chavez	Hughes	Pepper	Walsh
Clark, Idaho	Johnson, Calif.	Pittman	White
Clark, Mo.	Johnson, Colo.	Radcliffe	Wiley
Connally	King	Reynolds	
Danaher	La Follette	Russell	

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment in the nature of a substitute.

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a general pair with the Senator from Virginia [Mr. GLASS]. I transfer that pair to the Senator from Oregon [Mr. HOLMAN] and will vote. I vote "yea."

Mr. CLARK of Missouri (when Mr. WHEELER's name was called). The senior Senator from Montana [Mr. WHEELER] is unavoidably detained from the Senate. I am authorized to say that if he were present he would vote "yea." He has been unable to secure a pair.

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Virginia [Mr. GLASS] is detained from the Senate because of illness.

The Senator from Washington [Mr. BONE] is also detained because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from California [Mr. DOWNEY] has been called to one of the Government departments on matters pertaining to the State of California.

The result was announced—yeas 41, nays 45, as follows:

YEAS—41

Adams	Danaher	La Follette	Taft
Barbour	Davis	Lodge	Thomas, Utah
Borah	Donahey	Lucas	Tobey
Bulow	Frazier	Lundeen	Townsend
Burke	Gerry	McCarran	Tydings
Byrd	Gillette	McNary	Vandenberg
Capper	Gurney	Nye	Walsh
Chandler	Hatch	Overton	Wiley
Chavez	Holt	Reynolds	
Clark, Idaho	Johnson, Calif.	Shipstead	
Clark, Mo.	Johnson, Colo.	Slattery	

NAYS—45

Andrews	Gibson	Mead	Sheppard
Austin	Green	Miller	Smathers
Bailey	Guffey	Minton	Smith
Bankhead	Hale	Murray	Stewart
Barkley	Harrison	Neely	Thomas, Okla.
Bilbo	Herring	Norris	Truman
Brown	Hill	O'Mahoney	Van Nuys
Byrnes	Hughes	Pepper	Wagner
Caraway	King	Radcliffe	White
Connally	Lee	Russell	
Ellender	McKellar	Schwartz	
George	Maloney	Schwellenbach	

NOT VOTING—10

Ashurst	Downey	Holman	Wheeler
Bone	Glass	Pittman	
Bridges	Hayden	Reed	

So the amendment of Mr. CLARK of Missouri to the amendment in the nature of a substitute was rejected.

Mr. BARKLEY. Mr. President, I move to reconsider the vote by which the amendment of the Senator from Missouri was rejected.

Mr. CONNALLY. I move to lay that motion on the table.

Mr. CLARK of Missouri and Mr. NYE called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I repeat the announcement of my general pair with the Senator from Virginia [Mr. GLASS]. I transfer that pair to the Senator from Oregon [Mr. HOLMAN] and will vote. I vote "nay."

Mr. CLARK of Missouri (when Mr. WHEELER's name was called). The senior Senator from Montana [Mr. WHEELER] is unavoidably detained from the Senate. I am authorized to say that, if present, he would vote "nay."

The roll call was concluded.

Mr. McNARY. Mr. President, I rise to make a statement in the nature of a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. I think it is proper, before the result of the vote is announced, that we should enter an order vacating the motion to lay on the table and the vote itself, because it was announced earlier in the day, in a colloquy between the able Senator from Kentucky [Mr. BARKLEY] and the Senator from Missouri [Mr. CLARK], that a motion to lay on the table would not be made except in the event an extraneous amendment should be offered. This motion does not come within that classification. This is a regular motion. An amendment which was regular in character was offered to the language of the joint resolution which was defeated, followed by a motion to lay on the table.

For that reason, and in good faith, I appeal to the Senator who made the motion to ask unanimous consent to vacate the order, and the vote on the motion.

Mr. BARKLEY. Mr. President, I think the RECORD will show, and I think all Senators will recall, that this morning when I asked unanimous consent for a limitation of debate the question was asked whether I would myself make a motion or would sanction other Senators making a motion to lay any amendment on the table. I announced that I thought that all amendments should be voted on on their merits if they were pertinent to the question involved in the joint resolution, but that I would not bind myself with respect to extraneous amendments which had no relationship to the question under consideration.

I regard the pledge I made as binding me not to have moved to lay the amendment of the Senator on the table, or to lay any other amendment on the table, and not in any way to interfere with the consideration of an amendment on its merits. But certainly I had not in mind, and I do not think any Senator had in mind, the matter of laying on the table a motion to reconsider a vote by which an amendment was either adopted or defeated. I certainly had nothing like that in mind, and I do not think the Senator from Missouri did. He did not mention it.

Mr. CLARK of Missouri. Mr. President, I assure the Senator from Kentucky that I had no such purpose in mind.

Mr. BARKLEY. I did not think so. We want to act in good faith in this matter.

Mr. CLARK of Missouri. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CLARK of Missouri. How am I recorded?

The VICE PRESIDENT. The Senator is recorded as voting in the negative.

Mr. CLARK of Missouri. That is correct.

The VICE PRESIDENT. The Senator from Oregon propounded a parliamentary inquiry, and then made a statement. If the Senator desires that the Chair reply, the Chair will do so at this time.

Mr. McNARY. I had in mind a ruling of the Chair as to whether or not this amendment was an extraneous one. If I am misinformed as to the nature of the understanding, of course I would yield; but I still think that what I have stated was the purpose and intent of the colloquy held this morning.

Mr. BARKLEY. I may say to the Senator that the purpose of the colloquy was to prevent the disposition of amendments without their being considered on their merits, and without being disposed of on their merits. Certainly the pending amendment has been so disposed of.

The VICE PRESIDENT. The Chair will state, in response to the parliamentary inquiry of the Senator from Oregon, that there was no order of the Senate regarding this matter this morning, and therefore it does not come within the province of the Chair to determine the propriety of the motion to reconsider or to lay on the table. There was a gentlemen's agreement, in which of course the Presiding Officer had little concern.

Mr. BORAH. Mr. President, the Senator from Missouri stated that he did not have in mind such a motion as the one just made, and of course that settles the matter so far as I am concerned. But I did have in mind such a motion as the one which has been made. I think I was the Senator who brought the matter up in conference. I do not intend to complain at the action which has been taken, but I hope that in the interest of the understanding which some of us had we will not in the future be compelled to meet this kind of a motion.

Mr. CONNALLY. Mr. President, since the Senator from Texas made the motion to lay on the table, I believe I should make some explanation.

The Senator from Texas was not present in the Chamber this morning when the agreement to which the Senator from Oregon referred was made, and he had no information about any such agreement. But when the Senator from Kentucky made the motion to reconsider, the Senator from Texas very promptly concluded that what he wanted was a motion to lay his motion on the table, so following that lead, I made the motion.

Mr. BARKLEY. Mr. President, I certainly do not desire to have any misunderstanding with any Senator, and when today in private conversation I was told that an agreement could be reached to limit debate to 45 minutes on the joint resolution and 45 minutes on amendments, I was asked to give assurance that we would not undertake to dispose summarily of amendments offered by moving to table them, and to give assurance that amendments would be considered on their merits and voted on; and I so stated on the floor.

Mr. BORAH. We went further than that in our conversation. It was to the effect that a Senator would be free to make a motion to table where the matter was clearly extraneous.

Mr. BARKLEY. The Senator may have said "where the matter was clearly extraneous." Publicly and in private conversation I mentioned a certain type of amendments which might be offered which would precipitate a long discussion, which had no relationship to the joint resolution, and that I did not desire to bind myself not to move to table such an amendment if it were offered. But certainly the broad language as to not moving to table any amendment which might come up was not in contemplation. However, I have no desire to quibble over the matter, and I ask unanimous consent that the proceedings following the rejection of the amendment offered by the Senator from Missouri be vacated.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky?

Mr. CONNALLY. Mr. President, the Senator from Texas desires to say that since he made the motion to table he prefers to make the motion that the proceedings be vacated, because if anyone is offended, the Senator from Texas is the offender, and he was entirely innocent, and had no intention of offending. I make the request, if the Senator from Kentucky is agreeable, that the proceedings be vacated.

Mr. BARKLEY. I made the suggestion because I made the motion to reconsider, and was particeps criminis with the Senator.

The VICE PRESIDENT. Is there objection to the joint request of the Senator from Kentucky and the Senator from Texas that the proceedings by which the motions to reconsider and to lay on the table were voted on be vacated? The Chair hears none.

If Senators will indulge the Chair, the practice of making a motion to reconsider and then to move to lay that motion on the table is a newfangled one in the Senate, but it is very advantageous in bringing proceedings to a final conclusion. It has been used as a weapon of attack as well as of defense. Unless there is a gentlemen's agreement to the contrary, in the opinion of the Chair there is nothing dishonorable about the practice. It is merely a parliamentary procedure employed to bring to a conclusion what Senators may be considering, and to dispose of a matter finally.

Mr. LUCAS. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. Did I correctly understand the decision of the Chair, just announced, to be that the amendment which has been offered by the Senator from Missouri will still be subject to debate at some future time?

The VICE PRESIDENT. It is not now pending. There is nothing pending before the Senate except the amendment reported from the Committee on Foreign Relations in the nature of a substitute for House Joint Resolution 306.

Mr. LUCAS. If I understand correctly, in view of vacating by unanimous consent the recent vote which was taken on the motion made by the Senator from Texas, at some future time before the joint resolution is acted upon by the Senate any Senator will have the right to ask for a reconsideration of this vote, or in some parliamentary way to bring up the question again and debate it.

The VICE PRESIDENT. The Chair does not understand exactly what the parliamentary inquiry is. If the Chair understands the Senator from Illinois to inquire whether or not at some future time a Senator could rise in his place and move to reconsider the vote by which this amendment was defeated, and some other Senator could move to lay that motion on the table, the answer is in the affirmative.

If the Senator is asking when it can be done, the answer is there are 2 days in which it may be done. After 2 days no Senator can be heard to move to reconsider.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CLARK of Missouri. Does that mean 2 legislative days?

The VICE PRESIDENT. The Chair desires to make a statement concerning that matter. The Chair is informed by the parliamentarian that the rule contemplates the lapse of 2 days of actual session.

Senators, sometime the Chair will be obliged to pass on the question of what constitutes a day. The Chair presumes the question will come up after a filibuster has been indulged in, and the Senate continues taking recesses. The Presiding Officer has gone to some trouble, has made some survey, and has also had investigation made by others, on this subject. If ever the time comes for the present Presiding Officer to determine what a "day" means, he will rule that a "day" means 24 hours; that it does not mean an extended period, several weeks or more. The RECORD now shows that the Senate has only had 1 legislative day since the 4th of October. It is now the 24th of October, and this is still the legislative day of the 4th of October. [Laughter.] The Chair will not hold such a period to be a legislative day if the occasion to rule on the subject arises. The Chair will rule that a day consists of 24 hours.

Mr. BARKLEY. Mr. President, I understand the Senator from Missouri has another amendment, which is of some importance, concerning which he would like to address the Senate.

Mr. CLARK of Missouri. I have two further amendments.

Mr. BARKLEY. The Senator does not wish to proceed to argue his amendments this afternoon. I am perfectly agreeable that he offer them now and that they lie on the table, and if other Senators care to offer amendments and have them printed and lie on the table, I have no objection. I am not inviting the presentation of amendments, but I say that Senators may offer them.

Mr. CLARK of Missouri and Mr. AUSTIN rose.

The VICE PRESIDENT. Does the Senator from Kentucky yield; and if so, to whom?

Mr. BARKLEY. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I send to the desk two amendments to the pending substitute, which I ask to lie on the table, to be printed, and to be printed in the RECORD.

There being no objection, the amendments were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Strike out section 11 and substitute:

"SEC. 11. (a) During any war in which the United States is neutral it shall be unlawful for the armed merchant vessels of a belligerent foreign state to enter a port or the territorial waters of the United States or depart therefrom except under the same conditions as other naval surface vessels of belligerent foreign states.

"(b) During any war in which the United States is neutral it shall be unlawful for the submarines of a belligerent foreign state to enter a port or the territorial waters of the United States or to depart therefrom except under such conditions and subject to such limitations and restrictions as the President may prescribe or the Congress enact."

At the proper place to insert the following:

"(c) In the event of the display of the flag of the United States as its own by any vessel of a belligerent foreign state it shall thereafter for a period of 3 months be unlawful for the merchant and naval vessels of that belligerent foreign state to enter the ports or territorial waters of the United States except in cases of force majeure."

Mr. AUSTIN. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a report on neutrality prepared by the national affairs committee of the National Republican Club, adopted by that club on September 26, 1939, and the covering letter. This report favors the passage of the pending joint resolution.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

BENNET, HOUSE & COUTS,
New York, October 23, 1939.

Hon. WARREN R. AUSTIN,
The Senate, Washington, D. C.

DEAR SENATOR AUSTIN: In looking over the CONGRESSIONAL RECORD Index from September 21 to October 14, I find that a great many addresses and articles on neutrality have been placed in the RECORD.

The resolution of the National Republican Club, adopted at its October meeting, of which a copy was heretofore sent you, represents the considered thought of a great majority of the club, which has 1,500 members, and we would appreciate it if it could appear in the CONGRESSIONAL RECORD. I enclose a copy.

With personal regards,

Very truly yours,

WILLIAM S. BENNET.

REPORT ON NEUTRALITY BY THE NATIONAL AFFAIRS COMMITTEE

The following unanimous report of the national affairs committee was duly adopted by the National Republican Club at its regular monthly meeting on September 26, 1939:

"It is imperative that our country should keep out of war. We must remain at peace not only to save the lives of American youth but also to make sure that we retain the American form of government and way of life. It would not profit America to enter upon a second European crusade only to find here at the journey's end a regimented nation permanently deprived of its historic freedoms. This view has the support of an overwhelming majority of our people. The important problem is to determine the procedure we ought to follow in order to attain our objective.

"The troubled situation in Europe naturally has made the question of any change in our neutrality laws a subject of grave and earnest inquiry. Differences of view exist and are wide, but we should be slow to attribute to any person, no matter how much his views may differ from our own, any but the highest motives. And it ought not to be necessary to add that the treatment of this serious question should be entirely devoid of partisan politics.

"PEACE AND SECURITY

"In drafting neutrality legislation the maintenance and protection of the peace and security of our own people, so far as attainable without injury to our vital interests, must always be the primary objective. Our neutrality statutes, as they existed prior to the act of 1935, were in accordance with this principle. Those statutes recognized that our intercourse with foreign nations has always been conducted by our executive department and left that department free to meet and consult with the executives of other nations on a footing of equality, and to propose to Congress as any emergency arises such further legislation as the realities of the actual situation may require. Those laws imposed nothing on other nations which we would not have been willing that other nations impose upon us.

"No legislation can be passed, and none ought to be attempted, which will bring about complete equality of opportunity to the warring nations. As a nation at peace with all the contending parties, we ought not to pass legislation that accentuates, minimizes, or offsets advantages.

"PRESENT EMBARGO UNNEUTRAL

"Tested by the foregoing principles, we think that the automatic embargo on shipments to belligerents of arms, ammunition, and implements of war, including airplanes, is unneutral. It is also deceptive. It permits Germany, through Russia and possibly other countries, and perhaps France and England, through Italy and possibly other countries, to obtain at least the benefit of our munitions without the actual transshipment forbidden by the statute. Furthermore, the embargo does not apply to our larger shipments to belligerents of steel, cotton, copper, oil, and many other products indispensable for war purposes. And it has been estimated that these war materials constitute 90 percent of our trade with France and England, as contrasted with a 10-percent trade in munitions of war with those countries. We urge that the automatic-embargo provision be quickly repealed. If this is done, we shall be operating under the principles of international law, with which America and all other countries are largely familiar. These principles are neither perfect nor perfectly understood, but they are the result of the applied experience of centuries of international dealings.

"PRECAUTIONS

"However, to lessen our contacts with the belligerents on the high seas, thus minimizing incidents involving loss of American cargoes, ships, and lives, we favor a 'cash and carry' provision affecting not only munitions but all other materials. If it be urged that Germany is not now in a position to pay and carry away, we answer that there is no reason why a neutral should seek to deprive France and England of the benefits resulting from their sea power and greater financial resources.

"We believe that the provisions of the 1935 Neutrality Act, as amended in 1937, placing restrictions on travel and on loans, and setting up the Munitions Control Board, should be maintained substantially as they now exist.

"PREPAREDNESS ESSENTIAL

"Finally, notwithstanding all our peaceful intentions, we believe that our chief guaranties against being drawn into the European war are preparedness and a clear and steadfast assertion of our rights as a nation. At the time of the World War many foreign military men regarded us as both unwilling and unable to fight for any cause. That was a chief reason for our being drawn into war. Now we have highly resolved to keep our giant strength under restraint and not to become involved in war because of isolated incidents affecting our trade, property, or citizens. But that is not enough. In addition we must let all other nations know by unmistakable declaration and conduct that we will never submit to deliberate and repeated aggression against America itself, nor to clear and persistent violation of the Monroe Doctrine in any other part of the Western Hemisphere.

"It is our considered judgment that repeal of the embargo, adoption of a 'cash and carry' provision, adequate preparedness to repel foreign aggression in this hemisphere, supplemented by a calm and dignified, yet steadfast, insistence upon all of our vital rights, will lead us, even in this world aflame, along the true path of peace.

"NATIONAL AFFAIRS COMMITTEE,
"JOHN EDMOND HEWITT, *Chairman.*
"WILLIAM S. BENNET,
"Subcommittee Chairman.

"SEPTEMBER 26, 1939."

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 28 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, October 25, 1939, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 24, 1939

The House met at 12 o'clock noon.

Rev. Donald Haven, Order of Friars Minor, Shantung, China, offered the following prayer:

O God, our refuge and our strength, look down with favor upon Thy children crying to Thee. Grant that we may walk in Thy presence, O loving Father, and stand before Thy countenance. Assembled here before Thee, we look to Thee for guidance and assistance; lead us, help us.

Enlighten our minds, O Father of lights, to know the truth and follow it. Grant us an understanding heart to discern between good and evil.

May the power of Thy Holy Spirit be with us, O Lord, that what Thou dost command us to do, we may by Thy mercy accomplish. Thus may every enactment of this law-making body be in all things conformed to the law of God.

O ever-blessed Saviour, Prince of Peace, who for us men and for our salvation didst come down from Heaven, grant peace in our days.

May our every effort be directed toward peace with justice and charity. Peace, peace, O Jesus! Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of executive papers in the following departments and agency:

1. Department of the Navy.
2. Department of the Treasury.
3. Work Projects Administration.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein an article from the Canadian Business magazine of October dealing with our neutrality issue on the subject, Hands Off the United States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAGNUSON. Mr. Speaker, 72 years ago this week the United States acquired the Territory of Alaska, and I think it is only fitting and proper that I ask at this time unanimous consent to insert in the RECORD a short article respecting this acquisition, written by a prominent Seattle newspaperman.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE EXTRA SESSION OF CONGRESS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, a great deal of publicity has been given during the last few days to the probability that the Senate and the House will dispose of the amendment to the Neutrality Act within 2 weeks and the Members of Congress may then go home.

While I realize, just as much as you do, that the Congress was called into special session for the purpose of considering amendments to the Neutrality Act—it just seems to me that we have made, and are making, a great mistake in not using the time during which we are here, in giving consideration to legislation that is now pending before Congress, and which must come up for consideration when Congress convenes the first of January.

Just think of it—we have been here for more than a month—435 Members of the House of Representatives, brought to Washington at the expense of the United States Government, and have not given consideration to a single measure except the appropriation bill for the expense of this session. This House could have used every bit of this time in consideration of bills now pending on the House Calendar, as well as that of holding committee hearings for the consideration of bills that have been introduced, together with appropriation measures and tax-revision bills which are bound to come up in the next session. One of the greatest questions we have before us right now is that of tax revision. The House could do well to spend its time in giving consideration to these important measures. Then we have the question of national defense—one of the most important problems at this time—and yet we have not turned a hand, through committee meetings or otherwise, to give this problem serious consideration.

Why is it not possible for the House to get control of itself and get down to business—to give consideration to measures that ought to be cared for and that are certain to come up in the next session? Why not, rather than consider the immediate probability of being sent home, spend the next 4 weeks or so in session, considering some of these most important measures now pending, together with other important problems that are bound to come up during the next session? It seems almost deplorable that the House of Representatives, consisting of 435 Members, shall go home and tell their constituents they have been here for 6 or 7 weeks and so far as consideration of measures was concerned, they were in session for not more than 4 or 5 days? Members of the House, it is not right. It is not fair to the Members of Congress. And above all things, it is just not fair to the people who sent us here.

We have lost 5 weeks of valuable and expensive time but can still begin, right here and now, and make good use of the weeks between now and January 1. After all, it is what the Members of Congress are paid for. It is what is expected of them, and it certainly is the thing we ought to do. We have no right to go home and quit the job when there are so many things left undone. Tell me again, who is running this Congress, anyhow?

EXTENSION OF REMARKS

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent that I may insert in the RECORD as part of my own remarks a letter on the subject of neutrality by one of America's greatest citizens, Dr. A. Lawrence Lowell.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ONE WAY TO RAISE MONEY TO PAY GOVERNMENT EXPENSES

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, the Democratic platform of 1932 contained this statement:

> We condemn the improper and excessive use of money in political activities.

Let me call your attention to the fact that 1,257 Democrats in Philadelphia paid $100 a plate to raise funds for the party. For only $100 a plate, 1,257 Philadelphia Democrats last night dined on—

> Grapefruit, celery and olives, consomme, filet of sole, filet mignon (with mushrooms), potatoes au gratin, and peas, biscuits, ice cream, coffee, and mints.
>
> They also got music, a floor show, and several political speeches. The dinner actually cost $4,399.50.
>
> And that left $121,300.50 "gravy" for expenses of the last 18 days of the mayoralty campaign.

It seems to me that the use of $100 dinners to coerce men in political office should be over. Is there a dinner that is worth $100? Is there an officeholder in Philadelphia who can afford to pay $100 for a dinner? Certainly not. It is only political graft and corruption that would compel 1,257 people in Philadelphia to attend a dinner costing $100 per plate. Such high-pressure politics has no place in American public life, whether it be Philadelphia, Washington, or any other place in this Nation.

This is one way the Democrats have of getting money to uphold political prestige. It might be well to try to raise money in this manner, if possible, to pay off our Government debt and conserve America's resources as well as trying to balance our Budget. Unless these things are done, we shall wreck our Government. Certainly we shall wreck it if we continue as we are now progressing in the expenditure of Government funds.

We are at this time, the first quarter of the fiscal year, $1,250,000,000 in the red on current operating expenses. It seems to me something should be done to stop this ruthless expenditure of Government funds, spent in every conceivable way, contrary to our Constitution and against the wishes of the taxpayers of America. [Applause.]

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EBERHARTER. Mr. Speaker, on innumerable occasions you, as well as all the Members of the House, have heard the gentleman from Pennsylvania [Mr. RICH] decry the practice of Members inserting in the RECORD a lot of extraneous matter. He has sought to place the blame for that on the leadership on the majority side of the House. As late as last October 5 he again complained of the practice of the Members inserting extraneous matter in the RECORD, and asserted that—

> The people of this country would not recognize it as a record of the transactions that have transpired in the Congress. It is simply a record of newspaper articles, of editorials, or everything in the country. Every Tom, Dick, and Harry has a right to say something in the RECORD.

Now, I agree in principle with the attitude of the gentleman from Pennsylvania on the subject, and you will fail to find that I have, on any occasion, inserted a newspaper article or editorial. I regret to say, however, that the gentleman from Pennsylvania is not consistent to the same degree. Just a few days ago, on October 20, he obtained unanimous consent to insert in the RECORD an article which appears on page 656. This article is, to put it mildly, extraneous from every standpoint. I cannot see how it could have any appeal to the people of the country at large who generally read the RECORD. It is very peculiar that the gentleman from Pennsylvania failed to inform the readers the authorship of the article, or to whom the credit or discredit for the same should be given. It is entirely political and, as is so often the case with political literature, is misleading in the extreme. It is entitled "The Millions Already Saved by the James Administration in Pennsylvania."

What reason the gentleman from Pennsylvania had in not disclosing the authorship of the article which he chose to insert in the RECORD at the expense of the taxpayers I do not know, but I think I am safe in assuming that it is from the pen of one of the Pennsylvania Governor's advertising experts.

Of this advertising campaign, an independent and nonpartisan western Pennsylvania newspaper, the Pittsburgh Press, in its issue of Sunday, October 22, 1939, editorially had this to say, among other things:

JAMES RUNS FOR PRESIDENT AT PUBLIC EXPENSE

> The advertisements which the James administration is running in national periodicals at a cost of nearly $11,000 per month to the taxpayers border on outright dishonesty.

Not only do they contain half truths and untruths, but the nature of them is obviously political—intended to boost the national reputation of Gov. Arthur H. James.

If you do not believe this, we ask you to turn to page 87 of the current Saturday Evening Post and see for yourself and then to send for the booklet described in the advertisement and also to examine it.

This administration, which has so bitterly attacked the honesty of the previous Democratic regime, is using taxpayers' money in a method which we charge is immoral and unfair. * * *

Four hundred thousand dollars was taken from the State motor funds—formerly used exclusively to build and maintain highways—to finance the new department which has been turned into a James publicity bureau.

The claims contained in the current advertisement are amazing. Among them is a contention that State pay rolls have been cut 17 percent and administrative expense has been cut 20 percent.

There's just one answer to such extravagant claims: If true, then why did the James administration reenact every one of the $163,000,000 of emergency taxation imposed by the Earle administration, and which the Governor attacked during his campaign as driving business from the State? Why, if true, is Pennsylvania now faced with a special legislative session to raise through new taxation an additional $150,000,000 in relief funds not provided for at the regular session?

* * * * * * *

Such things as this, we contend, are false and misleading, and the expenditure of State funds to boost the personal stock of the Governor is a gross misuse of public money.

The gentleman from Pennsylvania, in his excessive zeal to speak for economy on any and every occasion, has unwittingly lent his aid by having published in the CONGRESSIONAL RECORD some of the political publicity blurbs of the James administration, which the Pittsburgh Press editorially charges is immoral and unfair and a gross misuse of public money.

Perhaps the gentleman from Pennsylvania has enlisted himself in the personal laudation campaign of the Governor for the purpose of attracting the attention of the people of the country to his aspirations to be the Republican candidate for President; but, knowing the gentleman as I do, I am positive that he would not, knowingly, have inserted in the CONGRESSIONAL RECORD, for any purpose whatsoever, matter which is misleading to say the least, aside from being purely political and extraneous.

I do hope, however, that the gentleman from Pennsylvania will, in the future, refrain from endeavoring to place the responsibility for the appearance of extraneous matter in the RECORD upon the shoulders of the majority leadership.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to insert excerpts from the editorial referred to.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, in reference to the statement of the gentleman about the majority party trying to conserve the RECORD, may I say that no effort has been made by the majority party in any sense, in any manner, or in any form, to try to keep extraneous matter out of the RECORD. What is the use of anyone trying to make up a record of Congress, because it is not such record now and it never has been since the present administration has been in power.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, on yesterday I secured unanimous consent for an extension in the RECORD, but I am advised by the Public Printer it is slightly in excess of the permissible amount. I have received an estimate from the printer and renew my request, notwithstanding the estimate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein an editorial from the Chicago Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an article from the Pulp and Paper Mill News on the question of importation of foreign pulp.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. GEYER]?

There was no objection.

Mr. GEYER of California. Mr. Speaker, from time to time the older Members of the House have risen and given to us younger Members advice which has been very valuable. I wish to give at this time a little advice to my colleagues who are just as new to the House as myself. There has been written a book which I believe is very, very worth while dealing with the "third House" or the lobby practices. This book mentions names and places. I recommend to the younger Members that they read this book. To the older Members, may I say, if I were some of you, I would read this book, and if the things are not true that are stated therein, I would do something about it. The name of the book is The Pressure Boys, by Kenneth G. Crawford, of the New York Post and the Philadelphia Record. You may get it through the stationery room. The price of the book is $3 without the discount.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, my colleague from Texas, Mr. PATMAN, is necessarily absent. Permission has heretofore been granted him to extend his remarks on the report of the Federal Trade Commission in recent motor-car industry inquiry. An estimate has been obtained from the printer, which I submit, and I ask unanimous consent that the gentleman from Texas may insert this in the RECORD notwithstanding the estimate of the Public Printer.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. LUTHER A. JOHNSON]?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Henry County Signal, Napoleon, Ohio, relative to the farm situation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. CLEVENGER]?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made by myself on Wednesday night at the fathers' dinner of the Junior Cavalry of America.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. VREELAND]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I am sure we are all glad to have the advice of the gentleman from California about the book to which he referred. Was it Corcoran and Cohen who wrote the book?

Mr. GEYER of California. Since the gentleman asked me, it was written by Kenneth Crawford, whose veracity cannot be questioned.

Mr. HOFFMAN. I am somewhat familiar with the book to which the gentleman has referred. I have read, with more than usual interest, the second chapter entitled, "A Congressman Must Derive Income." In connection with that chapter I note that while some Members of the Senate and

the House are pilloried, the author deals very tenderly with those who lobby for the New Deal.

On page 35 he writes, "The lobbyists of the left throughout the Roosevelt administration have been able, sincere, and idealistic, but for all that, amateurs." The author undoubtedly is familiar with the activities of Postmaster General, National Democratic Chairman, Jim Farley, and the sale of the autographed national committee convention books, yet a hasty examination of the book fails to disclose any criticism of "Big Jim."

At the last postmaster's convention, held here in Washington, not only were the postmasters royally entertained, but we find that, in return, the postmasters were not unappreciative of their chief's consideration for their welfare. A committee of which Philip L. Fellinger, postmaster of East Orange, N. J., was chairman, put out a mimeographed letter requesting the postmasters to take advantage of a special convention price of $2 for a copy of Mr. Farley's autographed biography. The book, to which the gentleman from California made reference, is well worth reading, but it should be kept in mind that it contains little, if any, real criticism of the manner in which the Roosevelts have used their official positions to gather in the shekels.

Mr. Speaker, there is another book which might be read with profit by those interested in violations of civil liberties, in maintaining a constitutional form of government, though I would not be so presumptuous as to suggest what any Member of the House should read. However, if information is sought, some that is of value can be obtained from reading this little book of 93 pages, entitled, "The Red Network." It gives a brief outline of the Communist International at work. It was published this year by Duckworth, 3 Henrietta Street, London, W. C. 2.

A list of publications issued by bodies associated with the Communist Party is given as follows: Daily Worker, daily; Challenge, weekly; Labour Monthly, monthly; Labour Research, monthly; Discussion, monthly; New Builders' Leader, monthly; Finsbury Clarion, monthly; Holborn Outlook, monthly; Party Organizer, monthly; The Printer, monthly; Our Youth, monthly; Russia Today, monthly; Left News, monthly; Conveyor, monthly; New Propeller, monthly; Irish Front, monthly; Teachers' International Review, monthly; The Country Standard, monthly; World News and Views, weekly, formerly known as International Press Correspondence.

This book points out, among other things, that the Communist Party is the real governing agency of Russia; that the government of the Soviet Union is controlled by the Communist Party which, through a central executive committee, issues its orders which are carried out by a Council of People's Commissars. It further appears from this little work that the Communist Party here in America is but a branch of the Russian Communist organization, and it follows that we here in America are permitting on our ballots the name of a party, and the names of party candidates for elective offices in State and Nation, when that party and those candidates are financed by, owe allegiance to, and work in the interest of the Union of Soviet Socialist Republics, which in turn is the creature of the Communist Party.

You read in your papers last night and this morning that Browder, a recent Communist candidate for President of the United States of America, and who now has endorsed Roosevelt for a third term, was arrested, charged with traveling on a forged passport to his headquarters in Soviet Russia.

Just how long will we permit to exist this organization which preaches the doctrines, which practices methods designated to overthrow our Government by force? How much longer must we wait for the law enforcing agency of our Federal Government to rid us of this red group by either deporting them or throwing them into jail for violation of the criminal law? How much longer will we permit this organization, its candidates, and its members to hide behind the La Follette's Senate Civil Liberties Committee, the National Labor Relations Board, the administration itself?

Mr. GEYER of California. I would like to say that there is a chapter in this book on Tom Girdler. I would like to have the gentleman read it. I think it would be very enlightening.

Mr. HOFFMAN. If there was anything true about him published in a book, such as the gentleman suggests, I will be glad to read it, and I would suggest that the gentleman read something about Harry Bridges and where he gets his money, and something of his anti-American activities.

Mr. GEYER of California. You read this one and we will both be happy.

Mr. HOFFMAN. If the gentleman understands this one.

Mr. GEYER of California. And it would be hard for you probably, too.

PERMISSION TO ADDRESS THE HOUSE

Mr. RUTHERFORD. Mr. Speaker, the gentleman from Pennsylvania [Mr. ALLEN] has heretofore been granted by unanimous consent 30 minutes to address the House. He has been unavoidably detained. I ask that this order be vacated and that his time be put over until another date, for which he will request unanimous consent.

The SPEAKER. Under a special order of the House heretofore entered, the gentleman from Florida [Mr. HENDRICKS] is recognized for 30 minutes.

WORLD CONDITIONS AND NEUTRALITY

Mr. HENDRICKS. Mr. Speaker, I do not believe that there can be any such thing as absolute neutrality in regard to the war which is now going on in Europe for two reasons: First, because of the nature of this war; and secondly, because of our own interests.

Recently I heard a Member of the House declare, "What we want in Europe is peace, and I am not concerned with the terms."

I. NEUTRALITY

I do not believe the gentleman meant exactly what he said, or if he did, that he was expressing the feelings of the American people, for "I am not concerned" would mean that we were not only neutral as far as the law goes but also neutral in our sympathies, and I do not believe this to be true.

No matter what we say to the contrary, there are many things concerning which we cannot be neutral. For example, I cannot be neutral against sin, against corruption, against murder, against crime in any form. Consequently I cannot be neutral against crime, even though the crime is being committed across the Atlantic, thousands of miles away; I cannot be neutral to the murder of thousands of persons by the order of the head of another nation merely because they happen to be of another race or another religious creed; I cannot be neutral to the wanton seizure of a weak nation by a strong one; I cannot be neutral to the expressed desires of the head of a European state to conquer and rule the entire world, including North and South America.

We in America, thanks to the splendid activities of J. Edgar Hoover, have rid ourselves of the gangsters and hoodlums that formerly preyed upon our people. But even the American gangster considered certain things sacred.

Let me bring your memories back to a hot afternoon late in July of 1931. A group of children were playing on East One Hundred and Seventh Street, in the city of New York. Suddenly a large sedan swung around the corner, its machine gun blazing, and a 5-year-old child fell to the pavement, mortally wounded. Did the hardened gangsters laugh this away? On the contrary, even these men with no morals at all made an outcast of the gangster, Vincent Coll, who was reputed to have caused the killing of this child. He was called "baby killer," and the underworld itself swore he would be liquidated for this act. Several months later he was shot to death in a telephone booth by his gangster friends. Even the underworld which made light of the murder of men shuddered at the murder of defenseless and innocent children.

For several years gangster governments in Europe and Asia have been slaughtering innocent women and children, and yet we say we live in a civilized world.

At dawn on September 1 not a big sedan but a German juggernaut, with all its destructive fury, crossed the Polish bor-

der, swung down the Corridor and into Warsaw, supported in the sky by death-dealing machines, and there was not just a single 5-year-old child killed, but a homeland was laid waste, another flag of democracy trampled in the earth, and hundreds of women and children lay cold in death, covered in a mat of their own blood. If we cannot be neutral to the slaying of one child, how can we be neutral toward the machine gunning of hundreds of defenseless women and children simply because that act is committed by the dictator of a great nation? And if gangsterism is allowed to flourish in Europe, how long will it be before bullets are spraying the streets of America? We cannot be neutral in our sympathies to such things.

II. OUR OWN INTERESTS

Now, in regard to the interests and the security of our people, and the institutions which we hold sacred, I am aware that I am no military expert, but not yet have I been convinced that it is inconceivable that the totalitarian states of Europe have designs on the Western Hemisphere, nor am I alone in that belief, as you are well aware. I can give many citations from prominent Americans on this point, which I am not inserting in the RECORD at this time, but there are two books on sale today, and they are among the best sellers, which every American should read. One of these books is The Revolution of Nihilism, by Herman Rauschning, a German, educated at Pottsdam, Munich, and Berlin universities, a man who at one time was high in the councils of the Nazi regime and president of the Danzig Senate in 1933 and 1934. You may question Mr. Rauschning as an authority. That makes no difference to me, because if you will read his book you will find out that he predicted far in advance many things that Hitler was going to do. You will discover that he predicted the Russian-German alliance. The other book is No Compromise, written by Melvin Rader, professor of philosophy at the University of Washington. I wish to quote each of these men, and you may accept them for what they are worth as to the designs of foreign powers on this hemisphere, and also as to the dangers of foreign ideologies.

Rauschning:

The Nazi leaders in "geopolitics" state that England is a decadent nation, no longer fit to rule; that France is dead; and that only Nazi Germany, which has both the capacity and the will to rule, will eventually rule the entire world.

I quote him again:

In the National Socialist view the political situation in America is unstable and can be developed into an outright revolution; to do this is both a tactical aim of national socialism, in order to hold America aloof from Europe, and a political one in order to bring both North and South America into the new order. By its ubiquity and its tactics of universal menace national socialism is preparing to occupy the key positions for colonial domination, for domination of the great sea routes, and for the domination of America and the Pacific.

The author writes of attempts of various leaders to point Germany toward an alliance with Russia. The army was for this, as it would cover Germany's rear. I quote Rauschning briefly again:

A German-Russian alliance means simply the confluence of two streams which run toward the same sea—the sea of world revolution. * * * It will be no ordinary coalition between two powers for normal practical purposes. Germany and Russia, if they come together, will radically transform the world. That alliance is Hitler's great coming stroke.

I quote from Mr. Rader just briefly on the same point:

Even in "isolated" America we must not lull ourselves into a false sense of security. It is obvious that the antidemocratic offensive is world-wide, and that it threatens free institutions wheresoever they exist.

We must not delude ourselves into supposing that we live in a social vacuum. If peace or democracy is destroyed in the rest of the world, we cannot escape without catastrophe.

Suppose, for instance, that the totalitarian states should bring the Allies to their knees, and should dictate the terms of peace, as the Allies did with the Central Powers in 1918. We will generally concede that France and England are more disposed toward humane principles than the governments of totalitarian states of today, yet we know now of the terms of the 1918 peace, which were, without a doubt, to crush, or at least greatly suppress, the German people. Then, is there any reason not to believe that should the totalitarian states win and Europe and the east come under the domination of Germany, Russia, Italy, and Japan, that their demands would probably be the surrender, or at least the sinking, of the navies of the Allies, and the cession of all the most important colonial possessions?

Is it inconceivable that with the combined forces of these states after the lapse of a few years, in which time they could consolidate their rich gains, that they should make heavy demands upon this hemisphere? You know that it has been only recently that the State Department has realized the tremendous effect of the German propaganda on the countries to the south of us, and the ideologies of even foreign nations can creep in where a people is already burdened by confiscatory taxes, which would be our condition should we find it necessary to defend ourselves against that which a majority of the citizens feel is impossible, but which many intelligent people feel is quite possible.

Oh, you say this is impossible in the first place. My reply is that empires have been destroyed because of a like assumption. You may say that when such an occasion arises we will enforce the Monroe Doctrine—and I agree with you that this could be done for quite a while, but at what cost? Our peacetime expenditures for national defense have already reached the billion-dollar mark. The nations of the world spent $17,000,000,000 for national defense in 1938, and the expenditures this year will be far greater. Germany alone spent almost $5,000,000,000 last year. We could enforce the Monroe Doctrine for a while at a staggering cost, and when this Nation became bankrupt and hungry, as foreign nations are today, then we liberty-loving Americans could really fear the old slogan, "Peace at any price"—and the price may be communism or some other "ism" that we do not want in America.

III. PEACE

What about peace at this time? Hitler and a number of the Senators have recently suggested and demanded that Mr. Roosevelt step in and be mediator at a peace conference. I wonder if Mr. Hitler would insist upon the President meeting him at Munich, changing his name to Chamberlain, and selling out the remainder of the democracies? What an appealing gesture in the light of the fact that the President made two appeals to Mr. Hitler to keep the peace, one of which received an insulting reply indirectly, and the other a cool air of indifference.

I hope the President has better sense than to participate in such a conference at this stage of the war, for if he should he would be more discredited within a year than Woodrow Wilson ever was. I say this in the light of the record. If peace were made at this time, Hitler would break it again within a year. Do not forget this man's ambitions of world conquest, and particularly his ambition as set forth in Mein Kampf. These objectives have not as yet been accomplished, and for this reason I ask you how long would he keep his promise? As an insight into his character let me again quote Rauschning:

Hitler had told me that morning what was his view of the value of treaties. He was ready to guarantee any frontier and to conclude a nonaggression pact with anyone. It was a simpleton's idea not to avail one's self of expedients of this sort because the day might come when some formal agreement would have to be broken. Every pact sworn to was broken or became out of date sooner or later. Anyone who was so fussy that he had to consult his conscience about whether he could keep to a pact, whatever the pact and whatever the situation, was a fool. Why not please other people and ease one's own position by signing pacts, if the other people thought that got them anywhere or settled anything? He could conclude any treaty in good faith, and yet be ready to break it in cold blood the next day, if that was in the interest of the future of Germany.

Better yet, let me give you the record of this man's promises, made and broken. It simply proves to us that what Mr. Rauschning said here is true and I am quoting Mr. Hitler:

HOW GOOD IS HITLER'S WORD?

August 1933:

As long as I am Chancelor there will be no war, save in the event of an invasion of our territory from without.

January 30, 1934, before the Reichstag:

The German Government is willing and determined to accept in its innermost soul, as well as external formulation, the pact of Locarno.

May 1935—interview with writer Edward Price Bell:

Mr. BELL. There are no territorial questions about which you would go to war?

HITLER. None. We have renounced solemnly all such purposes. * * * The Germany of national socialism will never dishonor itself and betray humanity by violating a pact it voluntarily signs.

On March 7, 1936, Hitler sent German troops into the Rhineland's neutralized zones and repudiated the Treaty of Locarno.

May 21, 1935, before the Reichstag:

Germany has neither the wish nor the intention to mix in internal Austrian affairs or annex Austria.

February 12, 1938, Hitler to Chancelor Schuschnigg, of Austria, at Berchtesgaden:

What is all this nonsense about your independence? Whether Austria is independent or not is not the question. There's only one thing to discuss: Do you want the Anschluss brought about with bloodshed or without? Take your choice.

March 7, 1936, before the Reichstag:

Czechoslovakia, like Poland, always followed the policy of representing their own national interests. Germany does not desire to attack these states. * * * After 3 years I believe I can today regard the struggle for German equality as over. We have no territorial demands to make in Europe.

September 26, 1938, in Sports Palace at Berlin:

The Sudetenland is the last territorial demand I have to make in Europe.

September 1, 1939, war was declared on Poland. Now Mr. Hitler wants no more territory. He only wants time to take it.

Let us stay out of it. Russia and Germany have joined hands. Mussolini to all intents and purposes has remained neutral and has made some seemingly sincere attempts to bring about peace. Well, let us see. This is a statement made by Mussolini when he thought no one was listening:

The struggle between two worlds (democracy and fascism) can permit no compromise; either we or they.

Benevolent Benito.

War should be the only study of a prince. He should consider peace only as a breathing time, which gives him leisure to contrive and furnishes ability to execute military plans.

Machiavelli, the prince.

Hitler, Stalin, Mussolini—what are these Machiavellian princes up to? Are they asking for time to "give themselves leisure to contrive and furnish ability to execute military plans"? Will Hitler later take the Scandinavian countries and perhaps Holland and Belgium under his benevolent protection?

Remember that in Hitler's mind only the Germans have the will to rule and will rule the world. Will the vulture of communism swoop down upon the Balkans and Turkey and Mussolini finally get control of the Suez Canal and take Tunisia?

I do not know whether they will do these things or not, but they will if they can.

LIST OF CONQUESTS

Let me give you a list of aggressive campaigns by the totalitarian states since 1932:

Nineteen thirty-two, Manchuria by Japan; 1932, North China by Japan; 1935–36, Ethiopia by Italy; 1937 and 1939, China proper by Japan; March 13, 1938, Austria by Germany; 1939, Czechoslovakia by Germany; 1939, Memel by Germany; 1939, Albania by Italy; 1939, Poland by Germany, and, I might add, the Baltic States by Russia. Theoretically a conquest of 225,000,000 people. This is the record of aggression made by these totalitarian states.

No, Mr. President, have none of the peace conference now. Let us stand aside and preserve our powers and prestige, so if the Allies are brought to their knees we can step into the peace conference and prevent them from being dominated by totalitarian states, and so that if Germany is defeated we can at least try to protect the world against another Versailles.

IV. THE BILL

Now, briefly, in regard to the present neutrality bill, I reserve the right to come to a final determination as to how I shall vote after I have heard the debate in the House. I find it is never too late to learn. But whatever form this bill is in when it finally passes, I do not think it will either put us in or keep us out of the war. I think that as to whether we shall enter the war, or whether we shall not, will depend upon how belligerents, in desperation, may prosecute the war at a later date, and what reaction shall come from the American people. We continually refer to ourselves as a peace-loving Nation. We are no such thing. We landed here fighting and, comparatively speaking, we have been fighting ever since. Here is a list of the wars and incidents in which we have participated:

Revolutionary War, 1775–83.
War of 1812, 1812–15.
War with Mexico, 1846–47.
Civil War (Union), 1861–65.
War with Spain, 1898.
World War I, 1917–18.

In spite of this list, I hope we learned something from the last war, and I assure you that however I vote on this bill, as far as my limited understanding is concerned, it shall be what I believe to be to the best interests of my country. To those of you who vote to the contrary to what I vote, I attribute the same pure intent.

Grant us grace fearlessly to contend against evil, and to make no peace with oppression; and that we may reverently use our freedom, help us to employ it in the maintenance of justice among men and nations.

[Applause.]

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. Yes; I will be glad to answer any questions.

Mr. GIFFORD. I want to ask the gentleman if it would be any real comfort to him, referring to the first part of his address, if he should read, as he probably has, that Hitler is now a prisoner of Stalin?

Mr. HENDRICKS. Yes; that would be a great deal of comfort and I wish Stalin was also a prisoner of Hitler.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. MILLER. I was very much interested in the gentleman's opening thought and his statement that you could not be neutral toward crime and bloodshed generally in Europe or here. I concede your right as a citizen of Florida to take that position, but are you willing to vote as a representative of the United States Government to cause the Government to commit an unneutral act? In other words, how unneutral are you willing to be in order to wipe out those abuses and atrocities abroad?

Mr. HENDRICKS. The gentleman wants a frank answer, I suppose?

Mr. MILLER. Yes, certainly.

Mr. HENDRICKS. I am going to answer the gentleman just as I would answer my constituents in the State of Florida. I said you could not be absolutely neutral in your sympathies. I implied that in regard to the law you can be neutral, as far as the law goes.

Mr. MILLER. No. No. That is not my question. The question is how unneutral are you willing this Government to be?

Mr. HENDRICKS. Absolutely neutral, as far as the law is concerned. The point is this, if I may explain. Down in our hearts, if we say we are neutral we might be telling an untruth. We might say, "As far as this law is concerned I am going to vote for what I think is a neutral law," and to the letter of the law you may, but in your sympathies you are not neutral. I think I am speaking for at least 90 percent of the American citizens when I say that. I hope I have made that point clear.

Mr. MILLER. Yes; that is clear.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. PATRICK. The gentleman will concede that we all wish to, as long as we can maintain a decent position, stay out of any trouble in the world.

Mr. HENDRICKS. Certainly, we do.

Mr. PATRICK. Certainly with the European conflagration as it now exists.

Mr. HENDRICKS. Yes.

Mr. PATRICK. Now, does not the gentleman feel that with the law standing as it does, with an embargo in effect as to the finished product of the high explosive or machine of death, the sending, as we are now doing, of the unassembled making, into war zones, to both nations, whether we consider ourselves neutral or not, no matter which nation finds us sending to the other nation that which it regards as contraband, as has been done with one vessel, has a tendency to get us involved in the war?

Mr. HENDRICKS. I will say to the gentleman that I thought of the incident that he mentioned, that today an American vessel is interned over in Russia. This might not have happened. I may also say that a great many Senators have expressed the same opinion that you have, that it would be less dangerous if we repealed the embargo.

Mr. PATRICK. I thank the gentleman.

Mr. GIFFORD. Will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. GIFFORD. I congratulate the gentleman because his attitude is exactly like my own. I reserve the right, until the Senate bill is produced, before I reach my ultimate conclusion. I congratulate the gentleman.

Mr. HENDRICKS. The gentleman probably reserves that right because of another reason. He wants to see what is in it. My point is that I am still young and I still have much to learn and I want to listen to what is said on the floor by distinguished men of the gentleman's type.

Mr. GIFFORD. I will state my own position tomorrow, but I want to ask the gentleman what does he think of this: All profess to favor the democracies. Our hopes, our fears are all in vain. They all say that. Then many proceed to show their inconsistencies and call attention to the ancient wrongs that they have perpetrated; but after professing that, can we say, "To hell with you"?

Mr. HENDRICKS. I certainly do not think so.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I will be glad to yield.

Mr. SMITH of Ohio. How can we be true representatives of our constituents and express here on this floor any sympathy for any of the belligerents?

Mr. HENDRICKS. I think the answer to that would be evident. Our constituents have their sympathies. I think 90 percent of my constituents have their sympathies—not that they want to get into war, but if you ask them who they want to win they will tell you very quickly.

Mr. SMITH of Ohio. Just one other question.

Mr. HENDRICKS. Yes.

Mr. SMITH of Ohio. Suppose our forefathers had taken that position when Genet came to this country, when there was considerable sympathy among our people for France. Suppose the men at the head of our Government had openly joined in that sympathy, where might we be today?

Mr. HENDRICKS. Well, I do not know. You are working on a supposition.

Mr. SMITH of Ohio. Will you allow me to make an observation?

Mr. HENDRICKS. If you will do so briefly, because I want to yield to some of these other gentlemen.

Mr. SMITH of Ohio. I do not believe any Congressman, Senator, or other public official has any right whatsoever to in any manner take sides in the present European conflict. The best interests of our country demand this.

Mr. HENDRICKS. The gentleman is free to do as he pleases, but I am going to express myself if someone asks me.

Mr. THORKELSON. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. THORKELSON. What proportion of the American people do you believe are willing to send their boys across the Atlantic to fight this war in Europe today?

Mr. HENDRICKS. I think the proportion would be negligible. I do not think 1 percent of the people want to send our boys across the water at this time.

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. GEYER of California. Practically all the experts have said that it is impossible to write a strictly neutral law, largely due to the geographical situation. Does not the gentleman believe that since the human mind that really thinks is not neutral, that we must have a law that is unneutral and that it ought to be unneutral in favor of those with whom the majority of our people are sympathetic?

Mr. HENDRICKS. Will not the gentleman make that as an observation rather than a question?

Mr. GEYER of California. Yes; I will.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. O'CONNOR. Let me say in advance of my question that the gentleman has made a very valuable contribution to the debate on the question of neutrality. Knowing the gentleman as I do, I feel confident, regardless of his sympathies for any nation involved in this war, he will never vote for a bill that in his judgment will not preserve the peace of this country. Is that not correct?

Mr. HENDRICKS. I thank the gentleman for his observation. Let me say this to make my position clear: I detest war and am afraid of it. I am afraid of a gun. Not only do I hate war, but I am scared of war, and I say this, that I am going to do my dead level best as the Representative of my people in Congress to keep this Nation out of war, so far as sending soldiers over there is concerned. Being very much afraid of war personally, I shall never vote to force our boys to do something I would not do. If I am ever compelled to vote for war, I shall offer my own services to my Government. [Applause.]

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. MOTT. The gentleman predicated a portion of his argument, as I understood, on the assumption that Hitler would win the war. Am I mistaken?

Mr. HENDRICKS. No; the gentleman is not mistaken. I said "suppose."

Mr. MOTT. Does the gentleman know of any military or naval authority in the United States which holds the opinion at this time that Hitler will win the present war?

Mr. HENDRICKS. I do not believe so.

Mr. MOTT. Then the presumption taken by the gentleman that Hitler would win the war is basing an argument upon a rather violent one, is it not?

Mr. HENDRICKS. No; it is not. In the first place, I made no assumption. I made a supposition. The reason I did it was merely to provoke thought. It is not yet impossible that he could win the war.

Mr. MOTT. But I say the gentleman knows of no military authority who believes so.

Mr. HENDRICKS. Even though the gentleman requires military authority, I still have the right to my own opinion on these things, even though I am no expert.

Mr. MOTT. I do not doubt that. I was merely trying to evaluate the gentleman's assumption.

Mr. DWORSHAK. Mr. Speaker, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. DWORSHAK. Will the gentleman give us some reason for his statement that 90 percent of the American people want the Allies to win the war?

Mr. HENDRICKS. Yes; it was because of polls that have been taken—the Gallup poll, for instance—and more particularly because of the communications I have received from the citizens of America.

Mr. DWORSHAK. Because they favored the so-called democracies?

Mr. HENDRICKS. They have the right to favor whom they will. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under the special order of the House heretofore made, the gentleman from Pennsylvania [Mr. McDOWELL] is recognized for 20 minutes.

EMERGENCY POWERS OF THE PRESIDENT

Mr. McDOWELL. Mr. Speaker, on Tuesday last I introduced in this House, House Resolution 316, which will provide, if agreed to, an activity that is desired by 99 percent of the American public. The resolution in one sentence would authorize this House, through a committee, to examine the statutes of the United States and once and forever determine the authorized powers of the Presidency during a state of emergency such as the Nation is now in by Presidential proclamation.

The history of the writing of the resolution is this: Just prior to the beginning of this extraordinary session of the Congress various European nations declared formal war, whereupon the President of the United States, by proclamation, declared that a state of emergency exists, and all Members of the House know that the President, by virtue of this proclamation, is now in possession of authority not authorized him under normal peacetime conditions.

The circumstance brought about an almost instantaneous reaction in every State and city, hamlet, and farm in America. Just what are the powers of the President? At the beginning of the debate on the so-called neutrality bill in the other body the Senator from Michigan [Mr. VANDENBERG] submitted a resolution, which was agreed to by the Senate, requesting the Attorney General of the United States to report to the Senate at the earliest practicable date what Executive powers are made available to the President under his proclamation of national emergency and what other extraordinary powers, if any, are made available to the Executive under existing statutes in emergency or state of war.

This resolution was agreed to September 28, and on October 5 the Attorney General, in a letter to the Senate, declined in effect to state these powers. The Attorney General accompanied his letter with various precedents substantiating his declination, but also listing a partial list of emergency powers granted the President. General Murphy, in his letter to the Senate, pointed out that he was declining to render a full report, and that he stood on more than 100 years of precedent in so doing, but the milk in the coconut was this statement, included in General Murphy's letter—I quote:

> It is not claimed that this letter is complete—indeed, accuracy in this respect can be assured only by careful and painstaking search of the entire body of the Federal statutory law, statutes of this class having been enacted from time to time since the beginning of the Government.

General Murphy also stated:

> You are aware, of course, that the Executive has powers not only from statutory grants but from the Constitution.

Now, Mr. Speaker, that action on the part of the Attorney General, as we well know, was vastly unpopular with the American people who want to know just what the Presidential powers are. That dissatisfaction was evident in the press all over the Nation. Many editorial writers, who are outstanding admirers of the administration, expressed their resentment that the American people would not be told what emergency powers are held in the White House.

After discussing the situation with numerous of my colleagues in both this House and in the Senate, I introduced House Resolution 316, pointing out the Senate's failure to obtain vital information that may have a great bearing on their action on the neutrality law, and authorizing the House of Representatives to create a committee of seven members, charged with the duty of studying the various United States statutes, and to present to the House at the earliest practicable date what Executive powers are made available under the said proclamation of national emergency.

The resolution includes an appropriation of $10,000 to be used to employ legal counsel, and stenographic, and clerical hire.

Now in discussing this resolution with many Members of this House, I have talked to no one who did not agree that the House itself should have the information in order to intelligently consider the pending neutrality legislation. I have discussed the measure with my colleagues on both sides of the aisle, with various Members of the Senate, with members of the press, and ordinary citizens of all political faiths, and they all agree that this action is many many years overdue, and that as a matter of good government the powers of the President should be learned without further delay.

This resolution is in no sense a hostile act against the administration. It is not desired to embarrass the President, nor to hinder his efforts to maintain strict neutrality for the people of America, and I fervently hope that it will not become partisan. It is purely an effort to obtain what every Member of the House and the Senate has been wanting to know for a long time, just exactly where we stand.

Everybody agrees that in every period of danger the Nation has ever undergone, that various unusual powers have been given the Chief Executive, and everybody knows that Congress is lax—very lax—in repealing emergency stautes. We have the word of the Attorney General that the only way to discover these powers is to examine the statutes enacted from time to time since the beginning of the Government.

Students of all law all agree that Presidents Madison, Polk, Buchanan, Lincoln, McKinley, Wilson, and Mr. Roosevelt have received extraordinary authorizations in extraordinary times. This resolution intends in no way to repeal any statute, but in effect, lays all the cards on the table that we may see just exactly what should be done and how we should do it.

Without impugning the motives of either the President or the Attorney General in declining to define all of the emergency powers of the White House, let me tell you that the refusal caused grave suspicion that both the Congress and the 120,000,000 American people which it represents should not be entrusted with the knowledge that should be their very own.

Mr. Speaker, I am aware, as is every other Member of the House, that no other legislation is to be considered except the child that is to be laid at our door by the other body. I think every Member of the House, whether they will publicly agree with me or not, believes that course to be a mistake, that there are many things to do, and that our idleness here is tragic when the country is suffering from so many ills.

The resolution was sent to the Rules Committee on October 18, where it now rests in a dark and crowded pigeonhole. This is, of course, because it was agreed that no other business would be considered here except the neutrality bill.

I maintain that most certainly the knowledge of the powers of the President are vital to intelligent consideration of legislation affecting our future in peace or war. The refusal of the Attorney General to give the Congress the information requested again illustrates the high necessity of legal counsel at the disposal of the Congress itself.

An effort has been made by many private individuals and concerns, particularly various newspapers in the Nation, to catalog these powers. I have several on my desk. Each contains references or authority of bygone years that the others do not have. It is a matter of good business to bring this information up to date. It will be as useful by the time the next World War gets started as it is in this one. The longer the Nation leaves this important matter unattended the more expensive and difficult it will be when it is finally done, and that is, of course, inevitable.

Here is a matter that does not involve politics. Here is a matter that requires a comparatively modest sum of money. Here is a matter that is being discussed wherever Americans meet all over the Nation. It is ridiculous that the Congress of the United States must learn what should be official public

knowledge from the public press or from patriotic attorneys who make a private investigation.

The concentration of power in the hands of single individuals of other nations has resulted in a holocaust that is now bathing Europe in blood. I would be just as concerned to learn the full powers of the President during an emergency if the President were Mr. Hoover, or Mr. Coolidge, or Teddy Roosevelt, or any other member of my own party.

Every Member of the Congress has received a copy of this resolution. Every response that has been made to me has been either favorable or noncommittal, but not once in the last 20 days that this has been discussed has there been one word of opposition or any suggestion that it be deferred until some other time.

Mr. Speaker, through all of the century and a half of the history of the House there has been one cardinal principle, and that is the complete independence of the body in the matter of gaining information that would aid the House in its decisions. I respectfully call this resolution to the attention of the Speaker, the majority leader, the chairman of the Rules Committee, and the members of that committee that they may be aware of the fact that in this hour of emergency the Nation is demanding information to which it is fully entitled and to which no Member of the House nor no official of the Congress can deny their right. I sincerely hope every Member of this body will subscribe to the constitutional right of information that is historic in the House of Representatives. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Friday next, after the disposition of the other special orders that have been entered for that day, the gentleman from Illinois [Mr. DIRKSEN] may address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 55 minutes p. m.) the House adjourned until tomorrow, Wednesday, October 25, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1106. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on a list of papers, consisting of one item, from those recommended to him for disposition, September 21, 1939, by the Department of the Navy; to the Committee on the Disposition of Executive Papers.

1107. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on lists of papers, consisting of 16 items, from those recommended to him for disposition, August 24, 1939, by the Works Progress Administration; to the Committee on the Disposition of Executive Papers.

1108. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on lists of papers, consisting of five items, from those recommended to him for disposition, October 7, 1935, by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GIFFORD:

H. R. 7596. A bill to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York; to the Committee on Claims.

By Mr. POLK:

H. R. 7597. A bill granting a pension to Alice Catell McCoy; to the Committee on Invalid Pensions.

H. R. 7598. A bill granting an increase of pension to Sarah E. Woods; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5823. By Mr. GILLIE: Petition of 800 members and friends of St. Patrick's Catholic Church, Fort Wayne, Ind., urging Congress not tc repeal the arms embargo; to the Committee on Foreign Affairs.

5824. By Mr. RUTHERFORD: Petition of sundry residents of Wayne County, Pa., protesting against the repeal of the arms embargo; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, OCTOBER 25, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty and most merciful Father, who dost ever seek to draw us closer to Thyself with cords of love: Help us at this moment to lift our thoughts above life's sordid cares as we invoke Thy blessing, and may the spirit of Thy calm prevail as each, from his own experience, shall bring insight, sympathy, and help for others' need to the deliberations of this day. Grant, we beseech Thee, unto the men of our Nation that they may learn how sublime a thing it is to suffer and be strong for others, and may there be manifest a steady progress from less to more, from generous aspiration to serene and resolute manhood, so that of the citizens of our country it may well be said that their path is as a shining light that shineth more and more unto the perfect day. We ask it in our dear Redeemer's name and for His sake. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, October 24, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Borah	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	White
Connally	Johnson, Calif.	Radcliffe	Wiley
Danaher	Johnson, Colo.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Montana [Mr. WHEELER] is unavoidably detained.

The VICE PRESIDENT. Ninety-one Senators have answered to their names. A quorum is present.

PETITION

Mr. LODGE presented a petition of sundry citizens of the State of Massachusetts, praying for the preservation of American neutrality and peace and also that the United States join with other neutral nations in efforts to achieve a speedy, just, and lasting peace, and remonstrating against the sale of arms and munitions to warring nations, which was ordered to lie on the table.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENTS

Mr. McCARRAN submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

At the proper place, insert the following new section:

"EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

"SEC. —. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the exportation from the United States of arms, ammunition, and implements of war (1) may cause the United States to become involved in the war with respect to which such proclamation was issued, or (2) is likely to impair the effectiveness of the national defense of the United States, he may, by proclamation, so declare, and thereafter it shall be unlawful for any person to export or transport, attempt to export or transport, or cause to be exported or transported from the United States, or to sell or offer for sale for export from the United States any arms, ammunition, or implements of war.

"(b) Whoever, during the effective period of any proclamation issued under subsection (a) of this section, shall, in violation of any of the provisions of this section, export or transport, or attempt to export or transport, or cause to be exported or transported from the United States, or shall sell or offer for sale for export from the United States any arms, ammunition, or implements of war shall be fined not more than $10,000, or imprisoned not more than 5 years, or both, and the property or vessel containing any such arms, ammunition, or implements of war shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C. 1934 ed., title 22, secs. 238–245).

"(c) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this section, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"(d) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

"(e) The President is hereby authorized to proclaim from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section."

Mr. NYE submitted an amendment in the nature of a substitute intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment (in the nature of a substitute) intended to be proposed by Mr. NYE to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz: On page 15, starting with line 1, strike out all of that page and all following pages down to and including line 10, on page 32, and insert the following:

"PROCLAMATION OF A STATE OF WAR BETWEEN FOREIGN STATES

"SECTION 1. (a) That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

"(b) Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

"EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any American vessel to carry any passengers or to carry, directly or indirectly, any articles or materials to any state named in such proclamation.

"(b) Whoever shall violate any of the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

"(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States, directly or indirectly, to any state named in such proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath that there exists in no citizen of the United States any right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States.

"(d) Insurance written by underwriters on articles or materials included in shipments which are subject to restrictions under the provisions of this joint resolution, and on vessels carrying such shipments shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

"(e) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"(f) The provisions of subsection (a) of this section shall not apply to transportation by American vessels on or over lakes, rivers, and inland waters bordering on the United States, or to transportation by aircraft on or over lands bordering on the United States, and the provisions of subsection (c) of this section shall not apply (1) to such transportation of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i), or (2) to any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i).

"(g) The provisions of subsections (a) and (c) of this section shall not apply to transportation by American vessels (other than aircraft) of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (i) (1) to any port in the Western Hemisphere south of 30° north latitude, or (2) to any port in the Western Hemisphere north of 35° north latitude and west of 66° west longitude, or (3) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, the Tasman Sea, and the Arabian Sea; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such vessel, and necessary supplies for any such vessel. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such vessels.

"(h) The provisions of subsection (a) of this section shall not apply to transportation by aircraft of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (i) (1) to any port in the Western Hemisphere, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, and the Arabian Sea; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such aircraft, and necessary supplies for any such aircraft. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such aircraft.

"(i) Every American vessel to which the provisions of subsections (g) and (h) apply shall, before departing from a port or from the jurisdiction of the United States, file with the collector of customs of the port of departure, or if there is no such collector at such port, then with the nearest collector of customs, an export declaration (1) containing a complete list of all the articles and materials carried as cargo by such vessel and the names and addresses of the

consignees of all such articles and materials, and (2) stating the ports at which such articles and materials are to be unloaded and the ports of call of such vessel. All transportation referred to in subsections (f), (g), and (h) of this section shall be subject to such restrictions, rules, and regulations as the President shall prescribe; but no loss incurred in connection with any transportation excepted under the provisions of subsections (g) and (h) of this section shall be made the basis of any claim put forward by the Government of the United States.

"(j) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, the provisions of subsections (f), (g), (h), and (i) shall expire.

"EXPORT CONTROL BOARD

"SEC. 4. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), he shall thereupon establish an Export Control Board (hereinafter referred to in this section as the Board), to be composed of a chairman, to be appointed by the President; the Secretaries of State, Commerce, and Interior; two Members of the Senate, to be appointed by the President of the Senate, not more than one of whom shall belong to the same political party; and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, not more than one of whom shall belong to the same political party. A vacancy in the membership of the Board shall not affect the power of the remaining members to execute the functions of the Board, and shall be filled in the same manner as the original appointment.

"(b) In order to prevent the growth and subsequent collapse of a short-lived war boom, with its attendant dangers to our peace, prosperity, and cost of living, it shall be the duty of the Board to limit the annual exportation of commodities from the United States to each state named in any such proclamation to the average annual exports to each such state from the United States during any 4 consecutive years of the 12-year period immediately preceding the date such proclamation is issued.

"(c) The Board shall compute for each such state as soon as practicable the average annual exports of commodities from the United States to each such state for each of the following major categories: Crude materials, crude foodstuffs, manufactured foodstuffs, semimanufactures, and finished manufactures. The computation so made with respect to each such major category for any such state shall thereafter be the annual quota for such category for such state

"(d) Upon the establishment of an annual quota for each major category for each such state, the Board shall, upon the request of the duly authorized and empowered purchasing agent for such state, issue licenses to such agent for the exportation of commodities to such state. No licenses shall be issued to any such agent during any one year for the exportation of commodities within each major category in excess of the annual quota established for such category for such state: *Provided*, That if the President shall find that the civilian population of any such state is in extreme need as a result of the war to which the President's proclamation relates, he may increase the annual quotas for such state so long as such need exists, but such increase shall not exceed 10 percent of such annual quotas.

"(e) Whenever a stored surplus of commodities within any such major category exists in the United States and such surplus is not necessary for the welfare or defense of the United States, licenses for the exportation of such commodities shall be limited to such stored surplus so long as such surplus exists.

"(f) It shall be the duty of the Board to tabulate and examine the character of exports to neutral states; and if the Board finds (1) that commodities in any major category are being imported from the United States by any such neutral state in abnormal quantities, (2) that such imports are not in lieu of imports previously secured from belligerent states, and (3) that such imports are not for their own needs but are being transshipped to belligerents, the Board shall announce such finding, and thereafter the provisions of this section shall apply to such neutral state with respect to such major category in the same manner and to the same extent as it applies to such belligerents.

"(g) The Board shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. The Board is authorized to utilize the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government. The members of the Board shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Board. The Board is authorized to make such rules and regulations as may be necessary to carry out its functions under this section.

"(h) During any period in which the provisions of this section are in effect, it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any such state during any calendar year any such commodities in excess of the quota so established; and it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported from the United States to any such state any such commodities without first having obtained a license therefor.

"(i) The provisions of this section shall apply only during a period in which a proclamation issued under the authority of section 1 (a) is in effect, and shall cease to apply to any state named in any such proclamation when such proclamation has been revoked with respect to such state.

"COMBAT AREAS

"SEC. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States, or any American vessel, to proceed into or through any such combat area: *Provided*, That no definition of combat areas shall permit American vessels to engage in indirect commerce with belligerents by transshipments at or through neutral ports.

"(b) Whenever the President shall have issued a proclamation under authority of section 1 (a), he shall require American vessels to carry clear distinguishing marks, both by day and by night, and the ships of any state which duplicates such marks or uses the American flag on its vessels shall be barred from the ports of the United States until such time as the President is satisfied that such duplicated marks or misuse of the flag have ceased or been removed from every ship of such state.

"(c) In case of the violation of any of the provisions of this section by any American vessel, or any owner or officer thereof, or by any shipper, such vessel, owner, officer, or shipper shall be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the shipper or the owner of such vessel be a corporation, organization, or association, each officer or director participating in the violation shall be held liable to the penalty hereinabove prescribed. In case of the violation of this section by any citizen traveling as a passenger, such passenger may be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

"(d) The President may from time to time modify or extend any proclamation issued under the authority of this section, and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist he shall revoke such proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

"AMERICAN RED CROSS

"SEC. 6. The provisions of section 2 (a) shall not prohibit the transportation by vessels under charter or other direction and control of the American Red Cross, proceeding under safe conduct granted by states named in any proclamation issued under the authority of section 1 (a), of officers and American Red Cross personnel, medical personnel, and medical supplies, food and clothing, for the relief of human suffering.

"TRAVEL ON VESSELS OF BELLIGERENT STATES

"SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of any state named in such proclamation, except in accordance with such rules and regulations as may be prescribed.

"(b) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

"SEC. 8. Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel, engaged in commerce with any foreign state, to be armed, except with small arms and ammunition therefor, which the President may deem necessary and shall publicly designate for the preservation of discipline aboard any such vessel.

"FINANCIAL TRANSACTIONS

"SEC. 9. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any person within the United States, or for the United States or an instrumentality of the United States, to purchase, sell, import, exchange, or accept as security, or accept as payment for any goods or services, bonds, securities, currency, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, unless such bond, security, debt, or other obligation was issued and outstanding in the United States before the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person. Any agreement, contract, or other commitment to produce, make, sell, or deliver goods, or to perform any service, under which the full face value of the contract, agreement, or other commitment is not paid in cash, or for the payment of which equivalent cash is not placed in escrow, at the time such agreement, contract, or other commitment is entered into, shall be deemed to be credit within the meaning of this section. The face value of any contingent or open-end agreement, contract, or other commitment shall be considered to be the value of maximum performance thereunder. In this section cash shall include only obligations or lawful money of the United States or certified checks drawn upon banks within the jurisdiction of the United States or of any state. The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation issued under the authority of section 14 (1): *Provided*, That

any person except banks, the United States, or instrumentalities of the United States, may acquire currency of any such state and any bank other than a bank owned by the United States may acquire such currency up to 10 percent of its capital and surplus. Nothing in this section shall prevent any bank from investing such currency in any manner so long as the sum of such investment and such currency does not exceed 10 percent of its capital and surplus.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may have been outstanding in the United States on the date of such proclamation.

"(c) Whoever shall violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed. No claim acquired through any loan or credit extended, or through any obligation purchased or acquired, in violation of this section shall be enforceable in any court of law or equity within the jurisdiction of the United States, or of any state.

"(d) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"SOLICITATION AND COLLECTION OF FUNDS

"SEC. 10. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in such proclamation or for or on behalf of any agent, instrumentality, or supporter of any such state.

"(b) Nothing in this section shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf or in aid of any such government, but all such solicitations and collections of funds shall be in accordance with and subject to such rules and regulations as may be prescribed.

"(c) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"AMERICAN REPUBLICS

"SEC. 11. This joint resolution shall not apply to any American republic engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

"RESTRICTIONS ON USE OF AMERICAN PORTS

"SEC. 12. (a) Whenever, during any war in which the United States is neutral, the President or any person thereunto authorized by him shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port or from the jurisdiction of the United States, fuel, men, arms, ammunition, implements of war, supplies, dispatches, or information to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port or from the jurisdiction of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any fuel, supplies, dispatches, information, or any part of the cargo, to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a).

"(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously departed from a port or from the jurisdiction of the United States during such war and delivered men, fuel, supplies, dispatches, information, or any part of its cargo to a warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), he may prohibit the departure of such vessel during the duration of the war.

"SEC. 13. (a) Whenever the President shall have issued a proclamation under section 1 (a), the submarines or armed merchant vessels of any state named in such proclamation shall be considered ships of war and shall be accorded only such treatment in the ports and territorial waters of the United States as is accorded to ships of war.

"(b) No disguised armed vessel with masked or concealed guns or weapons of any sort shall be permitted to enter or depart from the territorial waters of the United States, and the ships of any state which employs such disguised armed vessels shall be barred from ports of the United States until such time as the President is satisfied that the use of such disguised armed vessels has been discontinued.

"NATIONAL MUNITIONS CONTROL BOARD

"SEC. 14. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the Board). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board; the Secretary of the Treasury; the Secretary of War; the Secretary of the Navy; the Secretary of Commerce; two Members of the Senate, to be appointed by the President of the Senate; and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. A congressional vacancy in the membership of the Board shall be filled in the same manner as the original selection. Except as otherwise provided in this section, or by other law, the administration of this section is vested in the Secretary of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

"(b) Every person who engages in the business of manufacturing, exporting, or importing any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (l) of this section, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

"(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $100.

"(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (l) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Board the name of the purchaser and the terms of sale and having obtained a license therefor.

"(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

"(f) Licenses shall be issued by the Secretary of State to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

"(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

"(h) The Board shall make a report to Congress on January 1 and July 1 of each year, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war, including the name of the purchaser and the terms of sale made under such license. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution and full information concerning the licenses issued hereunder, including the name of the purchaser and the terms of sale made under such license.

"(i) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this resolution.

"REGULATIONS

"SEC. 15. The President may from time to time promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.

"GENERAL PENALTY PROVISION

"SEC. 16. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such

violator or violators, upon conviction, shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

"DEFINITIONS

"SEC. 17. For the purposes of this joint resolution—

"(a) The term 'United States' when used in a geographical sense includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

"(b) The term 'person' includes a partnership, company, association, or public or private corporation, as well as a natural person.

"(c) The term 'vessel' means every description of watercraft and aircraft capable of being used as a means of transportation on, under, or over water.

"(d) The term 'American vessel' means any vessel documented, and any aircraft registered or licensed, under the laws of the United States.

"(e) The term 'state' shall include nation, government, and country.

"(f) The term 'citizen' shall include any individual owing allegiance to the United States, a partnership, company, or association composed in whole or in part of citizens of the United States, and any corporation organized and existing under the laws of the United States as defined in subsection (a) of this section.

"(g) The terms 'bonds,' 'securities,' or 'other obligations' shall include every debt, claim, title, ownership, or interest, and every instrument evidencing any of them.

"(h) The term 'currency' shall include all forms of the lawful money of any state named in any proclamation issued under section 1 (a) and bank balances carried in such currency.

"SEPARABILITY OF PROVISIONS

"SEC. 18. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"APPROPRIATIONS

"SEC. 19. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution.

"REPEALS

"SEC. 20. The joint resolution of August 31, 1935, as amended, and the joint resolution of January 8, 1937, are hereby repealed; but offenses committed and penalties, forfeitures, or liabilities incurred under either of such joint resolutions prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of either of such joint resolutions or of any rule or regulation issued pursuant thereto may be commenced and prosecuted, in the same manner and with the same effect as if such joint resolutions had not been repealed.

"SEC. 21. This joint resolution may be cited as the 'Neutrality Act of 1939.'"

ADDRESS BY SENATOR WALSH AT DEDICATION OF CALVIN COOLIDGE BRIDGE

[Mr. LODGE asked and obtained leave to have printed in the RECORD an address delivered by Senator WALSH at the dedication of the Calvin Coolidge Bridge at Northampton, Mass., on Columbus Day, October 12, 1939, which appears in the Appendix.]

GRAVES OF UNITED STATES WAR DEAD IN FRANCE

[Mr. MINTON asked and obtained leave to have printed in the RECORD an article by Lorenzo Martin, Washington correspondent of the Louisville Times, dealing with the subject of graves of United States war dead in France, which appears in the Appendix.]

EDITORIAL FROM PITTSBURGH PRESS RELATIVE TO GOVERNOR JAMES

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an editorial from the Pittsburgh Press of October 22, 1939, relative to Governor James, of Pennsylvania, which appears in the Appendix.]

PROPAGANDA, PEACE, PREPAREDNESS—ADDRESS BY SENATOR WALSH

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address delivered by him at Holyoke, Mass., on Labor Day, 1939, on the subject Propaganda, Peace, and Preparedness, which appears in the Appendix.]

CONTROLLING WAR PROFITS—ADDRESS BY SENATOR O'MAHONEY

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an address delivered by him to the New York Herald Tribune Ninth Annual Forum on Current Problems at the Waldorf-Astoria Hotel, New York, N. Y., on October 25, 1939, on the subject Controlling War Profits, which appears in the Appendix.]

THE PATH TO PEACE—ADDRESS BY SENATOR BARBOUR

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BARBOUR on October 24, 1939, on the subject The Path to Peace, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT TO AMERICAN FEDERATION OF LABOR CONVENTION

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an address delivered by Senator TAFT to the convention of the American Federation of Labor on October 6, 1939, at Cincinnati, Ohio, which appears in the Appendix.]

SUBVERSIVE ACTIVITIES IN THE UNITED STATES—STATEMENT BY REV. REMBERT GILMAN SMITH

[Mr. LEE asked and obtained leave to have printed in the RECORD a statement by the Reverend Rembert Gilman Smith, representing the Oklahoma League Against Communism, Nazi-ism, and Fascism, entitled "Repeal the Embargo," which appears in the Appendix.]

PENDING NEUTRALITY LEGISLATION—ARTICLE BY JOHN T. FLYNN

[Mr. NYE asked and obtained leave to have printed in the RECORD an article appearing in the Washington (D. C.) News of September 30, 1939, by John T. Flynn, entitled "Plain Economics," which appears in the Appendix.]

RELATIONS BETWEEN UNITED STATES AND CANADA

Mr. BORAH. Mr. President, I have received a number of letters from Canadians in regard to some incidents that have occurred in discussions in this country with regard to relations between the United States and Canada. One of those letters I have answered. I ask that a copy of my answer be inserted in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 23, 1939.

Miss HELEN MCPHERSON,
Box 67, Vulcan, Alberta, Canada.

DEAR MISS MCPHERSON: I have your letter and have read it, not only with deep interest but in complete sympathy with your views as to the relations which should obtain between your country and mine. And I venture to declare, without the slightest doubt as to the correctness of my statement, that the people of the United States not only greatly respect and admire our Canadian neighbors but they trust them as few people ever trusted another people. There are no seeds of estrangement anywhere in this country that I know of, no reason for distrust, and no occasion for debating the possibilities of trouble.

Are not the relations between our countries without precedent—no fears, no hatred, no enmity, no distrust, on either side of the border line? Then why debate or discuss the subject? Let's leave it all to the people. The people of the United States and Canada will have no trouble and will get along magnificently, as they have in the past, if they are just permitted to go their own way and attend to their own business.

After reading the effect upon the common people of Japan of Ambassador Grew's statement, I thought what a blessing it would be all over this round globe if the people knew more and were permitted to have more say about supposed controversies and statesmen less. My feeling is, let the people of the United States and Canada alone.

If the people of Canada are ever attacked, which seems a rather remote probability, and desire our help, it will be time enough to display our military possibilities and our willingness to assist them. If the people of Canada desire to change their relationship to their mother country and seem to need advice, we will always have sufficient of that article on hand, and, judging the future by the past, will be willing to distribute it freely.

Miss McPherson, I really have not been able to take this matter seriously, and that is not out of too little interest in, or respect for, Canada, but too much.

When I study the reciprocal-trade agreements between the United States and Canada, I conclude if anybody needs advice and counsel, it is not Canada. When I read Premier King's recent statement, "the idea that every 20 years this country, which has done all it can to run itself, should feel called upon to save periodically a continent which cannot run itself, seems to me a nightmare and sheer madness. * * * In a war to save the liberty of others and thus our own, we should not sacrifice our own liberty or our own unity," I conclude that if anyone on this continent needs a rebaptism of Americanism, it is not Canada.

You suggest that I take certain steps or do certain things in the way of clearing up this misunderstanding. My influence is limited to a very sincere expression of my own views, as I have above indicated them; to wit, that the friendship of our peoples is as solid as a rock, and that the border line between the United States and Canada is one border line which even statesmen cannot break down or mangle.

I repeat, your letter is most interesting, and the sincerest expression of respect I can offer to you and to the people of your country is to say, Let's travel along, undisturbed, the path which we have so gloriously marked out for ourselves—peace, friendship, and commerce, with just a little modification of our trade agreements, if you find it possible to let us have it. But we will not quarrel with you even about that.

With great respect, I am,

Very sincerely,

WM. E. BORAH.

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. CHAVEZ obtained the floor.

Mr. CLARK of Missouri. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. CHAVEZ. I yield.

Mr. CLARK of Missouri. Mr. President, I do not wish to take the Senator from New Mexico off his feet, but in order that an amendment may be pending, for I understand no amendment is now pending, I offer the amendment which I send to the desk.

The VICE PRESIDENT. Without objection, the clerk will state the amendment.

The CHIEF CLERK. It is proposed to strike out section 11 and in lieu thereof to insert:

SEC. 11 (a). During any war in which the United States is neutral it shall be unlawful for the armed merchant vessels of a belligerent foreign state to enter a port or the territorial waters of the United States or depart therefrom except under the same conditions as other naval surface vessels of belligerent foreign states.

Mr. CHAVEZ. Mr. President, before proceeding with my few brief remarks let me say to the Chair and to Senators that I am taking the time from my amendment time.

During the past I have taken very, very little of the time of the Senate in debate. I consider the pending matter of such importance that I know the Senate at this time will indulge me while I state some historical facts with reference to the matter in question.

I have dug deep and wide into Government documents and matters of record in order to try to give the Senate some facts; not for the purpose, if you please, of trying to convince anyone or trying to change his mode of thinking, or in any way to criticize those who may favor the legislation now proposed, but only for the RECORD and for the benefit of the American people.

This year we celebrated the one hundred and fiftieth anniversary of the Congress of the United States. Everyone was there—the President, the Supreme Court, and all the Members of Congress—the three coordinate branches of our Government to which are entrusted the executive, judicial, and legal functions which, when balanced, constitute our democracy.

I still believe in Washington. I am sufficiently old-fashioned to feel that he is a living thing in the United States.

This celebration was under the direction of the chairman of the Foreign Affairs Committee of the House, as was also the sesquicentennial of George Washington's birth.

We adopted a resolution under the terms of which 100,000 copies of our proceedings were ordered printed. These were distributed to many of our fellow citizens, so that they might feel proud of the traditional place that Congress, the greatest deliberative body in the world, has achieved in the century and a half of its existence.

In this way we have brought home to the people of the United States the work of Congress. Today all eyes are focused upon our deliberations, and a genuine prayer emanates from the people that we shall choose a course that will lead us into the green pastures of a fruitful and lasting peace.

Prior to this happy event we have long had a traditional ceremony on the 22d day of February of every year commemorating the birth of George Washington, upon which occasion one of my distinguished colleagues reads our first President's Farewell Address. It will be recalled that at the last session we heard our distinguished colleague the junior Senator from Ohio [Mr. TAFT] read the following:

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

Why do we celebrate Washington's Birthday? To remind us of his sound advice and wisdom, needed more now than ever before in our history.

From the moral or humanitarian standpoint I do not condone, but condemn, many of the things that have been done by Hitler and Stalin. Actually there is no Senator present who has a greater admiration for Great Britain than have I.

Reviewing the contributions of the British people to liberty in its many forms, we find that on the field of Runnymede the great charter of freedom from untoward oppression, the Magna Carta, was wrested from King John on June 15, 1215.

Upon several occasions thereafter the rulers of Britain were confronted with this same fierce love of liberty. In 1628 Charles I was compelled by the Commons to grant the petition of right. In 1688 James II was obliged to leave the throne, and William and Mary were invited by the Parliament to rule England on a constitutional basis. The declaration of rights, which these monarchs promised to observe, was the result.

The great reform bill of 1832 saw an extension of the right of suffrage. Similar legislative enactments, admitting many more of the British people to participation in the political life of Great Britain, were adopted during the course of the nineteenth century until finally after the World War, woman suffrage made the British people politically responsible. Nor can we forget that our common law came to us by the gradual evolution of the English people.

These things in Britain's past excite my feeling of admiration. Fortitude and endurance, such as those instilled on the football fields of Rugby, Eton, Harrow, and the other public schools, enabled a relatively small population to govern an empire of some 450,000,000 people.

But in spite of my admiration and my innate capacity for emotional attachment, my duty is to the United States.

I will not permit any sentiment to prevent me from heeding the admonitions of the Father of his Country which I have just read to you. My duty is to the American people, and to the American people alone.

THE MORAL ISSUE

Today we hear much of the moral issue—a stirring appeal to our crusading instinct. Yet what is the morality that underlies the present conflict in Europe? Or is there any? What has been the tortuous course of the past few months? First, we learn that Britain and France seek to cajole or induce Russia to enter into an alliance or an arrangement. Next, Russia has participated in the spoils of conquest. Poland lies dismembered. Yet Britain guaranteed Polish independence against any external aggression. Has Britain declared war on Russia? Is that failure explained by stating that "Poland is no more," or is that a tacit recognition of the validity of Poland's conquest?

Latest reports inform us that Britain not only has not declared war on Russia, but has actually made a trade treaty with the Soviet Union. By this treaty Britain may carry on its trade with Russia, and it is even possible that British goods may find their way into Germany. All this, I take it, is in the interest of international justice and loyalty, and the rescue of an obliterated state. Is not the fundamental question one of force on both sides, and not one of right? There are altogether too many factors which do not jibe to permit this to be called a moral crusade.

I contend that there is no moral crusade; that the issue is not one of international morality. In the words of a keen observer now occupying a responsible position in our Government:

But it is said America is not now asked to fight but merely to lend its support to England to keep peace. "Keep peace" how? By promises, express or implied, that should war come we will be on the side of England. "Lend support?" What does that mean? It is but the traditional English balance-of-power doctrine, and we are asked to become an adjunct to it. We have already noted the anything but peaceful consequences of that doctrine, that competent observers, like Lecky and Fay, report that it has "produced far more wars than it prevented" and that "if it occasionally prevents small wars, it makes more general and devastating war when it comes." Why should we think that the result of that game will be different if we engage in it?

I have quoted from Jerome Frank, Save America First (2d ed., 1938, p. 161).

Therefore let us not furnish arms and munitions in furtherance of a "moral obligation" which is not there, at the risk of our own participation and possible self-destruction.

WHAT IN LAW IS NEUTRALITY?

Mr. President, I propose to take up today certain aspects of House Joint Resolution 306 and the amendments now under consideration. This is possibly the most confusing and confused issue this body has faced. Three questions of primary importance present themselves immediately:

First. What is neutrality, or should I say, what is the American concept of neutrality?

Second. What action on our part will best further that policy?

Third. What effect will our action have upon the internal condition of the United States?

The mere statement of these questions results in a realization of the sheer impossibility of answering any one of them in an arbitrary or dogmatic manner.

Neutrality is a relatively recent development in international law; it is not a principle upon which all authorities are agreed. I turn to judicial precedent, one of the recognized sources of international law. Possibly the most frequently cited American judicial definition of the term was given by Mr. Chief Justice Fuller, speaking for the Supreme Court of the United States in the case of *The Three Friends* (166 U. S. 1, (1897)):

Neutrality, strictly speaking, consists in abstinence from any participation in a public, private, or civil war, and in impartiality of conduct toward both parties. * * *

The first essential of a neutral policy, according to this generally accepted definition is nonaction rather than action during the continuation of hostilities abroad. The application of this judicial definition to the present proposal to change the neutrality legislation now in force carries home the point that, while the definition itself is relatively simple, interpretations of it has been seen to vary considerably, dependent upon the meaning given to its various terms.

Basically, then, the question is, Will a change in our export policy be an act of partiality with respect to one or the other of the belligerents? In this connection I can do no better than to quote the definition of neutrality which was used by John Quincy Adams, sixth President of the United States, when he was Secretary of State:

By the principles of international law the state of neutrality recognizes the causes of both parties as just; that is, it avoids all consideration of the merits of the contest (John Quincy Adams to Albert Gallatin, Instructions to U. S. Ministers, vol. VIII, p. 184).

Is it not possible that some of our colleagues have overlooked this basic element of neutrality? Can we reconcile certain of the statements relative to a desire to aid France and England with a sincere determination to refrain from engaging in their war? If lack of prudence and foresight has engulfed them in another one of Europe's interminable conflicts, must a similar lack of prudence and foresight bring it to us? Yes, Mr. President, we realize then that hindsight is better than foresight—but ours is the duty, nay, the necessity, of having foresight, and, I insist, a greater foresight than we had in 1914–17. An ounce of prevention is worth a pound of cure.

In his annual message of December 2, 1897, President McKinley said:

Cuba is again gravely disturbed. An insurrection in some respects more active than the last preceding revolt, which continued from 1868 to 1878, now exists in a large part of the eastern interior of the island menacing even some populations on the coast. Besides deranging the commercial exchanges of the island, of which our country takes the predominant share, this flagrant condition of hostilities, by arousing sentimental sympathy and inciting adventurous support among our people, has entailed earnest effort on

the part of this Government to enforce obedience to our neutrality laws, and to prevent the territory of the United States from being abused as a vantage ground from which to aid those in arms against Spanish sovereignty.

Whatever may be the traditional sympathy of our countrymen as individuals with a people who seem to be struggling for larger autonomy and greater freedom, deepened as such sympathy naturally must be in behalf of our neighbors, yet the plain duty of their Government is to observe in good faith the recognized obligations of international relationship. The performance of this duty should not be made more difficult by a disregard on the part of our citizens of the obligations growing out of their allegiance to their country, which should restrain them from violating as individuals the neutrality which the nation of which they are members is bound to observe in its relations to friendly sovereign states.

Please note again what the President said about displaying our "traditional sympathy." Mr. President, sympathy has nothing to do with our action. Our duty is to reason why so that others may live, not die!

Stated another way:

Neutrality may be defined as the legal status arising from the abstention of a state from all participation in a war, the maintenance by it of an attitude of impartiality in its dealing with the belligerents, and, correspondingly, the recognition by belligerents of this abstention and impartiality (Ann. 3d Con., vol. II, p. 67).

As I have suggested, the major difficulty in relation to the proposed change in the arms embargo is not so much that of defining neutrality, but of interpreting that definition. That the United States must maintain a real and official impartiality cannot be questioned, if neutrality as a way to peace is our objective.

This Nation will remain a neutral nation, but I cannot ask that every American remain neutral in thought as well. Even a neutral has a right to take account of facts. Even a neutral cannot be asked to close his mind or his conscience. (Dulles and Armstrong, Can America Stay Neutral? p. 204.)

Mr. President, we must beware of unneutral thinking, for the thought is father to the act.

It will be remembered that the first neutrality legislation was enacted by Congress to insure the impartiality of this country's Government. The cornerstone of that policy was enunciated by Washington 2 years prior thereto in his fourth annual message to Congress, the message of December 1792:

I particularly recommend to your consideration the means of preventing those aggressions by our citizens on the territory of other nations, and other infractions of the law of nations, which, furnishing just subject of complaint, might endanger our peace with them. (Messages and Papers of the Presidents, vol. I, p. 128.)

In 1794 came Washington's decision not to participate in the abortive "armed neutrality" comparable to the efforts made to aline the United States with the so-called "collective security" delusion. This "armed neutrality," or its streamlined twentieth century counterpart, "collective security," represented the formation of a political alliance, and was the very antithesis of real neutrality.

What has happened to the popular concept of "neutrality" in recent years? During the conquest of Ethiopia, President Roosevelt seemed to indicate a new approach—an approach along "moral lines":

It is true that the high moral duty I have urged on our people of restricting their exports of essential war materials to either belligerent to approximately the normal peacetime basis had not been the subject of legislation. Nevertheless, it is clear to me that greatly to exceed that basis, with the result of earning profits not possible during peace, and especially with the result of giving actual assistance to the carrying on of war, would serve to magnify the very evil which we seek to prevent. This being my view, I renew the appeal made last October to the American people that they so conduct their trade with belligerent nations that it cannot be said that they are seizing new opportunities for profit or that by changing their peacetime trade, they give aid to the continuation of war. (International Conciliation Association, the United States and World Organization During 1936, p. 560.)

Since then, and beginning with the President's message of September 21, 1939, there has been an apparent willingness to overlook this high-minded, strictly moral proposal. In that message the President stated:

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here? Incidentally, and again from the material point of view, by such employment we automatically aid our own national defense. And if abnormal profits appear in our midst even in time of peace, as a result of this increase of industry, I feel certain that the subject will be adequately dealt with at the coming regular session of the Congress. (Dulles and Armstrong, Can America Stay Neutral? p. 243.)

It seems to be generally accepted for purposes of this debate that—

The actual law of nations places no restrictions whatever upon the purchase of provisions or of coals by belligerents in neutral parts. (*Hamburg-American SS. Packet Co.* v. *United States*, 250 F. 747, 755 (1938).)

But if we in our turn speak of international morality and are not hypocritical about it, we should return to this orthodox view advocated by President Roosevelt:

I seek a greater consistency through the repeal of the embargo provisions and a return to international law. I seek reenactment of the historic and traditional American policy which, except for the disastrous interlude of the Embargo and Nonintercourse Acts, has served us well for nearly a century and a half. (Dulles and Armstrong, Can America Stay Neutral? p. 244; President's message, September 21, 1939, to Congress.)

But such a return has a seamy side, and from the practical point of view there lurk dangers from which the best of good intentions cannot save us unless we bring a cool wisdom and a reasonable prudence to our task. In spite of the confusion worse confounded which beclouds the basic issue, Secretary Hull says that both the proponents and opponents of the proposed joint resolution are in substantial agreement on four cardinal points:

In substance and in principle both sides of the discussion agree on the following points:

(1) Both sides agree that the first concern of the United States must be its own peace and security.

(2) Both sides agree that it should be the policy of this Government to avoid being drawn into wars.

(3) Both sides agree that this Nation should at all times avoid entangling alliances or involvements with other nations.

(4) Both sides agree that in the event of foreign wars this Nation should maintain a status of strict neutrality, and that around the structure of neutrality we should so shape our policies as to keep this country from being drawn into war.

Summarized, the Secretary of State's views tend to prove that both sides are definitely agreed that we must stay out of war.

Proceeding from there, three lines of thought are indicated:

That repeal of the present arms embargo is—

First. Consistent with neutrality;

Second. Unneutral; or

Third. An immaterial consideration.

If we follow the line of reasoning developed by Sir Edward Grey in his interview with Ambassador Page relative to the proposed Hitchcock bill to embargo the shipment of arms, munitions, and implements of war to any belligerent, during the course of which the British Minister of Foreign Affairs notified him that the enactment of such legislation during the war would constitute an unneutral act, the answer is plain and unequivocal; a change in our municipal legislation favoring one party would be an unneutral act. Would it be any less unneutral during the present crisis?

I shall now read to my colleagues a telegram sent by the American Ambassador on December 11, 1914, to the Secretary of State of the United States, and I wish Senators would compare what was said at that time with the position which England is now taking:

AMERICAN EMBASSY,
London, December 11, 1914—6 p. m.,
[Received 7:20 p. m.]

1247. Sir Edward Grey unofficially expressed the hope to me that the bill introduced by Mr. Hitchcock in the Senate will not pass, aimed to prohibit the exportation by private firms of munitions of war to any belligerent. He calls attention to the fact that this would be special legislation passed while war is in progress, making a radical departure from a long-established custom, and that for this reason (it would appear?) an unneutral act toward the belligerents that can profit by it.

AMERICAN AMBASSADOR.

But in our recent discussions, the economic arguments of increased profits, the dangers to our shipping industry, and the limitations upon export trade, far overshadow any more strictly legal preoccupations.

ANALYSIS OF PRINCIPAL PROVISIONS OF H. J. RES. 306

Mr. President, extended over a period of 4 years, and closely related to the revelations of the Nye subcommittee

investigating activities of munitions manufacturers, the Congress of the United States has been discussing on the floors of both Houses and off the floors, in season and out, the perplexing question of American neutrality in the event of a European conflict. Now the war is here, and again Congress has been convened, this time in extraordinary session, to consider the ways and means of neutrality.

An analysis of the principal provisions of the pending joint resolution may serve to clarify the atmosphere.

First. American vessels are restricted in their trade with belligerents.

Second. The title, or legal property interest, in any goods sold to belligerents must be vested in them or their agencies before such goods leave the United States.

Third. The travel of citizens of the United States in combat areas to be defined by the President is limited, and travel on vessels of a belligerent is declared to be unlawful. Special exemptions are provided for the American Red Cross.

Fourth. The arming of American merchant vessels, except for purposes of internal discipline, is prohibited.

Fifth. A specific exemption is provided for any American republic engaged in war against a non-American state, unless the said American republic is cooperating with the non-American state in a belligerent capacity.

Sixth. Provision is made to prevent vessels leaving American ports to serve as auxiliaries to belligerent vessels of war.

Seventh. The President is authorized to restrict the use of the ports and territorial waters of the United States by "the submarines or armed merchant vessels of a foreign state" and may, in his discretion, make it unlawful for submarines or armed merchant vessels to enter the ports or territorial waters of the United States or to depart therefrom.

Eighth. The National Munitions Control Board is continued in effect with the same duties as heretofore.

Appropriate penalties are provided for the violation of these various provisions.

Mr. President, I believe I have given a fair analysis of what the pending joint resolution provides. The analysis reveals that the President is to be given rather broad discretionary powers. Thus, he is to define combat areas, announce the articles or materials which are not to be carried in our overseas trade, and decide whether submarines or armed merchant vessels of foreign states are to be excluded from our ports or territorial waters and, if declared desirable, to intern them.

The bitterest controversy rages around the repeal of the embargo provisions of the present law.

But it is submitted that the issue today confronting the people of the United States is peace. Peace cannot be achieved by going into war, be the entry ever so gradual. The neutrality debate has resulted in confusion worse confounded, comparable to a dense fog beclouding the true issue while the United States teeters dangerously on the brink of involvement. While the propagandists, foreign and domestic, are hard at work with the concerted plan for drawing the United States into their mesh of interminable intrigue and devastating power politics, Congress seeks to insure neutrality. But in the conduct of foreign relations the President has an enormous power which is largely discretionary.

A brief analysis of our past experience is helpful if history is to be more than an idle study. In 1914 the firm desire of the people was for peace. In 1915 Mr. Wilson still adhered to the policy of neutrality, but the propagandists and profiteers were carrying on a remarkable campaign of unneutrality. Whatever their motives, base, glorious, or indifferent, the results would indicate that the means, the methods employed, were highly effective.

"He kept us out of war" was the keynote of the 1916 Democratic Convention, the real keynote of the country's wishes. Five months later Wilson was reelected with this slogan. Within another 5 months we were at war.

Should the pending joint resolution be passed, what is to be expected? President Roosevelt referred to our only other experience with embargoes as follows:

> The single exception was the policy adopted by this Nation during the Napoleonic wars, when, seeking to avoid involvement, we acted for some years under the so-called Embargo and Nonintercourse Acts. That policy turned out to be a disastrous failure—first, because it brought our own Nation close to ruin, and, second, because it was the major cause of bringing us into active participation in European wars in our own War of 1812. (Dulles and Armstrong, Can America Stay Neutral? p. 242.)

Our previous experience with embargoes is illuminating. The charges that proponents and opponents of the present neutrality measure are either pro-German or pro-Ally had a forerunner in a speech delivered in the Senate on November 24, 1808, by William Branch Giles, in which he said—and I ask Senators to compare the words spoken in those days with the words spoken today:

> Mr. President, perhaps the greatest inconvenience attending popular governments consists in this: That whenever the union and energy of the people are most required to resist foreign aggressions, the pressure of these aggressions presents most temptations to distrust and divisions. (Mr. William Branch Giles' speech in the Senate, November 24, 1808, p. 12.)

A similarly well-guarded expression is found in an anonymous letter to John Quincy Adams attacking the latter's stand on the embargo question:

> It is a long time, sir, since I have found any man act the part of an American in politics. (Letter to John Quincy Adams by Alfred (1808), p. 13.)

Nor are the present philippics occupying both the press and the Congress without precedent. At the opening session of the bitter fight against the Jeffersonian embargo in 1808, James Sloan, a Member of the House of Representatives, addressed that body thus:

> As appears from the progress already made, it is pretty well ascertained that the embargo will occupy the greater part, if not the whole, of the present session; if a majority of the House is determined to keep the people in their present state of suffering and suspense until spring, the least they can do during the dreary scenes of winter will be to continue diverting them with eloquent speeches of all sorts and sizes, from 15 minutes to 4 hours long. (Speech by James Sloan (1808), p. 14.)

The contention that the export policy of the United States is a purely internal matter, affecting no one but the United States, was also vigorously advanced in 1808. Congressman B. Gardinier, sometime in December 1808, while addressing the House, noted that Canning had made stout denials of such a theory of embargo. Gardinier maintained that the embargo made us, in effect, an auxiliary of France, just as present opponents of the existing embargo insist that it is, in effect, unneutral assistance to Germany.

The impression that the Allies stand between the United States and a Hitler invasion had its adherents in the 1808 controversy, with this small change of detail that the reputed dictator was called Napoleon and not Adolf. Canning himself set the keynote of the argument with the declaration that—

> The strength and power of Great Britain are not for herself only, but for the world.

Gardinier, an outspoken proponent of repeal of the embargo, enlarged Canning's contention in terms being echoed currently with change of characters:

> Let me detain the House one moment to inquire what is the character of the war which is now carried on in Europe. It is, on one side, a war for conquest, for universal dominion; on the other, for self-preservation. * * * I wish neither power to be able to break down the other. I fear the power of either when the other shall have been broken down. Therefore—and not because I think more justice or kindness is to be expected from the one than the other—I cannot but hope that Great Britain may maintain her ground. Yes, sir; that country is indeed the barrier between Bonaparte and universal empire, not because her morals have undergone any change for the better since she combined her force with the powers of the Continent but from necessity from the fortune of war. She is the only power which can hope successfully to resist the strides of France. She is the defense of the world, because in defending herself she necessarily protects all others who stand behind her. They cannot be reached until she is first broken down. But that done, the power of France overwhelms the universe.

The Federal Party of Schenectady, N. Y., in a report on the present alarming state of national affairs, declared:

> The interest of the country, the voice of the Nation, is for peace—a fair, manly, impartial neutrality. Our situation is such

that we cannot help being affected by the two great contending powers of Europe. When we reflect what they are and what we are, our situation is truly critical. Behold continental Europe. France has destroyed by her power, corrupted by her intrigues, and poisoned by her philosophy to such a degree that every power on the continent of Europe, at this moment, lies prostrate at her feet, groaning under the most execrable tyranny. Who is ignorant of this? Who does not know that Great Britain is maintaining a manly contest for her very existence, her religion, her liberty, her law? Who does not acknowledge that the British Navy alone stands betwixt us and the iron grasp of Bonaparte? Who among us believes that if Britain falls we shall maintain our independence?

Change the characters around, and we have the arguments of 1939. Then, as now, the defense put up by the proponents of the embargo emphasized the safety to American peace and American citizens that the embargo secured.

In a statement published by the Republican Party of New York in 1808, this argument finds the following expression:

Laws that have followed the footsteps of civilization, principles rendered venerable by their justice and antiquity, rules which during centuries had established and confirmed the relative rights and duties of neutrals and belligerents, have been openly disregarded. The moral code of nations has been sternly prostrated, and every privilege of independent states subverted, by the arbitrary will of despotism and by the power of the sword.

Far distant from these dreadful scenes of contention and of blood; pursuing an equitable and peaceful policy; reposing itself upon wisdom, justice, and impartiality of its measures, our administration fondly hoped that the distant tempest would not approach, or but slightly affect, our shores. Extending our national hospitality to every people; rendering equal justice to all; conferring upon none a privilege of favor that was denied another; considering them alike as friends in peace and enemies alone in war, it was the only wish of the Government to afford security to the citizen, and to protect him in those useful pursuits of agriculture, commerce, and industry which are equally essential to subsistence and happiness.

The provision of the pending measure prohibiting shipments to belligerents in American bottoms is an effort, among other things, to protect the lives of Americans. Of perhaps more transcendent importance is the oft-voiced fear of the proposal to restrict belligerents.

The fatal vice in the argument that our former experience with an embargo caused our entry into war lies in the failure to recognize a basic dissimilarity. War was being waged in Europe when we changed our legislation. When we adopted our present embargo peace still reigned supreme. Only last May the Congress refused to change this legislation. Should we now follow the dangerous precedent of 1807–12 and change our legislation during war?

I exhort you, my colleagues, to weigh carefully the consequences.

DISPOSITION OF ARGUMENTS ADVANCED IN FAVOR OF REPEALING THE ARMS EMBARGO

Getting to the real issue, it has been suggested that there is no difference between the sale of munitions, arms, and implements of war and the sale of raw materials.

The suggestion that fundamentally there is no real distinction between the sale of munitions and the sale of raw materials is not difficult to meet. In the first place, there is no certainty that cotton will be manufactured into gun cotton, or that wool can be used only for uniforms; but there is a deadly certainty that machine guns, bombs, and pursuit planes can have but one purpose—death and destruction.

Preferable to the unlimited sale of raw materials would be a return to President Roosevelt's original suggestion—mentioned above—that we should limit our exports to the normal peacetime requirements of those belligerents who purchase from us.

There is another aspect of this traffic in arms and munitions that we cannot afford to overlook. Under this joint resolution, what is there to prevent neutral countries from purchasing quantities of these implements of war and transshipping them to Germany?

Perhaps the popular appeal of a sympathetic attitude toward England and France has overlooked the fact that bullets marked "Made in the U. S. A." may be killing British and French soldiers in the field. Personally, I discount these reasons, so called, when I am aware that the munitions manufacturer will not be concerned with the nationality of the money that buys his goods, so long as it is money. Are our Stars and Stripes soon to be replaced by the dollar sign? Shall we earn the appellation of "Uncle Shylock" so gratuitously bestowed upon us by our grateful (?) debtors when we gently suggested the repayment of the war debts some 15 years ago? If, as the senior Senator from New York [Mr. WAGNER] has said, the repeal of the arms embargo will affect only a small part of our trade—in other words, if it is so insignificant, why repeal it, especially if by retaining it we may retain our peace?

I am sorry the Senator from New York is not present in the Chamber at the moment.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The time of the Senator from New Mexico on the amendment has expired. The Senator has 45 more minutes to speak on the joint resolution. Does he desire to continue?

Mr. CHAVEZ. I desire to continue. I shall take only a few minutes longer.

The PRESIDING OFFICER. The Senator from New Mexico may continue.

Mr. CHAVEZ. The Senator from New York gave us statistics for the period from the outbreak of the World War to January 1917, a period of 30 months, during which the actual exports of munitions and implements of war amounted to about $980,000,000, less than 10 percent of our war exports and only 13 percent of our exports to the Allies. (CONGRESSIONAL RECORD, p. 240, 2d sess., 76th Cong., vol. 85.) That being the case, there would seem to be no pressing need for the elimination of the embargo.

If, as I have predicted, repeal of the arms embargo is the first step to war, why take that first step?

I was happy to hear my colleague from New York emphatically reiterate the statement he made a year ago to the people of his State:

I will never vote to send troops to Europe to fight in any war. I am unalterably opposed to our country's becoming embroiled in the rivalries and the hatreds of the European continent. Our policy should be to go about our peaceful missions, without fear of anyone and without anyone's favor, taking sides with none and free from entanglements with all. (CONGRESSIONAL RECORD, p. 240, 76th Cong., 2d sess., vol. 85.)

On June 14, 1916, at the Colosseum in St. Louis, Mo., Mr. Martin Glynn, then Governor of New York, presiding as temporary chairman, said:

First. That the United States is constrained by the traditions of its past, by the logic of its present, and by the promise of its future to hold itself apart from the European warfare, to save its citizens from participation in the conflict that now devastates the nations across the seas. (P. 16, Official Report of the Proceedings of the Democratic National Convention, St. Louis, Mo., June 14–16, 1916.)

Within 9 months—I repeat, within 9 months—we were at war.

Quoting the well-known English writer, Gilbert K. Chesterton:

It is the duty of the President of the United States to protect the interests of the people of the United States. * * * He can't dip his country into hell just to show the world he has a keen sense of being an individual savior.

This was the statement quoted by Mr. Glynn—page 26, Official Report of the proceedings of the Democratic National Convention, St. Louis, Mo., June 14–16, 1916. I am quoting:

Fighting for every degree of injury would mean perpetual war * * * it would give us a war abroad every time the fighting cock of the European weathervane shifted with the breeze. It would make America the cockpit of the world. It would mean the adoption of imperialistic doctrines which we have denounced for over a century. It would make all the other nations the wards of the United States and the United States the keeper of the world. What would become of the Monroe Doctrine under such a policy? * * * The policy of our opponents is a dream. It never could be a possibility. It is not even advanced in good faith; it is simply an appeal to passion and pride, to sympathy and prejudice, to secure partisan advantage. * * * The United States proposes to profit by the experience of the ages and avoid ambitions whose reward is sorrow and whose crown is death. (Pp. 26–27, Official Report of the Proceedings of the Democratic National Convention, St. Louis, Mo., June 14–16, 1916.)

At the same Democratic National Convention a former Senator from the State of Kentucky, Ollie James—whose seat, I believe, is now occupied by our beloved majority leader—said:

Without orphaning a single American child, without widowing a single American mother, without firing a single gun, without the

shedding of a single drop of blood, he [Wilson] wrung from the most militant spirit that ever brooded above a battlefield an acknowledgment of American rights and an agreement to American demands. (P. 88, Official Report of the Proceedings of the Democratic National Convention, St. Louis, Mo., June 14–16, 1916.)

In spite of all of these eloquent speeches, indicative of the profound sentiment for peace and truly expressing the desire of the people of this country, Congress declared war on April 6, 1917. I repeat my warning, it can happen again, and unless we are careful it will happen again.

Let us review briefly the steps taken to sell this country Europe's last war. Let us observe, if we can, the factors that changed the sentiment of the people in their great desire for peace from the time of that Democratic National Convention in 1916 to the declaration of war.

Many of my colleagues, including the senior Senator from New York [Mr. WAGNER] have mentioned propaganda. Let us take a concrete example of how it really works.

The following were the methods employed by the propagandists:

First. They told only that part of the truth which benefited their cause.

Second. They utilized background material to imply things for which there was no evidence.

Third. They exploited to the fullest the emotions and sentiments of those being educated.

Fourth. They gave their propaganda an aura of authority by using big names, by quoting their enemy, or by appealing to legality.

Fifth. They made their arguments simple and eliminated all qualifying statements.

Sixth. They used endless repetition.

That may be found on page 37 of a book entitled "Propaganda for War," written by Mr. H. C. Peterson, published by the University of Oklahoma Press, and only off the press this year, 1939.

Mr. President, the art of propaganda rests largely in directing attention to that aspect of the news which will influence the person to be persuaded. The clever propagandist rarely resorts to lies; they are too easily detected and have a boomerang effect. Much safer is the policy of half-truths; they are more insidious in their effect than falsehoods. Today this exploitation of half-truths has become streamlined. As necessity is the mother of invention, when it is essential to further the cause, the propagandist can, and upon occasion will, fabricate his stories from the whole cloth. Sympathetic appeal was deemed to be essential if it was to affect the broader reaches of American public opinion. Arguments were couched in whatever language was necessary to make the most comprehensive appeal. Key men were drafted by the British War Propaganda Bureau called Wellington House, and a special division called the American Ministry of Information was installed under the direction of Sir Gilbert Parker. University professors were found especially useful in carrying on this work of purposeful misinformation. The American Who's Who was carefully scanned and the names of some 260,000 influential Americans were put on Sir Gilbert's mailing list. In addition key men were sent to the United States to make certain that the "education" of the American people would progress along sound lines.

Within the past year I have had occasion to observe that among the distinguished visitors from Great Britain who have honored us with their presence may be included, in the chronological order of their appearance on the scene, Mr. Anthony Eden, the King and Queen, Mr. Stanley Baldwin, Mr. H. G. Wells, Lord Beaverbrook, and now Mr. Alfred Duff Cooper, former first lord of the British Admiralty, and his wife.

It is most important to realize that the propagandists have available today an instrumentality that was virtually unknown 25 years ago, namely, the radio.

While I am on that subject, it is necessary to point out that when the propagandist finds a counterinfluence becoming too effective, removal is the answer. Lately we, in this land of freedom of speech, have been treated to the spectacle of men being silenced by removal from the air channels. How are the people to see both sides if one side is muzzled? What a travesty upon our fundamental guaranties!

Referring to the last war, a most recent publication states:

A vital part of these arguments was the contention that Great Britain and the United States were sister democracies. This later developed into the argument of democracy against autocracy. Eventually the idea became current that for an American to be pro-Ally was patriotic—

This will be found on page 35 of Peterson.

Now, as to the financial interests in the war. On August 10, 1914, Secretary of State Bryan advised President Wilson that—

Money is the worst of all contrabands because it commands everything else.

Five days later Bryan wrote to J. P. Morgan & Co. stating that loans to belligerent nations would be inconsistent with the true spirit of neutrality. By October 23, Mr. Lansing persuaded President Wilson that there was a distinction between loans and credits, and that credits could be consented to without violating our neutrality. On March 31, 1915, this revised policy was made public and the untenable distinction between credits and loans became official.

By September 5, 1915, a little over a year after loans had been declared to be the worst of all contraband, President Wilson reversed Mr. Bryan's policy, and came around to Mr. Lansing's view that loans were necessary even though they might be contrary to the "true spirit of neutrality." In Mr. Lansing's own words:

Can we afford to let a declaration as to our concept of the true spirit of neutrality * * * stand in the way of our Nation's interests which seem to be seriously threatened? (P. 101, Official Report of the Proceedings of the Democratic National Convention, St. Louis, Mo., June 14–16, 1916.)

Is it possible that Mr. Lansing might have meant "vested" interests instead of "national" interests? We are all familiar with the sad story of the transition from private loans on September 5, 1915, to public loans following April 6, 1917. Is this same unholy alliance at work again, this conspiracy of propagandist and profiteer, to get our gold first, then our boys, and finally our democracy? If we take this first step, and the result is war, the responsibility is ours, for we have been warned; we have been told. The responsibility is grave; the danger never greater. Let us turn back, my colleagues, before it is too late.

PROFITS OUT OF PEACE

No doubt, Mr. President, you have been wondering what possible suggestions might be offered of a sufficiently constructive nature to offset the anticipated profits that are expected to be realized and the frequently reiterated statement that Britain and France represent the first line of defense of the American democracy.

My resolution, if you please—and I offer it in the humblest and meekest way for what it is worth—is to substitute the formula "profits out of peace" for "profits out of war." How are we to accomplish this?

First. Develop our national defense—at peacetime prices for labor and materials—to such a point that no nation or combination of nations would dare attack us.

Second. Cultivate our economic relations with Latin America, if necessary, by subsidizing our shipping.

Third. Provide funds for the construction of a Nicaraguan Canal and possibly the Mexican-Tehuantepec Canal.

Fourth. Build additional transcontinental highways to and through Latin America comparable to the projected pan-American highway.

Fifth. Under suitable guaranties, arrange for long-term investments in improvements of a permanent nature, such as utilities, including transportation facilities, communications, and water-power resources.

Sixth. Enlargement of the facilities of the Panama Canal.

An expenditure of $10,000,000,000 in peacetimes would make possible the development of this program. Such a sum is only one-tenth of the estimated cost of our participation in the European conflict, and will involve no loss of life and no destruction—as an aftermath—of our present political system. If we must have profits, let them be legitimate.

Two years ago, on the floor of the Senate, our distinguished colleague the junior Senator from Oklahoma [Mr. LEE] made a statement from which I desire to quote. Notwithstanding that he now feels differently about this proposition, I quote him, not with the idea of criticizing his present state of mind, for I know he is sincere and has all the integrity of an honest, just man, but because the argument he made 2 years ago still seems sound to me. The words spoken by the Senator from Oklahoma convinced me then, and I remain convinced. The quotation is taken from volume 81 of the CONGRESSIONAL RECORD, part 2, pages 1796–1798.

The ex-service man hates war with every atom and fiber of his being, because he knows the futility of it. War never proved which side was wrong. It only proved which side was strong, and the ex-service man knows that.

I have listened to the debate on this neutrality measure. I had no intention of taking part in the debate until I heard arguments to the effect, or leaving the impression on me, at least, that property and property rights were to be considered in the same balance as blood and human rights. I cannot restrain myself from speaking on this subject.

* * * * * * *

Therefore to argue that one should vote against this resolution because it does not take the profits out of war is not, as I see it, in point. I am going to support this resolution because it places an embargo on munitions to belligerents.

I walk down the street and see two boys quarreling. I give one a pair of knuckles and the other one a club, and then I stand back and watch them destroy each other. A crowd gathers and I say, "I am not taking any part in the struggle." I am obviously lying. The crowd knows I am a liar and a hypocrite.

America could furnish the munitions for a war and then we could shout from the housetops that we are a peace-loving nation. Our words would whisper "peace," but our actions would thunder "war." Therefore I am going to support the resolution.

The Senator from Oklahoma further remarked—page 1798:

Then one day my own buddy came in from the drill field soaked through to the skin, although he was covered by that flimsy raincoat sold to the Government by the manufacturer who had chiseled the Government in its sale. Next day my buddy went to the hospital, and then to the morgue. As I stood there at the station and fired a salute over the flag-wrapped body of my own buddy I took the vow in my own heart which I am keeping now. I said, "I will make my next war on war profits and do everything one man can do to bring about every condition that will remove, so far as it is humanly possible to do it, any possibility of war."

I am speaking today for those who cannot speak. I am talking for lips that have been sealed with the seal of death. I ask those men who weigh property rights in this debate, who are so interested and concerned about property rights, if they have ever gone into the hospitals and seen the living dead, the gassed lungs, the boys suffering with the white plague, merely waiting for the end. Could they weigh property against that? Have they ever been to one of our insane asylums and seen those shell-shocked boys? Their bodies came back but their minds did not. Can they do that and then talk property as against human rights as they are doing in this debate?

The Senator from Oklahoma further remarked—page 1798:

I am speaking for that man who cannot speak. I am speaking for what is represented by the wooden crosses of the United States in our greatest war cemetery. Cannot Senators hear the mute eloquent appeal they made, "Don't put property in the scale with blood"?

The Senator convinced me then. He still has me convinced.

But, Mr. President, there are other ways of making profits, since profits seem to weigh so heavily in the balance—profits out of peace, permanent profits which will give our future generations something to be thankful for, profits resulting from investments which will continue to yield a return in years to come. If we must be international philanthropists, let us begin in the Western Hemisphere. Let our own people and our immediate neighbors to the south of the Rio Grande benefit from a wise and farsighted policy that will knit the peoples of this hemisphere more closely together. Let us have done with European hallucinations and the will-o'-the-wisp of a decadent continent.

I am entirely in sympathy with those who protest that we must have a program for keeping out of this war. Lack of organized effort, a failure to comprehend the danger—these and other factors will contribute their share to the pathetic shortsightedness that will sell America short.

I have no patience with warmongers, whether they be inspired by the passion of greed or deluded by a false sentimentality that betrays them. Frankly, I should feel much more secure if we had a law making it mandatory for residents of the United States who voice a desire to go to war to go overseas and fight. My feeling is that if we had such a law much of the loose talk about intervention would end forthwith.

Reverting to our shipping interests and the possibility of developing a merchant marine second to none, at present we have some 326 ocean-going ships, totaling a little over 2,000,000 tons, and representing an investment of approximately $150,000,000. Curiously enough, this represents only a small fraction of the amount spent by the women of this country on cosmetics. We have the best possible opportunity at this time of building, not only the greatest Navy and air force, but of developing our merchant marine into a modern and efficient instrumentality of commerce. We need replacements. We need to modernize our shipping. To those who would say that it takes time to build battleships and to train aviators, my answer is, Let us start now! To meet the argument of those who would tell us that if we do not take a hand in the European situation our own shores will be threatened, my answer is, Let us safeguard ourselves by appropriating the funds necessary for the defense of our own shores. If it takes a two-ocean navy and another canal, now is the time to do it!

We have been so preoccupied of late with events in Europe that the conflict in Asia has quite escaped us. How do we know where the real peril lies? Very little is being said about the Asiatic controversy, yet it still continues.

My point is that our people want peace. Peace with prosperity is not unattainable. Profits out of peace can secure us against war and its dread aftermath, revolution.

Let us pause a moment and envisage the possible results of Germany's destruction. A dismembered Germany would fall an easy prey to the extension of the Communist principle. Do we want any part of that? Yet how are we to avoid it if we repeat the mistakes we have made?

In considering repeal of the arms embargo we have something more to consider than the effect upon our own country. Will not repeal be taken as a definite indication of our determination to help the Allied Powers? Can we sit back complacently and say, "We want to be just a little bit unneutral"? Is there such a thing as being "just a little bit unneutral"? Is there such a thing as being "just a little bit dead"? Or are we either dead or alive? If we are "a little bit unneutral," how long will it be before we shall have gone the whole way?

Let us be honest with ourselves, and admit that this is the crossroads; that if we turn down the gruesome road marked "War," our objective is not peace. The two concepts are not compatible. But, Mr. President, there is a solution. That solution calls for the best efforts of Congress and of the administration to provide a peace that will stimulate productive activity along the avenues of peace. Let us turn our backs upon the ill-gotten gains of the sale of munitions and implements of war. Such gains result in Pyrrhic victory—the kind of victory about which our descendants may well say, "Would to God we had never won!"

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment in the nature of a substitute.

Mr. STEWART obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator yield to me?

Mr. STEWART. I yield to the Senator from Michigan.

Mr. VANDENBERG. On October 17 I submitted to the Secretary of the Treasury a questionnaire regarding certain phases of the pending proposal as it might affect the fiscal policy of the Government. I have just received the Secretary's reply. While I myself wish later to discuss it, it occurs to me at the moment that I owe it to the Senate to make the information immediately available to all Senators. Therefore I ask the able Senator from Tennessee if he will yield to me to permit the Secretary's letter to be read at the desk.

The PRESIDING OFFICER. Does the Senator from Tennessee yield for that purpose?

Mr. STEWART. Yes; I yield.

The PRESIDING OFFICER. Without objection, the letter will be read.

The legislative clerk read as follows:

THE SECRETARY OF THE TREASURY,
Washington, October 24, 1939.

MY DEAR SENATOR: I should like to answer in some detail the questions in your letter of October 17, so as to clarify certain aspects of problems relating to gold.

You write:

"I assume that you are continuing to purchase at $35 an ounce, all foreign gold that is offered. In view of depreciated foreign currencies, is not this equivalent to paying considerably more than $35 an ounce so far as the foreign seller is concerned?"

I am uncertain what you mean by this quesion. It is subject to several different interpretations and, to make certain that you obtain the information you ask, I will endeavor to answer each of them separately.

1. Does the question ask whether the foreign seller of gold receives more purchasing power over goods and services here than he did prior to depreciation? If that is the sense of your question, then the answer is "No." The $35 per ounce (less one-fourth of 1 percent) which the foreign seller of gold receives probably represents less and certainly not more purchasing power in terms of goods and services in this country than it did before the depreciation of currencies in recent months. Such purchasing power of $35 in the United States varies, of course, with changes in prices of goods and services in the United States. Since most goods and services that can be purchased here by a resident of a foreign country have risen in price during the past 2 months, it follows that the foreign seller of gold probably gets less goods and services for his $35 now than he did a few months ago.

2. Does the question ask whether the foreigner can get more units of his own currency for gold by selling it in the United States than by selling it in his own country? If this is the sense of your question, again the answer is "No." We pay no higher price for gold (allowing for commissions, handling charges, etc.) than other countries do. After a foreign seller of gold converts the dollars he obtains for his gold into sterling, for example, he finds that he has approximately the same amount of money as he would have had if he had sold that gold in London. (For a further explanation of this, I refer you to pages 7, 8, and 9 of my letter to Senator WAGNER, dated March 22, 1939, a copy of which is enclosed for your convenience.)

3. Does the question ask whether the foreign seller of gold gets more units of his local currency for his gold now than he did before the depreciation of his currency? If this is the sense of the question, the answer is clearly "Yes." That is exactly what depreciation of a currency in terms of gold means, namely, that each unit of a depreciated currency is exchangeable for less gold.

4. Does the question ask whether the greater number of units of the depreciated currency which the foreign seller obtains for his gold can purchase more goods and services at home than could the smaller number of units he obtained for his gold before depreciation? The answer to this question is probably "Yes." Prices in the country of a depreciated currency do not usually rise as much as the currency depreciates for a considerable period of time, if at all. During that period the holder or producer of gold will get more local goods and services for an ounce of gold than he did before. But he gets more goods only if he buys goods at home; furthermore, he gets more goods for an ounce of gold not because we continue to pay $35 an ounce for gold but because his own country gives more units of its currency for an ounce of gold.

When taken in the context of your whole letter, one further possible interpretation of your question suggests itself. You may be asking whether the recent depreciation of foreign currencies will of itself lead to an increased inflow of gold. If this is the sense of your question, the answer is probably "No." It is, of course, impossible to foretell at this time the total effect of a Europe at war upon our balance of payments. The specific effect of the recent depreciations of foreign currencies, however, would clearly seem to operate in the direction of a reduction in gold offerings. Depreciation of foreign currencies vis-a-vis the dollar means that American goods and services are less attractive to the foreigner, because he must give more of his own currency in exchange for a dollar's worth of merchandise than formerly. In other words, the depreciation of foreign currencies is a factor which operates in the direction of reducing our exports to and increasing our imports from the countries involved. Thus the effect of the change will tend to reduce our favorable balance of trade and consequently such inflow of gold as may be attributable to our export surplus. It is true that price changes may in time offset the effect on the relative attractiveness of foreign and American goods initiated by the depreciation of foreign currencies. But even in normal times this adjustment usually does not take place for some time.

You ask the further question:

"If we put our foreign trade with belligerents on a strict cash-and-carry basis, will it not be likely to substantially increase this inflow of foreign gold—perhaps to so dangerous an extent that we finally shall practically monopolize the world's gold supply?"

The prohibition of credits to belligerent governments may possibly have the effect of reducing our exports to belligerent countries. This might in turn reduce the value of our total exports compared with what our exports would be were the prohibition not included in the Neutrality Act. Were the belligerent governments to purchase some of their imports from the United States on credit, a portion of the payments due us might be postponed. However, whether this postponement would result even in a temporary reduction in the inflow of gold cannot be forecast because:

(1) It is not known what proportion of the dollars used for payments would be acquired from the sale to us of gold and what proportion would be acquired from other sources.

(2) It is not known whether an extension of credits to belligerents would result in greater purchases from the United States or whether there would simply be a substitution of some credit purchases for cash purchases. Only in the latter instance would it be possible for part of the inflow of gold to the United States to be postponed. In the former case it would mean that the gold inflow would be the same over the short period of time and would be greater at some subsequent time when credits were liquidated.

You ask this further question with respect to gold:

"Would this [increased inflow of gold] not seriously threaten the world's subsequent return to the use of monetary gold and thus relatively threaten the ultimate value of our own enormous gold hoard?"

This war demonstrates, if any demonstration were needed, that gold constitutes the best form in which foreign-exchange resources can be held. Even under the most difficult conditions of war belligerent governments which possess gold can buy with it anything that is for sale.

The new situation in world trade brought about by the war in Europe will, of course, introduce some changes in the distribution of gold among the nations of the world. Belligerent countries will probably lose gold, but numerous neutral countries, which now have little gold, may be put in a position to increase their holdings as a result of improvements in their trade balances. As a consequence, the war may well have the effect of causing a wider distribution of gold among the countries of the world. Such an increase in gold holdings by many countries would give more countries a stake in the continuation of gold as a medium of international payments. The gold-producing countries, of course—including the British Empire, which now produces half the world's gold—will continue to have a vital interest in the use of gold as a monetary metal.

These considerations, as well as others, indicate that gold will emerge from this disturbed period with added prestige as the international medium of exchange. For further discussion of the future usefulness of gold as a monetary metal you may wish to refer to pages 16, 17, 18, and 19 of my letter to Senator WAGNER, referred to above.

Your last question on gold relates to a suggested change in our monetary policy. You ask:

"Should not the purchase of foreign gold be curtailed and repriced at least for the period of the war?"

I am not clear whether by repricing gold you have in mind an increase or a decrease in the price of gold. I judge from the context of your letter, however, that you are inquiring about the effects of a reduction in the dollar price of gold.

My views with respect to the consequences of reductions in the price of gold are fully set forth in my letter to Senator WAGNER referred to above. The discussion appears on pages 13 to 16 of that letter, and I think it may be appropriately reread in connection with your inquiry.

You raise the question of the advisability of reducing the price of gold "for the period of the war." Any substantial change in the price of gold which is known to be temporary would have seriously disrupting influences on trade and international capital flows. It would introduce a still greater risk element in business relations with foreign countries and would, moreover, increase world speculation in dollar exchange.

I now turn to the question in your letter referring to the stabilization fund.

You write:

"I should like to inquire—if I am entitled to the information—whether the stabilization fund is now being used in connection with the stabilization of the British pound and the French franc; and whether there is any stabilization agreement under which we continue to operate in conjunction with England and France or any other foreign countries."

When I appeared before the Senate Committee on Banking and Currency last March, Senator TAFT raised the following question:

"Suppose there is a foreign war, and suppose you go out and do what you can to buy $2,000,000,000 worth of pounds. Isn't the effect of that to give England the power to buy $2,000,000,000 worth of goods in this country under the cash-and-carry provisions?"

I would like to reaffirm the position which I took at that time. My reply was, and still is, as follows:

"Senators, if there is a war in any foreign country, before we would use the stibilization fund or any money in the Treasury to assist any country in prosecuting that war, I would come up before the proper committee and ask for guidance."

The stabilization fund is not acquiring any currencies of belligerent countries and is holding only a trifling amount of foreign currencies of belligerent countries acquired long before the outbreak of the war.

I trust that this furnishes you with the information you requested.

Sincerely,

HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

HON. ARTHUR H. VANDENBERG,
United States Senate.

Mr. VANDENBERG. Mr. President, will the Senator indulge me just a moment further in order that I may complete the record?

The PRESIDING OFFICER. Does the Senator from Tennessee yield further to the Senator from Michigan?

Mr. STEWART. I yield.

Mr. VANDENBERG. The Secretary neglected to answer one question which I submitted, namely, whether there is any stabilization agreement under which we continue to operate in conjunction with England and France or any other foreign country.

After the receipt of the Secretary's letter this morning I called his attention to this omission, and he makes the following answer over the telephone, which I now read to the Senate in order to complete the record. Secretary Morgenthau said:

> I have only a day-to-day agreement with England, France, Holland, Switzerland, and Belgium, to deal on their orders for their account, not our account, with settlements at the end of each day. There have been no such transactions since the war started.

Mr. President, this completes the record. It will be subject to reference later when we reach that portion of the debate dealing with the fiscal consequences of the pending legislation.

I am greatly indebted to the able Senator from Tennessee for his courtesy.

Mr. STEWART. Mr. President, neutrality, in popular thought, merely means keeping out of war. For several days now the United States Senate has been debating the so-called neutrality joint resolution, and all viewpoints have been well presented; so well, in fact, that at this hour it seems little remains to be said that has not already been said.

It is pretty well understood by the public in general that the present neutrality law prevents the shipment of ammunition and implements of war to any countries that have declared war. This has been referred to generally as the embargo law. The proclamation recently issued by the President of the United States enumerates the countries to which munitions cannot be sold or shipped, and included in this list are Germany, England, and France, along with several others. Even Canada, our neighbor to the north of us, is included.

Attention has been called, however, to the fact that this embargo law does not prevent American vessels from going into the war zone and does not prevent the sale to the warring countries of articles that would not be considered munitions of war. Also, attention has been called to the fact that American citizens are not prevented from going upon American vessels or upon vessels of the various belligerents riding the high seas and into the danger zone. It has been pretty generally stated that American involvement in the last war, known as the World War, was brought about by the sikning of vessels belonging to America and Americans, and by the killing of American citizens who were passengers upon ships owned and operated by the countries involved in that war.

The joint resolution now being considered by the Congress, which has for its purpose the repeal of the present neutrality law and the lifting of the embargo on war munitions, provides that America may sell to warring nations, or to any nation, munitions of war as well as other commodities which this country might have for sale, on a cash basis, but that these war munitions or commodities must be purchased at American seaports and paid for there, and carried away in vessels belonging to or provided by the purchaser; that no American vessel can enter the war zone carrying either munitions of war, American merchandise, or passengers. It further provides that the citizens of America cannot enter the danger zone upon belligerent vessels.

We have, therefore, in the repeal measure, which I stated is now being considered by Congress, provisions which at least within our time have never before been set up. I refer, of course, to the fact that American vessels and American citizens, after the passage of this measure, will be required to stay out of the war zones. It seems to me that this provision, or that these provisions, which so prevent the entering of war zones by American vessels, or American citizens, is the most intelligent step America could possibly take to the end that nothing might happen which would involve us in the European conflict. These precautions certainly remove from the picture the very things that caused us to enter the World War in 1917, and with these causes removed, I do not see that more can be done by the Congress at this time.

The difference, therefore, between the present embargo law—sometimes called the neutrality law—and this repeal measure lies in the fact that one permits the roving at random on the high seas in the war zones and elsewhere by American vessels and the travel by American citizens into the war zones and elsewhere upon ships of any kind, and the repeal measure prohibits all these things.

I favor the repeal of the present neutrality law because I believe its repeal offers greater security to America and materially lessens the danger of involvement on the part of America, and removes from the scene entirely the chance for incidents such as occurred between 1914 and 1917.

It might be said, therefore, that the provisions of this repeal resolution which so keep our ships and citizens out of danger zones, are the outgrowth of experience gained by America out of the World War of less than 25 years ago; and it certainly seems to me that it is but common sense for us to insist that our people be kept away from the area in which a war is being fought.

Mr. President, during the period in which this question has been debated in the United States Senate, there have been many expressions of opinion and feeling with respect to whether America is, or should, after a manner of speaking, take sides with one or the other warring groups. Regardless of any expressed viewpoint in this particular it seems to be the unanimous feeling of the Senate that this is one war America must stay out of. And this feeling is true without regard to whether Members of this body favor retention of the present law, or repeal of the present law, for they are of one accord in their expression of feeling and determination that the security of America comes first. The debate in the Senate has been conducted on a high plane and very little, if any, personal feeling has been manifested, because behind it all America's interest and welfare are paramount.

I believe the American people can safely depend upon Congress to do the thing which is least likely to drag America into the present war, and it seems that sentiment to this end is so strong that the danger of us ever becoming involved is far less than it was at any time prior to our entering into the World War. I think, therefore, it can be safely said that America is not going to enter this war regardless of its outcome, and I think that is the sane and sensible attitude to take.

We have been advised by the leaders in the American Government for over a century that America should avoid foreign entanglements, and this sort of advice has always been good, but certainly never sounder advice than at this particular time. Those who founded this country, and others who as the years have passed by, have left European countries and come to America to become citizens of our Republic, left those countries because of the constant turmoil that existed and has always existed in Europe, and because of the persecutions of many kinds to which they were subjected. They come here seeking peace and freedom.

We all love our America and like to think of it as an America of freedom, of Christianity, of life, and a country where ambition is encouraged and opportunity offered.

We think of these things, of peace, happiness, and contentment, rather than of war, death, and destruction. We think of the life we enjoy and the future of America, and we think of this life as a vital thing, and our people as a strong, virile race which founded and now maintains this country and its Government because of their love for the peace and freedom that we here are permitted to enjoy. It is for these things that those who have gone before us have suffered and died, and we want to maintain this America as such a land of freedom and tolerance, free from the political intrigues of Europe. This we cannot do if we meddle in European affairs and permit American soldiers to be sent abroad to fight

upon foreign soil for the purpose of helping settle questions as old as time and which should be of little concern to us. We are located in the Western Hemisphere 3,000 miles removed from the scene of this European conflict. Our chief interest is and should continue to be the welfare of our country, our people, and those who exist on this hemisphere. We should, therefore, see to it that our country has a full, complete, and thorough means of defense to the end that we might protect ourselves from attack and that those enemies of our government who live among us should be segregated or removed to a place where they are less likely to endanger our Government by the spreading of false propaganda and the doing of other things that are un-American.

Again, on the proposition of maintaining our peace, I think the American Nation is 100 percent united, and for myself, I have little fear of future involvements in foreign wars. I think that at no time should we become excited or hysterical about the matter which is now before the Congress. The majority here against war is now so great that war talk seems almost foolish. So let America return to its daily tasks with a feeling of security and safety in the hands of those who represent her in Washington, and not become excited about propaganda. There just is not going to be a war so far as we are concerned.

I spoke of profiting from our experience in the last war. In that war about 100,000 young men were killed and many more than that were maimed for life. We are yet building hospitals to care for veterans of that conflict and paying to many more compensation and pensions. We have learned that war is costly in life, health, and dollars.

And so, Mr. President, I hope that we may soon have a vote on the joint resolution, put it behind us, and turn our attention to a complete development of our national defense, and to clearing out those who are not in sympathy with America and its institutions of government.

It was Theodore Roosevelt who said:

> We can have no 50-50 allegiance in this country. Either a man is an American and nothing else, or he is not an American at all. We are akin by blood and descent to most of the nations of Europe; but we are separate from all of them; we are a new and distinct nation.

Mr. JOHNSON of Colorado rose.

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Alabama?

Mr. STEWART. Mr. President, I had an agreement with the Senator from Colorado [Mr. JOHNSON] to yield to him, as he expected to follow me when I had concluded my remarks. However, I am glad to yield to the Senator from Alabama at this time.

Mr. HILL. Mr. President, the Senator from Tennessee has emphasized the thought that we ought to bring the joint resolution to action, to a conclusion. The Senator is bound to realize that we have had full and free and complete debate on the joint resolution. We have had speech after speech, some of them hours in length. Does not the Senator really think that every day we fail to act on the joint resolution, to bring the matter to an end, even though we may not actually be endangering our country, certainly we are inviting danger for our country, as illustrated by the seizure of the *City of Flint* by a German cruiser? Had this joint resolution been on the statute books that ship would not have been in the waters in which she was seized; therefore she would not have been seized. Does not the Senator think it is of paramount interest to the country, for the safety and peace and protection of our country, that we proceed to act quickly on the joint resolution?

Mr. STEWART. Mr. President, in the few brief remarks I have made I repeated several times the difference between the present embargo law and this proposed repeal act, and pointed out that the one permits American vessels to rove at random on the high seas and the other prevents it. Mr. President, I think that the quicker a law can be passed which will keep American vessels out of the danger zones, the sooner will we be able to say that we have taken advantage of the experience we gleaned from the war of more than 20 years ago.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. CLARK of Missouri. I simply wish to inquire why the Senator from Alabama selects the case of the *City of Flint* as an example, inasmuch as the *City of Flint* apparently was seized under precisely the same pretensions that were made by the British, and quietly acceded to after some protest by the United States during the last war? In other words, I should like to know why it is that the British can enforce maritime law, and that whenever any other nation attempts to follow the same rule an international incident is created?

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee again yield to the Senator from Alabama?

Mr. STEWART. I yield.

Mr. HILL. I selected the case of the *City of Flint* because I think it is a glaring example of what we are going to experience unless we proceed without delay to enact the joint resolution into law. What we want to do is to keep American ships out of the danger zones, so they will not be subject to seizure, or any interference or action by Britain or Germany or any other country.

Mr. CLARK of Missouri. Mr. President, if the Senator from Tennessee will permit me one further moment, it seems to me it does not lie in the mouth of the Senator from Alabama or any other Senator who voted against the Tobey motion to recommit, to rise on the floor and talk about the paramount importance of the enactment of the joint resolution, because, so far as the cash-and-carry provision for keeping American ships out of danger zones is concerned, that portion of the legislation could have been passed almost by unanimous consent at the last session of the Congress, or on any day since the present session of the Congress began. It is only because of the insistence that the present neutrality law be emasculated by the repeal of the arms embargo that there has been any delay whatever.

Mr. PITTMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nevada?

Mr. STEWART. I yield the floor.

Mr. JOHNSON of Colorado. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado [Mr. JOHNSON] is recognized.

Mr. JOHNSON of Colorado. I yield to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Colorado yields to the Senator from Nevada.

Mr. PITTMAN. I thank the Senator.

Mr. President, I think the Senator from Missouri is mistaken in believing that the so-called Tobey motion would have resulted in any more expeditious action than is now being had. While the so-called Tobey motion instructed the committee to separate the proposed substitute, it could not instruct the United States Senate as to what it should do. When the measure should have returned to the floor of the Senate, all the amendments offered by the Senator from Missouri probably would have been offered. If not, I know many Senators who were not satisfied with the language of the joint resolution, and who would have offered amendments. We cannot bind the Senate in that way. The debate so far on the various amendments which have been submitted to exempt this, that, and the other would have come just the same. We could not get away from the debate on those questions. Therefore, nothing would have been accomplished by the Tobey motion.

Mr. CLARK of Missouri. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. I do not wish to take the Senator's time; but in response to what the Senator from Nevada has said, I think the Senator from Nevada will agree that the bone of contention, the essential matter which has been

in this debate from the very beginning of the debate, is the repeal of the arms embargo. To be sure, amendments were suggested, some of them by the committee itself—that is, by the caucus of the committee—and some by individual Senators, which have been accepted by the committee caucus, and have now been agreed to by the Senate. Other amendments have been offered, and will be offered, by individual Senators; but the crux of this debate from the beginning has been the repeal of the arms embargo.

So far as concerns any suggestion on the part of the Senator from Alabama [Mr. HILL] that Senators have been guilty of endangering American interests by debating the essential issue of the arms-embargo repeal because they would not accept the cash-and-carry provision of the joint resolution, it seems to me the suggestion is entirely unwarranted.

Mr. PITTMAN. Mr. President, will the Senator further yield?

The PRESIDING OFFICER. Does the Senator from Colorado further yield?

Mr. JOHNSON of Colorado. I yield.

Mr. PITTMAN. I do not conceive that this debate would have been shortened by sending the joint resolution back to the committee to be split in two, because we are now acting on the first half of it; that is, the cash-and-carry half. I do not think any amendments have been offered so far which have not been sincere amendments. They have had consideration. There may be others which will have consideration. I think we are enacting legislation with regard to a very serious subject as expeditiously as we can.

So far as the *City of Flint* is concerned——

Mr. CLARK of Missouri. The *City of Flint* was not sunk. She was merely captured.

Mr. PITTMAN. She was captured, I presume, in accordance with international law as conceived by the German Government. As to just what international law will develop with regard to that case, no one can tell until after the facts are all adduced; and even then there will be a legal dispute, which probably will not be determined until after the war is over. I feel that the provision which prevents our vessels from arming—not only vessels dealing with belligerents, which are covered under the existing law, but also other vessels engaged in foreign commerce, which are covered by the proposed law—will put every belligerent on notice that there is no danger in approaching our ships, and that they may exercise the right of visit and search under international law, because it would be perfectly safe for a submarine to come up within 3 or 4 miles of such a vessel and send a boat to the merchant vessel, as was done in the case of the *City of Flint*. The *City of Flint* was not destroyed. She might have been sunk, under international law, after every precaution had been taken to save the lives of those on board, if she could not have been carried into port. I am contending that if the proposed law should work out as in the case of the *City of Flint*—not in dealing with belligerents, because such vessels may not deal with belligerents, but with neutrals, such as Norway and Sweden—we would protest, of course. We would file our protest to protect our rights as they may develop in the future; and that is the proper thing for the State Department to do. The question will then be tried as to whether or not the goods on board were contraband. As I say, that question cannot be determined during the war, because the warring powers will certainly determine it for themselves. There will have to be a damage suit after the war is over.

Mr. CLARK of Missouri. Mr. President, will the Senator further yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. I entirely agree with the statement of international law made by the Senator from Nevada. What the Germans did in the case of the *City of Flint* is precisely what the French did during the World War in the case of the *Dacia*, and what was repeatedly done by the British and French during the World War. To be sure, at that time the American State Department made very vehement protests, which came to nothing very largely by reason of the representation which we had at that time at the Court of St. James. Nevertheless, as the Senator from Nevada suggests, the matter was continued over, and claims were made after the war.

Mr. PITTMAN. In regard to filing protests to protect our rights under international law I do not think our Government will make any distinction between belligerents. I think appropriate protest will be made in every case.

Mr. CLARK of Missouri. Mr. President, will the Senator further yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. In view of the fact that the Senator from Colorado has an amendment which he is anxious to have considered at this time, and in view of the fact that a speech has already been made upon the amendment which I offered earlier in the day, I ask that I be permitted temporarily to withdraw my amendment without prejudice in the matter of the limitation of time under the agreement made yesterday.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? None is heard, and the order is made.

The pending question is on agreeing to the amendment offered by the Senator from Colorado to the amendment in the nature of a substitute.

Mr. JOHNSON of Colorado. Mr. President, I ask that my amendment be stated at the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated for the information of the Senate.

The CHIEF CLERK. On page 15, it is proposed to strike out lines 3 to 11, inclusive, and insert in lieu thereof the following:

Section 1. (a) Whenever the President shall find that there exists a state of war between foreign states, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

Mr. JOHNSON of Colorado. Mr. President——

Mr. STEWART. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Colorado yield for that purpose?

Mr. JOHNSON of Colorado. I yield.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Borah	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	White
Connally	Johnson, Calif.	Radcliffe	Wiley
Danaher	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER. Ninety-one Senators having answered to their names, a quorum is present. The Senator from Colorado [Mr. JOHNSON] has the floor.

Mr. JOHNSON of Colorado. Mr. President, the amendment which the clerk has just stated I consider very vital; in fact, one of the most vital amendments that will be offered or that can be offered to the pending joint resolution.

I desire to vote for the so-called Pittman substitute and therefore am anxious to make it the best neutrality measure possible. My amendment will correct what I believe to be an unpremeditated joker in it, because my amendment will make nearly all the provisions of the pending joint resolution mandatory when foreign nations go to war and will not dele-

gate discretionary authority to the President arbitrarily to set aside its important provisions by his failure to act.

Section 1 combined with section 18 of the Pittman substitute permits international law to prevail as the foreign policy of the United States when two or more foreign nations go to war, without the compulsory imposition of one specific legislative restraint upon citizens of the United States which is not now found in international law. In its present form the pending joint resolution is a complete surrender by the Congress to the Executive of the whole foreign policy of the United States. This measure, unless my amendment be adopted to make its provisions mandatory law, is a blank check to the President to choose that foreign policy which best meets his purposes without consulting Congress or anyone else. It is an absolute delegation of the powers of Congress over neutrality to the Chief Executive.

Section 18 provides for the repeal of all neutrality legislation now on the statute books. When that repeal section has been adopted we are returned to international law pure and simple. Section 1, the master section of the pending measure, gives the President the option to make sections 2, 3, 4, 5, 6, 7, 8, and 10 operative or not operative, as his judgment may dictate.

I wish to call attention to the importance of my amendment, because, in reality, instead of amending merely one section of the joint resolution, it proposes to amend eight sections.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. JOHNSON of Colorado. I gladly yield.

Mr. LODGE. Will the Senator explain why provision for concurrent action by Congress is omitted?

Mr. JOHNSON of Colorado. I will be very glad to go into that when I shall have finished my statement. I thank the Senator for reminding me of it.

The President must find before he puts them into effect that this Pittman joint resolution is necessary to promote the security or preserve the peace or protect the lives of citizens of the United States; otherwise he shall not make any of its provisions effective. If the President, exercising his best judgment, finds that simple international law will better protect the lives, preserve the peace, or promote the security of American citizens, it will, as a matter of course, be his obvious duty to stick to simple international law and not issue a proclamation naming the states involved. And if he fails to issue that proclamation, the Pittman resolution by its own terms is inoperative. In other words, the President is directed to make certain findings of judgment before he can issue the master proclamation.

Fortunately we know what sublime confidence the President places in international law. On September 21 he made known to us his position in vigorous, understandable language. Personally I do not share his confidence in it when I remember that we got into the World War because we tried to uphold it. To refresh the memories of Senators, I will read the exact words from his address delivered on September 21 before a joint session of the two Houses of Congress at the beginning of the present extraordinary session:

> I seek a greater consistency through the repeal of the embargo provisions, and a return to international law. I seek reenactment of the historic and traditional American policy which, except for the disastrous interlude of the Embargo and Nonintercourse Acts, has served us well for nearly a century and a half.
>
> Repeal of the embargo and a return to international law are the crux of this issue.

Then he named the four safeguards which he recommended. It will be noted that the Pittman resolution has eight specific safeguards, many of which are subdivided. I again quote the President's exact language:

> The objective of restricting American ships from entering such zones may be attained by prohibiting such entry by the Congress; or—

Listen to this—

> the result can be substantially achieved by Executive proclamation that all such voyages are solely at the risk of the American owners themselves.

Thus the President indicates two distinct methods of meeting the emergency, one by law enacted by Congress, the other by Executive proclamation. I quote further from the President:

> The second objective is to prevent American citizens from traveling on belligerent vessels or in danger areas. This can also be accomplished either by legislation, through continuance in force of certain provisions of existing law, or—

And this is his other remedy—

> by proclamation making it clear to all Americans that any such travel is at their own risk.
>
> The third objective, requiring the foreign buyer to take transfer of title in this country to commodities purchased by belligerents, is also a result which can be attained by legislation or—

And this is the President's second method of meeting the third objective—

> substantially achieved through due notice by proclamation.

Please note the word "substantially." Its use is very significant in indicating what is in the President's mind.

> The fourth objective is the preventing of war credits to belligerents. This can be accomplished by maintaining in force existing provisions of law, or by proclamation—

I presume he means Presidential proclamation—

> making it clear that if credits are granted by American citizens to belligerents, our Government will take no steps in the future to relieve them of risk or loss.

And then he made this profound observation, an observation to which I hope every Senator will give great heed:

> The Congress, of course, should make its own choice of the method by which these safeguards are to be attained.

The Congress is to make the choice. Are we doing it in the pending joint resolution? Most decidedly we are not. We are leaving that decision to the President, even though he said in plain language:

> The Congress, of course, should make its own choice of the method by which these safeguards are to be attained.

Can there be doubt in the mind of anyone that the President is sincerely devoted to the adoption of international law as the proper foreign policy? He openly advocates international law, supplemented by Executive proclamation to cover specific emergencies. From 1914 to April 6, 1917, we lived under international law, and we became involved in the World War because we were willing to defend our theoretical rights under international law, and if we now place our dependence upon international law we will get into this new European war.

Because of its limitations, inconsistencies, and impracticabilities, I have no qualms about voting for the repeal of the present arms embargo, but when I vote that legislation out I want to vote restrictive legislation in to take its place which will keep us out of war. The country does not want to return to international law, and I cannot vote to do that. The pending joint resolution in its present form is a return to international law with all its hazards. The President is absolutely right:

> Repeal of the embargo and a return to international law are the crux of this issue.

Mr. President, I understand that as consideration of the joint resolution proceeds an amendment will be offered placing an embargo upon arms, ammunition, and implements of war in times of peace and in times of war, to everyone at all times. I shall gladly support such an amendment, because I do not feel that it is morally right to sell arms and ammunition for the destruction of human life and property. But the embargo that we find in the present law has so many limitations and so many exceptions and is so impossible of enforcement that I have no qualms at all about having it repealed. I shall gladly vote for its repeal; but, at the same time, I shall gladly vote for the imposition of an embargo on arms and ammunition which will be a real embargo. I feel very deeply on that subject.

The Committee on Foreign Relations, in the report submitted by the Senator from Nevada [Mr. PITTMAN], as chairman

of the committee, in the second paragraph makes this statement:

> The committee further reports the purpose of the substitute is to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests. In attempting to accomplish this purpose the committee has written into the proposed substitute definite and mandatory legislation wherever discretion could be eliminated.

If the committee had done that, I should not be on the floor at the present time supporting an amendment to the joint resolution. It is because the committee failed to do that, failed to take discretion out of the joint resolution, failed to make it mandatory, that I am compelled to offer my amendment at this time.

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Louisiana?

Mr. JOHNSON of Colorado. Gladly.

Mr. OVERTON. Is it the Senator's interpretation of the amendment that it removes from the President all discretion to determine whether or not a state of war exists?

Mr. JOHNSON of Colorado. Yes. When a state of war exists between two states, the President may find a state of war to exist.

Mr. OVERTON. Suppose the President does not find it?

Mr. JOHNSON of Colorado. I do not know how we can make the provision any stronger than the present law. The President found that there was a state of war between Germany and Poland, and between Great Britain and Germany under existing law. This is merely a repetition of the present law, with the other matters of discretion taken out of it.

Mr. OVERTON. He did not find that a state of war existed between China and Japan.

Mr. JOHNSON of Colorado. Well, everybody except the President seems to know that there is a war between China and Japan; but I do not know how we can write it into the law in any stronger language. I should be glad if someone would suggest a way to make it stronger.

Mr. OVERTON. Let me ask an additional question. Suppose the Congress is of the opinion that a state of war exists between two foreign states: Why should not the Congress have authority to make the Neutrality Act applicable to such a situation?

Mr. JOHNSON of Colorado. I am glad the Senator brought up that matter, because I had planned to discuss it next. It is the same question that was asked a moment ago by the junior Senator from Massachusetts [Mr. LODGE].

I do not claim to be a constitutional lawyer. I am not even a shyster lawyer. I am not a lawyer at all. I am just a farmer, and I am no expert on the Constitution. As I understand the Constitution, however, and as I understand the division of power between the three departments of government, the provision in the joint resolution for a concurrent resolution deals with a strictly executive function. I do not think Congress can pass a law that is subject to contingencies and then sit back and say, "Well, if this happens, then we make our law effective." I do not think that is possible.

Let me state another objection that I have to the proposal of a concurrent resolution. I do not think it is practicable. Do Senators think a concurrent resolution could be gotten through the present Senate if the President did not want to act? Suppose the President did not want to act, and a concurrent resolution were introduced here, what would happen to it? It would go to the Foreign Relations Committee and would gather dust from that time on. It never would be heard from again. If it were heard from, if it were brought to the floor of the Senate, it would be overwhelmingly defeated, because the administration Senators would say, "We cannot slap the Chief Executive in that way," and it would be interpreted as a slap upon the Chief Executive. No other interpretation would be possible. So it seems to me that the proposal regarding a concurrent resolution has been put in the pending joint resolution for no other purpose than camouflage and to mislead the Senators in their interpretation of the provisions of the joint resolution.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Gladly.

Mr. LODGE. Is it fair to say that, in the opinion of the Senator from Colorado, the present provision requiring concurrent action by Congress would, in effect, increase the Presidential discretion?

Mr. JOHNSON of Colorado. I do not think it would have the least effect upon the Presidential discretion. I think the fact that it is written into the law absolutely proves that under this joint resolution the President does have discretionary power. I think it is an admission that the President has discretion. He is not compelled to act upon the facts that are laid before him.

Now, if the Senator from Massachusetts will permit me—and then, if he has further questions, I shall be glad to try to answer them—let us examine the section. As I say, this is the master section of the joint resolution. Eight other sections are dependent upon this master section, and each one of them starts out in this way:

> Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful—

And so forth. Eight sections begin with provisions of that kind. So this is the master section, and when we amend the master section we are amending all eight of the other sections.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Gladly.

Mr. THOMAS of Utah. As I understand the Senator, he would take away all discretion from the Executive, so that the embargo would become effective immediately upon war being declared anywhere in the world. Is that the case?

Mr. JOHNSON of Colorado. Whenever the President finds that there is a war.

Mr. THOMAS of Utah. That is the way the present law reads. If, for instance, the Senator desires to take away from the Executive all discretion about whether or not he shall find that a state of war exists, why not make the application of the law dependent upon another proposition, and provide that whenever the President shall have declared or proclaimed the neutrality of the United States, such and such shall be done?

If the aim is merely to do away, as far as we can by law, with the discretion of the Executive, there are other approaches than the simple approach of this joint resolution, "Whenever the President shall find a condition of war." If we want to impose an embargo, and want American neutrality to be emphasized—which seems to be the objective—why not allow the embargo to be dependent upon the declaration of neutrality upon the part of our country? Then there would never be any question at all about it.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Utah has correctly stated my objective; but, as I have already confessed, I am somewhat handicapped in drawing these amendments. I am not an expert on this sort of thing. I supposed that the present law was effective. The President used it so far as the European controversy and trouble and war entered into the picture, and I supposed it was sufficient. The Senator has stated my objective, and if there is a better way to attain that objective I shall be very much in favor of the Senator's proposal, because I have not the slightest pride of authorship in this matter. All I am trying to do is to accomplish a very great purpose.

If we look at the language of section 1 we find that this is the way the joint resolution now reads:

> That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states—

That is an actuality. That is something which can be established by facts. If there is a war, it is a self-evident fact. It cannot be denied. If two states declare war against each other we must take their word for it, because that is why they declare war—so that everybody will be put on notice that they are at war.

That is a fact; it is an established fact; it is an admitted fact; it is a fact accepted by everyone. But note the lan-

guage just a little further on, and we find the conjunction "and"—

And that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States.

Those things are all matters of judgment. The President might say—and I think it is a fair interpretation of his address to the joint session of Congress on the 21st of September—that he believes that all of these three things, and many others, could be better accomplished by going back to international law than by any other method. I believe he earnestly and honestly believes that. I believe he has been perfectly frank with us. I do not think he has tried to deceive anyone, the people or the Congress, or anyone else. He made it clear to me, at least, that he prefers international law to an act by Congress. So he might find that all of these conditions would be better served by going back to international law. Therefore he would not issue his proclamation, and eight sections of the proposed act would not be made effective, and we would repeal the embargo in order to get cash and carry, which I am agreeing to support. I heard it stated here a few days ago that it was unbecoming for a Senator to make a trade of that kind, but that is what I am doing. I am willing to submit to a repeal of this very limited arms embargo in order to get the cash and carry and the other restrictive provisions of the joint resolution, which I favor wholeheartedly.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. LODGE. I am very much in sympathy with the Senator's purpose, and for my information and the information of the Senate, can the Senator explain why his purpose would not be served if we merely struck out lines 6 and 7 and the last five words on line 5?

Mr. JOHNSON of Colorado. To strike out all after the word "and"?

Mr. LODGE. To strike out after the word "states," in line 5, the words "and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States."

Mr. JOHNSON of Colorado. So far as the President is concerned, that would help, but it would leave in something which is very objectionable, from my point of view, and that is the provision as to a concurrent resolution by the Congress. I cannot see any merit in it whatsoever. It is an admission, in the first place, as I have already stated, that the President has discretionary power. It is impracticable. The Senator must realize that it would have no force and effect. With my limited knowledge of the Constitution and of law, I think it is clearly unconstitutional. I think Congress would be trying to usurp the powers of the Executive. Congress is supposed to act, under this clause, upon certain contingencies happening, and I do not think Congress should act in that way. If Congress desires to have a voice in the Government, there is a way for Congress to have that voice, and that is to write its opinion into law in black and white and make it the law of the land. That is the only way for Congress to have any voice in the operation of the Government. Does that answer the Senator's question?

Mr. LODGE. It answers the question, and I thank the Senator.

Mr. DOWNEY. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. DOWNEY. Regardless of the merits of the last statement by the Senator from Colorado, let me point out to him that I think it is very excellent that the idea the Senator is advancing should be placed in the form of an amendment to the pending measure, but I apprehend that he may lose certain votes in the Senate by insisting on striking out the provision as to congressional action in the event the President should fail to act. I think the Senator would get more votes if he left that provision in, so as to fortify the measure. I think that from that standpoint the Senator might well consider an amendment to his amendment.

Mr. JOHNSON of Colorado. If my amendment should be adopted, the President would not have discretionary power, and therefore would issue his proclamation, and the Congress would not have any reason for passing a concurrent resolution, because the President would issue his proclamation, and the law would become effective.

Mr. DOWNEY. Let me point out that there might be border-line cases where there was question as to whether a state of war actually existed, as in the case of Spain, and it might be that, in judging whether there was an actual war, there might be a discretion involved, and Congress might want to reserve to itself the power to act if the Executive should not act.

Mr. JOHNSON of Colorado. Of course, that is possible. All sorts of contingencies are possible. But I still do not believe that that power would be worth very much to Congress, because of the objection Senators would have to slapping the President or going against his wishes. However, I admit that my amendment really should be divided into two parts. There should be the part eliminating the provision as to a concurrent resolution, and then the other part, after the word "states," and I am perfectly willing to divide the amendment into two parts, if Senators desire to have it so divided.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado to the amendment of the committee in the nature of a substitute.

Mr. JOHNSON of Colorado. Just a moment. I wish to ascertain whether Senators desire to have the amendment divided.

Mr. LODGE. I think it would be a more orderly procedure.

Mr. JOHNSON of Colorado. Does the Senator want to raise the point? I do not desire to do it.

Mr. LODGE. I ask for a division of the amendment.

Mr. JOHNSON of Colorado. Very well. I ask that the amendment be divided, and that we first vote upon the elimination of the language in the joint resolution reading, "or the Congress by concurrent resolution," and then take up the other part of the language, and so divide the amendment.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Borah	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	White
Connally	Johnson, Calif.	Radcliffe	Wiley
Danaher	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER (Mr. HATCH in the chair). Ninety-one Senators having answered to their names, a quorum is present.

Mr. JOHNSON of Colorado. Mr. President, I wish to change my request relative to the division of the amendment. I now ask that the latter part of my amendment be voted on first. The amendment to be voted on first begins in line 5, after the word "states", to strike out the words "and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States."

The PRESIDING OFFICER. Let the Chair see if he understands the proposal. The Senator from Colorado now proposes to strike out certain language in section 1. He proposes

to strike out the words, beginning in line 5, "and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States."

Mr. JOHNSON of Colorado. Yes, Mr. President.

The PRESIDING OFFICER. The Senator desires those words stricken out. He wishes that portion of his amendment to be acted on first?

Mr. JOHNSON of Colorado. Yes.

Mr. VANDENBERG. Mr. President, will the Senator yield to me for a question?

Mr. JOHNSON of Colorado. I yield.

Mr. VANDENBERG. I did not hear the Senator's full discussion, but I heard most of it. I wish to ask the Senator a question. This language went into the original Neutrality Act for a very specific purpose, which I thought was a very essential purpose, namely, that when there are, let us say, localized wars which are of no major challenge, or of no particular moment—such as, let us say, a contest between two internal South American states—under those circumstances, in those minor situations, the entire machinery of this great undertaking to preserve our neutrality should not be needlessly invoked. Would that justify the retention of the language from the Senator's viewpoint?

Mr. JOHNSON of Colorado. I do not think so at all. The President still has the right to find that there exists a state of war between foreign states. He is given a wide discretionary power by that language, and, to my mind, much too wide a power. I would rather narrow the power. The amendment which I have offered does not do that. The amendment which I have offered would take away from the President discretionary power so far as the matter of judgment is concerned, because retention of the words, "and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States" makes it purely a matter of judgment. The President might say that he could do that better under international law.

Mr. VANDENBERG. I fully understand the Senator's viewpoint, and certainly no Senator in this Chamber would be more anxious to limit the Executive discretion than would I, but when we deal with a situation of this character I submit to the Senator that we may reach a point where we shall have to rely to some degree upon some discretion, and I ask the Senator whether, with this language eliminated, he would not force the invocation of all the machinery of the Neutrality Act, if there should be an internal war, let us say, between Bolivia and Peru in the center of South America, which would have no effect upon us whatever?

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I wish to answer the Senator from Michigan, and then I will yield to the Senator from Connecticut.

The language in question is that of the present embargo law. The Senator from Michigan is familiar with the fact that a war exists between Japan and China. The embargo law has not been invoked against Japan or China although there is a war going on between them.

Mr. VANDENBERG. I quite agree with the Senator that it has been unevenly applied. For instance, at the present moment it is applied to Germany, which took one-half of Poland, and it is not applied to Russia, which took the other half of Poland. But I do not see that the Senator's amendment corrects that situation, and I ask if it does not invite the other complication of which I am speaking to him? Surely we do not want to invoke all this machinery every time there is a localized war somewhere, and this language is the only language under which there is a saving clause.

Mr. PITTMAN rose.

Mr. JOHNSON of Colorado. Does the Senator from Nevada wish to speak?

Mr. PITTMAN. I thought the Senator had completed his speech. If he has not I will take my seat.

Mr. JOHNSON of Colorado. I will now yield to the Senator from Connecticut, and then yield the floor.

Mr. DANAHER. Mr. President, I will say first, in connection with the illustration suggested by the Senator from Michigan, that since 1922 there has been on our statute books, and still is, an embargo provision with reference to South America, and under its terms the President has discretion as to whether or not he will invoke an embargo on the export of munitions to any South American country. That particular statute is in no way involved in the pending legislation. It has not even been suggested that it be repealed. Consequently with reference to the illustration suggested by the Senator from Michigan as to South America we are protected in any event.

With reference to the other phase of it, Mr. President, let me say that more than 2 weeks ago when I discussed this very subject on the Senate floor I pointed out that under the law which is on our books today the President has the discretion as to whether he will or will not find that a state of war exists, and if it be, as the Senator from Michigan says, that some inconsequential localized war should arise, he need not, in the exercise of his discretion, invoke all of these neutrality provisions.

But assuming that we feel we should be neutral, the fact remains that if the United States is to be neutral, even as between the nations in a localized war, then very properly the proclamation should issue and the neutrality provisions of the bill could and should follow. And therefore the Senator from Colorado is absolutely correct in the proposition as he advances it, and I shall support him with much pleasure.

Mr. JOHNSON of Colorado. I thank the Senator.

Mr. PITTMAN. Mr. President, I thoroughly agree with the statement made by the senior Senator from Michigan [Mr. VANDENBERG]. I think the reason for providing this discretion has been discussed too many times to make it necessary now to go into it at any great length. This proposed law when invoked will put into motion a great deal of machinery, it will act as a restriction on commerce and on credit, and in the very nature of things will necessarily be a burden. In no case should all the provisions of this measure be invoked and its machinery put into action with regard to some little minor conflict which in no way whatever affects the peace of this country or threatens the lives of our citizens. The whole foundation of the legislation has been from the beginning and is now the question of danger to the lives of our citizens and the peace of our country. No one wants this kind of abnormal, unnatural, burdensome legislation unless it is a necessity.

Of course, there can be many conflicts between small states in the world that in no way affect us at all. A war between Inner Mongolia and Outer Mongolia might be going on, and in this country it would scarcely be heard of, and certainly it would not greatly affect us. A war might be going on which would involve entire central Asia without in any way endangering our citizens or our vessels. The House of Representatives recognized that situation. In fact, the House of Representatives debated the question. It was a particular issue in the House in connection with the joint resolution passed there, and which is now pending here, and the House adopted that provision. Our committee in reporting this measure have reported it in the exact language adopted by the House of Representatives.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. DANAHER. I may point out to the Senator from Nevada that he is talking about a war in central Asia and saying that we would not even hear of it, and therefore it would not be necessary to invoke this neutrality legislation. Mr. President, there was been a war going on in eastern Asia for over 2 years. A river warship of the United States called the *Panay* was sunk by one of the belligerents, and we do not even know there is a state of war in existence there. Certainly the President has absolute discretion. Obviously he has not invoked the neutrality legislation which is on our books today, because he does not find that a state of war exists. Under the present law there exists every element necessary for the exercise of discretion in the particular referred to. Is that not so?

Mr. PITTMAN. A part of what the Senator says is always so. [Laughter.] As a matter of fact, the *Panay* was sunk. As a matter of fact, American merchant vessels have been engaged in trade with China and Japan ever since the so-called war took place, and none of them have been interfered with; our peace has not been threatened, and no lives of American citizens have been lost at all.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. BARKLEY. The Senator from Connecticut referred a while ago to an existing law with respect to embargoes as applied to two South American countries which may be at war.

Irrespective of the question whether a later statute would automatically repeal that provision in case of a foreign war, I should like to ask the Senator whether there is not much more involved here than the mere issue of an embargo against belligerents in Central or South America, even though the belligerents would have no navy or merchant marine, and no coast line? If this amendment should be adopted, the President would be compelled to put into effect all the machinery set up by the pending measure. Therefore we would have to provide transfer of title. It would affect credits. It would affect the entire machinery, which goes much beyond the issue of an embargo, if any inland countries, no matter how small, should get into a dispute over a boundary line. So there is much more involved than the mere question of an embargo against the sale of arms to some South or Central American country.

Mr. PITTMAN. Mr. President, I do not desire to discuss this question any further. It was extensively discussed in the House of Representatives at the time this provision was adopted. I think all the reasons for it have been stated. I think the amendment ought to be defeated.

Mr. CONNALLY. Mr. President——

Mr. NORRIS. Mr. President, may the amendment be stated?

The PRESIDING OFFICER. The branch of the amendment now offered by the Senator from Colorado [Mr. JOHNSON] will be stated.

The CHIEF CLERK. On page 15, line 5, in the committee amendment, after the word "states" and the comma, it is proposed to strike out—

> And that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States.

Mr. CONNALLY. Mr. President, I wish to take only a moment of the time of the Senate. I dislike very much to disagree with the Senator from Colorado [Mr. JOHNSON], for whose views I have the highest respect; but I think it would be unwise to adopt this amendment.

As I construe it, if the amendment should be adopted, whenever a war should break out anywhere on earth, no matter how insignificant and no matter how remote from our interests or our commerce, the President would have to declare the existence of a state of war; and when he did so all the provisions in the pending measure hampering, interfering with, and curtailing our commerce would automatically go into effect.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. JOHNSON of Colorado. Does the Senator believe there is a war now going on between China and Japan?

Mr. CONNALLY. Suppose there is. We are not doing anything about it.

Mr. JOHNSON of Colorado. No; but we have the same language in our present law, and we are not doing anything about it.

Mr. CONNALLY. Does the Senator want to do something about it? What does he want to do about it?

Mr. JOHNSON of Colorado. That is not the point. We are now talking about a technical matter.

Mr. CONNALLY. I understand. What does the Senator want to do about the war in China? I should like to have his views on that question.

Mr. JOHNSON of Colorado. I do not think it is important what the Senator from Colorado wants to do about the war between China and Japan; but the Senator from Colorado would like at all times to have an embargo against the shipment of arms and ammunition to every country, whether at peace or at war.

Mr. CONNALLY. If that is the objective of the Senator from Colorado, he has the wrong amendment.

Mr. JOHNSON of Colorado. The Senator wanted to know the opinion of the Senator from Colorado. I thought the Senator was interested.

Mr. CONNALLY. The Senator from Colorado introduced the Asiatic war into the discussion. The Senator from Texas did not. The Senator from Colorado brought it up, and when he brought it up I supposed he was interested in it. I wished to know his views about the question.

Mr. JOHNSON of Colorado. The point I am trying to make is that under existing law we have this identical provision, and yet we are paying no attention to the Asiatic war under that provision. Therefore, I think all the little wars about which the Senator is so alarmed would also be ignored.

Mr. CONNALLY. I am glad the Senator brought out that point. He says the provision to which he now refers is in the existing law. Is that correct?

Mr. JOHNSON of Colorado. That is correct.

Mr. CONNALLY. And he points out that, being in existence, nothing has been done under it; but under the joint resolution there is language which he now seeks to strike out, which would allow Congress to act if the President should not act. Then, if the Senator were dissatisfied with the way in which the Asiatic question had been handled, he could rise on the floor of the Senate and introduce a concurrent resolution and say, "We have this law on the books, and the President has not acted. Now, as a Senator of the United States, I propose to introduce a concurrent resolution declaring that a state of war does exist in Asia." He could then invoke the prohibitions contained in the joint resolution. However, the Senator is now undertaking to strike out the very language which makes possible congressional action.

Mr. JOHNSON of Colorado. No; that is not the amendment at all. That is not the amendment before the Senate.

Mr. CONNALLY. I have the Senator's amendment before me.

Mr. JOHNSON of Colorado. I have divided the amendment.

Mr. CONNALLY. But the Senator is offering the other amendment, is he not?

Mr. JOHNSON of Colorado. I have divided the amendment.

Mr. CONNALLY. It is in two parts. I thought it was all in one.

Mr. JOHNSON of Colorado. No; it is in two parts.

Mr. CONNALLY. This is the language which the Senator wants to strike out, beginning in line 5—

> And that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States.

That is the language the Senator now proposes to strike out.

Mr. JOHNSON of Colorado. That is correct.

Mr. CONNALLY. If that language is stricken, will the Senator offer the other amendment?

Mr. JOHNSON of Colorado. The Senator will take care of the amendments which he offers. Whether or not he offers the other amendment is not before the Senate at the present time.

Mr. CONNALLY. I understand. I am not trying to maneuver the Senator into a false position; but I assume that when he offered an amendment and had it printed, it became public property. It is before us, and the Senator is commenting on it. With all due respect to the Senator, when he offers an amendment and has it printed and it lies on the table, it is assumed that the Senator is in earnest, that he means it, that he is sincere, and that he is moved by a sense of public duty. I was assuming that to be the case with the Senator from Colorado, because I know that

such motives are the only ones he ever entertains with respect to public business.

So, Mr. President, the Senator would strike out the finding that it is necessary to promote the peace and protect the lives of citizens of the United States. In the case of a remote war which does not affect the peace of the United States and does not endanger the lives of any of our citizens, why should we invoke all the prohibitions and hampering arrangements with regard to our commerce, simply because there is a war off yonder somewhere? It may be one of these little opera bouffe wars in Central America or South America, in which 15 or 20 generals and 3 privates rush out across some boundary line and attack the adjoining country over a minor boundary dispute. No warships, submarines, or airplanes are involved. There is nothing but a few uniforms, and very little ammunition. A few uniforms and many gold epaulets are all that are involved. Yet, under the suggested provision, we would have to declare a state of war, and tie up all our shipping all over the world.

Mr. BORAH. Will the Senator yield?

Mr. CONNALLY. I yield to the Senator.

Mr. BORAH. I should like to ask the Senator a question before he concludes.

Mr. CONNALLY. The Senator will have to ask it quickly, because I shall conclude shortly.

Mr. BORAH. I desire to ask the Senator's view as to authorizing Congress to declare a state of war by a concurrent resolution. Does he think it is good legislation for Congress to be called upon to declare a state of war?

Mr. CONNALLY. Frankly, the Senator from Texas did not favor that provision originally. The Senator from Texas thinks that under the Constitution the President of the United States, subject to such constitutional limitations as apply, and subject to the constitutional provisions regarding legislative power and authority, is in general charged with the conduct of our foreign relations. I am talking about the President of the United States, and not some individual. The President of the United States, whether he be Franklin D. Roosevelt, or any other person, whoever he may be, is in general charged with the conduct of our foreign relations. I am not speaking of this authority for Franklin D. Roosevelt, but for any President. I am just as much opposed to Congress invading or undertaking to invade the executive field as I am opposed to the Executive invading the legislative field. I did not advocate, in the committee, the insertion of the language giving the Congress the power to declare a state of war to exist in case the President should not exercise this authority; but the House of Representatives included that language in the original joint resolution which we have before us. Out of deference to the views of the House we retained that language.

I know that a very considerable element on the other side of the Capitol—I will not say the right side, because it is usually wrong [laughter]—advocated the insertion of that particular language in the old so-called embargo joint resolution to meet the situation just pointed out by the Senator from Colorado [Mr. JOHNSON]. The Senator from Colorado says we have a war in Asia, and the President has done nothing about it. If we carry this language, and the President does not do anything about it, and a majority of both Houses of Congress decide something ought to be done about it, then Congress may act.

I agree with the Senator from Idaho that as a rule that is not good legislation. Yesterday I opposed the amendment offered by the Senator from Missouri [Mr. CLARK] to have two Members of Congress on the Munitions Control Board. That is an executive function. It is not legislation. The Board is responsible to the Congress. It must report to the Congress. The Congress can always have supervision and control without two or three Members sending their secretaries down to attend the sessions of the Munitions Board when it meets.

Mr. KING. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. KING. While I agree with the views expressed by the Senator, nevertheless we do have before us the Constitution, which declares that the Congress may declare war.

Mr. CONNALLY. Exactly.

Mr. KING. The President does not have the exclusive authority to declare war.

Mr. CONNALLY. Exactly.

Mr. KING. The Constitution says Congress shall have that authority. That is one of the powers granted to the Congress by the Constitution.

Mr. CONNALLY. I will say to the Senator that in response to the suggestion of the Senator from Idaho [Mr. BORAH] awhile ago I said that in general the President is charged with the conduct of our foreign affairs, subject to the limitations provided in the Constitution as to the power of Congress. By that I meant, of course, the power of Congress to declare war. Nobody in America has any power to declare war except the Congress of the United States.

Mr. GEORGE. Mr. President, let me call the Senator's attention to the fact that there is not in the entire pending joint resolution anything that has anything to do with our foreign relations.

Mr. CONNALLY. Not at all.

Mr. GEORGE. It relates solely to the control and regulation of our own citizens.

Mr. CONNALLY. Exactly.

Mr. GEORGE. And, irrespective of whether there is any possible encroachment upon the Executive prerogative or authority, the Congress, undoubtedly, could find, as a matter of fact, today that a state of war exists between Great Britain, France, and Germany and could enact every line of the pending joint resolution—in fact most of it is the law now on the statute books—and would not interfere in any degree with the Executive power.

Mr. CONNALLY. I thank the Senator from Georgia. He very clearly and succinctly points out what the Senator from Texas hopes he may be able to confirm, that this entire joint resolution has nothing to do with international law; it has nothing to do with our international relations. It is a piece of domestic legislation relating to what our ships shall do and what they shall not do, relating to what our citizens may do and what they may not do. I hope later on the Senate will adopt an amendment specifically providing that this measure has no relation to international law and that we claim every right that we have under international law, and stipulating that the measure is simply a domestic act for the regulation and control of the conduct of our ships and our people.

Mr. BORAH. Mr. President——

Mr. CONNALLY. I yield to the Senator from Idaho.

Mr. BORAH. I did not undertake to say, as the Senator from Georgia intimated, that the joint resolution was objectionable because it was dealing with international affairs, although that question is involved, but I did mean to say that if the President or the Congress, by concurrent resolution, should find the existence of a state of war, necessarily, in the last analysis, the execution of this measure must be left to the President. Suppose Congress should declare that a state of war existed at some place and the President did not agree with the Congress; it would be rather an awkward situation. That is the reason why I said that it did not seem to me to be good legislation.

Mr. CONNALLY. Mr. President, let me say, in answer to the Senator from Idaho, that I am assuming that any man who at the present time occupies or shall in the future occupy the office of President of the United States, and who takes an oath to enforce and uphold the law and the Constitution, will enforce the laws regardless of whether they suit his personal will or his personal wishes. I cannot conceive of such a situation as that any President, if he did not see fit to invoke this proposed act, and Congress should by concurrent resolution invoke it, hesitating a moment to enforce the law; because when the Congress enacts the measure, it is not the President's law, it is not the law of any individual, but it is the law of the people and Government of the United

States, and it becomes the function and duty of every officer charged with the enforcement of the law to execute it, whether he likes it or whether he does not.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. CONNALLY. I will yield in a moment. Particularly since this is a domestic regulation relating to our commerce, which is purely, of course, a Federal function, I think it is perfectly legitimate to put into this proposed act any subsequent condition or any condition precedent to its invocation. Since it is only a domestic regulation and cannot bring us into any conflict with a foreign nation as a violation of international law, it is perfectly competent for the Congress to say whenever danger arises anywhere that we do not want our ships to go there. Suppose the President should not find such danger to exist. Then we would have a right to impose some other condition. We might say that when the first ship is sunk by a submarine automatically these restrictions shall go into effect. We have a perfect right to say that upon the happening of any other particular event automatically these restrictions shall go into effect.

So the provision as to the action of Congress in a sense is simply the prescription of another contingency. If the President invokes it, very well, it goes into effect; but if he does not invoke it, and Congress invokes it, then it goes into effect; or if neither one invokes it, if there should be a submarine sinking, it would go into effect; or we could go on endlessly and prescribe half a dozen different contingencies, the happening of any one of which would invoke the shipping inhibitions. I do not want to invoke them unless it is necessary to invoke them. Suppose there is a war between the Patagonians and some other peoples. What business is it of ours? It does not affect our citizens; it does not affect our commerce; it does not affect our ships; so why should we impose upon ourselves these iron manacles and shackles when there is no occasion for it?

So I see nothing wrong in the language that whenever the President finds the lives of our citizens are endangered and the peace of the United States is endangered, then, and then only shall he act. What is the use of issuing a proclamation every morning about something when there is no danger? When the hour of danger comes, let the proclamation be issued; let commerce be stifled; let our ships be tied up in the ports; but, for God's sake, do not do it unless it is necessary to do it. If nobody's life is endangered, if nobody's peace is threatened, if no ship is hazarded, what is the use of the Congress of the United States reaching out with its all-compelling authority and saying, "You shall not do this," when there is no occasion for doing it? I hope the amendment will not be adopted.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado [Mr. JOHNSON] to the amendment reported by the committee.

Mr. LUCAS. Mr. President, during the time I have served as a Member of the Congress, the question of the delegation of power by the legislative branch of the Government to the Executive has been discussed frequently in this branch of the Congress, as well as in the other. The press of the country have talked about it, and it has been a tremendously interesting question during the present administration. I have heretofore made some observations and asked some questions in respect to section 1 (a) of the pending resolution which is now being debated in the Senate. My remarks dealt with the constitutionality of that part of the proposed legislation by the terms of which the Congress, by concurrent resolution, may compel the President to issue a proclamation. I undertake to say, Mr. President, that, under the pending resolution in its present form, when a state of war is declared or when the President finds by proclamation that a state of war exists between two states, then it is mandatory that the President issue a proclamation so finding.

Since the Foreign Relations Committee in reporting the joint resolution believed it is constitutional on this aspect, and since I believe it important that every constitutional question in connection with this proposed legislation should be explored, I should like to make a few further remarks concerning the constitutional issue.

First, let me say that I hold no particular brief for the soundness of my own views on this question. I know there is little judicial authority on these points, that my researches have not been exhaustive, and that we are dealing with a comparatively obscure field of constitutional law. I submit these observations for whatever they may be worth. I do this because I believe it is important that we do not unwittingly violate any constitutional limitation placed upon the Congress. Further, I do it to assure that in this important legislation we shall not set an erroneous constitutional precedent which may embarrass future legislative policy.

I asked the question the other day whether, under the pending legislation, if a proper concurrent resolution were adopted by Congress, the President would be compelled to issue a proclamation. The answer given to me at that time by the distinguished Senator from Nevada and the distinguished Senator from Kentucky was "yes." It was stated that if the pending resolution became law, then this provision was in it, and since, under the Constitution, the President is bound "to take care that the laws be faithfully executed," the President must issue a proclamation. A distinction was made between such a case and the case where no existing statute provided for such a concurrent resolution.

I am not convinced of the validity of that answer as a matter of constitutional law.

That answer assumes that if legislative power is being exercised by Congress when it adopts such a concurrent resolution, that method is a proper method of exercising it. I am not sure that the assumption is correct, and I shall discuss this point later in these remarks.

Further, that answer assumes that in the relationships between the Congress and the Executive, if the Executive acquiesces, by his signature, in an invasion by Congress of his power, the constitutional prohibition against encroachment on his power is waived or cured. That cannot be so. Two branches of the Government cannot get together to waive any constitutional limitation. The fact that Congress passed the bill in the *"Hot Oil" case* ((1935) 293 U. S. 388) did not cure the delegation of its legislative power. In the *Myers case* ((1926) 272 U. S. 52) the fact that the President signed a bill which provided for removal of postmasters only with the consent of the Senate did not prevent the law from being declared unconstitutional. The point was not argued, however. It must be remembered that the President not only has the duty of faithfully executing the laws, but he has taken an oath to "preserve, protect, and defend the Constitution"—article 2, section 1, paragraph 7. He does not "preserve, protect, and defend" if he permits an unconstitutional encroachment on Executive powers.

So we come to the two real questions:

First. Is the concurrent resolution a constitutional method of exercising whatever power Congress has in the premises?

Second. Does the legislation provide for an unconstitutional encroachment upon the President's powers?

Neither question is free from doubt. I shall discuss them in the order presented.

THE PROPRIETY OF THE CONCURRENT RESOLUTION

The Constitution provides that—

> Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary * * * shall be presented to the President—

And so forth (art. 1, sec. 7, par. 3). The Constitution by these express terms would seem to exclude any action by both Houses without the approval of the President. Traditionally, however, the two Houses have used such a device not requiring Executive assent in matters peculiarly concerning their own business, such as the creation of joint legislative committees, directions for correction of enrollment, requests for information, or extending the thanks or expressing the sense of Congress. It can hardly be argued that these uses of the method are precedents for effecting a result in a regulatory field which would be of the same character for all

purposes as a bill signed by the President. Thus, under the pending joint resolution, the President is required to issue a proclamation whenever the concurrent resolution is adopted. It initiates the action. If this is a valid exercise of power by the legislature, then is it not valid for Congress to provide that a particular statute shall take effect when Congress declares by concurrent resolution that it shall? Similarly, could not a law provide that conduct hereafter specified in a concurrent resolution shall be punished by a fine, and so forth? It is as intolerable to embrace the thought that a compliant President, by signing a bill so providing, would thereby permit legislation by concurrent resolution as it is to countenance the parallel situation in which a compliant Congress abdicates its function to the Executive. The Constitution permits neither.

How much more apparent the error in an argument contrary to the foregoing becomes when we recall that Congress can, after Executive veto, make law by a two-thirds vote. If Congress can, by a bill passed over the President's veto, authorize a future application of the statute whenever a concurrent resolution is passed, what has become of the constitutional requirement of Executive approval? Denominating the concurrent resolution as an "event" from which flow established legal results is, then, a sophistry which hides the real truth that Congress alone, and by majority vote, is legislating.

A statutory authority to require an organization in the executive branch to investigate upon request by concurrent resolution can be distinguished. There it may be said that the organization is an agent of Congress to assist it in obtaining information on which to legislate. It is to be noted that these statutes usually relate to such organizations as the Federal Trade Commission, the Tariff Commission, and the Comptroller General, so-called quasi-legislative agencies. It can hardly be argued that the President is an agent of Congress.

It may be argued that in passing the concurrent resolution the Congress is not exercising a legislative power at all, and hence there is no need of Presidential approval. If that is the case, then the power exercised is either judicial or executive. If it is either, then, under the familiar doctrine of the separation of powers, Congress cannot exercise it, for only legislative powers may be exercised by Congress.

DOES THE LEGISLATION AUTHORIZE AN ENCROACHMENT UPON EXECUTIVE POWER?

I now come to the question whether the legislation, in compelling the President to issue a proclamation upon the finding by Congress by concurrent resolution of the existence of a state of war, does or does not authorize an unconstitutional encroachment by the Congress on the executive powers of the President under the Constitution.

In inquiring into this question I confess I am guided more by my feelings and the traditional policy of this country than by any judicial precedents; for the fact of the matter is that there are, so far as I have been able to discover, no judicial precedents directly bearing on this question. There are, however, numerous statements of the Supreme Court emphasizing the exclusive nature of the prerogatives of the President in the conduct of the foreign relations of the United States.

A recent example is to be found in *United States* v. *Curtiss-Wright Export Corp.* ((1936) 299 U. S. 304), wherein the Court said, at page 319:

> Not only, as we have shown, is the Federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate, and manifold problems, the President alone has the power to speak or listen as a representative of the Nation. He makes treatics with the advice and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude; and Congress itself is powerless to invade it. As Marshall said in his great argument of March 7, 1800, in the House of Representatives, "The President is the sole organ of the Nation in its external relations, and its sole representative with foreign nations." (Annals, 6th Cong., column 613.)
>
> The Senate Committee on Foreign Relations at a very early day in our history (February 15, 1816), reported to the Senate, among other things, as follows:
>
> "The President is the constitutional representative of the United States with regard to foreign nations. He manages our concerns with foreign nations and must necessarily be most competent to determine when, how, and upon what subjects negotiation may be urged with the greatest prospect of success. For his conduct he is responsible to the Constitution. The committee consider this responsibility the surest pledge for the faithful discharge of his duty. They think the interference of the Senate in the direction of foreign negotiations calculate to diminish that responsibility and thereby to impair the best security for the national safety. The nature of transactions with foreign nations, moreover, requires caution and unity of design, and their success frequently depends on secrecy and dispatch." (U. S. Senate, Reports, Committee on Foreign Relations, vol. 8, p. 24.)
>
> It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations—a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution. It is quite apparent that if, in the maintenance of our international relations, embarrassment—perhaps serious embarrassment—is to be avoided and success for our aims achieved, congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord to the President a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved. Moreover, he, not Congress, has the better opportunity of knowing the conditions which prevail in foreign countries, and especially is this true in time of war. He has his confidential sources of information. He has his agents in the form of diplomatic, consular, and other officials. Secrecy in respect of information gathered by them may be highly necessary, and the premature disclosure of it productive of harmful results. Indeed, so clearly is this true that the first President refused to accede to a request to lay before the House of Representatives the instructions, correspondence, and documents relating to the negotiation of the Jay Treaty—a refusal the wisdom of which was recognized by the House itself and has never since been doubted.

It may be contended by various Senators, however, that this legislation deals only with the conduct of our own citizens in relation to the belligerents, and so does not affect the external affairs of the United States. First, it would be a persuasive answer to say that the only question involved in the Curtiss-Wright case was the question of an embargo on the transportation by our citizens of munitions to the belligerents in the Chaco War, and yet the Court treated that question as one affecting the external affairs of the United States. Second, if the congressional finding of a state of war is to have, for all purposes, the same effect from the standpoint of international law as a finding by the President of a state of war and a proclamation of United States neutrality, then it does affect the external affairs of the United States. Among other things, it will have the effect of subjecting the United States to the disabilities of a neutral, and of granting, so far as the United States is concerned, to foreign states the rights of belligerents—disabilities and rights which are recognized by international law to come into being on the existence of a state of war and a proclamation of neutrality, and which seriously affect the external interests of the United States.

If the concurrent resolution is not intended to have this effect, how are foreign nations to be so advised? How are we to convince them that a finding by a responsible and coordinate branch of our Government is not to be taken as meaning what it says? Is a state of war to be recognized by the United States for some purposes but not for all purposes?

It seems to me that the legislation itself contemplates that the concurrent resolution will have the same effect as Presidential recognition, for when Congress makes the finding, the President is not directed to issue a proclamation of executive recognition, but rather to issue a proclamation which does no more than name the states involved. So under the pending legislation, when the President issues a proclamation in consequence of the concurrent resolution, the only recognition by the United States of the existence of a state of war is the recognition by Congress, and it must be that this recognition is to serve all purposes.

If the assumption is right that the congressional finding is to have the same effect internationally as a Presidential

recognition of war and a proclamation of United States neutrality, and that such a finding will thus seriously affect the external affairs of the United States, I cannot help feeling that Congress is seeking to invade fields which the Constitution forbids it to enter. So far as I have been able to ascertain, beginning with Washington's famous neutrality proclamation of 1793, recognition by the United States of a state of war in other lands has always been executive recognition, by the President and by the President alone. This in itself should indicate that such recognition is an exclusive prerogative of the President; but there are other compelling practical reasons why this is so. Foreign nations communicate with the United States through the President of the United States. He, and he alone, is the only person in the United States who can officially know of the existence of a state of war in other parts of the world, because to him, and to him alone, is such information communicated by the foreign governments concerned. In matters of foreign relations, practical considerations demand that only one branch of the Government present the country's position. Practical considerations dictate that the executive branch should be the one to do it.

Thus it seems to me that both tradition and the very nature and effect of the act itself, as well as practical considerations, compel the conclusion that recognition of a state of war in other lands is an exclusive prerogative of the Executive. It can in no sense be thought of as a subject of legislation; nor can Congress, in making such recognition by concurrent resolution, be considered as acting in a legislative capacity; and it is in that capacity alone that the Constitution permits Congress to act.

Even if the concurrent resolution does not, as a matter of law, have the same effect as Executive recognition of a state of war and a proclamation of neutrality, I come face to face with other barriers to its constitutionality. For even if what is sought to be done by the concurrent resolution is not to be considered as having the same effect as Executive recognition, Congress is at least seeking to prescribe the time when what I conceive to be exclusively Executive powers shall be exercised and to compel their exercise. If it is right to assume that the recognition of a state of war and a proclamation of neutrality are matters which the Constitution leaves within the absolute discretion of the Executive, Congress can no more prescribe, by its action alone, when such recognition shall be made and such proclamation issued than it can itself make such recognition.

It is unnecessary to determine whether recognition of a state of war may be made by Congress and the President acting together—that is, by bill or joint resolution signed by the President—first, because the concurrent-resolution device assumes disagreement between Congress and the President; and, second, because signature by the President could be held to cure whatever defects might inhere in attempted congressional action and be considered tantamount to Executive recognition.

Mr. President, I have read this somewhat lengthy argument upon section 1 of the pending joint resolution, involving the question of the constitutionality of the measure insofar as it gives the Congress of the United States joint power to find that a war exists in certain states. I have made this statement, as I said in the beginning, in the hope of making some slight contribution to what seems to me a deep-seated, fundamental question of constitutional government involved in the proposed legislation.

Insofar as the Senator from Illinois is concerned, I shall vote to remove from the joint resolution the language covered by the amendment, for the reason that the legislative department, by this language, would be seeking to invade the domain of the executive department, the very thing about which we have been crying from the housetops during the last 4 or 5 years, except that we have been on the other horn of the dilemma. In all the arguments and debates and discussions over the laws which have been passed in recent years, the great question before the country has been the delegation of the powers of the legislative to the executive, and it strikes me that the legislative branch of the Government would be attempting, by this language, to do the very thing about which it has been complaining in the past.

Mr. BORAH. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. BORAH. The section provides:

> That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states—

And so forth. With what would they be dealing? They would be dealing with a foreign situation, exactly what was really the basis of the decision of the Supreme Court in the Chaco case. It is true that it is local legislation, in a sense, providing what we may do; but we are saying what the President of the United States shall do in a matter which will deal almost exclusively with foreign conditions. This is not local legislation to any greater extent than the law which the Court passed upon in the Chaco case.

Mr. LUCAS. In the case the Senator cited, the Court held that the local act applied to conditions which existed.

Mr. BORAH. Exactly; and the Supreme Court went so far in that decision—I do not say they went too far, though it rather surprised me—they went so far as to say that it was an exclusive matter for the President of the United States.

Mr. LUCAS. The Senator is correct, and that is just what I quoted in my statement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. JOHNSON] to the amendment of the committee in the nature of a substitute.

Mr. JOHNSON of Colorado. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BORAH. Mr. President, before the vote is taken I should like to say a word on the amendment.

Regardless of the technical constitutional question—and I think there is a serious constitutional question, but I shall not discuss it now—what have we before us? We have a section which provides that "whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states," and so forth. Is it wise, is it practicable, is it good legislation, to place the tremendous responsibility of determining whether a state of war exists between foreign nations, with which foreign nations we shall have to deal in many particulars, in two different departments of the Government? It might well happen that the President should reach one conclusion and the Congress another.

Let us suppose that the President acts upon a situation which develops, and comes to the conclusion that there is not a state of war existing, and that is so announced by the President of the United States—the Chief Executive. Then suppose we find someone in Congress moving, and Congress finally deciding, that there is a state of war; and the President is called upon—assuming the law to be constitutional—to execute a law under which he has decided it is not wise to act. My opinion is that under the Chaco case a serious situation would arise.

Leaving aside all questions of constitutionality, I undertake to say that it is not good legislation to place that power in two departments of the Government. The law should be so drawn that they would have to act together, or it should be so drawn that the President alone would act in the situation.

For this reason, aside from the constitutional question, I shall vote for the amendment. I am aware the Senator from Colorado has divided his amendment, but I shall vote against both parts of the amendment. The whole provision is objectionable enough to be redrafted.

The PRESIDING OFFICER. The Chair feels that the amendment should be restated, in view of the last remark of the Senator from Idaho, because the section to which he has referred is not included in the amendment on which the vote is now to be taken. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 15, line 5, after the word "states", to strike out "and that it is necessary to promote the security or preserve the peace of the

United States or to protect the lives of citizens of the United States."

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LUCAS (when his name was called). I desire to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. Are two amendments pending at the present time?

The PRESIDING OFFICER. The amendment pending is the amendment offered by the Senator from Colorado, which has been divided, and at the request of the Senator from Colorado the second branch of the amendment is being voted on first, that is, the part which in effect strikes from section 1, beginning in line 5, after the word "states," all of the balance of line 5, line 6, and all of line 7.

Mr. LUCAS. I vote "nay."

Mr. SHIPSTEAD (when his name was called). On this question I have a pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that if present he would vote "nay," and if permitted to vote I would vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Nevada [Mr. MCCARRAN] and the Senator from Arkansas [Mr. MILLER] have been called to Government departments on matters pertaining to their respective States.

The Senator from Montana [Mr. WHEELER] is unavoidably detained.

The result was announced—yeas 26, nays 61, as follows:

YEAS—26

Borah	Downey	La Follette	Taft
Burke	Frazier	Lodge	Tobey
Capper	Gurney	Lundeen	Townsend
Clark, Idaho	Holman	McNary	Walsh
Clark, Mo.	Holt	Nye	Wiley
Danaher	Johnson, Calif.	Overton	
Davis	Johnson, Colo.	Reynolds	

NAYS—61

Adams	Connally	Lee	Sheppard
Andrews	Ellender	Lucas	Slattery
Austin	George	McKellar	Smathers
Bailey	Gerry	Maloney	Smith
Bankhead	Gibson	Mead	Stewart
Barbour	Gillette	Minton	Thomas, Okla.
Barkley	Green	Murray	Thomas, Utah
Bilbo	Guffey	Neely	Truman
Bridges	Hale	Norris	Tydings
Brown	Harrison	O'Mahoney	Vandenberg
Bulow	Hatch	Pepper	Van Nuys
Byrd	Hayden	Pittman	Wagner
Byrnes	Herring	Radcliffe	White
Caraway	Hill	Russell	
Chandler	Hughes	Schwartz	
Chavez	King	Schwellenbach	

NOT VOTING—9

Ashurst	Glass	Miller	Shipstead
Bone	McCarran	Reed	Wheeler
Donahey			

So the second branch of the amendment of Mr. JOHNSON of Colorado to the amendment of the committee was rejected.

Mr. JOHNSON of Colorado. Mr. President, I now ask that the first branch of my amendment to the committee amendment be stated.

The VICE PRESIDENT. The clerk will state the amendment now offered by the Senator from Colorado.

The LEGISLATIVE CLERK. On page 15, line 3, after the word "President", it is proposed to strike out the words "or the Congress by concurrent resolution."

The VICE PRESIDENT. The question is on agreeing to the first branch of the amendment offered by the Senator from Colorado to the committee amendment.

Mr. JOHNSON of Colorado. On that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. NORRIS. Mr. President, I can see no objection to the language which the Senator from Colorado desires to strike out. It may be of little consequence whether the language is stricken or not, but it seems to me the language is of psychological importance. If the language remains in the measure, as the result of the defeat of the Senator's amendment, then there will be two ways of putting the law into effect. One will be by Presidential action, and the other will be by action on the part of Congress.

Mr. President, I know that in the future, in connection with putting the legislation into effect, questions may arise which will be difficult of decision, and men will honestly disagree as to whether such a situation exists as to make it desirable or necessary to enforce the law. The pending legislation contains a great deal of machinery, to invoke which will result in considerable expense, in much hardship on the citizens of the United States. A great many sacrifices must be made under it. It should not be put into force unless it is necessary to do so.

A disagreement might occur, and the President might be severely criticized, even by Members of Congress, because he had not acted upon what the critics believed to be good and sound reasons. The criticism might be based upon reason and logic, or it might arise for partisan reasons and considerations that would be advantageous to the one criticising him. It seems to me the situation would be relieved so far as Congress is concerned if the language were allowed to remain. If we did not believe the President was acting properly, Congress itself could act. Under this proposed legislation many cases may arise as to which Congress will not agree with the President. Other cases may arise as to which the President, himself, is in great doubt. He may desire action by the Congress. The best way for him to consult and obtain the advice of Congress is through a concurrent resolution, as the pending legislation provides. The President may desire it. It seems to me the President would desire it. If he took any action involving grave responsibility, as would be the case under the pending measure, he would like to have the official recognition and the advice of others in authority who are jointly responsible to the people of the United States for the government of the country. Therefore, it seems to me, it would be natural for the President to seek advice from the Congress, and that he would think more of it than advice which might come from newspaper sources or over the radio and from people generally throughout the country. It would be a responsible method of providing advice. It would come from those who represent the people themselves, their constituents, in the Senate and in the other House.

So, Mr. President, I believe it is very desirable that these words remain in the joint resolution if it shall be enacted into law.

When I first read them in the measure I thought that there could not possibly be any objection from friend or foe of the administration or any objection raised even on constitutional grounds. If that point is raised, how will the law actually operate? We could not enforce the provisions of the concurrent resolution if we passed it and the President said, "I refuse to act." I concede that we could not enforce its provisions. There would be no way of compelling the President to act. We could not have a mandamus issued against him. No penalty is attached to failure to act, and I do not suppose anyone wishes to see a penalty provided. The President could stand on his constitutional grounds and maintain that the measure was unconstitutional and refuse to do anything, even though Congress by concurrent resolution had stated what he ought to do. So it would be harmless, so far as any legal disability is concerned. I do not care to enter into a discussion of the constitutional question, because I do not think it is all important on this occasion. It seems to me we have the constitutional right to do this, even though we do not believe we are going any further than to give advice to the Chief Executive of the United States.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. TYDINGS. As I understand the wording of this particular phrase, it is designed to permit Congress to be a fact-finding institution. It places no executive power in Congress at all. It simply provides for a finding of fact.

Mr. NORRIS. Yes

Mr. BORAH. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BORAH. I should like to ask the Senator from Nebraska a question. Does the power of the Congress to find by concurrent resolution that a state of war exists involve the power to find that a state of war does not exist?

Mr. NORRIS. I should not think that would necessarily follow, although, as I see it, it is absolutely immaterial whether it follows or not. The words in question do not provide that the Congress shall find that a state of war does not exist, but provide for affirmative action. Congress would not have any authority, as I see it, even if we passed the joint resolution with the language remaining in it, to find that a state of war did not exist, although I presume there would be no constitutional inhibition against Congress doing so without any law to that effect. I think Congress could act under a concurrent resolution and say that a situation existed that would require the issuance of a Presidential proclamation, or, if it wanted to, that such a situation did not exist. I do not believe it is material. Anyway, we do nothing but confer upon Congress the right to find what the situation is. Congress has that power anyway, but we give it a legal standing which it does not now have. We give it a standing before the people—one that I should think would be very impressive so far as the President is concerned—as showing what Congress thinks about the matter. After all, under the Constitution Congress, and Congress alone, is given authority to declare war. The object of this measure, as I see it—and that is one reason why I support it—is to keep us out of war; and if Congress should want to make a finding as to the existence of a certain state of affairs so as to put the provisions of the measure into effect, it would be the first step in enabling the country to keep out of war.

The facts as they were given to Congress would improve its knowledge of the situation. I can conceive of such a condition as the Congress and the President being far apart, each acting in complete honesty. Congress might not want to go to war, we will say, while the President might wish to do so. As I see it, if we put such a law into effect it would help to keep us out of war. The way to put it into effect is for Congress to pass a concurrent resolution. In that event we should really be acting under our authority to declare war, because by taking this initial step we would be steering the country in the direction of keeping out of war.

Mr. President, it seems to me it would be a sad mistake for Congress to strike out the language referred to.

The VICE PRESIDENT. The question is on agreeing to the first branch of the amendment offered by the Senator from Colorado. On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). As stated before, I am paired with the senior Senator from Virginia [Mr. GLASS]. I am informed that if he were present he would vote as I intend to vote. I am, therefore, free to vote, and vote "nay."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Nevada [Mr. MCCARRAN] has been called to one of the Government departments on matters pertaining to the State of Nevada.

The Senator from Montana [Mr. WHEELER] is unavoidably detained.

The result was announced—yeas 14, nays 75, as follows:

YEAS—14

Adams	Downey	Johnson, Colo.	White
Borah	Frazier	Lucas	Wiley
Danaher	Holman	Lundeen	
Donahey	Johnson, Calif.	Reynolds	

NAYS—75

Andrews	Bankhead	Bilbo	Bulow
Austin	Barbour	Bridges	Burke
Bailey	Barkley	Brown	Byrd
Byrnes	Gurney	Miller	Slattery
Capper	Hale	Minton	Smathers
Caraway	Harrison	Murray	Smith
Chandler	Hatch	Neely	Stewart
Chavez	Hayden	Norris	Taft
Clark, Idaho	Herring	Nye	Thomas, Okla.
Clark, Mo.	Hill	O'Mahoney	Thomas, Utah
Connally	Holt	Overton	Tobey
Davis	Hughes	Pepper	Townsend
Ellender	King	Pittman	Truman
George	La Follette	Radcliffe	Tydings
Gerry	Lee	Russell	Vandenberg
Gibson	Lodge	Schwartz	Van Nuys
Gillette	McKellar	Schwellenbach	Wagner
Green	Maloney	Sheppard	Walsh
Guffey	Mead	Shipstead	

NOT VOTING—7

Ashurst	Glass	McNary	Wheeler
Bone	McCarran	Reed	

So the first branch of the amendment of Mr. JOHNSON of Colorado to the committee amendment in the nature of a substitute was rejected.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Let the Chair state the parliamentary situation. The Senator from Colorado offered a substitute. He offered two amendments. The substitute is now pending.

Mr. JOHNSON of Colorado. The Senator from Colorado withdraws the substitute.

Mr. LA FOLLETTE. Mr. President, I send to the desk a number of amendments, which I ask to have stated.

The VICE PRESIDENT. The first amendment offered by the Senator from Wisconsin will be stated.

The LEGISLATIVE CLERK. On page 16, line 14, after the word "transferred", it is proposed to insert "for cash."

Mr. LA FOLLETTE. Mr. President, I ask that all the amendments in this group be stated, and then I intend to ask unanimous consent that they be considered en bloc.

The VICE PRESIDENT. Is there objection to all the amendments being stated? The Chair hears none, and the amendments will be stated.

The LEGISLATIVE CLERK. On page 17, line 6, after "states", it is proposed to insert the following new sentence:

As used in this subsection, the term "cash" shall not include ordinary commercial credits or short-term obligations.

And at the end of the joint resolution it is proposed to insert the following new section:

EXPORT CONTROL BOARD

SEC. —. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), he shall thereupon establish an Export Control Board (hereinafter referred to in this section as the Board), to be composed of a chairman to be appointed by the President; the Secretaries of State, Commerce, and Interior; two Members of the Senate to be appointed by the President of the Senate, not more than one of whom shall belong to the same political party; and two Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, not more than one of whom shall belong to the same political party. A vacancy in the membership of the Board shall not affect the power of the remaining members to execute the functions of the Board, and shall be filled in the same manner as the original appointment.

(b) In order to prevent the growth and subsequent collapse of a short-lived war boom with its attendant dangers to our peace, prosperity, and cost of living, it shall be the duty of the Board to limit the annual exportation of commodities from the United States to each state named in any such proclamation to the average annual exports to each such state from the United States during any 4 consecutive years of the 12-year period immediately preceding the date such proclamation is issued.

(c) The Board shall compute for each such state as soon as practicable the average annual exports of commodities from the United States to each such state for each of the following major categories: Crude materials, crude foodstuffs, manufactured foodstuffs, semimanufactures and finished manufactures. The computation so made with respect to each such major category for any such state shall thereafter be the annual quota for such category for such state.

(d) Upon the establishment of an annual quota for each major category for each such state, the Board shall, upon the request of the duly authorized and empowered purchasing agent for such state, issue licenses to such agent for the exportation of commodities to such state. No licenses shall be issued to any such agent during any 1 year for the exportation of commodities within each major category in excess of the annual quota established for such category for such state: *Provided*, That if the President shall find that the civilian population of any such state is in extreme need as a result of the war to which the President's proclamation relates, he may increase the annual quotas for such state so long as such need exists, but such increase shall not exceed 10 percent of such annual quotas.

(e) Whenever a stored surplus of commodities within any such major category exists in the United States and such surplus is not necessary for the welfare or defense of the United States, licenses for the exportation of such commodities shall be limited to such stored surplus so long as such surplus exists.

(f) It shall be the duty of the Board to tabulate and examine the character of exports to neutral states, and if the Board finds (1) that commodities in any major category are being imported from the United States by any such neutral state in abnormal quantities, (2) that such imports are not in lieu of imports previously secured from belligerent states, and (3) that such imports are not for their own needs but are being transshipped to belligerents, the Board shall announce such finding and thereafter the provisions of this section shall apply to such neutral state with respect to such major category in the same manner and to the same extent as it applies to such belligerents.

(g) The Board shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. The Board is authorized to utilize the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government. The members of the Board shall serve without additional compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Board. The Board is authorized to make such rules and regulations as may be necessary to carry out its functions under this section.

(h) During any period in which the provisions of this section are in effect, it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any such state during any calendar year any such commodities in excess of the quota so established; and it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any such state any such commodities without first having obtained a license therefor.

(i) The provisions of this section shall apply only during a period in which a proclamation issued under the authority of section 1 (a) is in effect; and shall cease to apply to any state named in any such proclamation when such proclamation has been revoked with respect to such state.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. May the Chair inquire if the Senator desires to ask unanimous consent that all the amendments be considered as one?

Mr. LA FOLLETTE. Mr. President, I was about to make a statement concerning that. Contrary to the statement which I made prior to the time the amendments were read, at the request of several Senators, I shall not ask that the amendments be considered en bloc, and I now offer the amendment which provides for the creation of an Export Control Board, beginning in line 10, page 1, of the amendments as printed.

Mr. President, there has been some controversy in this Chamber during the course of this debate over the part that the munitions and other war trade, which grew up in this country between 1914 and 1917 played insofar as the involvement of the United States in the World War was concerned. I stated very frankly in discussing the pending resolution when I first had the opportunity to address myself to it, that, in my judgment, the war trade had a great deal to do with the ultimate involvement of the United States in the World War. In making that statement, I would not wish for a moment to question the sincerity and the whole-hearted frankness of the Senator from Nevada [Mr. PITTMAN] and the Senator from Idaho [Mr. BORAH] in stating the reasons which compelled them to vote for the declaration of war. But it flies in the face of all the research which has been made not only officially by committees of Congress but also by students and historians to say that the war boom and the war trade which developed between 1914 and 1917 did not have anything to do with the ultimate involvement of the United States in the World War.

Mr. President, I think it is likewise a statement which cannot be successfully controverted that it was the war trade, the war boom, not only between 1914 and 1917, but the boom which ensued after we participated in that war which distorted and dislocated American economy to such a point that, at the end of 10 years, we are still struggling with the economic problems which were thus created.

It is perfectly clear that, so far as the pending joint resolution as it stands is concerned, it will afford absolutely no check upon the distortion which a wartime trade with belligerent nations in Europe and with neutral nations may cause.

Mr. President, it was the demand for foodstuffs that produced the power behind and in front of the plow that broke the furrows through the Plains; it was the demand for meat products that resulted in the overgrazing of our grazing areas; it was the tremendous demand for cotton which helped greatly to increase the production of cotton in this country. I think all Senators who have given any study to the problems confronting the great basic industry of agriculture in the United States will recognize that today many of the difficulties which confront us in endeavoring to put that industry back upon a sound footing were caused by wartime distortion; by the demands of war upon this Nation both as a neutral and as a participant.

It is not only true of the agricultural industry, it is likewise true of the great industrial-producing segment of our economy. Every person who has made any study knows that it was the demand of war, which is an abnormal demand, that resulted in and precipitated the rapid advance of technological methods of production in our plants. It was the construction of additional plant capacity to meet this abnormal wartime demand which gave us the enormous productive capacity which America possesses today and which created problems which, even after 10 years of struggle, are unsolved so far as the utilization of that capacity and the unemployment resulting from the failure to use it are concerned.

Mr. President, that we should take heed, we should take warning from past experience, for just so certain as we do not make provision to prevent the further distortion of our economy by the trade which will be coming to us under the terms of the pending joint resolution as it now stands, even if we are successful, as some Senators supporting the resolution contend, in remaining out of the war, that distortion will ultimately aggravate and intensify the problems, both agricultural and industrial, with which the best brains of this Nation have been wrestling for the past 10 years and have failed to solve.

I say, Mr. President, that not to take this important problem into consideration is to invite disaster in the United States of America, not only from an economic standpoint but from a political standpoint, using that word in the broadest sense of the term. Mr. President, if there is one thing we can learn from the experience of the post-war world, it is that a democracy cannot indefinitely survive in an environment which is unhealthy; it cannot indefinitely survive a condition resulting in millions upon millions of men being unemployed; it cannot indefinitely survive when millions of dollars worth of plant capacity and capital are idle.

It is clear that in this post-war world, where democracy in other nations has gone down to defeat when confronted with the problems which were largely created by the last war, our own democracy and its precious civil and religious liberties, which every true American holds dear, are endangered. They have been swept away in other countries which have suffered a severe contraction of their entire economic activity.

Mr. President, this amendment is simple after all. What it proposes is the creation of an export control board, which shall have power to select the exports under four great basic categories for any 4 consecutive years prior to this time. Assuming that the Board should take the 4 years which would permit the largest amount of farm exports from the United States, namely, the years from 1927 to 1930, inclusive, this amendment, if enacted into law, would permit the exportation to belligerents of about a billion dollars worth more of commodities falling within these classifications than were exported in 1939.

As the pending joint resolution is drawn, it definitely does not attempt to impose any quotas upon neutrals which will give us legitimate neutral trade and our economy may thereby profit as the result of the dislocation of the normal flow and interchange of commerce due to the European war.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. LA FOLLETTE. I shall be glad to yield; but I hope the Senator will bear in mind the fact that I am trying to discuss a complicated subject in a short space of time.

Mr. SCHWELLENBACH. I notice subsection (f) of the Senator's amendment, which provides the necessary recognition of the fact that neutrals have to be considered in this problem.

Mr. LA FOLLETTE. I am about to discuss that subject. I shall be glad to answer any question the Senator desires to propound regarding it.

Mr. SCHWELLENBACH. The question I want to propound is this: Would it not be necessary, under subsection (f), for our Government to have representatives—I will not call them "spies," because they would not be spies; they would be there as accredited representatives of our Government—in every neutral nation in the world, seeing whether or not that neutral nation was complying with the requirements of subsection (f) of the Senator's amendment?

Mr. LA FOLLETTE. No, Mr. President; I do not think that would be necessary. As a matter of fact, so far as exportation of commodities to neutral nations abroad is concerned, I think altogether too much alarm has been expressed on the floor of the Senate about what might happen with regard to the transshipment of commodities from neutral nations to belligerent states. It is perfectly clear that if an abnormal amount of commodities were being shipped to neutral nations, that fact in and of itself would be a prima facie case, so far as the Board was concerned, that the abnormal trade was not a trade developed as the result of the normal flow of trade and commerce, and that it must be a trade intended for transshipment to belligerents; whereupon the Board could impose a quota upon such a neutral nation, and they would be treated exactly as a belligerent would be treated, exactly as we treated neutral nations during the last war, and exactly as Great Britain and France and their associates and Allies in the last war treated neutral nations.

Mr. SCHWELLENBACH. Will the Senator yield again?

Mr. LA FOLLETTE. I yield once more.

Mr. SCHWELLENBACH. The Senator has recognized, however, in his amendment, subsection (f), that a certain neutral may be getting more goods from us because of the fact that prior to the war the neutral got that kind of goods from one of the belligerents, and it is a question of fact that we should have to determine. We should have to study it within that country. Then, if we still were suspicious of that country, we should have to see whether or not the neutral was shipping into a belligerent country the stuff obtained from us.

Mr. LA FOLLETTE. Mr. President, as I stated before, I think the Senator and his associates who have taken that point of view on the floor have been altogether too much alarmed about what will happen; but I have recognized their point of view in this amendment in order that I might meet the argument that it would do no good to impose quotas upon belligerents if we permitted the wartime trade to flow through to neutral nations.

Mr. BARKLEY. Mr. President——

Mr. LA FOLLETTE. I want to say that trade statistics are not difficult to obtain, and it will be very easy for the Board to ascertain the total amount of imports which any particular nation now neutral received in any given period it is desired to take prior to the commencement of the war in Europe. If there is an excessive demand for commodities over and above those imports, then that is a sufficient amount of evidence upon which the Board could act without, as the Senator says, introducing a number of spies, and so forth.

Now, Mr. President, I shall be happy to yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I do not want to take the Senator's time. I wondered if he was going to discuss the sort of machinery which it would be necessary for the Government of the United States to set up in any foreign country in order to determine the questions set out in paragraph (f) under clauses (1), (2), and (3).

Mr. LA FOLLETTE. I have already indicated that I do not think it is necessary for us to have a large amount of machinery especially established in a foreign country to ascertain whether or not its trade with the United States is out of all proportion to the trade which it has previously had with the United States, and out of all proportion to the imports which it has received from other nations now belligerent and at war, and who therefore are not in a position to supply the commodities which they have normally, in peacetime, been importing from belligerents.

Mr. President, I do not wish to exaggerate the danger to our agricultural economy in the immediate future so far as the present war in Europe is concerned, because, as every person who has looked into the question knows, there is a very different situation than that which existed from 1914 to 1917 so far as basic agricultural commodities are concerned, both as to the surplus available and as to the present productive capacity.

For example, take the case of wheat: The present world supplies of wheat are the largest in history. They are about 55 percent larger than in 1914, and world consumption is only about 30 percent larger.

The wheat-acreage allotments for 1940 are larger than the acreage harvested in any year from 1914 to 1915. There is little prospect of a reduction in world wheat acreage for harvest next year.

In 1914 there was a small crop of wheat in Canada and Australia. Wheat prices advanced during the fall and winter months, but declined prior to the marketing of the 1915 crop. The average prices for the 1915 crop were slightly smaller than those received for the 1914 crop.

Wheat consumption in the warring nations declined from 1914 through the duration of the war. World shipments during this period also declined, and there is little prospect of an increase in world shipments next year.

Likewise, Mr. President, I think the cotton producers, or those of them who have been anticipating that the present war in Europe is going to result in a rise in the price of cotton and substantial increases in the exportation of our cotton, are doomed to disappointment, because of the difference in the world supply, and because of the difference in the productive capacity of other countries in relation to cotton as compared with the capacity in 1914–17. As a matter of fact, Mr. President, there are students of the cotton problem in the United States who believe that a prolonged war in Europe will be disadvantageous to American cotton; that the shrinkage in peacetime utilization of cotton will not be even compensated for by the wartime demands for it. But, Mr. President, representing a State which in part is an agricultural State, I did not want to be in the position here of proposing a quota system for industrial products without indicating my firm desire and my willingness to impose a quota upon agricultural commodities. But if the war is prolonged there may be danger so far as wheat and other commodities in the United States are concerned.

Now I must hasten on, because I wish to reserve a little time.

The estimates as to the sums available in the United States or which can be sent to the United States by Great Britain and France for conversion into cash or the equivalent of cash vary from four and a half billion dollars to seven and a half billion dollars. In any case, it is a sufficiently large sum of money so that if it is applied in this country to the purchase of commodities, it can and will produce an alarming distortion of our industrial, if not our agricultural, economy. I repeat, Mr. President, that the grave problems we have been confronted with in the period from 1920 down to this very hour, if traced to its final and most important source, will be traced back to the economic effects of the wartime boom which existed in the United States between 1914 and 1918.

There can be no doubt, Mr. President, that if this measure passes in the form in which it has been reported from the

committee, there is not a single provision in the joint resolution which will prevent the distortion of the American economy and the intensification of every agricultural, industrial, and financial economic problem that now confronts the United States.

I also desire to touch upon the fact that we have certain exhaustible natural resources in the United States which, as from the standpoint of national defense and from the standpoint of a high-energy economy, in which internal-combustion power has become such an important factor, should lead us to look with alarm upon a measure which will open to the belligerent nations of Europe, with their mechanized armies, access without control to our petroleum supplies.

I recognize that one can obtain all kinds of estimates from different experts on the exhaustibility of our petroleum supplies; but I say it is recognized by both experts and laymen that it is an exhaustible resource, and yet we are proposing to pass here a measure which does not contain a single safeguard so far as our petroleum supplies are concerned, either from the standpoint of our own national defense or from the standpoint of our own high-energy economy.

I wish to quote from the National Resources Committee on this point. Only a few weeks ago the National Resources Committee of the Federal Government said, concerning petroleum:

> We have produced a large percentage of our reserves and we are now using our reserves at a faster rate than the rest of the world; and it is entirely probable that we have discovered a larger total percentage of our total possible reserves than any other country.
>
> At the present time we account for approximately 60 percent of the world's consumption, but only 50 percent of the proven reserve. It is likely, then, that the problem of exhaustion will appear in the United States before it does in the balance of the world.
>
> The rank of petroleum as a source of energy, its vital importance in national defense, its vulnerability to destructive forces in exploitation, and its comparatively small reserve in comparison with the high rate of withdrawal place this commodity in a unique position among the natural resources.

Mr. President, if we allow uncontrolled export of petroleum, are we not endangering one of the basic safeguards of our own national defense? This, it seems, is characteristic of the whole neutrality measure before us. It puts the needs of the British and French war machines before our own needs. In the particular instance of petroleum, not to mention a good many other items of defensive needs, I am unable to understand how in the name of common sense it can be claimed we are following a logical policy, with the world at war. We let our own defense needs take second place, while we shove into first place the needs of the foreign war machines. Is this a true American policy? So far, those defending the pending joint resolution, and its proponents, have done nothing to meet this situation.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. SCHWELLENBACH. In view of the fact that it would be necessary, under the Senator's proposal, to have quotas of supplies shipped, certainly to belligerents, and possibly to some of the neutrals, would it not be necessary, then, to create quotas as between different producers in this country?

Mr. LA FOLLETTE. No, Mr. President; and I shall come to that, if the Senator will permit me; but I might as well discuss it now.

This problem has already been under consideration. In part it was in the administration's proposal in 1936. The President was given power to add to the list of commodities, other than arms, ammunition, and implements of war, and upon examination before the Committee on Foreign Relations, the Counselor of the State Department, Judge Moore, stated that he believed that the law could be readily enforced, although he recognized the difficulty.

Mr. President, this is what will happen during the present war, as it happened during the last war. The belligerents who desire to buy from us will send authorized purchasing agents to this country. I have been told, though I cannot prove it, that they are already here. In any case, they will come again, just as they came before, and if the Export Control Board should be set up, all a belligerent representative would have to do would be to come to that board and find what are the quotas in the various categories, and then and there obtain the licenses, whereupon he could then go to the manufacturers where and when he pleased, and place his orders in the way he desired to place them.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield again?

Mr. LA FOLLETTE. I yield.

Mr. SCHWELLENBACH. That is just the point where I become worried. If we permit the free shipment of materials to belligerents or to neutrals, then the agent can get his licenses and go wherever he desires to go, but if we say that there is only a certain amount to be shipped from this country, and there are half a dozen manufacturing concerns producing the same thing, if we are going to limit shipments from this country, do we not have to allow each one of those producers a quota?

Mr. LA FOLLETTE. Absolutely not. All the Government says to the purchasing agent is, "You have X amount of quota." It then would be within his discretion, as it would be under the joint resolution, for the purchasing agent to go to any supplier of the commodity and pick the one from whom he wanted to buy. There is nothing in the measure the Senator is supporting to prevent purchasing agents from doing that, and there would not be anything in the law, if this amendment should be incorporated in it, to prevent them from doing it.

This amendment would not involve the Government in playing any favorites at all. All it would say to the purchasing agent would be, "Here is your particular quota," and it would issue the licenses, or the stamps, or whatever it may decide to issue to him as the most satisfactory means of identifying the shipments, and then the shipments would pass out of our ports with those licenses. So far as the Government is concerned, the transaction will have been concluded when it issues the licenses, and thereafter it will only have to make certain that all shipments going out are properly identified and are licensed.

Mr. MALONEY. Mr. President, will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. MALONEY. Does the Senator know during what 4 consecutive years we did the largest export business?

Mr. LA FOLLETTE. Taking the last 12 years, the 4 consecutive years which show the largest amount of exports from the United States are the years 1927 to 1930, inclusive.

Mr. MALONEY. I presumed that was the case, but I am wondering whether the Senator has the figures for the years prior to 1927.

Mr. LA FOLLETTE. No; I have not, because I took a 12-year period, thinking that was going back sufficiently far from the present to permit us to get something like a normal picture.

Mr. MALONEY. I ask the question because 9 of those 12 years were largely depression years throughout the world, and I do not think the Senator wants to avoid what might easily be considered a normal period.

Mr. LA FOLLETTE. I think it is fair to say that the period from 1927 to 1930 was a normal period, because in those years only one was a depression year. I do not see how we could pick 4 years that would be fairer than those, so far as giving a wide latitude is concerned. I think if we should go beyond that we would get into a situation which I wish to avoid.

Mr. MALONEY. I want to make it clear that I am not questioning the Senator or his purpose.

Mr. LA FOLLETTE. I realized the Senator's question was one eliciting information, and I hope that when I raised my voice the Senator did not assume I did not welcome the interruption.

Mr. President, I wish to call attention to the fact that the Army and Navy Munitions Board have been concerned about what may happen to critical and essential war materials under the policy of cash and carry, or credit and carry,

or whatever it may be called, which has the endorsement of the administration. On October 11 the Army and Navy Munitions Board authorized publication of the following statement:

Under the authority of the act of Congress relating to the purchase and storage of strategic and critical materials for national use during a war emergency, the Procurement Division of the Treasury Department has recently issued proposals for the acquisition of stocks of certain materials classified as strategic by the Army and Navy Munitions Board in consultation with representatives of the State, Treasury, Commerce, and Interior Departments.

The principal purpose of this activity is to assure, in the event war should interrupt the supply, that there will be available in the United States a sufficiency of those materials essential to the industrial economy of the Nation. The materials which will be so accumulated are those which cannot be produced in sufficient quantities in the United States to satisfy vital requirements. The most important of the materials classified by the Army and Navy Munitions Board as strategic are: Antimony, chromium, manganese ferrograde, manila fiber, quartz crystal, quicksilver, quinine, rubber, silk, tin, and tungsten.

Since the outbreak of the present war in Europe foreign purchasers have either obtained or are attempting to obtain for shipment abroad, supplies of these strategic materials which have been imported into this country by private interests for use by American industry. (Army and Navy Register, October 14, 1939, p. 4.)

It will be noted that already there is evidence of a drain by belligerents of these vital, strategic materials. The movement is under way, and nothing in this joint resolution without this amendment can stop it. Why not? Because it is not needed? The Army and Navy think that exportation of antimony, chromium, manganese ferrograde, manila fiber, quartz crystal, quicksilver, quinine, rubber, silk, tin, and tungsten is dangerous. That should be sufficient warning, but apparently the warning falls on deaf ears.

The Army and Navy Munitions Board statement continues:

From the standpoint of national defense it is perhaps imprudent to ship out of the country those materials which can be replaced only by imports, especially at the present time, when it is becoming more difficult and more expensive to secure even the minimum imports of many of the materials listed. (Army and Navy Register, October 14, 1939, p. 4.)

"Imprudent" is the mild description term of the Board. "Foolhardy" would be a more accurate designation. But why blame those who can turn an honest dollar in such deals when Congress does nothing—indeed, taking the pending resolution as a sample—intends to do nothing to put a ban on such exports?

How much of these strategic materials has already been lost? I quote again from the Army and Navy Munitions Board:

The emergency-stock program which has been recently initiated by the Government will be nullified if materials which are normally in stock in the United States not owned by the Government are reexported. Activities of foreign buyers have resulted in the removal of some 10,000 tons of rubber and an appreciable amount of tin from the market since September 1. Attempts have also been made to obtain ferromanganese and supplies of other strategic materials, either in a raw or semifinished form, now in the United States for export. (Army and Navy Register, October 14, 1939, p. 4.)

Ten thousand tons of rubber. How can that be replaced? Only by purchases in the open market, or by a barter arrangement with Great Britain, which virtually controls the production of rubber in the world. Either device, of course, will find the United States paying the world-market price for rubber. The price is not going down; it is going up, and it will continue to rise just so long as the war goes on. Yet we will be paying good, cold cash. Is there anything to prevent the drain of these reserve supplies? Apparently not, except to appeal to the patriotism of the people.

Without intending at all to inveigh against those who engage in commercial transactions, I repeat that if Congress does not indicate that it is against the national interest and national policy to permit a wartime boom to develop in the United States, with the inevitable and catastrophic collapse when the boom ends, how can we blame citizens of the United States for taking advantage of the opportunity for profit?

Mr. President, I had intended to quote at length from industrial leaders, from leaders in all walks of life, who recognize the danger and the menace of an uncontrolled war boom to the economy of the United States, but I have not the time, and I wish to reserve a few moments for rebuttal.

So in concluding this opening statement, Mr. President, I wish to appeal to the patriotism of the Senators in this Chamber; I wish to appeal to their patriotism not only to protect the United States in order that we may preserve and conserve our strategic materials and our exhaustible reserves for our own national defense, but I wish to appeal to them upon the ground that our past experience demonstrates beyond argument that unless we place the potential war boom under some sort of control, inevitably it will not only endanger the welfare of every man, woman, and child in the United States, but it likewise may impair and even undermine and destroy the democratic process itself.

Mr. President, I ask unanimous consent to insert in the RECORD certain figures from the Department of Commerce.

The VICE PRESIDENT. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

Total exports of merchandise from the United States, by economic groups and exports of raw cotton to specified countries

	Total exports		Crude materials	
	Average 1927–30	1938	Average 1928–30[1]	1938
United Kingdom	$803,372,000	$521,124,000	$248,836,000	$165,172,000
France	239,756,000	133,825,000	90,848,000	54,894,000
Canada	839,096,000	467,662,000	159,873,000	110,586,000
New Zealand	34,407,000	23,366,000	1,228,000	1,356,000
South Africa	53,615,000	71,762,000	67,000	460,000
Australia	131,666,000	68,823,000	8,138,000	8,487,000
Germany	409,415,000	107,588,000	189,780,000	25,595,000
Russia	84,606,000	69,691,000	27,551,000	28,000
Italy	137,043,000	58,256,000	70,596,000	30,712,000

	Crude foodstuffs		Manufactured foodstuffs	
	Average 1928–30[1]	1938	Average 1928–30[1]	1938
United Kingdom	$57,114,000	$68,651,000	$125,977,000	$69,043,000
France	4,539,000	4,481,000	8,142,000	6,523,000
Canada	78,237,000	66,784,000	27,649,000	8,216,000
New Zealand	436,000	223,000	1,218,000	937,000
South Africa	30,000	42,000	1,603,000	963,000
Australia	101,000	83,000	2,612,000	1,675,000
Germany	17,139,000	13,596,000	44,209,000	2,004,000
Russia	31,000		133,000	
Italy	5,566,000	1,267,000	5,905,000	287,000

	Semimanufactures		Finished manufactures	
	Average 1928–30[1]	1938	Average 1928–30[1]	1938
United Kingdom	$115,161,000	$68,252,000	$235,946,000	$143,151,000
France	40,733,000	19,638,000	95,620,000	46,503,000
Canada	114,822,000	52,844,000	416,730,000	214,423,000
New Zealand	3,574,000	1,990,000	28,299,000	18,793,000
South Africa	2,994,000	5,323,000	49,246,000	63,159,000
Australia	13,259,000	8,999,000	98,150,000	49,389,000
Germany	60,176,000	38,395,000	66,611,000	25,138,000
Russia	4,600,000	11,534,000	57,601,000	58,041,000
Italy	26,033,000	15,650,000	29,214,000	9,880,000

	Raw cotton	
	Average, 1927–30	1938
United Kingdom	$150,809,000	$41,150,000
France	85,423,000	23,859,000
Canada	20,425,000	12,276,000
Australia	1,000	548,000
Germany	185,277,000	16,875,000
Russia	30,150,000	
Italy	65,168,000	19,268,000

[1] Exports by economic groups and countries of destination not compiled prior to 1928.

These economic groups have not been segregated according to agricultural and nonagricultural products as their economic character basically reflects this division. These economic groups are agricultural or nonagricultural in the following percentages:

	Percent
AGRICULTURAL	
Crude foodstuffs	99
Manufactured foodstuffs	90
NONAGRICULTURAL	
Semimanufactures	99
Finished manufactures	99
Crude materials	70

Mr. LODGE. Mr. President, it is not often that I find myself in agreement with the Senator from Wisconsin, but I believe that in this particular matter he is on the right track, and that something of the nature of the amendment he advocates should be enacted into law if we are really serious in our desire to come to grips with the question of preventing the dangers inherent in the growth of a large war-supported foreign trade.

In my opinion, this measure not only does not contain a true cash provision, but it also contains nothing which will prevent the growth of a large war-supported trade. I recognize that the last war is not a perfect guide for us as we contemplate the present war in Europe, but I think it goes without saying that we would be foolish to ignore its lesson, and one of its lessons is that the growth of a large war-supported trade, with all the various involvements it brought with it, was unquestionably one of the factors which led to our becoming engaged in the World War.

The Senator from Wisconsin has shown that his proposition to limit our foreign trade to the average of peacetime years will tend to prevent a boom and crash like those which we all remember so well; that it will be an asset insofar as the national defense is concerned in the conservation of our strategic raw materials; and particularly that it will tend to keep the United States at peace insofar as an act of Congress can tend to keep us at peace.

It would not stifle trade. The Senator does not propose a complete embargo on all foreign trade, which would work a tremendous hardship and would be neither feasible nor desirable. He merely proposes that our foreign trade be held to the average of peacetime years, and it seems to me that such a limitation does not involve a great material sacrifice, but represents the most that we can do.

Mr. President, if we should adopt the amendment of the Senator from Wisconsin I think we would also tend to increase and enhance our neutrality by preserving the balance of power in the current European war insofar as that balance is affected by the United States.

Mr. NYE. Mr. President, this is one of those moments when I wish to heaven there were no such things as a unanimous-consent agreement, for plainly has it been osberved that the Senator from Wisconsin had only begun to approach the problem with which he had chosen to deal.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. NYE. I should prefer to continue my statement without having a quorum call, I may say to the Senator from Missouri.

Mr. President, we have before us at this moment what I am sure is as important an amendment as the Senate will have to deal with during the course of the consideration of the entire neutrality question. In support of the amendments which the Senator from Wisconsin is offering there is much that might be said, and yet perhaps there has been prepared a summary of all that might be said in language and by an authority that many are ready to tie to, and perhaps it might be sufficient to quote that authority alone. Certainly the best brief picture of what the Senator is trying to accomplish was presented in a very famous address delivered in Chautauqua, N. Y., in 1936, by the President of the United States, when he said:

Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster. It was the prospect of war profits that made our farmers in the West plow up prairie land that should never have been plowed, but should have been left for grazing cattle. Today we are reaping the harvest of those war profits in the dust storms which have devastated those war-plowed areas.

It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.

The President continued:

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations, that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

The President proceeded:

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace. If we face the choice of profits or peace the Nation will answer—must answer—"we choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and, for all practical purposes, unanimous.

Mr. President, I submit that anyone who tried to improve upon that brief declaration, picturing what would be our lot in the event another war came, would encounter great difficulty. The war has come, and what the Senator from Wisconsin is striving to do today is to prevent that war taking such hold of us and our American economy that we may find ourselves taking a course wholly contrary to that expressly wished for by the President in his Chautauqua speech.

There are many examples found in the studies which have been made in recent years concerning the practices during the last World War of those bent upon gaining profit from other peoples' wars, but I doubt if there is any example more pointed, more easy of understanding, than the example to which I wish to call the attention of the Senate this afternoon.

It is too easily assumed that we can disregard the effect of huge foreign war orders on our own economy and on our foreign policy. Even if we assume that we can plug all the credit loopholes which the Senators from Connecticut, Ohio, and Missouri have called to our attention—and I am not so sure that that can be done—have we then protected ourselves against the dangerous consequences of repealing the arms embargo? I myself do not believe so. Nor have we done anything to prevent the growth of an unlimited and ultimately disastrous war boom. We are in grave danger of financial and industrial involvement. We are taking the risk, almost a certain risk, of depriving ourselves of all freedom of action in the future.

I should like to illustrate, Mr. President, what I mean by going briefly into a particular and little-known story of the World War, a story exclusively concerned with munitions, that is, with the manufacture in the United States of an article now covered by the embargo. It is the story of the manufacture of rifles—the manufacture of rifles in the United States for the British Government. Senators will observe that it is very narrow in its consideration. It involves in this instance rifles, and rifles alone. But the problems of the manufacture of that one single arm became at one point a matter of the most tremendous importance, and is illustrative of how deeply our own industries can become involved in foreign business and foreign causes. It shows us clearly, also, that we cannot afford to brush aside the arms trade and feel we are protected by the other provisions of the joint resolution.

The contract between J. P. Morgan & Co. and the British Government, appointing Morgans the British purchasing agents in America in 1915, contained the stipulation that Morgans should aid and stimulate by all means at their disposal sources of supply for the articles required.

One of the articles required was rifles; and, in accordance with that contract, Morgans proceeded to stimulate the supply.

By September 1915—we have heard already of that crucial date in connection with lifting the ban on belligerent loans—contracts for rifles in the amount of $194,000,000 had been let to Winchester, Remington Arms, and Remington-Union Metallic Cartridge Co. Only $50,000,000 had been paid on account, so there was an overhang of $149,000,000 on these three rifle companies alone. It will be noted that the same situation may come about under the joint resolution. A ban on credits is no ban on excessive orders or contracts.

By September 1915 the rifle companies themselves began to be a little fearful of the consequences of accepting larger orders, which required plant expansion.

Winchester wrote to Morgans as early as July 1, 1915:

GENTLEMEN: Referring to Mr. Stettinius' conversation with the signer over the telephone yesterday afternoon would state that the matter of further expansion so as to produce additional quantities of Enfield rifles, deliveries to begin from 6 to 8 months from time of placing the contract, was taken up with the executive officers of this company. * * * The decision arrived at was that the Winchester Repeating Arms Co. would not care to consider any further expansion than it has now undertaken; nor would they care to consider a proposition which would include the furnishing of certain parts by outside concerns—in other words, such business only as can be properly taken care of with the present plant, including such expansion as has already been decided upon, will be considered.

The signer regrets exceedingly that he is not in position to write you more in consonance with your desires. (Senate Munitions Hearings, pt. 25, exhibit 2062.)

Morgans continued to urge them to expand; and, on September 7, 1915, Winchester agreed to do so, on these conditions:

Further expansion would mean a very heavy cost to us, and it would not pay us to undertake it for such quantity of rifles as those that could be delivered during November and December 1916, but if you could place a contract with us for an additional 200,000 rifles to be delivered upon completion of the present contracts, we would, under those circumstances, undertake further expansion. * * * (Ibid., pt. 25, exhibit 2064.)

They got what they asked for, and expanded some more.

Remington-Union Metallic Cartridge Co. had the same problem; and they explained to Morgan, in a letter of August 31, 1915:

In view of the fact that we have agreed to undertake to execute a contract for 500,000,000 Russian cartridges; also of the fact that we have, as you know, a number of existing cartridge contracts, we do not deem it practical nor desirable to further expand our present plant at Bridgeport or the contemplated new one at Philadelphia; nor do we think it the part of wisdom for this company to undertake additional large cartridge contracts upon our own responsibility owing to possible excessive premiums for machinery, unreasonable demands of labor, increasing costs of material, all of these demands being problematical and seriously affecting future costs. * * * (Ibid., pt. 25, exhibit 2065.)

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I am delighted to yield to the Senator from Missouri.

Mr. CLARK of Missouri. Can the Senator tell us whether or not the Stettinius who was representing the Winchester Co.'s interest in this war contract on behalf of Morgan & Co. was the father of the chairman of the present Morgan-controlled War Resources Board recently set up by Assistant Secretary Johnson?

Mr. NYE. The Senator is correct. He was so related.

Mr. CLARK of Missouri. I do not wish to take the Senator's time, but while I am on my feet, if the Senator will permit me, I will say that the very negotiation about which he is now reading was one of the principal factors contributing to the ultimate fact that during the World War the American Expeditionary Forces in France were armed with an extremely inferior rifle—namely, the Enfield rifle—when we had in our possession the most effective small arm in the world, the Springfield rifle.

Mr. NYE. I am very glad the Senator interrupted to that extent. Time and time again he has demonstrated before the Senate what a significant feature of our march to war in 1915 and 1916 contracts of this kind were.

Eventually Remington-Union Metallic Cartridge Co. also agreed to expand, and in the summer of 1916 these two companies had gotten into quite a bit of debt to expand plant and stock up on materials. Remington directly and indirectly was in debt for over $44,000,000, and Winchester for $16,000,000. Remington Arms, of Delaware, belonged to Midvale Steel, and apparently had borrowed through its parent.

These are not large sums of money to industry as a whole. In this debate one might think we could ignore them altogether in comparison with the billions of later debt. It was just plant expansion. We shall have the same situation under the joint resolution, and vastly more than $60,000,000 worth, or we shall not be any help to England and France. Since we are told that we must help England and France, and since that is the purpose of the joint resolution, then we shall have plant expansion if the administration has to push the money out with a shotgun. We might as well be honest with ourselves.

This little $60,000,000 debt became a matter of the greatest importance, even, eventually, in the relationship between the Governments of the United States and Great Britain. I mention that fact because we have been told that the arms trade is financially insignificant. We shall see how insignificant it is.

About the time these companies had expanded their plants and had incurred the debts to which I have referred, and had all this overhang of unfilled orders on their books, the British Government found that they did not need all the rifles they had ordered. They found that the methods of warfare employed did not require anything like as many rifles as they had thought. They needed machine guns and heavy artillery. So they ordered those in great quantities, and, to save money, began to stiffen up their rifle inspection, refused to accept rifles, and ordered changes in patterns. Between the efforts of the British Government and the natural difficulties of the rifle companies the three companies were soon behind on their deliveries for 1,800,000 rifles.

This was just what the British Government wanted, because they did not want the rifles anyway; so on August 23, 1916, they ordered Morgan to cancel the contracts because of failure to deliver as specified in the contracts.

Now the story begins. Here we have only three companies, in debt for about $60,000,000, threatened with cancelation of unfilled contracts of somewhere around $55,000,000. How easily, under the joint resolution, could contracts and debts of this size accumulate—and not debts of the British Government, either.

How easy? How impossible not to. The joint resolution would not be before us at all if it were not intended that there should soon be outstanding orders for ten times $55,000,000 worth of munitions. This is a war. With our help it will be a big war.

England alone, Mr. President, used to spend in the United States, more than $10,000,000 a day during our last experience with war. Of course, we paid for it all in the end—every penny, and more, too. I am speaking at this moment only about the volume. Of course, it is intended that there will be vast unfilled orders outstanding. That is why almost no provision of the joint resolution means much. Once those orders are out, it will be a simple matter to change any provision of this law, or any other law which conflicts with filling such orders. In this little matter of a handful of rifles, worth just about 5½ days purchasing in America, when Morgans were first asked to cancel these contracts they replied to the British Government with sweet reasonableness as follows—cable of September 1, 1916; exhibit 2093, Senate Munitions Committee hearings:

We believe that an attempt to cancel or reduce these contracts as suggested 22274 without reference to the equities involved, would be prejudicial to the interests of the Government in that it would lead other manufacturers of munitions to exact more severe terms and demand higher prices in respect to such further orders as may be placed in future, and that as a result the Government actually would lose in the long run more than they would gain, if they were to reduce or cancel rifle contracts strictly according to

the terms thereof without making some equitable adjustment with the contractors as to the quantities of rifles canceled.

"We deem it our duty—

Said the Morgans to Britain—

to cable you fully regarding this matter as it appears to us to be of great importance and in the interests of the Government should be dealt with on broad lines." (Munitions Report, 944, pt. 6, pp. 81–82.)

In a word, Mr. President, here are the fiscal agents in this country of the British Empire, J. P. Morgan & Co., trying to tell Britain in a plain and sensible way, "If you start canceling contracts you have entered into with American corporations you are not going to find much good will in America to continue to support your cause."

This gentle approach got nowhere at all. Mr. Davison in London took the matter up with the British Government and replied:

The problem is certainly a most difficult one, as they find the position to be that by reason of lateness of deliveries they will be unable to use any of the rifles under consideration. How they can justify themselves in considering further extensions of contracts for manufacture of something which they do not want, at the expense of approximately $55,000,000 is more than they can see, and I am unable to enlighten them. (Senate Munitions Hearings, pt. 25, exhibit 2095.)

Mr. Davison apparently had not gotten the point, so on October 14 Morgans tried to enlighten him a little more by this cablegram:

Much as we desire to have you return as soon as possible, we feel that the rifle situation has so important a bearing upon immediate and ultimate financial plans here that settlement should be reached while J. P. Morgan and you are in London.

It is difficult to convey by cable the importance of the subject as it looms in the minds of men like Rich (of the National City Bank) and Allen (of Lee, Higginson & Co.). Your recent cables, of course, have made clear to us the need of absolutely unprecedented calls upon the credit institutions of the country—the stupendous requirements not being known to any but ourselves but which will, of course, in next few months gradually become apparent to other important banking interests here. (Munitions Report No. 944, pt. 6, pp. 88–89.)

The Morgans, determined to support and serve the British cause in every way possible, confronted now with the necessity of convincing the British Government that if they wanted American good will to continue, if they wanted that larger access to our market which then seemed to be contemplated, they had better be watching their step about the canceling of orders they had placed, orders which had occasioned expansion and indebtedness here in the United States.

The delicate threat will be noted. Bankers think the rifle situation important; and at the same time England's credit requirements are getting pretty stiff.

Are they going to be any less stiff this time? We will say nothing like that can happen to us. The National City Bank and Lee, Higginson cannot dictate to the United States Government. No; they cannot. But somebody is going to finance the orders that will pour through under this resolution—and for a vast deal more money than $55,000,000. Those are going to be legitimate investments by somebody. Can anyone pretend that the owners of those investments are going to have no influence on Government policy in matters that might affect England's ability to pay for war orders, such as raising a loan ban, for instance, if there ever is a loan ban to bother about raising?

It should be remembered, too, that the factories, threatened with cancelation of orders and shut-downs, had workers. Of course, the British Government would not care about their opinion, but how about the American attitude? How about our trying to cut off a lot of war orders and so throw men out of work? Then they would care.

Of course, as I have said, at that time and in that situation all the British Government had to worry about was the bankers. The bankers' solution was simple. They offered to sell—listen to this, Senators—they offered to sell the plants outright to the British Government for only $47,000,000, bargain rates. Then if the British Government wanted rifles they could make them for themselves. If they did not they could close up the factories.

To be sure, this happy little remedy required a frank violation of the neutrality of the United States. No country can permit another government to use its territory for belligerent operations, and the manufacture of munitions by a government is a belligerent operation.

So now the problem moved from a munitions matter to a Federal Treasury matter, as the next cable from London, October 16, shows:

OCTOBER 16, 1916.

24557. Treasury authorities have read and considered 29013, 29014, 29045, contents of which surprise and disturb them greatly, as neither they nor we had any conception that any such condition obtained. In view of the ramifications of the various interests and the wide sphere of its influence, authorities feel, as do we, that it has now become largely a Treasury matter. We have spent part of afternoon with Chancellor of the Exchequer, who requests us to cable in regard to the subject. * * * Authorities are distressed to learn of its present unsatisfactory state and of the position in which the bankers in the business, as well as the manufacturers, find themselves. They express themselves as desiring most earnestly to find a satisfactory solution. As to one point they are perfectly clear, and that is that they cannot go into the business of manufacturing rifles in the United States, so that it would seem that this thought must be disregarded in any considerations of the subject * * *. (Rept. 944, pt. 6, pp. 89–90.)

But it could not be disregarded. With a debt of only $60,000,000, against which the companies were willing to take $47,000,000 and get out, even that relatively small item could be settled only by the British Government violating the neutrality law of the United States and going itself into the business of manufacturing rifles here.

Morgan insisted:

While we are reluctant to recommend a settlement which may appear to be, and perhaps is, unfair to British Government, in that it fails to require contractors to bear any portion of the loss or otherwise to submit to the penalty which they should reasonably suffer in consequence of delays and errors for which they are responsible; nevertheless, it is our firm conviction that in view of all the circumstances there is no other alternative than to accept the terms and conditions which have been offered. (Rept. 944, pt. 6, p. 90.)

First—and let this be clearly noted—it was a munitions matter only; then a Treasury matter and next it became a political matter. Observe where it goes: J. P. Morgan personally from London, October 18, 1916, cabled as follows:

24611. Twenty-nine thousand one hundred and fifty-two considered with greatest care by the authorities, and discussed this evening by the War Council in the private room of the Prime Minister in the House of Commons at which meeting we were present. It is quite unnecessary to tell you of the rude shock this proposition has been to them, coming from what they supposed to be among the best concerns of their kind in the world, and in a manner which is sudden to say the least. It is apparent that no time is given to discuss or consider the merits of the case, which, from their and our point of view, is most embarrassing. They have, therefore, considered the matter in all its phases as presented by you. (Rept. 994, pt. 6–91.)

One would suppose that going from the Ministry of Munitions of War to the Treasury and finally to the War Council and the Prime Minister himself would be about enough trouble over $47,000,000 worth of munitions contracts; but it was not.

On October 19 Mr. Lamont and Mr. Morrow finally told all. This is it:

After reading your 24611—

Referring to the cablegram—

we feel that probably neither the Treasury officials nor J. P. Morgan nor H. P. Davison have even yet a complete picture of the rifle situation. The banking institutions and houses in question earnestly desire to be cooperative. Their own commitments in these companies, however, have been growing rapidly and are now so heavy and so far beyond their expectations and even in some cases beyond their legal limits that they can hardly be expected to be keen about any new financing, which inevitably means new and heavy commitments for each of them * * * from the point of the American manufacturers and their bankers who have been making forced loans to avoid disaster, one department of the British Government is the same as another. * * * What we are both particularly anxious that the high authorities should understand is that the present situation is not so much a sudden bolt out of the blue, as the result of a crisis that has been slowly but surely reaching the breaking point. * * * We believe that unless to E. R. Stettinius, whose mind in this whole matter is most judicial and who has been most loyally fighting the battles

of the Ministry of Munitions of War, is delegated practically complete authority to settle the matter along lines he has already suggested in 29152, a crisis is likely to be precipitated sufficient to set back by many months Great Britain's desires and plans for handling her American financial requirements.

T. W. LAMONT.
D. W. MORROW.

(Senate Munitions Committee Hearings; S. Res. 206, pt. 25, pp. 7747–7748.)

And, of course, though it came as a bolt from the blue to the British authorities, nevertheless, as Mr. Lamont and Mr. Morrow truthfully explain, it was a crisis slowly but surely reaching the breaking point.

Well, we are here today setting in motion a train of events whose consequences, believe me, Senators, will come back to some of us as a bolt out of the blue; but it will be only the crisis that will have been slowly but surely reaching the breaking point from the action we take here on this joint resolution.

To return to the rifle story:

The British Government made one more public protest "that for political if no other reasons, they cannot undertake the manufacturing of rifles in the United States," and then collapsed and bought out the rifle companies. Of course it was a violation of our neutrality, but what else could they do? Every important interest, apparently, in New York, was hooked in these companies—banks even beyond their legal limit.

Of course, this raises another question that does not seem to be touched on in the Morgan cables. Where was the United States Government all this time? Who satisfied the British Government that, after all, there would not be a "political reason" keeping them from manufacturing rifles in the United States? Could it be that the ramifications of this thing were too important for the United States Government to resist, just as they were too strong for the British? And, oddly enough, as it turned out, the British Government did not get hooked, after all. Who did get hooked? It was our own good old friend Uncle Sam who finally tasted the hook. It was not the British Government that were gouged by the munitions makers and their bankers for $47,000,000. You might have suspected that, in the first place, might you not? As even Morgan admitted, it was an unfair settlement, but what difference did it make? The United States bought the plants from England as soon as we entered the war. Then, of course, we were stuck with them and had to use them to equip our troops with Enfield rifles, despite the serious objection of the Army authorities. Again, perhaps it was a Treasury matter. So we had to equip soldiers we ought never to have sent with rifles we never wanted to use, made in plants we never intended to own.

This apparently trifling bit of uncontrolled arms business turned out to be a humiliation to both the British and the American Governments. It was a humiliation. The British were compelled, against their express declaration, to go into munitions manufacturing here, and to pay $47,000,000 for what they did not want and could not use. Perhaps they may have hoped to get bailed out by the United States, but I suppose they could not have been sure; not then. Anyway, the American Government was compelled to buy these plants that it did not want, either, and use them to equip its troops with a type of arms seriously objected to by its own commanders.

Newton D. Baker, Secretary of War from 1916 to 1921, told in his article, Why We Went to War, that—

> We were able to buy a British-owned factory, built in this country after the World War began, and modified the Enfield, with which the British were armed, to our needs.

This article was quoted by the Senator from Kentucky [Mr. BARKLEY] on October 19, 1939 (CONGRESSIONAL RECORD, p. 606).

The point is that these things have ramifications. They have consequences we do not foresee. We cannot expand plant and debt and then suddenly try to cut off the only way of carrying that debt, whether it is the British Government that tries to cut it off by canceling contracts or the American Government that tries to cut it off by embargoes or loan bans.

The draft of a cable by one of the Morgan partners tells the story in a nutshell. It is particularly interesting because it was a draft cable. It was slightly modified before it was sent to England. But when some Morgan partner said some of these things about the consequences of cancelation of the rifle contracts, he said something we all know, but only inadvertently write down. This is it:

> Moreover, it may not be averse to call attention to a growing feeling of irritation in this country at what is considered by many as unwarrantable interference with commerce and the mails, and perhaps an augmentation of such feeling consequent upon such cancelations. (Senate Munitions Committee Rept. No. 944, pt. 6, p. 84.)

The following extremely interesting and important testimony was given on that little sentence:

> Mr. LAMONT. What of it?
> Mr. RAUSHENBUSH. Nothing more of it than an admission that at this one time there was, at least in the opinion of somebody here in your company * * * a definite connection between the financial diplomacy and foreign diplomatic relations. He saw that if the State Department ran the kind of diplomacy that asked the British to do certain things and not to do certain other things, and at that same time there was an augmentation of outrage of feeling resulting from their cancelation of the rifle contracts, such a policy might stick; we might really back up such a policy instead of writing notes about it.
> Mr. LAMONT. All that amounts to is that the fellow that wrote that particular sentence in the draft cable * * * had that particular fact in mind at that time. * * * (No. 944, pt. 6, p. 85.)

Of course he had the fact in mind. We all have that fact in mind. We know that we cannot successfully run two national policies at once. We know that a house divided cannot stand. We know that we cannot with the right hand of our national policy in the President and the State Department try to run a policy of neutrality, and with the left hand in our great industries run another. That is what this joint resolution says it is going to do. It is labeled a "neutrality act." The President says he will do all in his power to stay out of war, or words to that effect. I would rather he would say he will stay out of this war unless somebody does so-and-so to us, and tell us just what that so-and-so is going to be.

But this is still a two-policy resolution. It says the State Department will pursue a policy of neutrality, but the great banks and the great industries—and, note this, the great labor unions—will pursue a policy of intervention. That is what it will be—frank intervention in this war by these three great influences—capital, industry, and labor, ultimately.

How long and how successfully can a country be run that is divided like that, with two completely opposing policies, both being carried on at once? Senators know we cannot get away with that forever, any more than we could do it in 1915 and 1916.

We cannot forever do one thing with our right hand and at the same time try to undo it with our left. Sooner or later the day is bound to come when the two hands must join. Sooner or later those two policies must be joined one way or the other, now as then. Either the two hands will join on neutrality, and the British Government will be, as the cable says, "adversely and seriously affected" and ourselves with it, or the State Department will have to join the munitions makers.

There is another very interesting phrase in this cable—and this part was actually sent:

> Important and influential interests, financially and commercially, are concerned in all these companies, either as shareholders, noteholders, or (general) creditors. (Pt. 6, p. 84.)

Of course they were. We are setting in motion something that will equally involve "important and influential interests"; not alone, mind you, financial and commercial, but agricultural and labor as well. What are we going to do when the vast orders are out, and our ban—if we make a real one—against British borrowing threatens to destroy, or appears to threaten to destroy, Great Britain's ability to go through with her contracts, to go on purchasing the vast

overexpanded amounts of all commodities? What will happen then? Then will there not be important and influential interests, financial, commercial, agricultural, and labor, pressing us to take another step—an easing of England's financial stringency? Of course there will be, and of course we shall have to do it. Neither Congress nor the President operates in a vacuum. What, indeed, is a government but the sum and product of all the important and influential interests among its people? And what other important and influential interests are there besides financial, commercial, agricultural, and labor interests?

And as I said only the other day, the issue will not be peace or war then any more than it is made so now. Right up to the end it will be "a little more help," "we must prevent panic at home and catastrophe abroad," as Secretary of State Lansing pointed out to the President in his famous letter of September 6, 1915, on the need to change our loan policy.

What difference does it make for us not to want to drift into war if the consequence of our actions inevitably leads in that direction? The Senator from Nebraska a few days ago seemed to feel that because not one of us wants to take a step toward war, this alone is proof that we are not taking a step toward war; that in our lack of desire for war lies our safety from involvement in war. I cannot see it. The consequence of men's acts has never borne the remotest connection with the intentions of those acts. Hell, we are told, is paved with good intentions. The road to war is nothing but one long series of good intentions. It was so in 1914–17. It will be so again.

High resolve to stay out of war is going to keep us out of war? Mr. President, resolve today, in 1939, on the part of Americans and their Congress to stay out of Europe's war is no higher than was the resolve felt and expressed in 1914, 1915, and 1916 by Americans and their Congress to stay out of war.

I think we cannot afford to allow the growth of a huge arms trade or general war trade. I think we cannot afford to take the risk of encouraging an arms boom. I think we cannot afford to risk the slightest belligerent credit expansion, I do not care for how short a term or how indirectly contrived. I think we cannot afford to have a war boom of any sort. We cannot afford to have excessive orders placed and leave them hanging unfilled and perilous over our industry and agriculture. I think we have to set a quota of normal exports and stick to it. I dread what will happen otherwise. I dread the day when all these important and influential interests—which we will have allowed to entangle themselves with the British cause—will come down on us and ask for more help to England. And it is certain that they will, not once but time after time, each time requiring more and more help to England, each time making it more and more difficult for our right hand to resist what our left hand is doing. And some day those hands will join.

Most heartily do I support the amendment offered by the Senator from Wisconsin to quota our trade with belligerents on a normal peacetime average, in order to prevent the growth of a huge uncontrolled war boom which will pull this Nation and all of us down with it when it crashes, as eventually it must.

Mr. CAPPER. Mr. President, I desire to go on record as favoring the amendment of the senior Senator from Wisconsin [Mr. LA FOLLETTE].

Once again, as in the early days of the World War, the United States is in serious danger of experiencing a war boom which will shake the foundations of American economy. It is obvious that the war boom is coming; already we have seen signs of it. Steel production has been increased and inventories have risen considerably in anticipation of an increased volume of business. Although as yet large war orders may not have been placed in this country by England and France, there is little doubt that industry is speculating on such prospective orders and preparing to meet them. On September 5 the so-called war babies of Wall Street rose from 5 to 20 points on the basis of news from abroad. Clearly, large-scale orders were anticipated

No one dislikes to see signs of improvement in the industrial activity of the Nation, for certainly at the present time business revival and increased production are among the country's greatest necessities. But increased industrial activity and business expansion should spring from natural economic developments and not from purely artificial sources. We are headed down a dangerous path once we resort to such an artificial stimulus for the economic life of the Nation as a war boom. Once artificial means are resorted to, artificial means must be used again to keep the war boom going. We inevitably become more and more deeply involved and caught in a trap we unconsciously set for ourselves. Some day the war boom must end, and we all know it. But who will be willing to face that day? Who would not rather seek by any means to postpone the day of reckoning?

I believe, Mr. President, that no Senator will rise in his place and state that the coming war boom will be a good thing for the United States. On the contrary, I am sure all realize it is a dangerous and menacing phenomenon. All are united in opposition to an unlimited war boom, and everyone is certain that prosperity must be built on a firmer foundation than a temporary and changeable war export trade.

Yet, as I see it, there is no provision in the pending neutrality legislation against an unlimited war boom. Are we to toss the problem aside lightly and close our minds to the facts which we all know and to the dire consequence we all can prophesy? If we sleep now, we may awake later and find it is too late to prevent the inflation of American economy and to return the country to a normal state. The time to halt a war boom is now—not after the war boom is in full swing and beyond our control.

Mr. President, Americans must choose now between fool's gold and a sound domestic economy. We should forego momentary and short-lived profits and carefully work out a policy calculated to insure the long-run interests of America. We cannot afford to be swept off our feet by the pressures of the instant, and become heedless of our future.

At present the best estimate of the potential purchasing power of England and France shows that approximately $7,812,000,000 is available. This includes, of course, the British and French securities in this country which could be converted into cash to pay for purchases here. However, it is uncertain to what extent Britain and France would be willing to sell these securities. We were told that England and France could not pay their war debts, despite the fact that these securities were held by them, and it seems unlikely that they will now desire to finance purchases in this country by disposing of all their holdings if they can induce us to finance the war for them.

There will probably be just enough cash to start a real war boom in this country. It appears very unlikely that this war boom will be able to continue without the extension of credit by us. But once a war boom has started, who is willing to take a step that will lead to deflation and perhaps precipitate a panic? Who is willing to bring the wheels of industry to a standstill? May not the pressure to scrap cash and carry be irresistible by 1940?

Many Senators have gone on record as opposing any extension of credit to belligerent governments, and I do not for a moment question their sincerity. We also have the Johnson Act to prevent such loans. But if we have to choose between the devil and the deep blue sea, between extending credit or facing the severe consequences of a contracting economy due to the curtailment of foreign orders, it may be easier to follow the line of least resistance and extend credit. Once we have had the business and reaped the profits it will be a thousand times harder to see the trade vanish and see the merchants of Argentina or the businessmen of Canada benefit. Now, before the trade has actually developed, it is much easier to hold our war trade to normal. Let us beware that we are not faced in 1940 with the same dilemma Secretary of State Lansing faced on September 6, 1915, when he wrote a letter to President Wilson which tells the story of what happened in 1914 and 1915. The letter reads:

MY DEAR MR. PRESIDENT: Doubtless Secretary McAdoo has discussed with you the necessity of floating Government loans for

the belligerent nations which are purchasing such great quantities of goods in this country, in order to avoid a serious financial situation which will not only affect them but this country as well.

Briefly, the situation, as I understand it, is this: Since December 1, 1914, to June 30, 1915, our exports have exceeded our imports by nearly a billion dollars, and it is estimated that the excess will be from July 1 to December 31, 1915, a billion and three-quarters. Thus for the year 1915 the excess will be approximately two and a half billions of dollars.

It is estimated that the European banks have about three and one-half billions of dollars in gold in their vaults. To withdraw any considerable amount would disastrously affect the credit of the European nations and the consequence would be a general state of bankruptcy.

If the European countries cannot find means to pay for the excess of goods sold to them over those purchased from them, they will have to stop buying and our present export trade will shrink proportionately. The result would be restriction of outputs, industrial depression, idle capital, and idle labor, numerous failures, financial demoralization, and general unrest and suffering among the laboring classes.

Probably a billion and three-quarters of the excess of European purchases can be taken care of by the sale of American securities held in Europe and by the transfer of trade balances of oriental countries, but that will leave three-quarters of a billion to be met in some other way. Furthermore, even if that is arranged, we will have to face a more serious situation in January 1916 as the American securities held abroad will have been exhausted.

I believe that Secretary McAdoo is convinced, and I agree with him, that there is only one means of avoiding this situation, which would so seriously affect economic conditions in this country, and that is the flotation of large bond issues by the belligerent governments. Our financial institutions have the money to loan and wish to do so. On account of the great balance of trade in our favor, the proceeds of these loans would be expended here. The result would be a maintenance of the credit of the borrowing nations based on their gold reserve, a continuance of our commerce at its present volume, and industrial activity, with the consequent employment of capital and labor and national prosperity.

The difficulty is—and this is what Secretary McAdoo came to see me about—that the Government early in the war announced that it considered war loans to be contrary to the true spirit of neutrality. A declaration to this effect was given to the press about August 15, 1914, by Secretary Bryan. The language is as follows: "In the judgment of this Government, loans by American bankers to any foreign nation at war is inconsistent with the true spirit of neutrality."

In October 1914, after a conference with you, I gave my impressions to certain New York bankers in reference to credit loans, but the general statement remained unaffected. In drafting the letter of January 20, 1915, to Senator Stone I sought to leave a broad statement and to explain merely the reasons for distinguishing between general loans and credit loans. However, Mr. Bryan thought it well to repeat the August declaration and it appears in the first sentence of division 13 of the latter, copy of which I enclose.

On March 31, 1915, another press statement was given out from the Department, which reads as follows:

"The State Department has from time to time received information directly or indirectly to the effect that belligerent nations had arranged with banks in the United States for credits in various sums. While loans to belligerents have been disapproved, this Government has not felt that it was justified in interposing objection to the credit arrangements which have been brought to its attention. It has neither approved these nor disapproved—it has simply taken no action in the premises and expressed no opinion."

Manifestly, the Government has committed itself to the policy of discouragement of general loans to belligerent governments. The practical reasons for the policy at the time we adopted it were sound, but basing it on the ground that loans are inconsistent with the true spirit of neutrality is now a source of embarrassment. This latter ground is as strong today as it was a year ago, while the practical reasons for discouraging loans have largely disappeared. We have more money than we can use. Popular sympathy has become crystallized in favor of one or another of the belligerents to such an extent that the purchase of bonds would in no way increase the bitterness of partisanship or cause a possibly serious situation.

Now, on the other hand, we are face to face with what appears to be a critical economic situation, which can only be relieved apparently by the investment of American capital in foreign loans to be used in liquidating the enormous balance of trade in favor of the United States.

Can we afford to let a declaration as to our conception of the true spirit of neutrality made in the first days of the war stand in the way of our national interests which seem to be seriously threatened?

If we cannot afford to do this, how are we to explain away the declaration and maintain a semblance of consistency?

My opinion is that we ought to allow the loans to be made for our own good, and I have been seeking some means of harmonizing our policy, so unconditionally announced with the flotation of general loans. As yet I have found no solution to the problem.

Secretary McAdoo considers that the situation is becoming acute and that something should be done at once to avoid the disastrous results which will follow a continuance of the present policy.

Faithfully yours,

ROBERT LANSING.

Mr. President, a war boom will injure, not aid, American industry. Additional plant facilities will be built, dies will be cast, huge investments will be made, which later on will only be a burden. There will be no use for the new machines which have been ordered, built, and installed once the foreign market collapses, as it must eventually. After the war the depression will return, and return magnified many times. Those engaged in manufacturing European war goods will be thrown out of employment, and the economic life of the United States will experience severe dislocation.

Mr. President, I am of the opinion that agriculture will not remain unharmed. As in the last war, production will be greatly expanded and geared to European war needs. Submarginal land will be brought under cultivation, and America will produce far more than she can ever consume at home. After the war, the farm problems that have been present ever since 1920 will be intensified. The transition to a normal agriculture will be difficult, if not impossible. The farmers, as is true of industry, are bound to suffer in the long run from an uncontrolled war boom.

I fear that those who are unwilling to take action to stop the approaching inflation are saddling the people of the United States with as great a burden as if they were to appropriate billions of dollars without rhyme or reason. The American people must pay for a war boom because of greatly increased prices in this country caused by increased foreign demand. Speculation and profiteering may send prices skyrocketing even higher. The people of America, I say, will have to pay for this war boom, for they will have to accept a lowered standard of living. They will be underwriting in part the cost of the war.

Not only are drastic price increases certain once the war boom gets under way but the problems of international trade and finance will become hopelessly complicated. Ninety to ninety-five percent of the world's gold will be on the American Continent, and Europe will not be able to finance her trade. After the war, this country will have to accept great quantities of goods from Europe which will compete with American manufacturers. Otherwise, there will be no means of offsetting Europe's unfavorable balance of trade, and international finance will be in a knot which will take economists years to unravel.

The United States, in cultivating the uncertain European market, will probably imperil her relations with customers nearer at home. Americans might neglect the opportunities for trade with Latin America in their concern over European markets and higher prices, and sell Latin America merchandise of a strictly second-rate character. This would be a short-sighted course, and would certainly not promote America's economic interests.

Mr. President, a large war boom will assist America's economy in no way whatsoever. It will require costly alterations and reorganizations in industry; agriculture will be encouraged to expand beyond the capacity of America to consume. More important irresistible economic forces may be unloosed that will make America no longer master of her own destiny. To foster and keep alive the war boom we may have to sacrifice all our hopes and ideals. We may be caught in such a position that we can no longer do what our reason dictates. Perhaps we shall be in a similar situation to that outlined by Walter Hines Page in March 1917 when he stated:

> Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

The best speech I could possibly make in support of the La Follette normal-trade amendment is an extract from the address of President Roosevelt at Chautauqua, N. Y., on August 14, 1936. I quote:

> Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster. It was the prospect of war profits that made our

farmers in the West plow up prairie land that should never have been plowed, but should have been left for grazing cattle. Today we are reaping the harvest of these war profits in the dust storms which have devastated those war-plowed areas.

It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fools' gold—would attempt to break down or evade our neutrality.

They would tell you—and unfortunately their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations; the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

If we face the choice of profits or peace, the Nation will answer—must answer—"we choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

Mr. President, I appeal to all Senators who are against tying up the American economy to a temporary, artificial foreign war market, to support the amendment offered by the Senator from Wisconsin to quota our trade to belligerent nations on a normal peacetime basis. His amendment would permit expansion over last year's export trade to the now belligerent nations, which would be healthy for our economy, but would prevent the development of a huge uncontrolled war-trade boom, which can only end disastrously for us.

Mr. DOWNEY. Mr. President, I desire only briefly to comment upon the quota amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE], and upon his able speech supporting that amendment.

I desire, in the first place, to make the point that, pessimistic as is his statement with respect to the danger to the American Union, so far as I know, every economist of integrity and ability in the United States supports his views. In other words, every economist says that by the passage of this measure we are opening wide the gate to the possibility of a most destructive and unfortunate war boom, with the most unhappy consequences at the end.

If there were a greater amount of time allocated I should like to read from many of the noted economists supporting the thesis of the Senator from Wisconsin, but there is no opportunity for that, and I therefore ask permission to insert in the RECORD as part of my remarks, without reading, excerpts from Jerome Frank's book, Save America First, abundantly supporting by quotations, fact and theory, the speech made and the amendment presented by the Senator from Wisconsin.

The PRESIDING OFFICER (Mr. HILL in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Those foreign-war purchases are being made in considerable part with the gold we have been buying from other countries. Anyone to whom such foreign sales yields any feeling of assurance as to our enduring prosperity is amazingly short-sighted. For if we continue to receive much more gold from abroad we shall soon own so large a portion of the world's gold supply (we now have $12,000,000,000 out of a world total of twenty-seven billions) that all other countries will be obliged forever in self-protection to discontinue the use of gold as a standard of value or a base for the medium of exchange. When and if that happens gold will have only a few minor uses. And while we shall undoubtedly have an ample supply of dental fillings and wedding rings, the value of our huge stock of gold will be almost nothing. Our foreign sales in exchange for gold will then prove to be as illusory as our earlier sales for worthless foreign loans. Once more we will have given our goods away to Europe.

Sales and credits based on foreign-owned American securities could last for quite a period. Those purchases, however, would produce an unhealthy boom, which would be followed by another sickening collapse—unless, meanwhile, we worked out the problems of our domestic economy. But in a boom time it is peculiarly difficult to persuade men to think of ways to meet the inevitable depression.

The depression sure to follow the cessation of those war purchases could be temporarily averted if a world war were then in progress—and we entered that war. In short, there is the gravest danger that, unless we deliberately and intelligently choose an alternative course, we may now be at the beginning of another 1914–29 cycle. (Jerome Frank, Save America First, pp. 137–138.)

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If we are to stay out of the next European war, the only safe policy is to stay out of Europe's preparations for war.

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Every student of our conduct prior to our entry into the last war agrees that nonparticipation was made all but impossible because of our previous huge shipments to the belligerents. Lloyd George and Tardieu were both sure that our war trade would make it impossible for us to preserve our neutrality, and that it was only a question of time before we would join England and France. And there is only an artificial distinction between huge sales to belligerents after they declare war and when they are approaching war. The same forces are now at work that were operative in 1914–17.

No; if we seriously propose to stay out of the next European war, we need now to take steps to reduce our exports. We need now to go in for relative self-sufficiency and to develop for ourselves the riches of our own continent.

Mr. DOWNEY. Mr. President, I repeat, and I challenge contradiction, that so far as I know every other reputable economist in the United States is warning the Chief Executive of the United States and the Members of Congress that we are possibly inaugurating, by the passage of this measure, a frenzied war trade that may carry us into a factitious prosperity and leave us at the end standing on the abyss of an economic disaster deeper than that of 1929.

I wish to say something now, Mr. President, without any invidious meaning, because I do believe that Senators do not thoroughly comprehend what they are doing: We are passing over to British and French leaders the control of our economy. When we meet in session here next January Senators will not be able effectually to plan economic reforms for the United States. We will not know how to rationalize our disbursements, our deficits, and our relief payments, because by the passage of this measure we will have put it out of our power to know what our future economy is to be. Judging by the war years from 1914 to 1918 it may be that Great Britain and France may spend $2,000,000,000, $3,000,000,000, $4,000,000,000, yes, $5,000,000,000 a year in the purchase of war materials. If they do that, Mr. President, we are headed for a disastrous inflation and a frenzied boom, and it will then be the decision of British and French leaders to cut off those purchases whenever and however they desire, regardless of the demoralizing consequences to our business structure. It may be that 6 months from now 3,000,000, 4,000,000, 5,000,000 American workers will be working in factories producing war materials for the British and French. It may be that in a single day peace will come suddenly and unexpectedly. Or it may be that arbitrarily and capriciously the orders may be cut off, or such orders may continue for years.

I say to you, Mr. President, and I say it with solemnity, I dreadfully apprehend the condition that we, as Members of the Senate of the United States, are helping to create by throwing down the bars to a war trade whose kind, amount, and duration we cannot hope to anticipate.

Mr. President, read, if you please, the statements of columnists of America today. Some of them say that we will have a diminution of our favorable trade balance. Some say that we must expect great war purchases with a great war boom. The truth is none of them can know what will happen. When the pending legislation is once passed there will be only a limited number of men who will know what is to happen to the American economy. Will the Chief Executive of the United States, or you gentlemen, be among that number? You will not, it will be British and French statesmen. And we here, Senators of the United States, by the passage of this measure will be turning over to foreign governments the control of our economy, and making it impossible for us to rationalize and work out any decent scheme of relief, any sound reduction of our deficit, and any solution of insecurity and unemployment.

Mr. President, last spring a body of experts presented data covering the business of this Nation at a hearing before the Temporary National Economic Committee, before which

were called the great industrialists, bankers, and economists of the Nation. The investigation extended over a period of months. It considered data collected by statisticians over a number of years. Such data revealed a hazardous condition in our economy beyond exaggeration. There is not opportunity here now to discuss the findings, but I challenge any Senator who has read them to deny that they indicate a weakened and shivering economy, an economy which we, Mr. President, will require all our intelligence, patience, and tolerance safely to carry through under a free government and a capitalistic economy.

In the face of our disastrous condition, with the ship of state almost sinking in its own harbor, we are sailing into the hurricanes under the direction and control of the British and French Cabinets.

I should like to challenge any proponent of the pending measure to rise and state if he has any way of knowing the amount of war orders that will come from Britain and France. Does he know whether those war orders will give us a billion dollars a year favorable trade balance, $2,000,000,000, $3,000,000,000, $4,000,000,000, $5,000,000,000? I ask solemnly, Mr. President, if we embark upon a policy which throws into uncertainty and into confusion our entire economy, how can we hope to accomplish, in that chaos and that confusion, that which for 10 years neither the Republican leaders nor the Democratic leaders have yet been able to accomplish?

Yes, I appeal to Senators who are known as conservatives. Have they forgotten that the Federal deficit is now increasing at the rate of $300,000,000 a month? Have they forgotten that it has grown as though by some natural law inexorably, rapidly, steadily, and that that increasing public debt is a barometer indicating clearly our weakened economy, and the danger to our banks, insurance companies, and to governmental credit itself?

Mr. President, 5 years from now, or 10 years from now, the speech and the amendment offered by the Senator from Wisconsin will be recognized and valued as a notable effort of statesmanship, an effort rationally to hold our economy in balance; an effort not to assist great empires at cost to ourselves, but an effort to place first of all the welfare and the well-being of the American people.

Mr. President, a word or two further, and I shall conclude.

I believe the first duty of the Senate of the United States is a consideration of the hazard to our own people of the joint resolution if it is passed. I therefore fervently urge an affirmative vote on the amendment offered by the Senator from Wisconsin as the first rational attempt to solve the problems of a chaotic war-torn world for the welfare of the American people alone.

Mr. FRAZIER. Mr. President, I am strongly in favor of the amendment offered by the Senator from Wisconsin.

When I took occasion to speak on the neutrality joint resolution a few days ago, I mentioned the fact that I was in favor of a stricter embargo, especially on arms, and a limitation on the exportation of all food products and other exports from this country to prevent a war boom. I am still of that opinion. I remember too well the boom during the World War, and the effect it had later.

The President's Chautauqua speech has been quoted a number of times. It was a very good speech on this subject. In his first paragraph he spoke of the situation in the Farm Belt during that year, and said that the war profits on farm products made the farmers plow up prairie land which should not have been plowed up. That is true to a large extent; and yet a little explanation is due.

Most of the area which was plowed up during the wartime, and which afterward became the Dust Bowl, was in the wheat area. The price of wheat was fixed by the Congress of the United States at the beginning of the World War. That is, the minimum price was fixed, and the Food Administrator made it a maximum price. That price did not allow very much profit for the wheat growers after the prices of all the products which the farmer had to buy went up. His expenses were higher, and he made but little on his wheat.

In my own State of North Dakota during those years we were asked by the Government itself to raise more wheat. We were asked to produce more flaxseed, because the Government needed more linseed oil. We tried to do our part. Our State defense council in some cases ordered ranchers who had a large amount of unplowed land to plow up some of their land and seed it to flax in order to produce flaxseed for linseed oil, because the Government wanted it. It was not so much because of profit, but because of the demand of the Government itself that the farmers do a patriotic duty for the Government to help it win the war in which we were then engaged.

More than that, Mr. President, the banks throughout our State were told to put out money to encourage the farmers to raise more products. They solicited loans from the farmers, telling them they could obtain the money without any security whatever. The banks loaned the farmers the money to seed more land to wheat and flax. So the fault was not entirely the farmers', by any means.

However, the fact remains that the crop area was greatly expanded; and afterward we were deflated, beginning in 1920 and 1921. We have not yet gotten over the deflation. So, Mr. President, I think anything that can be done to prevent another war boom, either before the United States enters the war—if it does—or afterward, or at any time, should have our favorable consideration. A war boom does not bring prosperity to the people in general. I know it did not bring prosperity to the farmers in my section of the country. They have been going broke ever since because of the after effects of the World War.

So I am strongly in favor of the pending amendment and hope that it will be adopted.

Mr. HOLT. Mr. President, the La Follette amendment is designed to prevent our economic involvement in war. We may become involved in war—emotionally, economically, and in many other ways. I believe the Nation is emotionally excited, and I do not want it to become economically involved, because when we have emotional and economic pressure it is very difficult to stop the momentum. There is no doubt in the mind of anyone who has studied the history of the wartime boom of 1914 to 1917 that it did affect our involvement in the war.

War trade is like a drug. The more it is used, the more certain it is that we cannot escape its final effects. I feel that we should face this issue while we can. Once we start it, it is not easy to stop. The La Follette amendment will be a safeguard against our involvement economically. It will help our national defense. It is sound from the standpoint of economics.

We want and need prosperity, sound prosperity, built on the development of peaceful enterprise here in our own country.

We must not get to the place where we are called to choose between a depression or participation in war to uphold a mushroom war trade.

False war prosperity is the cheese in the trap; America will try to get the cheese without the trap coming down on its neck. It tried before and failed. If it tries now, it will again fail.

Mr. VANDENBERG. Mr. President, I should like to ask the Senator from Wisconsin [Mr. LA FOLLETTE] a question in my time. It is my understanding that his amendment proposes to regulate and limit war trade through the application of the equivalent of normal quotas. I seem to have a recollection that the distinguished Secretary of State, Mr. Cordell Hull, approved that sort of regulation in his testimony before the Foreign Relations Committee. I ask the Senator from Wisconsin, in my time, whether or not my recollection is correct.

Mr. LA FOLLETTE. Mr. President, the Senator will recall that in the 1936 measure, which was before the committee, there was a provision which permitted the President to add certain war materials, in addition to arms, ammunition, and implements of war, to the list of those which would

then be prohibited in excess of the normal amount of exports. During the course of his appearance before the committee, the Secretary indicated his complete approval of that proposal. He said, in part:

> When we assure to every nation its normal trade we do not violate either the substance or the spirit of any peacetime trade agreements; if all the nations would notify warlike countries that if they went to war they would not get a nickel's worth of materials purely for the purpose of prosecuting the war above the normal trade volume * * *.

I also wish to quote what he said in another instance.

> Our own Government undertook to ration normal trade to neutral countries in Europe after it entered the war, and the allied governments undertook during most of the war to ration normal trade to the countries contiguous to the Central Powers. We, of course, are aware that there are difficulties in any extremely complicated question such as this presents; but there is no other way without controversy, without misunderstanding, to present a policy to the other nations except the usual, normal peacetime trading policy. Nobody can object to that; and evidently it can be fairly well administered, as they did, so far as my information goes, administer it during the war.

If the Senator will permit me further, I should like to quote from Assistant Secretary Moore, who said, in response to a question:

> I may say, Senator, that the persons who have been addressing themselves to that subject in the Department are perfectly satisfied that the bill, if it should be enacted into law in that respect, could be effectively administered.

Mr. VANDENBERG. I thank the Senator for the information. It vindicates my memory. I was perfectly sure that the distinguished Secretary of State has thoroughly approved the principle involved in the La Follette amendment.

Mr. PITTMAN. Mr. President, I think it is very unfortunate when a few sentences are selected from the testimony of a witness who testified for hours, if not days, with regard to this whole subject. It is well known to every member of the committee that the Secretary of State has always favored our Government acting under international law. I do not think anyone denies that. On every occasion when he has testified, he has testified as to whether it was better to have this particular domestic law or that particular domestic law; but everyone knows that from the very beginning Secretary Hull has been in favor of our Government acting under international law.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from California?

Mr. PITTMAN. I yield for a question.

Mr. JOHNSON of California. My recollection is not of that character at all. If the Senator recalls, the Secretary of State and the Counselor of the State Department said that international law was practically nil, and neither one of them advocated our reversion to international law.

Mr. PITTMAN. That is not my recollection at all.

Mr. JOHNSON of California. I state that merely as my recollection of his testimony. The testimony was given 3 or 4 years ago. I have not perused it since then, but I have a very lively recollection of some little tilts with him on that subject.

Mr. PITTMAN. I think the Senator from California and the Secretary of State were very much in accord on international law at that time; and I know that the Counselor of the State Department, Judge Moore, stated time and again that, of course, so far as the State Department was concerned, they wanted just as much discretion given to the President as the committee was willing to give him.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. PITTMAN. Yes.

Mr. BARKLEY. In the excerpt from Judge Moore's testimony just read by the Senator from Wisconsin, all he said was that if Congress passed such a law, it would be effectively administered. He was not recommending it, as I understood. Of course, any law would be effectively administered.

Mr. PITTMAN. I think the law of evidence governs in this case as it does anywhere else. We cannot take excerpts and sentences from a witness' testimony, or from a letter, or anything else, and expect it to be the whole evidence.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. VANDENBERG. Whether or not the distinguished Secretary was pleading for a return to international law, the fact remains that we are not returning to international law; and is it not a fact that the Secretary suggested that if we were to abandon international law, one of the appropriate and reliable methods of control would be the general scheme of limiting our war exports to peacetime quotas?

Mr. PITTMAN. I remember no such statement as that at all. This subject has been discussed for a long time. It was discussed in 1935, and abandoned by the entire committee, and abandoned by the United States Senate. The reading of it is sufficient argument against it.

Mr. NYE. Mr. President, I cannot believe other than that there was consideration at one stage by the administration, including its Secretary of State, of the question of normal quotas. I distinctly remember a message from the President of the United States, sent to the Congress on January 3, 1936, in direct, most absolute endorsement of the amendment which is pending before the Senate at the present time. I quote from that message:

> As a consistent part of a clear policy, the United States is following a twofold neutrality toward any and all nations which engage in wars that are not of immediate concern to the Americas. First, we decline to encourage the prosecution of war by permitting belligerents to obtain arms, ammunition, or implements of war from the United States; second, we seek to discourage the use by belligerent nations of any and all American products calculated to facilitate the prosecution of a war in quantities over and above our normal exports to them in time of peace.
>
> I trust that these clear objectives thus unequivocally stated will be carried forward by cooperation between this Congress and the President.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment in the nature of a substitute.

Mr. LA FOLLETTE. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LA FOLLETTE. Mr. President, I desire to make a brief statement. I still have 10 minutes on the amendment.

I should be the last to wish to place the distinguished Secretary of State in a position which he did not assume, but I think any fair reading of his testimony given in support of the bill pending before the Foreign Relations Committee, and introduced by the Senator from Nevada [Mr. PITTMAN], providing for discretionary power on the part of the President to add to the quotas on arms, ammunition, and implements of war other commodities, must lead to the conclusion that while perhaps the Secretary of State was not stating there his preference, he was, and the whole effect of his testimony was, in support of the bill which the Senator from Nevada had introduced. I think the whole testimony bears that decided and proper interpretation, and I ask to have further excerpts from his testimony, in addition to those which I read in response to the question of the Senator from Michigan [Mr. VANDENBERG] incorporated in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

[See exhibit A.]

Mr. LA FOLLETTE. Mr. President, just a further word on the amendment.

Let me say to my colleagues in the Senate that, in my judgment, the time when we have any opportunity to impose any controls upon a wartime boom is here—and now. It will do no good for any Senator to say to himself that he will vote against this amendment because, at some future time, he may decide that if such a menace to our economy occurs, he will then proceed to offer some suggestion to curtail it.

Mr. President, once the war boom has commenced, once it has gone beyond the limitations imposed by this amendment, which provides for an increase of a billion dollars a year in our trade to belligerents over what we had in 1939, and an unlimited increase to neutrals so long as it is for their own consumption—the moment it goes beyond that point and begins to put men to work, begins to stimulate the mines and the factories and the farms of the country, it will be too late to curb the resulting distortion of our economy, for it will not be possible in a democracy to deny the increased employment, the increased sales, and the increased profits.

Mr. President, in conclusion let me repeat that, in my judgment, we shall take a dangerous step if we permit this joint resolution to pass without any curb or control upon the distortion which will be immediately effective upon our industrial economy, and which, if the war in Europe is sufficiently prolonged, will manifest itself in a further distortion of our agricultural economy.

Mr. KING. Mr. President, will the Senator permit a question in my time?

Mr. LA FOLLETTE. I shall be glad to yield to the Senator from Utah in my time.

Mr. KING. Assume that the United States for a number of years has been exporting to Germany, in round numbers, say, a million bushels of wheat and potatoes and various other commodities essential to life, and has been shipping to Great Britain just 100,000 bushels—one-tenth as much in quantity and in price as were exported to Germany. If I understand the measure before us, we would be compelled to make distribution or sales in that proportion. Great Britain would have only one-tenth as much as we were shipping to Germany, and the same principle would apply as to all other commodities.

Mr. LA FOLLETTE. Mr. President, I think the Senator does not apprehend fully the import of the amendment. All that is proposed is that in the various basic classifications a particular country shall receive a quota, and within those classifications the country might purchase in any amount desired. Therefore, the commodities, so far as agricultural products are concerned, would fall into one category, and the country involved could purchase whatever commodities within the group it desired to purchase.

Mr. KING. But would not the categories be governed by the quotas, or would not the quotas which were allotted to each country be based upon the preceding exports to the respective countries, whether arms, ammunition, or the necessities of life? Whatever we had been selling to any belligerent country we would be compelled to sell to that country in the same proportion and also to other belligerent countries in the same proportion we had been selling to them. It seems to me that would be very unjust and very unfair. It would not be equality in any sense; it would be discrimination.

Mr. LA FOLLETTE. Mr. President, I cannot agree with the Senator, because this particular quota would permit belligerents to obtain vastly more than they bought from us in 1939, or in any year of the depression, because it would permit the board to take the 4 years 1927 to 1930, inclusive.

EXHIBIT A

NORMAL TRADE

In 1936 Secretary of State Cordell Hull appeared before the Senate Foreign Relations Committee in support of the administration's neutrality bill of that year which contained a normal-trade quota provision. This bill was introduced by Senator PITTMAN in the Senate and Congressman McReynolds in the House. The bill had in it a provision giving the President power to name certain war materials (not including arms, ammunition, and implements of war which were separately covered under the arms-embargo provision of that bill), the shipment of which from the United States to belligerents or to neutral countries for transshipment to or for the use of belligerents, would then be prohibited in excess of the normal amount of export of such articles, to be based on the average for a previous period of years to be determined by the President.

Secretary Hull spoke in favor of the desirability of holding shipments of certain key war materials down to a normal peacetime amount.

He said:

"I have not myself seen any good reason for a complete embargo, except as to the articles mentioned in section 3 (i. e., arms, ammunition, and implements of war), either on free goods or on conditional contraband, or any restrictions on any articles except those mentioned in section 4. That enables this Nation to stand out before all the nations of the world as permitting normal trade at all times between this country and belligerents, but definitely drawing the line between this trade and what would be avowedly aid on the part of this country to belligerents to prosecute the war by furnishing abnormal quantities of war materials for war purposes.

"I think, myself—I may be entirely wrong—that that policy, if made known everywhere, and if practiced everywhere, would not be open to valid objection. When we assure to every nation its normal trade we do not violate either the substance or the spirit of any peacetime trade agreements; if all the nations would notify warlike countries that if they went to war they would not get a nickel's worth of materials purely for the purpose of prosecuting the war above the normal trade volume." (Hearings, p. 16, Senate Foreign Relations Committee, 1936.)

* * * * * * *

Secretary HULL. The theory of the Neutrality Act of last August in embargoing exports of finished war commodities to belligerents was to keep us out of war. Of course, we all know that. That was the primary, paramount, controlling purpose of it. The theory of section 4 in the present bill, relating to embargoing of such abnormal shipments of prime war materials as might take place, is just as much or perhaps more to keep us from being drawn into war as the embargoing of these finished implements of war.

Senator CONNALLY. You have spoken of materials which have always been recognized as contraband. Is it not true that under modern conditions the list of those articles has been very greatly increased?

Secretary HULL. Unquestionably.

Senator CONNALLY. Is it not practically true, as Senator JOHNSON suggested, that almost any commodity in some way enters into making war materials—chemicals, steel, iron, clothing, food, and oil?

Secretary HULL. There is a greatly increased number of them. If there is danger of our being drawn into war on account of exporting finished commodities, the danger is all the greater about being drawn in on account of exporting these materials in abnormal quantities. (Hearings, p. 20.)

* * * * * * *

Secretary HULL. We said that it was justifiable, and we thought sound, for this Nation to pursue a policy of normal trade with all the nations of the world, belligerents and others alike; but that if and when we were called upon by belligerents to supply them with war materials in abnormal quantities for war purposes this could not be unconditionally harmonized with the congressional requirement to keep the Nation out of war by embargoing the finished products of such materials. Hence I felt that the President should be allowed discretion to deal with such conditions in the light of the danger to our country involved.

So we approached the situation, as I said the other day—and I guess I might as well repeat it if there is no objection—from the standpoint of keeping the Nation as far away from this war as possible and thus keep it out of it. In other words, the theory was based on the policy of the Neutrality Act. In other words, as we approached it from the opposite direction of the other nations we had in mind a definite policy relating to our domestic safety and our domestic welfare and security—the importance of keeping out of war.

Our view was that from the standpoint of keeping out of the war, no nation has a right to go out and get into a war, no matter who is responsible for it, and then turn around to a friendly neutral and demand of it that it be furnished with the necessary war supplies to carry on the war under penalty of being unneutral.

With a view of keeping the country out, we felt that nobody can object to a nation carrying on normal trade; but whenever any nation demands of a peaceful neutral nation that it go further, and single out and segregate purely war materials and war supplies, and feed them out to the warring nations, we said that there is not and never has been any international law or any other kind of law or reason that would compel a peaceful nation to do that regardless of the dangers involved (pp. 64–65).

* * * * * * *

Senator JOHNSON. I asked you the other day, but I do not recall that you answered, whether there has been worked out a method by which the normal trade relations could be accurately determined.

Secretary HULL. Our own Government undertook to ration normal trade to neutral countries in Europe after it entered the war, and the allied governments undertook during most of the war to ration normal trade to the countries contiguous to the Central Powers. We, of course, are aware that there are difficulties in any extremely complicated question such as this presents; but there is no other way without controversy, without misunderstanding, to present a policy to the other nations except the usual, normal peacetime trading policy. Nobody can object to that; and evidently it can be fairly well administered, as they did, so far as my information goes, administer it during the war.

* * * * * * *

Assistant Secretary MOORE. I may say, Senator, that the persons who have been addressing themselves to that subject in the Department are perfectly satisfied that the bill, if it should be enacted into law in that respect, could be effectively administered. (Hearings, pp. 95 and 96; 1936 Neutrality Hearings before the Senate Committee on Foreign Relations on S. 3474.)

Mr. WILEY. Mr. President, I should like to ask my colleague a question. I do not know of any previous discussion in the Senate on the subject, and it seems to me this matter is of such significant importance that it should have been included in a bill by itself.

I desire to obtain some information as to the mechanics of the propcsal. As my colleague knows, our State is a dairy State, where a great deal of cheese and butter is produced. Let us make the matter concrete. Right now, according to the radio this morning, the English people are rationed to 2 ounces of butter a week, because apparently the German blockade of Denmark is effective, which means that they are not getting their usual supply of butter.

The Senator knows that we in Wisconsin need a market for butter and cheese. He also knows that we have not been exporting any considerable quantity of butter and cheese in the last 2 years. Under his amendment, would we be limited to the average of 4 years, in the matter of butter and cheese, in selling to Britain?

Mr. LA FOLLETTE. If the Senator will permit an answer to the question in his time, under the provisions of the amendment a category of processed foodstuffs would be set up for each of the belligerents. The Board may take any 4 consecutive years, under the terms of the amendment, within the last 12 years. The highest years would be, without question, 1927 to 1930, because that period includes 3 years in which we were actively stimulating our wartime trade by loans abroad, and it includes, practically, only the first year of the depression.

Under the terms of the amendment as it is drawn the Board would set up a quota of foodstuffs for the British Empire. The British purchasing agent could allocate that in any way he desired within the category of foodstuffs. In other words, he would not have to buy exactly the average amount of butter or cheese Britain imported in the 4-year period, but he could buy any kind of foodstuffs he desired to buy, and the British people needed. Therefore it is impossible to say to the Senator from Wisconsin whether or not such purchases would flow into butter and cheese, or whether they would go for wheat, or what they would go for, because that would depend entirely, within the quota, upon the needs and the discretion of the purchasing agent of the belligerent involved.

Mr. WILEY. I thank the Senator for the explanation. I can agree with the general theory of the amendment, but it seems to me there is another side to the question. We have to realize that we are living in a practical world; we have to realize, also, that we have commodities to sell, and we have to realize that for 10 years we have tried to find employment for our people. We have to realize that 9 out of 10 of the farmers in Wisconsin are literally starving to death because they cannot get a market for their wares. I am not in favor of a wartime boom, but it seems to me we have to consider whether the amendment would operate as a check on normal trade which might develop under the situation in which we find ourselves.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment of the committee in the nature of a substitute. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS], and I am informed that were he present he would vote "nay." I transfer that pair to the senior Senator from Washington [Mr. BONE], and vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Indiana [Mr. VAN NUYS] is unavoidably detained.

The result was announced—yeas 22, nays 67, as follows:

YEAS—22

Bulow	Donahey	La Follette	Tobey
Capper	Downey	Lodge	Vandenberg
Chavez	Frazier	Lundeen	Walsh
Clark, Idaho	Holman	McNary	Wiley
Clark, Mo.	Holt	Nye	
Danaher	Johnson, Calif.	Shipstead	

NAYS—67

Adams	Ellender	Lee	Russell
Andrews	George	Lucas	Schwartz
Austin	Gerry	McCarran	Schwellenbach
Bailey	Gibson	McKellar	Sheppard
Bankhead	Gillette	Maloney	Slattery
Barbour	Green	Mead	Smathers
Barkley	Guffey	Miller	Smith
Bilbo	Gurney	Minton	Stewart
Bridges	Hale	Murray	Taft
Brown	Harrison	Neely	Thomas, Okla.
Burke	Hatch	Norris	Thomas, Utah
Byrd	Hayden	O'Mahoney	Townsend
Byrnes	Herring	Overton	Truman
Caraway	Hill	Pepper	Tydings
Chandler	Hughes	Pittman	Wagner
Connally	Johnson, Colo.	Radcliffe	Wheeler
Davis	King	Reynolds	

NOT VOTING—7

Ashurst	Borah	Reed	White
Bone	Glass	Van Nuys	

So Mr. LA FOLLETTE's amendment to the amendment of the committee in the nature of a substitute was rejected.

Mr. TOBEY obtained the floor.

Mr. WHEELER. Mr. President, will the Senator yield to me for a moment in order that I may make a motion?

Mr. TOBEY. I yield.

Mr. WHEELER. I desire to enter a motion to reconsider the vote by which the amendment of the Senator from Missouri [Mr. CLARK] to the amendment in the nature of a substitute was rejected yesterday, to be found in the CONGRESSIONAL RECORD of yesterday on pages 804–805.

The PRESIDING OFFICER. The motion will be entered.

Mr. TOBEY. Mr. President, I ask that the amendment proposed by me be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the joint resolution it is proposed to add the following new section:

SEC. 20. (a) It shall be unlawful for any foreign vessel at any time to use the flag of the United States thereon, or to use any distinctive signs or markings, in order to make it appear that such vessel is an American vessel, regardless of whether such use is for the purpose of escaping capture by an enemy vessel or for any other purpose.

(b) Any vessel which violates the provisions of this section shall be forfeited to the United States, together with the equipment and cargo of such vessel; and the master of any such vessel shall be fined not more than $20,000 or imprisoned not more than 2 years, or both.

(c) The Secretary of State is hereby authorized and directed to notify all foreign states of the provisions of this section.

Mr. TOBEY. Mr. President, on September 26 of this year, Winston Churchill, First Lord of the Admiralty of the British Navy, announced in the House of Commons that Great Britain would adopt the practice of arming her merchant vessels to combat enemy submarines.

On October 1 Berlin announced that this action of England made it necessary for Germany to view such armed merchant ships in a category similar to warships and subject to the same treatment.

In taking this stand, Berlin contended that if its submarines rose to the surface to make a visit and search of the armed merchant vessels of the enemy, they would risk a broadside.

So, regardless of the merits of the respective positions of the two belligerents, the fact is that open warfare now exists on the high seas between belligerent armed merchant vessels and submarines.

During the World War, in 1915, while this country was a neutral nation, the British Admiralty advised its merchant vessels to fly the flag of the United States and other neutrals as a war ruse to deceive the enemy and escape capture. That this was frequently practiced is a matter of history.

Belligerent merchant vessels using the American flag as a subterfuge, which vessels were armed and ready at instant notice to fire upon the enemy, were something like the wolf wearing sheep's clothing, but to be more accurate, it was a case of the wolf wearing goat's clothing, because Uncle Sam was made the goat.

Time and time again the United States Government protested against this compromise of the American flag, and pointed out to England—and I quote:

> The formal declaration of such a policy of general misuse of a neutral flag jeopardizes the vessels of the neutral * * * in a peculiar degree, by raising the presumption that they are of belligerent nationality regardless of the flag that they may carry. * * *

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. NORRIS. I am in sympathy with what the Senator from New Hampshire evidently wants to accomplish by his amendment, but I wish to ask him what right the American Congress has to provide for the control of foreign ships, and how could we enforce the penalties proposed to be provided? I may be wrong about this, but I understand that it has been the practice ever since there have been any navies on the seas for all governments indiscriminately, for purpose of deception, of course, to use the flags of any nations they wish to use. I think that is not an honorable way to carry on warfare, but I do not know how to remedy that situation. It seems to me the United States cannot pass a law which will have any effect on Germany, which is guilty, or on England, which is guilty, and, Mr. President, I think we ourselves are guilty. I should like to have the Senator explain how we can effectively pass any such law applicable to ships of foreign nations.

Mr. TOBEY. I shall be happy to explain it. The Senator has raised a perfectly natural objection which would occur to the mind of any hearer at first thought. I think I can answer him—I hope conclusively. There are precedents for the action I suggest. I now read to the Senator from Nebraska and to my colleagues sections 409 and 410 of the penal code of the Netherlands:

> SEC. 409. The master of a vessel who carries the flag of the Netherlands knowing that he is not entitled thereto shall be punished with imprisonment for a period of up to 1 year or a fine up to 300 guilders.
>
> SEC. 410. The master of a ship who by deliberate use of signs of distinction gives the appearance to his vessel of a Netherlandish man-of-war or a pilot vessel in the service of the Netherlandish waters or canals shall be punished by imprisonment up to 3 months or by a fine up to 300 guilders.

Amplifying that, I shall read, in the course of the 10-minute speech which I have prepared, precedents which will further answer the Senator from Nebraska.

Mr. NORRIS. Mr. President, will the Senator yield further?

Mr. TOBEY. I yield.

Mr. NORRIS. Was that law passed by the Netherlands Government?

Mr. TOBEY. It was.

Mr. NORRIS. Did it attempt to control ships of other countries or merely ships of the Netherlands?

Mr. TOBEY. It applied to vessels of other nations.

Mr. NORRIS. What effect did it have? Were there ever any prosecutions under that law, or was anyone ever convicted under it?

Mr. TOBEY. I again state to the Senator from Nebraska that as I go along I shall produce other precedents. I quote now from the United States Government protest against the practice of compromising the American flag, used by England in 1915. I quote further:

> It would be a serious and constant menace to the lives and vessels of American citizens * * * and would even seem to impose upon the Government of Great Britain a measure of responsibility for the loss of American lives and vessels in case of an attack by a German naval force.

As I have said, repeated protests were registered by the United States Government with Great Britain. Not only was the practice admittedly continued, but the British Cabinet Minister concerned, in a dispatch to the American Ambassador dated November 2, 1915, said:

> In replying to the inquiry contained in Your Excellency's communication of September 29 last, I would therefore take the liberty in suggesting that your Government may, on further consideration of the matter, be willing to desist from bringing these reports to the notice of His Majesty's Government, or, at least, from putting forth the request for information by which they have hitherto been accompanied.

Great Britain, in her refusal to heed the protests of our State Department, pointed out with emphasis that the United States Government had no law on its statute books prohibiting the use of the American flag by belligerent nations. Great Britain herself, who had been guilty many times of usurping the prerogatives of our flag, pointed out as one of the reasons for doing so that we lacked a statute forbidding it. It is a matter of history that during the last war, while we were still a neutral, belligerent merchant vessels were using the American flag as a war ruse and thereby placing American lives and vessels in jeopardy.

It is a matter of history that during that same period a number of merchant vessels of the neutral United States were sunk. We cannot afford not to profit by the experience of those tragedies. It is only fair to the American people for this Congress to enact a law forbidding this compromising of the American flag by belligerents. I have therefore proposed an amendment to the neutrality legislation, now pending, which reads as follows:

> SEC. 20. (a) It shall be unlawful for any foreign vessel at any time to use the flag of the United States thereon, or to use any distinctive signs or markings, in order to make it appear that such vessel is an American vessel, regardless of whether such use is for the purpose of escaping capture by an enemy vessel or for any other purpose.
>
> (b) Any vessel which violates the provisions of this section shall be forfeited to the United States, together with the equipment and cargo of such vessel; and the master of any such vessel shall be fined not more than $20,000 or imprisoned not more than 2 years, or both.
>
> (c) The Secretary of State is hereby authorized and directed to notify all foreign states of the provisions of this section.

With this provision made the law of the land, it will then no longer be possible for belligerent nations to condone the use of the American flag as a war ruse and refuse to recognize our protests on the ground that the United States has no law forbidding such practice, which I again bring to the attention of the Senate was the fundamental reason given by Great Britain for carrying on this practice.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. BARKLEY. The Senator would make it unlawful for any foreign vessel at any time to use the flag of the United States anywhere in the world?

Mr. TOBEY. That is correct.

Mr. BARKLEY. The United States has no jurisdiction beyond the 3-mile limit, or within a reasonable distance of the shores of the United States. As a practical matter, how would the United States enforce a law of that sort in foreign waters, where we have no jurisdiction over persons or property?

Mr. TOBEY. I think I can answer the Senator. Given a ship which used this practice, and which came under the penalty clause of the proposed statute which I have just read, this is the way the law would function, in my judgment:

Ships engaged in the commerce of the world have their accepted routes. They go back and forth in commerce. Many of them come to this country; sooner or later most of them come to this country. When, if ever, a ship guilty of this practice came to an American port it would then be subject to seizure; and if the ship were sold to another owner it would have a mortgage or lien on it, so to speak. It would be sold subject to the ban of the United States.

Mr. BARKLEY. Ships guilty of violating the law might never come into an American port. They might sail the seven seas from one continent to another and never come within the jurisdiction of the United States.

Mr. TOBEY. Quite correct. I know of no law that is perfect in its administration or penalties. But before God, and before the American people, let us do something to change this anomaly, which permits abuse of the influence and power of the American flag.

Let me go further. When ships which are known to be banned by the American Government come into any port they will be more difficult to sell for that reason. They have a lien upon them, if you please, to the American Government. They are unclean in American commerce.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. TOBEY. I yield.

Mr. BARKLEY. I can understand how we might prevent a ship which had falsely used the flag of the United States from coming into an American port; but I still doubt the practicability of enforcing a law of this sort, because if a ship were guilty of a violation of the law it would probably, by design, not come into an American port.

Mr. TOBEY. That may be true; but we have other ports than American continental ports. We have ports in the Philippines. So far as it lies within our power we ought to do something about this matter.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. DANAHER. I thank the Senator for yielding to me. In answer to the question of the Senator from Kentucky, if the Senator from New Hampshire will permit me, we could certainly impose a penalty on vessels of any nation which so violated the statute proposed by the Senator from New Hampshire. They could be denied the privilege of purchasing anything under the cash-and-carry plan. Then, when the Secretary of State of the United States found that there had been a violation of our statute, we could most certainly invoke the penalty and forbid exports to such an offending nation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. BARKLEY. The only articles purchased by vessels are the articles necessary for their own navigation and their own supplies. It is not the vessels which purchase the commodities which are shipped upon them. It is the purchasers abroad. We could not reach them.

Mr. DANAHER. Mr. President, if the Senator from New Hampshire will yield to me further, I did not say anything about the offending ship being a purchaser. I said the offending nation of which that ship is a national. We could then impose upon the nation in which that ship is registered the duty of protecting our own commerce. That is one practical way to do it. I will say to the Senator that the law would operate very definitely.

Mr. SHIPSTEAD, Mr. CLARK of Missouri, and Mr. SCHWELLENBACH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield, and if so, to whom?

Mr. TOBEY. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. There is another way in which we could possibly enforce the proposed law. The captain and the crew of the ship are agents of the company which employs them; and that company must meet certain conditions in order to have a right to enter our ports.

Mr. TOBEY. That is quite true.

Mr. SHIPSTEAD. We could bar our ports to the companies whose ships violated the law, as punishment. If only one ship violated the provisions of the law, the owners of the ship would be guilty, and could be denied the privilege of sending any other ships to our ports.

Mr. TOBEY. The Senator is quite correct.

Mr. SCHWELLENBACH and Mr. CLARK of Missouri addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield, and if so, to whom?

Mr. TOBEY. I yield first to the Senator from Washington. Then I will yield to the Senator from Missouri.

Mr. SCHWELLENBACH. Mr. President, I should like to ask the Senator when and in what sort of a tribunal this question as to the offense would be adjudicated, and how would process be served upon the offender? Certainly we cannot have an adjudication as to an offense with the master of the ship or the owner of the ship 3,000 miles away, with no opportunity to be heard. I should like, as a practical matter, to know just how and when and by whom this adjudication is going to be made.

Mr. TOBEY. The Senator from Washington always asks very pertinent questions. Let me answer in this way: He is a lawyer, and a good one. Suppose I retained him at a good, fat retainer to frame a law that would encompass what he seeks to do. Would he do it or could he do it?

Mr. SCHWELLENBACH. Is that an offer? [Laughter.]

Mr. TOBEY. It is a threat and a promise, both. Come across. What does the Senator say?

Mr. SCHWELLENBACH. As a practical matter, I do not think it could be done. There is a ship somewhere around England. It may be an English ship flying an American flag. That is, we think it is. Proof must be made somewhere, before some tribunal, of the fact. We cannot just say to all English ships, "Do not come in here, because we may grab you after you get in. We may even get you in some court and prove the offense after you are here." An adjudication as to the offense has to be made within a reasonable time after the offense occurred. There has to be some proof, and there has to be an opportunity afforded to defend it.

Mr. TOBEY. Let me say to the Senator that in the World War, instance after instance came up in which the State Department had plenty of proof, but it had no law against the practice. Let us lay aside "critic peep and cynic bark, quarrel and reprimand," and let us get down to brass tacks here. Let us have a willing mind and recognize in the objective in my amendment a common cause. There is no partisanship or politics about this matter. Given a willing mind and a worthy cause, as I hold this to be, and we can move mountains of little objections here, and we can pass this law. Do not put hurdles in the path for some second- or third-rate reason.

Mr. LUNDEEN. Mr. President——

Mr. TOBEY. I yield to the Senator from Minnesota.

Mr. LUNDEEN. This is an American amendment.

Mr. TOBEY. I hope so.

Mr. LUNDEEN. It is not designed to help Great Britain; and perhaps that is the trouble with it.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. TOBEY. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. The Senator from Minnesota has made remarks like that around here just once or twice too often. There is nobody in this body who has less of a feeling of admiration toward Great Britain than I have; and I do not think there is a Member of this body who, in acting upon this legislation, is acting in the way the Senator from Minnesota is constantly insinuating.

So far as I am concerned, on behalf of myself, and I think on behalf of the entire Senate, I want the Senator from Minnesota to know that I resent his constant inferences. Nobody stood up here and said to the Senator from Minnesota, "You are representing Mr. Hitler." Nobody has hurled that sort of an insinuation at him. I think it is pretty nearly time for the Senator from Minnesota to desist from that sort of talk.

Mr. CLARK of Missouri and Mr. LUNDEEN addressed the Chair.

Mr. TOBEY. I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, in view of the suggestion that has been made here, I should like to ask the Senator from New Hampshire whether this amendment, which I proposed and had printed in this morning's RECORD, does not mean what he is driving at:

> In the event of the display of the flag of the United States as its own by any vessel of a belligerent foreign state, it shall thereafter for a period of 3 months be unlawful for the merchant and naval vessels of that belligerent foreign state to enter the ports or territorial waters of the United States except in cases of force majeure.

In other words, Mr. President, it seems to me the criticism that the United States has no process against these foreign vessels which may falsely fly the American flag is a valid criticism; but we certainly have a right to refuse access to our ports to foreign vessels which falsely, and for their own particular purposes, fly the flag of the United States in time of war.

Mr. TOBEY. I will say to the Senator that I think that amendment might be very helpful; but I point out that the amendment I have presented applies for all time, in future, clear down through. It ought to be a principle for all time, eternal in the statute books of this country.

I now yield to the Senator from Minnesota.

Mr. LUNDEEN. Mr. President, I wish to say to the able Senator from New Hampshire that I favor his amendment, and I want to call attention again to the fact that Senators have stood on this floor and talked about legislation before us from the standpoint of helping Great Britain. Their words are in the RECORD here.

It seems now that in order to help America we must help Great Britain. I cannot believe that any American citizen would advocate helping the British for any other reason. By what mental evolution do they arrive at any such conclusion? That was not the position taken by Washington, Jefferson, Jackson, Webster, and Clay or any other great American. They were never found pleading the case for foreign nations. They were Americans to the core—to them the American flag was the sacred emblem of American liberty.

How can anyone excuse the camouflage of a British cruiser, warship, or liner with the standard and colors of the American Nation? It is inexcusable and beyond comprehension.

Mr. TOBEY. The Senator from New Hampshire will proceed.

There is ample precedent for such legislation. The Netherlands, a nation which successfully maintained a neutral status throughout the World War, had such a law and used it to good advantage in strong protests to belligerent nations which attempted to ignore the rights of the Netherlands.

I read from a dispatch by the Netherlands' Minister of Foreign Affairs to the British Minister, dated February 15, 1915, amplifying the statute I just read in answer to an interrogation by the Senator from Nebraska:

> In time of war that abuse takes on a character the seriousness of which cannot be overlooked by the powers signatory of the Declaration of Paris: It violates the neutral flag, it casts suspicion upon neutral ships flying their own colors, it exposes them to being mistaken for enemy ships, and to suffering the dangerous consequences. * * * The law of the Netherlands likewise forbids the abuse of the Dutch flag but it contains no exception analogous to that in the merchant shipping act covering the case of utilization of the flag for the purpose of escaping the enemy.

The right of a nation to legislate concerning the use of its own flag is universally recognized. I now quote from authorities on international law and from documents of foreign states regarding this subject.

The first quotation is by Dr. Alexander Frieherr, associate delegate of Austria-Hungary at the Conference of London, 1909. I quote:

> The most far-reaching criterion is the first, whether the ship has acquired the right to fly the neutral flag, a question which must be answered according to the law of the neutral state whose flag it has taken.

The next statement shows that the principle was recognized as far back as 1809. I quote from the law adopted by Russia in that year:

> The nationality of a vessel is to be decided in accordance with the laws of the country under the flag of which she is sailing, or to the port of which she claims to belong.

The next is a provision of the declaration of London. I quote:

> The laws of a particular country may grant the right to fly a given flag. * * *

Charles Dupuis, French authority on international law, holds to the "inviolability of a neutral flag."

Pasquale Fiore, an Italian authority on international law, said:

> Every state has the right to say what legal conditions ships must fulfill in order to acquire the nationality and the legitimate right of carrying the flag of the state.

I now read to you, Mr. President, from a telegram sent by the Secretary of State of this Nation to the Ambassador of Great Britain, Mr. Page, on February 10, 1915:

> The Department has been advised of the declaration of the German Admiralty of February 4, indicating that the British Government had, on January 31, explicitly authorized the use of neutral flags on British merchant vessels, presumably for the purpose of avoiding recognition by German naval forces.
>
> * * * * * * *
>
> Assuming that the foregoing reports are true, the Government of the United States, reserving for future consideration the legality and propriety of the deceptive use of the flag of a neutral power in any case for the purpose of avoiding capture, desires very respectfully to point out to His Britannic Majesty's Government the serious consequences which may result to American vessels and American citizens if this practice is continued.

I read further from the telegram:

> The formal declaration of such a policy of general misuse of a neutral flag jeopardizes the vessels of the neutral visiting those waters in a peculiar degree by raising the presumption that they are of belligerent nationality regardless of the flag which they may carry.

I point out there that when we permit this practice to go unchallenged, we dilute the influence of the American flag. We definitely put our own ships in danger.

I read further from the telegram from the Secretary of State:

> A policy such as the one which His Majesty's Government is said to intend to adopt would, if the declaration of the German Admiralty is put in force, it seems clear, afford no protection to British vessels while it would put a serious and constant menace to the lives and vessels of American citizens.

Further from the American Secretary of State:

> The Government of the United States, therefore, trusts that His Majesty's Government will do all in their power to restrain vessels of British nationality from the deceptive use of the flag of the United States in the sea areas defined in the German declaration, since such practice would greatly endanger the vessels of a friendly power navigating those waters and would even seem to impose upon the Government of Great Britain a measure of responsibility for the loss of American lives and vessels in case of an attack by a German naval force.

Mr. President, to all these efforts on the part of the United States, to all these suggestions, England presented a deaf ear. Not only did they ignore our proposals, but they even scoffed at our diplomatic representations, and accepted them, to use a popular expression, "as a good joke." That impression is not a product of my imagination. In corroboration of this statement I quote from a telegram by the Ambassador in Great Britain, Mr. Page, to the Secretary of State, sent on March 21, 1915, from London and received on March 22:

> The Government is publishing as a white paper all the correspondence about shipping between the American and British Governments since December 28. Critics praise the courtesy and admit the propriety of our communications, but they regard them as remote and unpracticable.

They further state:

> They point out these in good-natured criticism as evidence of the American love of protest for political effect at home. While the official reception of our communications is dignified, the unofficial and general attitude to them is a smile at our love of letter writing as at Fourth of July orations, in which they quietly laugh at our effort to regulate sea warfare under new conditions by what they regard as lawyer's disquisitions out of textbooks.
>
> They receive them with courtesy, pay no further attention to them, proceed to settle our shipping disputes with an effort at generosity, and quadruple their orders for us of war materials. They care nothing for our definitions or general protests but are willing to do us every practical favor, and will under no conditions either take our advice or offend us. They regard our writings as addressed either to complaining shippers or to politicians at home.

That is the answer of the British Empire, through Ambassador Page, to the representations of the American Secretary of State, and that is the nation which says, "We will keep on this practice," for one reason they cite, "because you"—the United States Government—"have no statute which forbids it." Is not the lesson plain? Is not the implication clear? Can my colleagues not read the signs and the portents?

We have a duty here today, but, more than that, we have a privilege, and men and women throughout this country are going to watch this vote and see whether we are for America first.

I am first, last, and all the time for America, and I cannot believe there will be a single vote against the amendment, despite the suggestion of impracticality. Impracticality! Everything is impractical up to a certain point, but there is real practicality, there is common sense, there is "guts," there is a punch to it. Join me and follow this thing through, and we will make America proud of this statute in the days to come.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. LUNDEEN. It seems to me that the description the distinguished Senator has read is a perfect description of what is happening to our little perfume-scented notes we write semi-annually to Great Britain about their war debts. Their insolent manners, their smiling, sneering attitude about our debts can no longer be endured in silence. They owe us billions of dollars while 10,000,000 unemployed are starving in America. They owe us billions while our own naval and military men say that we should have ports and air fields in the British and French West Indies. Senators may smile here on the floor about this vital issue, but they may not always smile about it, when the wrath of the American people breaks on their heads.

Mr. TOBEY. Mr. President, open warfare between belligerent armed merchant vessels and submarines on the high seas is now a fact. In the past few days we have read of active battle between such armed merchant vessels and submarines. This is an avowed fact, and on at least one occasion a merchant vessel claims credit for having sunk a submarine. Such merchant vessels are men-of-war as a practical matter.

I hold that it is vital that Congress adopt this amendment in order to make the practice of flying our flag on belligerent armed vessels unlawful.

The opportunity is presented by the proposed amendment, and I feel confident that the Members of this body will pass it without objection.

Mr. President, I urge the adoption of the amendment.

Mr. CLARK of Missouri. Mr. President, I am in entire agreement with nearly everything said by the Senator from New Hampshire, but I cannot agree that the United States Government has any right to impose the penalty provided in the amendment of the Senator. I think it was an absolute outrage during the last war, and is during this war, for foreign-flag ships of belligerents to assume to themselves the right to fly the American flag for the purpose of deceiving belligerent ships of other nations. But I do not believe that the United States Government has the right to impose the penalties contained in subsections (b) and (c) of the amendment of the Senator from New Hampshire. Therefore, to the amendment of the Senator I offer an amendment to strike out subsection (b) and to insert the language which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment of the Senator from New Hampshire [Mr. TOBEY].

The LEGISLATIVE CLERK. In the amendment offered by Mr. TOBEY it is proposed to strike out subsection (b) and to insert the following:

> In the event of the display of the flag of the United States as its own by any vessel of a belligerent foreign state it shall thereafter for a period of 3 months be unlawful for the merchant and naval vessels of that belligerent foreign state to enter the ports or territorial waters of the United States except in cases of force majeure.

Mr. ADAMS. Mr. President, it seems to me that we would be traveling pretty far and rather rapidly in adopting this type of an amendment. What it means is that if one British merchant ship should run up the American flag for the purpose of escaping one of the undersea assassins, the U-boats, all the other merchant ships, which might never have had refuge in such deception, would be barred from American ports. It is perfectly proper, if there is any way to do it, to penalize the ship which uses the flag for deception, but to penalize the whole mercantile marine because one ship does that, it seems to me, is going far, certainly without most careful consideration.

Mr. WHEELER. Mr. President, I agree with what the Senator has stated to the effect that we should not penalize all the ships, but I think that we could penalize the particular ship involved by providing that for a definite period of time that ship should not be permitted to enter an American port.

Mr. ADAMS. I think that is correct.

Mr. CLARK of Missouri. Mr. President, the amendment presented by the Senator from New Hampshire was drawn by him without any consultation with me; but I am very much in sympathy with the principle which he has enunciated in his proposal. During the last war one of the greatest incitements to submarine warfare was the fact that the government of Great Britain repeatedly asserted the right to fly the American flag for purposes of deception, which was one of the grounds assigned by the German Government for the right to sink without notice.

I think for a submarine, what the Senator from Colorado referred to a moment ago as an "undersea assassin," to sink a commercial vessel without notice is a dastardly thing, but it must be understood that the question of submarine warfare and of sinking without notice is intimately and inextricably connected with the proposition of arming merchantmen, and merchantmen or other vessels flying flags which they have no right to fly.

During the last war Secretary Lansing pointed out that merchantmen of the Allies had been permitted to arm, ostensibly for defensive purposes, but really for either offensive or defensive purposes against submarines, and that had been the occasion for attacks without notice by submarines.

He also pointed out that the practice by ships of other nations of flying the flag of the United States had made it very much more difficult for submarines to exercise their undoubted right under international law.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I will yield in a moment. Tomorrow, if I have the opportunity, I intend to quote from Secretary Lansing. He pointed out that in one case a German submarine stopped a British liner, took the requisite steps under international law of visit and search, confiscated the cargo because it was contraband, permitted the crew to take to the lifeboats, and was standing by to assist in any way possible, when a British cruiser came up flying the American flag, and when it got within gunshot it proceeded to sink the submarine without notice.

Mr. President, I do not think the United States ought to lend itself to such practices. At that time President Wilson and Secretary Lansing protested against such an act. They did not pursue the matter to the extent of making an issue of it, because we soon got into the war ourselves. I think that when we are trying to draw a neutrality act the United States should not permit any nation in the world, whether friendly or otherwise, under any conditions to fly the United States flag over any vessel which is not an American vessel.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. I appreciate what the Senator is trying to do, and I appreciate also the point made by the Senator from Colorado in an effort to work this out. The Senator does not propose to strike out subsection (a) of the amendment offered by the Senator from New Hampshire. That is left in the amendment, and would provide:

> It shall be unlawful for any foreign vessel at any time to use the flag of the United States—

And so forth. I was going to suggest to the Senator that instead of the language of the amendment which he offered, that he provide that—

> In the event of a violation of subsection (a) of this section—

Which is the one the Senator leaves in—

> it shall be unlawful for any such vessel to enter the ports or territorial waters of the United States except in cases of force majeure.

So that that would penalize a vessel itself which violates the injunction, but would not involve a prohibition against every other ship of the nation, none other of which might have violated the provision. Does not the Senator think that would be sufficient?

Mr. CLARK of Missouri. I do not think it would be sufficient for the reason that, as appeared in the last war, the vessels of Great Britain were acting under general instructions which had been issued and were backed up by diplomatic action on the part of their own Government.

Mr. BARKLEY. Mr. President, will the Senator yield again?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. Under the language of the amendment which the Senator has offered, if a British, French, or German ship in crossing the Atlantic Ocean should hoist the American flag and thereby violate this provision, then any other British, French, or German ship on its way to New York from South America would be barred from entering the port of New Orleans?

Mr. CLARK of Missouri. Mr. President, I agree with the criticism made of the amendment of the Senator from New Hampshire on the ground that we have no right to impose penalties——

Mr. BARKLEY. I agree with that criticism.

Mr. CLARK of Missouri. Upon the crews or the masters of foreign ships. I wish we could. I say it is an outrage for a ship of any foreign nation, be it German or British or French, to hoist the American flag when it has no right to do so. I am convinced from my reading of the controversy between the American State Department and the British Government in the last war that the British ships which did that acted under the instructions of the British Admiralty. Therefore I think the only way sufficiently to penalize such action is by penalizing all the ships of the guilty nation.

Mr. BARKLEY. That would result in barring a ship of such a nation, sailing from the Philippine Islands to San Francisco, from entering that port, because another ship sailing from Liverpool to New York or Norfolk had been guilty of that deception.

Mr. CLARK of Missouri. I would be perfectly willing to accept the modification which would make an exception in such circumstances, but I say the British Admiralty has no right to instruct its ships, as it did in the last war, to use the American flag for the purposes of deception.

Mr. BARKLEY. I believe the suggestion I made to the Senator would cure the matter.

Mr. CLARK of Missouri. It would not have any effect on the British Admiralty. They might lose a ship under the penalties of this act, without curing the practice.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. TYDINGS. Mr. President, I can sympathize thoroughly with what the Senator from Missouri is attempting to do. It is perfectly possible for the owners of a ship to caution the captain not to fly the American flag, because if he should do so, it would be tantamount to barring forever the use of that ship to carry cargo from the United States to any foreign port. Suppose, in violation of the orders of the owners, the captain, who was chased by a U-boat, puts up the American flag. I quite understand why he might be impelled to do it, because extremity knows no law. The first law of nature is self-preservation. But, under the penalty provision, the man who violates the law would go absolutely unscathed and the innocent owners who had instructed the captain not to fly the flag would have their property virtually taken from them. I suggest that when the captain who flew the American flag goes ashore he be imprisoned. We cannot go on the deck of his ship and get him, but when he comes ashore let us penalize the man who puts the flag up on the masthead and not penalize perhaps a number of innocent persons who may not have been guilty of the act.

Mr. CLARK of Missouri. Mr. President, I happen to know that the Senator from Maryland is a very excellent lawyer, and he is very familiar with the principle of agency in the law. I am unwilling to penalize the poor servant who acts in his master's interest to preserve his job and allow the man who undoubtedly had authorized him to commit the act to go unscathed. As I see it, the only way we can handle this matter is under the law of admiralty.

Mr. TYDINGS. Mr. President, I take it that, according to the law, an agent cannot be bound beyond the scope of his real or apparent authority. I think that is pretty sound law.

Mr. CLARK of Missouri. That is hornbook law.

Mr. TYDINGS. The ship is not usually owned by an individual. It is usually owned by a company.

Mr. CLARK of Missouri. That makes it all the worse.

Mr. TYDINGS. No; it does not. It makes it all the more reason why we should be careful not to penalize the innocent investors in a shipping line, simply because one of its captains violates the law of the United States. It seems to me that the proper course to follow would be to arrest the captain when he comes ashore for having flown the flag of the United States unlawfully. I do not object to voting for such an amendment as that, but I do not intend to support this amendment to penalize innocent persons for a crime committed by someone who has nothing to do with the ownership of the vessel.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Kentucky.

Mr. BARKLEY. I was about to suggest to both the Senator from Missouri [Mr. CLARK] and the Senator from New Hampshire [Mr. TOBEY] that I think the matter can be satisfactorily worked out by a little consultation; and I suggest that it go over until tomorrow.

Mr. CLARK of Missouri. I am willing to accept the language suggested by the Senator from Kentucky, not because it is adequate for what I favor, but because I think it is the best I can get.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I am glad to yield to the Senator from Nebraska.

Mr. NORRIS. I may not understand the full scope of the Senator's proposed amendment; but, as I understand, the amendment strikes out subsection (b) of the amendment proposed by the Senator from New Hampshire [Mr. TOBEY], and inserts something in lieu of it.

Mr. CLARK of Missouri. That is correct.

Mr. NORRIS. As I listened to the reading, there was no penalty clause attached to it. Is that true?

Mr. CLARK of Missouri. There is a penalty clause.

Mr. NORRIS. Is that in the Senator's amendment?

Mr. CLARK of Missouri. It is.

Mr. NORRIS. I did not hear it.

Mr. CLARK of Missouri. I shall be glad to read the amendment to the Senator:

> In the event of the display of the flag of the United States as its own by any vessel of a belligerent foreign state it shall thereafter, for a period of 3 months, be unlawful for the merchant and naval vessels of that belligerent foreign state to enter the ports or territorial waters of the United States, except in cases of force majeure.

Mr. NORRIS. Is that the language to be inserted?

Mr. CLARK of Missouri. That is the language of the amendment which I have offered.

Mr. NORRIS. That answers my question.

Mr. CLARK of Missouri. Mr. President, the criticism of the Senator from Kentucky and other Senators is not that I do not have a penalty clause but that my penalty clause is too drastic.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. If the Senator is willing to modify his amendment by the suggestion I made, it may save us time, and we may be able to dispose of the whole matter.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Oregon.

Mr. McNARY. I think it would be impossible to come to an agreement this evening. I therefore suggest that we follow the suggestion of the Senator from Kentucky and let the matter go over until tomorrow.

Mr. CLARK of Missouri. Frankly, I should much prefer to have the matter go over until tomorrow, because I have not had an opportunity to analyze the various suggestions which have been made.

Mr. BARKLEY. I have no doubt that we can satisfactorily work out the matter by tomorrow. I therefore suggest that it go over.

Mr. CLARK of Missouri. That is agreeable to me.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Thursday, October 26, 1939, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 25, 1939

The House met at 12 o'clock noon.

The Reverend Edmund A. Walsh, S. J., vice president, Georgetown University, regent, School of Foreign Service, offered the following prayer:

Almighty and eternal Father, in whom and by whom all creation moves through law unto its appointed end, preside, we beseech Thee, over the deliberations of this day, and make manifest in them the wisdom befitting sons of God. Illumine with Thy grace the intellects of those who here share with Thee the dread responsibility of governing mortal ways. Strengthen their wills to safeguard equal justice unto all, with malice to none. Suffuse their hearts with charity that is patient and understanding of human weakness, tolerant of each man's groping for the light, but resolute in a justice that fears not to do battle for the right nor flinches ever before the insolence of wrong.

Keep from our beloved land the withering blight and scourge of fratricidal war now afflicting with sore distress our fellow men beyond the seas. Banish hatred from all council chambers and disunion of mind among the people. Let not the curse of Cain find habitation on our shores or in our hearts; but make true peace, like a tree planted beside running waters, flourish from generation unto generation forevermore. To that end guide, protect, and accompany in this hour the President of these United States, the Speaker of this House, and all the Members thereof, that never word or act of theirs find disfavor in Thy sight or be reckoned as false counsel before that impartial tribunal where every man and nation must one day stand for judgment. A blessing we do ask in the name of Him whom Thou didst send, Jesus Christ, the Redeemer of the world. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. ROBINSON of Utah. Mr. Speaker, owing to unavoidable circumstances, the gentleman from Montana [Mr. O'CONNOR] will not be able to use the time allotted him this morning. I therefore ask that the order previously made in his behalf be canceled, and I ask unanimous consent that he may be given 30 minutes to address the House tomorrow after the disposition of the legislative program and orders previously made.

The SPEAKER. Is there objection to the request of the gentleman from Utah [Mr. ROBINSON]?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by Col. Edward N. Wentworth, commander in chief of the Military Order of the World War.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the New York Herald Tribune urging the adoption of House Resolution 316.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. McDOWELL]?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a short newspaper article from the Parkersburg News of Parkersburg, W. Va.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an address I made before the Illinois Press Association at the University of Illinois.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. BOLLES]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on tomorrow, following any orders that have been heretofore entered, my colleague the gentleman from Pennsylvania [Mr. CORBETT] may be permitted to speak for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. MAPES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an address by the gentleman from Indiana [Mr. HARNESS], at the National Forum on Sunday night.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MAPES]?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a summary of the discretionary war powers of the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

Mr. CORBETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an editorial by the President General of the Sons of the American Revolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. CORBETT]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes today at the conclusion of any previous orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the membership of the American League for Peace and Democracy.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

Mr. RICH. Mr. Speaker, reserving the right to object, looking at that it appears as if it is quite voluminous. How many pages will that take?

Mr. THORKELSON. I do not believe it will take very many pages, maybe two and a half or three.

Mr. RICH. It seems to me, from the looks of that manuscript the gentleman has there, it will take more than that.

Mr. THORKELSON. This contains only names.

Mr. RICH. Mr. Speaker, is not somebody somewhere, at some place, sometime going to object to all this stuff going into the RECORD? It seems to me it is too much. I am going to ask the gentleman to get an estimate from the Public Printer first before he submits his request to determine what that is going to cost. I hope the gentleman will withdraw his request for the time being.

Mr. THORKELSON. I will be very glad to get an estimate for the gentleman from Pennsylvania.

The SPEAKER. Does the gentleman withdraw the request?

Mr. THORKELSON. Yes, Mr. Speaker; I withdraw the request.

STEAMSHIP "CITY OF FLINT"

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE CASE OF THE "CITY OF FLINT"

Mr. RICH. Mr. Speaker, I have seen a good many newspaper articles which display agitation with regard to the fact that the vessel *City of Flint* has been captured and taken into a Russian port. It seems that this is an American vessel loaded with contraband destined for the Allies. If this American ship were carrying contraband goods, I do not see any difference between the Germans capturing it and taking it into port and the situation where the English capture an American vessel carrying contraband of war destined for a German port. I, for one, believe that the American people ought to reserve their opinion on this incident and that the newspapers ought to be cautious about urging the involvement of America in foreign entanglements. If American shippers and American shipping are doing anything contrary to international law, then, as I see it, we have no grievance against any nation if such vessels are captured. I hope we will be neutral. [Applause.]

I understand that every day from the docks in New York City boats are being loaded with munitions of war destined to England, France, Japan, and other countries by bootleggers in war materials. If men of this stripe want to take a chance on their investments, if American steamship companies want to take a chance of losing their ships for the sake of getting double profits if they deliver the cargo, let them assume the full responsibility, let them do the worrying. The people of the United States are not called upon to become all upset about it, nor is it the duty of the President or the Congress to protect bootleggers. Proper enforcement of the laws would mean their suppression. The laxity in the situation is on the part of the Government in not enforcing the laws in the waters of New York to see that contraband is not shipped. If this country's laws are willfully violated by our own vessels and shipowners, let them make the best of it and take their medicine. The American people should not let misguided and misplaced sympathy run away with their logic in the situation.

WHO GETS THE MONEY?

Mr. PIERCE of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE of Oregon. Mr. Speaker, I have recently completed reading and studying a little book entitled "Who Gets the Money?" by Walter Rautenstrauch. The first edition of this book appeared about 5 years ago. I read it and studied it then. The new edition is much more valuable for the ordinary reader and student. It clearly shows that the income of the United States is increasing for those in the so-called higher brackets—the overheads, the control group. The proportionate income for those less privileged is constantly decreasing year by year, especially for the farmers and laborers. The farmer's income has dropped from 14.2 percent of the national income in 1919 to 7.1 percent in 1934. Probably it will be about 7.5 percent in 1939.

Modern invention has largely channeled the income of the United States in larger volume into the pockets of those who have. A smaller portion of the national income reaches the farmer and laborer, those classes that forever must ask, "What price will you give me for my products" or "What price will you give me for my labor?" and, on the other hand, ask, "What price do you now ask for these gadgets?"—gadgets that the modern life demands in every avenue of activity where it is possible to have them.

I am happy to present for the RECORD a review of this valuable book written by Dr. Carl Thompson, of the Public Ownership League of America, in Chicago, who will be glad to correspond with interested readers. In presenting it, I desire to quote from the author's preface:

It is asserted that the focal points of control of the business process are embodied in the laws we have made which determine:

A. Who shall have access to the raw materials we need for living and upon what terms?

B. Who shall decide that the tools we all need shall or shall not be used or made available to create wealth and upon what terms?

C. How the claims to the goods produced (money or income) are apportioned.

The vast majority of our political problems, both national and international, have their roots in these areas of human interest. More specifically, the great issues of the day revolve around the central problem: Who gets the money? No group of people can live together happily and develop a great culture that will long endure unless this central problem is satisfactorily dealt with.

WHO GETS THE MONEY?—AN EVER-DECREASING INCOME TO THE PRODUCING CLASSES AND A CORRESPONDING INCREASING INCOME TO THE NONPRODUCING CLASSES WRECKS THE SOCIAL ORDER

(A book review by Dr. Carl D. Thompson)

Two or three years ago there was published by Harper Brothers a very interesting and significant little book under the above title, "Who Gets the Money?", by Walter Rautenstrauch. This book has recently been entirely revised and a new edition published.

It is one of the most remarkable and significant books, in our judgment, of recent economic literature.

What makes this book so important and significant, we think, is the fact that it goes straight to the heart of the most serious maladjustment in our present economic and social order.

"OVERHEAD" GETS THE MONEY

Professor Rautenstrauch believes that the one thing that is wrong with our present social and economic order is the fact that those who are engaged in producing the wealth of the country are receiving an ever-decreasing proportion of the national income, whereas those who are engaged in what he calls "overhead activities," depending on their investments, interest, and dividends received from them, and those who live by speculation are receiving an ever-increasing proportion of the national income.

This contention the author supports by a very exhaustive and thoroughgoing study of facts and data which are presented in elaborate tables, charts, diagrams, etc., in such a way as to leave no chance for successful refutation. He shows, for example, that whereas the average income of those engaged in productive activities, including farmers, miners, laborers, etc., has decreased since 1919 from $1,150 per year to $910 per year in 1934, on the other hand, those engaged in the overhead activities, such as banking, investment, etc., drawing interest, dividends, and the like, have had their incomes increased from $1,390 per year on the average in 1919 to $1,500 per year in 1934. These facts are set forth briefly in the following table:

	Amount	Earned	Average per year (each)
Number of employees in production:			
1919	25,861,000	$28,836,000,000	$1,150
1934	19,743,000	17,910,000,000	910
Number in overhead:			
1919	14,421	20,140,000,000	1,390
1934	17,563	26,247,000,000	1,500

In other words, while the income of the producing classes has been steadily decreasing, the income of the overhead group has been steadily increasing.

SHIFT OF NINE BILLIONS A YEAR

Putting it in another way, the author shows, in his earlier edition, that there was a shift of over $9,000,000,000 of income per year from the incomes of the producing classes (wage workers and farmers) to the incomes of the nonproductive classes, or overhead groups, as he calls them.

Now, the fact that the overhead groups constitute a very small proportion of the entire earning population, whereas the producing

classes (wage workers, farmers, etc.) constitute a very much greater proportion of the entire population, this shift from the incomes of the producing classes to the incomes of the nonproducing classes results in a serious decrease in the purchasing power of the Nation as a whole. And this, in turn, throws the entire economic order out of balance. "The whole group of productive enterprise," the author writes, "is receiving less and less of the total national income. * * * This system," he goes on to say, "causes a greater and greater proportion of the goods produced to go to capital, with the result that the whole economy becomes unworkable."

THE FARMER IS THE GOAT

In analyzing the incomes of the various classes the author shows that "the farmers' proportion of the national income is steadily declining. Look at the farmers," he says. "In 1919 they received 14.2 percent of the national income. In 1929 they dropped to 8.7 percent of the national income, and in 1934 they dropped still further, to 7.1 percent." In other words, of all of the classes of the country the farmer received the smallest proportion of the income.

Thus, by steadily decreasing the income of the producing classes of the Nation, constituting by far its greater proportion of the population, while at the same time increasing the proportion paid to the nonproducing classes, the system destroyed the purchasing power of those who would have used their income for purchasing the products of the national organization, and thus destroyed the balance between purchasing power and producing power.

THE REMEDY

To remedy this the author urges that "the most important job we have before us is to adopt rules and regulations which will make our industrial system work to full capacity. To accomplish this we must do something about who gets the money. We must distribute the national income in workable proportions, that is, in such proportions between capital and labor as will keep the national factory producing goods."

PUBLIC WORKS AND FULL EMPLOYMENT

How is this to be done? In a final chapter the author gives his answer to this question in a most interesting and constructive manner. "We must provide every employable person with a job," he says. That is obviously first and fundamental. But just as vital is the contention that the rewards of service in the social order shall be equitably apportioned so that purchasing power shall be balanced with producing power. And this is to be accomplished, the author insists, by the extension of "those types of organizations which have done more for us than any others, such as public schools, highways, parks. * * * Such organizations have been the most successful in withstanding the blighting hand of selfish greed." Here the author evidently has in mind the great field of public works, public and municipal projects, which has been so enormously extended in recent years but has been steadily expanding throughout the history of the country. He does not go into detail on these matters. For that one needs to turn to another book written a year or two ago by Dr. John Bauer on Permanent Prosperity and How to Get It.

And how are these great expansions of the public service to be financed? "The Government should carry out the provisions of the Constitution which prescribe that 'the Congress shall have the power to coin money, etc. * * * All banking institutions should be operated in the interests of the public welfare and purchasing power integrated with the production of goods.'"

Thus the author sets out the one vital element so sadly lacking in many of the discussions of the subject, viz, the means by which our public works and enterprises can be sufficiently expanded to absorb all the unemployed without increasing the public debt to crushing proportions, and at the same time increasing the purchasing power of the people until it balances their producing power and thus stabilizing the social and economic order.

Our program, the author holds, should provide every employable person with a job; it should distribute the wealth we create with some regard to the social service rendered by those who serve the needs of the community. "It should provide a form of cooperative relationship between all groups of people which will give everyone a voice in economic affairs as well as in political affairs, that is, establish an economic democracy."

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a brief and quite striking study on this book by Dr. Carl D. Thompson, president of the Public Ownership League of America.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Friday next, following any special orders heretofore entered, the gentleman from Wisconsin [Mr. HAWKS] may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial on inland waterways.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an address delivered by Harold G. Moulton, president of the Brookings Institution, entitled "Industrial Price Policies in This Emergency." I have checked with the Government Printing Office and find that this matter will take up two and one-quarter pages of the CONGRESSIONAL RECORD, at an estimated cost of $102.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. Under a special order of the House heretofore entered, the gentleman from Wisconsin [Mr. GEHRMANN], is recognized for 20 minutes.

LET US RETAIN THE ARMS EMBARGO

Mr. GEHRMANN. Mr. Speaker, I regret very much that I am forced to differ with President Roosevelt on the issue for which Congress was called into extra session, namely, revision of the present Neutrality Act. That most important question was first brought up in the form of a bill in 1935, my first year as a Member of this great body. There was no feeling then that any power on earth was to be benefited by that proposal except the United States, in that it would make it more difficult for us to become involved in another European war. We took plenty of time to deliberate on the questions involved, and soon the bill became law without hardly any opposition from anyone, either in or out of Congress.

In 1936 certain changes were made which were intended to improve and strengthen the neutrality measure, and again in 1937. During the regular session this year this same question that we are considering was debated pro and con, and finally passed with the arms embargo still intact by this House. Really, all this Congress should do is to re-enact the cash-and-carry provision on everything except arms, munitions, and implements of war. That should have been taken up separately the first day we were here and could have been passed with little opposition in a very short time.

But that was not permitted to be done by those who favor repeal because that would have taken away their main talking point, namely, the danger of our ships becoming involved and being sunk and that would eventually involve us in the war. What has that got to do with the repeal of the arms embargo? The thing that will insure the sinking of our ships will be to repeal the arms embargo. Even if we enact cash and carry and include arms and munitions, we will have to realize that American ships will be lost. Under the present bill being considered by the other body our shipping interests are kicking about the restrictions being placed upon them, and it is proposed even now, before the bill is even debated for amendments, to make concessions to these shipping interests. No one wants to be restricted; our Americans are used to freedom from interference by anyone, and even many individuals feel that Congress or the President has no right to tell them when and where they can go. Many of the large industries, no doubt, feel that now there would be a chance to cash in and make some nice profits. Others feel that now is the chance to end the depression and unemployment by selling arms, munitions, and implements of war.

Oh, yes; many of our American citizens clamor for the repeal of the present arms embargo. They are after profits at the expense of our American youth, who would have to pay with their lives and their blood. It would be at the expense of our American mothers; they would pay for it in fear, agony, and despair, while their sons were at the front, waiting to be blown to bits.

I am not saying that by repealing the arms embargo we would be drawn into the European war, but it could and, per-

haps would, be one fatal step toward it. At least, millions of our youth and millions of mothers, who pray daily that we may not become involved, will, as sure as we live today, blame the repeal of the arms embargo for our entry in case we should become involved. I do not want to take that blame; and to those who feel that they are entitled to make some profit, to those who feel that this would bring back prosperity, to those millions now unemployed, some of whom feel that this European war and the repeal of the arms embargo would provide them with good, paying jobs, I must say, in the words of our President, "Don't be misled; it is nothing but fool's gold."

I quote from the President's speech at Chautauqua in 1936, when he strongly favored arms embargo as a means of keeping us out of war:

> It is clear that our present policy and the measures passed by the Congress would, in the event of a war on some other continent, reduce war profits which would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men. For the Nation as a whole it produces disaster.
>
> It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.
>
> Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.
>
> They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other articles to belligerent nations the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations, that credit would be used in the United States to build homes and factories and pay our debts.
>
> They would tell you that America once more would capture the trade of the world.
>
> It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning that comes from a false prosperity. To resist the clamor of that greed if war should come would require the unswerving support of all Americans who love peace.
>
> If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and, for all practical purposes, unanimous.

Those were the words of our President, spoken less than 3 years ago. He said that we would have to choose between "profits and peace." Yes, fellow Members; that is the issue now. We must choose profits or peace now. I am certain that the overwhelming majority of our people, the people who will have to pay for the war with their lives, their blood, and their suffering if we permit this country to drift that way by choosing profits, will demand an explanation from those who vote for the repeal.

LABOR IS WILLING TO SACRIFICE PROFITS FOR PEACE

Another great man who represents millions of Americans that toil in our industries, William Green, president of the American Federation of Labor, has spoken against reaching for fool's gold. When he appeared before the Senate Foreign Relations Committee in April 1939 he said:

> The American Federation of Labor has endorsed the principles upon which the Neutrality Act was based—

That was the same Neutrality Act that carried with it and now carries with it the embargo on munitions of war, the present act—

> that a neutral nation has obligations, as well as rights, and that the munitions industry is a matter of public concern. We do not believe that this is the time to make changes in this law, for any change in this legislation might be interpreted as a change in our foreign policy.
>
> We believe that the present neutrality law has served the interests of peace between nations and that it should be continued as it was enacted in 1937.

Mr. Green has since then on many occasions made it clear that labor does not wish to sanction blood money. I had the honor to speak from the same platform with William Green in Superior, Wis., which is the largest city in my district, last Labor Day. He made it very plain that labor must keep its head and not fall for the propaganda that was gaining headway even then that this war would bring back jobs and prosperity and that we should sell all we could to anybody who wanted it. I know that when I made the statement on that day to several thousand assembled there that I would not vote to change the present act to permit the sale of implements of death and destruction for the sake of profits I was cheered as I have never been cheered before in my life. I am certain that everyone present agreed with my views.

THE AMERICAN PEOPLE ARE SPEAKING TO CONGRESS IN NO UNCERTAIN LANGUAGE

That the American people almost unanimously are against participation in this war is, no doubt, agreed to by everybody. And that they likewise want us to do nothing that might have even the slightest tendency toward involvement is also true. We realize that the sympathy of the American people is with France and England in this war and that they want them to be victorious. But, at the same time, the recent Gallup poll showed definitely that the great majority of those voting were against our entry, even if it were certain that Hitler would win without our participation.

I have received over 10,000 letters and cards against arms embargo repeal, and not more than 15 for repeal. Very few of those are sent because of some special group action. Hardly any are the printed or mimeographed kind that is handed to people with instructions to sign and mail. No; 95 percent of my letters come from the hearts of the people, the mothers, fathers, veterans, sons, and daughters, who can look back twenty-odd years ago and who do not want to live through another like period of heartaches and suffering.

Oh, yes; the American people are speaking in unmistakable language and, even though the arms embargo repeal might not get us embroiled in the European war, I would hate to be one of those helping to repeal it and then, if we were forced to enter the war, attempt to explain to my constituents that the repeal had nothing to do with it. I am sure that most of my people would blame it on the sale of arms, munitions, and implements of war and would hold me responsible for the repeal.

There is no mistaking the message of their voice. It is the voice of American manhood and American motherhood. It is the voice of all American citizens who remember the blunder and the stupidity and the failure and the deceit of our participation in the last World War. They insist that the Congress of the United States heed their voice.

They say, we shall fight, if need be, to the last drop of blood and to the last breath of our failing bodies against any attempted invasion by any aggressor. We shall fight against any dictatorship, either from the right or the left, that raises its head and attempts to strangle our present constitutional form of American democracy. They say, we will fight for the defense of our country along every American front but we will not fight any time or anywhere for foreign causes upon foreign battlefields.

They beg the Congress of the United States to keep us out of foreign entangling alliances, whether they be the alliances of international politics or the alliances of the international munitions trade. Let us recognize a difference between arms and ammunition, which are fundamentally and primarily commodities of death, and all other commodities, which are fundamentally and primarily commodities of life, even if the munition makers and their allies, the foreign propagandists, refuse to do so. The people believe that the contemplated repeal of the embargo on arms and ammunition to foreign belligerents means the entrance of the United States into the vestibule of war.

Let us be honest with our constituency and tell them that we wish to help England and France win this war, and that is why we favor repeal of the arms embargo. Let us not call it "the Neutrality Act of 1939." That is not being honest with anybody.

Why do so many people attempt to justify their stand in favor of repeal with the statement that unless we help the Allies and crush Hitler we will be next in line to be swallowed up? Any plain reasoning, of course, does not justify any such assertion. We should be mighty thankful to the Creator for having given this country the most ideal natural protection from an attempted invasion of any part of this world. Hitler and Stalin may be insane and war mad, but they are not crazy enough to attempt to attack us if we

know enough to remain at home and use our energies to fortify and strengthen our natural advantage.

I wish to quote a few remarks made recently by Maj. Gen. Smedley D. Butler, one of the outstanding authorities on naval and military affairs. Among other things, he said in his recent broadcast:

They say, if the British and the French don't lick Hitler, Hitler will be over here on our necks.

He'll be bombing our women and children and shelling our cities.

Don't let anybody feed you that misinformation.

It doesn't take a military education to figure out what I'm going to tell you.

It will take not less than 1,000,000 soldiers to invade the United States with any hope of even getting ashore.

These million men must come all at once.

They must bring not less than 7 tons of baggage per man—1,000,000 men, 7,000,000 tons of food, ammunition, and what not.

They must bring 400,000 motor vehicles. They've got to find room for 50 gallons of gasoline per day for each vehicle.

Why, there are not enough ships in the whole world to carry that kind of an expedition. And, remember, those ships have to have enough fuel to get back with—to make the round trip.

Any dumb cluck can see that.

But here's some more: They've got to have harbors to land in; docks to get their stores ashore. You know you can't stop 25 miles out at sea, drop a 5-ton armored tank overboard, and tell it to swim ashore and meet you on Broadway.

You know very well we're not going to open our harbors to them, prepare docks for them, and invite them in.

New York Harbor is the only big one we have on this coast, and to block New York Harbor all you have to do is to dump 2 day's garbage in the channel instead of hauling it out to sea.

And don't forget that we happen to have a navy, and it's the best in the world.

Now, what about an aerial invasion?

Well, Colonel Lindbergh and Eddie Rickenbacker, the two foremost fliers we have, already have told you it's ridiculous to talk or to think about bombing New York from Berlin.

And don't forget that we have an air force of our own.

I agree with those statements, and feel certain that no one over there will believe that they could successfully cross the ocean and land sufficient troops over here to get a start. They would not dare to leave there, even if they thought they could land here.

If Hitler and Stalin should be victorious, they would not dare to take a million men and necessary supplies and equipment out of there, because these conquered nations would most certainly be right on their backs to win back lost territory.

I feel we are quite secure from any invasion, and therefore we should remain neutral as the word implies. Let us not call it neutrality when everybody knows that to repeal the arms embargo when war is in progress, and after we have had the Arms Embargo Act on our statute books for 4 years, would be unneutral. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask that, following the special orders heretofore entered for today, I may be permitted to address the House for 4 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that at the conclusion of the address of the gentleman from Washington [Mr. COFFEE] today I may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. CROWE asked and was given permission to extend his own remarks in the RECORD.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by former Governor Pinchot, of Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I have asked the Government Printing Office for an estimate with regard to the list of the members of the American League for Peace and Democracy, which a few moments ago I requested permission to insert in the RECORD, and have been advised that it will come within the two-page limit. I now ask unanimous consent to extend my own remarks in the RECORD and include therein this list.

The SPEAKER. The gentleman from Montana renews his request to have inserted in the RECORD a list of the members of an organization known as the American League for Peace and Democracy. Is there objection?

Mr. LAMBERTSON. Reserving the right to object, Mr. Speaker, how much does the Public Printer think it would cost?

Mr. THORKELSON. It comes within the regular limit of two pages.

Mr. LAMBERTSON. How much is that?

Mr. THORKELSON. That means the regular pages in the RECORD.

Mr. LAMBERTSON. What is it in dollars and cents?

Mr. THORKELSON. I do not know what it is in dollars and cents, but it comes within the regular limit of two pages on extraneous matter allowed to be placed in the RECORD.

Mr. LAMBERTSON. It was my purpose to find out how much this would cost, and I shall not object, Mr. Speaker.

Mr. COFFEE of Washington. I object, Mr. Speaker.

Mr. HORTON. Mr. Speaker——

Mr. THORKELSON. Mr. Speaker, I call for a quorum.

The SPEAKER. For what purpose does the gentleman from Wyoming rise?

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address given by former President Hoover on the 20th of this month.

Mr. THORKELSON. Mr. Speaker, I withdraw the request for a quorum.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. LEWIS] is recognized for 20 minutes.

Mr. LEWIS of Ohio. Mr. Speaker, the Congress of the United States is now engaged in considering the subject of neutrality, and its decisions thereon may be the most momentous that it has been called upon to make since the dark days of 1917. In these decisions, which may well mean life or death for tens of thousands of our boys, there can be no thought of partisanship. The one supreme purpose of the people of the United States, as evidenced by the overwhelming weight of their public and private expressions, is to keep America out of the war, and that should be the supreme purpose of Congress in considering the pending legislation.

In 1935, when it became apparent that Europe was heading into another war, Congress passed the Neutrality Act, prohibiting the shipment of arms, ammunition, or implements of war from the United States to any country that is at war. In 1936 Congress amended the neutrality law by provisions designed to strengthen it, but did not change the provision prohibiting the shipment of arms to warring nations. In 1937 Congress passed another act extending the embargo on the shipment of arms to belligerents in the civil war in Spain, and again in the same year, with the European war more evidently imminent, Congress entirely rewrote the neutrality law, clarifying and strengthening its provisions and retaining therein the embargo on the shipment of arms to warring nations. All this was done in contemplation of that which has now happened, and which was then so clearly seen to be imminent, that is, the outbreak of war between Germany on one side and Great Britain and France on the other.

In adopting this device of the arms embargo Congress did not adopt anything new or untried. The arms embargo is a device that has been adopted from time to time by practically all of the great nations of the world when the exigencies of some particular situation seem to threaten their peace. It was adopted first by the United States in 1794, followed by an act in 1797 and another in 1798. Later in 1838 another Embargo Act was passed by Congress, and still another in 1898, which latter law remained in force until it was amended in the year 1912. That act was extended and reenacted in 1922, and in 1934 a joint resolution was passed embargoing the shipment of arms to Bolivia and Paraguay in their conflict over the Chaco. Other nations similarly using the embargo as an instrument of national policy are Austria, Belgium, Brazil, Great Britain, Denmark, Germany, Japan, the Netherlands, Norway, Spain, Sweden, and Switzerland.

Now after the war has started, which was in immediate contemplation when our neutrality law was enacted, we are asked to repeal the embargo against the shipment of arms to warring nations. Is it not strange that we should so soon seriously consider the reversal of a policy so recently and so deliberately framed? The purpose then was to keep America at peace. Our purpose now must remain the same, and the question asked when the embargo provision was enacted was, Will it help to keep us out of war? Congress then answered that question in the affirmative. I submit that the same question must be asked now when we propose to undo what then was done, and before any Member is justified in voting to repeal the arms embargo he must answer in the affirmative the same question, Will it help to keep us out of war?

In attempting to answer for myself this most momentous question, my mind goes back to the fateful days from 1915 to 1917. We were truly neutral at the start of the World War, but gradually the Allies began to buy munitions here. In time we became their arsenal and their source of supplies, and as war orders grew, a subtle change was little by little wrought in our attitude toward the belligerents in that war. The Allies were our best customers. It was evident that our prosperity depended upon them. We had chosen our side, and our sympathies were naturally there. Under the circumstances Germany did the only thing she could do. She tried to stop the flow of our munitions to the allied countries with every resource at her command. There were bombings and explosions in our munitions factories, with loss of American lives and property. There were bombings and explosions in railroad tunnels and on railroad bridges, designed to halt the transportation of these munitions to the seacoast, almost always with loss of more lives. There were burnings and explosions on docks and piers where munitions were stored, sinking of munition ships, clever sabotage of machinery and equipment, and as each new outrage occurred, it added fuel to the flame of our anger until it was burning at white heat, fanned all the time by the winds of allied propaganda, the so-called atrocity stories, and when the sinking of the *Lusitania* occurred and the German orders for unrestricted submarine warfare were issued, the great transformation of American minds was completed. Our pent-up anger exploded, and America declared war.

Now at the very outset of this war it is proposed that we start down that same path. If we do, can there be any doubt to what tragic destination it leads?

What were the steps along the path to war as we took them in 1917? First, the manufacture and shipment of munitions to one side, the Allied Powers; second, German outrages perpetrated in an attempt to stop them; and third, mounting anger in our hearts for these outrages, fanned by propaganda and atrocity stories, repeated day after day, and then the final step—war. That was the path; those were the steps; that was the end in 1917. Will it be any different in 1940? The lifting of the embargo is the first step on the path that has no turning.

I know the overwhelming weight of sympathy in this country is with Great Britain and France, Poland and Czechoslovakia, and if a Member of Congress is permitted to express his personal sympathy, there is where mine lies, but I dare not permit my personal sympathy for one side or another in a European war to guide me as a Member of Congress in writing legislation that will mean the difference between safety and peril for America. This is no time for divided allegiance nor for multiple purposes. Our allegiance and our whole duty is to one country, America, and our purpose must be single—to keep her out of war.

Many of the provisions of the pending legislation, in my opinion, will tend to keep America at peace, and those I shall favor, but the one provision for the repeal of the arms embargo jeopardizes everything.

If we feel ourselves endangered, let us manufacture armaments and munitions of war for ourselves. Our Army is equipped, for the most part, with outmoded weapons of World War days. Let us equip the Army with the latest and the best. If our air forces are inadequate, let us make them adequate to our needs. If our Navy is insufficient, let us build it to the point of sufficiency. An adequate army, an adequate navy, and an adequate air force, adequate in material and in men, is probably our best protection and insurance against war in our generation. The reequipment of our armed forces will give employment, if that is a consideration, to thousands in practically every line of industry, but it seems to me that more substantial and far more promising than any boom in the manufacture of munitions of war and holding out promise of enduring prosperity in the days of peace, are the markets of the world that now lie open to us because those who have hitherto supplied them are at war. Why should we not devote ourselves, so far as our foreign commerce is concerned, to intensive cultivation of the peacetime markets that will be ours for the taking and which will remain, in large part, ours after the war in Europe has been concluded?

What I have heretofore said is based upon a profound conviction that this war in Europe is not our war. Its issues and purposes, framed by secret diplomatic intrigue and shifting from day to day as this or that national interest is served or threatened, are unknown to us and cannot be known; for instance, what part is Russia playing in the present turmoil? A British and French diplomatic and military mission held protracted sessions with Soviet officials immediately preceding the outbreak of the war. Their discomfiture seemed complete when, while this mission was still in Moscow, Russia signed her famous nonaggression treaty with Germany. Apparently Germany had won a major diplomatic victory; but had she? As events unfold, it now appears that in signing the treaty with Russia, Germany alienated her two firm friends, Japan and Italy, and the suspicion is aroused that allied diplomacy, by Hitler's Russian maneuver, has won a diplomatic victory of incalculable magnitude. What commitments did France and England make to Turkey to bring her into alliance with them? Where does Italy stand? The answers to these questions cannot be given by anyone in America. They depend upon a maze of treaties, ententes, understandings, and conversations concerning debts, economic and military resources, and spheres of influence which constitute the power politics of Europe. Americans should understand that the basis of European alinements is as shifting and unstable as the wind-blown sands of the desert and in which we have no part. We have been told that the fight is between the nations that have and the nations that have not, and just when we are prepared to believe that this simple and understandable difference is the basis for the grouping of the powers, Russia, who has a greater stretch of contiguous territory than any other nation in the world, and who is indisputably one of the "have nations," associates herself with the head of the "have not" group, Germany, and signs a treaty of nonaggression with another of that group, Japan, the spirit of which she promptly breaks by increasing her shipments of arms and munitions of war to China. We are also told that the fight is between the totalitarian nations and the democracies, and no sooner are we prepared to believe in this simple and understandable classification of nations than the democracies take to their bosom the chief exponent of totalitarianism in western Asia—Turkey. No, the truth of the matter is that there is no easily understandable nor firmly fixed line of demarcation

between any two groups of nations in Europe. They are all pursuing nationalistic policies in which their national interests, as they consider them to be for the moment, are their all absorbing concerns, and it has ever been so.

These temporary alinements and the intrigue and secret diplomacy that give rise to them constitute the so-called power politics of Europe and the maintenance of an equilibrium on the Continent of Europe constitutes the so-called balance of power in Europe. No one can read the history of Great Britain without being struck by the fact that for practically 400 years she has been in the middle of a European political seesaw, sometimes by means of exports, sometimes by means of imports, sometimes through the money power of her pound sterling, sometimes by the force of her arms, and sometimes by the might of her navy, she has maintained the equilibrium of Europe and has moved from one side to the other of the center of the political seesaw, always playing off some nations against other nations in order that no nation or combination of nations of which she was not a part should obtain a balance of power sufficient to imperil her empire. Of necessity, in recent years France has had to go along with England in this movement from side to side of the European seesaw, and for the most part the shifting combinations of nations which Great Britain has sponsored have been able to maintain the equilibrium, but through the decades and the centuries, wherever British economic and political power has been insufficient to maintain the equilibrium she has been forced to and has accepted the challenge of war. That was the situation in the World War and that is the situation today. Then we were asked to fight to make the world safe for democracy. What will be the slogan in the present war?

A hundred and forty-three years ago last month a very wise man and a great patriot, who had in his time watched the play and interplay of the political forces of Europe, and who had the benefit of intimate knowledge of the history of some 300 years of European power politics, gave to his countrymen sound words of advice when he said:

> Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collusions of her friendships or enmities.
>
> Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provacation; when we may choose peace or war, as our interest, guided by justice, shall counsel.
>
> Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

The SPEAKER pro tempore (Mr. KEOGH). The time of the gentleman from Ohio has expired.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LEWIS of Ohio. Mr. Speaker, for a hundred and twenty-one years we followed this advice of the great Washington and during that time, by keeping ourselves free from European entanglements, by recognizing that European interests had no permanent attachments and had for us a very remote concern, we kept free of Europe's quarrels. We conserved our resources instead of wasting them in fruitless wars in Europe, and we grew great—great and powerful. And then after 121 years, betrayed by our own emotions, our own sympathies and predilections we abandoned the course that wisdom had charted for us. We picked our side and we became the manufacturer of munitions of war as we are now asked to do again. The result of that deviation was tragic beyond the power of words to describe, an internal economy upset by the exactions and temptations of wartime boom prosperity from whose disastrous effects the Nation has not yet recovered, the expenditure of more than $40,000,000,000 in the gigantic effort of war over a period of 18 months, now stretching out through subsequent necessary expenditures to a total of more than $55,000,000,000, more than 50,000 of our boys dead on the field of battle, 25,000 more dead from their wounds or disease, 250,000 more wounded and maimed, all because we lost our heads. We forsook the counsels of wisdom, we let our emotions dictate our actions. Now it is proposed to start all over again that same fatal chain of circumstances which began with the furnishing of munitions of war to the Allied Powers in 1915. Who can with any confidence assert that the result will be any different now?

But, Mr. Speaker, we dare not go to war now. When we entered the World War our national debt was only about a billion and a quarter. We came out of that war with a national debt of more than $26,000,000,000, a staggering sum, but if we enter this present war we shall enter with a national debt of more than $41,000,000,000. How much more debt can this Nation stand and survive? The piled-up national debt at the conclusion of a long-drawn-out war will bankrupt America and make dictatorship, which is the receivership of bankrupt nations, inevitable. Already plans have been made for a so-called streamlined government that will take over the affairs of this Nation immediately on the advent of war. For the outline of these plans see the Washington Times-Herald of September 21, 1939. The term "Streamlined government" is the pleasant-sounding name for the harsh reality of dictatorship. In the prosecution of this new war the rights of individuals and of groups will have to be, and will be, submerged to the will of the Commander in Chief of the Army and Navy. All this in the interest of the efficient prosecution of the war.

One after the other we have seen the democracies of the world wither and die before the blighting sun of dictatorship. Will it be any different here? Are not the danger signals flying all around us, warning us of what we may expect at the conclusion of the war? Even in times of peace the drift here has been toward collectivization and dictatorship. Unusual powers granted to the President, a huge bureaucracy created for the regulation of the citizens. Once these liberties are surrendered for the prosecution of the war, will they ever be returned? No one can assert with any confidence that they will.

I submit, Mr. Speaker, that every citizen who loves liberty, every group or association of citizens, whose rights are protected under the Constitution, must oppose America's entry into the new war in Europe and consequently oppose any step in that direction. Under dictatorship here the rights and privileges which we enjoy as freely as the air we breathe will vanish, and in their place will be rules, regulations, commands, and dictates, all of which are abhorrent to us. Under dictatorship business will be put in a strait jacket and businessmen become the servants of the state. Labor unions will lose their privileges and their members become merged in the great mass of workers who work for the state. Religious organizations will become agencies for the state, to be dictated to as those who rule the state may wish. These are the bitter fruits of dictatorship.

Mr. Speaker, I submit that here in the western world, separated as we are by 3,000 miles of rolling ocean from the conflagration in Europe, we can and we must keep the peace. Every dictate of personal and national interest demands that we do so. We have no vital interest in the shifting alliances and antagonisms that constitute the jungle of European power politics. We should clearly understand that what is proposed in the pending legislation is the first step on the path that has no turning, the path that led to war in 1917 and that will lead to war in 1940 or 1941.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Ohio. I yield.

Mr. PATRICK. First, I want to compliment the gentleman on his very excellent and able address this afternoon,

and I believe the gentleman will find us all in agreement on one statement or one policy that he is committed to, and that is that our first and our greatest duty is to ourselves——

Mr. LEWIS of Ohio. Our only duty, I should say.

Mr. PATRICK. Our only duty? All right, leave it that way; but I am asking the question, If by that same token a program is adopted that not only tends, but has probably already driven munition factories out of America, will not that prepare for the manufacturing of the very things in other countries that the gentleman states should be manufactured here to prepare us for the saddest eventuality?

Mr. LEWIS of Ohio. I will answer that question by saying to the gentleman that the factories we already have are sufficient for America's needs in arming ourselves and in preparing ourselves for any war. I submit to the gentleman that we can darken the skies with airplanes by the use of the manufacturing equipment that we now have in this country, and make absolutely impossible any invasion by air. I submit to the gentleman that we have now in existence in this country navy yards sufficient to build any navy that we may determine to build. We have factories for the manufacture of explosives sufficient in their capacity, without expansion, to equip with high explosives any army or any navy or any air force that we may put at the service of the Nation.

Mr. PATRICK. Does the gentleman want to drive that into Europe and into Canada?

Mr. LEWIS of Ohio. Drive what?

Mr. PATRICK. Drive those manufacturing industries?

Mr. LEWIS of Ohio. Will the gentleman kindly tell me how it is possible to pick up a factory in Detroit and move it to Windsor, Canada, or a navy yard at Norfolk and move it to Halifax?

Mr. PATRICK. If the gentleman lived in a manufacturing district, as I do, and had seen the smokestacks of industry taken down and then opened up somewhere else, he would not ask me how such a thing could be done.

Mr. LEWIS of Ohio. Let me answer the gentleman by saying that I do live in a manufacturing district.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman may have 10 minutes more to answer the questions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LEWIS of Ohio. I live in a manufacturing district. I represent the great upper Ohio Valley, with steel mills all along it, and I say to the gentleman that any prosperity that comes to that section of the country, or that comes to this country, as a result of engaging in the manufacture of munitions of war is, as the President has characterized it, "fool's gold." [Applause.]

Mr. PATRICK. Then why——

Mr. LEWIS of Ohio. Just a minute; and when the war ends, prosperity ends, and these multitudinous problems that have been taxing this Congress and preceding Congresses for the past 8 years, and that to this moment remain unsolved, with their solution not even started, will be magnified and intensified by that sort of search for "fool's gold."

Mr. PATRICK. Then why does the gentleman want an embargo law on the books that prohibits only the higher explosives, but will let the "makings" go out on every ship every day to the belligerent nations?

Mr. LEWIS of Ohio. But that is not the case.

Mr. PATRICK. It is not the case?

Mr. LEWIS of Ohio. It is not the case.

Mr. PATRICK. Does not the gentleman concede that under the present embargo all the "makings" not only can be but are being sent to the warring nations every day now?

Mr. LEWIS of Ohio. What does the gentleman mean by the term "makings"?

Mr. PATRICK. What, indeed, do I mean by the "makings"? Did not the gentleman state that he is in a manufacturing district?

Mr. LEWIS of Ohio. That is right.

Mr. PATRICK. Take, for example, ore, and the present embargo does not prevent the sending of oil and petroleum to the warring nations.

Mr. LEWIS of Ohio. That is right.

Mr. PATRICK. And it does not prevent any of the fundamentals from which higher explosives are made from being sent to Europe right now.

Mr. LEWIS of Ohio. Surely.

Mr. PATRICK. And under the present Embargo Act, is not our Nation sending this stuff right over into the heart of the warring zone now?

Mr. LEWIS of Ohio. That is right; and it is not endangering our boys, because there is no temptation for Germany to send a force here to stop those raw materials at the source.

You will never find an explosion, you will never hear of a bombing of a grain elevator or of an oil tank, for instance, but when you manufacture munitions of war and get that ready to be used immediately by the fighting forces in the field, and attempt to furnish that kind of support to one side or the other, then you immediately invite retaliation and an attempt to stop the flow of that type of munitions.

Mr. PATRICK. How in the name of heaven does the gentleman stand there and say that we will never hear of the sinking of a ship that has tanks of oil or food or medicines——

Mr. LEWIS of Ohio. Oh, let us not shift the basis.

Mr. PATRICK. We are not shifting the basis.

Mr. LEWIS of Ohio. Yes; you are shifting the basis. Shipping is a totally different thing.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Ohio. I yield to my colleague.

Mr. VORYS of Ohio. In the course of the gentleman's scholarly and most eloquent summary of our situation, the gentleman performed a great contribution to the thinking of this Nation in summing the laws of other countries, which show that the arms embargo, far from being an unusual arrangement, is a means that practically every nation has used to keep out of war.

Mr. LEWIS of Ohio. That is correct.

Mr. VORYS of Ohio. Does the gentleman remember that last summer and even this fall we have been told by high officials, and the public has been told, that we were the only nation that had such a law, and we have been led to believe that we were trying some noble experiment that had never been tried anywhere else.

Mr. LEWIS of Ohio. That is akin to the kind of false and misleading propaganda that we are being continually subjected to in this country, designed to draw us into war.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Ohio. I yield.

Mr. HOFFMAN. The gentleman from Alabama [Mr. PATRICK], if I understood him correctly, made the argument, in substance, that unless we repealed this embargo, our factories would move out of the country. I am right about that matter, am I not, Mr. PATRICK?

Mr. PATRICK. I think the gentleman will certainly concede that it has that tendency.

Mr. HOFFMAN. So you are willing to gamble on our chance of getting into war, to keep our factories running, so that we will get a profit?

Mr. PATRICK. No! No! That is not the same proposition.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Ohio. I yield.

Mr. CASE of South Dakota. Does not the gentleman recall that the President in his message to this special session said that by proclamation now those ships could be put on the basis of cash and carry, or made to sail at their own risk?

Mr. LEWIS of Ohio. That is right.

Mr. CASE of South Dakota. And if those ships carrying contraband or semicontraband now are a menace to the peace and safety of this country, today they could be put on their own risk by proclamation of the President?

Mr. LEWIS of Ohio. That is correct.

Mr. REED of New York. Will the gentleman yield?

Mr. LEWIS of Ohio. I yield.

Mr. REED of New York. I was interested in the colloquy between the gentleman from Ohio [Mr. LEWIS] and the gentleman from Alabama [Mr. PATRICK]. I was surprised to see in the RECORD where the gentleman from Alabama [Mr. PATRICK] had asserted that the allied nations had been unable to get munitions and implements of war but that we had been supplying during the years the totalitarian governments with supplies. I think the RECORD ought to be cleared on that point, so I have looked up the figures. I think the gentleman from Alabama will be interested in them. Of the articles now under embargo supplied to Germany by the United States during the 8-month period from January 1 to September 1, 1939, Germany purchased $22,665 worth during that period. But France purchased $15,661,318 worth; England, $21,159,428 worth.

In another period, December 31, 1937, to November 30, 1938, Germany purchased $139,664; France, $6,446,849; and England, $29,611,797.

Now, the people of this country cannot think straight when that sort of misinformation is sent out over the radio and is put in the CONGRESSIONAL RECORD. Any person who wants to get the facts can call up the Munitions Board and get them. This thing ought to be stopped.

Mr. LEWIS of Ohio. I thank the gentleman for his contribution. I yield to the gentleman from Connecticut.

Mr. MILLER. Not to pick on the good nature of the gentleman from Alabama [Mr. PATRICK], the gentleman has reiterated several times that our law permits the shipping of "the makings," as he terms it. I suggest that the gentleman read the embargo restrictions that are now in force, and he will find that most of the so-called makings of munitions are now included in the embargo. If they are not—if such things as, to use the President's own example, copper tubing are not included—they certainly can be, under the wording of our present neutrality law, which allows the President to embargo not only munitions but implements of war, and carries the additional wording "materials of like kind." I think any reasonable interpretation of that act would tell you that 6-inch copper tubing is material of like kind to a copper shell.

Mr. LEWIS of Ohio. I thank the gentleman.

Mr. PATRICK. Will the gentleman yield?

Mr. LEWIS of Ohio. I yield.

Mr. PATRICK. The gentleman will concede, also, that if we are going into that phase of it, it will open the whole subject, because what about cotton, kerosene oil, and even foods and medicines, that are more important in the daily carrying on of a war than high explosives of any kind as far as hour-by-hour activities are concerned?

Mr. MILLER. Will the gentleman yield for me to answer his question?

Mr. LEWIS of Ohio. I yield to the gentleman from Connecticut.

Mr. MILLER. To answer the gentleman's question, I challenge you to show me any correspondence taking place between our State Department and any foreign government between 1914 and 1917 that created any controversy that referred to anything listed by the gentleman; and, as a matter of fact, you will find that every controversy arose over the shipping or the sinking or the dealing in arms, munitions, and implements of war. There was not an acute situation developed because of oil or medical supplies or articles of similar nature.

Mr. PATRICK. But the facts are that a nation announces what it considers contraband. Can we stand up here and assume to determine what is the most bitterly contested matter—contraband in Germany, France, and England?

Mr. LEWIS of Ohio. If the question is addressed to me, I will answer the gentleman.

Mr. PATRICK. It is primarily, of course.

Mr. LEWIS of Ohio. We have the experience of the years from 1915 to 1917 to guide us. It is just as the gentleman from Connecticut has said—the things that induce the bombings, the explosions, acts of sabotage, and destruction in this country are not what he calls the "makings," but actual implements of war. I now yield to the gentleman from Wisconsin.

Mr. HAWKS. I would just like to reply to the gentleman from New York on the matter of the mass of misinformation that has been handed out during the past weeks. A mass of misinformation that would tend to confuse anybody and certainly has confused the Congress has been handed out, but I say to the gentleman from New York emphatically that it has not confused the American people. The overwhelming demand on the Congress of the United States from the people back home is to keep the arms embargo, and the gentleman cannot deny it. [Applause.]

Mr. LEWIS of Ohio. That is right. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under the previous special order of the House, the gentleman from Massachusetts [Mr. GIFFORD] is recognized for 40 minutes.

Mr. GIFFORD. Mr. Speaker:

Hon. CHARLES L. GIFFORD, M. C.,
Washington, D. C.

DEAR SIR: As our Representative in Congress we not only urge but demand that you vote to sustain and retain our present neutrality law. No cash and carry, which in our opinion is first step toward getting United States into war.

Yours truly.

How many have you received of similar nature? Yet in the debates in the Senate and House there has been practical agreement on the cash-and-carry provision.

Mr. Speaker, my remarks, I trust, will be primarily provocative. I asked for 40 minutes that I might share the time with my colleagues. I want them to help resolve my own doubts. I have dismissed politics, which is, as you know, somewhat against my usual custom. [Laughter.] Conscience will certainly be my guide.

A very interesting and voluminous scrapbook entirely on the subject of neutrality has been prepared by me, while I have been vacationing in Washington. [Laughter and applause.]

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield at that point?

Mr. GIFFORD. Oh, certainly.

Mr. HOFFMAN. Some of us have not been vacationing here.

Mr. GIFFORD. I trust that the ironical statements I make here will be regarded as such.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield further?

Mr. GIFFORD. Certainly.

Mr. HOFFMAN. That was not ironical, that was for the information of the gentleman.

Mr. GIFFORD. If there is any way that I can arrive at the truth in this House it is to say a thing in some way that will convey a meaning which may be deliberately misleading. I do not intend to disclose my real attitude, at present.

Neutrality! Against whom? In this apt phrase has neutrality become clearly defined by both sides in the present controversy; painful evidence that no written law can achieve strict impartiality.

Pointedly is this question presented: Shall we not then favor our friends? Can we continue to prate in favor of democratic forms of government as immeasurably to be preferred to the totalitarian ideology without giving at least some concrete expression of our sympathy? How far shall we withdraw ourselves into the cave of hoped-for security? What cause seems to us to be the more righteous? We know the answer plainly in the hearts of the American people. But they want to be kept out of war. We are united in this Nation in our determination to keep out of this European war. Not one drop of blood shall be shed by our boys on Europe's soil. The past experiences have influenced us in this decision. We are insistent that we shall keep our boys out of the Old World's wars.

But shall we render any sort of assistance to those whom we regard as now fighting for the preservation of ideals akin

to our own? Not one drop of our blood shall be shed; but what about our pile of gold?

Many have assumed that the struggle is simply to obtain or retain power; that it is a matter only of power politics. Well, Russia and Germany are, indeed, dividing the spoils of conquest. We are also reminded of the ancient wrongs perpetrated by certain of the so-called democratic nations in their former policies of aggression and empire building. A recital of our own Nation's earlier aggressions in wresting the land from the Indians is not altogether pleasant to hear. I would not like to grate upon your nerves by describing some of our own former wars.

The little boy was asked how many wars of aggression has the United States indulged in?

"Six."

"Name them."

"One, two, three, four, five, six." [Laughter.]

The illustration is sufficient.

The map of Europe has changed with incredible swiftness. Now, however, the world is concerned with the present situation and the motives behind it. It is argued that the past may be a guide. Arguments of the past are not entirely persuasive. Willingly, not grudgingly, we will relinquish our proud insistence of former days on the freedom of the seas.

War profits be damned.

I hope that is expressive enough without argument. No legislator here can be influenced by that argument, none so motivated in his attitude; and yet I hear over the radio, and see in the press, and hear from other sources that great influences are being brought to bear by munitions makers to get us into this war. The gentleman from Connecticut [Mr. MILLER] disposed of that completely. Have you had any influence exerted upon you by anybody who wants to get us into war for the sake of profits? I think not. Has any Congressman here been influenced in the slightest degree from that standpoint? Certainly not. Then why the ravings of important personages in order to bolster up the stand which they have taken in this controversy? But are we unable to assert and maintain any rights in our own areas of ownership and peaceful operation? Shall we entirely abandon such rights? Are we still a great and glorious Nation?

Shall we not insist that actual warfare shall not be waged by foreign belligerents within actual American zones? Proclamations to that effect have already been made by the President. The Navy has been ordered to carry them out. Shall we expect incidents similar to that of the *City of Flint*, perhaps, in the near future? Shall we further attempt to define territorial waters? Shall the Panama agreement be approved and our Navy obligated to enforce its provisions throughout that great area? Will not incidents flowing from such an insistence on our just national rights and from their responsibilities created by the Monroe Doctrine, recently extended to Canada, a Canada which is even now a belligerent, be far more provocative of war than any mere sales or credit? They do not now need our ammunition and our guns. They have not been buying them, while the aggressor nations have been manufacturing them and making great preparations for war. When the other nations, the victims of such preparations, want help, even though friends of ours, shall we withhold assistance? My conscience disturbs me. Oh, astonishing indeed are some of the partnerships of opinion created by this issue. Former estrangements are now reconciled into common action. Here politics are put aside in this grave period, and to the great advantage, it would seem, of the dominant party. Be not deceived when domestic policies are represented at the regular session of the Congress. The purest form of patriotism will be opposition by the minority to further experimentations that have brought us to the very brink of financial chaos. If I make a sincere statement and it does not agree with your opinion, I know how prone you of the majority are to challenge it; perhaps even in such an important matter as this. To illustrate the point, a pleasantry might be in order. "Grandma, I am 20 years old. Will you advise me how to get a good husband." "You let husbands alone. Pick a single man."

No matter how sincere one may be, it is astonishing how such a different construction may be put on one's remarks.

Yes; I am still somewhat undecided. I have promised to make no irrevocable statements. I have no desire to assume leadership and try to win followers. I have listened to the ravings of the man who has made up his mind too early and then uses all his ingenuity to try to bolster his argument, whistling loudly to keep up his own courage. He may tell us the munition makers "will get us if we don't watch out." He tries to frighten people with extraordinary statements.

I am sorry for that man who will make up his mind before all the arguments have been presented and without regard to events which may subsequently occur. "Neutrality." That is a rather remarkable word; neither one thing nor another. What a position in which to be placed. In order for us to be genuinely neutral we must assume both parties to the conflict to be either equally guilty or equally not guilty. To save our own material welfare we are to do nothing. In any event, our blood will not be shed on the battlefields of Europe. There is no need for that, and it is not going to be permitted. To our distressed friends to whom we have given credit in times of peace and with whom we have sought to be good neighbors, and from whom we have solicited trade, we now say, "Cash on the barrel head." Cash in what form?

I will ask you to read that thoughtful speech of the able gentleman from Ohio [Mr. SMITH]. I have it here. Gold? You want gold. You want nothing else. A Senator has recently asked the Treasury, "What will be the effect of taking more gold on our own economy?" It is fool's gold, but not the kind of fool's gold you have heard here referred to so many times during the last day or two—the fool's gold you call profits. This is an added surplus of gold, of which we have more than we need or can use, gold that may be the root of much evil. Gold is confiscated, certificates issued against it, and then both counted as assets. If the reverse process does not soon prevail and we do not cancel the certificates and give back the gold, I fear for the future financial results to this Nation. If all the countries give us all their gold, then it is worthless as a commodity. Bryan is often quoted, in effect, "Furnish money, and that buys everything." But the man in the desert or cut off from opportunity to use the gold which he may have will starve to death. He cannot eat gold. If other nations are eventually forced to abandon gold as a standard of value, our own horde of it will be worthless indeed.

I have spoken to many audiences recently. I offered to address a number of high schools. Boys and girls of 16 to 18 are writing in to us and are eager to be informed on this vital subject. I presented both sides of the argument as impartially as I could, so that they might talk the matter over with their fathers and mothers perhaps more intelligently. I had several audiences to which I declared that I would not disclose my own attitude but would rather present both sides of the question. I said, "If anyone amongst you will come to me afterward and tell me how I ought to vote I shall welcome his suggestion." Almost unanimous was the response. "You have a difficult problem to decide." One editor writes me, "I know you will think it over carefully. Whatever you decide will be satisfactory to me." He lives on an island in the sea and represents a people unafraid.

My own personal friends are not bombarding me with demands regarding my vote on this matter. They are not writing "do this" or "do that." The size of the pile of letters has but little to do with a decision if the great majority of the writers are merely carrying out the dictates of some other person. I do feel that most of my constituents trust me in this matter. The great majority cannot be influenced by the appeals of the fanatically minded. They are competent to weigh both sides of an issue and can understand the necessity of a carefully considered decision on the part of their representative in the Congress.

If ever I voted according to my conscience it will be now. I greatly regret that it has happened that men leaning to a certain decision have been asked, "Are you willing to offer yourself in the event of war? Have you an eligible son?"

Is it possible, as I read in the newspapers, that there is a Congressman making a poll to find out who here have sons that might be required to go to war, that a Member's vote and his patriotism might otherwise be questioned? In this Nation of ours, after adoption of the draft system, only the accident of age or of physical ability are the determining factors. Let no one assume to himself more patriotism than that possessed by his fellow members. We must all take our medicine, no matter how bitter. Forced service requires the same sacrifice and suffering as volunteer service, should war actually come, which God forbid. I regret that it should be a challenge to any man standing on this floor that he may be voting what are presumably his honest convictions as a result of cowardice or some other motivating influence. It does not matter on which side of this issue we vote in one respect. It is certain that we are not going to war in Europe. You have without doubt already pledged yourselves to your constituents on that point.

I listened to a great Senator who opened the discussion on the radio: "If we remove the embargo it is intervention, it is the first step. The next step is credit. The next step is sending your boys to Europe." When a Senator made up his mind 20 long years ago, it may be hard for him to change it. However, I am forced to consider, "Why did he want us to recognize Russia, a nation that had declared world revolution and unloosed Communists even in these United States?" Consistency! I declare consistency to be, as Emerson put it, only "a virtue of small minds." In July I was paired to keep the embargo on arms. Perhaps I should have listened to the gentleman from New Jersey [Mr. EATON]. Perhaps I ought to have harkened to the gentleman from New York [Mr. WADSWORTH].

I did, indeed, listen, and with very great concern. I voted against them. Why did I do it? Of course, I did it thinking that if we gave notice beforehand that we would not furnish arms, other nations would not go to war. That explains my attitude at the time. Useless. They went to war. It did not apparently deter them at all. Therefore the necessity now arises either to renew or to change my decision. "Did I vote right? It did not keep them out of war." Now I must carefully weigh a decision, so soon to be required on the same issue.

Neutrality? Oh, the legal aspect of it. International law? The legal aspect of it. What is international law today? Does it permit that after a war starts, one nation, only recently hating another one, should immediately make friends with it in order to divide up the spoils between them? Oh, Russia is still legally neutral. How ridiculous. She chose deliberately whom she would assist, even when war against Poland was being waged. She is furnishing an immense amount of goods in months to come to assist the German people and she has bartered for it. Not "cash on the barrel." Why cannot we likewise barter if we deem it wise to do so? No; we want cash on the barrel. As the gentleman from Ohio [Mr. SMITH] says, "Barter simply cannot be considered." Dismiss the idea. It has to be cash. You may answer me and say, "Ah, but our potential debtors own securities over here which they can convert into cash. That will last for some little time. They have prepared themselves, of course, in that respect." That may be the answer for the present. But what effect on our economy if they dump our securities? You say you want gold on the barrel. That gold must first go to the Federal Reserve, then to the Treasury, certificates must be issued, and then the Federal Reserve banks will issue notes, and they will finally have the cash. It must all be done previous to delivery. Drafts and checks must be certified.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If I understood the gentleman correctly, the gentleman asked us why we want cash. Let me ask the gentleman, Would he trust a debtor who owed him and would not pay?

Mr. GIFFORD. Oh, I have done that often.

Mr. HOFFMAN. Does the gentleman do it voluntarily?

Mr. GIFFORD. Yes.

Mr. HOFFMAN. Is the gentleman still financially responsible?

Mr. GIFFORD. Yes.

Mr. HOFFMAN. Then, does the gentleman have some magic that no one else has?

Mr. GIFFORD. I will state to the gentleman that I was once in the grocery business.

Mr. HOFFMAN. That may be an Eddie Cantor answer, but it is not an answer to the question I asked.

Mr. GIFFORD. Oh, yes. People owed me a lot of money. They have said nothing about it since. Some are now in good financial circumstances.

Mr. HOFFMAN. Then the gentleman is out of the grocery business now, as I understand.

Mr. GIFFORD. Oh, yes.

Mr. HOFFMAN. Maybe that is the reason.

Mr. GIFFORD. That is undoubtedly the reason.

Mr. HOFFMAN. I want our country to continue in business and not finance other nations.

Mr. GIFFORD. If there is one thing in this world I can truthfully say, it is that I love my fellow man, even though he may be a debtor. He is still generally my friend. That fault does not matter to me at all. [Applause.]

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield for a question?

Mr. GIFFORD. I yield.

Mr. CRAWFORD. I have been following the gentleman's remarks as best I can.

Mr. GIFFORD. I know it is difficult. They have been very disjointed. Perhaps I should have written a speech from this material and here read it.

Mr. CRAWFORD. I would rather have it this way. Does the gentleman believe that we should sell such goods as we do sell to Britain and France on credit terms? In other words, I am trying to clear up in my own mind whether or not at least a part of the gentleman's presentation is to the effect that we should open credit terms to the belligerent countries.

Mr. GIFFORD. I would say to the gentleman that that is a question I cannot answer. I ironically stated it the way I did—"shall we now, when they are distressed, not give them any credit as we would have done when they were prosperous?" I asked that question, and I am myself wrestling with that problem. I will simply state to you gentlemen that my conscience is at work, with no positive answer as yet. I am making this speech so that you may perhaps resolve my doubts for me.

Mr. CRAWFORD. Did I understand the gentleman also to say, in substance, that he felt it would be a sound program for us to follow not only to sell Britain and France, but also Germany and the other countries as well?

Mr. GIFFORD. Oh, I suppose the answer I might make is this: Canada has declared war. If a battleship attacked Canada, where would we be? We are already pledged to protect her. Would we grant her credits? Of course we would. Everybody seems willing to send their boys not to fight abroad but to maintain the Monroe Doctrine. And we have embraced the whole of the Americas now. Often have I stated that the danger or the mischief in our future foreign policy lies there. Why did we adopt it? We seem to have given guaranties to friendly, and perhaps unfriendly, peoples on this hemisphere, lest our material safety or interests be adversely affected.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield again?

Mr. GIFFORD. I yield.

Mr. CRAWFORD. The gentleman from Massachusetts has developed my thought on this proposition of cash and carry just as well as I could have developed it myself, tying it into the Canadian situation and into the gold situation, because I see no way on earth how paying us gold for these goods would do us any good. I think it would do us harm. With Canada as a belligerent, we are pledged to protect them, and that erases from my mind the question of cash so far as Canada is concerned.

Mr. GIFFORD. And when Canada gets into trouble many people may have to eat their own words.

To my audiences of large numbers I yielded much time for questioning. I wish to present some of these to you: "Have you read the Borah speech?" I replied, of course, along the lines already suggested in these remarks.

"Did you listen to the Lindbergh speech?" I did; but he merely said, in effect, "Keep out of foreign entanglements; keep out of Europe." Nevertheless, he did not mention in his first speech any of the real problems involved in the bill that is now before the Congress.

"Did you listen to or read his second speech?" Yes; I read it, and I should dismiss it by saying, "Let his mother-in-law and Dorothy Thompson take care of the boy." [Laughter and applause.]

Mr. HOFFMAN. Mr. Speaker, will the gentlemen yield?

Mr. GIFFORD. Now, do not get greatly stirred up by another ironical statement.

Mr. HOFFMAN. No; I am not stirred up; I am amused. I am always amused when the gentleman talks. But I want to ask the gentleman about something entirely different, and that is this: I understood the gentleman to say—perhaps I was wrong—we should aid Britain and France. If I was correct in assuming that, will the gentleman tell us whether we should help them all along the line, beginning with furnishing munitions of war, money, and credit, and then down to ships and men, or how far should we go?

Mr. GIFFORD. I will say to the gentleman, as I did at the outset, I do not say and I did not say that we should aid France and England. I said my conscience was working, and I am still seriously debating with myself as to whether we should grant any moral or material assistance to them. Many arguments have been made here about this neutrality law, and more on one side than on the other. I am trying to look at both sides of this question, and I am willing to debate either side, because an answer seems to be available to support or to refute every opinion which has been presented.

"Did you listen to Al Smith?" Yes; and whether I agreed with him or not, it was a remarkably patriotic speech. I would like to enlarge upon that, but shall not at this time. It would delve into the realms of politics.

Two of the speeches on this floor brought me to an extremely thoughtful mental attitude. My emotions were aroused to an extent which I can hardly express. I have them here. I have read and reread them. The gentleman from New York [Mr. REED] and the gentleman from Michigan [Mr. WOODRUFF] pointed out to us so carefully that we should be governed by the lessons of the last war. Certainly, to a certain point, we should. Then they portrayed by word picture the horrors of war, and showed to us that: "We must not have any of it. Take no steps, if there is even a doubt that that step might lead us into war."

Clergymen plead with their congregations, "America must not sell guns to kill people. That is a moral wrong." As I say, there is always the answer: "Let distressed and hard-pressed friends die as martyrs. God will take care of them." Nevertheless that argument is very persuasive. It greatly disturbs me. I have listened to this: "If there are two men fighting in the highway, keep away." "Yes, but they may be friends. It might be my son. He may be fighting a bandit. They are fighting on the highway where I must go to work. I must attend the marriage or funeral of my daughter. I must go through." "No, keep away, lest it might get us all in."

His daughter married an Englishman. He thought it was a good alliance—one with a cultured gentleman. Now he wants to go over there, if some emergency should arise. But we are not now to say simply, as we have heretofore done, "You can go on a belligerent ship at your own risk." No. We are even proposing to fine him if he goes at his own risk, lest he get us into some sort of entanglement.

You must have read Walter Lippmann in his column of yesterday.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. PITTENGER. Did the gentleman hear Senator HIRAM JOHNSON, of California, discuss this neutrality legislation?

Mr. GIFFORD. I did not hear it. I read it. It was a great speech. Senator VANDENBERG's speech was a great speech. But what has oratory got to do with this? I am not indulging in that. I am making a provocative, disjointed speech on purpose. I might make a decision and bolster it with all kinds of arguments as they did—not so good, perhaps. I am not a candidate for President of the United States. I am not an isolationist. Having made up my mind 20 years ago, I cannot go back. [Laughter.]

Oh, some of us may regret that we did not listen to what the gentleman from New York [Mr. WADSWORTH] had to say, in effect, here only last June:

> I believe we can use our best judgment when we see exactly what is facing us, but I suggest that we cannot use accurate judgment with respect to the unpredictable, and that is what these neutrality acts invite us to do.

He urged us to withhold judgment at that time. Why did you not follow him over there in the majority side? You listened to him. You trooped in to hear him, but you, in the main, voted against his advice. A majority of you did. The minority side largely voted to keep the embargo, but with your tremendous majority you decided against him. So many of you have now to retrace your steps and change your minds. Why? For the same reasons as many others. I forgive you for it, of course. We acted hastily perhaps, but we meant well. It did not work. Oh, consistency! We do not want to have small minds.

I was interested in another remarkable speech on the foreign debt. First, let me tell you I was in an audience not long ago where an Englishman of culture and education said:

> England is not in immediate danger. But we love liberty. We are willing to make enormous sacrifices to preserve liberty in the world. And we expect America to do exactly as she did before.

A certain Senator recently stated, "They owe us this money. Let us now take their possessions in the West Indies for debts." One moment a peaceful man, the next, urging the worst form of aggression—to wrest a country away from them while they are in distress. Marvelous. But I could not refrain from smiling because I have here so often contrasted our own public debts. I have said that England had a public debt of such great proportions because she had colonial possessions that were really worth a vast sum of money, and she could perhaps even wipe out her debt by selling one of her important possessions. They were the reasons for her public debt. I am glad of such recognition of this fact.

I cannot seem to find in my files here the argument of Walter Lippmann of yesterday. I wish you would read it, however. It was printed in the Washington Post of yesterday morning. Sometimes, you know, he is most persuasive. Especially when he reminds us of our greatness, and queries, in effect, whether we shall sink into degeneracy by going into a cave and pulling the cave in after us?

I have copies of the amendments adopted in another body to the bill on yesterday. We seem now to be emerging from that cave.

They now realize how foolish we were in trying to get so far in the cave. I am gratified at this action. New England went through the embargo of Jefferson in 1807. She did not like it. Did it keep us out of war? We were in the war plenty in 1812 as a result of that embargo.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. CRAWFORD. Does not the gentleman believe that a great many people in this country were switched away from their loyalty to an embargo law to the cash-and-carry idea because they felt that the latter would take our ships off the seas and keep them out of so-called war waters or war zones?

Mr. GIFFORD. I should think that would be a fair statement of the case.

Mr. CRAWFORD. If that were true to a material extent, to the extent of a million of voters, what would be the reaction of these voters so influenced when they came to find out that the final bill, if it does carry such provisions, will permit our ships to go into war zones, to sail the seas, and to run the risks they understood would not be taken by our people if embargo were repealed and cash and carry adopted?

Mr. GIFFORD. As I understand it, other parts of the bill will amply provide that our ships cannot go into so-called actual war zones.

Mr. CRAWFORD. Let me ask the gentleman, Does he understand that the Senate bill is likely to permit our ships to service Canadian ports, Pacific and Atlantic?

Mr. GIFFORD. Yes; but they cut out Halifax, which is an ocean port. They are trying to be reasonable.

Mr. CRAWFORD. Do I understand the gentleman to assume that the Senate bill will permit our ships to go into Asiatic waters?

Mr. GIFFORD. I do.

Mr. CRAWFORD. Then if our ships go into Canadian ports and service Asiatic waters, it is my very frank and firm opinion that those people who were led to believe that the substitution of cash and carry for embargo will have been very much double-crossed.

Mr. GIFFORD. That is fashionable. Russia double-crossed Britain. We may expect a triple-cross against Germany. I agree with the gentleman that the people are not fully informed, They may feel that they have been double-crossed. Rantings over the radio have raised some havoc. Many people feel that they do not need to know, because they can repeat what others think they know.

Mr. CRAWFORD. But if the gentleman will yield further?

Mr. GIFFORD. Certainly.

Mr. CRAWFORD. Here was a situation where our people had their ears attuned to what was about to be settled. Our people knew nothing about the technicalities of embargo, they knew nothing about this gold situation. I am talking about the man out on the farm, the man down in the valley, the man on the streets and in the counting rooms. Our people do not understand the situation. I think I can say with truthfulness that Members of the other body and the Members of this House do not understand the situation. This is evident from what has been said by those who have spoken since. They were sold an idea, namely: Forget the embargo proposition and accept cash and carry, for in this procedure our ships are taken off the seas and there is no chance of our becoming involved. I am talking about what we may do as representatives of the people in the way of double-crossing them and not what Russia or Germany did to each other, or what some foreign country did to another foreign country. I am talking about us as representatives of the people.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Massachusetts may be extended for 10 minutes.

The SPEAKER pro tempore (Mr. COFFEE of Washington). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GIFFORD. I understand the gentleman, but do not forget that nations at war double-cross to the extent that reverberations of such double-crossing may be heard around the world. It is at least worthy of some attention. Unexpected developments are already having their repercussions.

He walked into the watchmaker's and said: "You sold me a watch that you said would last me the rest of my life."

"Yes; but you looked pretty sick yesterday." [Laughter.]

Things indeed looked very different yesterday.

Mr. PATRICK. Mr. Speaker, will the gentleman yield at that point?

Mr. GIFFORD. I yield.

Mr. PATRICK. I want exactly to understand the full basis for this last colloquy between the gentleman from Michigan and the gentleman from Massachusetts. I do not know what the gentleman from Michigan has in his mind.

Mr. GIFFORD. Do not take my time, please. I will tell the gentleman what it is. Cash and carry—come and get it with your ships, not our ships. Right here I have a copy of an amendment which permits our ships to go into zones that are at least somewhat dangerous. Our ships are not going off the seas. I agree with our Pacific friends that it is ridiculous not to have the privilege of sending our ships from Seattle to Vancouver. By the same token it is ridiculous that we in New England cannot send the ships from Eastport, Maine, to New Brunswick, Nova Scotia, or Newfoundland.

Mr. THORKELSON. Mr. Speaker, if the gentleman will permit, there has never been any pretense that such section should be enforced, except in the zone of actual belligerent operations.

Mr. GIFFORD. Of course. But a wave of oratory has been flooding the country: We will take our ships off the seas. We are willing to make huge sacrifices for peace. We will not send our ships into danger zones. Now we are relaxing that, and I agree with it. I do not fear the result.

Mr. THORKELSON. What will be the line of demarcation between what is a danger zone and what is not a danger zone?

Mr. GIFFORD. It will be provided that our ships may travel to ports in Canada, but not Halifax, it being an ocean port. They will try to define as best they can safe and unsafe zones, and somewhere in the bill authority will be given to the President to change and to regulate as he may deem wise.

And that is or has been the real worry to many of us. I have divorced myself from that. It took quite an effort. I have been greatly disturbed by the assertions made by our President. I listened to that radio address in which he assured us and reassured us that he would see to it that this country was kept out of war. While many have told me we cannot trust our President because he has already stated his attitude, I can only reply, as I have said many times before, "He is the only President I have."

Mr. CRAWFORD. Does the gentleman understand that the Senate bill is likely to provide that our ships may also enter Dutch ports?

Mr. GIFFORD. I am very doubtful about that. There was an amendment offered to the effect that we draw a line around Europe, Great Britain, and Ireland, 300 miles out at sea, and that no ship of ours could travel in that zone.

Again neutrality.

Is Italy neutral? Is Russia neutral? I ask that question. They are, under a strict definition of the law, and do you want us to follow such strict definitions in view of the trickery or the double-crossing, or the situation as it may eventuate? No; my conscience rebels at that legal definition of neutrality which may cover such action. Our neutrality covered us in our relations with Japan. We can still be honorable if we try to meet the exigencies as they arise. Do not make up your minds on one viewpoint only and clinch it with all the oratory at your command. As for me, I am still much in doubt, after listening to all those able men on both sides. There is one thing I am sure of because I feel that I know. Congress will not get America into a war that will send boys to Europe. And I may assert that this is still a great and glorious Nation.

I represent a constituency here, but far more than that I represent a great Nation. I fully believe that at this hour I should not go into the cave and pull the cave in after me. I should still be willing to assert certain traditional rights which belong to us. We would actually be cowards if we completely deserted those rights. Some voices urge that when it is all over, and the other so-called democracies perhaps destroyed, ours would be the only great free Nation that can preserve and succor the world. I do not wish to have this country stand alone against all the world.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. As far as it is humanly possible to know what is in the future, I feel I know, and the gentleman states he knows, that we will not become involved

in this war. My first and prime consideration is, What course will keep us out of this war?

Mr. GIFFORD. Are not our pledges good for anything? Has not practically every man pledged his constituency that he would vote against sending our boys into a war in Europe?

Mr. MURDOCK of Arizona. I hope the gentleman and I are both right in respect to that part of our future. If keeping our present law as it is will best keep us out of war, I am for that. If modifying our present law will best keep us out of war, I am for that.

Mr. GIFFORD. We must believe our colleagues. They probably have pledged it. We are going to keep the President himself out of war. He is not going to keep us out. We shall keep him out.

Mr. MURDOCK of Arizona. I agree with the gentleman that Congress should keep the President—any President—out of war. The gentleman said a moment ago something about our being pledged to come to the defense of Canada in case that country is attacked. Does he have any reference to any act of Congress or any treaty to that effect?

Mr. GIFFORD. No. I have reference to the President's promise which we must make good and I have reference to every man who believes in the Monroe Doctrine. It applies just as much to Canada as it does to the other countries, in spirit and probably in fact. The Monroe Doctrine was a unilateral document not long ago. We alone so declared and we could have abandoned that pledge. Some 3 years ago we went down into the southern hemisphere and induced the nations there all to agree to it. Now it is a multilateral agreement, and we cannot withdraw from it. We hear that Brazil speaks of the United States Navy as "our navy." We are tied to an agreement that contains much potential trouble.

Mr. MURDOCK of Arizona. Does not the history of the last World War and its aftermath show that Europe may be deceived as to what America will do, or may do, or may not do, on the promise of one man? Is it not true that Woodrow Wilson apparently led Europe to believe he was the spokesman for this Nation, but finally the promise did not materialize because the Senate, the constitutional body authorized to act on treaties and such international matters, thought otherwise and did not back him up? Europeans should study our constitutional system before counting too much upon a great leader's promises. If any legislation is passed by this body soon giving any nation or nations now at war any indirect advantage, that is certainly no reason to believe that we will go to war for the further benefit of that nation or those nations.

Mr. GIFFORD. I really do not think England relies too much on us, although we vigorously express our devotion to democratic ideals. During the Revolutionary War we were suppliants asking assistance everywhere to help us establish freedom.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short statement from an editorial in the Saturday Evening Post of this week.

The SPEAKER pro tempore (Mr. COFFEE of Washington). Is there objection to the request of the gentleman from New York [Mr. KENNEDY]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter received by me from Dr. Gallup, of the American Institute of Public Opinion, my reply to him, together with certain comments and papers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief article by the newspaper publisher, Frank E. Gannett; also a small article in the form of a speech given by J. Edgar Hoover on October 25.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

The SPEAKER pro tempore. Under a special order previously entered, the gentleman from Montana [Mr. THORKELSON] is recognized for 20 minutes.

NEUTRALITY

Mr. THORKELSON. Mr. Speaker, I have listened to the remarks of the preceding speaker this afternoon, and I hope with him that we will not become involved in war.

There seems to be considerable confusion about neutrality. I have inserted remarks in the RECORD discussing neutrality as I understand it, and there is an article in the RECORD of the 23d of this month dealing with the same problem. We have a perfect right to consider neutrality and embargoes from our own viewpoint, but we have no right to enforce our viewpoint on powers at war.

One of our ships was captured recently by a German submarine or war craft, and this ship is now in a Russian port. What is the angle of that? We have no complaint to make whatever. The ship carried contraband. The ship was captured and it is now in a harbor of Russia. The question that comes up in this particular case is whether Russia is at war with the United States or is lined up with Germany. If Russia is neutral she must intern the German crew and send the American crew back aboard the ship and send the ship out. If Russia is not neutral, then she will keep the ship in port, and might send the American crew back.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Does the gentleman hold that Russia is neutral now?

Mr. THORKELSON. I will say to the gentleman from Wisconsin that I do not know. There are a lot of angles to this thing. Here is a possibility—and, mind you, this is my own opinion. It is quite possible that Germany sent this ship into Russia on purpose, because if Russia holds the ship it means that Russia is lined up with Germany, whereas if Russia sends the ship out and holds the German crew it would mean that she is not lined up with Germany. That might be the angle. I do not know.

Mr. SCHAFER of Wisconsin. According to the American position, taken by our New Deal President, Russia is neutral. If the administration has held that Russia is not neutral, the President would have had to put in force the arms embargo against shipment of munitions and implements of war to Russia. He has failed to do this, notwithstanding the fact that Russia invaded Poland in practically the same manner as Germany did.

Mr. THORKELSON. I might call the attention of the gentleman to this little article appearing in today's Washington Times-Herald:

> Mrs. Franklin D. Roosevelt warned today that in suppressing alien-controlled groups we also suppress some of our own freedom.
>
> Speaking at the opening session of the New York Herald Tribune forum on current events, Mrs. Roosevelt said it was very important when we know that alien-controlled groups are doing harm and to try to counteract their influence.

She evidently approves of alien and communistic groups and feels that we should not hurt them.

A short while ago I wanted to insert in the RECORD the names of persons who are connected with the American League for Peace and Democracy. This is a communistic organization, and I think the names of the members ought to be before the American public. However, someone objected to it. Now, I can only assume that those who objected to it must themselves be in sympathy with subversive movements. That is why they objected to it.

Mr. ALLEN of Pennsylvania, Mr. GEYER of California, and Mr. PATRICK rose.

Mr. THORKELSON. I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. The gentleman is talking about subversive activities. Certainly the gentleman has recently been the white-haired boy of one organization that is pretty subversive.

Mr. THORKELSON. Will the gentleman state which organization?

Mr. ALLEN of Pennsylvania. The gentleman knows.

Mr. THORKELSON. No; the gentleman does not know. The gentleman accuses me of being a member of an organization. I want the gentleman to state it publicly.

Mr. ALLEN of Pennsylvania. The gentleman is familiar with the publication which most of the Members of Congress receive, in which he is quoted and referred to every week.

Mr. THORKELSON. I am quoted in every column in the papers, I am quoted in the Coffee Cup, I am quoted by the Merry-Go-Round, and I am quoted by every communistic paper in the world.

Mr. COCHRAN rose.

Mr. THORKELSON. Just a moment. I want this gentleman to answer this question. Please state the name of the organization to which you refer.

Mr. PATRICK. In other words, the gentleman is getting plenty of publicity now.

Mr. THORKELSON. Yes. I want some more.

Mr. ALLEN of Pennsylvania. I am talking about the Pelley publication.

Mr. THORKELSON. All right; is that an organization?

Mr. ALLEN of Pennsylvania. Yes.

Mr. THORKELSON. I want the gentleman to know that there is only one organization of which I am a member and that is the United States Naval Reserve.

I know that every man who is a member of a communistic organization is not a Communist. I know that, but I know a lot of them are deceived and become members because they do not know what is actually behind the organization, and that is what I am talking about.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Yes.

Mr. SCHAFER of Wisconsin. I notice in the gentleman's list brought out by the Dies committee that the real New Deal Secretary of Agriculture, Mordecai Ezekiel, is on that list. In fairness to the members whose names appear on that list and in fairness to the people of America, should not the Dies committee call each and every one of them, swear them, and find out whether they now belong or ever have belonged to the Communist created, dominated, and controlled American League for Peace and Democracy?

Mr. THORKELSON. I want to say to the gentleman from Wisconsin that this list is a list of men working in the Federal Government who are members of this league, and I think the people of the United States ought to know about that.

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman.

Mr. GEYER of California. The gentleman has stated that this is a communistic organization. I would like to have him bring forth some evidence here to prove that this organization is communistic. Simply because they have some members—and I understand the Republican Party has some also who are members of the Communist Party—does not mean that the organization itself is communistic, and will the gentleman give us some information on this point?

Mr. MASON. Mr. Speaker, will the gentleman yield right on that point?

Mr. THORKELSON. I want to make this statement. I do not wish to accuse all the members of being Communists, but it is the principle upon which all of these organizations are organized that is un-American. Now, remember this: We have just one document in this country, and that is the Constitution of the United States, and if anyone advocates anything that is contrary to that document he becomes a Communist right then, and that is what this organization advocates.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. PATRICK. Would the gentleman say that, by that same token, he is a member of the Silver Shirts? Does the gentleman think he is a member of the Silver Shirts?

Mr. THORKELSON. Let me tell you a little story about the Silver Shirts.

Mr. PATRICK. If that is true, the gentleman acknowledges himself that he is a member of the Silver Shirts?

Mr. HOFFMAN. Mr. Speaker, regular order.

Mr. THORKELSON. Just a minute. I will answer you. I am having a lot of fun now.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Let me tell you a little story first. When I was home this summer I had a telephone call from Missoula and they asked me to come up and speak to them about subversive activities. When I stepped out of the car two of them asked me to accompany them into a private office. There were 10 people in this group, men and women. I think they were between 50 and 60 years old. I said, "Why do you close the doors?" They said, "Well, we do not know who might hear us." I said, "What are we going to talk about?" They said, "Well, we want to find out something about this communism." I said, "What do you people believe in?" They said, "Well, we do not believe in communism. We do not understand all this stuff."

I said, "What are you people?" They said, "We belong to the Silver Shirts." That was the first time I ever saw any of those people in my life. I said, "Have the people of the United States reached the point where they must now meet in a room and barricade themselves to talk about constitutional government? Have the people of the United States reached the point where patriotic citizens must barricade themselves in order to talk about the skunks that are destroying this Government? Have we reached that point?" I did not know those people, but it appeared tragic to me that 10 mature Americans who believed in the fundamental principles of our Government, and who were interested in finding out and being informed about communism would barricade themselves in a room with closed doors and windows to discuss constitutional government. I belong to one organization, and if the United States gets into trouble I will be resigning right here to go with it. That is the United States Navy. That is the organization I belong to, and nothing else, and I want you to know I am very proud of it. [Applause.]

Mr. PATRICK. Will the gentleman yield?

There was nobody in there but the Silver Shirts and the gentleman himself? Nobody else was there?

Mr. THORKELSON. Ten citizens of Montana. I do not know what a Silver Shirt is.

Mr. PATRICK. Did you not state they called themselves Silver Shirts?

Mr. THORKELSON. Now you are talking about something. Will you tell me what a Silver Shirt is?

Mr. PATRICK. I am not as well informed on that as the gentleman is.

Mr. THORKELSON. Then why do you not become informed before you ask questions? [Applause and laughter.]

Mr. PATRICK. I would like to have the information from an authority like the gentleman.

Mr. THORKELSON. You are the best authority that I know.

Mr. PATRICK. Will the gentleman be willing to go on the floor——

Mr. THORKELSON. With you at any time.

Mr. PATRICK. And denounce the Silver Shirts as he does the Communists? Does the gentleman take the same position on this floor toward the Silver Shirts and Pelleyites that he does toward the Communists?

Mr. THORKELSON. Now sit down. [Laughter.]

Mr. SCHAFER of Wisconsin. Will the gentleman include the Ku Klux Klan for the benefit of the gentleman from Alabama?

Mr. THORKELSON. Will the gentleman take one position?

Mr. PATRICK. I am in a sitting position now. [Laughter.]

Mr. THORKELSON. I believe in the principles of our American Government. I have stated that I class communism, nazi-ism, Ku Klux Klanism, and all "isms" in the same group.

I have always believed in the fundamental principles of this Republic. I cannot support any other principles, believing as I do. If you will follow my remarks in the RECORD, you will find I am just about 100 percent right on that one thing, as I have stated in the RECORD. It is true that I have called attention to certain organizations that I call subversive.

Mr. PATRICK. Will you please answer the question I asked?

Mr. HOFFMAN. Mr. Speaker, regular order.

Mr. THORKELSON. The gentleman should ask himself the question. He knows more about it than I do.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. COOPER). Does the gentleman from Montana yield for a parliamentary inquiry?

Mr. THORKELSON. I do.

The SPEAKER pro tempore. The gentleman will state the parliamentary inquiry.

Mr. HOFFMAN. Has a Member a right to speak until he has been recognized by the Chair and been yielded to by the gentleman who has the floor?

Mr. THORKELSON. I do not expect anything else from the gentleman from Alabama. [Laughter.]

Mr. SCHAFER of Wisconsin. Will the gentleman yield for a question?

Mr. THORKELSON. I yield.

Mr. HOFFMAN. Mr. Speaker, do I get an answer to my parliamentary inquiry?

The SPEAKER pro tempore. The answer is obvious. [Laughter.]

Mr. SCHAFER of Wisconsin. Is it not a fact that the headquarters of the Silver Shirts and the Ku Klux Klan are down below the Mason and Dixon's line in the States of Alabama and North Carolina, and not in Montana?

Mr. THORKELSON. Yes; they are in the sunny South.

Mr. SCHAFER of Wisconsin. Gentlemen from the South ought to be in better position to give us information about them than the gentleman from Montana.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. COOPER). Does the gentleman yield for a parliamentary inquiry?

Mr. THORKELSON. Yes; I shall be pleased to.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOFFMAN. What is the rule about obtaining the floor? Does the Member who desires to ask a question have to address the Chair or the Member who is speaking?

The SPEAKER pro tempore. The rules require that a Member desiring to ask a question shall address the Chair and the Member speaking.

The gentleman from Montana will proceed.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. Not at this point. If the gentleman can get my time extended I shall be pleased to yield.

Mr. HOOK. I shall be pleased to ask that the gentleman's time be extended. Does the gentleman yield for a question?

Mr. THORKELSON. Yes; but will the gentleman please ask for extension of time?

Mr. HOOK. What I want to know is——

Mr. HOFFMAN. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The Chair understood that the gentleman from Montana yielded to the gentleman from Michigan. The regular order is for the gentleman from Michigan to ask his question.

Mr. HOOK. Is it not just as reasonable to expect the Dies committee or any other committee to go out into the States during primary campaigns in which people must register their party affiliations and get lists of all the Communists in the United States and print them? We would then have a real list instead of a phony list about which the gentleman talks now. Would not that be more reasonable?

Mr. THORKELSON. I know nothing about a phony list. I accept the list of the Dies committee as authentic. I think we should have the lists of all memberships, with none left out.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended for 10 minutes, because we have taken up a considerable portion of his time asking questions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. THORKELSON. Getting back again to the subject I started to discuss, there seems to be some difference of opinion in respect to what we have a right to do. We have a perfect right to clear our ships for any port, but it is better that we clear them for a neutral port than for a port in a country at war. For a number of years it has been the usual custom when war is declared for countries not directly participating to declare their neutrality, to state that they will adhere to the principles the warring nations have set forth. It is asserted by commentators that had we passed the Neutrality Act, this ship, the *City of Flint*, would not have been captured; but I say in reply to that that it does not make any difference, because we have no business to clear a ship for the war zone. The embargo clause, whether repealed or not repealed, makes no difference when a ship carries contraband cargo to a nation at war.

The trouble with the Neutrality Act is not in the embargo clause, for that is something that is always under control. The trouble with the Neutrality Act lies in the fact that it lodges too much power in the hands of the President. In this connection I call attention to the RECORD of October 23. What powers do we give him? We give him the power to declare that a state of war exists. Having done that, he can intern all American shipping in our ports, he can tie them up to the docks. We give him power in case of violation of his orders to fine citizens $50,000. It does not make any difference what he fines them for, he can find almost any excuse or pretext to fine a citizen. He is also given the power to shift the title, to transfer the title in goods to any foreign person or group of individuals, and then a cargo of merchandise to which title has been so transferred can be carried in foreign ships from our own ports, but our own ships are not permitted to carry that cargo.

Then Congress by legislation is to do something that no nation has ever done before, and that is to establish war zones and enforce operation in such zones outside of our own 3-mile limit. We have by legislation set aside an area from latitude 30 north and from the Greenwich Meridian, the first meridian, west to the one hundred and eighth meridian, as a neutral zone, and south of the thirtieth parallel to the South Pole as a neutral zone. Then the President is given power to allow the issuance of clearance to all ships in that neutral zone established by act of Congress. Unfortunately, other nations of the world are not going to accept that as a neutral zone, but they are going to sink our ships in that zone if we carry contraband cargo to nations at war. It is just such incidents, played upon by a subsidized press full of British propaganda, that will lead this Nation into war, because the people themselves do not understand that we have no right to be in such zones in the first place.

What further does the act do? It sets aside the China Ocean, the China Sea, as a neutral area. What right have we to do that? There are British colonies in the China Sea; there is British Indochina and many other colonies bordering the China Sea. Can we by act of Congress set aside that area and declare it neutral, then send our ships into that area and

not expect them to be attacked? Can we expect them to travel there in perfect safety? Of course not.

If we sail from our ports in the United States to the nations at war or to their territories or possessions, every trade route is a war zone, and no act of Congress can make it otherwise. We have no control outside of the 3-mile limit. The State Department came out with this information about 3 or 4 days ago. I proposed 20 questions with respect to the rights of neutrals, and I replied to those questions myself; and they are in the CONGRESSIONAL RECORD, October 11, page 304. If I am wrong, there is the best opportunity to call me.

Mr. Speaker, I have drafted a resolution, and I would like to call it to the attention of the Members of the House. This is a neutrality resolution. Of course, it will not be adopted. It will never be passed, but it will put the blame where it belongs. This proposed resolution of mine reads as follows:

Resolved, etc., That whenever the peace of the United States is threatened by foreign wars, the President shall, to promote the security, preserve peace, and to protect the lives of the citizens of the United States, issue a proclamation giving notice that a state of war exists between foreign states; and that

SEC. 2. Whenever the President has issued a proclamation under section 1, it shall be unlawful to clear ships under American registry and to issue passports to American citizens to nations at war; and that

SEC. 3. Whenever the President shall have issued proclamation under authority of section 1, it shall be unlawful—

(a) To extend credit to nations at war.

(b) To purchase foreign securities or redeem United States securities with gold in the United States Treasury.

(c) To accept any kind of money except a gold dollar that contains 25.8 grains of gold nine-tenths fine, or the equivalent in foreign gold money, in payment for war materials sold to nations at war.

Then I have provided a penalty of $50,000 for violation of the provisions of the resolution, and I would like to talk about that for a moment. The reason I provide that we should not sell our commodities for less than 25.8 grains of gold in the dollar is due to the fact that our people, our merchants and farmers, will earn 40 percent more on the merchandise they sell. Today you can take 1 ounce of gold and buy $35 worth of merchandise. If this resolution is agreed to any foreign nation with an ounce of gold can buy only $20.67 worth of merchandise, which means we will benefit to the extent of 40 percent if the resolution is agreed to. We cannot exchange bonds. We cannot shift them around and use them for war credits, because we cannot buy foreign bonds. We cannot buy any kind of bonds with money in the United States Treasury. In other words, we are actually declaring an embargo on the gold in the United States Treasury.

The bill provides further as follows:

(d) Whoever shall violate any of the provisions of this section shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

SEC. 4. (a) Whenever the President shall have issued a proclamation under authority of section 1, he may from time to time declare an embargo on any part or production of all commodities manufactured or produced in the United States.

(b) American merchant ships must be marked distinctly and all belligerents notified of such markings. When proceeding to neutral nations in active war zones, arrangements for safe passage must be made with the blockading powers.

SEC. 5. American vessels trading with nations at war or American citizens traveling on belligerent ships in war zones, do so at their own risk.

Now, I have provided a fine here, but I do not levy it against our business people, but on the people who can protect themselves. We Members of Congress have one purpose here. We are here to protect our own people. We are not here to protect the international racketeer financiers. This act will protect our people. It will put the fine on those people who extend this credit to foreign nations, the people who make it possible for our ships to be sent into the war zones and to foreign nations. I believe those are the people who ought to be penalized.

Mr. DEMPSEY. Will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from New Mexico.

Mr. DEMPSEY. The gentleman says we are here to protect the American people. Is it his opinion that the Dies committee did that in publishing a list of the names of people who are innocent of the things with which they are charged?

Mr. THORKELSON. The people are innocent?

Mr. DEMPSEY. Absolutely. To my knowledge many of them are. They are not even members of this league.

Mr. THORKELSON. I was not talking about the Dies committee.

Mr. DEMPSEY. Of course, it was done over my protest.

Mr. THORKELSON. I do not know that. Why did the committee publish the list?

Mr. DEMPSEY. I think it was an un-American and reprehensible thing to accuse a lot of innocent people of belonging to a communistic organization.

Mr. THORKELSON. I would not want to expose anyone who is innocent, but the gentleman knows we have many communistic organizations. He is on the committee. He has examined many of them. I believe that the people who are innocent and who are members of such organization should be informed about it, and then they should withdraw their membership. I think that is your duty and it is everybody's duty to warn the people of all subversive organizations, especially the communistic and anarchistic groups.

Mr. DEMPSEY. Many of them have withdrawn their membership. Does the gentleman realize that in issuing a list of the names of the people supposed to have been members of the League for Peace and Democracy that the Dies committee pointed out there was no evidence that a single one of them was a Communist?

Mr. THORKELSON. Well, the gentleman here asked me if I was a Silver Shirt and a member of that organization. I am not a member of that organization, but he calls me one right here in this House. I am not listed with any organization, except the United States Naval Reserve. These people were evidently on the membership list, and so listed, and I think the committee should be commended for digging down to where the trouble may be found.

Mr. DEMPSEY. They are not members.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

Mr. HOOK. Mr. Speaker, I object.

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from Washington [Mr. COFFEE] is entitled to recognition for 4 minutes.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent that my time be extended 6 minutes in addition, making a total of 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

Mr. HOFFMAN. Mr. Speaker, I object. I want to hear the first part of the gentleman's speech.

Mr. COFFEE of Washington. Mr. Speaker, the press this morning reports the intention of the Special Committee on un-American Activities to publish the names of Government employees who are members of the Washington branch of the American League for Peace and Democracy.

Individual members of the American League in Washington have made no secret of their affiliation with this organization and might volunteer, as individuals, publicly to announce it at this time. But the purpose of the proposed publication, which, incidentally, since this was written, has taken place, coupled by the repetition of unfounded charges against the organization as a whole, and blanket condemnation of all members, can have but one purpose. That is to intimidate the members, threatening that the penalty of refusing to resign may be loss of their jobs.

The committee then, it would seem, is guilty of engaging in un-American activities, the very thing they were designed to expose and stamp out.

Even if this country were at war, such an attempt to intimidate American citizens would be unjustified. But this country is at peace with all nations, and determined to remain at peace. No emergency exists which could possibly excuse the abrogation of our traditional civil rights.

Government employees, similar to all other citizens of this republic, have the indubitable and inalienable right to join organizations of their own choosing. They have the right to judge for themselves the nature and the purpose of such organizations. They have the right to hold and to express their own opinions on all subjects, without submitting those opinions to any individual or Government body for approval. Government employees, no less than workers in private industry, must be permitted to exercise these constitutional American rights without coercion from any source or fear of losing their jobs as a consequence of such exercise.

No imputation has been made before the Dies committee or before any other public body, charging a single individual member of the American League for Peace and Democracy with an illegal act. If such a charge had been made, the machinery for prosecution and trial under the laws of the land exists and would be invoked against the individual so accused. Persecution of whole groups of people, based solely upon disapproval of the beliefs they hold and express, is wholly un-American and can only be destructive of the very foundations of democracy.

If the aim of the Dies committee is to preserve this Nation from the curse of dictatorship, that aim cannot be achieved by introducing the methods and standards of dictators here. [Applause.]

I call upon all members of the committee to clarify their position.

Two of the members of the committee, a few minutes before these remarks, have already clarified their position. They deserve hearty commendation for their stand from the patriotic Members of this House, and I denominate all Members of this House as patriotic.

I call upon the House of Representatives and the Roosevelt administration to repudiate this unwarranted interference with rights of citizens. I call upon the American people themselves to reaffirm their devotion to the American Constitution and the Bill of Rights and to demand of their Representatives that the fundamental principles of American democracy be respected and upheld.

I want to take this opportunity publicly to commend three members of that committee, the gentleman from California [Mr. VOORHIS], the gentleman from Massachusetts [Mr. CASEY], and the gentleman from New Mexico [Mr. DEMPSEY], who have stated either formally or informally, in public or in private, their opposition to the unjust and unjustifiable publication of the names of several hundred members of the Washington, D. C., branch of the American League for Peace and Democracy.

Mr. Speaker, I call to your particular attention the fact that in the Washington Times-Herald noon edition of today there appears an article headed by a certain headline. I want to read this headline to the House of Representatives so that you may know what it is.

[Here the gavel fell.]

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent that my time may be extended 6 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COFFEE of Washington. In the Washington Times-Herald today appear the names of not only those who are avowedly members of this organization, but those who are on the mailing list of the organization.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I yield.

Mr. VOORHIS of California. May I say to the gentleman that that is so denominated in the paper, but it does not happen to be the case. I can assure the gentleman that this list does not include the mailing list. That is a membership list.

Mr. COFFEE of Washington. I thank the gentleman for his correction, and accept it.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I yield to the gentleman from New Mexico.

Mr. DEMPSEY. It does contain the names of the people who made contributions, for instance, for the refugees in Spain, and who were not members of the League for Peace and Democracy.

Mr. COX and Mr. THORKELSON rose.

Mr. COFFEE of Washington. I will yield when I complete this statement.

In a headline of today's edition of the Times-Herald appear these words—

Dies to name 800 United States aides as "reds" today.

This statement is libelous per se, and if the gentleman waived his congressional immunity he could or might be liable for plenty of libel suits in the courts of the land if he authorized it in such words. The statement that is made in the headline of today's Washington Times-Herald indicates very clearly that war hysteria is pervading the House of Representatives and some newspapers that the majority of constituted representatives of this special committee, acting as ostensible agents of this body, supposed to be the most potent legislative assembly in the world, have so subverted the purpose for which the committee was designed that they themselves are subject to grave censure for having engaged in un-American activities.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I decline to yield.

Furthermore, I attended a meeting of the committee on Monday afternoon, at which time a colloquy took place between certain members of the committee and a distinguished divine, one of the leading and most learned scholars in America, Dr. Harry Ward, a member of the faculty of Union Theological Seminary, the man who is president of this organization now under attack. During the course of this colloquy interrogatories were put to the gentleman to whose name I have just referred. They asked his opinion about the treaty between Soviet Russia and Germany. They asked his opinion on the Loyalist Spain controversy, whether or not he was for Loyalist Spain or against it. They then drew the conclusion, because he expressed sympathy for Loyalist Spain, that he must know that the Communists took the same line, and naturally the inference was very plain.

I want to reaffirm what a certain gentleman said 150 years ago in France, a man by the name of Voltaire, who in a letter to Helvetius, said in substance: "I may not agree with a single word you say, but I will fight to the death to uphold your right to say it."

It was upon that principle that Thomas Jefferson wrote in the Declaration of Independence, as the result of which the Constitution was adopted, the immortal words, carved in letters of flaming gold on the pillars of the modern era, insuring to posterity the right to life, liberty, and the pursuit of happiness, freedom of speech, freedom of the press, and freedom of religious worship. Do we have freedom of speech?

Mr. THORKELSON. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I would like to yield to the gentleman from Montana. He is a persistent commentator on this subject. I want to discuss this question of freedom of speech. A while ago I objected to there being placed in the CONGRESSIONAL RECORD by the gentleman from Montana the names of those who purportedly were members of this organization, the Washington, D. C., branch of the American League for Peace and Democracy.

I happen to be somewhat familiar with this organization, and make no apology for that familiarity. I make no apology for having addressed several meetings of the American League for Peace and Democracy along with some of the most distinguished people in the American Government today, including the highest officials in this administration and

including many prominent members of other parties; and by that I mean the Republican Party, the Farmer-Labor Party, and the Progressive Party. In the meetings I have addressed I have found no evidence of communistic control of this organization whatsoever. Personally I am not any more for the Communist Party than I am for the Nazi Party. I am not a member of the Communist Party, but I have seen speeches made on this floor and heard remarks uttered here to the effect that if a person showed sympathy for the program of any liberal organization, with whose philosophy the person talking may be in disagreement, he must be a member himself, ipso facto, of the Communist Party.

I do not accuse the gentleman from Montana [Mr. THORKELSON] of being a member of the Silver Shirts, although its official organ, Liberation, has proposed the gentleman as a candidate for President of the United States. I do not accuse the gentleman from Montana of being a member of the German-American Bund, even though their official publications have spoken of him as perhaps the outstanding statesman in the Congress of the United States.

I recognize that the gentleman from Montana is entitled to his beliefs. Many of us may disagree with those beliefs, but we do not accuse him, therefore and inevitably, of belonging to organizations which give expression to the same ideas.

So I think we ought to use a little common sense in refusing to permit our committees to subvert the Constitution and be guilty of the conduct against which they are so prone to inveigh in the case of those in liberal or leftist organizations.

[Here the gavel fell.]

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 10 more minutes.

Mr. HOFFMAN. Reserving the right to object, I wonder, when I come along here for about 5 minutes, if you are going to get me 5 minutes more.

Mr. GEYER of California. I will be pleased to ask that you have your time extended 5 more minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THORKELSON. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I yield to the gentleman.

Mr. THORKELSON. Does the gentleman contend that the Commonwealth Federation of New York, and the Commonwealth Congress are not communistic organizations?

Mr. COFFEE of Washington. I do believe that that organization is not a communistic organization.

Mr. THORKELSON. And the principles that they propose in their bylaws are not communistic?

Mr. COFFEE of Washington. I affirm that they are not communistic. I do not agree with every principle, but I affirm they are not communistic.

Mr. THORKELSON. When they come out in their bylaws and declare themselves that they are going to destroy the United States, you say that is not communistic?

Mr. COFFEE of Washington. They definitely and decidedly do not say that in their bylaws.

Mr. THORKELSON. I understand you are one of the sponsors of it.

Mr. COFFEE of Washington. There are a great many sponsors and a great many organizations. I have never attended a meeting and have merely read their literature.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I yield.

Mr. COX. If there is not something that is bad about this so-called League for Peace and Democracy, if it is not actually a front for the Communist Party, if there were not something about it that members should wish to conceal, then why object to the publication of a list of the members of the Washington chapter?

Mr. COFFEE of Washington. I will tell you why, if I get an opportunity. The president of the local branch at Washington, D. C., of the American League for Peace and Democracy told the Dies committee chairman that voluntarily he would surrender that list if the committee would request it. The national president of that organization also told the chairman of the committee the league would be glad to surrender any documents requested, but on the other hand, the committee sent down certain agents of the committee, aided and assisted by United States deputy marshals, and they raided the office. They put padlocks upon the property, sealed the files, and virtually expelled Miss Lucy Hancock, who was temporarily in charge of the local branch offices. They kept guards in and out of the offices all night. In other words, they were guilty of the very practices which we are eager to condemn in the case of Germany and Russia. They secured these documents by illegal means, when they could have gone down there and merely asked them to produce them.

Instead of that, with a subpena duces tecum, without definite date fixed for responding, they went down there, without any time specified, and seized those documents which you know as a lawyer they had no right to seize. I want the gentleman from Georgia [Mr. Cox], who is a good lawyer, to know that I am not here in the capacity of an apologist for the American League. They may be guilty of certain practices with which I disagree. That is not the point. The point to which I am talking is that we do not want ourselves, when we are investigating un-American activities, to be guilty of those things which we charge as communism or subversiveness in others.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I yield.

Mr. COX. Of course, I agree that we should be very careful to do nothing that would reflect upon innocent people.

Mr. COFFEE of Washington. That is right.

Mr. COX. It is very easy for me to understand that our most patriotic and loyal citizen might, under certain circumstances, become a member of an organization which was bad, and be perfectly innocent in joining it. I agree that we should proceed carefully; and it is reasonable to suppose, even if the organization is bad, as charged, that there are those who happen to be members who do not, as the gentleman has said, share in the philosophy that might be embraced in and practiced by the league.

Mr. COFFEE of Washington. I thank the gentleman for his contribution.

Mr. STARNES of Alabama. Will the gentleman yield?

Mr. COFFEE of Washington. If you will allow me to proceed uninterruptedly for a moment—yes; I yield to the gentleman from Alabama, a member of the committee to which I referred.

Mr. STARNES of Alabama. I have great personal affection and esteem for the gentleman from Washington, but when he makes the bold and bald statement here that the committee seized those records unlawfully and engaged in practices which smacked of Hitlerism, and so forth, he makes a statement which has absolutely no foundation in truth, and the record speaks for itself in that connection, and at the proper time will be presented to this House so that it can pass judgment on it. I have a great regard for the gentleman, but I hope he sticks to the facts in the case. I affirm, as a member of that committee, after hearing the sworn testimony, pro and con, in this matter only on day before yesterday, and with the documentary proof before that committee, that there is absolutely no foundation in fact for the statement that the gentleman has made here on the floor today, that the committee seized those records unlawfully. They were taken under subpena duces tecum, and only brought to our committee after full knowledge and consent of the league itself, and with written letters of consent on file in our records. [Applause.]

Mr. COFFEE of Washington. I am naturally reluctant to take direct issue with my good friend, for whom I can echo the same sentiments. I have the warmest affection for the gentleman, and I say that with all sincerity and not as political blah. The gentleman and I do not always agree on matters of public policy, but I know of his great ability and I am cognizant of the fine service he has rendered.

But I say in all sincerity that I made that statement not out of whole cloth, but after talking to 18 different people, all of whom were not directly at the place at the time but

directly involved in this proceeding. I would suggest to the Dies committee that they subpena a list of witnesses which I can supply, every one of whom will affirm and back up what I have said on this floor. And they are not fly-by-nights. They are not illiterate nobodies. Among them are some of the most prominent, most intellectual, and brilliant people in the American Government. They are not engaged in lies and falsification.

So there has been some misunderstanding, one way or the other, and I would be happy if the committee would subpena the list which I will furnish to the gentleman, and the committee members can satisfy themselves then in most complete and comprehensive form.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. COFFEE of Washington. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that Dr. Matthews, the star investigator of the Dies committee, was one of the parents of this American League for Peace and Democracy baby, which he is now criticizing and condemning?

Mr. COFFEE of Washington. He is one of the original founders of the American League Against War and Fascism, which was the parent organization of the American League for Peace and Democracy.

Incidentally, I would offer as a constructive suggestion to the committee that the country might accept with more credibility the findings of the committee if at least a major share of the testimony came from those who have not been convicted of felonies. I would suggest that the country would take more kindly to the findings of the committee and the reports which they will make if the testimony concerning subversive activities would come from reputable citizens or those officials directly involved, and that if a man is charged as being a Communist in front of the committee, that he himself be subpenaed and requested to touch on that very subject himself, rather than have the chairman make the statement, or any member of the committee, that "Now that we have established that So-and-so is a Communist, let us proceed from here." [Applause.] And how have they established it? They asked some convicted felon or some disgruntled former member of an organization what was his opinion about somebody. They did that about Governor Olson, of California, and they did that about Lieut. Gov. Ellis Patterson, of California. They asked a certain gentleman what his opinion was on those matters and he said, "I think he is a Communist." Then the committee went on and made a finding to the effect that they were, in effect, Communists.

Mr. STARNES of Alabama. Mr. Speaker, will the gentleman yield for a question?

Mr. COFFEE of Washington. I will yield if the gentleman will get me more time.

Mr. STARNES of Alabama. I will ask that the gentleman's time be extended.

Mr. COFFEE of Washington. I yield.

Mr. STARNES of Alabama. May I say to the gentleman from Washington that during the course of the investigation this year we have subpenaed the heads of each of these organizations. If they do not know what their organization is and stands for, we do not know how to get the information. The committee is not responsible for the fact that the head of some of these organizations are convicted felons; we are not responsible for that.

Mr. COFFEE of Washington. Let me answer the gentleman.

Mr. STARNES of Alabama. I just wanted to get the RECORD straight on that point.

Mr. COFFEE of Washington. Let me point out to the gentleman from Alabama that his committee accepted testimony to the effect that John L. Lewis was, for practical purposes, a Communist, statements stemming from repeated asseverations that the C. I. O. was a Communist-controlled organization. Has this committee subpenaed John L. Lewis or the heads of his organization and affiliated unions to ascertain the truth of these assertions?

The committee heard testimony of witnesses to the effect that Heywood Broun was a Communist. Broun demanded a chance to appear before the committee, and finally after waiting for a month he was given an opportunity, and after waiting around all morning he came before the committee for a very short while.

The committee heard opinion evidence from witnesses to the effect that Rockwell Kent, one of America's outstanding artists, was a Communist. Was Rockwell Kent given an opportunity to appear before the committee and deny these allegations? He had to send a wire of denial to the committee. [Applause.]

[Here the gavel fell.]

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STARNES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I yield.

Mr. STARNES of Alabama. I may say for the information of the gentleman from Washington that Heywood Broun appeared before the committee and the committee heard him out of order within a very few days after the committee began its work. As soon as his name was mentioned, he appeared and we gave him the opportunity.

Let me say to the gentleman most emphatically that not one single witness who appeared before that committee ever testified that John Lewis is a Communist; not one from the beginning to this very moment has made that statement.

Mr. COFFEE of Washington. However, they testified that the C. I. O. was a Communist-controlled organization, that 12 or more or less of its international affiliated unions were Communist-controlled. The gentleman's committee did not ask these union heads to appear before the committee and explain the facts.

Mr. STARNES of Alabama. Let me answer the gentleman. Will the gentleman yield?

Mr. COFFEE of Washington. I yield.

Mr. STARNES of Alabama. Let me give the gentleman the facts. The committee addressed a letter to John L. Lewis giving him the privilege of appearing to deny any statement made by any witness with reference to the existence of communism in any part of his organization or movement, but he has not dignified the invitation with a reply.

Let me say further to the gentleman that any man whose name is mentioned in connection with this investigation who is charged with being in collusion with the Communists or any other un-American movement in this country will be extended every opportunity to appear there and deny under oath that testimony. [Applause.]

Mr. COFFEE of Washington. That is what I wanted. I wanted to be sure that such right would not be denied.

Mr. STARNES of Alabama. What the committee wants is for people to give the facts and not indulge in that sort of wild, loose statement we see made in the press and sometimes hear on the floor of the House.

Mr. THORKELSON. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Washington. I yield.

Mr. STARNES of Alabama. I do not have the floor.

Mr. COFFEE of Washington. I will have to decline to yield because the gentleman to whom the gentleman from Montana desires to direct his question does not wish to answer.

If I may proceed now; I will be through in a minute, because I know the time is very short. In many cities I have made a number of addresses on the subject of civil liberties. The plain people are gravely apprehensive lest they be deprived under one pretext or another of their precious civil liberties. At the conclusion of the last World War, we had an Attorney General of the United States by the name of A. Mitchell Palmer. Many of you who are friends of organized labor will remember that injunctions were sued out against labor unions at that time and there was continual labor baiting on the part of certain public officials working under the impact and stimulus of war hysteria, or due to an excess of patriotic zeal. What I am

concerned about is that we in the House of Representatives should be vigilant lest any of our citizens' rights be trod upon, whether we agree with the gentlemen who are affected or not, whether they be radio codes or attempts to censor the stage or the screen or whether they take the form of persecution or prosecution of organizations with the ideas of which we may be in disagreement. [Applause.] I have taken the floor today because of my indignation at the manner in which the names of reputable American citizens who are employed by the United States Government have been published in the public press under headlines by which they are denominated as reds and under a statement which says that some of them are on the mailing list of such organizations and some of them are members. What is the purpose of the chairman in giving out that list to the newspapers?

It appears to be obviously for the purpose of intimidating Government employees. It states in effect that we, a congressional committee, want you people to know you are jeopardizing your jobs. We know who you are, and we will get you when the time comes and when the hour seems propitious and appropriate. That is the effect of the published membership list on the Government employees affected. [Applause.]

I know a great many of these Government employees. I know that among the group are some of the ablest and most astute officials of the American Government. I know many members of the Washington Branch of the American League for Peace and Democracy. Some of them attend very infrequently. Some of them are interested because they supported the cause of the Spanish loyalists. Some of them are in it because they are in favor of repeal of the embargo. They support the President in his attitude on the neutrality law.

It is stated that this organization is a communistic organization. Well, the Communist Party is opposing the President in his advocacy of repeal of the embargo clause. This organization supports the President. There is, very possibly, a handful of Communists in the organization, as there is in nearly every other liberal organization.

Mr. MUNDT. Will the gentleman yield?

Mr. COFFEE of Washington. I yield to the gentleman from South Dakota.

Mr. MUNDT. I was very much interested in the discussion between the gentleman and members of the Dies committee, in which the gentleman contended that the names secured were secured in a rather roughshod manner. A member of the committee said they were secured legally. The gentleman said he could supply the committee with 18 names, among the most prominent members of the Government, who would bear out his position.

Mr. COFFEE of Washington. I said I could supply 18 names, among whom were prominent members of the Government.

Mr. MUNDT. The committee might not ask the gentleman for those names, since they are prominent men in the Government. Will the gentleman put those names in the RECORD, so that we may have contact with those gentlemen and find out the evidence they have to offer?

Mr. COFFEE of Washington. I do not intend to add any names to the list already here. I will supply the committee. I know some members of that committee still want to take that up, and I will be eager to supply those names.

Mr. Speaker, it was naturally with reluctance that I embarked upon the task of criticizing a committee of this House. One cannot be a Member of this body long without learning to cherish for his colleagues of both sides a warmth and affection which in many cases is beautiful and touching. In what I have said relative to the conduct of the Dies committee I have entertained no rancor toward its genial chairman nor toward the other members of that committee. I admit freely that the committemen have expended long hours and unremitting energy in an endeavor to learn the truth concerning un-American activities. My expressions here today have been motivated solely by convictions arising spontaneously from a profound and deep-seated disagreement with the tactics employed by the committee.

Let the unvarnished truth come forth unblushingly relative to all subversive activities, but let the persons accused have their day in court, and see to it that those adversely affected by the plenitudinous publicity, with which the committee's functioning and the chairman's numerous utterances are illuminated, may be accorded every modicum of protection and rights, as guaranteed under the laws and the Constitution, and adhered to in every court of record in our land. In all helpfulness, I earnestly suggest to the committee that it lean backward in not mistaking a subpena duces tecum for a search warrant; that it keep in mind the first amendment to the Constitution; that it meticulously uphold all regulations and statutes respecting search and seizure; that it refuse to accept evidence from convicted felons without properly discounting the same in view of the source; that it decline to admit into evidence opinion testimony wholly unsupported or unsubstantiated, and without the witness having qualified himself as required in any court of record; that it deny to publicity seekers the opportunity to use its forum as a sounding board for the venting of spites and the securing of vengeance against a person or group who discharged the witness for disloyalty or incompetence.

It seems to me to be of the utmost importance that a committee established by Congress for the purpose of revealing un-American activities should be exceedingly scrupulous to observe the legal amenities and to be watchful that it so conduct itself as not to be subjected justly to the disfavor, if not denunciation, of those who insist upon fairness and justice to even the humblest and most defenseless in our land. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal, the disposition of all business on the Speaker's table, and at the conclusion of any previous special orders, I may address the House for 1 hour.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. SIROVICH]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, at the close of the address of the gentleman from Michigan [Mr. HOFFMAN], I ask unanimous consent that I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

EXTENSION OF REMARKS

Mr. CREAL asked and was given permission to revise and extend his own remarks in the RECORD.

SPECIAL ORDER

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, the gentleman from Washington [Mr. COFFEE] made a very valuable contribution to the proceedings of the House. He has, I think, clarified some of the issues before us. The gentleman quoted Voltaire's statement about the right of free speech, and said in substance that he too, while he might disagree with what one had to say, would fight to the death to maintain his right to state or speak his views. But I wonder if the gentleman from Washington [Mr. COFFEE] had that in mind when he objected this afternoon to the insertion of an article by the gentleman from Montana [Mr. THORKELSON] in the CONGRESSIONAL RECORD? I wonder if it occurred to him at that time that the gentleman from Montana was being denied the right of free speech, the right to a free press, the right to spread on the record his views?

Mr. COFFEE of Washington. Will the gentleman yield?

Mr. HOFFMAN. Not now. I noticed, too, that the gentleman spoke about the right of every American to join any organization he wanted, and I agree with him, but I wonder if he had in mind, when he was talking about the

right of an American citizen to join an organization or not join an organization, the demand of the C. I. O., that before one may work he has to join that organization? Time and again the gentleman has upheld the activities of the C. I. O., which denies the right of an employee to join a company union, an individual union, the A. F. of L., or to remain free from all union ties if that employee would work in a factory which is under the domination of the C. I. O. Did he think about that? I wonder if he did.

Why not be consistent about some of these things? Then the gentleman became greatly exercised over the fact that some one might be accused unjustly of communism if his name was given to the public as being a member of this American League for Peace and Democracy. But the gentleman followed that up by himself making two accusations on the floor of the House against members of the Dies committee. When he makes those statements he is challenged as to their truthfulness by a member of that committee on the floor of the House.

Why shed any tears about someone being accused in a newspaper unjustly and then come on the floor of the House and accuse unjustly and falsely, as is claimed by another Member, five or six members of a committee and make charges and then have the rest of us, who are listening to the gentleman from Washington, told by the gentleman from Alabama that his charges so made are absolutely false and that there is no foundation to them?

Mr. COFFEE of Washington. The gentleman can believe whomsoever he wants to.

Mr. HOFFMAN. Certainly we can. We are looking to the gentleman to bring before the House proof of the charges he made against members of the Dies committee and make good or retract his statement. We are looking to him to bring to the House proof that someone testified before the Dies committee, as he charged, that John L. Lewis was a Communist. A member of that committee just stated on the floor that no one so testified. Behind the gentleman now sits a member of that committee, the gentleman from California [Mr. VOORHIS], who has never been accused of being a Tory or a reactionary. He said on the floor, if I heard him correctly, and he may correct me if I am in error, there was proof which convinced him that this organization to which the gentleman referred was controlled by Communists.

Mr. VOORHIS of California. I said, I believe, that I was personally compelled to the conclusion, on the basis of evidence that had been presented to me and the committee, that this organization was substantially dominated by the Communist Party.

Mr. HOFFMAN. That is the statement I understood the gentleman to make.

The gentleman from Washington [Mr. COFFEE], who so often intimates that some of us, myself in particular, are antilabor, is, in my humble opinion, utterly mistaken in his conclusions that the Dies committee has done a grievous wrong. As the record stands, those in whose behalf he speaks belong to an organization which, however worthy its avowed purpose, is controlled by another organization which teaches the overthrow of our Government by force. Giving the members of the first organization the benefit of the doubt to which they are entitled, the fact now remains that that organization has been branded in public as being controlled by the Communists. Why, then, should not every patriotic American who is a member of that organization and who does not approve of the teachings of the Communist Party get out of it and get out of it publicly. No doubt but that the names of some of these individuals who are members of the American League for Peace and Democracy have been used, prior to this time, to secure other members to give weight to the arguments given out by the league. If the league, as it is claimed, is now shown to be controlled by the Communists, those same members should welcome the opportunity to publicly sever their connections with it. Why be used as a stooge by the Communist Party?

But the thought which I want to bring to the House at this time is this: The gentleman from Washington today, as he does so often, calls attention to the necessity of preserving civil liberty in this country. He spoke of the necessity of free speech, of a free press, if our liberties are to be maintained. But today he denied to a fellow Member the right of free speech. He spoke of the right of a man to join an organization, but often he has spoken in favor of an organization which denies the right of the worker to join any organization other than its own. He spoke of the injustice of making false accusations.

If we believe the statements of the gentleman from California [Mr. VOORHIS], and the statement of the gentleman from Alabama [Mr. STARNES], who are members of the Dies committee, then the gentleman from Washington makes an accusation against that committee which was without foundation of fact. Why so bitterly condemn these three things and then, almost before the echo of his condemnation has died away, commit the same fault?

Mr. STARNES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Alabama.

Mr. STARNES of Alabama. The proof before the committee is absolutely conclusive, both at our hearings last year and again this year, that the organization was founded by Communists—and that was found and reported to the House—and that it is dominated and controlled by the Communist Party as a Communist-front organization.

Mr. HOFFMAN. Here the Members of the House have before them the fair, plain issue as to whether the gentleman from California [Mr. VOORHIS] and the gentleman from Alabama [Mr. STARNES] are correct or whether the gentleman from Washington [Mr. COFFEE] is accurate in his statement. It seems to me it is about time, with these charges floating back and forth and the House appropriating $100,000, or whatever the sum was, for the Dies committee to carry on its activities—and I heartily support the committee as a whole and am in sympathy with its activities—for us to learn whether the committee is carrying out its activities in an American way and under the Constitution, or whether it is true, as the gentleman from Washington has said, that it seized illegally, and in violation of civil rights, the records of this organization. If it appears in the end that the committee is correct and is not subject to criticism, then it is due the House and it is due the gentleman from Washington himself that he rise on the floor of the House and say that he is mistaken.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; for a question.

Mr. COFFEE of Washington. The president of the local branch was before the Dies committee yesterday afternoon and stated categorically that these documents were seized. The secretary was there and ready to testify. All the officers were present and ready to testify to the same thing. The gentleman can draw his own conclusions as to which is correct.

Mr. HOFFMAN. And you can draw your own conclusions when you know it is a fundamental principle of the Communist Party for its members to deny all connection with that party when they are called upon.

Mr. COFFEE of Washington. If the gentleman wishes to infer that these reputable persons are Communists, let him make the statement away from this Hall and hold himself liable to a civil court.

Mr. HOFFMAN. I did not say, and I did not intend to say, here or elsewhere that any member of that organization is a Communist, for I have not read the testimony, and I am not aware that I am acquainted with a single member of the organization, and most assuredly, I would not make a charge of any kind unless I had a substantial foundation for that charge.

The gentleman from Washington is very free with his accusations and with his condemnation of those who do not agree with his conclusions, and he should be fairly accurate in his statements which purport to be statements of fact.

I am not charging that they are Communists. In fact, as I understand the statements which have been made on the floor,

the committee itself gives out the information not that individuals who are named are Communists but, rather, that they are not Communists, but that they belong to an organization which was founded by and whose activities are controlled by Communists.

Mr. COFFEE of Washington. I want to say positively that they are not Communists.

Mr. HOFFMAN. I am not charging that they are. I am saying here and now that a member of the committee stated a moment ago that there was proof that the organization was substantially controlled by Communists. What I cannot understand is this: Why should any man be ashamed of joining an organization or belonging to an organization and remain a member of that organization? If I belong to the Methodist Church, I am not running around apologizing for it. If I am a veteran of the Civil War or a World War veteran, I am not apologizing for it. If I belong to the Masonic order, I am not apologizing for it. If I belong to the order of skunks——

Mr. COFFEE of Washington. Maybe you do.

Mr. HOFFMAN. I will not apologize for it so long as I continue a member in good standing.

Mr. COFFEE of Washington. I was just joking.

Mr. HOFFMAN. Maybe I do, but if I do I do not go around apologizing for it. When I find I belong to an organization I am ashamed of, I will welcome the opportunity to resign and withdraw.

Mr. COFFEE of Washington. I want to comment on what the gentleman said, that I was ashamed to belong to these organizations. I was not ashamed to belong to the organizations. I was ashamed of being branded, and they object to being branded, as "reds" in the newspapers by any handout of the Dies committee.

Mr. HOFFMAN. That is all right, but here is the point: If the organization, as the gentleman from California [Mr. VOORHIS] says, is controlled by the Communists, is it not time that these people who object to being classed as Communists, which they are not—and I accept your statement on that—is it not time they withdrew?

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield to me briefly?

Mr. HOFFMAN. If I were branded as belonging to an order of ex-convicts, and it was not true, and it was printed in the papers, immediately I would deny it and get my name printed there as not being a member, and we will be glad, I am sure, to give the unanimous consent of this House to publish a list of the members of this league with a statement that they do not belong to the Communist Party and are not Communists, as you say they are not, and I accept your word. I have no doubt but that many people who are not Communists have been caught in bad company in an organization which is controlled by Communists.

Mr. COFFEE of Washington. How would you like to have your name printed as a Communist in the headlines of every paper of the United States and then have them say later on that they would give you an opportunity to deny it?

Mr. HOFFMAN. I have been called things as bad as a Communist and it never worried me. I just thought the man was uninformed or that his judgment was poor. It is what a man is, not what is said about him that matters. Once a man was crucified because of what was said about Him but it is through His name that we ask divine help.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from California.

Mr. VOORHIS of California. I just want the gentleman to realize that the statement which I make is on the basis of what I have had presented to me and that I have been in a position, as a member of this committee, to have a lot of these things presented to me that hardly anybody else would have presented to him, and I believe that is an important thing to bear in mind.

Mr. HOFFMAN. I am accepting the gentleman's statement, because, as I have stated, everyone here on the floor, I am sure, who has heard the very earnest and conscientious gentleman from California speak, realizes he is honest and that he is earnest. We all know that and we also know that your sympathies go toward the left instead of the right or a reactionary administration.

Mr. VOORHIS of California. That is right.

Mr. HOFFMAN. So when you say this organization is controlled by the Communists, we accept it, while, perhaps, if somebody on the extreme right made such a statement, we would not be so quick to accept it. When you, Mr. VOORHIS, say that the evidence presented to you convinces you that this organization is controlled by the Communists, I am quite sure not only that those who control it are pink, but that they are red, a deep, dark red.

[Here the gavel fell.]

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 or 10 more minutes—which does the gentleman want?

Mr. HOFFMAN. Five minutes will be enough, if the gentleman does not take all of it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEYER of California. I just want to ask the gentleman's permission to make this observation——

Mr. HOFFMAN. Make a speech, you mean; go ahead. [Laughter.]

Mr. GEYER of California. Just a short one. Everyone knows what I think of my colleague the gentleman from California [Mr. VOORHIS], but inasmuch as there are 25 members on the executive board of this League for Peace and Democracy and 2 of those members are members of the Communist Party, 3 of them are reverends in the different churches, I hope he will put in the RECORD how he has arrived at the conclusion that this organization is controlled by the Communist Party rather than by the Christian organizations of this Nation. I think the gentleman is mistaken.

Mr. HOFFMAN. Will the gentleman yield me 1 minute now? [Laughter.]

Mr. GEYER of California. Yes; you may have a minute now.

Mr. HOFFMAN. Here is the thought I would like to leave with you. The Communist Party preaches the overthrow of this Government by force. Now, why should anyone who subscribes to that doctrine and who is willing to carry it out, be retained in the service of the United States Government, the Government which that organization seeks to overthrow? [Applause.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield on that point?

Mr. HOFFMAN. I yield to the gentleman the balance of my time.

Mr. SCHAFER of Wisconsin. No; I want the gentleman to yield for a question.

It is not astonishing to find so many members of the New Deal administration in this list. I may say that in Milwaukee, the American League for Peace and Democracy, a creature of the Communist Party, has been working on a broad and active front with the Communist Party. I do not see why the Members of Congress should be so hesitant about printing that list in the RECORD. May I ask the gentleman if he does not concur in the belief that the Dies committee should immediately call each and every one of those Government employees and swear them and then ask each and every one of them if they now belong or have ever belonged to this communistic American League for Peace and Democracy. I have in my office—and if the gentleman wants to get the information he can do so—the campaign literature put out in the 1938 campaign in Milwaukee by the Communist Party, which states that the people of Wisconsin should elect new dealers to Congress who will give active support to President Roosevelt's New Deal.

Mr. GORE. Will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. GORE. Much has been said about the right of the American citizen to join any organization. I have listened with interest and have not heard that right controverted. Is it not also the right of the American people to know the

membership of any organization, and especially one which is conceived in, and nurtured by subversive philosophy?

Mr. HOFFMAN. Unless the organization is disreputable I suppose anyone would be proud to have his name published as a member. I understand the Daughters of the American Revolution like to have their names printed in this, that, or the other. Members of Congress always like to be introduced as "Congressman Jones." They love to see their names in print as Members of Congress. If not proud of an organization why not get out? [Applause and laughter.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under special order the gentleman from California [Mr. VOORHIS] is recognized for 10 minutes.

Mr. VOORHIS of California. Mr. Speaker, I had not intended to speak on some of these things at this particular time, but there has been so much discussed today that it seemed to me almost necessary to do so.

Last January I opposed the continuance of the Dies committee. Subsequent to that time the Speaker asked me to become a member of this committee. I appreciated the confidence he showed in me more than I can say, and since that time I have been a member of this committee.

What I want to give today is as nearly accurate a picture as I can give you in a few minutes, both of the work of that committee and what the real truth is about some of these things we hear so much about.

I am going to preface it by saying that I think there are certain real dangers to American democracy today. I cannot discuss them all. I think one of the real dangers is the real, honest-to-goodness subversive activities. I think there are some of them on the extreme right, and I think there are some of them on the extreme left. I think another danger is the danger of the cheap political efforts on the part of people of both moderate right and moderate left to brand their political opponents with labels which they are not entitled to, and to try to lump them in with groups which really are not fundamentally devoted to the principles of American constitutional democracy. Of those dangers I am frank to say that I think the second one is more serious than the first, but I am also frank to say that I believe that an investigation, properly and carefully conducted, to bring out the facts regarding those movements which are fundamentally devoted to foreign systems of government and basically controlled by foreign agents and governments is a good thing.

After all, democracy cannot use the kind of methods that dictatorships use in defending themselves against movements which seek to undermine its foundations and destroy the liberty upon which those organizations are able to grow. If a democracy cannot do that, then the only method democracy has to rely upon is the method of decent and full publicity.

I am perfectly willing to say right now that as far as I am personally concerned, I do not believe the way to handle the problem of real subversive activities is to suppress organizations. The reason I say that is because I think such action is contrary to the principle of democracy; that we cannot do it in the case of one organization without threatening others, because I do not think it would be wise or smart or effective, because as soon as you do that you drive something underground and make it much more dangerous than would otherwise be the case.

I think the only remedies we have are two: First, to require full publicity and full facts about every organization that professes to teach the American people any kind of political doctrine whatsoever. Second, a constructive reform of the economic situation of this country so that you will not have the soil in which those things are allowed to grow.

I think many people who welcome the work of this committee are omitting the necessary emphasis on these economic requirements which are absolutely necessary in order to constructively solve this problem.

Now, I want to say one or two things. In the first place, I think that substantially the work of this committee has been important. There have been some people called as witnesses who have been in jail. That is true. Heads of organizations have been called also, however, as the gentleman from Alabama [Mr. STARNES] has pointed out. I have tried, and other members of the committee have tried, to have a balanced record, and I think that anybody who takes the trouble to read the record he will find that the record is balanced. That, for example, when witnesses come along and state that an organization is a communistic organization, they have been asked the question whether they meant the members of that organization were Communists or not.

The answer was "No; we do not mean that. We mean to say that a handful of people, by careful organization and careful work, have succeeded in gaining and keeping control over its policies and actions, which enabled them to work their will with the larger organization." And may I say that this has been possible primarily because people like me, for instance, have not worked hard enough and effectively enough at solving the problems of the people of our country, and have not done as well as we might have for the oppressed people of this country, and have let other groups of people with ulterior motives come in and do that job.

Other questions have been asked. References have been made today to the matter of John L. Lewis. Let me say that never once has any witness before the committee accused John L. Lewis of being a Communist. Over and over again those witnesses have been enjoined by members of the committee on that very point, and I am positive the record is clear. There has been testimony regarding other people and regarding labor organizations; and I can say that in every one of those cases likewise the question has been asked: "Do you mean to charge that the membership of this labor organization is composed of Communists?" And every single time the answer is no, that what really has happened has been that a small group of people once again has gained an undue amount of influence.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. COFFEE of Washington. Then the gentleman feels that the committee by its action in allowing the list of names to be published has made possible the committing of a grave injustice, does he not?

Mr. VOORHIS of California. I will come to that point right now. I may say to the gentleman from Washington that I think the publishing of the list of names is wrong. Let me give the reasons why I believe so. I believe so, first, because I know perfectly well, and the committee in its statement so states, that it has no evidence that these people are Communists. The list is not published by the committee with that in view, or with the view of making any such charge. I agree with the gentleman from Washington that the way this publicity is put out with the kind of headlines that accompany it does a grave injustice to these people.

I feel, furthermore, that it has made the same mistake that has been made over and over in the past by people who thought they were combatting subversive activities in this country, the mistake of including large numbers of people who, everybody will know, are not Communists, Nazis, or anything else un-American. The result is that when real facts about these things are presented they are not nearly as effective as they otherwise would be. I believe, furthermore, that the real job this committee has to do is not that of questioning individuals or obtaining and publishing lists of individuals, but determining as near as it can the facts about organizations.

What are un-American activities? What are the things this committee should pay attention to—and which, substantially, I want to say in fairness I believe the committee has paid attention to? I think they are these: I think they are the activities of organizations which are substantially controlled and directed from outside the United States and are under the influence of foreign governments or foreign agencies.

This is what I conceive the work of this committee to be. I do not believe it is the work of this committee to question

the economic views of any person. All Americans have a right to their own economic views. I also believe that the work of the committee can be regarded as including the activities of organizations which seek by means of forceful methods to deny to any group of people their constitutional American rights either by stirring up racial hatred or any similar method.

[Here the gavel fell.]

Mr. LEAVY. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. LEAVY. I feel that I have kept a fairly open mind on the matter of the merits or demerits of the Dies committee. I have heard it praised and I have heard it condemned, both in measure beyond its possible just deserts. To me the severest criticism of the committee is that it seized books, records, and papers in violation of the Constitution, in violation of the laws of the land, and went beyond its jurisdiction. I do not know whether this charge be true or false, but I do feel that in fairness to the Congress which created this committee the record ought to be cleared. If the facts be as the officers of this league in question contend, then certainly the seizure was illegal. No court in America would permit evidence obtained in that manner to be used. If on the other hand there was a voluntary surrender by someone in authority of the books, documents, and papers to an agent or representative of the committee we would have an entirely different situation. I think this ought to be cleared up and I believe the committee owes it to the Congress to clear it up, certainly before it asks for further funds.

Mr. VOORHIS of California. I am in agreement with the gentleman that it should be cleared up. I, unfortunately, am not a lawyer. From what I have been able to gather about the facts of this matter, my own private judgment is that the thing boils down largely to a feeling on the one hand that a subpena should not have been used, that a simple request should have been made for these records, and on the other hand to the fact that a subpena was used. I am not convinced in my own mind that the records were seized without consent. My understanding is that consent was given. Personally I would be very glad to have any further facts on this matter brought out. I am not in favor, and I do not believe the other members of the committee are in favor, of having the committee proceed in any manner contrary to a strict adherence to the Constitution.

Mr. STARNES of Alabama and Mr. PITTENGER rose.

Mr. VOORHIS of California. I yield first to the gentleman from Alabama.

Mr. STARNES of Alabama. In order to clear up any misapprehension that may exist about this so-called illegal seizure of records, I made the flat statement on the floor a moment ago that it was without foundation. The facts adduced by sworn testimony before the committee in regard to this dispute from both sides were about as follows: A subpena duces tecum was issued. An agent of the committee went to the headquarters of the local branch to serve the subpena and found no one present who was willing to accept service. The lady who was supposed to work in the office absented herself and stayed away for hours. Under the circumstances the investigator called the attorney for the committee who had previously worked with the F. B. I. for 10 years and who is a trained lawyer. He came down to headquarters. He called the head of the Washington branch, a lawyer. That gentleman came over to the local headquarters and then they called Dr. Ward, head of the national organization in New York City, and Dr. Ward so testified.

Not a single record was removed from that office, not a one, on that occasion, but with the consent of everybody present on both sides were locked up in a closet in the office by the investigator. The office was then locked up and the key retained by the American League for Peace and Democracy. On the following day, with the full consent of the local branch, and over the signature of the head of the local branch, these records were brought up to the committee. Those are the sworn facts. As to little items of dispute or as to matters of personal feeling, those are inconsequential. No records are being seized illegally; no records have been obtained except by subpena duces tecum, and after the subpena was issued the records were not brought into the possession of the committee until written consent of the head of the organization was given. Call that illegal if you wish. Those are the facts, based on sworn testimony in the record and not hearsay.

Mr. LEAVY. May I say that I did not state that any procedure was illegal. I stated that the facts ought to be given the House.

Mr. STARNES of Alabama. Those are the facts, I can assure the gentleman, and the record will bear them out.

Mr. LEAVY. I would like to know to whom the subpena duces tecum was directed. Certainly it was directed to somebody.

Mr. VOORHIS of California. As I understand, it was directed to the head of the American League for Peace and Democracy.

Mr. LEAVY. It named an individual?

Mr. VOORHIS of California. As I understand, it did.

Mr. LEAVY. Then, of course, there could be no rights accrue under it until it was served on the individual to whom it was directed.

[Here the gavel fell.]

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. PITTENGER]?

There was no objection.

Mr. PITTENGER. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Minnesota.

Mr. PITTENGER. I want to make an observation and then ask the gentleman a question. I have attended several meetings of the committee as a bystander and as a Member of Congress. I have yet to find in any of those meetings an indication on the part of any member of that committee to be unfair to anybody, or an indication on the part of any member of that committee to deprive anybody of the right to come and testify and give information to it. The gentleman being a member of the committee, may I ask if he has found that any member of the committee tried to deprive anybody of any rights before that committee?

Mr. VOORHIS of California. I thank the gentleman and I may say to the gentleman that on the whole the committee has conducted its hearings in a proper, fair way. There have been things happen from time to time that I might not altogether have agreed with, but I believe the mistakes that have been made, where they have been made, have been made not in the hearings but in matters like the publication of this list and matters of that character.

Mr. GORE. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Tennessee.

Mr. GORE. May I make the observation in all fairness that in my opinion the gentleman from California has demonstrated himself to be exemplary and patriotic.

Mr. VOORHIS of California. I thank the gentleman very much.

Mr. Speaker, the difficulty with the work of a committee of this kind is that certain facts may be seized upon and used in ways that are not justified by the facts themselves. Findings of this committee might for example be used as an excuse for persecution of labor. In my opinion, if I may give the picture very briefly, the real truth about the matter is that we have comparatively small groups of people in this country, the Nazis and Fascists on the one hand and Communists on the other, substantially devoted to foreign sys-

tems of government, that attempt to work in the interest of those foreign systems of government in the United States. These comparatively small groups have set up other organizations as fronts and have tried to penetrate existing organizations. Sometimes they have been able to maintain a real control over quite a period of time in some organizations.

But I think it is equally important, rather I think it is even more important, for us to be sure that we do not stop working for things that are right just because the wrong people work for the things that are right or because they may claim that they are doing so.

From the testimony of Mr. Browder before the committee one gains the impression that almost every kind of organization throughout the entire country is a "transmission belt" for the Communist Party. That is what Mr. Browder said. If one were to say that every one of those organizations was one that you could not have anything to do with your hands would be completely tied, so obviously you cannot do that. I do think that the time comes in the case of certain organizations when the evidence of domination by either Communist, Nazi, or Fascist groups is sufficiently great so that that particular organization can be honestly said to be dominated by one of those groups. But even in such cases the vast majority of members of the organization are, of course, unconscious of what has happened and the greatest care should be exercised to make this distinction clear. I believe this in true of the membership of the American League for Peace and Democracy.

The committee work, I am frank to say, has been extremely difficult for me. It has been difficult for me because I wanted to be fair and I wanted to be honest and because I know in my own heart that the only solution for the problem that American democracy faces today lies in a very earnest, courageous, and progressive program of economic reconstruction. I hate to feel that anything I am doing is harmful to that.

I have had this assurance from the members of the committee, and I believe it is absolutely true, that anybody who feels himself to have been falsely accused before the committee will be given full opportunity to come before the committee and state his case. Certainly I shall insist upon that but I do not think it will be necessary for me to do a great deal of insisting. I think it is the committee's intention to do that, and I have assurances to that effect.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. Does not the gentleman believe it fair that you should hesitate to allow the hearsay and unsupported and unqualified statements of some witness before the committee charging a reputable citizen with being a Communist to go into the record? Why allow that to go into the record and be blazoned in every newspaper in the land, even though later the man may have a chance to come before the committee and deny it?

Mr. VOORHIS of California. I do not think an unsupported statement like that by anybody about anyone should be allowed to go into the record. I will say to the gentleman that I have tried to prevent that from happening, but many witnesses have come with what seemed to me to be substantial evidence in cases of that kind.

I believe there has been a good deal of misrepresentation about the work of the committee. I think that many things have been represented as being quite different from what they really were and that the record of the committee will read very differently from what some of the newspaper accounts of its hearings show.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Wisconsin.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the time of the gentleman may be extended 2 minutes. I desire to ask a brief question.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHAFER of Wisconsin. Has the Dies committee investigated to determine how, when, where, and why their star witness, Mr. Samuel Ginsberg, alias General Krivitsky, illegally entered America and why he has been permitted to run around our country for about 2 years notwithstanding the fact that he testified that he was a big shot in the Moscow Communist secret police during the 17-year period in which the Communist brethren in Moscow were undermining our American institutions according to his own admissions?

Mr. VOORHIS of California. All I know is that I have been satisfied with the information I have been given by the State Department about his admission to this country. That is all I know.

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from California.

Mr. GEYER of California. Will the gentleman also tell us why, since this man double-crossed one organization, his word is given credence here? Whatever the organization may have been, he has double-crossed one. The leopard does not change its spots.

Mr. VOORHIS of California. As far as I am concerned, I believe that any dictatorship in the world, wherever it is set up and from whatever ideological start it is made, is compelled in the course of time to resort to violence and sometimes to methods of what we call purging in order to maintain itself in power. I believe that has happened in European nations. I think it is inevitable in the case of all dictatorships. This is the reason I am so much in earnest about preserving democracy in America and why I want to seek out earnestly the real facts about efforts to end our liberty and destroy our institutions, and also why I want to work for the economic change which will preserve our democracy on a firm foundation.

The only answer I can make to the gentleman's question is that I am not convinced that this gentleman did double-cross anybody. On the contrary, I am of the opinion that he simply left an organization that he felt he could not serve longer.

Mr. GEYER of California. Of course, quite a few of those on your list of witnesses have been of that character, have they not, jailbirds and others who have served sentences?

Mr. VOORHIS of California. There are former members of certain organizations who have left those organizations.

Mr. GEYER of California. Disgruntled, and the like?

Mr. VOORHIS of California. That is true. I may say this much to the gentleman, that the committee would have been able to give a much clearer and fuller picture of Nazi and Fascist activities in this country had there been more witnesses of that character on that side of the question who could have been called.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Washington.

Mr. HILL. The gentleman from California said he was interested in two things. One was to unearth subversive and un-American activities.

Mr. VOORHIS of California. I mean the real ones.

Mr. HILL. Second, to solve our domestic problems so that such activities would not have a fertile field to grow in.

Mr. VOORHIS of California. That is right.

Mr. HILL. Does not the gentleman believe we ought to spend our time and our efforts in this Congress in doing the second thing rather than the first?

Mr. VOORHIS of California. I believe it is much more important, I may say to the gentleman, and let me say

further that if I did not feel it was a duty of mine to remain on this committee and try to help to do this work as best I can, I would be tremendously relieved if I could come back in this House every day and work on that constructive side of the business. [Applause.]

[Here the gavel fell.]

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 46 minutes p. m.) the House adjourned until tomorrow, Thursday, October 26, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHANDLER:

H. R. 7599. A bill to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States and direct appeals to the Supreme Court of the United States in certain cases involving the constitutionality of acts of State legislatures, and for other purposes; to the Committee on the Judiciary.

By Mr. BURDICK:

H. R. 7600. A bill to eliminate debt money and taxes; to set up an honest, scientific monetary system based on the potential productivity of the country, and which shall reflect the needs of consumers as well as producers, and for other purposes; to the Committee on Banking and Currency.

By Mr. HORTON:

H. Res. 318. Resolution amending rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5825. By Mr. FLAHERTY: Petition of the Massachusetts State Federation of Labor, Boston, Mass., opposing reciprocal trade pacts; to the Committee on Ways and Means.

5826. Also, resolution of group of American citizens, Marion Exter, secretary, Cambridge, Mass., urging the United States to discontinue shipments of American goods and machinery to the Japanese Government for the prosecution of the war against China; to the Committee on Foreign Affairs.

5827. Also, petition of the Massachusetts State Federation of Labor, Boston, Mass., opposing the furlough provisions in the relief appropriation act and also requirement making skilled workers work the same number of hours for the same so-called security wage as unskilled workers; to the Committee on Appropriations.

5828. Also, petition of the Massachusetts State Federation of Labor, Boston, Mass., urging repeal of the Hatch bill; to the Committee on the Judiciary.

5829. Also, petition of the Cambridge (Mass.) City Council, urging repeal of the furlough provision of the Relief Appropriation Act; to the Committee on Appropriations.

5830. By Mr. GILLIE: Petition of 50 members of the Women's Class of the St. John's Reformed Church, Fort Wayne, Ind., urging that the arms embargo be maintained; to the Committee on Foreign Affairs.

5831. Also, petition of Elias Souder and 40 members of the Leo Apostolic Christian Sunday School, of Grabill, Ind., urging Congress to keep the arms embargo; to the Committee on Foreign Affairs.

5832. By the SPEAKER: Petition of the Bergen County Women's Republican Club, Hackensack, N. J., petitioning consideration of their resolution with reference to the Dies committee investigating un-American activities; to the Committee on Appropriations.

5833. Also, petition of the Wisconsin Mink Breeders' Association, Fort Atkinson, Wis., petitioning consideration of their resolution with reference to the Canadian trade agreement, concerning all mink pelts; to the Committee on Foreign Affairs.

SENATE

THURSDAY, OCTOBER 26, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Unto Thee, O Lord, do we lift up our voice, for all things in Heaven and earth are Thine, and in Thy gracious keeping are the hearts of men. Loose the bonds that bind our souls in this benumbing age; quicken the consciences of men that they may realize that the difficulties in the world are the result of opposition to Thy will; let no one be deceived by fame, whose loud wings do but fan to flame the ashes of the past; rather let us be humbly grateful for the present privilege of sharing with Thee in bettering men's lives. Since Thou hast had Thy way with us, hasten, dear Lord, the work of peace, and show us our part in the redemption of the world from cruelty and hate, the achievement of which is mainly Thine. We ask it in the name of Him whose kingdom is our hearts' desire, and whose will for men is love, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, October 25, 1939, was dispensed with, and the Journal was approved.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Young Democrats Club of Washington, D. C., favoring repeal of the embargo provision of the existing Neutrality Act and the enactment in its stead of the proposed cash-and-carry plan, which was ordered to lie on the table.

He also laid before the Senate the petition of the Council of American Master Mariners, New York City, N. Y., praying for the elimination of restrictions on shipping and commerce in pending neutrality legislation, and the preservation of the right of freedom of the seas subject to international law for all vessels of the United States, which was ordered to lie on the table.

Mr. HOLT presented a resolution of the Federation of Women's Clubs, Central District, in the State of West Virginia, favoring the enactment of such neutrality legislation as will most likely keep the United States out of any foreign war, which was ordered to lie on the table.

Mr. LODGE presented the petition of Rev. and Mrs. Alexander Stewart, of Malden, Mass., praying for the preservation of American neutrality and peace, and also that the present embargo on the shipment of arms and munitions to warring nations may be retained, which was ordered to lie on the table.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

S. 2990. A bill to provide for adjusting the compensation of persons employed as guards and guard officers at navy yards, and for other purposes;

S. 2991. A bill to authorize the Secretary of the Navy to accept on behalf of the United States certain lands in the city of National City, Calif.;

S. 2992. A bill to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States, at Quantico, Va.; and

S. 2993. A bill to authorize an exchange of lands between the city of San Diego, Calif., and the United States, and acceptance by gift of certain lands from the city of San Diego, Calif.; to the Committee on Naval Affairs.

By Mr. BURKE:

S. 2994. A bill for the relief of Joseph Soulek; to the Committee on Claims.

NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENTS

Mr. WALSH submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

At the end of section 2 insert the following new subsection:
"( ) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any state named in such proclamation any of the articles or materials enumerated in category VI, group 2, in the President's proclamation No. 2349, of September 5, 1939."

Mr. JOHNSON of California and Mr. DOWNEY, jointly, submitted amendments intended to be proposed by them to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

On page 16, line 13, after the word "materials", insert "except copyrighted articles or materials."
On page 17, line 3, after the word "citizen", insert "(1)"; and in line 5 after the word "materials", insert "or (2) in connection with the exportation or transportation of any such copyrighted articles or materials."

Mr. NYE submitted amendments intended to be proposed by him to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which were ordered to lie on the table and to be printed.

Mr. CONNALLY submitted amendments intended to be proposed by him to the committee amendment to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, which were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

At the end of section 2, insert the following new subsection:
"(k) The provisions of subsection (c) of this section shall not apply to transportation by any neutral vessel of any articles or materials to any port referred to in subsection (g) of this section if no part of the cargo of such neutral vessel consists of articles or materials listed in a proclamation issued under the authority of section 12 (i)."
In the first sentence of section 2 (i) after the word "apply", insert, "and every neutral vessel to which the provisions of subsection (k) apply."
In the second sentence of section 2 (i), strike out "and (h)" wherever it appears and insert in lieu thereof "(h), and (k)."
In section 2 (j), strike out "and (i)" and insert in lieu thereof "(i), and (k)."
In clause (4) of section 2 (g), strike out the word "South" before the word "Atlantic."

COMMITTEE SERVICE

Mr. BARKLEY. Mr. President, I send to the desk an order and ask unanimous consent for its present consideration.

There being no objection, the order was read, considered, and agreed to, as follows:

Ordered, That the Senator from Kentucky, Mr. CHANDLER, be assigned to service on the Committees on Military Affairs, Mines and Mining, and Privileges and Elections.

Mr. BARKLEY. Mr. President, I wish to say that there are some other vacancies on committees for which a number of Senators have made application to the steering committee. The committee decided, in view of the fact that committees are not meeting at this session and will not meet until January for legislative purposes, that it would not fill any other vacancies except those to which my colleague has been assigned this morning. All other vacancies are open, therefore, until January.

CHRONOLOGY OF AMERICAN FOREIGN POLICY FROM JULY 1937

[Mr. NYE asked and obtained leave to have printed in the RECORD a chronology of American foreign policy from July 1937 to date, prepared by him, which appears in the Appendix.]

LEGAL ASPECTS OF NEUTRALITY PROBLEM—REPORT OF AMERICAN BAR ASSOCIATION

[Mr. MEAD asked and obtained leave to have printed in the RECORD a report signed by James W. Ryan, Esq., chairman, section of international and comparative law of the American Bar Association, and a report of the American Bar Association's committee on law protecting Americans and their property in foreign countries and on the high seas, both relating to pending neutrality legislation, which appear in the Appendix.]

ADDRESS BY MSGR. JOHN A. RYAN ON THE QUESTION OF EMBARGO REPEAL

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by Rt. Rev. Msgr. John A. Ryan on the subject Shall the Embargo Be Lifted? which appears in the Appendix.]

ADDRESS ON CIVIL AERONAUTICS BY HON. HARLLEE BRANCH

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD an address on civil aeronautics delivered by Hon. Harllee Branch, Vice Chairman of the Civil Aeronautics Authority, at New Orleans, La., on October 13, 1939, which appears in the Appendix.]

ADDRESS BY JAMES A. FARRELL BEFORE NATIONAL FOREIGN TRADE CONVENTION

[Mr. MURRAY asked and obtained leave to have printed in the RECORD the address delivered by Mr. James A. Farrell, of New York, at the Twenty-sixth National Foreign Trade Convention, held in New York City on October 9, 1939, which appears in the Appendix.]

AMERICAN NEUTRALITY—ARTICLE FROM THE TIMBER TRADES JOURNAL OF LONDON, ENGLAND

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an article entitled "America Takes the Cash," published in the Timber Trades Journal of London, England, of the issue of September 30, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR WALSH AT GOLD STAR MOTHER'S DAY OBSERVANCE

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address on peace, delivered by him at the Gold Star Mother's Day observance in Washington, Sunday, September 24, 1939, which appears in the Appendix.]

NOTES ON A MORAL WAR—EDITORIAL BY H. L. MENCKEN

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial by H. L. Mencken entitled "Notes on a Moral War," published in the Baltimore Sun of October 8, 1939, which appears in the Appendix.]

EMBARGO HISTORY—EDITORIAL IN THE SATURDAY EVENING POST

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial entitled "Reciting History," published in the Saturday Evening Post of October 28, 1939, which appears in the Appendix.]

COLUMBIA'S PEACE PRAYER—POEM BY JENS K. GRONDAHL

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a poem entitled "Columbia's Peace Prayer," written by Jens K. Grondahl, editor, Daily Republican, Red Wing, Minn., which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. DANAHER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DANAHER. I should like to know if it is in order for me to be recognized to submit a proposed amendment to the pending joint resolution.

The VICE PRESIDENT. There is pending an amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment offered by the Senator from New Hampshire [Mr. TOBEY]. Yesterday or the day before the Senator from West Virginia [Mr. NEELY] requested the Chair to recognize him upon the convening of the Senate this morning, as he had a few remarks to make to the Senate. That is the parliamentary situation. When the pending amendment shall have been disposed of and the Senator from West Virginia shall have concluded his remarks, the Chair will be glad to recognize the Senator from Connecticut to offer his amendment.

Mr. DANAHER. I am very appreciative of the statement of the Chair.

Mr. BARKLEY. Mr. President, the Senator from West Virginia is entirely agreeable that the pending amendment be disposed of before he is recognized.

The VICE PRESIDENT. The Chair has not been advised of that; the Chairman cannot read minds; and the Chair was stating what the situation was.

Mr. BARKLEY. I will say to the Chair that I myself was just advised of the fact, and I mentioned it as soon as I could.

The VICE PRESIDENT. The Chair is much obliged to the Senator from Kentucky for giving him the information and now will proceed to put the question on the amendment before the Senate, which is the amendment of the Senator from Missouri to the amendment offered by the Senator from New Hampshire.

Mr. BARKLEY. I wish first, Mr. President, to suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Borah	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	Wheeler
Connally	Johnson, Calif.	Radcliffe	White
Danaher	Johnson, Colo.	Reynolds	Wiley

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The VICE PRESIDENT. Ninety-two Senators have answered to their names. A quorum is present.

The Chair will again state the parliamentary situation. The question before the Senate is the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment offered by the Senator from New Hampshire [Mr. TOBEY].

Mr. McNARY. Mr. President, yesterday evening when the Senate took a recess there was a general understanding that the Senator from New Hampshire and the Senator from Missouri would reach an agreement with regard to the amendment offered first by the Senator from New Hampshire. A proposal has been made, in a general way, as to an amendment to be proposed as a substitute. I am curious to know on what the Senate is to vote.

The VICE PRESIDENT. The Chair observed in the RECORD, what the Senator from Oregon suggests, but, so far as the parliamentary status is concerned, the pending question before the Senate is, as the Chair has stated, on the amendment offered by the Senator from Missouri to the amendment offered by the Senator from New Hampshire. If any other arrangement has been made, the Chair has not been advised of it.

Mr. McNARY. I am sure that is an accurate statement of the RECORD but, aside from that, there was a general understanding that there would be an effort made among three or four Senators to reach a conclusion regarding the pending amendment.

Mr. BARKLEY. Mr. President, if the Senator will yield, I will say that up to this time that effort has not borne fruit. Therefore, all we can do is to vote on what is before the Senate.

Mr. CLARK of Missouri. Mr. President, I understand that the Senator from New Hampshire has an amendment to his own amendment. To clarify the situation, I ask unanimous consent—although I do not believe I need unanimous consent—to withdraw my amendment to the amendment of the Senator from New Hampshire, and leave the Senator from New Hampshire in charge of his own amendment.

The VICE PRESIDENT. The amendment offered by the Senator from Missouri is withdrawn. The question now is on the original amendment offered by the Senator from New Hampshire. The Chair understands that the Senator desires to modify his amendment.

Mr. TOBEY. Mr. President, I should like to offer a substitute for the amendment offered by the Senator from Missouri.

The VICE PRESIDENT. The Chair will state to the Senator from New Hampshire that the Senator from Missouri has withdrawn his amendment.

Mr. TOBEY. Very well. Then I offer a substitute for my own amendment. The substitute for my amendment embodies much of what the Senator from Missouri proposed last night in his amendment; so the substitute amendment will cover what was in my amendment last night, with an addition.

The VICE PRESIDENT. Would the Senator from New Hampshire object to the Chair making a suggestion? The Senator has a right to modify his own amendment, and to put it in such form as he sees fit, before the Senate votes on it.

Mr. McNARY. Mr. President, I suggest to the able Senator from New Hampshire that he send to the desk his proposed amendment.

Mr. TOBEY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TOBEY. If the Senate should vote on my substitute amendment now, and it should be defeated, what recourse would I have, to offer another amendment?

The VICE PRESIDENT. The Chair has never known a Senator to offer an amendment to his own amendment; but he has a perfect right to modify it. That is a unique question. The Chair does not know exactly how to answer it.

Mr. McNARY. Mr. President, the Senator wishes to modify his own amendment.

The VICE PRESIDENT. That is what the Chair understood.

Mr. McNARY. I suggest that the Senator send the modification to the clerk to be stated.

Mr. TOBEY. Very well; I will do so.

The VICE PRESIDENT. The modified amendment offered by the Senator from New Hampshire will be stated.

The LEGISLATIVE CLERK. At the end of the joint resolution, it is proposed to add the following new section:

SEC. 20. (a) It shall be unlawful for any foreign vessel at any time to use the flag of the United States thereon, or to use any distinctive signs or markings, in order to make it appear that such vessel is an American vessel, regardless of whether such use is for the purpose of escaping capture by an enemy vessel or for any other purpose.

(b) Any vessel which is convicted in a court of competent jurisdiction of violating the provisions of subsection (a) of this section shall be forfeited to the United States, together with the equipment and cargo of such vessel; and the master of any such vessel shall be fined not more than $20,000, or imprisoned not more than 2 years, or both. In addition, upon such conviction of any such foreign vessel of a violation of the provisions of subsection (a) of this section, it shall thereafter be unlawful, for a period of 3 months, for any other foreign vessel then under the same ownership to enter the ports or territorial waters of the United States, except in cases of force majeure.

(c) The Secretary of State is hereby authorized and directed to notify all foreign states of the provisions of this section.

The VICE PRESIDENT. The question now before the Senate is on the modified amendment offered by the Senator from New Hampshire [Mr. TOBEY] to the committee amendment in the nature of a substitute.

Mr. TOBEY. Mr. President, a parliamentary question.

The VICE PRESIDENT. The Senator will state it.

Mr. TOBEY. If this amendment should now be voted down, could the Senator from New Hampshire then offer his original amendment for consideration by the Senate?

The VICE PRESIDENT. The Chair would think so, unless it is embraced in this particular amendment.

Mr. TOBEY. The original amendment is embraced in this amendment, but there is something supplementary thereto which gives added scope to the amendment; and if this amendment does not find favor with the Senate, the Senator from New Hampshire would like the privilege of offering his original amendment by itself.

The VICE PRESIDENT. The Chair has not examined the pending amendment. He asks the Parliamentarian to do so. If it does not violate the rules of the Senate, of course, the Senator could later offer the original amendment, as he has suggested. If the pending amendment is a substantial change, the Chair is advised by the Parliamentarian, the original amendment could be offered later; otherwise it could not be.

Mr. TOBEY. What I have just offered is a substantial addition to the original amendment. If that addition seems too much, in the Senate's judgment, and the present amendment is voted down, then I should like the privilege of offering my original amendment. Would the Chair rule that I could do so?

The VICE PRESIDENT. The Chair would have to see the original amendment that the Senator has now modified, and the one he is going to offer afterward, and compare the two, to see if there is a material change.

Mr. TOBEY. The Senator from New Hampshire will send both amendments to the Chair.

Mr. BARKLEY. Mr. President, if the Senator will yield, I suggest that the only difference between his original amendment and that now offered is that the present one keeps the language of his original amendment and adds further penalties.

The VICE PRESIDENT. In the opinion of the Senator from Kentucky, then, is there a material change?

Mr. BARKLEY. I think there is sufficient change so that the Senator could offer his original amendment if this one should be voted down.

The VICE PRESIDENT. If the Senator from Kentucky, the leader of the majority, in charge of the joint resolution, has examined the amendment and is of that opinion, the Chair should think that would be sufficient.

Mr. McNARY. Mr. President, I concur in the view of the Senator from Kentucky. I am sure there is a substantial change in the substitute.

The VICE PRESIDENT. The Chair will then say to the Senator from New Hampshire that if his modified amendment is voted down, he will then be recognized to offer his original amendment.

Mr. WHITE. Mr. President, will the Senator from New Hampshire yield for a question?

Mr. TOBEY. I yield.

Mr. WHITE. I have only heard the amendment read, and I do not feel at all sure that I understand its scope. I know that it is a fairly uniform practice of the seas when a vessel leaves its home port to go to a foreign port anywhere for it to fly the flag of its port of destination, so that it may be known to what place the vessel is sailing. It is also, I think, almost the universal practice of the seas when a foreign vessel comes into a port not of its own flag to fly, while it is coming into port and while it is within the port, the flag of the nation to which it is making a visit.

I do not know that the matter is very important; but would the amendment as it is drafted do away with that courtesy among nations? For instance, if an American ship were leaving New York bound for France or Germany or any other country, would the amendment prohibit our ship, in accordance with the general practice, from flying in the port of New York the British flag or the French flag or the German flag to indicate where it was bound? And while the vessel was in the port of Plymouth or in the port of Havre, would the amendment prohibit it from flying the British or the French flag?

Mr. BARBOUR. Mr. President, will the Senator from New Hampshire yield to me so that I may address a question to the Senator from Maine?

Mr. TOBEY. I yield.

Mr. BARBOUR. I take it that the Senator from Maine is referring, not to flying the American flag at the stern of the ship, but to flying it with perhaps other flags at some other point.

Mr. WHITE. I do not want to undertake to speak of the matter in too great detail, but I understand that the flag is flown at the bow or at the foremast.

Mr. BARBOUR. No; not at the bow, but, as the Senator suggests, often at the head of the foremost mast, or at some other point on one of the masts.

Mr. WHITE. Yes.

Mr. BARBOUR. I did not want the Senator from New Hampshire to be confused about the matter to which the Senator from Maine was referring. It is not a question of what I might call the designating flag, which is always flown at the stern, but what the Senator from Maine is referring to is the showing of some other flag or flags on one of the yards or one of the masts, not at the stern or the bow.

Mr. WHITE. As I say, I do not know that this matter is important. I do not think there is any law about it. I think it is merely a courtesy which has grown up between nations over the years. I do not know whether or not the amendment of the Senator from New Hampshire would interfere with that practice.

Mr. TOBEY. I think I can answer the Senator from Maine. Section 20 (a) of the amendment offered reads:

> It shall be unlawful for any foreign vessel at any time to use the flag of the United States thereon * * * in order to make it appear that such vessel is an American vessel.

I think that answers the question.

Mr. BARBOUR. Mr. President, will the Senator from New Hampshire yield to me for just another moment?

Mr. TOBEY. I yield.

Mr. BARBOUR. I desire to say at the outset that I am completely and wholeheartedly in accord with this amendment so far as its aims and its objectives are concerned, but I wish to point out to the Senator that in the last part of his modified amendment as read at the desk just now, wherein it says that if a ship of any nation should violate these provisions—of which provisions I am, as I have just said, very much in favor—all ships of that nation would be precluded from entering——

Mr. TOBEY. The Senator is in error there. May I correct him? The amendment says that—

> It shall thereafter be unlawful, for a period of 3 months, for any other foreign vessel then under the same ownership to enter the ports * * * of the United States—

Not of the nation, but of the same ownership, the same company. That is far less inclusive.

Mr. BARBOUR. Yes; I see that, and that does make a great difference; but what I had in mind was that it would be a very simple thing and a very unfair thing to permit someone who was actually the enemy of France, for instance, to have a ship purposely display the American flag, so that that single intended offense would thereby exclude all other ships either of the country involved, or the steamship lines, for that matter, from their ordinary lawful pursuits.

In other words, it might be quite simple to bribe the master of a small, obscure ship of some large foreign line to display the American flag, and thus exclude all the ships of that line from their legal right to enter American ports.

I repeat, the modification which the Senator has pointed out to me does make a great difference; but the point I raise should be considered, and the contingency I speak of guarded against, and I am sure it will be.

Mr. TOBEY. Mr. President, the genesis of this amendment of mine, which I now seek to have made a law so far as the Senate is concerned, is in the fact that it has been discovered lately by some of us that this practice was carried on frequently during the World War by belligerent nations, and

the American flag was compromised—the American flag, so to speak, was forged—for ulterior purposes and selfish purposes by belligerent nations' ships, thereby diluting the influence of the American flag and endangering the lives of American seamen, to say nothing of the ships themselves.

Having that condition in mind, and feeling that there is a great lack in our statutes in that respect, I took the liberty of writing to the distinguished Secretary of State, for whom I have great admiration, and addressed this letter to him on October 3:

OCTOBER 3, 1939.

The SECRETARY OF STATE,
Department of State, Washington, D. C.

DEAR MR. SECRETARY: The Boston Transcript reports Dr. Edwin Borchard, professor of international law at Yale University, as stating that Great Britain admitted that in the World War her merchant ships sometimes flew the American flag or had the American flag painted on their sides to mislead German submarines, and attempted to justify the practice as a "war ruse."

Will you kindly advise me if this statement is correct; and if so, what protests were registered with Great Britain at such practice, and what reply was received from them.

Further, has the State Department requested assurances from England that this practice is not being repeated and will not be repeated during the present European war? If so, what assurances has the United States received in this respect?

Sincerely yours,

CHARLES W. TOBEY.

On October 10 I received the following reply:

OCTOBER 10, 1939.

The Honorable CHARLES W. TOBEY,
United States Senate.

MY DEAR SENATOR: I have received your letter of October 3, 1939, in which you ask for information regarding the attitude of the United States and Great Britain during the World War on the deceptive use of the American flag on British merchant vessels. The subject to which you refer was discussed in communications exchanged between the Governments of the two countries during the World War. These documents are printed in the Department's publication, Foreign Relations of the United States, 1915, Supplement, at pages 100, 117–118, 119–120, 618–619.

With respect to your inquiry whether the Department has requested assurances from Great Britain that this practice is not being repeated and will not be repeated during the present European war, I have not been informed that the American flag has been used for deceptive purposes on British merchant vessels during the present European war. Consequently no assurances on the subject have been requested from Great Britain.

Sincerely yours,

CORDELL HULL.

With all due respect to the distinguished Secretary of State, I believe that is not the wise policy to follow. I believe that in view of the experiences of 20 years ago the thing for the Department of State to do and for the Congress to insist upon doing is to demand a definite statement to Great Britain that it is against the law, is illegal, and henceforth will be looked upon as an illegal act. Hence this amendment. I will ask my colleagues to bear in mind, when they vote on this matter, that the real nub of the coconut is this, that Great Britain, when charged by our Secretary of State with the enormity of this offense in the World War, replied, "Yes; we are doing it, but you have not any statute that forbids it."

There is a direct challenge, a specific challenge to America, to fill that gap, to take care of that hiatus, to fill that void, and enact a statute; and that is what we are trying to have done. As I tried to say yesterday, and I submit in good spirit today, why try to set this thing aside on second- or third-rate reasons? We have a good cause here, we have a case here. Great Britain herself admits it. She made the case. Now let us be Americans and adopt this amendment in some definite form that will prevent the recurrence of these acts in the future.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. TAFT. My great difficulty with the amendment is that I do not see how the United States can say that it shall be a crime for a vessel outside of our jurisdiction to do anything. We could not say a man shall not commit a murder in France. As far as we say it, it is absolutely void.

I sympathize with the object of the amendment, but it seems to me that all we could do would be to say that any vessel which had done thus and so should not enter a port of the United States, and that if it did, it should be fined for the act. That might conceivably be legal. But frankly, my opinion is that this amendment, if we should adopt it, would be absolutely void. From a legal standpoint I do not see how we can do what the Senator is attempting to do. That is not a second- or third-rate reason; that is a good reason. We do not want to pass something which would be absolutely ineffective to accomplish the very thing we are trying to do.

Mr. TOBEY. Mr. President, let me say to the Senator from Ohio that I quoted yesterday the Netherlands statute to this effect, a statute containing punitive provisions. Great Britain herself has a statute respecting this matter. Let me ask the Senator this: Suppose on the high seas, or in England, or somewhere else, some men of nefarious desires counterfeit the American dollar, American coins, or American bonds. What does this Government do? Are its hands tied behind it? Has it no redress whatever? It is an illegal act. Can our Government not bring these men to justice?

Mr. TAFT. The answer is, We cannot. There is absolutely no crime connected with the counterfeiting of American money abroad until the money is introduced into some American territory somewhere. Then the act becomes a crime. But the act committed abroad it seems to me would be no crime, and I do not see how we can make it a crime.

Mr. TOBEY. We make it a crime by a statement in the amendment, the proposed statute, and after it is enacted, if an offending ship comes to an American port, under this amendment it may be forfeited. There is a penalty against the ship, and there is a penalty against the captain. The Secretary of State would notify all the governments involved that such an act would be illegal. As a matter of fact, it is an unfriendly act.

Let us go on record as setting forth this principle, as the Netherlands have, and as Great Britain herself has, and not leave it wide open for the American flag and all it stands for to be so used. Have we not learned something from what happened 20 years ago? If we have not, it is a great misfortune.

Mr. TAFT. I suggested a way in which I thought it might legally be done. I am not objecting to the Senator's objective; I am merely suggesting the legal way to attain it. It seems to me this proposal would be held absolutely and completely void.

Mr. TOBEY. Will the Senator kindly repeat his suggestion? I did not hear it.

Mr. TAFT. My suggestion is that we make it a crime for any vessel acting in the manner suggested to enter an American port, and if it did, it should be fined a certain amount, whatever it might be, on entering the American port after having so acted.

Mr. TOBEY. Let me say to the Senator from Ohio, by that very statement he admits the crime has been committed.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. SCHWARTZ. Is not this the position of the Senator, that, while we cannot prosecute for violating the flag, flying it on the high seas on a belligerent ship, nevertheless, if such a ship comes into one of our ports, we can penalize it on coming into the port?

Mr. TOBEY. The Senator is quite correct, and the amendment so provides.

Mr. BARKLEY. Mr. President, the amendment was discussed yesterday, and I had hoped and felt, from what the Senator from New Hampshire stated privately on the floor, and publicly, too, and from what the Senator from Missouri said, that we might work out an amendment along the line suggested yesterday afternoon. But the compromise, if it can be said to be one, which the Senator from New Hampshire has offered is his amendment originally offered yesterday with some additions.

Mr. TOBEY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. TOBEY. The Senator expressed the hope that we could get together and arrange a compromise, and I said to the Senator that I would do that very gladly. I was in my

office at 8 o'clock this morning, and had with me Mr. Wood, of the drafting service. One of the Senators stated that he would come and confer with me, but he was detained and could not, and I did not hear from the Senator from Kentucky. I would have been very glad to confer with any of my colleagues. I have done the best I could in this matter. I want the RECORD to show that I have been open to conference and negotiation very gladly.

Mr. BARKLEY. Mr. President, I had a committee meeting to attend this morning, which made it impossible for me to get in touch with the Senator. I have a proposal which I am going to mention which, it seems to me, is as far as we can go.

I agree with the Senator from Ohio and other Senators. It seems to me to put the United States in a ridiculous position to declare an act unlawful which may never come within the jurisdiction of the United States.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. If we have authority to make an act committed on the high seas, under a foreign flag, a crime, why could we not pass a law to make some act criminal in England or France?

Mr. BARKLEY. I think that is a point well taken. Let me show what might happen under the amendment. There might be a ship on its way from Liverpool to Rio de Janeiro, which would never come to the United States, but it might have an American flag on it, and it would be violating the law and subject to a penalty of a fine of $20,000, and its captain would be subject to 2 years' imprisonment, if we could ever get hold of him and take him before a court of competent jurisdiction. We cannot assemble courts in the middle of the ocean in order that we may try someone who is flying the American flag.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TOBEY. I did not assume we could hold courts in the middle of the ocean; that is very elementary. But the point I make is that we have courts in this country—district courts of the Federal Government—which sit in admiralty, and the district attorneys of the Government are empowered to prosecute for violations of the statutes of this country in such courts.

Mr. BARKLEY. That is true, we can prosecute anyone for a violation of a law of this country in a court of this country; but I doubt very seriously whether we have any right to say that the captain of a foreign ship who happens to hoist the American flag out in the ocean——

Mr. TOBEY. Who is playing fast and loose with the American law and flag. That is what he is doing.

Mr. BARKLEY. We would become involved in endless diplomatic difficulties.

Mr. TOBEY. Will the Senator yield right there?

Mr. BARKLEY. I yield.

Mr. TOBEY. It is time we got away from milk-toast diplomacy. Let us have the world know that we mean what we say. That is the kind of diplomacy I like, not the milk-toast kind.

Mr. BARKLEY. Mr. President, not only has the Senator provided a $20,000 fine and 2 years' imprisonment and the forfeiture of the ship, but he provides that any ship owned by the same company, which has never been guilty in any way of the violation of the provision, shall be subject to the prohibition of entering the ports of the United States. It seems to me that the way to reach this matter is to prohibit for a period of 3 months the entry of any ship which violates the law into any port of the United States.

Under the theory of criminal law, no one is ever supposed to be held responsible for the crime of another unless he is particeps criminis, unless he is an accessory before the fact or after the fact, or in some way is connected with the crime itself. Yet this provision would penalize an entire company, and every ship of the company, and every captain of a foreign ship who may fly the flag of the United States anywhere in the world. It applies as much to a ship on its way from the Philippines to Hong Kong as to a ship on its way from Liverpool to New York.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TOBEY. Would the Senator feel that the amendment which he showed me this morning after the Senate convened, to which he now refers, would establish the principle of this country and give notice to the world that such an act as we contemplate would be an unfriendly act, and take the one ship off the seas, and does the Senator think that could be adopted?

Mr. BARKLEY. I do. I want to read it.

Mr. TOBEY. I wish the Senator would.

Mr. BARKLEY. In an effort to work out something which would be practicable, I submitted a proposed amendment to the Senator from New Hampshire and to the Senator from Missouri, and I think I am authorized to say that if the amendment of the Senator from New Hampshire shall be defeated, the Senator from Missouri will offer his amendment independently, and accept this as a substitute.

Mr. CLARK of Missouri. Mr. President, the statement of the Senator from Kentucky is entirely correct. The substitute amendment offered by the Senator from Kentucky does not go by any means so far as I would like to go, but I have long ago learned, as the old colored man in Missouri said, "It's better to get part of sump'n than all of nothin'." [Laughter.] I think that is all we are going to get.

The proposal does establish the principle which was asserted by the United States Government during the World War and denied by Britain, that no belligerent ship had a right to misuse the American flag—to fly the American flag for purposes of deception. The substitute of the Senator from Kentucky does definitely by law establish that principle, and I think it is a matter of very great importance. I would prefer to go very much further, as I said, but if that is as far as the Senate would go I think we should accept the language.

Mr. BARKLEY. Mr. President, I should like to read the language of my proposal for the information and benefit of the Senate. The proposal is to insert at the end of the joint resolution the following new section:

SEC. —. (a) It shall be unlawful for any vessel belonging to or operating under the jurisdiction of any foreign state to use the flag of the United States thereon, or to make use of any distinctive signs or markings, indicating that the same is an American vessel.

(b) Any vessel violating the provisions of subsection (a) of this section shall be denied for a period of 3 months the right to enter the ports or territorial waters of the United States except in cases of force majeure.

Mr. AUSTIN. Mr. President, I wish to make a brief observation as to the legal difficulties that would be interposed by this amendment. We have never had any difficulty punishing offenses committed on the high seas, and we have always felt that we had jurisdiction to say what acts shall constitute offenses on the seas. That is quite a different jurisdiction than attempting to penetrate another country and say that our laws shall there have extraterritorial effect. In that case, of course, we must have the consent of the country which we penetrate, and we do have an outstanding example of that in China. But piracy on the high seas is punishable here in the United States by virtue of a statute which I shall read. It is very brief:

Whoever on the high seas commits the crime of piracy as defined by the law of nations, and is afterward brought into or found in the United States, shall be imprisoned for life.

Mr. President, there are many other offenses upon the high seas concerning which the Congress has legislated. So I have no difficulty with our jurisdiction over the subject matter, and I like very much the improvement made in the draft of the substitute offered by the Senator from New Hampshire to his own amendment, because it provides for conviction.

I call to the Senate's attention that the original amendment read:

Any vessel which violates the provisions of this section shall be forfeited to the United States—

Whereas I understand that the substitute offered makes conviction the basis of punishment. I have not had the substitute in my hand. It has been "busy" all the time we have been in session this morning, having been in various of my colleagues' hands, and I have not been able to get hold of it. I should like, Mr. President, that that part of the substitute be read again.

Mr. TOBEY. Mr. President, let me say to the Senator, if I may interrupt him in order to accelerate the progress here this morning, that by my amendment I am trying to establish a principle. I sense the situation in the Senate Chamber this morning. While I feel that I do not go any too far in my proposal and consider that its provisions are sound, I shall yield to the judgment of the majority leader and accept his substitute to my amendment with the purpose of establishing this principle for all time.

Mr. AUSTIN. Then, Mr. President, may we have the substitute read?

The VICE PRESIDENT. To which substitute does the Senator refer?

Mr. BARKLEY. To the one I read a moment ago.

The VICE PRESIDENT. The clerk will read the substitute amendment. Is it a substitute which is proposed?

Mr. BARKLEY. I am not offering it as such, but if the Senator from New Hampshire is willing to accept it I will offer it now.

The VICE PRESIDENT. The clerk will read.

The LEGISLATIVE CLERK. At the end of the joint resolution it is proposed to insert the following new section:

(a) It shall be unlawful for any vessel belonging to or operating under the jurisdiction of any foreign state to use the flag of the United States thereon or to make use of any distinctive signs or markings, indicating that the same is an American vessel.

(b) Any vessel violating the provisions of subsection (a) of this section shall be denied for a period of 3 months the right to enter the ports or territorial waters of the United States except in cases of force majeure.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Idaho?

Mr. AUSTIN. I yield.

Mr. BORAH. Mr. President, I do not care to offer any amendment, but does not the Senator from Kentucky think the punishment provided by the language suggested by him is rather light?

Mr. BARKLEY. That was the suggestion made yesterday by Senators who participated in the discussion, that a denial of the right to enter the ports of the United States was too light a penalty. It would depend, of course, on how frequently the ship was in the habit of entering American ports. If it were a ship which enters frequently it would be a considerable penalty. If it were one which comes in only once a year it would not be. But in the latter case I do not think it would make much difference anyway.

Mr. BORAH. That is true, but would it not practically be legalizing that sort of business? They could run their business without very great loss.

Mr. TOBEY. I may say to the Senator from Kentucky that there were objections made by some to the seizure of the ship. I believe the ship itself, if it is guilty, should be seized. Article 384 of the navigation and navigable waters law provides for the seizure of all ships taken on piratical expeditions, and so forth. I make no distinction between a pirate and a forger.

Mr. BARKLEY. That is already the law.

Mr. TOBEY. Why not put that in this law, too?

Mr. BARKLEY. Mr. President, the Senator from Vermont has the floor. I do not know whether he has yielded for the purpose of this particular discussion.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. One moment. The Senator from Kentucky says the Senator from Vermont has the floor. The Senator from Vermont has the floor, and if Senators wish to speak they should address the Chair and ask for recognition.

Mr. NORRIS. That is what I wanted to know—who has the floor?

The VICE PRESIDENT. So many Senators are on the floor that it is difficult to keep track of who has the floor. Does the Senator from Vermont yield, and if so to whom?

Mr. AUSTIN. Has any Senator asked me to yield?

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I should like to call attention to the fact that before any kind of a punishment could be inflicted there would have to be some kind of a trial before a court of competent jurisdiction. I want to see something done to prevent the use of the flag of our country for the purpose of deception. But I call attention to the fact that we are entering upon an uncertain sea, as I view it. I should like to do whatever will accomplish the desired result, but I doubt whether there is any way to enforce the provisions of the substitute amendment proposed by the Senator from Kentucky. Suppose we wished to enforce that provision, where and how would we do it?

The VICE PRESIDENT. Just a moment. The Senator is taking the time of the Senator from Vermont.

Mr. BARKLEY. Mr. President, will the Senator from Vermont yield so that I may answer the Senator from Nebraska?

Mr. AUSTIN. I yield.

Mr. BARKLEY. I realize the difficulty the Senator from Nebraska suggests, but we cannot try the ship, and we cannot get it under the jurisdiction of any tribunal until it enters an American port. Then it is already in. It may have violated the law coming in. It may have done so out in the middle of the ocean. But we cannot try it out there. I do not know how we could try anyone connected with such violations. It seems to me that about all we can do now is to declare a policy, and that is what we are attempting to do. The Secretary, of course, and the customs officers in all our ports, would be charged with the duty of enforcing it. But if we require that the ship shall come in and be tried before a tribunal having jurisdiction, it then may be too late to accomplish what we are seeking to do; that is, to penalize the ship by not permitting it to do business for a period of at least 3 months.

Mr. AUSTIN. I will ask the Senate to permit me to finish what I have to say.

The VICE PRESIDENT. The Senator from Vermont asks the Senate to permit him to say what he has to say without interruption.

Mr. AUSTIN. Mr. President, it is our purpose, of course, to do something which is not a futility, and I understand that the purpose and object of the pending amendment is the purpose of peace—peaceful, legal, judicial control, and protection of our flag. I think the substitute offered by the Senator from Kentucky is not conducive to peace, and that the only way it could be enforced would be by war. Subsection (b) provides that:

Any vessel violating the provisions of subsection (a) of this section shall be denied for a period of 3 months the right to enter the ports or territorial waters of the United States except in case of force majeure.

How could that be enforced in any court of justice? The only sanction which is possible behind such a statute as that would be the sanction of war. We could never make that law effective except with warships, by keeping such a vessel out of our territorial waters, or capturing it as violative of our law.

Mr. President, I am in favor of the theory embodied in the original amendment, the substitute offered by the Senator from New Hampshire [Mr. TOBEY], and the substitute offered by the Senator from Kentucky [Mr. BARKLEY]; but I respectfully suggest that we give that theory some standing in the United States of America by claiming no more jurisdiction to execute the law than the jurisdiction of our States and of our Federal Government, and therefore of our courts. So I suggest that we make a change in subsection (b)—the exact language of which I have not prepared—so as to express the

idea that a vessel afterward brought into or found in the United States and convicted of violating the foregoing provision shall be interned for a sufficient period—perhaps 3 months. Then we should have something that we could execute because of the presence of the vessel within our jurisdiction and subject to our laws.

SEVERAL SENATORS. Vote! Vote!

The VICE PRESIDENT. The question is on agreeing to the substitute offered by the Senator from Kentucky [Mr. BARKLEY] for the amendment offered by the Senator from New Hampshire [Mr. TOBEY]. As the Chair understands, the Senator from New Hampshire accepts the substitute.

Mr. TOBEY. I have already accepted it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New Hampshire, as modified by the substitute offered by the Senator from Kentucky.

The amendment, as further modified, was agreed to.

Mr. NEELY and Mr. DANAHER addressed the Chair.

The VICE PRESIDENT. The Chair will state to the Senator from Connecticut that when he is ready to recognize any Senator for the purpose of submitting an amendment, it will be the Senator from Connecticut. The Senator from West Virginia had a speech in his system earlier in the day which he deferred until the pending amendment should have been disposed of.

Mr. NEELY. Mr. President, after years of atrociously intimidating, blackmailing, and plundering various European countries, the appeaseless, heedless, heartless Hitler has at last set the world on fire, and today the faces of millions and millions of terrified, bewildered human beings grow ghastly in the lurid light of the awful conflagration.

This is the most critical period that democratic government and its greatest blessing, human liberty, have ever known. This is the most disheartening hour the Christian religion has ever witnessed since that melancholy day on which darkness hung over all the land and a murderous mob, as lawless as Hitlerism and as godless as communism, crucified the sinless Saviour of the World.

In both the present and the future, my actions will conform to the strictest legal requirements for neutrality towards the warring nations of Europe. As between the masses of the worthy, industrious, peace-loving people of Germany on the one hand and the beleaguered, deserving people of Britain and France on the other our sympathies are undivided. It is our sincere hope and prayer that all the private soldiers—German, British, and French alike—who are engaged in the frightful work of human destruction which they abhor will soon be delivered from the crime and cruelty of war. But it is as impossible for some of us to be neutral in thought or word in this life and death struggle between the horrors of Hitlerism and the blessings of the democracies of Britain and France as it would be for us to be neutral in a war between the Prince of Darkness and the Prince of Peace, or in a battle of Miltonic grandeur between the angelic hosts of heaven and the unredeemed hordes of hell.

In my opinion, no good purpose will be served by our pretending that we are ignorant of the identity of the red-handed artificer of this war, or by ignoring or euphemistically discussing his unprovoked aggressions and unforgivable crimes, whether against the strangers without his gates or against his own oppressed, long-suffering people whom he has deliberately condemned to slaughter in a nefarious effort to make himself the mightiest military conqueror who has ever usurped the rights of nations or trampled human liberty under his feet.

There will be no sugar-coating of my observations concerning the miserable marble-hearted monster whose infamous assault on world peace has necessitated this extraordinary session of the Congress, and who now warns England and France that if they do not promptly withdraw their opposition to his aggression and approve his conquests he will gruesomely bathe them in blood.

Plain speaking never hurts the right. It never helps the wrong. Therefore, let us be as plain and "as harsh as truth" because—

> A lie may keep
> Its throne a whole age longer, if it skulk
> Behind the shield of some fair-seeming name.
> Let us call tyrants *tyrants*
> * * * * *
> For men in earnest have no time to waste
> In patching fig leaves for the naked truth.

Mr. President, but for the fact that the mad Fuehrer, who seeks to bestride the narrow world like a colossus for his personal glorification deliberately planned and diabolically created this great international crisis, we would not now be considering a proposal to repeal the arms embargo law.

Between liberty's cradle and tyranny's grave a more important measure than that now before the Senate will never be considered by a legislator or debated by a parliamentary body on American soil. The solution of its problems will for many generations vitally affect the life, the peace, and the happiness of not only the American people but also of hundreds of millions in lands beyond the seas.

Neither zeal for oratorical splendor nor ambition for controversial fame should impel any Senator or any other public servant worthy of the name to assume transcendent wisdom or voice dogmatic conclusions concerning the perplexing, perilous, and momentous question now under consideration.

Fortunately for the reputation of the Senate and the welfare of the country, every Member of this body has, for the period of the present crisis, patriotically and securely buried partisanship in a grave from which no one has attempted "to roll the stone away."

Let us honor ourselves and serve the cause of truth by frankly and cheerfully proclaiming that the first, the last, and the sincerest earthly desire of every senatorial heart is that the peace of the United States will be preserved forever and that no American mother will ever be made desolate, no wife a widow, no child an orphan, and no boy food for worms by war—the senseless, brutal, fatal futility that has made the whole earth a sepulcher of the bones of murdered men.

The important facts in the case before us are as "plain as way to parish church" and as free from distortion as the Sermon on the Mount.

But the conclusions which Senators with equal intelligence, sincerity, and loftiness of purpose deduce from these facts are in direct and hopeless conflict. Some believe and impressively contend that to repeal the arms-embargo law would be to take the first, a long and a decisive step toward the slaughterhouses of the Eastern Hemisphere and the battlefields of Germany and France. But Senators, by a majority of two to one, sincerely believe, and vigorously maintain, that the security and permanency of this Nation's peace will be promoted by the repeal of the Embargo Act; a recurrence to the age-old principles of international law; and the enactment of a so-called cash-and-carry provision to govern our intercourse with all belligerent countries in relation to arms, munitions, and implements of war. These objectives will be achieved by the enactment of the pending joint resolution.

Several Senators from the purest of motives oppose it. On antidemocratic grounds, it is hated by every informed Hitlerite, Communist, and anarchist under the sun.

For many reasons, of which the following are specified, the resolution has my unconditional and unhesitating support:

First, the sale of arms and military supplies to the belligerents by this country in consequence of the repeal of the embargo will reduce the duration of the war and proportionately decrease the danger of its disturbing the peace or injuring the people of the United States.

Second, after repeal the raw and semimanufactured materials which are being sold to the belligerents under existing law will be transformed into completed instrumentalities and finished products by American laborers who need jobs instead of by the workers of the belligerent countries whose services are required at the front.

Third, the manufacture of arms, munitions, and military supplies by our industries for the belligerents will provide valuable experience for those upon whom our own Army and Navy are dependent in time of war for everything from

battleships and bombing planes to bullets and bayonets. During the acquisition of this experience the inventive genius of this country will be revealed and developed, new means of defense will be discovered, and old methods of repelling attacks will be reformed. Thus, without expense to the American taxpayers, American manufacturers will increase their ability and expand their capacity to help this country make its defense impregnable against any war that any aggressor may wage against it in days to come.

Fourth, this Government experimented with embargo and nonintercourse laws from 1794 till April 14, 1814, when the last of them was repealed. The operation of these laws was uniformly injurious to our commerce, our prosperity, and our reputation. Lalor's Cyclopedia of Political Science says that, "Most historians have denied to our early embargo laws any utility whatever." Future historians will with similar severity appraise the existing embargo law, which, if not speedily repealed, may cause even greater injury to the American people than that which was inflicted upon them by its remote progenitor that was repudiated 125 years ago.

Fifth, the existing law is in irrepressible conflict with the policy of neutrality which this country consistently and successfully pursued for more than sixscore years before 1935. Under an antiembargo policy, our country was miraculously transformed from a vast wilderness with a sparsely inhabited, poverty-stricken border into the greatest, richest, freest, and most peaceful Nation on earth. The embargo monstrosity which the Congress, with the most praiseworthy intentions but the most disappointing results, brought forth 4 years ago has curtailed this country's liberty, diminished its prosperity, and deprived thousands of its toilers of their jobs.

Sixth, the perpetuation of the embargo law would invite retaliation by other nations and impel them to prohibit the sale of arms and munitions to this country for defensive use against aggressors, such as those who have despoiled Poland and drenched its soil with blood. Thus the embargo prospectively imperils the security of the American people. From this particular point of view, the eminent Secretary of State, Hon. Robert Lansing, in 1915 made an admirable and unanswerable argument in favor of unlimited commerce in arms which was recently quoted with approval by the able former Secretary of State, Hon. Henry L. Stimson, as follows:

> The United States, from the foundation of the Republic, advocated and practiced unrestricted trade in arms and military supplies, because it had never been the policy of the Nation to maintain in time of peace a large military establishment or stores of arms and ammunition sufficient to repel invasion by a well-equipped and powerful enemy, and in consequence the United States would in the event of attack by a foreign power be at the outset of the war seriously, if not fatally, embarrassed by the lack of arms and ammunition and of the means to produce them in sufficient quantities to supply the requirements of national defense. The United States has always depended upon the right and power to purchase arms and ammunition from neutral nations in case of foreign attack. This right, which it claims for itself, it cannot deny to others. A nation whose policy it is to rely upon international justice to preserve its political and territorial integrity might become the prey of an aggressive nation whose policy and practice it is to increase its military strength during times of peace with the design of conquest, unless the nation attacked could, after war had been declared, go into the markets of the world and purchase the means to defend itself against the aggressor. The contrary policy would compel every nation to have in readiness at all times sufficient munitions of war to meet any emergency which might arise, and to * * * maintain establishments for the manufacture of arms and ammunition sufficient to supply the needs of its military and naval forces throughout the progress of the war. The application of this theory would result in every nation becoming an armed camp, ready to resist aggression and tempted to employ force in asserting its rights rather than appeal to reason and justice for the settlement of international disputes.

Seventh, my personal supreme reason for supporting the repeal of the embargo lies in my sincere, distressing belief that if Hitler should decisively win this war he would, within 5 years, with a military machine that probably no human power could resist, wage war against the United States.

This cold, calculating racketeer thoroughly prepared for this conflict before he started it. While he was arming for war England and France were preparing for peace. They consequently have much greater need than the Nazis have for American munitions and arms. Without repeal the Allies cannot obtain our military supplies; without such supplies the Allies might be defeated. Victory for the Hitlerites in the present war would mean that the British Navy, the French Army, the Dominion of Canada—our best of good neighbors—and the British islands in the West Indies, some of which by aeronautical scale are only a stone throw from the Florida coast and only two stone throws from the Panama Canal, would all come under Hitler's control. With England and France reduced to impotent puppet Nazi states, with Canada transformed into an armed camp of Hitlerites, with a Siegfried line on our northern border from ocean to ocean, with the British West Indies converted into bases for Nazi aerial and naval operations against America, and with no other democracy in the world to lend us aid, the United States would be in constant danger of an ordeal such as that through which devastated Poland has just passed.

One cannot be unmindful of the fact that great Americans, of profound wisdom and wide experience, have scoffed the suggestion that the diabolical Hitler would, in any circumstances, ever attack the United States. A decade ago these same gentlemen would have ridiculed the suggestion that Hitler and his storm troops would, within a period of a few short months, imprison more than 80,000 German Jews solely because they were non-Aryans, and on the same preposterous ground infamously rob and persecute 90,000 more of the Jewish race until they would flee from the fatherland in poverty and despair and become heartbroken wanderers on the face of the earth. But all this has come to pass.

Ten years ago these same minimizers of the Hitler menace would have denied the charge that this foe to all Christian religions and hater of all forms of worship of which he is not the idol, would in a little while invest a Nazi official with absolute power to control all church affairs, and would imprison more than 700 Protestant ministers and more than 8,000 Catholic priests, lay brothers, and monks on charges such as those of having collected church funds without Nazi permission and having failed to fly the swastika flag. Yet all this has come to pass.

A few years ago these same character witnesses for the rapacious, headlong Hitler would have indignantly repelled the insinuation that he would, during the first 10 months of 1938, feloniously seize and hold more than 43,000 square miles of the territory of other nations; ruthlessly deprive the 13,000,000 inhabitants of this area of their liberty; and remorselessly subject them to the Nazi yoke. But all this has come to pass.

There is no law of peaceful international relationship that Hitler has not violated; there is no honorable international opinion he has not defied; there is no disservice to the cause of religion or liberty he has not rendered; there is no outrage against democracy he has not perpetrated; there is no hypocrisy he has not practiced; there is no Ananias he has not surpassed.

If this monstrous paranoiac should win the war, and thus obtain control of Canada to the north of us and the islands to the southeast of us, listen for his warning that he intends to set up Sudeten areas for those of German blood in Milwaukee, and St. Louis, and San Francisco, and New York. Listen for his warning that the Jews of our great cities are distasteful to His Satanic Majesty the Second and that the United States must "liquidate" them or suffer the Nazis' cannibalistic fury. Listen for Hitler's warning that he will hold plebiscites in all States that have substantial German populations to determine whether they will remain in the Union, or become parts of the German Reich.

Listen for the warning that the press of the United States must be muzzled; that freedom of speech and assemblage and worship must be suppressed; that Mein Kampf must be substituted for the Holy Bible, the sayings of Zarathustra for the Ten Commandments and a blood-curdling Hitler speech for the Sermon on the Mount. Listen for the warning that every preacher or priest who censures him or condemns his infamy must be imprisoned or shot. Look and listen for this fiendish persecutor of the righteous, this barbarous assassin of justice, this brutal hangman of liberty,

on some senseless pretext, or on no pretext at all, to wage a war against the United States that will imperil the last fortress of human freedom on the globe. If this should calamitously overwhelm the American people, the great Republic which has, for generations, bestowed its blessings and its bounties upon the distressed of every nation and the persecuted of every land, and extended the candle of hope, and the torch of inspiration to all the underprivileged who have ever landed on its shores, would become—

A schoolboy's tale,
The wonder of an hour.

Mr. President, my vote will be cast for the repeal of the embargo not because repeal is indispensable to our escape from participation in the present war, but because repeal will assist England and France to survive, and continue to stand as a protecting wall of fire between the war-mongering Hitlerites on the one hand, and the peace-loving people of the United States on the other. Whether the embargo is repealed or retained, this country will not become a participant in the present European war. The very gates of Hell could not prevail upon this Congress to send a single American boy across the ocean to fight in any war or battle between the armed camps of foreign lands.

It has been repeatedly insinuated, if not expressly charged, that the prospective profits of our sale of arms and munitions to the belligerent nations would influence some Members of the Senate to vote for the repeal of the embargo law and thereby help to plunge this country into war. These insinuations are both ungenerous and unjust. All who understand the elements of political economy know that war is as deadly as a destroying angel to the permanent prosperity of every country that comes within its sway. Those who remember the last World War and its aftermath know that wealth acquired by trafficking in implements of destruction is seldom if ever blessed. Moth and rust corrupt it; thieves break through and steal it; it takes the wings of the morning and flies away.

But there is an infinitely better reason why some of us are opposed to war. For example, I have two sons who, in the ordinary course of events, would immediately become private soldiers in the ranks if this country should go to war. Is it necessary for me to tell any normal father that those boys are dearer to me than my own life? It seems but yesterday that they were babies in my arms. It seems but last night that they knelt beside me and in the lisping accents of childhood said their simple prayers so innocently and pathetically that they must have been joyfully heard by the angels around our Father's throne in Heaven. Will anyone dare to disparage his love or slander his affection for his son by intimating or believing that any Member of this body would knowingly and needlessly vote to cast his boy into the fiery furnace of war?

Let me assert in language much more eloquent than my own that I would today rather hear "the mystic trumpeter of death's pale realm" sound the pitiless, piercing blast that would summon me "to the tongueless silence of the voiceless dust" than unnecessarily to cast a vote or think a thought or do a deed that would ever send my boys to vermin-infested trenches to die in unspeakable agony, or to exist like rats in holes, be blinded with shot, deafened with shrapnel, disfigured with shell, smothered with poisonous gas, seared with liquid flame, and made hideous, helpless, hopeless cripples for the rest of their days.

Senators, let me solemnly covenant with all of you this afternoon that never for any cause less worthy than that of saving the life of this Nation or the liberty of this Republic will my vote be cast for any measure designed to send my boys, your boys, or any other fathers' boys to war.

In spite of the melancholy warlike history of the past, the discouraging world-wide turmoil of the present, and the gloomy prospects for the future, let us have faith to believe that the demoralizing, devastating, unmitigated curse of war will sometime be banished from this wicked, weary world. Let us have faith to hope and believe that all the peoples of the earth will eventually become so sickened with bloodshed, so horrified with slaughter, and so appalled with desolation that they will, with one accord, forsake the demon of hate and swear eternal, inviolable allegiance to the everlasting God of love.

Let us have faith to believe that sometime the Son of Righteousness will rise with healing in His wings and illumine every highway; that the hands of the Infinite will ultimately make every crooked path straight; and that the pure white light of the crucified Christ streaming down from the ineffable throne of God will at last dispel the midnight darkness that obscures our vision, stays our progress, and envelops our little lives; and that the holy peace that passeth all understanding will become the heritage of every human heart forever and forever.

Our fathers' God, from out whose hand
The centuries fall like grains of sand,
We meet today, united, free,
And loyal to our land and Thee;
We thank Thee for the decade done,
And trust Thee for the coming one.

Oh make Thou us, through centuries long,
In peace secure, in justice strong;
Around our gift of freedom draw
The safeguards of Thy righteous law;
And cast in some diviner mold,
Let each new decade shame the old.

Mr. VANDENBERG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Borah	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	Wheeler
Connally	Johnson, Calif.	Radcliffe	White
Danaher	Johnson, Colo.	Reynolds	Wiley

The PRESIDING OFFICER. Ninety-two Senators having answered to their names, a quorum is present.

Mr. DANAHER obtained the floor.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. HOLT. I ask unanimous consent to have printed in the body of the RECORD extracts from two letters written by Colonel House to President Wilson regarding the use of the American flag, one of them referring to the *Lusitania*.

The PRESIDING OFFICER. Is there objection?

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

February 5, 1915: Our voyage has about come to a close. The first 2 days we had summer seas, but just after passing the Banks a gale came shrieking down from Labrador, and it looked as if we might perish. I have never witnessed so great a storm at sea. It lasted for 24 hours, and the *Lusitania*, big as she is, tossed about like a cork in the rapids.

This afternoon, as we approached the Irish coast, the American flag was raised. It created much excitement, and comment and speculation ranged in every direction. * * *

February 6, 1915: I found from Mr. Beresford, Lord Decies' brother, who crossed with us, that Captain Dow had been greatly alarmed the night before and had asked him, Beresford, to remain with him on the bridge all night. He expected to be torpedoed, and that was the reason for raising the American flag. I can see

many possible complications arising from this incident. Every newspaper in London has asked me about it, but, fortunately, I was not an eyewitness to it and have been able to say that I only knew it from hearsay. (Intimate Papers of Colonel House, American Flag on the *Lusitania*, p. 361.)

Mr. DANAHER obtained the floor.

Mr. TYDINGS. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. I yield.

Mr. TYDINGS. I have just received copy of a message delivered to a special session of the Second National Assembly of the Philippine Commonwealth, by President Quezon, recommending that the Philippine Government pledge its loyalty to our Government in all of its foreign undertakings in the present emergency. I ask that the message be printed in the RECORD at this point of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Following message delivered by President Quezon to special session, Second National Assembly, 6 p. m., Tuesday, Manila time:

"Gentlemen of the National Assembly, for the second time in the history of our relations with the United States we are facing the grim realities of a war between nations in which the lives of millions of men are involved and the fate of civilization itself hangs in the balance. I dare say that none of these who went through the stirring days of the World War ever suspected that he would live long enough to see reenacted that greatest of human tragedies. Peoples the world over cherished the thought that they were emerging from the wake of that great holocaust into an era of everlasting peace. Unhappily subsequent events did not fulfill the fervent hopes and just expectations of men of good will.

"During the World War the government and people of the Philippines had occasion to demonstrate, both in words and in action, their loyalty to the United States. But then an American Governor General was at the helm of our government. Now we have a Chief Executive of our own and a government established in accordance with a constitution adopted by our own people. Not only is the legislature exclusively in the hands of Filipinos but so are the executive and judicial branches of the government.

"At present America is fortunately at peace with the rest of the world, including the nations now at war. In consequence, we find ourselves in a similarly favorable situation. As a neutral power, however, America has certain obligations to perform not only in the continental United States but in the Philippines as well. It behooves us, therefore, to assure the Government of the United States of our loyalty and devotion, which have grown even deeper and stronger in the perspective of the many years of unselfish American endeavor to serve the best interests of the Filipino people. In this critical moment I wish again to pledge to America, in behalf of our people, our unstinted loyalty and our fullest cooperation in the promotion of the ideals of justice and liberty and in the safeguarding of the legitimate rights and interests of both the United States and the Philippines.

"We want the Government and people of the United States to feel that we are bound to them not merely by the presence of the American flag in our country but by the nobler and stronger ties of gratitude and affection—bonds of sentiment that are born of the human heart and which transcend the obligations of allegiance implied in the presence of that flag. Our loyalty to the United States is rooted in something more permanent, something more lasting than legal or political relationship. Our loyalty is built on faith—faith in the sense of fairness and justice of the American people, faith in the great principles and ideals for which the Stars and Stripes proudly wave over land and sea, over a free and happy people.

"Our loyalty to the great American Nation is but the fruit of her altruistic policy in dealing with our people—a policy which has been characterized by justice and good will and by both moral and material assistance. That loyalty, I am sure, will outlive the sovereignty of the United States over our country, and will attest for all time the moral grandeur of America and the virtuality of her free institutions.

"Gentlemen of the National Assembly, we are confronting a situation which demands the exercise of prudence and foresight. We must be alive to the problems which may arise at any moment. We must be ready to cooperate with America and to protect the interests of our people. With this end in view, I have come to you to ask that necessary and adequate legislation be passed to empower this government to meet any emergency that may arise.

"MANUEL L. QUEZON."

Mr. HALE. Mr. President——

Mr. DANAHER. I yield to the Senator from Maine.

Mr. HALE. I thank the Senator from Connecticut for yielding to me. I wish briefly to state my position on the repeal of the embargo on arms as provided in the joint resolution now before the Senate.

Mr. President, in the course of the debate I think every Senator has stressed the point that whatever action we take on this legislation should be for the best interests of the United States regardless of its effect on any other country in the world. To this I subscribe.

Also I think that nearly every Senator has taken the ground that, whatever we do, we must not enter the war ourselves, and under no circumstances must we put ourselves in a position where we shall have to send our troops abroad. To this I also subscribe.

The situation abroad is this: England and France are fighting with their backs to the wall against the heavily armed and desperate German Nation. Whether Germany is to have the military aid of Russia and Italy is uncertain. Time and events will have to develop that situation.

We have on our statute books a law which, as events have turned out, discriminates heavily against the Allies and is thereby of manifest assistance to Germany. In spite of the fact that before war was declared an attempt was made to change and modify this law, no such change had been made when hostilities actually started. It is unfortunate that the matter was not pressed for settlement during the early part of the session last winter, when the Congress rarely sat more than 2 days a week. Had it been so pressed, the question could undoubtedly have been settled before hostilities actually commenced. The effect of repealing the embargo at the present time is interpreted by the opponents of the Pittman measure as an unneutral act on our part, and a first step toward entering the war.

Mr. President, though I voted for the present neutrality law, I wish that we had no neutrality law on our statute books, that we were free to act under international law with the knowledge that the terms of international law would be observed by all nations concerned in the war, and that we could rely upon its provisions in mapping our course in the present emergency. Unfortunately, such is not the case. International law at the present time seems to be in the discard. Whether or not the removal of the embargo is an unneutral act under international law I am not familiar enough with the precedents to be able to determine, nor do I attach any great importance to the determination of the question.

There are two things that can get us into war. One is a declaration of war on our part, and the only tribunal which can make such a declaration is the Congress of the United States. Has any Senator on either side of this Chamber ever intimated that he would vote to plunge this country into war? If so, I have not heard it; and there will have to be a mighty change in the sentiment of the people of this country before this body declares war. The other thing that can get us into a war is a declaration of war against us.

The danger of anyone making war on us for a breach of neutrality in the present war is nil. The last thing in the world that Germany wants is to have the United States turn her manpower into the present conflict. We took a large part in bringing to a close one war in Europe, and no opponent would ever want us called upon to help finish another.

There has been a good deal of talk about the futility of our entering the last war. We kept out of it as long as we could, but when we finally did enter, we certainly contributed materially to bringing the war to an end, and to wiping out, at least for the time being, the then existing German menace. That an unfortunate peace was concluded by the peace negotiators when the war was over, and that our Allies did not take sufficiently stringent steps to keep down the German menace for the future, was not our fault. We did our part to the full, and our achievement in the short time that we were in the war was amazing. I am very proud of that achievement, and at least we accomplished one result which is of immediate importance to us at the present time: We proved that no nation can with impunity make war on the United States. The showing we made in that war is a powerful safeguard to us in the present European conflict.

As I have said, England and France have their backs to the wall. Whether they can overcome Germany, who may or may not have the military cooperation of Russia and

Italy, no one can foretell; but it is not difficult to foretell what will happen if they are beaten, so far as this country is concerned. The next step of the victorious totalitarian powers, in my judgment, would be against us, either through a direct attack or through an encroachment on our South American neighbors. With the British and French Fleets in the hands of the enemy, as in case of complete defeat they very probably would be, we would face a very desperate situation in this country. Without allies other than the nations in this hemisphere, we, the most tempting prize in the world, might well have to face the combined totalitarian strength of the world, with the combined navies of the outside world at their disposal. There, to my mind, lies the real danger of our getting into a war. Such a proposition may seem fantastic. It may well be that if the Allies cannot win, they can at least fight a war of attrition which will be inconclusive. I certainly hope so. But they will need all the help they can get to do this, and whatever we can do to help them, short of going into the war ourselves, I believe we most certainly should do. The removal of the embargo will give them new heart and may give them just the added strength that they need. It may through the threat of future retaliation save the civilian populations of France and Great Britain—yes, and of Germany, too—from threatened air attack. If Germany is marking time until our people take action, can it be for any other reason than that she hopes the embargo will be retained? With the embargo removed, she would almost certainly meet with retaliation in the future should she launch her full vicious air attack on the civilian populations of the Allies. With the present law sustained she can launch it with impunity.

We deplore having it said that planes manufactured in America were use to bomb innocent civilians. Are we going to feel any the more comfortable when it is said that had we furnished the Allies with bombing planes there probably would have been no such bombardment?

Believing that the removal of the embargo will not be a step to force us into war, believing that its removal will be of manifest assistance to England and France, two countries whose welfare is of very great importance to us, in their struggle against a country whose present government and that government's aims are, I believe, a direct menace to us, I shall certainly vote for the removal of the embargo.

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. DANAHER. Mr. President, at the outset I had the floor and yielded to the Senator from Maine [Mr. HALE]. I now ask that I may be permitted to proceed with the amendment which I send to the desk. I ask that my proposed amendment A be read first.

The PRESIDING OFFICER. The amendment will be read by the clerk.

The CHIEF CLERK. On page 28, line 10, it is proposed to strike out the word "the" and to insert the following:

Provided, That no such license shall be issued under any circumstances for the export of Livens projectors and flame throwers; mustard gas, phosgene, or any of the poison gases listed in Category VI, Proclamation 2237, promulgated by the President May 1, 1937.

Mr. DANAHER. Mr. President, I have submitted the amendment which the clerk has just read in the names of myself and the Senator from Michigan [Mr. VANDENBERG]. The effect of the amendment would be to add the proviso to section 12 (d). In that section, as will be perceived, no arms, ammunition, or implements of war may be exported to any nation named in the proclamation unless a license shall first have been issued. The effect of the proposed amendment would be to forbid the issuance of any such license under any circumstances for the export of Livens projectors and flame throwers, or mustard gas or phosgene or any of the other poison gases which were listed by the President in his proclamation of May 1, 1937.

The amendment is in line with the declared policy of the United States Government over the period of a great many years with reference to the use of poison gases in warfare. Whether they be poison gases or chemicals, the Government of the United States has taken a definite position against their use.

In addition, Mr. President, they are the types of offensive weapon which have stricken terror into the civilian populations of the warring nations in Europe. There is no one of us who is not fully familiar with the photographic reproductions showing men, women, and children in all those countries going about the streets carrying gas masks. The people of the United States do not, in my opinion, wish to participate in keeping those people continuously under the nervous strain of a possible impending gas attack.

I submit that when General Pershing, from his own experience in the last war, said:

Chemical warfare should be abolished among nations as abhorrent to civilization. It is cruel, unfair, and improper use of science. It is fraught with the gravest danger to noncombatants, and demoralizes the better instincts of humanity.

General Pershing was bringing to bear his experience and sounding a principle to which America is committed.

In 1922, at the Washington Arms Conference, the United States proposed, as part of the treaty which was then adopted, article V, and I will read it:

The use in war of asphyxiating, poisoning, or other gases, and all analogous liquids, materials, or devices, having been justly condemned by the general opinion of the civilized world and a prohibition of such use having been declared in treaties to which a majority of the civilized powers are parties, the signatory powers to the end that this prohibition shall be universally accepted as a part of international law binding alike the conscience and practice of nations declare their assent to such prohibitions, agree to be bound thereby as between themselves, and invite all other civilized nations to adhere thereto.

Mr. President, that this type of chemicals and poisonous gases and the implements connected with their use may definitely be segregated from all other types is readily apparent if we will examine category VI of the proclamation which the President issued under our present so-called neutrality legislation. He lists in that particular category more than 15 types of poison gases. He lists there the Livens projectors, which are trench mortars of a kind capable of shooting that type of poison gas. He lists flame throwers and other such inhuman weapons of offense.

Therefore, it would seem, that the amendment would require no further discussion upon my part to point out entirely what it seeks to do, and what should be done, regardless of what the ultimate disposition of the pending joint resolution may be.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. MALONEY. I am entirely in sympathy with the noble and humane purposes of this amendment, and I am very anxious to support it. I do not have a copy of the amendment before me, but, as I recall its reading, it refers to the issuance of a license or the refusal to issue a license "under any circumstances." It does not seem to me—and I confess complete ignorance of how poison gases are made—that we would under any circumstances export actual gases. I wonder, if the Senator can tell me whether or not there might be a danger, because of the language "under any circumstances", that we would be denied the right to ship certain products which could be used in gases, but would be used to save lives through the manufacture and practice of medicine. I ask the questions entirely for enlightenment. I wish to see the amendment perfected, if it needs perfection, because, as I have said, I am entirely in sympathy with the purpose and, would like to say for myself at this point, that when I addressed the Senate on this measure a little more than a week ago I pointed out that I was anxious to do no more than to furnish the belligerent nations with weapons of defense.

I want to say again that I think the purposes of this amendment are not only excellent but noble. However, I simply wish to be certain in my own mind that at this time we correct it properly, if it needs correction, because I cannot imagine that we would ship mustard gas as such. It is my fear that medically necessary chemicals might be involved, and that we might be handicapping medical science

by the inclusion of the words "under any circumstances". I wonder if my colleague has given any thought to that particular matter.

Mr. DANAHER. Mr. President, let me answer my distinguished colleague in this way: In the first place, the words "under any circumstances" apply technically and singularly, and only under the conditions named in subsection (d) of section 12, and consequently we say—and I will read for the Senator:

> It shall be unlawful for any person to export or attempt to export from the United States to any other state any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section.

If we refer to subsection (i), we find that the proclamation which the President may issue defining what are articles of arms, ammunition, and implements of war clearly limits the type of implements of war, or the type of ammunition, or the type of arms delineable as implements of war and ammunition. Not only is that the fact, but there is the additional protection, Mr. President, that under the law on our statute books today, and under the law as it would be reenacted in the language of the pending joint resolution, the proclamation to be issuable would be issued upon the advice of the technical advisers to the President. In the proclamation which he issued on May 1, 1937, he had no difficulty in finding that that was a category into which poison gases may be inserted; and that is why, under category No. 6, as the law stands, there cannot be an export to any warring nation named in the proclamation of September 3, 1939, of any of these poison gases.

Mr. MALONEY. Mr. President, will my colleague further yield to me?

Mr. DANAHER. I yield.

Mr. MALONEY. I assume from what the Senator has said that if the circumstances required he would be willing to have exported chemicals which might be used in the manufacture of mustard gas or other gases if it were the intention of our Government or of the exporters that such chemicals were not to be used for that purpose but rather for some such purpose as the saving of lives instead of their destruction.

Mr. DANAHER. That is absolutely correct. Not only is it exact and accurate, but if the gas is in the completed form defined in the category which is now given the effect of law by the proclamation of the President it is no longer a chemical susceptible to peaceful or remedial use but, on the contrary, is a poisonous lethal gas.

Mr. MALONEY. I thank my colleague.

Mr. WALSH and Mr. VANDENBERG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield; and if so, to whom?

Mr. DANAHER. I yield first to the Senator from Michigan.

Mr. VANDENBERG. I thought the Senator had concluded. I should like to take the floor.

Mr. DANAHER. Then I yield to the Senator from Massachusetts.

Mr. WALSH. Do I correctly understand the effect of the Senator's amendment to be that if the joint resolution were enacted into law the President would be free to permit the sale of arms, ammunition, and implements; but that the Senator is striving through his amendment to forbid the sale and shipment of poison gases under any circumstances?

Mr. DANAHER. That is correct.

Mr. WALSH. I think the Senator called attention to the fact that in the Washington treaty conference an effort was made to exclude poison gases in warfare, but the effort failed.

Mr. DANAHER. That is correct; but I will say to the Senator that it did not fail on that point. It failed because of the fact that the Republic of France refused to sign the agreement simply because of the reference to submarines.

Mr. WALSH. Later, within a comparatively few years—I have forgotten the year—several nations joined in an agreement not to use poison gas in the event of warfare. Is not that correct?

Mr. DANAHER. That is correct, as I understand.

Mr. WALSH. Among those nations is our own Nation.

Mr. VANDENBERG. Mr. President, may I give the Senator the exact information upon that point?

Mr. WALSH. I wish the Senator would.

Mr. VANDENBERG. I think it is very significant. In the disarmament conference of 1932 four fundamental principles were agreed upon, the first of which was the prohibition of air bombardments and of chemical, bacteriological, and incendiary warfare; and the treaty was signed by 41 nations. The only 2 nations which voted against it were Germany and the Union of Soviet Socialist Republics of Russia.

Mr. WALSH. I should like to add to what the Senator has said that in military circles there is a rumor that some of the belligerents now have in their possession a poison gas which does not become effective or operative in destroying or affecting human life until some 3 weeks after the gas is applied or dropped in some locality.

I assume the Senator's reason for this amendment is, first of all, to emphasize to the world that the United States abhors the use of poison gases in war, and also in the hope that if any one of the belligerents proposes or desires to use poison gas our action will possibly serve as a deterrent. Is that the object of the Senator?

Mr. DANAHER. Precisely; plus the additional fact, of course, that the humanitarian objectives to be subserved are so perfectly apparent that I cannot believe anyone would wish to vote for a provision which would permit Americans to ship poison gases for possible use on civilian populations.

Mr. WALSH. So the net result, if the amendment were adopted, would be that, though we are changing our present policy of forbidding the sale of arms, ammunition, and implements of war, we would permit the sale of everything except poison gases.

Mr. DANAHER. That is correct; and those implements which would be usable to throw or disseminate the poison gases.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TAFT. It is also true that this provision would apply in peacetime to every nation in the world.

Mr. DANAHER. That is true.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Nebraska.

Mr. NORRIS. Like the Senator from Massachusetts, I am in entire accord with any attempt which can be applied to all nations to prohibit the use of poison gases. I would go further if I could; but I am wondering about it. Suppose one side to the controversy should refuse to abstain from the use of poison gas, and the other side should insist upon its right to use it: Should there not be something in the amendment itself which would make it applicable only if both sides to the controversy should agree to abstain from the use of such gases?

I am asking only for information. I do not know that it would be possible, but I ask whether or not it would be possible to be more explicit.

Under the known condition of the control or partial control of the sea by Great Britain and France, might it not be possible that Great Britain and France would have to rely on importations of these gases from the United States? If we prohibited their shipment, Great Britain and France could not obtain them; while Germany, on the other hand, might be able to obtain all the gas she wanted from her allies, Italy and Russia, or from other so-called neutral nations. If that were the case, whatever the purpose might be, would not the effect of the amendment be to help one side in the controversy to the detriment and injury of the other side?

I should also like to propound this question: In the Senator's judgment, would it be justifiable for a nation attacked with gas by another nation to use gas in return as a defensive weapon? Would we not be likely to get into the predicament, or get the countries at war into the predicament, that one side or the other might not be able to obtain gas if the other side were using gas?

Mr. DANAHER. Mr. President, as the Senator from Nebraska well realizes, he has asked not one question, but a series of questions.

Mr. NORRIS. I realize that fact.

Mr. DANAHER. Addressing myself to them as well as I can recall them in the order in which he propounded them, let me say to the Senator from Nebraska, in the first place, that in my humble judgment we as a people do not wish to participate in poisoning anybody under any circumstances whatever, whether by way of gas or otherwise. At least, that is my attitude, and I think it is the attitude of the American people and of the Congress.

Coming to the second question propounded by the Senator from Nebraska, I will say that I think we should under no circumstances pass a law the operation of which would be contingent upon two countries overseas agreeing that it should or should not become effective. I think the proposition stated is beyond the realm of a reasonable legislative process. For instance, I cannot believe that we want to pass a statute which says that we will not ship any arms, ammunition, or implements of war to any nation if both sides will agree to stop the war. The argument could be carried that far.

Referring to another of the questions asked by the Senator from Nebraska, I feel that, even though the people of one nation should be bombed by poison gases, or by war vessels, or by the aircraft of another nation, we as a people can under no circumstances whatever justify the use by the side which is the victim of that type of attack of poison gases, flame throwers, and other such devices made by us. I cannot believe that we would subserve the cause of civilization or humanity, or winning the war, by undertaking to poison with phosgene and mustard gas the people of an aggressor nation, the attacking nation. I cannot believe that that is justifiable under any circumstances whatever.

Mr. NORRIS. Will the Senator permit me to submit another question bearing on whether gases are offensive or defensive?

Suppose our nation were attacked by a combination of nations, or any large military force, which was using gas of the kind which the Senator describes in his amendment. Would the Senator feel that we would have a right, notwithstanding the fact that we abhor all those things, to use the same thing in defense of the principles for which we claim to be fighting?

Mr. DANAHER. Mr. President, whether we have "a right" or not, as the Senator uses the word, I should abhor it. I would attempt to exclude it. I would not want to see our Nation fight that way.

Mr. NORRIS. I would not, either. I agree with the Senator as to that; I would not want to do that; but suppose we were confronted by the situation of our enemy using this gas, and we had or could make some of the same gas, would the Senator submit to the assault of the enemy and not use the same means of defense?

Mr. DANAHER. I would; I would hope that we would as a nation. I would certainly, in any case, say that the illustration or attempted analogy is not applicable in any sense whatever, since this Nation is not in the war.

Mr. NORRIS. No; but the principle would apply just the same.

Mr. DANAHER. Not in any way, in my humble opinion, I respectfully say. I cannot believe, as part and parcel of an American policy, that we should equip the people of any nation to use poison gases and flame throwers, and particularly when civilian populations would be bombarded thereby.

Mr. NORRIS. We could carry that further on the same principle. I agree that if we could entirely prevent the dropping of bombs from the air on civilian populations that would be excellent, but such bombing is being done now. Although probably that is not so obnoxious to the minds and hearts of civilized people, in principle it is the same. If you kill a man with a gun he is just as dead as though you killed him with gas. It seems to me that we would be driven, if we were attacked, to do what the Senator says he would not do and what he would rather suffer defeat than to do. The Senator may be right about that, but I am not so humane as that.

Mr. DANAHER. What the Senator says, in effect, is that an animal of prey, if you choose, which can be stopped by one bullet from a .45 caliber gun and killed instantly is just as dead as the same animal that is caught by one leg in a trap and which lives for weeks and weeks in torture and devastating anguish until it finally languishes and dies. It is true that the animal may be as dead at the end of that period in the one case as in the other; but the torture and anguish, on the one hand, are by no means comparable to the wounds caused by a bullet that immediately destroys.

Mr. NORRIS. The animal that is caught in the trap and lives for 3 weeks, and is not dead until the expiration of the 3 weeks, may suffer for the 3 weeks, but a man who is shot may suffer for years.

Mr. DANAHER. Yes; I have known many of my friends who served in the last war who are in that very plight; and I know many who are lingering and suffering from the effects of phosgene and mustard gas and of the devastation and misery they have been compelled to endure as a result. I do not believe our Nation ought to be a party to the use of poison gas.

But to go back, if I may, to another question of the Senator from Nebraska, when he asked if we were going to undertake to send the stuff to one side and not to the other. Let me say that the records of the Munitions Board show that neither Great Britain nor France has bought even an ounce of this character of material from us in anticipation of the present war, and therefore it is reasonable to conclude that they do not want our poison gases, is it not?

Mr. NORRIS. I think that is true; but whether it is or not, I believe that, as a matter of principle, we ought not to permit it to continue.

Mr. LUNDEEN. Mr. President——

Mr. DANAHER. I yield to the Senator from Minnesota.

Mr. LUNDEEN. Let us carry that a step further and exclude all weapons.

Mr. DANAHER. Mr. President, I am talking for the moment of section 12 (b). In view of the fact that my amendment as submitted is in three sections, and in view of the fact that section (a) deals with this specific subject, and later amendments deal with correcting what I consider to be another defect in section 12 (i), I should like to ask unanimous consent that if I now yield to the Senator from Michigan I may thereafter continue. As a parliamentary inquiry, is it possible that I can by unanimous-consent agreement be permitted to retain the floor after a vote on the first stated amendment?

The PRESIDING OFFICER. The Senator can continue on the floor by unanimous consent, but he has 10 minutes more of time on the amendment. By unanimous consent he can do what he suggests.

Mr. DANAHER. What I mean is—I fear I did not state my point accurately—that if we act on the amendment which is now pending, may I thereafter hold the floor and proceed to the second portion of the amendment; that is, the second amendment which has not yet been read?

The PRESIDING OFFICER. The Senator will have 45 minutes on the second amendment when it is proposed.

Mr. DANAHER. Since the items on the page which the clerk holds are germane to the same subject matter, I ask unanimous consent that I be permitted to retain the floor.

The PRESIDING OFFICER. Is there objection?

Mr. CONNALLY. Mr. President, reserving the right to object, I do not think that is proper parliamentary procedure, because the Chair controls recognition and not the Senate by unanimous consent. The Senator will have time left under his allotment. If he yields to the Senator from Michigan, and the Senator from Michigan concludes, the Senator from Connecticut can then rise and secure recognition as in the case of all other Senators. I do not think it is proper to make a unanimous-consent request of that character.

Mr. JOHNSON of California. Mr. President, as I understand the situation, however, there are two amendments——

Mr. DANAHER. Three. We are acting on one.

Mr. JOHNSON of California. We are on one of them now. The Senator will have time upon the other two, the total time that is accorded. That is correct, is it not?

Mr. CONNALLY. I understand the Senator has one amendment which has three sections to it?

Mr. DANAHER. I misstated, I am sure, what I meant to say. I think the Senator from California has accurately stated it. The Senator from Nebraska has very tactfully advised me as to my particular rights. This is the first time the situation ever confronted me when I needed guidance. I thank the Senators, and I yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I understand I have the floor in my own right. I only wish to speak a word on this subject, but I feel very deeply about it and I would not want the vote to be taken without testifying. While I still hope that the Congress, in its wisdom, will conclude to retain the embargo upon all arms, ammunition, and implements of war, nevertheless, if that is not to be done, if that should be impossible, then, at least, I hope we may set up a minimum of the humane standards which America would recommend to the world in respect to arms, ammunition, and implements of war.

Mr. President, for 20 years America has been seeking to lead the world away from the major inhumanities of war. The chief effort in this direction was probably made at the Disarmament Conference of 1932 in Geneva, when President Hoover, in sending the American delegation to that conference, instructed them to seek to divide weapons as between those to be used in a direct military sense and those that would be used for the destruction of civilian populations.

In 1933 President Roosevelt sought precisely the same objective and asked specifically in his message of May 16, 1933, that "the weapons of offensive warfare should be eliminated." In other words, both President Hoover and President Roosevelt agreed upon the objective, namely, that an effort should be made to eliminate weapons of offensive warfare, with particular reference to those weapons that are used primarily against civilian populations.

I repeat now for the RECORD, as I indicated to the Senator from Massachusetts, that 41 nations of the earth agreed in a preliminary way in 1932 at Geneva to the prohibition of air bombardment and of chemical, bacteriological, and incendiary warfare. I believe it will be illuminating to have the RECORD show the 41 countries which thus subscribed themselves. I read the list:

South Africa, Argentine Republic, Australia, Belgium, Bolivia, United Kingdom, Brazil, Canada, Chile, Colombia, Cuba, Denmark, Dominican Republic, Spain, Estonia, United States of America, Finland, France, Greece, Hedjaz and Nejd, India, Irish Free State, Japan, Latvia, Lithuania, Luxemburg, Mexico, Norway, New Zealand, Panama, Netherlands, Persia, Poland, Portugal, Rumania, Siam, Sweden, Switzerland, Czechoslovakia, Venezuela, Yugoslavia.

Eight nations abstained from voting, for one reason or another. They were Afghanistan, Albania, Austria, Bulgaria, China, Hungary, Italy, Turkey.

Two alone voted against the objective, namely, Germany and Soviet Russia.

Mr. President, coming now to the present neutrality statute, I made a very earnest effort to try to translate into a textual amendment this effort to discriminate between offensive and defensive weapons, and I must confess that so far as I am concerned I found it totally impossible to do. I sought to draw an amendment which would discriminate between offensive and defensive weapons in line with the recommendations of the present President and his immediate predecessor in the White House; but, I repeat, I found it impossible. Therefore, I have nothing to present to the Senate upon the subject. But in line with this philosophy of action, and in sympathy with these objectives to which the United States not only has dedicated itself but in connection with which the United States has taken leadership for a quarter of a century, it seems to me the minimum thing we can do is to identify these particular instrumentalities of war, which obviously are the supreme weapons of brutality which no man in his senses dare condone, as representing a commerce in which we under no circumstances shall ever participate.

I am not only joining with the Senator from Connecticut in offering this minimum of prohibition but in earnestly recommending it to the Senate's consideration.

Mr. CONNALLY obtained the floor.

Mr. SHEPPARD. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Austin	Downey	Lee	Schwellenbach
Bailey	Ellender	Lodge	Sheppard
Bankhead	Frazier	Lucas	Shipstead
Barbour	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Borah	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	Wheeler
Connally	Johnson, Calif.	Radcliffe	White
Danaher	Johnson, Colo.	Reynolds	Wiley

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Ninety-two Senators have answered to their names. A quorum is present.

Mr. CONNALLY. Mr. President, I hope not to detain the Senate very long.

As I understand, the amendment now proposed by the Senator from Connecticut reads:

Provided, That no such license shall be issued under any circumstances for the export of Livens projectors and flame throwers; mustard gas, phosgene, or any of the poison gases listed in category VI, proclamation 2237, promulgated by the President May 1, 1937.

Is that correct?

Mr. DANAHER. That is correct.

Mr. CONNALLY. Mr. President, this amendment is simply an effort to distinguish between the character and kinds of weapons. As I see it, we should either send to other nations nothing—no munitions, no arms—or send them any and all arms.

As was so well pointed out by the Senator from Nebraska, all that can be done to a human being with any of these weapons is to kill him. When he is dead he is dead, no matter whether the weapon used in killing him is an offensive or a defensive weapon.

Let me also suggest that I do not favor killing human beings in any way. I do not favor ramming a bayonet through a man and seeing him writhe in the agonies of death. We are going to send other nations bayonets. We are going to send them great bombs and shells. When a shell strikes a soldier, or strikes near him, it tears him limb from limb, and scatters his organs and blood and tissues all over the battlefield. Of course we are not for that, either; we do not advocate it; but when we undertake to distinguish between the kinds of weapons that shall be used, we face the difficulty which the Senator from Michigan [Mr. VANDENBERG] admits he could not solve. He could not draw a line across a list of articles and say, "These weapons are defensive, and those are offensive."

So far as poison gases are concerned, it is well known that Germany is a great industrial, chemical nation. She has dye factories and dye plants all over her country. They could be converted in a moment into plants for the manufacture of all kinds of poison gases. She could employ them. If she employs them, why is it not a defensive measure for the Allies, or her antagonists, to employ the same weapons?

The Senator from Michigan has voted, I am sure, for appropriations in the Army bill every year for the maintenance

of the Chemical Warfare section of the Army of the United States. What is the Chemical Warfare section? It is a section which devotes its energies to the manufacture of gases to be used in warfare—defensive gases, offensive gases.

I should be glad if the Senator from Michigan would give heed, because I am addressing myself to him.

Mr. VANDENBERG. I apologize to the Senator. I was in conference with the Senator from Kentucky [Mr. BARKLEY].

Mr. CONNALLY. I know how fascinating the majority leader is. I myself have fallen under the spell of his fascination, and I can readily understand how the Senator from Michigan would likewise succumb.

Mr. VANDENBERG. The Senator can understand my difficulty when I have to choose between the blandishments of the Senator from Texas and the authority of the Senator from Kentucky. [Laughter.]

Mr. CONNALLY. And the Senator from Texas is always disappointed that he loses out in that kind of a contest.

I was suggesting that the Senator from Michigan has voted for appropriations by the Senate for the maintenance of the Chemical Warfare section of the United States Army. What is that section for? It manufactures gases to gas enemies with, defensively, offensively. I do not know whether or not it has any flame throwers, but I presume it has, not because we advocate the use of flame throwers, but if a man attacks another with a flame thrower, what is the one attacked going to do? He is going to throw some flame back at him, or surrender.

Mr. President, this is merely an effort to distinguish between the kinds of weapons, and it is a failure. Either send them nothing, or send them everything. Send them all the weapons, or send them nothing.

The suggestions of President Hoover and others, of course, were laudable, and they should have been adopted, but they cannot be adopted by one side alone. They must be adopted by all the civilized nations, and made a part of the code of international law. If all the nations would observe them, that would be excellent, but it is not the function of the United States to undertake to lay down the law as to how other nations shall make war. They will fight with the weapons of their own choosing.

I remember, as I told once on the floor of the Senate, when the war between the States was about to begin, Bob Toombs, a fiery Georgia statesman, was making rabid, wild speeches on the stump, and in one of them he said, "Why, we in the South can whip the Yankees with cornstalks."

After the war between the States was concluded, with disaster to the southern Confederacy, Bob Toombs was a candidate for office again, and someone in the crowd he was addressing said, "Wait a minute, Bob. You told us before this war between the States, that the South could whip the North with cornstalks. What about it?"

"Well," he said, "my friend, I did say that, but the trouble was the damnyankees would not fight us with cornstalks." [Laughter.]

Mr. President, if the nations of the earth would all agree to fight with cornstalks it would be fine; but they will not fight with cornstalks.

Who first introduced the use of poisonous gas in war? It was Germany. She has great industrial plants which can be converted overnight. Whenever we say that we will not ship to the Allies any of these supplies to meet the attacks of the enemy, we might as well say we will not send them any weapons at all. It is either send them all the weapons of war or send them none. It is not possible to distinguish between defensive and offensive weapons.

Mr. President, I submit that the amendment should be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut to the amendment of the committee.

Mr. VANDENBERG. I ask for the yeas and nays.

Mr. MURRAY obtained the floor.

Mr. McNARY. Mr. President, the yeas and nays have been demanded.

The PRESIDING OFFICER. The Senator from Montana has been recognized.

Mr. McNARY. That does not interfere with the call for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been demanded. Is the demand sufficiently seconded?

The yeas and nays were ordered.

Mr. MURRAY. Mr. President, I intend to discuss the joint resolution generally, and I do not desire to hold the floor and prevent a vote at this time. I prefer to wait until after the vote has been taken.

Mr. BARKLEY. If the Senator does not desire to discuss the pending amendment, we might proceed to vote on it.

Mr. PITTMAN. Mr. President, I desire to say just a few words in opposition to the amendment. Recently I saw a picture, which I think is authentic, of the attack by the Germans on Poland. It represented an attack on the little pill boxes, the machine-gun nests, the Polish soldiers had. The picture disclosed that the attack was conducted by throwing flames into the apertures of those boxes. Germany not only has always used flame throwers, but she used them in the war against Poland. I do not know that any gas was used. As was stated by the Senator from Texas, Germany originated the use of poisonous gases as well as of flame throwers.

When the international conference was held in Washington in 1921 and 1922 in an effort to secure a limitation of armaments, it was proposed by the United States, as I recall, that the governments should agree not to use poisonous gases at all. France objected, on the ground that Germany was a great manufacturer of dyes and that France was not, and that the factories making the chemicals used in the production of dyes could be converted in a very few hours into factories for the manufacture of poisonous gases. Therefore France objected to absolutely prohibiting the manufacture of gases.

We had the same contention with regard to airplanes. It was proposed that war planes should be limited. The objection at the conference again by both Great Britain and France was that Germany at that time was more advanced in the science of flying and had more commercial airplanes than any other country in the world, and that it was possible to convert what are called commercial planes into war planes very simply and very quickly.

Now we are dealing with poisonous gases. I see that the next amendment to be proposed by the Senator from Connecticut [Mr. DANAHER], called amendment B, is to prohibit the shipment of airplanes which carry bombs. So we get right back to the question of the impossibility of distinguishing between weapons which bring about death during war. The absurdity of it appears.

If we are to eliminate poisonous gases, then we should eliminate shrapnel, because possibly the most destructive weapon in war is shrapnel. When a shrapnel shell bursts, a hundred pieces of steel may be blown throughout the body of a soldier, from which he may suffer, without death, all the rest of his life. Should we not also stop that? I think there is no more destructive weapon.

We should stop the shipment of bombs of a certain magnitude, which, if they burst within several hundred feet of a soldier, probably deafen him forever, and possibly blind him. It is probable that death by gas is the most merciful death dealt out in war. Cyanide gas kills instantly. One breath of it and a soldier is gone. It is far less painful than being blasted with shrapnel, or even the iron particles of a bomb.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. PITTMAN. I will yield in a moment. The Senator realizes that if he is to be logical, he must not only provide that no gases shall be allowed to leave this country, but also that the airplanes which carry the gases shall not be allowed to leave the country.

To be further logical, he should provide that no gasoline for the operation of airplanes should be allowed to leave the country, because without the airplane the bomb containing the poisonous gases cannot be dropped, and without the

gasoline the airplane cannot fly. So we should include gasoline in the prohibition. We should include also alcohol, because planes can be operated with alcohol. We should include every character of liquid that may be used to operate an airplane that is to drop a bomb.

No agreement of nations can ever prevent a government from using every possible weapon of self-defense, every weapon with which to win a war, that is available to it. They may not use gases so long as they can win without them, but if the use of a gas is essential to the life of a country, it will use gas. The absurdity of contending that by prohibiting the export of gases we can have any effect in the world upon the use of gas, is obvious.

If it is placed on the ground of humanity, then there is only one way in which to meet one's conscience, and that is to allow no metal, no plane, no chemical, to be shipped out of this country to any belligerent country or to any neutral country from which it may be shipped to a belligerent country where the weapons of destruction will be made.

It is just the same old thing of imagining that it is possible to pick out a few weapons of destruction and exclude all the other weapons of destruction, and satisfy either humanity or neutrality.

Mr. DANAHER. Mr. President, let me observe, briefly, that if everything the Senator from Nevada has said in conclusion with reference to my position in opposition to the repeal of the embargo on arms has not been made apparent over the past 5 weeks, then there is nothing left for me to say or do to make it obvious to the Senator from Nevada. I am opposed in every degree, logically and otherwise, to the result to which he makes reference.

But, Mr. President, taking the situation in its practical aspect, taking his argument as he offers it, we can look through the list of gases named by the President, and we will not find cyanide, the gas that puts the soldiers to sleep so painlessly. We will find mustard gas; we will find phosgene, but we will not find cyanide there. As late as September 1939, only 2 months ago, the President of the United States embargoed by his proclamation identically the same list of gases which are included in category VI in 1937.

The President of the United States had no difficulty whatever in classifying the munitions which came within the category which he defined. In category VI he placed all the flame throwers, he placed those instruments of war which are capable of throwing gases. He placed in it Livens projectors, he placed in it an enumerated list of deadly and poisonous gases, and his own proclamation recites:

> Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority conferred upon me by such joint resolution, and pursuant to the recommendation of the National Munitions Control Board, declare and proclaim that the articles listed below shall on and after June 1, 1937, be declared arms, ammunition, and implements of war.

And he himself, on the recommendation of the Board, defined in category VI a definite classification, which he made on the recommendation, I repeat, of the Board, of the very things which we now seek to embargo, and which I say should never be sent overseas for inhuman use upon civilian populations.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. CONNALLY. Under the law he had to define things that were arms, ammunition, and implements of war and, of course, these articles which the Senator mentions are implements of war, and he denominated them as such. He could not do anything else. What is the point about that?

Mr. DANAHER. Perhaps the Senator from Texas missed the argument offered by the Senator from Nevada, that it is impossible to distinguish between offensive and defensive weapons. It is not a question of differentiating between offensive and defensive weapons; but, if it were, I say that every one of those items is definitely classed as an offensive weapon, and it was placed in a category all by itself by the President himself. That is the list of articles which I say we ought not to export.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. HOLT. How can we condemn the use of poison gas we sell? I understand the majority leader says we do not intend to condemn it. I thought America believed in civilization. The use of poison gas is war on civilians and I do not want my Government to take part in spreading poison gas among civilian populations.

Mr. PITTMAN. Mr. President, that is a very high ideal, but never has been realized by any country in the world.

Mr. TYDINGS. Mr. President, I had not intended to participate in this debate, and I do not now intend to say very much, but certainly I think that any man who had any contact with the last war would much rather face anything than artillery fire. Artillery fire is perhaps the cruelest enemy that a man who carries a musket has to face. It comes from 5, 6, 8, 10, 12, 15, 18, or 20 miles away, and the soldier is absolutely helpless. There is nothing he can do to defend himself. The gun may be located on a railroad track in a village 6, 10, or 15 miles from the actual front, where men and women are living and going about their everyday work, and it may throw a shell weighing a ton, which will hurtle through the air 18 or 20 miles, and when it explodes it does not kill with a deadliness but mangles and leaves its victims torn and wounded, and perhaps parts of their bodies missing.

So, Mr. President, if we are going into the "humanities" of actual warfare, the first things we should eliminate are cannon and shell. I think almost any man who had to die would perhaps prefer to die as the result of gases than as the result of having a hundred pieces of shrapnel in his body or his arms blown off, for, at least, his death would come pretty rapidly from gas.

All the arguments about what weapons we should permit in war and what ones we should not permit, of course, appeal to our emotions. "War is hell," said Sherman. It is the trade of barbarians. It ought to be abolished. Some years ago every nation in the world entered into an agreement not to use war as a means of national policy, but where is that agreement today? It has been scrapped and thrown into the wastebasket. When war comes we can pass laws from now to Christmas, but nations are going to use every device and every artifice necessary to win the war, and those who are on the defensive are going to use every artifice they can to keep from losing.

Therefore, I do not see any difference at all between poison gas and the bullet or the artillery shell. It would be excellent, of course, if we could limit war and the resultant suffering to the theater of actual hostilities; to the soldiers in the field, rather than to extend it to the men, women, and children behind the lines. But there is a more powerful defense against the attack on men, women, and children behind the lines than law, and that is public opinion, and if Germany or France or England in this war should start to bomb towns which are not military objectives per se, and to kill hundreds and thousands of men, women, and children, whatever the temporary gain might be, they would lose a hundred times in world opinion and world support, which would manifest itself in hundreds of ways. Men who are opposed to war will join and fight with the nation which is being bombed from the air, whose men, women, and children are being massacred. Under such circumstances men have a sense of outrage which is aroused, and they will volunteer from this country and from every other country to aid the nation which is being so attacked. That is the only weapon upon which we can rely.

Mr. President, is poison gas any worse than the artillery shell, or the machine gun, or any other weapon, or as the Senator from Texas has suggested, the bayonet, for that matter, which is driven into the body and turned around and pulled out, and the victim runs around holding certain parts of his body to keep them from spilling out on the ground? What is more cruel and horrible than that? Almost any

man would rather be gassed a hundred times, to die that way, than to be killed as the result of a bayonet thrust or of a shell explosion.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I yield.

Mr. CONNALLY. Would it not encourage the use of poison gas and other so-called barbarous weapons, to allow one nation to have them and deny them to another?

Mr. TYDINGS. The argument that my good friend the Senator from Connecticut is making—and I know that he is righteous in his indignation against these outrages that are committed in the name of war—on its face is not a strong one. In my judgment if we are to be logical we should lay aside the attempt to define and differentiate between offensive and defensive weapons, and define who is an aggressor and who is not an aggressor. That is what we should do.

Mr. HOLT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from West Virginia?

Mr. TYDINGS. In a moment I will. This idea of not allowing the country which is on the defense the necessities with which to defend itself while it is being attacked by some ruthless aggressor is wrong. Civilization demands that we give every bit of aid we can to the nation which is being attacked, and not run like cowards all over the face of the earth until our turn comes next. United public opinion should stand shoulder to shoulder against aggression. But, of course, in politics, in a practical world, we cannot begin to name aggressors, for when we attempt to name an aggressor, that in effect is an indirect declaration of war against that aggressor. But I certainly know who the aggressor is—and every person in this Chamber knows who the aggressor is. There is no one in this Chamber who on his or her conscience would not vote today to designate one nation as the aggressor. There would not be one who would not so vote, but I am not going to name the nation.

Mr. President, it is not necessary for me to denounce any country by name on the floor of the Senate in connection with this measure. As a matter of fact, I think we are not accomplishing anything constructive or worth while when we do that. But if we are to say, "You may have these weapons because they are purely defensive, but you cannot have these other weapons because they are purely offensive," then why do we not go the whole way and say that we will not sell to one nation because it is the aggressor nation in this war, but we will sell to another nation because it is the defensive nation in this war? If we are going to proceed on any basis of logic there is no other conclusion. The conclusion is inescapable.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Kentucky.

Mr. BARKLEY. Much has been said on the floor of the Senate during this debate to the effect that this is not our war, that we are not in it, and that we are not to have anything to do with it; but does not this amendment put us in the position of undertaking to determine what kind of war shall be fought in Europe?

Mr. TYDINGS. Absolutely.

Mr. BARKLEY. Does it not put us in the position of saying that while one nation, through its own resources, may resort to the kind of war we may oppose, we propose that those who are attacked by that nation shall not defend themselves in like manner?

Mr. TYDINGS. The Senator from Kentucky has raised an interesting question. In the course of this debate we have heard discussed the history of England, and we have heard English imperialism and cruelties denounced. We have heard discussed the history of France and all her wars and have heard those wars and France denounced. We have heard of the conduct of Germany. We have heard Germany and her activities denounced. If we really want to "go to town" on righteousness, we might take up the history of the United States. We might tell about our treatment of the red man—broken promises by the score, driving him off his land, and finally, when we isolate him out in Oklahoma and the Indian Territory, a generous Government comes along and takes the oil lands away from him and gives him a small pension in mitigation of its action.

We might talk about our great Democratic President, Andrew Jackson, who, in violation of the laws of this country and of the specific orders of his own Government, annexed Florida and parts of Alabama and Mississippi to the United States of America. If we were to tell about ourselves, we should find what we call our destiny to be of a piece with the history of the other countries which have been so frequently denounced on this very floor.

Mr. BARKLEY. We might also speak of the Mexican War which Abraham Lincoln voted against and which he denounced because it was an unjust war.

Mr. TYDINGS. Yes. We are not without sin, and we should not cast the first stone. The war in Europe is not our war. It is not necessary for us to denounce Germany, or England, or France, or any other country. What it is necessary for us to do is to mind our own business, sell as usual, and take whatever steps we deem proper for the protection of our own citizens. When we shall have done that, we shall do well not to meddle in the kind of war that is being fought 3,000 miles from home.

Mr. HOLT. Mr. President, the Senator from Kentucky has said it is not our purpose to determine what kind of war is being fought. I should like to think that some action of ours would be an official disapproval of the use of poison gas against civilians. Of course, soldiers are killed by bayonets. Of course, soldiers are killed by cannon. But the babies and women of the world are not killed by bayonet—not once in 10,000 times. We know they are killed by poison gas.

Why should we stand here and say that we can do nothing about it? If you defeat this amendment, you say, "It is all right; we will sell gas to anybody." Sell deadly poison gas in the name of civilization and in the name of democracy. Why? Because it may mean a little profit for those who are selling the gas. They say we cannot do anything about it. We can.

Mr. President, today we are deciding whether or not we put our stamp of disapproval on the use of poison gas. We are putting into the law the action we have so many times spoken of in words. If you defeat this amendment, you sanction the use of poison gas. You cannot excuse the wrong by saying others use it. You offer poison gas to the belligerents to be used against those with whom we are at peace. You officially approve the use of this terrible gas which may be used against defenseless people, and yet you say you do it in the name of civilization.

It is said that if Germany uses poison gas we must supply it to the other side. If they do, why should we spread the agony and the suffering to others? Two wrongs never made a right. How can we sit here and say that we have nothing to do with such warfare and yet sell poison gas to kill the innocent? How many times have officials of the Government gone to the people and condemned poison gas? Then we hypocritically say, "It is all right for us to sell it, but it is wrong for you to use it."

That is the question we are deciding today. Of course, it is not our war; but if by our actions we can stop the use of poison gas we shall have accomplished much. We shall have put the stamp of disapproval on mustard gas and flame throwers. It is said we cannot do anything about it, and that we might just as well sell one implement as another. Mr. President, that is nonsense. It is all right for us to sit here, where poison gas will not be used, but it is not all right for the children of Europe. Let no man who votes for the sale of poison gas rise here on this floor and talk about defenseless women and children in the future.

The Senator from Texas said, as I understood him, "Why should we stop the other side" from using it? I thought this was a neutrality measure and that we were to supply both sides. So why confine it to one particular side? I think it is wrong for all sides to use it. Certainly you are becoming an accessory before the fact when you allow and officially approve the sale of phosgene, mustard gas, and such things for attacks on civilians. Others may vote for the sale if they

care to, but I will not vote to put mustard gas into the lungs of babies of Germany or of any other nation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER] to the amendment in the nature of a substitute.

On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that if he were present he would vote "nay." I transfer that pair to the Senator from Washington [Mr. BONE] and will vote. I vote "yea."

The roll call was concluded.

Mr. MCNARY (after having voted in the affirmative). I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I transfer that pair to the junior Senator from Kansas [Mr. REED] and will permit my vote to stand.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Mississippi [Mr. HARRISON] is unavoidably detained.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is unavoidably detained. If present, he would vote "yea."

The result was announced—yeas 36, nays 54, as follows:

YEAS—36

Barbour	Donahey	La Follette	Shipstead
Borah	Downey	Lodge	Taft
Bulow	Frazier	Lundeen	Tobey
Capper	Gibson	McCarran	Townsend
Chavez	Hale	McNary	Vandenberg
Clark, Idaho	Holman	Maloney	Walsh
Clark, Mo.	Holt	Nye	Wheeler
Danaher	Johnson, Calif.	Overton	White
Davis	Johnson, Colo.	Reynolds	Wiley

NAYS—54

Adams	Ellender	Lucas	Schwellenbach
Andrews	George	McKellar	Sheppard
Austin	Gerry	Mead	Slattery
Bailey	Gillette	Miller	Smathers
Bankhead	Green	Minton	Smith
Barkley	Guffey	Murray	Stewart
Bilbo	Gurney	Neely	Thomas, Okla.
Brown	Hatch	Norris	Thomas, Utah
Burke	Hayden	O'Mahoney	Truman
Byrd	Herring	Pepper	Tydings
Byrnes	Hill	Pittman	Van Nuys
Caraway	Hughes	Radcliffe	Wagner
Chandler	King	Russell	
Connally	Lee	Schwartz	

NOT VOTING—6

Ashurst	Bridges	Harrison	Reed
Bone	Glass		

So Mr. DANAHER's amendment to the amendment of the committee in the nature of a substitute was rejected.

Mr. MURRAY and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes first the Senator from Montana.

Mr. MURRAY. Mr. President, the issue presented by the pending neutrality measure is of such momentous character that I feel impelled by a sense of duty to make clear at this time the position which I propose to take. I approach the task before me with a deep sense of all the serious implications involved in the fateful question of our national policy.

First, let me say that in presenting my views on this issue I do not wish to be understood as in any way impugning the motives or questioning the sincerity of any Member of this body. I entertain a genuine regard and respect for the opinion of each of my colleagues. I speak here today only because of a keen sense of responsibility and obligation boldly to express my judgment on a matter which vitally concerns the honor, the safety, and the integrity of our country.

A score of eminent Senators preceding me in this debate have risen in their places and with deep sincerity and eloquence have expressed their abhorrence of war. Truly, we all abhor war. We are all anxious to preserve our country from involvement in the bloody conflict now raging in Europe. I am sure also that it is the sense of the American people that we should do everything possible through peaceful efforts to aid in bringing an end to those hostilities before the resulting damage shall become irreparable. A prolonged war can mean only tragic suffering and misery for millions of innocent people. It will certainly cause dangerous upheavals and maladjustments, not only in America but throughout the world. Those who may be victorious will not be able to profit from their victory. Indescribable suffering and destruction of wealth awaits victor and vanquished alike. The resultant loss of life and the destruction of property will impose a crushing and unbearable burden on the backs of the people of all the nations involved, as well as seriously injure and retard the progress of civilization everywhere. All human beings, therefore, must be imbued with the deepest sympathy for those unfortunate people confronted with the horrors of this cruel and desperate war. We can easily visualize how tragic and helpless is their plight. We owe them at least the duty of conducting ourselves as upright and neutral neighbors.

MUST BRING MORAL PRESSURE FOR PEACE

Mr. President, while it is our duty to preserve the peace and safety of the United States, that alone should not be our only active interest. Bound by a sense of human pity, we must make every effort to mobilize the moral judgment and opinion of our country, and, indeed, of the whole world, against this futile and indefensible war. We must seek, in every possible way, to bring about an early armistice and final peace in the interest not alone of those involved but of all civilization.

HIGH STANDARD OF DEBATE

Since this joint resolution has been before the Senate the discussions which the issue has invoked have raised the standard of senatorial eloquence and senatorial statesmanship to a very high plane. I have religiously attended these discussions and have gained much profit from them. Our system of unlimited debate has proved itself. I think that out of the welter of these deliberations the truth will emerge, and we shall shortly have an American neutral policy with the general approval and support of the American people. I have not the slightest apprehension on that score.

A spirit of genuine Americanism lives in this body; and while we may earnestly differ in our views and in our judgments, we are all moved by honest desires and motives. We are seeking but one end—to deliver this country from the perils that threaten it and dispel from our horizon the clouds of war which darken it.

The discussions have now proceeded for many days, covering many broad and perplexing fields—international law, neutrality, diplomacy, contemporary history, power politics, international intrigue, and peace and war in general. I may add that we have also intruded quite deeply into the realms of metaphysics, conjecture, and speculation.

MUST STAY OUT OF WAR

I wish to say at the outset that there is no question about the attitude of this country or about the attitude, I hope, of every Member of the Congress of the United States in regard to the absolute necessity of avoiding our involvement in the present war. The people of this country have been completely disillusioned by the results of the last war; and no intelligent, patriotic citizen of this country today must fail to take the unalterable position that we at all hazards shall avoid intermeddling, taking sides, or becoming involved to any degree in the present conflict.

MUST BE NO APPEAL TO FEAR

The problem presents itself to my mind as a cold-blooded, hard-headed question: What is the best course to follow in order to protect American interests and American security and maintain a truly neutral attitude toward the belligerent nations in this war? Any sane person must concede that to incite or undertake to lead this country into participation in the present conflict would be a senseless thing and would be wicked, because irrational. But it has been earnestly ar-

gued here that repeal of the embargo will take the United States into war.

Mr. President, I think any intelligent and unbiased person looking at this question seriously and not emotionally must admit that neither the repeal of the embargo nor its retention, standing by itself, will either take this country into war or keep it out. We can enter this war or any war only through the will of the people. The people want to stay out. War can be declared only by Congress. Any attempts to frighten this country or influence its opinion by arguments to the effect that the pending measure is a step into war, or that the embargo is an absolute insurance against war, will fail. The American people are not so gullible and incapable as to be influenced by such groundless assertions. I am sure they will not be deceived by mere appeals to fear and emotion. I have full confidence in the unerring judgment and the sensitive conscience of the American people.

America has accomplished the greatest things ever achieved in the history of mankind—things which have been universally recognized as of transcendent value to civilization. Yet many of these achievements were attained, not through statesmen, but through the inherent wisdom and sense of justice of the American people. I think the people of this country understand this problem, and will have the wisdom to recognize that Congress is seeking by its action to protect our own interests, and not injure any other nation in the world.

REPEAL OF EMBARGO

The neutrality program presented by the Pittman joint resolution briefly provides for repeal of the Neutrality Act of 1937, with its embargo on American arms, ammunition, and implements of war, and the substitution of a cash-and-carry plan applied to all trade with belligerents, including arms as well as materials of war and nonmilitary commodities. The plan presented provides for payment in cash—I assume the credit provisions will be eliminated—transfer of title on American shores, and shipment in non-American boats. This plan, it is contended—and I agree with the contention—will effectively eliminate the danger of incidents such as the sinking of American boats and loss of American lives and property, which is the most prolific cause of war.

This neutrality measure could properly be called a general embargo act.

It embargoes or prohibits nearly every act or thing which in any way might tend to draw this country into war.

It bars or prohibits the extension of credit to any nation at war.

It prohibits the use of American ships in carrying on trade with warring nations.

It prohibits American ships from carrying passengers to any nation at war.

It bars any ships from entering combat zones.

It bars American citizens from traveling in combat zones.

It bars American citizens from traveling on belligerent ships.

It bars the arming of American ships.

It bars citizens from buying or dealing in bonds of a nation at war.

It contains numerous other provisions designed to carry out the program, and provides heavy penalties for violations.

To me, the present measure is a more effective embargo than the so-called Embargo Act of 1937, which embargoes only arms, ammunition, and implements of war, which constitute approximately only 15 or 20 percent of our war trade.

CONTROL OF AMERICAN SHIPPING

The whole purpose of these restrictions on American trade and shipping being to avoid any high-seas risks, it is apparent that we should not go further in burdening shipping interests than is absolutely necessary to avoid danger. For this reason I have supported and voted for all the amendments intended to lessen the hardship on American noncontraband trade with Canada and with the colonies of Great Britain and France in areas free from high-seas risks, the Western Hemisphere, and the Pacific.

I shall not undertake to dwell on features of the measure which have already been fully and effectively debated. I shall discuss only some of the major points involved, and, in addition, present my views on the general subject of neutrality and the correct position the United States should take.

LEGALITY OF AMENDING NEUTRALITY ACT

The argument is made that, inasmuch as the Congress had the constitutional power to pass the Embargo Act in 1937, it cannot now be changed to affect a belligerent country after a war has started. The position is taken that absolutely nothing can be done about this situation, and that we must at all hazards continue to adhere to an unwise and dangerous policy which was forced through Congress without adequate study, through the activities of certain pressure groups.

The opposition to repeal of the embargo is based upon the fallacy that it would be a violation of international law to amend this purely domestic enactment after a war has commenced, and, therefore, that this is an international and not a domestic problem. The fallacy in this argument is conclusively shown by the fact that those who advance it are saying, in effect, that Congress, in exercising its constitutional right to regulate foreign commerce, violates that vague and changing chimera known as international law. Let me ask those who believe that a change in our present law would be a violation of international law if they also believe that a war in which we have no part abrogates the power of Congress, granted by the Constitution, "to regulate commerce with foreign nations." If that is true, then every piece of tariff legislation now in force must be held to be frozen in its present status, and subject to the whims of foreign dictators as to when they shall start or end wars.

Of course, no Senator or anyone else with a knowledge of the subject believes any such thing. The Constitution prescribes no limitations arising from foreign wars on the power of Congress to regulate commerce. To amend or not to amend the existing law is purely a domestic problem, to be decided only by Congress under the powers delegated to it by the Constitution. It was due to similar considerations that the Congress refused to delegate its powers to the League of Nations, maintaining its independence of action in affairs in which it alone, under the Constitution, has jurisdiction. Events have proved the wisdom of that decision.

EMBARGO ACT IS UNNEUTRAL

The very heart of this question, as I have already said, is whether repeal or retention of the embargo will keep the United States out of war. No human mind is so perfect and infallible as to prophesy on this point. It is plain, however, that the repeal of the embargo and substitution of the cash-and-carry plan here proposed is the more likely to keep us out of war. At the same time it is a more truly neutral policy. It will protect us from incidents which are the cause of war. The proper course for Congress is to adopt that policy which will be most likely to safeguard the security and peace of our country, regardless of its effect on the belligerents.

After a careful, conscientious study of this problem I am convinced that, having committed our country by ill-considered legislation to an erroneous policy which places it in an unneutral attitude toward either of the belligerents, it is our plain duty to acknowledge the mistake and unhesitatingly undo the wrong. That the embargo operates in such a manner as to place this country in an unneutral attitude toward one of the belligerents cannot be successfully disputed. The general argument on this phase of the issue has already been so complete that I feel it would be an act of supererogation on my part to do more than refer to the able discussions by the distinguished chairman of the Foreign Relations Committee and other able Senators, including the leader of the majority, the esteemed senior Senator from Kentucky [Mr. BARKLEY].

TO REPEAL EMBARGO

On the question of the right of a neutral power to repeal or amend its neutrality laws, I wish to call attention to the opinion of Dr. Charles A. Beard, noted historian and authority on international law. He says:

Neutrality does not mean and never can mean "impartiality" in the sense that American policy and acts must confer the same or equal benefits upon both sides in the war.

Hence, acts done under American neutrality must benefit one belligerent more than another and injure one belligerent more than another. American neutrality has never meant equality of benefits and injuries. It does not mean that now.

During the progress of this debate many outstanding authorities on international law have been quoted upholding these views. It seems quite clear to me that the only circumstances under which we could be guilty of a violation of international law would be in permitting the sale of arms or other commodities to one belligerent and actually denying them to another.

Leading authorities on international law uniformly concede that a neutral state, for the purpose of better safeguarding its rights and interests or better fulfilling its duties as a neutral, may, during the course of a war, adopt new measures or alter measures previously adopted, so long as such legislation is applicable to trade with all belligerents. If some of the belligerents happen to be unable to take advantage of such provisions because of geographical or other factors, these are circumstances which a neutral state is under no duty to attempt to equalize. But it is unnecessary to carry this argument further, as the opposition now seem to concede the point, and are themselves asking for an amendment of the act of 1937. They thus place themselves in the position of conceding that the act may be amended after war is started.

EMBARGO LEGISLATION DANGEROUS EXPERIMENT

Mr. President, when this embargo legislation was first proposed to Congress, it was condemned by all authorities on international law as dangerous and ill-advised legislation. Congress was warned to reject it as dangerous experimentation. Congress failed to heed that warning, and committed a serious error. It seems clear to me that if we are to be truly neutral the embargo must be repealed. If we maintain the embargo, we simply cannot escape the charge that by our act of intervention or deviation from the customs and practices we have always heretofore followed, and which other nations came to rely upon, we have deprived one side of an effective advantage it had always previously enjoyed.

To be entirely consistent, the proponents of embargo should demand an embargo of all shipments, including war materials as well as munitions. If this is not to be the policy, manifestly we should place arms, ammunition, and implements of war in the same category with war materials, and conduct all such trade on a strictly cash basis, as is intended under the pending measure.

But the opponents of the pending joint resolution have said that if we repeal the embargo and become an arsenal for one side, we shall be shot at by the other side. This is an example of the loose arguments and appeals to emotion being made in this debate. It can easily be seen that armies must be fed, and, under the law as it stands today, if we become a granary for one side we will be shot at also. In a modern war, everything from Oregon lumber, from which cellulose is made, to Maine potatoes, which feed a soldier, or cotton used in hospitals for injured soldiers, is contraband. If there is danger of being drawn into the war through the sale of manufactured munitions, there is just as much danger in the unrestricted sale of gasoline to run the motors of a tank or airplane, or the sale of food to give strength to the soldier who operates them.

WILL REPEAL CAUSE SABOTAGE?

It is argued by the opposition—not only here in the Halls of Congress, but through the press, over the radio, and from the public platform—that if we adopt the pending joint resolution and remove the barriers set up by the Embargo Act of 1937, our action will be offensive to one side and our country then may become the victim of the violence and the rage of the dictator of one of the belligerents, who, we are told, may thereupon let loose his agents and spies in our midst to spread ruin and destruction across the country. If such a thing could be true, we should weigh the threatened dangers with the utmost caution. We are in no wise acting in violation of any vested rights of any nation in the world. We are seeking only to put our own house in order, and avoid the danger of war involvement. If any foreign power should attempt such an outrage against us for no just reason, it would not only fail, but it would arouse the conscience and condemnation of the whole world. Certainly no such course of conduct will ever be attempted, nor could it be successful.

ABRAHAM LINCOLN'S ANSWER

There can be but one answer to such a threat, and that answer was given by Abraham Lincoln during a period of great disturbance in our own country. Lincoln was warned during the debate over slavery that if he did not approve of slavery in this country and refrain from the contemplated acts of justice in dealing with that problem of domestic policy, both he and our Government would be ruthlessly destroyed. The answer he gave to that threat applies today as it did in that former period of our history. Lincoln said then:

Let us not be slandered from our duty by false accusations nor frightened from our course by threats of danger to our country or dungeons for ourselves; but let us have faith that right makes might, and in that faith let us go forward and do our duty as God gives us to see it.

MUST BE NO APPEAL TO PASSIONS

Mr. President, we must not permit appeals to fear, to passion, or to emotion, deter us from a true and consistent course. The people of this country are determined to stay out of the European war. They demand that Congress shall fashion our neutrality laws so as to best accomplish this end. They do not wish Congress to be influenced in this legislation by any desire to benefit or injure either of the belligerents. It is the single and only desire of the people to act in such a way as will best serve our own American interests and welfare, and, at the same time, guard this country from entry into war. Any attempt to prejudice this vital national question by imputing dishonest or ulterior motives to either side in order to inflame public opinion or influence the action of Congress will be resented and condemned by the people.

Our neutrality legislation should have the single aim of maintaining a neutral position toward all belligerents, in accordance with the well-established principles of international law and our own traditional policies. This is the position that the United States should take if it really desires to be honestly neutral and hold itself aloof from the European conflict. Therefore, I do not attack or cast aspersions on any of the belligerent nations. It seems obvious to me that this question must be settled and the neutrality policies of this country must be based wholly on American considerations and in accord with our traditional policies of neutrality and fair dealing with all the nations of the world.

Mr. President much has been said in this debate about the desirability of contributing in some manner to the defeat of one side or the success of the other in this war. I utterly reject that proposal. I agree with all the criticisms leveled against such arguments. I think it would be a most dangerous thing for this country to be influenced by any such motives or considerations. To adopt such an attitude is wholly unneutral, implied if not in fact. The end—and the only one—we should desire to achieve is actual neutrality within the meaning of international law; a neutrality which is recognized under the laws of nations. We must go no further.

The legislation proposed by the Pittman joint resolution seems to me to comply in every detail with all the principles I have announced. It points a course which, according to every test of legality that can be applied, is truly neutral and at the same time it serves the best interests and welfare of our own country. It calls for a tremendous sacrifice on the part of the American people in the matter of regulating international trade and shipping. It curtails important rights and privileges and causes great losses to our country. The Pittman joint resolution, as amended on the floor, goes further than any great neutral power has ever gone in surrendering its historical rights in order to avoid the dangers of becoming involved in war. I think

the American people are not only willing but anxious to make these sacrifices in order to insure peace.

EMBARGO IS NO INSURANCE AGAINST WAR

The Neutrality Act of 1937, with its embargo provisions, is wholly ineffectual to protect this country from the danger of being drawn into the conflict. If this extraordinary session had not been called and the act of 1937 were left intact without change, this country would undoubtedly become involved through loss of ships and be drawn into war. I know these embargo provisions of the existing law are hailed with great vigor and force as the absolute sine qua non for avoidance of war. The proposed repeal of the embargo is denounced in pompous phrases and with much show of emotion by the opposition group as the first step into war. Nevertheless, Mr. President, I assert that not a single argument has been advanced in its support based on either logic, sound morals, or genuine American interest. As a matter of fact, the embargo principle is simply a violation of our historic policy and is nothing but a snare and a delusion. It is contrary to the accepted uses and practices of independent neutral nations throughout the whole world.

EMBARGO IS AN ENEMY OF PEACE

The embargo principle certainly cannot be supported by any moral considerations. When we analyze all the results that flow from it, it becomes manifestly an unmoral, indecent, and unnatural policy for a civilized and independent nation to pursue. It sets a premium on force and aggression. It works to the disadvantage of the peaceful and law-abiding nations who have no aggressive designs or intentions of invasion or conquest. It operates to the great advantage and benefit of aggressive, militaristic nations who in times of peace plan the invasion and conquest of unsuspecting peaceful countries. It places peaceful, law-abiding nations at the mercy of the dictator powers who seek conquest, and who, in times of peace, arm themselves to the teeth for the purpose of resorting to oppression and conquest.

The embargo principle constitutes nothing but a unilateral pledge to dictator or militaristic nations that this country will permit them to build up huge armaments so as to make them many times more powerful than their peaceful, unsuspecting neighbors; and holds out the promise that when they determine to launch their attack this country will thereupon automatically deprive the victim of any resort to this country for a supply of arms, ammunition, or implements of war for the purpose of defending itself and repelling the attack. I cannot see anything moral or commendatory in any degree in such a supine and unnatural policy on the part of any nation. It accomplishes no moral aims or idealistic benefits of any kind.

EMBARGO WORKS AGAINST PEACEFUL NATIONS

It is, in effect, a one-sided covenant to all the dictators and conquerors of the world, by which we bind this country, contrary to all precedents, to deny arms to peaceful, friendly powers who may become the victims of aggression.

Its proponents depend, in their advocacy of the embargo, solely upon the unsupported assertion or conclusion that it will keep us out of war. It will do nothing of the kind. It can have nothing but the contrary effect, because its tendency will surely be to build up dictators and aggressors who will threaten the peace and tranquility of every nation in the world. It can have no other effect, in the long run, than to involve our country in the very vicissitudes we devoutly desire to avoid. It encourages international intrigue, conquest, and mass murder; and, if accepted as a general principle for the entire world, it would mean that every peaceful, law-abiding nation on earth would have to militarize and arm itself to the highest degree of strength and maintain huge munitions plants and factories for the production of arms and military equipment, with enormous standing armies, in order to be constantly ready to repel bloodthirsty aggressors. Such a burden placed on the backs of the productive manhood of the world would retard human progress and impoverish people everywhere. This country can never subscribe to any such inane policy with consequences so disastrous and destructive to humanity in its progress toward higher levels of civilization.

EMBARGO IS RESULT OF PRESSURE

Distinguished orators with great forensic skill have launched this ill-advised and spurious doctrine on the American people, that embargo will keep us out of war. Many innocent, peace-loving people, failing to study its consequences, may be temporarily influenced. The Pittman resolution, proposed by a majority of the Senate Foreign Relations Committee, who are not so easily confused or befuddled by such loose arguments, has been denounced with great vehemence as a fraud. With all the appearances of sincerity and honesty, its proponents are indicted as a war bloc. Mr. President, these denunciations, while bitter and frenzied, are absolutely futile. Charges which have no basis in fact to support them can safely be ignored. For example, one of the distinguished leaders of the opposition made this rhetorical but baseless attack on the resolution now under consideration:

> The bill has upon its face the trade-mark of unneutrality and malice.

It will be observed that he fails in any respect to make out a case against the measure, but contents himself with this senseless denunciation of it, wholly unsupported by any evidence of logic or reason. Other distinguished Senators have denounced it by asserting the mere conclusion that it is a "step toward war." Such opinion testimony would not be acceptable in any court—even in a police court.

NATION IS VICTIM OF SLOGANS

Mr. President, the people of the United States have always been the victims of slogans and catch phrases such as we have been hearing in this debate. If we will reflect for a moment it will be realized that none of these catch phrases or conclusions which have been so pompously foisted on the American people by the isolationist group have the slightest support in fact or common sense. These catch phrases are all akin to the old-fashioned "full dinner pail" political oratory of our national campaigns. All the attacks made so far on the Pittman resolution, though expressed with great vehemence, are unsupported by reason or proof of any kind.

I am reminded of the well-known law school story of the professor who was advising the graduating class of embryo lawyers about to enter upon the practice of their profession. The professor had admonished his graduating class with regard to the art of the advocate. He said, "Now when you have a case where the law is all on your side, then organize your argument and give them the law with all your force. When you have a case where the facts are all on your side, then likewise organize your argument and give them the facts with all the force you possess." At this point a young student in the back of the class arose and said, "But, professor, when you have neither the law nor the facts with you, what should your course be then?" The professor answered promptly, "Then, young man, the only thing you can do is to yell like ———."

PROPAGANDA AGAINST NATIONS

Mr. President, all across this country efforts are being made to stir up ill-will and resentment against the nations involved in this war. I have received much propaganda seeking to influence my judgment and to justify a course unfriendly to nations on both sides of this conflict. I am not impressed by such appeals. My one aim is to protect the interests of the United States and maintain its peace, its security, and its honor in its dealings with other nations. My personal feelings, or the personal feelings or enmity of any Member of the Congress of the United States, should not be permitted to influence legislation of such a momentous character as we are here considering.

Bitter attacks have been made against each and all of the nations involved. On this phase of the debate I wish to clearly state my position. I reject all efforts to bring racial or international prejudices into this debate. I respectfully submit that such arguments have no place here. This issue must be decided on American considerations alone. All the European races involved in this cataclysm now burning so fiercely in the Old World constitute the very flower of civilization as we

know it. They have all made rich contributions to civilization and the troubles of Europe today cannot be laid at the door of any one of them singly and alone.

We do not hold the peoples of these nations responsible for the mistakes of their governments. They are fighting on each side of this war with deep convictions as to right and justice.

The myth of race superiority is an absurdity that does not appeal to me. In this country we have welcomed to our shores nationals of each of the countries involved and they have contributed in a magnificent and glorious manner to the upbuilding of this great Republic. None can claim precedence over the other. Each of these races is entitled to bring to our shores the affections and traditions of their homeland. No true American looks otherwise than with trustfulness and sympathy upon the manifestations and remembrances of the motherland which animates the various races that have come to our shores. I respectfully submit, Mr. President, that it would be a most dangerous thing to base our action in reference to the enactment of this measure upon any consideration which might seem to favor one race or another in the present war and which would import into this country never-ending feuds and animosities.

WASHINGTON'S ADMONITION

Mr. President, to hear some of the arguments that are being made throughout the country one would almost be inclined to believe that we were seeking to have this country settle all the conflicting quarrels and disputes over the ideologies of Europe. When we import these broils, quarrels, and disputes of Europe into this Chamber we are violating the sacred admonition of George Washington, the Father of his Country, when he warned us:

> Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots who resist the intrigues of the favorite are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people to surrender their interests.
>
> Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. If we remain one people, under an efficient government, the period is not far off when we may * * * take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected.

No one in this Chamber approves of power politics of Europe, which have been so frequently and effectively denounced here. We all hope soon to see the end of such a regime in Europe and the restoration of an era of peace based on justice. I confidently believe that this will eventually result as European nations come to realize that civilization must certainly be destroyed if they persist in their present course.

These are problems which must be settled in Europe. We ourselves settled our great problem, the problem of slavery, and can settle our neutrality problem also, without dragging in the racial conflicts and the broils and disputes of Europe.

Mr. President, we have heard much here about the oppression of minorities and the rights of small nations. All my life I have shown by public action my sympathy for the oppressed peoples of small countries. I always have taken an active and open part in arousing the sympathy and support of this country for oppressed peoples struggling for freedom under the principle of self-determination. I say this to make it plain that I am actuated in my vote by no desire to see tyranny triumph over freedom in any country of the world.

Mr. President, I do not believe any person who has studied these problems can excuse the injustices perpetrated on Germany by the Treaty of Versailles. I am in favor of the correction of every wrong created by that treaty. I think it is plain, however, that nothing can justify the mass murder of innocent and defenseless people in order to correct it. Civilization can never be promoted by barbaric war and bloodshed. The present war can do nothing but harm the nations involved and seriously injure all neutral nations as well. The Versailles Treaty has been undergoing a continuous process of revision by peaceful means and that process should have continued.

AMERICAN DISILLUSIONMENT

I do not think any of us here labor under any delusions regarding European statesmanship. It cannot be said, however, that the rise of aggression and conquest in Europe can be ascribed unconditionally to any one of the belligerents in this war, however much we may deplore and condemn recent assaults upon the freedom and independence of small nations. No one today seeks to justify the Versailles Treaty or the aggrandizements of the European victors in the last war. The treaty of Versailles was based on the fears of militarists who were swayed chiefly by political considerations and who were indifferent to the consequences of changes in the map of Europe that enforced economic boundaries which subsequently proved to be a prolific source of war. While it is not true to say that Hitler's power politics and resort to arms are justified by what occurred at Versailles, it is true, nevertheless, that Hitler's rise to power and his acts of military aggression may be traced to the blunders of statesmen who failed to lay more securely the foundations of European peace based upon justice. The opportunity to end war and to insure the spread of democratic government was lost when Clemenceau and Lloyd George imposed upon the vanquished Germany reparations impossible to pay.

PEACE WITHOUT VICTORY

Some here say they hope to see Hitlerism destroyed. My hope is that no victory may come out of this war to result in another Versailles pact. Neither do I wish to see Hitler or Stalin overrun Europe and impose their ideologies on that continent, and perhaps the world. A bitter and destructive war ending in decisive victory will be fraught with great danger, not only to Europe but to the world. It might mean another Versailles pact. There should be opportunity for a peace of reconciliation and removal of the evils of the industrial imperialisms of Europe. The world was cheated out of a victory for peace and democracy at Versailles, but today there is a rising spirit in the world for the ending of this titanic struggle of industrial imperialisms with its crushing and demoralizing effects upon small nations. All the world now sees the evils resulting from the treaty of Versailles and the failure of the victors to accept Wilson's 14 points.

A neutrality policy which would cause this war to result in a smashing defeat by dictator nations is wholly against the interests and the security of this country as well as against the interests of all the democratic peace-loving nations of the world.

My hope is that a peace will soon come out of the European war which will provide an opportunity to cure forever the ills and the injustices that foster recurring wars. If the war is ended by victory and terms of vengeance are imposed by angry conquerors upon conquered nations beaten to helplessness, the seeds of fresh resentments will be sown, which will be certain to bring on new wars, periodically occurring, for generations to come.

The PRESIDING OFFICER. The time of the Senator from Montana on the joint resolution has expired.

Mr. MURRAY. I will take time on the amendment.

Mr. DANAHER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Connecticut?

Mr. MURRAY. I yield.

Mr. DANAHER. Mr. President, some time ago I sent to the desk the second part of a draft of an amendment, which I wish to have stated. I am perfectly willing to defer its reading so as to permit the Senator from Montana to conclude his remarks in my time, if that would be a convenience to him.

Mr. MURRAY. I have only 3 or 4 minutes remaining.

The PRESIDING OFFICER. Will the Senator yield so that the amendment offered by the Senator from Connecticut may be stated? There is no amendment pending.

Mr. MURRAY. I yield to the Senator for the purpose of offering the amendment.

Mr. DANAHER. Mr. President, when I spoke of permitting the Senator from Montana to conclude in my time, I meant my time on the amendment, of course.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 28, line 10, it is proposed to insert the following further proviso:

Provided further, That no such license shall issue to export aircraft, unassembled, assembled, or dismantled, designed, adapted, or equipped for the carrying and dropping of bombs, as defined in category III of said proclamation.

The PRESIDING OFFICER. The Senator from Montana [Mr. MURRAY] is recognized on the amendment.

STAGGERING BURDEN OF ARMAMENTS

Mr. MURRAY. Mr. President, what the world sorely needs is peace. Peace is not merely the removal of contending armies from the field of battle. It means the reestablishment of justice throughout the European Continent; the complete cessation of hostilities and oppression. It means the deliverance of all nations of the world from the occupation and obsession of wasteful preparation for war. On the floor of the Senate distinguished Senators have time and again pleaded for enormous increases in our Naval and Military Establishments. It is suggested that billions of dollars be expended to double the power of our Navy. The same policy seems to animate other nations everywhere.

THE UNBEARABLE COST OF WAR

The whole world today is paying the price of war. The enormous increase in the cost of living, the widespread unemployment, poverty, and destitution in the world, are due in the largest degree to the tremendous expense of maintaining military and naval armaments and supporting, idle in military establishments, millions of men in the very flower of productive efficiency.

The last World War destroyed $250,000,000,000 in wealth. Ten million human beings were killed, maimed, or rendered inefficient. With this tremendous loss and resultant burdens on the survivors, how are the populations of the world to be fed, clothed, and housed? There is but one way. The waste of war and preparations for war must be ended. Disarmament must be made universal, and the world must be rescued from this terrible scourge which has been laid upon the backs of the human race. This country can aid in the solution of this desperate problem by standing solidly for a constructive American foreign policy.

UNITED STATES A FACTOR IN EFFECTING PEACE

Mr. President, if the American people in this war maintain their neutrality, not on a basis of taking sides but on a just and legal basis—a basis which conforms to international law as we have known it for hundreds of years—no belligerent nation can justly take offense. If we do this, I believe it is as certain as any event of such nature can be certain that sooner or later this country will be asked to exercise its good offices for peace. When that time comes, it will not be difficult for the President of the United States to suggest the terms which will establish justice between the warring countries, and, in fact, between all the nations of the Old World.

The moral law of nations is embodied in our own Declaration of Independence. Let the truth be accepted as the fundamental principle of international law that consent of the governed is the only proper basis of government, and every serious cause of distrust and conflict among nations will be easily eliminated.

I think it must be manifest to any impartial, intelligent American, to any student of the realities of the situation, that the Pittman joint resolution presents the correct American policy of neutrality. With the amendments relating to credits and liberalizing of shipping and trading provisions which have already been agreed to, it represents my idea of sound American policy. I intend to cast my vote for it on purely American considerations.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER] to the amendment in the nature of a substitute.

Mr. DANAHER. Mr. President, may the amendment be stated?

The PRESIDING OFFICER. The amendment will be again stated.

The LEGISLATIVE CLERK. On page 28, line 10, it is proposed to insert the following further proviso:

Provided further, That no such license shall issue to export aircraft, unassembled, assembled or dismantled, designed, adapted, or equipped for the carrying and dropping of bombs, as defined in category III of the proclamation.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. I shall be glad to yield.

Mr. CONNALLY. In view of the very decisive expression of the Senate on the Senator's other amendment, why does he not withdraw this amendment? I do not want to press him, but we are anxious to vote on the joint resolution as soon as possible. The first amendment of the Senator was certainly more appealing than is the one now pending, and the Senate turned it down by a vote of 54 to 36.

Mr. DANAHER. Mr. President, I think by a very brief explanation I can probably dispose of the thought which the Senator from Texas interjects at this point.

Let me point out, Mr. President, that this amendment does no more than attempt to reach those items in category III which the President himself has placed in category III, as distinguished from category V of the proclamation, which not only went into effect in 1937, but was reproclaimed in September 1939. I feel that there is a very definite distinction between aircraft of the pursuit and combat types on the one hand and a bomber on the other, and I think classification III in the categories listed distinguished the types of planes. Therefore I had, of course, hoped that my first amendment to section 12, subsection (d), would be adopted, and that the second portion of my proposed amendment would follow.

As the Senator from Texas has already said, the first portion of the amendment was defeated by a vote of 54 to 36. In view of that fact, I do not insist upon a roll-call vote. I do not intend further to argue the matter. Everything we said before applies to bombers. Under the circumstances, I ask no more than that the matter be disposed of by a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut to the amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. DAVIS. Mr. President, on October 9 I offered an amendment providing for the institution of a National Neutrality Commission. The amendment, which was printed in the RECORD and ordered to lie on the table. I now ask that the clerk read the amendment, to which I should like to address myself.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 31, between lines 11 and 12, it is proposed to insert the following new sections:

NATIONAL NEUTRALITY COMMISSION

SEC. 16. (a) There is hereby established a National Neutrality Commission (hereinafter referred to as the Commission), to be composed of 13 members. Eight of the members of the Commission shall be Members of the Congress of the United States, of whom 4 shall be Senators and 4 shall be Members of the House of Representatives, to be elected by the Members of each House, respectively. Two Members in each House shall be elected by the majority party of such House and two Members by the minority party of such House. The remaining members of the Commission shall consist of the Secretaries of Commerce, State, War, the Navy, and the Treasury. The elected members of such Commission shall hold office during the term of the Congress from which they are elected, and the chairman shall be selected from among their number. Vacancies in the membership of the Commission shall be filled in the same manner as the original selection. The members of the Commission shall not receive any extra compensation for their services as members of the Commission.

(b) Three-fourths of the elected members of the Commission shall constitute a quorum to transact business. Voting power on the Commission shall be limited to the elected members of the Commission except in the case of a tie, in which case the remaining members of the Commission, voting as a unit, may cast the deciding vote. A record vote shall not be required on any action taken by the Commission.

(c) The Commission may sit whether or not Congress is in session and may be called together by the President, the Secretary of State, the chairman of the Commission, or by an order signed by any five of its elected members.

(d) The Commission is authorized to utilize the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government.

DUTIES OF PRESIDENT AND COMMISSION IN RELATION TO NEUTRALITY LAWS

SEC. 17. (a) Whenever any provision of any of the neutrality laws of the United States is by its terms to be effective only after a finding or upon the issuance of a proclamation by, or in the discretion or judgment of, the President or the head of any executive department, the President or the head of such department (1) is requested not to make any such finding, issue any such proclamation, or in his discretion or judgment cause such provision to become effective, until he has advised and consulted with the Commission with respect thereto; or (2) in the event of a failure to make such finding, to issue such proclamation, or in his discretion or judgment to cause such provision to be effective, may be requested by the Commission to advise and consult with it with respect thereto.

(b) Whenever any provision of any of the neutrality laws of the United States has by its terms become effective after a finding or upon the issuance of a proclamation by, or in the discretion or judgment of, the President or the head of an executive department, and is by its terms to be ineffective only after a finding or upon the issuance or revocation of a proclamation by, or in the discretion or judgment of, the President or the head of an executive department, the President or the head of such department (1) is requested not to make any such finding, issue or revoke any such proclamation, or in his discretion or judgment cause such provision to become ineffective, until he has advised and consulted with the Commission with respect thereto; or (2) in the event of a failure to make such finding, to issue or revoke such proclamation, or in his discretion or judgment to cause such provision to become ineffective, may be requested by the Commission to advise and consult with it with respect thereto.

(c) The Commission shall from time to time advise and consult with the President with respect to, including the formulation of, the foreign policy of the United States, and the President is requested not to make public, or authorize the making public of, any official statement with respect to the foreign policy of the United States without having first consulted with the Commission in connection therewith.

(d) The Commission shall from time to time recommend to Congress the enactment of such legislation relating to the foreign policy and neutrality policy of the United States as it deems advisable.

Mr. DAVIS. Mr. President, the amendment which I have offered, and which has been read, is designed to meet the need suggested by the President in his message at the opening of the special session of Congress.

The President then said:

In that spirit, I am asking the leaders of the two major parties in the Senate and in the House of Representatives to remain in Washington between the close of this extraordinary session and the beginning of the regular session on January 3. They have assured me that they will do so, and I expect to consult with them at frequent intervals on the course of events in foreign affairs and on the need for future action in this field, whether it be executive or legislative action.

Mr. President, in these words the President suggested his desire for collaboration between the executive and legislative branches of our Government in behalf of a proper solution of the grave problems of foreign relations. The amendment I have offered presents a systematic plan by which the expressed desire of the President may be met.

As I made clear on October 9, this plan would be representative of the people as a whole and would serve as a clearing house for varying points of view which otherwise might not be heard. It would be thoroughly bipartisan in character.

My amendment calls for the institution of a National Neutrality Commission, to be composed of 13 members. Eight of the members of the commission shall be Members of the Congress of the United States, of whom 4 shall be Senators and 4 shall be Members of the House of Representatives, to be selected by the Members of each House, respectively. Two Members of each House shall be elected by the majority of each House and two Members by the minority of each House. The remaining members of the commission—five in all—shall consist of the Secretaries of Commerce, State, War, Navy, and Treasury.

Whenever any provision of any of the neutrality laws of the country is by its terms to be effective following the declaration of the President, he is requested to make such declaration only after he has advised and consulted with the National Neutrality Commission. This would make possible in a definite and representative way the counsel of the Congress which the President says he desires. It would not leave to chance the question of cooperation of Congress with the President.

Mr. President, the European situation has taken the eyes of all of the world. It is the subject of conversation in every home in America. Because of it, we are now met in an extraordinary session of Congress. Not only in Congress but in every forum in the land, in every newspaper, and from every broadcasting station there goes on a never-ending discussion of these issues. Each one of us feels that he has a personal stake in the maintenance of peace for our country. Each one of us, as Americans, believes he has the right openly to express his opinion. Day and night we continue to think of the awful tragedy which has engulfed Asia and Europe. It cannot be said too often that public intelligence and public opinion in this country are more alive than ever before. In my judgment, it would be futile for Congress or the executive branch of the Government to attempt to withhold from the people the essential facts which will govern the course of action of this Nation during the coming days. For this reason, I believe it entirely worthwhile to provide a systematic way by which, through the cooperation of Congress and the executive branch of the Government, the public information needs of the American people shall be met in an adequate way.

Of the many issues that have been presented to me for consideration since coming to Washington in 1921 as postwar Secretary of the United States Department of Labor, I regard none as so important as the pending legislation. We are now handling the precious threads of human destiny. On the decisions made will depend the peace and welfare not only of our own country but of a large part of the world. It is no longer necessary to say that America is for peace. We are all for peace, but the question arises as to which road will lead to peace. After having listened to the remarks of the many distinguished Members of the Senate, and after having read hundreds of well-written letters from my constituents on many sides of the issues before us, I have come to a few definite conclusions.

In the present turmoil of thought no guides are more reliable than our standard American precedents. When these fail us, we shall have failed indeed. The wisdom of George Washington and the fundamental principles of the Monroe Doctrine are still with us. If we turn our backs on these safeguards, no one of us can predict what will befall our country. The age-long quarrels of Europe and the rivalries of power politics are properly not our concern. We should not allow ourselves to take sides in a struggle which is as old as Europe itself, even though it is now cloaked under new names. No false appeal to the high idealism of the American people should draw us into the present conflict.

I very well understand what torment of spirit prevails among those whose lives are closely linked to the disaster of the present war in Europe. I was born in the British Isles. I have friends there. I have frequently visited there. Tender associations rise in my mind when I think of the land of my birth. Nevertheless, I must not, and do not, intend to allow these circumstances to color my judgment at a time when the safety and peace of the United States are at stake.

Mr. President, I have frequently, as now, expressed my hostility to the principles of dictatorship. They are repugnant to the finer sensibilities of any people. But as an American citizen believing in peace, I do not expect to allow this opinion to bring me to a determination for war, for, if the United States should become engaged in war, there is every prospect that we would lose the form of government which we now enjoy, and that the very principle of dictatorship which we abhor would be instituted among us.

We all remember the horrors of the last war. Our country became allied with powers engaged in a great imperialistic conflict. Although the idealism which prompted the United States to enter that war was genuine, our men, money, and

services were used for other purposes. The vast sums of money loaned to Europe were not repaid, and when repayment was asked voices were raised accusing us of being a "National Shylock." Under these conditions it can be fairly assumed that if we were again to engage in war there would be no different result so far as advances of credit are concerned.

Mr. President, I do not wish to approach the problems of our country at this time in a partisan way, for surely the needs of the present time transcend party lines. As an American, I hold that the solution of the grave domestic problems that confront our people should not now be neglected. As an American, I insist, and I shall continue to insist, that in all we do and say we shall put first the safety, the peace, and the welfare of our own people. As an American, I believe that we must not now forget that there are still 10,000,000 unemployed in our land; that there are still many millions of dependent aged for whom no proper provision has been made; and that there are still a great many young men and women every year coming from our schools and colleges with no suitable work opportunities open before them. We cannot, we must not, neglect our own domestic problems, for, if we do, the foresight of a prophet will not be necessary to enable one to predict that we shall shortly find ourselves in such economic confusion as to fall prey to the conditions of centralized government which trouble Europe and Asia today. I say these things, not as a partisan but as an American.

Mr. President, even today in Britain, where the principles of free speech and press have so long prevailed, the coming of war has blacked out these civil rights. War kills democracy wherever it raises its ugly head. It has blotted out freedom in Britain. If we shall become involved in war it would blot it out here. War kills the free spirit. Men cannot, under these conditions, speak, think, talk, or write freely. They are but pawns on the chessboard of war. They become cogs in the military machine. The free radio is denied them. Freedom of press is abridged. Suspicion and hatred replace the tolerance and good will of peace days. All this is plainly in store for us if America goes to war.

The costs of war include not only financial losses. They include also human and moral losses. But, judged by the dollar sign alone, the cash costs of the World War to our Government to date have mounted to almost $60,000,000,000. I may add, Mr. President, that before we are through paying the last bill of the World War, including payments to the widows and orphans of the soldiers, the cost will aggregate $150,000,000,000. Yet those staggering figures do not tell half the story. We must add to them the losses of the last 10 years of depression. We must remember the after effects of the World War—our loss of markets abroad, the accumulation of national debt made necessary by our millions of unemployed, the bank failures and bankruptcies which have plagued practically every home in America. The people pay the costs of war and nothing is so costly.

Mr. President, there is prospect for trade development at the present time. We should not neglect it. However, we want no trade that carries with it the compulsion of war. It is far better for us to maintain our own domestic market and meet our trade opportunities in the Western Hemisphere in time of war than to see how close we can creep to the abyss of the struggle itself. We want no war profits that will be followed by a post-war depression worse than we have experienced during the past decade.

I know from practical experience during the time I was Secretary of Labor the results of war prosperity. I know the overexpansion of agriculture, industry, investment, and transportation from which we have suffered since the war. This overexpansion had its origin during the war. At first hand I saw the failure of Government housing projects, the costly adventures in the Government operation of the railroads, and dislocation of industry, together with the problems of rehabilitation and unemployment for soldiers returned to civil life. These problems have continued to the present time. Even now we have railroads next door to bankruptcy, dust bowls, once wheat fields, coal mines closed or only half worked, stocks and bonds, once gilt-edged, now not worth the paper they are written on, and the vast number of far-reaching difficulties which continue to becloud our economic skies.

The great need of our country in our present hour is a revival of economic patriotism. We have had enough experience with bonanzas, "get-rich-quick" schemes, and the sad delusions of a war-boom paradise. Now we should be ready to settle down to hard work, a systematic facing of our domestic problems, and a willingness to strive for a steady rather than a spectacular gain.

I note with gratitude a number of outstanding business leaders of our Nation, who have accepted the responsibilities of their leadership in the spirit I am seeking to express. In their love of peace, and in their duty to America, they have put first the preservation of our fundamental institutions of society rather than the thought of profits gained through the death of others. I pay tribute to their patriotism and far-seeing vision. All the world is indebted to them for their economic statesmanship.

Before the outbreak of the war in Europe, a few weeks ago, we keenly realized the grave nature of our own domestic problems. We were constantly thinking about them. They were being discussed in the newspapers, over the radio, and in Congress. Now, suddenly, they seem to have been forgotten. I ask, What solution will war bring to the problem of our dependent aged? What solution will war bring to the widows, the orphans, the crippled, the blind, the sick, and the helpless of America? What solution will war bring to our already top-heavy pyramid of taxation, our unbalanced budgets, and our uneven price structure? Perhaps there would be a temporary spurt of new employment, and yet there is no prospect under peace conditions that a boom in foreign trade would provide work for more than 25 percent of the present number of unemployed. If we went to war there would doubtless be full employment for millions who would be engaged in war activities, in the industrial preparation for war; but after the war there would be a depression far worse than that which we have known during the past 10 years. There would be a break-down of our economic life, and consequently a loss of our popular liberties.

Every thinking American who reads the signs of the times is determined to avoid a repetition of the loss and suffering of the late World War.

Thank God, America is for peace. We want no part in war. We have our problems here. We have our lives to live in peace here. We are determined to keep our boys on this side of the water, to maintain a strong national defense, to solve our domestic problems, and to give the world a genuine example of liberty through peace.

Mr. President, the Neutrality Commission which I seek would be available at all times, including such times as Congress is not in session. It would be representative of the people as a whole and would be a voice for varying points of view which otherwise might not be heard. It would serve as a clearing house for diverse opinions and would assure a hearing of minority opinion. It would make possible the publication of data necessary to public understanding of foreign affairs and yet would not in any way impede or impair the effectiveness of our national defense and our national protection. It would assure to the people not only the best thought of the executive branch of the Government but the considered judgment of the legislative branch of the Government. It would be a medium of national security in a time when propaganda and counterpropaganda are raging throughout the land. It would give people confidence in their Government and would serve as a protection against charges which now fill the air that the Executive is following a policy which will lead the country into war.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. DAVIS] to the amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. DOWNEY. Mr. President, I desire to call up for reading and consideration the amendment which I have had on the table for some time.

Mr. CLARK of Idaho. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Idaho?

Mr. DOWNEY. I do.

Mr. CLARK of Idaho. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Austin	Ellender	Lodge	Sheppard
Bailey	Frazier	Lucas	Shipstead
Bankhead	George	Lundeen	Slattery
Barbour	Gerry	McCarran	Smathers
Barkley	Gibson	McKellar	Smith
Bilbo	Gillette	McNary	Stewart
Bridges	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Herring	Nye	Vandenberg
Chandler	Hill	O'Mahoney	Van Nuys
Chavez	Holman	Overton	Wagner
Clark, Idaho	Holt	Pepper	Walsh
Clark, Mo.	Hughes	Pittman	Wheeler
Connally	Johnson, Calif.	Radcliffe	White
Danaher	Johnson, Colo.	Reynolds	Wiley
Davis	King	Russell	

The PRESIDING OFFICER. Ninety-one Senators having answered to their names, a quorum is present.

The clerk will state the amendment offered by the Senator from California.

The CHIEF CLERK. It is proposed to insert at the end of the joint resolution the following new section:

SEC. 20. (a) From and after the approval of this joint resolution it shall be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States, except to nations on the American continents engaged in a defensive war against a non-American state or states.

(b) The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this section; and he may exercise any power or authority conferred on him by this section through such officer or officers, or agency or agencies, as he shall direct.

(c) Any arms, ammunition, or implements of war exported or attempted to be exported from the United States in violation of any of the provisions of this section and any vessel or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., title 22, secs. 238–245).

(d) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this section, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

Mr. DOWNEY obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. BARKLEY. I had contemplated, after some private negotiations, that when we had a quorum call and had a full attendance I would make a request that a final vote be taken at some hour tomorrow on the pending joint resolution. I had conferred with the senior Senator from Idaho [Mr. BORAH] on the subject, and I had assumed he would be present following the call of a quorum, but he is not in the Chamber at the moment, so I will not press my request now; but in the very near future, when there is as full an attendance as possible, I shall submit a unanimous-consent request that at not later than 5 o'clock tomorrow the Senate proceed to vote on the joint resolution and all amendments. I will not submit the request now, because of the absence of the Senator from Idaho, but as soon as he returns to the Chamber I contemplate submitting the request.

Mr. McNARY. Mr. President, will the Senator from California yield to me?

Mr. DOWNEY. I yield.

Mr. McNARY. I may say that I do not believe such a request would be acceptable, and I suggest to the Senator that he consider a further limitation on time for the consideration of amendments and proper discussion of the joint resolution. Something might be done along the line of a limitation, but I doubt whether an agreement could be reached for a vote at a specific time tomorrow.

Mr. BARKLEY. The Senator realizes that so long as any Senator desires to speak at length on the joint resolution or any amendment it is impossible to limit debate further on the amendments and on the joint resolution itself.

Mr. McNARY. There is a genuine fear that if an agreement were reached for a vote at a certain time, amendments might accumulate a short time before the hour set for a vote, many of which could not be presented to the Senate fully, or at all. It is my judgment that a further limitation, or perhaps the one now in force, would probably exhaust the debate sometime tomorrow afternoon, because I believe that every Member of the Senate desires to dispose of this important subject tomorrow.

Mr. BARKLEY. I have found universal desire to dispose of the joint resolution tomorrow, and to avoid a session on Saturday. I am not particular whether it is disposed of by fixing an hour for vote or whether we dispose of it by a further limitation of debate on the joint resolution and on amendments. I am not submitting any request at the moment, because I hope that later on we can agree on something.

Mr. CLARK of Missouri. Mr. President, I suggest to the Senator that he let the matter go over for the present. I am satisfied that we can arrive at some modus vivendi before adjournment this evening.

Mr. DOWNEY. Mr. President, the amendment offered by me which was read by the clerk a few moments ago closely follows the resolution offered by the Senator from North Dakota [Mr. NYE] last January. Its purpose is to prevent absolutely the people of the United States from trading in implements of war of all kinds, whether in peace or wartime. My amendment follows the eloquent appeal and logic of the Senator from Texas [Mr. CONNALLY] and the Senator from Maryland [Mr. TYDINGS] expressed upon the amendment offered by the Senator from Connecticut [Mr. DANAHER] earlier in the day.

Mr. President, this morning, as on every other morning, the session of the Senate was opened by prayer, and the Members of this great legislative body stood with bowed heads, silently giving evidence that we are the representatives of a people professing religious principles. But I should like to ask, can we vindicate our claim to national morality when we trade in the implements of death, and become the agents of destruction?

In peacetime and wartime alike, Mr. President, we have sent to the nations of Asia and of Europe the means of mangling the people of this earth, and in return their governments have sent us their gold. I say that the blood of the helpless and the humble still clings to that gold; and no matter how deep we bury it in the hills of Kentucky, its foul ordor must rise to offend our sense of national honor.

Eighty years ago we ended the slave trade. Today every principle of morality demands that we should end a war trade no less offensive to social decency. We were the last great nation to end slavery. Pray God, Mr. President, we may be the first enlightened people to end forever the unholy, unhallowed traffic in war implements. For how can we continue to enrich ourselves from the agonies of the victims without hardening our own hearts, without denying the principles by which we claim to live? Those who live by the sword shall die by the sword, and those who forge that sword shall finally kill their better selves.

Are there some of my colleagues who say that it is not wrong but that it is right for us to arm nations defending their people against aggression? I reply that is not now nor has it ever been our peacetime policy. Hitherto we have armed any nation, so long as it had the blood money with which to pay us for the implements with which to destroy their victims.

I ask, in any event, have we now been appointed to a divine mission; have we been selected as a world court to

divide the just from the unjust, and to arm with the instruments of slaughter those we happen to approve?

Oh, no, Mr. President; I say we cannot have a divine mission to select nations and arm them to destroy their victims because God has given to none of us the intellectual capacity to dispense such Olympian justice among the ever-quarreling tribes of Europe and Asia. For past hundreds of years no human mind has been able to foretell the good or evil consequences of European wars. It cannot be done in Europe today. No intelligence in the Senate or in the executive department can foretell even the immediate effect of our arming nations in Europe except that some will lose and some will win from our arms the bitter, bitter fruit of death and destruction. No one can even say that arms exported by us in peacetimes may not be used to kill American soldiers in wartimes. On European battlefields today English boys of tender age are being maimed and killed by guns their fathers made in English factories for English profiteers, and German youth are being mangled and slaughtered by German cannon made by German profiteers and sold for English gold.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WALSH. I am impressed with what the Senator says would be the consequence of our Government assuming moral responsibility throughout the world. Would it not mean our being in war at all times, and under all circumstances, and forever? And is it not now true that if the proposed legislation is enacted we will be doing that very thing, but only in a selected case?

Mr. DOWNEY. I thank the Senator from Massachusetts. I agree with him completely. The rule that we are attempting to invoke here, if carried through consistently and logically, would precipitate us in the coming years into a constant turmoil, a constant attempt to designate aggressor nations, constant wars, and finally a dictatorship and ever-increasing poverty for the masses of our people.

I thank the Senator from Massachusetts for his contribution to my address.

Mr. WALSH. In other words, as between China and Japan, the moral side was believed by most of our people to be on the side of China, therefore we ought to go into that war. As between Italy and Abyssinia there was a moral side, and we ought to go into that war. And in the case of Spain the moral side some believed was with the Loyalists, others believed it was with the Nationalists, and we ought to go into that war. And now that there are other countries engaged in war, which many believe are closer and nearer to us, and it is urged that we assume the so-called world moral responsibility in this particular case and enter the war.

Mr. DOWNEY. I think the senior Senator from Massachusetts has stated the certain difficulties that would follow any attempt to arm favored nations, and I thank him for his statement.

Mr. President, I again agree with the Senator from Massachusetts, and applaud the logic of what he has said.

Senators may argue, as at least one columnist has done already, that if we manufacture war materials for ourselves we have no moral right to refuse their export to other nations. Mr. President, the answer is as plain and direct as daylight. We can, with justification, arm ourselves with these grim weapons because we can assume the complete responsibility of their being used solely for defense. We cannot assume that responsibility one instant after the bill of sale has been executed. Once the title to these deadly instruments has passed they can be used for any horrible and destructive purpose and we can have no control over that purpose whatsoever.

We must regret that a warring world forces us to manufacture these weapons even for our own defense. But at least we know that we make them and will use them under the glaring light of our own national conscience. We are responsible to God for the use of our bombs and bayonets only to protect our own people, our own land, our own hemisphere. We cannot undetake a like responsibility for distant governments over whose actions we can exercise no sovereignty at all. Destruction is too dreadful for us to loose in this world, except in self-preservation. To loose it upon the distant people of Africa, Europe, and Asia, merely for our own profit, is immoral; yes, it is a criminal act for which American society should stand indicted.

I have no censure or condemnation for our munitions manufacturers. They have only followed where our Government led the way and approved. But I fervently pray we will hereafter forbid American merchandising in implements of death except for defensive purposes.

It may be asserted that munitions makers need to promote peacetime exports of arms that they may be ready for our defense in times of war. But this is not such a necessity as to justify an abhorrent, repulsive national policy. If private monopolies in destruction cannot make sufficient profits by working for our Government alone, then let us, as a civilized people, build our own national plants sufficient for our own military needs. And I venture to say that the cost of such a program of national defense would be no more expensive than our present policy.

Mr. President, let us abandon forever the profits of war. Let us say to the nations of other continents, "Wage war if you must and wish; subjugate alien and distant people if you can, but do not call upon us to assist you in your imperialistic ambitions or your homicidal work. We will not place bombs in the hands either of your hungry dictators or your satiated empires." If we must make these ghastly weapons at all, we will make them not for our own sordid profit or for your use but for the defense of our own people, and for that alone.

Mr. President—

> Once to every man and nation,
> Comes the moment to decide,
> In the strife twixt truth and falsehood,
> For the good or evil side.

We have the choice now before us either of following the barbaric road back to the arms trade in wartime through the repeal of this embargo, as urged by the Chief Executive, or of moving forward into the sunlight of civilization with the adoption of this amendment. Our course is clear. Let us denounce and renounce these unholy profits. Let us speed the day when we can with greater justice call ourselves a Christian nation, when we can say to all the world, "We have washed our hands of this bloody traffic, we no longer deal in death."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. DOWNEY] to the committee amendment in the nature of a substitute.

Mr. DOWNEY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. CLARK of Idaho (when his name was called). I have a pair with the junior Senator from New York [Mr. MEAD]. If he were present, he would vote "nay." If I were at liberty to vote, I should vote "yea." I withhold my vote.

Mr. SHIPSTEAD (when his name was called). Making the same announcement as before, I transfer my pair with the Senator from Virginia [Mr. GLASS] to the Senator from Washington [Mr. BONE], and will vote. I vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New York [Mr. MEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Florida [Mr. ANDREWS], the Senator from Rhode Island [Mr. GERRY], the Senator from Colorado [Mr. JOHNSON], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], and the Senator from Maryland [Mr. TYDINGS] are detained on official business.

The result was announced—yeas 27, nays 55, as follows:

YEAS—27

Borah	Chavez	Davis	Frazier
Bulow	Clark, Mo.	Donahey	Gillette
Capper	Danaher	Downey	Holman

Holt	Lundeen	Overton	Walsh
Johnson, Calif.	McCarran	Reynolds	Wheeler
La Follette	McNary	Shipstead	Wiley
Lodge	Nye	Tobey	

NAYS—55

Adams	George	Maloney	Slattery
Austin	Gibson	Miller	Smathers
Bailey	Green	Minton	Smith
Bankhead	Guffey	Murray	Stewart
Barbour	Gurney	Neely	Taft
Barkley	Hale	Norris	Thomas, Okla.
Brown	Harrison	O'Mahoney	Thomas, Utah
Burke	Hatch	Pepper	Townsend
Byrd	Hayden	Pittman	Truman
Byrnes	Herring	Radcliffe	Vandenberg
Caraway	Hill	Russell	Van Nuys
Chandler	Hughes	Schwartz	Wagner
Connally	King	Schwellenbach	White
Ellender	McKellar	Sheppard	

NOT VOTING—14

Andrews	Bridges	Johnson, Colo.	Reed
Ashurst	Clark, Idaho	Lee	Tydings
Bilbo	Gerry	Lucas	
Bone	Glass	Mead	

So Mr. DOWNEY's amendment to the committee amendment in the nature of a substitute was rejected.

Mr. JOHNSON of Colorado subsequently said: Mr. President, I ask unanimous consent to have the RECORD show that on the vote on the amendment offered by the Senator from California [Mr. DOWNEY] had I been present, I should have voted "yea." I had understood that the vote would be taken about half past 4. I had an appointment with Mr. Purdum, the Fourth Assistant Postmaster General, and I missed the vote.

The PRESIDING OFFICER. Without objection, the RECORD will so show.

Mr. TAFT. Mr. President, on page 23, line 16, I move that the words "or in aid" be stricken out. This is the section which provides that the general prohibition against solicitation of funds shall not apply to—

> The solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf or in aid of any such government—

And so forth.

I move to strike out the words "or in aid," because there is hardly a single charitable organization operating in Europe which could not be said to be in some way in aid of the government in whose territory it operates. For instance, take the case of the American Hospital in Paris, which for years has been supported by American funds. It may well be said that if there are in that hospital some French or English soldiers, it is to some extent in aid of the Government of France. I think organizations operating to relieve suffering should be clearly exempted; and therefore I move to strike out the words "or in aid." I have talked to the distinguished chairman of the Foreign Relations Committee, the Senator from Nevada [Mr. PITTMAN], and I understand the amendment is satisfactory to him.

Mr. THOMAS of Utah and Mr. PITTMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield, and if so, to whom?

Mr. TAFT. I yield to the Senator from Utah.

Mr. THOMAS of Utah. Mr. President, the amendment which the Senator from Ohio has offered is included in a group of small amendments to this section which have been recommended by our State Department and by the American Red Cross. I am wondering if the Senator will not permit these amendments to be read, and accept them as a substitute for his amendment, because they accomplish exactly what the amendment of the Senator from Ohio seeks to accomplish, and at the same time correct and make plain the reading of the whole section in conformity with the ideas which the Senator has put forth.

Mr. TAFT. Mr. President, I consulted with the chairman of the Foreign Relations Committee concerning this particular amendment and it is acceptable to him. I suggest that the other amendments to which the Senator from Utah refers be offered at another time.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nevada?

Mr. TAFT. I yield.

Mr. PITTMAN. The words the Senator from Ohio is moving to strike out were not contained in the original law. I do not know why they were placed in the pending measure. Therefore they are entirely unnecessary; they do throw some doubt upon the possible construction of the section, and, as a criminal punishment is provided for violation, I feel that the words should be stricken out.

The PRESIDING OFFICER. Without objection, the amendment proposed by the Senator from Ohio [Mr. TAFT] to the amendment of the committee in the nature of a substitute is agreed to.

Mr. THOMAS of Utah. Mr. President, since the Senator from Ohio has made his point in regard to those words, I wonder if he will not accept the remainder of the substitute now so as to clarify the entire section.

Mr. TAFT. I will be glad to have the Senator offer his amendments before I submit the next amendment which I wish to offer.

Mr. THOMAS of Utah. I offer the amendment which I send to the desk. Of course, it is understood that that part of the amendment which has already been agreed to need not be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah, with the elimination of the words referred to, will be stated.

The LEGISLATIVE CLERK. On page 23, lines 3, 12, 14, and 17, after the word "funds", it is proposed to insert the words "and contributions."

The PRESIDING OFFICER. Without objection, the amendments to the committee amendment are agreed to.

The next amendment offered by the Senator from Utah to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 23, line 9, after the word "agent", it is proposed to strike out the comma and insert the word "or."

The PRESIDING OFFICER. Without objection, the amendment to the committee amendment is agreed to.

The next amendment proposed by the Senator from Utah to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the same line, after the word "instrumentality", it is proposed to strike out the comma and the words "or supporter."

The PRESIDING OFFICER. Without objection, the amendment to the committee amendment is agreed to.

Mr. THOMAS of Utah. I thank the Senator from Ohio.

Mr. TAFT. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio to the amendment reported by the committee will be stated.

The LEGISLATIVE CLERK. On page 22, after line 21, it is proposed to insert the following:

> (d) Subsection (a) of section 10 of the Gold Reserve Act of 1934, as amended, is amended by inserting therein, immediately after the first sentence thereof, the following new sentence: "The Secretary of the Treasury shall not at any time hold currency, or bills of exchange payable in the currency, of any state named in any currently effective proclamation issued under the authority of section 1 (a) of the Neutrality Act of 1939, for which he has expended more than $20,000,000 from the stabilization fund."

Mr. TAFT. Mr. President, under the Stabilization Fund Act, the President has available $2,000,000,000 in gold for the purpose of stabilizing exchange. It will be entirely possible, entirely legal, so far as I can see, if he should wish to do so, for him to spend the entire $2,000,000,000 in maintaining the pound, say, at $4.20 or any other figure at which he might wish to stabilize it. If he should do that, then, of course, the only way the operation could have any substantial effect in accomplishing that purpose would be to buy pounds with the stabilization fund. That would be a proper exchange operation, and it could be done very easily within the powers granted to the Secretary of the Treasury in connection with the stabilization fund; but the result would be that when that

operation was completed there might be in the fund $2,000,000,000 worth of pounds. If England should lose the war, or even if she should not, those pounds might not be worth $2,000,000, much less the $2,000,000,000 expended for that purpose. The French Government lost large sums of money when they attempted to support the pound back in the financial crisis of 1934, as I recall.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. TAFT. Certainly.

Mr. ADAMS. I am wondering if the Senator is accurate in saying that the stabilization fund was created for the purpose of stabilizing the pound or any other foreign currency. My impression is that it was created to stabilize the American dollar, and that, so far as investments were made in foreign currency, they were made only insofar as might be necessary to stabilize the American dollar. There are some 50 different foreign currencies, and it was not the purpose of the stabilization fund to reach out and endeavor to stabilize the currencies of individual countries.

Mr. TAFT. Perhaps not; yet the pound determines the currencies of many countries throughout the world, and when the pound is stabilized at $4.20 the dollar is stabilized at a certain number of shillings in the pound. The two operations are simultaneous; there is no difference between them. I think it may fairly be said that it is wholly within the legal authority granted to the Secretary of the Treasury in connection with the stabilization fund that that sum be used for the very purpose of maintaining the pound so as to protect the dollar in export transactions throughout the world. I think the Secretary of the Treasury so admits. At least when he was before the Banking and Currency Committee last year I asked him this question:

> Suppose there is a foreign war and suppose you go out and do what you can to buy two billion dollars' worth of pounds: Isn't the effect of that to give England the power to buy $2,000,000,000 worth of goods in this country, under the cash-and-carry provision?
>
> Secretary MORGENTHAU. Senator, if there is a war in any foreign country, before we would use the stabilization fund or any money in the Treasury to assist any country in prosecuting that war, I would come up before the proper committee and ask for guidance.

The Secretary repeated that statement in his letter to the Senator from Michigan [Mr. VANDENBERG], read to the Senate yesterday. As the Congress will probably soon adjourn, there may be no committee of Congress here. The Secretary is asking for guidance, and I am proposing that we give it to him by stating frankly that the stabilization fund is not to be used for that purpose.

Mr. SCHWELLENBACH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Washington?

Mr. TAFT. I yield.

Mr. SCHWELLENBACH. May I ask the Senator how he arrives at the figure $20,000,000? Is it because of the experience in the operation of the stabilization fund in the past?

Mr. TAFT. I understand $20,000,000 would enable the Treasury to carry on day-to-day transactions which have been carried on up to this time. Ordinarily the fund does not buy pounds except for 1 day. The Secretary of the Treasury has from time to time bought pounds with the promise of the British Government that it would redeem those pounds in gold on the next day. Consequently the actual sum that has been laid out at any one time under the procedure that has been followed in the past does not exceed $20,000,000. As a matter of fact, the Secretary says he has no pounds at the present time and does not intend to buy any; and he says that if he should think of doing so he would like to be guided. I think we should give the guidance to him.

Mr. ADAMS. Mr. President——

Mr. TAFT. I yield to the Senator from Colorado.

Mr. ADAMS. The impression that I received, I will say to the Senator, from Secretary Morgenthau when he was asked why such a large stabilization fund was needed was not that they intended to use it, but because of the desirability of having the capacity, which would enable the Treasury to do certain things if necessary. If we restrict their capacity to $20,000,000, then we would utterly defeat the purpose of the stabilization fund, because there may be those who seek to unstabilize deliberately or conditions which result in unstabilization may continue regardless of anything, and it might be impossible to meet such a situation with a mere $20,000,000. I was impressed by the fact presented by the Secretary of the Treasury that it was the power to do these things with a vast stabilization fund which made people conscious of the purpose of this Government to stabilize the dollar and fend off any hostile movement.

Mr. TAFT. It seems to me the Senator answers his own argument, because if we are going to threaten to buy pounds in order to maintain the pound, we will have to carry out that threat sooner or later, and use a great deal of the fund for that purpose. It seems obvious, therefore, that we should make it clear that we do not intend this fund to be so used.

I wish to point out that this is a cash-and-carry measure, intended to prevent credit. But the operation suggested here is not covered by the prohibition against credit. The stabilization fund does not loan any money to England and France, but the operation is just as effective as a loan, because if the fund buys pounds or francs it pays dollars for them, and then the English or the French Governments have dollars with which they may pay for purchases in this country, and we have pounds which may or may not be good, according to what the credit of the English Government is at the end of the war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. Of course, the Senator realizes that under the terms of the law itself the stabilization fund is not created for the purpose of maintaining the value of any other currency but of stabilizing the dollar. Certainly foreign currencies are linked with the dollar, but the price of foreign currencies will determine the amount of stabilization of the dollar.

Mr. TAFT. Not only that, but the very purpose of the stabilization fund was to keep the pound from depreciating, so that we would not be at a disadvantage in trading in South America, because the British could sell cheaper than we could sell. That is the very purpose of the fund. Therefore, if it is used for that very purpose and used effectively we are going, gradually, to accumulate pounds under present conditions until the amount is considerable.

Mr. BARKLEY. The purchase of pounds or francs or guilders or any other foreign currency is only incidental to the purpose of the law to maintain the stability of the American dollar and thereby not place our own country at a disadvantage with respect to cheap foreign currencies. Since the Senator has read the answer of the Secretary of the Treasury in which he said that if he contemplated the purchase of any currencies in order to assist any country at war he would come back here for guidance, I think that another answer of the Secretary ought to be put into the RECORD. After he said he would come back here for guidance the Senator from Ohio said:

> I have no doubt you would, perhaps. But, nevertheless, the authority granted in this extension would give you power to do that, would it not, if you did choose to do so?
>
> Secretary MORGENTHAU. To do what?
>
> Senator TAFT. What I suggested: To buy pounds, and, in effect, create an English credit here of $2,000,000,000; and we would wake up, in the end, and find ourselves with $2,000,000,000 worth of pounds that were worth nothing? I am not asking whether you would do it. My question is whether that is not legally possible. Isn't that legally possible?
>
> Secretary MORGENTHAU. Well, if I lost all sense or reason in the performance of my duty, I might do a lot of things.
>
> Senator TAFT. In other words, it is legally possible?
>
> Secretary MORGENTHAU. Well, a lot of things are legally possible, which you would not do under the rule of common sense.

It is in that connection that the Secretary announced that if he had any such purpose in mind he would come to Congress and obtain authority for it.

While I am on my feet I may say that the Secretary of the Treasury has not bought a pound since the war started; he has not bought a franc since the war started; and he now holds only $2,980 worth of pounds and $82 worth of francs, which he bought long before the beginning of the war.

Mr. TAFT. Mr. President, just as an example of how the Secretary may have changed his views, I should like to read a United Press dispatch of October 19 which discusses how the stabilization fund may now be used, or the officials think it may be used, in South America:

Officials said that the fund's machinery could perform useful functions in the administration's plans for enlarging trade with Latin America. The fund could be used, officials said, in developing exchange arrangements similar to those made with Brazil.

Those were made by the Export-Import Bank. They were not made by any stabilization fund.

Gold could be made available to Latin American countries to enable them to stabilize their exchange.

According to this United Press dispatch last week, that is what the officials are saying they may do now with the stabilization fund; not stabilize the dollar, but give gold to South American countries to enable them to stabilize their exchange. I say that if ideas of that kind are abroad as to the powers under this fund, we ought to make it perfectly clear that we are not going to finance a European war through the use of the stabilization fund.

Mr. BARKLEY. Mr. President, will the Senator yield at that point for an additional brief statement?

Mr. TAFT. Yes.

Mr. BARKLEY. I wish to say that I am authorized by the Secretary of the Treasury to say that the position he took in the testimony in March is the position he now takes, and he desires to reiterate that position; that he has no intention of using the stabilization fund for the purpose of enabling belligerent countries to buy war supplies in this country or anywhere else, and that he now holds no currencies at all that have been bought since the war began. Certainly, it seems to me that in view of the very conservative administration of the stabilization fund by the Secretary of the Treasury we have no warrant for now amending this particular Neutrality Act by undertaking to legislate on the use of the stabilization fund, which is entirely a different proposition. In the exigencies and uncertainties of our own commerce, a $20,000,000 limit, as fixed in the amendment of the Senator, might handicap the Secretary of the Treasury in using the stabilization fund in any effective way to stabilize the American dollar and thereby put it on an equality with the currencies of the world.

Mr. TAFT. The Secretary says he will not do it, but he apparently thinks he has power to do it. He says that before he does it he will come to a committee of Congress for guidance.

It seems to me this amendment is directly material to the very purpose of the joint resolution. It provides, in effect, that the Government itself shall not make what amounts to a loan to England and France, which is within the broad purpose of the joint resolution but is not covered by its specific provisions. The law is doubtful. The operations of the stabilization fund are secret, and nobody knows whether or not it is used until something like 6 months later, when a report has to be made. I think we can clear up the Secretary's mind; I think we can clear up a good deal of misapprehension in this country, a number of rumors that are likely to arise that the fund is being used, by adopting this amendment now and making it perfectly definite that the fund is to be used solely for exchange operations.

Mr. TOWNSEND. Mr. President——

Mr. TAFT. I yield to the Senator from Delaware.

Mr. BARKLEY. Mr. President, may I ask a question of the Senator from Ohio?

The PRESIDING OFFICER (Mr. HATCH in the chair). The Senator from Ohio has yielded to the Senator from Delaware.

Mr. BARKLEY. In the Senator's time—I think the Senator from Ohio has taken his seat—let me say that I wonder what he means by clearing up the Secretary's mind by an amendment. The Secretary's mind does not seem to be muddled on the subject. He is not asking that his mind be cleared up. It seems to me a rather gratuitous matter on our part to attempt to clear up a mind that is not at all addled or muddy on the subject, but seems to be very clear.

Mr. TAFT. After reading this testimony, my conclusion would be that the Secretary's mind was very muddled, and furthermore that he is so stating, and is asking for guidance.

Mr. TOWNSEND and Mr. WAGNER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield; and, if so, to whom?

Mr. TAFT. I yield to the Senator from Delaware.

Mr. WAGNER. Mr. President——

The PRESIDING OFFICER. The Senator has yielded to the Senator from Delaware.

Mr. WAGNER. Does he yield the floor?

The PRESIDING OFFICER. The Senator from Ohio said he yielded to the Senator from Delaware.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NORRIS. As I understand, the Senator from Ohio finished his remarks. He cannot yield the floor to some other Senator.

Mr. TOWNSEND. Mr. President, I ask for the floor in my own right.

Mr. NORRIS. That is what the Senator should do; but he was calling for the floor because the Senator from Ohio said he could have it.

Mr. WAGNER. Mr. President——

The PRESIDING OFFICER. In answer to the parliamentary inquiry, the Chair will state that two or three Senators were on the floor, including the Senator from New York. The Chair asked the Senator from Ohio if he yielded, and, if so, to whom; and he said he yielded to the Senator from Delaware.

Mr. NORRIS. Why did not the Chair ask the Senator from Kentucky [Mr. BARKLEY] if he yielded? How can the Senator from Ohio yield? He did not have the floor.

The PRESIDING OFFICER. The Senator from Ohio had the floor at the time.

Mr. NORRIS. He had already taken his seat.

The PRESIDING OFFICER. The Chair held otherwise.

Mr. TOWNSEND. Mr. President, I shall occupy only a few minutes.

Mr. WAGNER. Mr. President, I sought to be recognized, assuming that the Senator from Ohio had concluded his remarks. I do not understand that any Senator, when he yields the floor, has the right to yield it to another Senator. That is a new procedure in this body.

The PRESIDING OFFICER. That procedure has not been followed.

Mr. WAGNER. May I be recognized? Whom did the Chair recognize?

The PRESIDING OFFICER. The Chair recognized the Senator from Delaware [Mr. TOWNSEND] in his own right.

Mr. WAGNER. Very well.

Mr. TOWNSEND. Mr. President, I desire to occupy only a few minutes of the time of the Senate to discuss a problem which I think may well be the most important problem before the country today—the problem of gold. It must be faced by the American people sooner or later. The longer the delay the more costly the solution will be.

In 1933 the Treasury and Federal Reserve banks held $4,200,000,000 of gold. After the price of gold was increased by almost 70 percent—from $20.67 an ounce to $35—our centralized gold stock was valued at $7,438,000,000. In the less than 6 years since then it has grown to more than $17,000,000,000.

Even in these days of billions, this stock is of fantastic proportions. It is considerably more gold than is held by all the other governments and central banks and stabilization funds of the entire world. It is equal to three-fifths of the world's gold stock. Our proportion of the world's

gold, moreover, is increasing weekly. Merely during the 12 months through September, approximately $3,300,000,000 of the metal was acquired by this country, $500,000,000 of which was earmarked, I may say, by other governments.

Much of this huge gold stock lies idle, a dead asset, in Kentucky. It is owned by the Nation, but it is not used by the people. It earns no interest. It is not at work. The Federal Reserve System has $5,500,000,000 of excess reserves. The Treasury holds approximately $2,000,000,000 of gold sterilized—$1,800,000,000 or more in the stabilization fund and $194,000,000 in the general fund. Indeed, if so much gold were not held sterile and idle, this country might even now be feeling its inflationary effects. Only $4,000,000,000 of gold was sufficient to support the inflationary boom of 1929. It is easy to imagine how much inflation our present $17,000,000,000 of the metal could support.

It is practically certain that this country can never dispose of its surplus gold for what that metal has been costing. Since we raised the price to $35 an ounce, gold has come here from all parts of the globe. Every gold miner has been on our dole, from South Africa to Siberia. Current news reports that Russia is sending 17½ tons of gold here for the purchase of American goods are typical of what has been going on for years.

The gold we have imported has been paid for dearly. It has been bought with the products of our industry and our agriculture. In 1932, before revaluation of the dollar, it took less than 24 bushels of apples to buy an ounce of imported gold. Today it takes 50 bushels.

In 1932 it took about 40 bushels of wheat to buy an ounce of imported gold. Today, despite the 80-percent increase in the price of wheat, it still takes over 38 bushels to buy an ounce of gold.

In 1932 it took 313 pounds of cotton to buy an ounce of gold. Today, despite the large increase in the price of cotton, it takes 380 pounds of cotton to buy the same amount of gold.

There would be no objection to paying such increased amounts of our real wealth for foreign gold if we needed the metal in our monetary system. But today there is absolutely no need for more gold. Last January the Board of Governors of the Federal Reserve System reported to Congress that since 1933 reserve balances of member banks had increased threefold, due principally to the gold inflow. The Board pointed out its helplessness to counteract "an injurious credit expansion."

Even though we do not need or use the imported gold, its purchase might be excusable if only we knew that we could at will dispose of it again for what it has cost us. The American people will not wish to use this gold with which to buy foreign apples, wheat, cotton, or motorcars. Such imports would affect our industry and agriculture adversely.

Even if there were not this obstacle, it is obvious that the $9,383,000,000 of gold we have acquired abroad since 1934 could not be spent abroad for these or other commodities in an equal period of time or even in a much longer time without causing a rapid increase in the prices foreigners would demand for their goods.

It is significant that the gold standard is today virtually extinct. Only one country, Belgium, maintains its currency freely interchangeable with gold at a fixed rate.

What this country should do with its present surplus of billions of dollars of gold is a question which need not, and, indeed, cannot, be determined now. But it has long been clear that the Nation needs no more foreign gold. Without changing the monetary value or price of gold at home, it would be a perfectly simple matter to cease buying the imported metal. Such a step today would involve no deflation. We would still have $17,000,000,000 of gold. We should still have $5,500,000,000 of excess reserves. The main change effected would be that we would not be increasing our gold stock and our excess reserves by importing more gold.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. TOWNSEND. I yield.

Mr. SHIPSTEAD. I did not hear how much gold the Senator said was owned by the United States Government.

Mr. TOWNSEND. The Government has $17,000,000,000 of gold under its control.

Mr. SHIPSTEAD. The Government has?

Mr. TOWNSEND. Yes.

Mr. SHIPSTEAD. That is, owned by it?

Mr. TOWNSEND. The Government controls it. The general impression is that the Government owns $4,000,000,000 of it, and the Federal Reserve banks own a large portion of it. There is a small portion of it, of course, earmarked by foreign governments, but only a small portion.

Mr. SHIPSTEAD. I obtained the impression from the Senator's statement that the gold had been bought through our balance-of-trade funds.

Mr. TOWNSEND. A very large proportion of it has.

Mr. SHIPSTEAD. With what has the rest of it been purchased?

Mr. TOWNSEND. Of course, the Government took from the Federal Reserve banks——

Mr. SHIPSTEAD. I do not mean that; I mean of the gold which has been imported in the later years. I suppose the Government would have to buy from merchants whose accounts come here in exports, establishing foreign exchange surplus here, due to our export balance; but has the Government bought or borrowed?

Mr. TOWNSEND. The Government has bought, and borrowed the money with which to buy, a very large portion of it.

Mr. SHIPSTEAD. That is what I want to know; does the Senator know how much?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TOWNSEND. I yield.

Mr. TAFT. My understanding is that the Government has not borrowed any money with which to buy this gold. All of the gold has been bought by the Federal Reserve banks and then turned over to the Government and the Federal Reserve banks received gold certificates in return. The Government for a while bought gold with the bonds, but I understand that has all been sterilized, and today there are not any bonds outstanding representing purchases of gold by the Government.

Mr. SHIPSTEAD. With what kind of exchange do the Federal Reserve banks buy gold? Do they issue notes of the Federal Reserve banks?

Mr. TOWNSEND. Yes.

Mr. SHIPSTEAD. Against assets?

Mr. TOWNSEND. Yes.

Mr. SHIPSTEAD. That is as good as borrowed money.

Mr. TOWNSEND. Mr. President, I desire to have inserted in the RECORD as a part of my remarks an article by George Rothwell Brown which appeared in the Baltimore News-Post of October 25, 1939.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore News-Post of October 25, 1939]

THE POLITICAL PARADE

(By George Rothwell Brown)

WASHINGTON, October 25.—The New Deal has a huge gold bear by the tail and doesn't know how to let go.

For the present it is hibernating in a million-dollar hole in the ground out in Kentucky, but it is beginning to stir in its sleep. Its growls are already growing terrifying.

Mr. Henry F. Grady, Assistant Secretary of State, referred to it in his address earlier this month before the National Foreign Trade Convention as a "bombshell" that might explode in a frenzy of inflammation.

Bombshell or bear, it is all the same—the thing is dangerous.

When Representative TREADWAY, of Massachusetts, said in the House the other day that he had never had it clear in his mind why that stock of gold is stored at Fort Knox, and a stock of silver at West Point, he had nothing on the new dealers themselves. They don't understand it, either.

The administration has followed the gold policies of Professor Warren to the end of the rainbow.

To buy this gold, at an arbitrary price almost double the world price, the Government has had to issue bonds to get the money,

and the annual interest today on all the outstanding national indebtedness has passed the $1,000,000,000 mark, and is breaking the hearts and the backs of the American people in taxes.

So much for this folly. Every eminent economist knew it was folly when it was adopted.

Japan has sold us about $600,000,000 worth of gold during the last 3 years, at our own cockeyed price of $35 an ounce, as compared with a world price of $20.67. Of this, $240,000,000 has been a premium to Japan.

Our Ambassador at Tokyo, Mr. Joseph C. Grew, gets up before the American-Japan Society and bluntly states what is undeniably true, that the American people are fed up on Japan's war in China, with its deliberate encroachment on American rights as guaranteed by treaty.

A strong protest. But does it make sense, in view of the fact that by our New Deal gold policy we have helped to finance Japan's war against China to the tune of $240,000,000—a free gift to the Japs!

Now there is a war raging in Europe. Let us see how the New Deal gold policy is working out. We have paid France and England a premium of $4,500,000,000 on the gold they sold us at Mr. Roosevelt's price.

While we have been doing this, these countries have built up huge bank deposits and stocks of securities in the United States of somewhere around $8,000,000,000 or $10,000,000,000.

In other words, while claiming they can't afford to pay what they owe Uncle Sam on account of the last World War, they actually have right here in America enough to pay off the whole debt and then some.

We, of course, are left in a position where these belligerents can break our market at will.

These countries can buy gold in the United States and take it home with them. But an American citizen can't.

There isn't the slightest doubt that the whole gold policy of the New Deal has been in the interest of the foreigner and against the interest of the American.

The New Deal is plenty scared over what Mr. Grady—an administration spokesman—described as a "bombshell." So the New Deal economists think up a new wrinkle.

It is just announced that the Treasury has sold to Brazil $3,000,000 in gold, part of a contemplated $60,000,000 deal, to stabilize exchange between the two countries.

The ultimate object seems to be to put Brazil—for a starter—back on the gold standard, before we go back on it ourselves.

There is so much disapproval at the Capitol of this new policy to send part of our gold hoard to South America that the lid will surely blow off the whole thing when Congress convenes in January.

Mr. WAGNER. Mr. President, the address just delivered by the senior Senator from Delaware [Mr. TOWNSEND], of course, is not strictly relevant to the amendment offered by the Senator from Ohio. He is dealing with the subject of gold; and although he recognizes a danger in the inflow of gold, he makes no proposal as to what should be done by the Government to prevent it.

The Committee on Banking and Currency went into this whole subject thoroughly at the time there was before it the bill to continue the power to devalue the dollar further, and also to extend the operation of the stabilization fund. At that time it was made very clear by the Secretary of the Treasury and by others that the reason for this terrific inflow of gold is the chaotic condition in Europe. Owners of gold, seeking a safe harbor, a safe refuge for their gold, and a sounder investment, sent it to this country. Another reason for the inflow is that we have had a very large trade balance in our favor, and the difference had to be made up, of course, by the payment of gold. That has accounted for a very large inflow of the gold into our country.

Mr. President, the Senator from Michigan [Mr. VANDENBERG], in his letter to the Secretary of the Treasury, has posed a very important question. Undoubtedly the Committee on Banking and Currency, which has been authorized to make a study of the whole monetary question and monetary policy, will go thoroughly into that subject in an effort to ascertain whether the further inflow of gold presents any danger. I personally do not recognize any danger at the present time. Yet I cannot speak with any authority. While there is a difference of opinion among monetary experts at the present time, many see a greater danger in stopping the purchase of gold than in its continuance.

This is a problem which cannot be settled at the last moment of the consideration of the pending legislation, nor can we even suggest a solution of the problem, or even tell whether there is any peril involved. I personally think there would be a greater danger involved in stopping the purchase of gold at this time. I think it would cause economic chaos not only in this country, but throughout the world. But that is merely an opinion and I am sure that the Committee on Banking and Currency will make a report to this body. We propose to keep in constant touch with the monetary situation.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. VANDENBERG. First, I wish to welcome the Senator's statement that the Committee on Banking and Currency intends to thoroughly explore the gold question, in the light of these latest developments. It seems to me it is irresistible that the war situation, plus the probable enactment of cash-and-carry legislation, is bound to intensify the gold challenge, so far as our study of it is concerned.

The Senator has been quoting the Secretary of the Treasury and I call his attention to the fact that the Secretary of the Treasury himself says that even "as a consequence of the Czechoslovakian crisis," which certainly was a minor crisis compared with that which is now confronting us, that even "as a result of the Czechoslovakian crisis a large volume of funds sought to leave Europe for the United States. The outflow of funds was so large that the amount of gold which it was necessary to ship from Europe to provide dollar balances was far greater than could be taken care of through normal commercial channels."

Mr. WAGNER. That was true.

Mr. VANDENBERG. If that be true in one minor crisis, it is indeed a major challenge. I agree that we cannot answer the gold question overnight, at the tail end of the consideration of a neutrality measure, but I wish to emphasize to the Senator the importance of the problems he now announces will be explored.

Mr. WAGNER. Mr. President, I do not acknowledge that the challenge is any greater now than it would be in peacetime, providing such a chaotic and disturbed condition existed in Europe. The investment world has greater confidence in the administration of our affairs than in those of any other country. It is seeking investments here, and thus has come about this terrific flow of gold to our shores. It may sometime become a problem.

It so happens that I made inquiry today, and I have found that there has been a reduction in the flow of gold during the last month over previous times. So far as concerns the increased exports from this country to belligerents, which the Senator undoubtedly had in mind, my own view is that many of those who are talking about a great war boom will be somewhat disappointed. There are not likely to be any great war purchases in this country. England has determined, contrary to its position in the last war, that its first purchases will be made in its Dominions. She is going to exhaust the possibilities of trade with the Dominions before she comes to our country and to other neutrals. Moreover, England, like any other country, is not going to divest herself of all her gold. She is going to keep a sufficient amount of gold in her vaults to protect her own currency. So I predict, and I feel very confident about the prediction, that when purchases are made they will be paid for in cash, and they will be paid for with the moneys which are now available in this country to belligerents. It is estimated that England has, including her Dominions and including some credits in South America, over $10,000,000,000 available with which to purchase war materials and other necessary articles in this country to prosecute the war.

Mr. VANDENBERG. Mr. President, will the Senator yield further?

Mr. WAGNER. I yield.

Mr. VANDENBERG. The Senator makes a point of the fact that the inflow of gold has been lessened rather than increased during the weeks since the war started.

Mr. WAGNER. No; I am speaking about the last month. I inquired today.

Mr. VANDENBERG. Precisely. I suggest to the Senator that the reason for that is that our trade has been slowed down through the existence of a war embargo, but that when

the embargo is lifted the trade will promptly multiply and the gold flow increase.

Mr. WAGNER. I do not see how that can be the cause, because under the neutrality law as it is today over 90 percent of all we could sell under any circumstances may be purchased now, in spite of the existence of an embargo. Consequently, that lessening would not be very appreciable. I do not say that there may not be more exports, but they are being paid for by credits, moneys, dollars in this country, rather than by the use of gold.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. BARKLEY. On that point it ought to be stated that, while there has been a cessation of the shipment of certain American products to the belligerents because there is an embargo, as a matter of fact both England and France have continued to pay for products bought in this country. But there is no great influx of gold.

Mr. WAGNER. They do not need a dollar of gold to pay for the products they purchase here. They have available much more than will be needed for any of their purchases. The gold problem is not involved in the question at all. That is another point.

When the discussion first arose as to the stabilization fund, I wrote a letter to the Secretary of the Treasury, and he replied. I shall ask that my letter and the Secretary's answer be read, and then I shall conclude with a few more words.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The legislative clerk read as follows:

OCTOBER 19, 1939.

The Honorable the SECRETARY OF THE TREASURY,
Washington, D. C.

MY DEAR MR. SECRETARY: It appears from recent discussions on the Senate floor that some of the Members are fearful that the stabilization fund is being used to support the currencies of England and France during this period of war in Europe.

I know that you publish quarterly information which reveals the operations of the stabilization fund, but, as I understand it, the information concerning operations during September will not be available in the ordinary course of events until January 1, 1940. In view of the questions which are being raised at the present time as to the operations of the stabilization fund, I would appreciate it if you would advise me as chairman of the Senate Committee on Banking and Currency whether the stabilization fund is acquiring the currencies of England and France or whether the fund is supporting these currencies.

I appreciate the reasons why the Treasury would hesitate to make public any information concerning the scope of the activities of the fund without the lapse of an adequate period of time, but under the circumstances I hope that you will be able to make an exception in this instance.

Very sincerely yours.

THE SECRETARY OF THE TREASURY,
Washington, October 19, 1939.

Hon. ROBERT F. WAGNER,
Chairman of the Senate Committee on Banking and Currency,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have your letter of October 19, in which you refer to recent discussions on the floor of the Senate with reference to the operations of the stabilization fund.

Of course, as the Treasury Department has at all times made clear, the stabilization fund has never been used to support the currencies of any foreign country, but has been used solely for the express purpose set out in the statute pursuant to which it was created, namely, to stabilize the exchange value of the dollar. In connection with the carrying out of such purpose it has been necessary, as was explained at the hearings last spring on the bill to extend the stabilization fund powers, for the fund to acquire foreign currencies from time to time. I should like to state, however, that the stabilization fund is not acquiring any currencies of belligerent countries and is holding only trifling amounts of foreign currencies of belligerent countries which were acquired long before the outbreak of the war.

Sincerely,

H. MORGENTHAU, Jr., *Secretary.*

Mr. WAGNER. Mr. President, I add just a word to that statement. Not only are they not purchasing any currencies of belligerents now, but during the existence of the war they will not purchase any, and the Secretary has authorized me so to state.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. VANDENBERG. I wish to ask the Senator a further question. Will the Senator tell me how the stabilization fund is used to stabilize the exchange value of the dollar, which is the Secretary's language, if it is not used in connection with foreign currencies? How can the value of the dollar be stabilized without dealing in foreign exchange?

Mr. WAGNER. The purpose in dealing in exchange is, of course, to stabilize the dollar. But the suggestion is preposterous that the Secretary of the Treasury, who has made such a remarkable record, and has acted with such fidelity and ability, would deliberately use $2,000,000,000 of American money in an unneutral manner to bolster the currency of a foreign government so that it may purchase goods here, with perhaps a very serious loss to his own country.

Mr. VANDENBERG. I wanted to ask the Senator one question at that point, inasmuch as my other question seemed to have been responsible for this explosion.

Mr. WAGNER. I did not intend it as an explosion. I wanted to be emphatic about it, because I have great confidence in the Secretary, and I know of his integrity as well as his ability.

Mr. VANDENBERG. I share the Senator's confidence.

Mr. WAGNER. I know there is no intention to suggest, or any implied suggestion, that he is not honest.

Mr. VANDENBERG. None.

Mr. WAGNER. But yet such an interpretation could be placed upon the amendment.

Mr. VANDENBERG. Not upon the question which I asked the Senator, which produced the explosion.

Mr. WAGNER. Not at all.

Mr. VANDENBERG. The question I asked is, How can the exchange value of the dollar be stabilized without dealing in exchange?

Mr. WAGNER. It cannot.

Mr. VANDENBERG. It cannot be done. So the stabilization fund then is sterile for the length of the war.

Mr. WAGNER. So far as the belligerent countries are concerned, I take it, it is.

Mr. VANDENBERG. Then, what is the objection to saying so in the statute?

Mr. WAGNER. There are other countries to deal with. There are more than belligerent countries whose currencies are involved. The stabilization fund is not used solely to buy British pounds.

Mr. VANDENBERG. I call the attention of the Senator that the pending amendment applies only to the currencies of belligerents.

Mr. WAGNER. That is true.

Mr. VANDENBERG. Then, why not put it in, if that is the way it is going to work?

Mr. WAGNER. Because I say that the suggestion itself is an implication that the Secretary of the Treasury is going to fail to perform his duty with fidelity.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WAGNER. I wish to finish what I have to say, and then I will yield. I just wish to say to the Senate that the whole matter was before the Committee on Banking and Currency. Senators will recall the rumors which were spreading—even some Senators made the suggestions upon the floor and elsewhere—that there was something mysterious about the operation of the stabilization fund; that it might very well be used for purposes, even domestic purposes, other than its exclusive purpose to stabilize the exchange value of the American dollar. So we had a hearing upon this whole matter before the Committee on Banking and Currency. The Secretary came before the committee with a complete audit of the entire fund, of every operation in detail. He was questioned, particularly by the Senator from Delaware [Mr. TOWNSEND] and the Senator from Ohio [Mr. TAFT] in a most scrutinizing and able manner. The Secretary not only acquitted himself well but showed how every dollar was expended. All these rumors, of course, went right out of the

window, because not only had he been faithful to his trust but he was so faithful that he actually made money for the Government from the operation.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. MALONEY. I was very much impressed with the observation made by the Senator from Colorado when he said that the $20,000,000 limitation would deny to the Secretary of the Treasury and the United States the power of a "threat"—and the word "threat" is mine—in the event of an assault on the American dollar. For that reason it seemed to me that it would be inadvisable to adopt the amendment offered by the Senator from Ohio. But it now seems to me, Mr. President—and it seems also important that I make this observation—that the Senator from New York, intentionally or otherwise, has tied the hands of the Secretary of the Treasury and completely destroyed the contention of the Senator from Colorado by pointing out and saying that he does it with the authority of the Secretary of the Treasury, that no money of the stabilization fund will be used for the purchase of foreign currency during the war. If that statement is permitted to stand, I do not see how anybody can oppose the amendment offered by the Senator from Ohio, and I hope that the Senator from New York will at least reflect further upon his statement.

Mr. WAGNER. I thank the Senator. The Secretary of the Treasury said that there was no present intention of purchasing any of the currencies of the belligerent countries. But, as was very well said, even by the Senator from Ohio, we are not in session at all times. I do not know what critical situation may arise, and I can only stick to the question of his present intention. That is what I had in mind when I made the statement. I do not contradict a single word of what the Senator from Colorado has so ably stated. The Secretary of the Treasury himself characterized this fund as much of a national defense measure as an army and a navy.

Mr. MALONEY. I respectfully suggest to the senior Senator from New York that he examine the RECORD. It may have been a slip of the tongue, or a mistake on my part. Perhaps I did not hear correctly; but if I did the Senator from New York said he was authorized by the Secretary of the Treasury to state that the stabilization fund would not be used for that purpose.

Mr. WAGNER. Certainly the fund would not be used for the purpose suggested by the Senator from Ohio. That is, the Secretary of the Treasury would not deliberately purchase foreign currencies for the purpose of providing credit to any of the belligerents.

Mr. MALONEY. I am sure of that. I am in sympathy with what I think is the viewpoint of the Senator from New York; but I think his language shackles the Secretary of the Treasury.

Mr. WAGNER. My assertion might have been too broad; if so, it was unintentional.

Mr. VANDENBERG. Mr. President, I should like to renew the language, because the Secretary said to me yesterday in words of one syllable that he did not propose to use this fund to buy foreign currencies from belligerent nations.

Mr. MALONEY. Mr. President, will the Senator yield further?

Mr. WAGNER. I yield.

Mr. MALONEY. That language is quite different from the language which the Senator from New York credited to the Secretary of the Treasury. The Secretary might not now intend to make such purchases, but if I correctly understood the Senator from New York he said that the Secretary would not do it. I think there is considerable difference in the language.

Mr. WAGNER. If I so stated, I thank the Senator for calling my attention to it. It was certainly too broad a statement of the Secretary's views. However, there is no present intention of buying any currencies of belligerents. Of course, we cannot tell what problems may arise, but there is no such intention at the present time. As a matter of fact, I may say that at the present time the Secretary of the Treasury has as part of the stabilization fund only 745 pounds sterling, or approximately $2,980, and 3,652 French francs, representing about $82.53.

Mr. MALONEY. Mr. President, will the Senator yield to me again so that I may complete an expression of my view?

Mr. WAGNER. I yield.

Mr. MALONEY. I am in sympathy with what I think are the desires of the Senator from New York, but I do not think it is paradoxical to say that I am also in sympathy with the statement just made by the Senator from Michigan [Mr. VANDENBERG]. I think it would be despicable for the Secretary of the Treasury or anyone else to use any part of the stabilization fund, under the circumstances now existing, and particularly in the light of the pending legislation, to furnish credits to belligerent nations. I wish to add to that statement, however, that I do not believe that the Secretary of the Treasury would do such a thing under any circumstances.

Mr. WAGNER. That is it exactly. The Secretary was asked that very question——

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WAGNER. I was trying to finish my thought.

The PRESIDING OFFICER. The Senator declines to yield at the moment.

Mr. WAGNER. The Secretary was asked that very question by the Senator from Ohio [Mr. TAFT]. I do not recall the exact language of the question. The Senator from Ohio will recall it very well. The Secretary was asked whether it would be possible to use the stabilization fund for the purpose of purchasing $2,000,000,000 worth of English pounds, so as to provide sufficient credits or moneys to a particular belligerent in case of war, that particular belligerent to use the fund for the purchase of armaments and other materials. The Secretary questioned whether he would have that authority. However, he said, in effect, "I have common sense. I would not think of doing anything of that kind without first coming to Congress for guidance."

Mr. MALONEY. There is no question that he has the right, or rather that it would be legal.

Mr. WAGNER. I disagree with the Senator. I think it would not be legal unless it were done for the purpose of stabilizing the American dollar.

Mr. MALONEY. I said it would be legal.

Mr. WAGNER. If it were done for that purpose, it would be legal, but not otherwise.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. WAGNER. I yield.

Mr. WHEELER. Suppose the British pound dropped from $4 to $2.50. Then the Secretary could say he wanted to buy British pounds in order to stabilize the American dollar because such a drop would unstabilize it. First of all, let me say that I am extremely glad that this question came up because I think it has clarified the situation in the minds of many Senators. However, I do not conceive that in the situation which exists at the present time, with a war in progress, and with the currency of any belligerent likely to drop, that we ought to buy British pounds and French francs in order to try to bring them up.

Mr. WAGNER. The Senator knows very well that the Secretary would not do such a thing.

Mr. WHEELER. I do not believe he would. However, I am delighted that the question came up because various rumors have been circulated. I think the Secretary would have the power to do so under the law. Morally I do not think he should do it, and I do not think he would.

Mr. WAGNER. I have grave doubt whether he would have the power.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. BARKLEY. During the war the Secretary of the Treasury might purchase some pounds or francs for the purpose of stabilizing the American dollar. That would not automatically or necessarily result in the use of those pounds or francs to give Britain or France purchasing power in the United States to buy war materials.

Mr. WAGNER. That is correct.

Mr. WHEELER. But if the pound should drop to $2.50, and the Treasury should buy pounds to bring it up to $5, the effect, of course, would be twofold.

Mr. BARKLEY. The effect would not necessarily be to provide money with which to purchase material to send to England.

Mr. WHEELER. If the pound should drop to $2.50, and the Treasury bought it at $4 in order to stabilize it at that point, as a matter of fact the Treasury would be making a gift to England, and also providing the English with gold which they could use to purchase American goods. The British would not use the stabilization fund. They would use the gold, if they could obtain it, to purchase goods from America. So, in effect, if that were done we would be giving them a loan. I am delighted to hear the distinguished Senator from New York say that there is no intention upon the part of the Secretary to do so. As I say, I cannot conceive of his attempting to do so.

SEVERAL SENATORS. Vote! Vote!

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. SHIPSTEAD. If it is not the intention of the Secretary of the Treasury to buy the currencies of belligerent nations during the war, then I do not see why this amendment should be necessary. However, if he should start to stabilize the dollar by buying British pounds or French francs, he might have to buy so much that he would endanger the fund. Then, in my opinion, this amendment would be necessary.

Mr. WAGNER. An effort was made in the committee—and, as I recall, upon the floor—by the Senator from Ohio to reduce the stabilization fund to $200,000,000 in place of $2,000,000,000. When that question came before the committee for consideration, the Secretary of the Treasury declared that it was very important to have a large stabilization fund, for the same reason we have a large Navy, merely as notice to the world that other nations must not fool with our currency or try a competitive devaluation procedure, because we have a fund to meet the situation. That is the only purpose of the fund.

Mr. TAFT. Mr. President, the whole purpose of the stabilization fund was considered by the Banking and Currency Committee last year. When it finally came down to the question, "Why do you want $2,000,000,000?" the answer was: "We are afraid of the competitive devaluation of the pound throughout the world, which might result in our being underbid by the English and by every other country on a sterling basis throughout the world." That is the only purpose of having $2,000,000,000 in the stabilization fund. I do not agree with the Senator from New York. I think the Secretary would be perfectly justified in using the fund for that purpose, because he thinks—and so stated—that if we permit the pound to depreciate it means a reduction in the price of cotton and the price of wheat and other prices in this country, in a way which will unfavorably affect our economy. The Secretary thinks that condition may exist. It is even more likely to occur in the present circumstances than when he testified. I was almost prepared to withdraw the amendment when the Senator stated that the Secretary authorized him to promise that he would not buy any pounds or francs during the war period. He has now modified that statement, and he says it is not the intention of the Secretary to do so. Am I correct in that statement? I think the record will show that there is a substantial difference between the two statements.

Mr. WAGNER. I know the Senator wants to be fair. We cannot look into what may happen in the future. At the present time there is no intention to buy any currencies of any belligerents. That is all we can say at the present time. One of the main reasons was given by the Senator from Montana [Mr. WHEELER]. With war and chaos existing, it would be very undesirable and unprofitable today to purchase pounds when the pound is dropping. However, does not the Senator think we ought to leave the stabilization fund intact, just as we leave our Navy intact? We have no present intention of going to war; but we would not scrap our Navy for that reason.

Mr. TAFT. Mr. President, the pending measure is a cash-and-carry proposal. It lays down the principle in legislation—not in the discretion of the Secretary of the Treasury—that we do not propose in any way to advance credit to belligerent nations to buy the goods they would like to buy in this country. It ought not to be left in anybody's discretion. We are laying down that policy. The Secretary said that if there were a war in any foreign country before he used the stabilization fund he would come to Congress and ask the proper committee for guidance. In other words, he has said, in effect, the Banking and Currency Committee and I will decide whether or not to use the stabilization fund.

What the amendment seeks to do is to have Congress lay down a perfectly definite rule that he shall not do what he says he does not intend to do, and what the Senator from New York [Mr. WAGNER] is almost—but not quite—willing to promise he will not do. It seems to me that we ought to put the amendment in the law, and definitely lay down a policy before all the peoples of the world that this country does not propose, directly or indirectly, to finance any belligerent in the present war.

SEVERAL SENATORS. Vote! Vote!

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Ohio [Mr. TAFT] to the committee amendment in the nature of a substitute.

Mr. TAFT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. CLARK of Idaho (when his name was called). I have a pair with the Senator from New York [Mr. MEAD], and therefore withhold my vote. If present, the Senator from New York would vote "nay." If I were at liberty to vote, I should vote "yea."

Mr. SHIPSTEAD (when his name was called). I transfer my pair with the Senator from Virginia [Mr. GLASS] to the Senator from Washington [Mr. BONE], and will vote. I vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate by illness.

The Senator from Arizona [Mr. ASHURST] is detained by illness in his family.

The Senator from New York [Mr. MEAD], the Senator from Maryland [Mr. TYDINGS], the Senator from Illinois [Mr. LUCAS], the Senator from California [Mr. DOWNEY], the Senator from Louisiana [Mr. OVERTON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

The result was announced—yeas 37, nays 47, as follows:

YEAS—37

Austin	Davis	Johnson, Colo.	Taft
Barbour	Donahey	La Follette	Tobey
Borah	Frazier	Lodge	Townsend
Bulow	Gerry	Lundeen	Vandenberg
Burke	Gibson	McCarran	Walsh
Byrd	Gurney	McNary	White
Capper	Hale	Miller	Wiley
Chavez	Holman	Nye	
Clark, Mo.	Holt	Reynolds	
Danaher	Johnson, Calif.	Shipstead	

NAYS—47

Adams	George	McKellar	Sheppard
Andrews	Gillette	Maloney	Slattery
Bailey	Green	Minton	Smathers
Bankhead	Guffey	Murray	Smith
Barkley	Harrison	Neely	Stewart
Bilbo	Hatch	Norris	Thomas, Okla.
Brown	Hayden	O'Mahoney	Thomas, Utah
Byrnes	Herring	Pepper	Truman
Caraway	Hill	Pittman	Van Nuys
Chandler	Hughes	Radcliffe	Wagner
Connally	King	Schwartz	Wheeler
Ellender	Lee	Schwellenbach	

NOT VOTING—12

Ashurst	Clark, Idaho	Lucas	Reed
Bone	Downey	Mead	Russell
Bridges	Glass	Overton	Tydings

So Mr. TAFT's amendment to the committee amendment in the nature of a substitute was rejected.

Mr. BARKLEY and Mr. TAFT addressed the Chair.

The VICE PRESIDENT. The Senator from Kentucky.

Mr. BARKLEY. Mr. President, I ask unanimous consent that at an hour not later than 5 o'clock p. m. tomorrow the Senate proceed to vote on the pending joint resolution and all amendments to final passage.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, earlier in the afternoon I announced my objection to an agreement of that sort, because I did not think it would be found acceptable to all the Members of the Senate. I have not had time, since then, to canvass the situation. I still think there are some objections. I think a limitation on debate would be more satisfactory, and I suggested that course a few minutes ago. May we not consider a 15-minute limitation?

Mr. BARKLEY. I will say to the Senator from Oregon, that at this time it apparently is impossible to obtain an agreement for further limitation of debate. Inasmuch as there is objection to my request to fixing an hour for voting tomorrow, and I have discovered by private conversation at this time that I cannot now secure a further limitation on debate, though we may be able to do it a little later, I feel that I ought to advise the Senate that I shall ask it to remain for a considerable while this evening.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. SCHWELLENBACH. I wonder if the Senator from Kentucky would consider submitting a request to the effect that prior to the recess or adjournment of the Senate tomorrow the Senate shall vote upon this measure and all amendments thereto?

Mr. BARKLEY. That makes a rather indefinite limitation as to when the vote shall be taken. I would rather fix a time if it is possible to do it. Under the sort of arrangement suggested by the Senator from Washington we might be in session all tomorrow night and all Sunday, though it would still be the session of tomorrow. I would rather not handle the matter in that way. I appreciate the suggestion of the Senator from Washington, but I would rather fix a time.

Mr. McKELLAR. Mr. President, would the Senator be willing to fix the hour of 6 o'clock or 7 o'clock?

Mr. BARKLEY. I am willing to fix any hour, just so it is definite. I do not care what hour it is. I suggested 5 o'clock because suggestions had been made to fix the hour all the way from 4 to 6, and I thought 5 was a fair compromise.

Apparently all Senators with whom I have conversed want to do what I have suggested. I do not see why we cannot agree to it.

Mr. JOHNSON of California. Mr. President——

Mr. BARKLEY. I yield to the Senator from California.

Mr. JOHNSON of California. Always I have found, in a long service here, that fixing a time to vote on all amendments and on the measure itself is a most unsatisfactory procedure—perhaps the most unsatisfactory procedure of any. I suggest what was suggested by the Republican leader—that we reduce the time that may be taken on the joint resolution and the time that may be taken on amendments, if the Senator desires, and let nature take its course.

Mr. BARKLEY. I will say to the Senator from California that there are one or two Senators who have amendments in which they are interested who at this juncture do not feel at liberty to agree to a further limitation on debate. If those Senators obtain an opportunity to offer their amendments and speak upon them, we may be able to arrive at a conclusion of that kind; but we cannot do it now.

Mr. JOHNSON of California. Am I to understand that the Senator from Kentucky plans to have the Senate continue in session for an indefinite period tonight?

Mr. BARKLEY. Yes; that is my hope.

Mr. JOHNSON of California. All right, sir. The Senator will have trouble in getting an agreement, then; I will tell him that.

Mr. BARKLEY. Does the Senator from California desire to assume that attitude at the last minute because we are trying to make headway?

Mr. JOHNSON of California. And I am trying to assist the Senator.

Mr. BARKLEY. I appreciate that fact; but I do not think it is quite in order to suggest the threat that if we go on into the night we shall get no agreement nor anything else.

Mr. JOHNSON of California. I do suggest it, and I make the suggestion not as a threat.

Mr. BARKLEY. Very well.

Mr. TAFT and Mr. BORAH addressed the Chair.

The VICE PRESIDENT. The Senator from Ohio [Mr. TAFT] was demanding recognition at the time the Senator from Kentucky [Mr. BARKLEY] obtained recognition. The Chair feels that he should recognize the Senator from Ohio. Does the Senator from Ohio yield?

Mr. TAFT. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I simply wish to say that I have no doubt we can dispose of this measure tomorrow. There are only one or two amendments which are calculated to take any time. When those amendments shall have been disposed of, in my opinion, we can make an agreement which will not fix a definite time for voting, but will limit the time for the consideration of amendments, and that we can then dispose of the joint resolution tomorrow. I do not think there is any disposition not to do so.

Mr. ADAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. TAFT. I will yield for a question, if I may offer the amendment first.

The VICE PRESIDENT. The clerk will state the amendment proposed by the Senator from Ohio to the committee amendment.

The LEGISLATIVE CLERK. On page 22, after line 11, it is proposed to insert the following:

(b) Neither the Government of the United States nor any agency thereof (including any public corporation created by or pursuant to special authorization of Congress, any corporation in which the United States has or exercises a controlling interest through stock ownership or otherwise, and any Federal Reserve bank) shall make any loans designed to finance or assist the export of goods, materials, or merchandise of any kind to the territory of any foreign government named in any currently effective proclamation issued under the authority of section 1 (a) of the Neutrality Act of 1939.

Mr. TAFT. Mr. President, I now yield to the Senator from Colorado.

Mr. ADAMS. Mr. President, I did not wish to ask a question. I wanted to make a statement with reference to the order of procedure. If the Senator will yield only for a question, I cannot make the statement.

Mr. TAFT. I think perhaps I had better make a statement about the amendment first.

The amendment which I offer proposes that the Reconstruction Finance Corporation, the Export-Import Bank, and the Federal Reserve bank, shall not make any loans designed directly or indirectly to assist the export of goods to belligerent foreign countries.

The amendment is somewhat broader than the limitation of credit contained in the joint resolution, because the pending measure in general limits credits only to governments or government agents. This amendment proposes that Government agencies of the United States shall not lend money to finance the export of goods of any kind, whether they go to an English munitions company or to any other corporation.

My attention was called to this particularly by an interview given by Mr. Jesse Jones on the 1st day of September, just at the time the war began, which I will read. It appeared in the Washington Star and is as follows:

Mr. Jones expressed the opinion that the Reconstruction Finance Corporation could finance exports of commodities as does the

Export-Import Bank, and that neither agency was affected by the Johnson Act forbidding loans to foreign governments in default of war debts.

However, he pointed out that all Export-Import Bank transactions are with private enterprises and not foreign governments and that neither the bank nor the Reconstruction Finance Corporation has any application from governments.

Nevertheless, the whole conference seemed to show a deliberate intention and policy for Government agencies to assist in financing American exports to countries which were then at war. If this is really a cash-and-carry bill, we can at least prohibit Government agencies extending the credits covered by the amendment. I think it is impracticable to say that no one shall lend an English individual or English company money or extend credit to it. Such a prohibition could be avoided in many ways, and I have not been able to work out a practicable way to do it. But we can say to Government agencies, "You shall not directly or indirectly finance the operation of this war." It seems to me that power to give such assistance might very well be used in an unneutral way, and I cannot see any objection now to making clear our policy that Government agencies shall not be used to finance the prosecution of the war.

Mr. MALONEY. Mr. President, I wish the Senator would tell me whether the amendment applies only to munitions and implements of war.

Mr. TAFT. No; it applies to any export to England and France.

Mr. MALONEY. I should like, if the Senator will yield further, to propound a concrete question. I understand that in order to promote the sale of American tobacco abroad, the sales of which had stopped, one of the governmental agencies recently loaned money to an English tobacco company, and that immediately thereafter the tobacco business of this country was helped tremendously. I ask the Senator what effect his amendment would have on a transaction of that kind?

Mr. TAFT. It would prevent the financing by our Government of the export of all goods to England, because, after all, it is all in one pot. The English are going to buy two or three billion dollars' worth of goods here, and if we give them credit on tobacco, it means that they will have more cash for arms or any other product related to the war.

Mr. MALONEY. This loan, if my information is accurate, was made to a private company.

Mr. TAFT. Under this amendment a Government agency could not do that. A New York bank might do it, or any private individual might do it, if he or it so desired.

The PRESIDING OFFICER (Mr. KING in the chair). The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] to the amendment of the committee.

Mr. BARKLEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CLARK of Idaho (when his name was called). I have a pair with the junior Senator from New York [Mr. MEAD]. If he were present, he would vote "nay." If I were permitted to vote, I should vote "yea."

Mr. SHIPSTEAD. I have a pair with the senior Senator from Virginia [Mr. GLASS]. I transfer that pair to the senior Senator from Washington [Mr. BONE] and will vote. I vote "yea."

The roll call was concluded.

Mr. MCNARY (after having voted in the affirmative). I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. Therefore I withdraw my vote.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate on account of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New York [Mr. MEAD], the Senator from Maryland [Mr. TYDINGS], the Senator from Illinois [Mr. LUCAS], the Senator from Mississippi [Mr. HARRISON], the Senator from Georgia [Mr. RUSSELL], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Ohio [Mr. DONAHEY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The result was announced—yeas 36, nays 45, as follows:

YEAS—36

Austin	Downey	La Follette	Shipstead
Barbour	Gerry	Lodge	Taft
Borah	Gibson	Lundeen	Tobey
Bulow	Gurney	McCarran	Townsend
Burke	Hale	Miller	Vandenberg
Capper	Holman	Nye	Walsh
Clark, Mo.	Holt	O'Mahoney	Wheeler
Danaher	Johnson, Calif.	Overton	White
Davis	Johnson, Colo.	Schwellenbach	Wiley

NAYS—45

Adams	Ellender	Lee	Slattery
Andrews	Frazier	McKellar	Smathers
Bailey	George	Maloney	Smith
Bankhead	Gillette	Minton	Stewart
Barkley	Green	Murray	Thomas, Okla.
Bilbo	Guffey	Norris	Thomas, Utah
Brown	Hatch	Pepper	Truman
Byrd	Hayden	Pittman	Van Nuys
Byrnes	Herring	Radcliffe	Wagner
Caraway	Hill	Reynolds	
Chandler	Hughes	Schwartz	
Connally	King	Sheppard	

NOT VOTING—15

Ashurst	Clark, Idaho	Lucas	Reed
Bone	Donahey	McNary	Russell
Bridges	Glass	Mead	Tydings
Chavez	Harrison	Neely	

So Mr. TAFT's amendment to the committee amendment was rejected.

Mr. CLARK of Missouri. Mr. President, I send forward two amendments which I desire to offer after the substitute has been perfected. I desire to draw the naked issue of the arms embargo. I do not desire to offer these two amendments until the conclusion of the perfection of the joint resolution, but I do ask that they may be printed and lie on the table, and also that they may be printed in the RECORD.

There being no objection, the amendments were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

On page 31, beginning with line 24, strike out through line 8, page 32.

At the end of the joint resolution insert the following:

"EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

"SEC. 20. (a) Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"(c) Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state.

"(d) The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

"(e) Whoever, in violation of any of the provisions of this act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than $10,000, or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title

6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245).

"(f) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"(g) Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed, or forfeitures incurred, prior to such revocation."

Mr. CLARK of Missouri. Mr. President, I send forward an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out section 11 and to substitute the following:

SEC. 11. (a) During any war in which the United States is neutral it shall be unlawful for the armed merchant vessels of a belligerent foreign state to enter a port or the territorial waters of the United States or depart therefrom except under the same conditions as other naval surface vessels of belligerent foreign states.

(b) During any war in which the United States is neutral it shall be unlawful for the submarines of a belligerent foreign state to enter a port or the territorial waters of the United States or to depart therefrom except under conditions and subject to such limitations and restrictions as the President may prescribe or the Congress enact.

Mr. CLARK of Missouri. Mr. President, I think nearly every American read with interest the declaration of the President of the United States just a few days ago which embodied, under the existing law, the second portion of the amendment which I have just offered.

Under the provisions of the present law, and under the provisions of the proposed substitute for the present law, the control of armed merchantmen is a matter of discretion with the President. Under both the existing law and the proposed substitute the President has been given authority to restrain the entrance into American ports or prevent remaining in American ports, first, of armed merchantmen, and, second, of submarines, whether belligerent vessels or merchant vessels. The purpose of my amendment is to make it mandatory as to each one of these classes of vessels, that they shall not enter American ports except as vessels of war. It is my purpose in this discussion to show that the question of armed merchantmen and the question of belligerent submarines are inevitably and inextricably connected in such a way that they must be considered as a whole—that is, that the problem must be treated as a whole.

Mr. President, as I have heretofore stated on the floor of the Senate, it is my very confirmed belief that this extraordinary session of the Congress, involving, as it has already done, a full, adequate, and free discussion of the attitude which the United States of America should assume in the unhappy world situation which has now come upon us, has been a blessing to the country. I believe that in the absence of this meeting of the Congress, with the unhappy fear of American participation in the war, various decisions might have been made which might have been very tragic to the future welfare of the Republic.

I have heretofore expressed the opinion that the Congress should stay in session every day that the President's proclamation of national emergency—which, as I have heretofore explained, is a proclamation of full national emergency and not of limited national emergency—shall remain in force. However, for the Congress to be in Washington will mean very little if Congress itself does not know what is going on in Washington. For various reasons, Members of Congress are in a most unusual state of ignorance, except for what we read in the newspapers. I believe we are less informed about the conduct of our foreign affairs than are the parliamentary leaders in the House of Commons in England or the members of the Chamber of Deputies and of the French Senate in France. In France there is a joint legislative committee on foreign affairs which in peacetime and in wartime sits with the Prime Minister and the Secretary of State for Foreign Affairs and closely watches the development of foreign policy. All important documents are shown to it. It is comprised of members of all parties in the French Parliament. It is not hand-picked to exclude members who disagree with the foreign policy of the administration at the moment. In short, the people, through their representatives, are permitted to have some amount of participation in the most vital decision of their lives; that is, the decision as to whether they shall live in peace or shall die on the battlefield.

Mr. President, I wish to urge, as strongly as my feeble voice can do so, that we not only sit in Washington during the pendency of the national emergency and debate the matter which has been put before us, but that we constitute ourselves a body which will justify the trust of the American people, and through which they may actually know what is going on when it is going on, and not 20 years afterward, as was unfortunately true in the World War.

It was all of 20 years before the American people knew, for example, all the pressure brought to bear upon the Government in connection with the change of our foreign policy with regard to loans. It was all of 20 years before the American people knew that the chairman of the Foreign Relations Committee of the Senate at that time, the late Senator Stone, of Missouri, had been misinformed by the State Department as to very vital changes in our policies with regard to loans to belligerents. It was all of 20 years before the American people found out that the State Department, which at that time held itself up as the fountain head of all wisdom and all correctness of interpretation of international law, admitted that it had made a most colossal blunder in connection with draping the American flag around the armed merchantmen of foreign belligerents, and had tried in secret to undo the blunder and failed, leaving this Nation in a position in which its honor had been committed to a policy of armed merchantmen and their trouble with the submarines, from which, as was said on all hands, this Nation could not honorably withdraw.

Mr. President, the suggestion has been made in this debate from time to time that to deplore the conditions of the World War, to deplore the succession of little decisions—to use the expression of President Roosevelt—which led us into the war, is to reflect upon the memory or to impugn the motives of President Wilson, or the Senator from Idaho, or the Senator from Kentucky, or the Senator from Texas, or any one else who was a Member of the Congress at that time, or who was in an executive position, and who at that time felt impelled by the succession of events to be in favor of the declaration of war.

I desire with all the explicitness I can possibly command to deny any such suggestion. However, it seems to me to be absolutely incompatible with respect for the memory of the men who acted at that time according to the best lights they had not to try to draw a lessen from a succession of circumstances and a succession of decisions on which many of them were not informed when they made up their minds. No one questions the integrity of action on the part of any of those men; but I think that if the United States has not profited by the unfortunate experiences of that war, it may be a tragedy for ourselves and our posterity.

Mr. President, in my opinion, much of the disaster which led us into the war revolved around the secrecy of American diplomacy, by which a man who had never been confirmed by Congress to any possible office felt free to wander around Europe committing the United States to war in certain contingencies. Against such secrecy and against such blunders I think it is the duty of Congress not only to protest 20 years later, but completely to change its attitude of passively waiting until certain matters are called to its attention and then obediently, like a dutiful pupil, confining its attention to those matters and no others.

I think there is hardly a man or woman in Washington who on September 21 of this year, when the President made his address to Congress, did not realize that while there were references to the War of 1812—in my opinion, erroneous references—and to many other things, there were no references whatever to the blunders and horrible consequences which

came from leaving entirely to the Executive, without the active participation of Congress, all the important matters involved in foreign affairs during the last war.

For a President today to speak about receiving from the hands of Congress an approval for his foreign policy, without referring to the effect of such free and easy approvals as were given during the World War, is not only like having Hamlet without its main character, the Prince of Denmark; it is like talking about the wheat problem without mentioning the farmers. It is like talking about American interests abroad without mentioning the millions of young men in this country who, as a result of that loose talk, may be found, to our horrible surprise, attempting to do one of the things which neither the British nor the French are able or willing to try to do—give their lives to break through the west wall.

Among the many omissions of that kind in the message to Congress was one which I wish to single out. It deals with the very large problem of how this Nation can get into war without Congress either knowing about the steps taken or attempting to put barricades across those steps. I refer to the presence after 24 hours in our ports of the British-owned ships, the *Aquitania* and the *Mauretania*, mounted with 5-inch guns.

On September 24 one could drive along the high-speed highway on the west side of New York and see those two ships with their guns on in our harbor for more than 24 hours. They were not interned. They were not told to take their guns off. Hardly a columnist, hardly a writer, saw the significance of those two ships lying in our harbor with guns mounted, ready to load; ready to go out on the high seas; ready, as auxiliary naval vessels of His Majesty's Navy, to combat foreign belligerent vessels belonging to another power.

This matter of our attitude toward such armed merchantmen of armed nations was of such importance in the World War that the story warrants telling, if not to the Senators, who perhaps know it, to the American people so that they, too, may perhaps know it. The administration has acknowledged the fact that those ships were still in our ports after 24 hours, which means that they were not treated as naval vessels. The fact that they have not taken their guns off, at least as far as the naked eye can see, means that we shall be engaged in exactly the same tiresome, wearisome, futile, and admittedly erroneous arguments and position that led us, in the course of the years 1914, 1915, and 1916, to tie our American honor to the sancity of the naval auxiliary vessels of foreign nations.

Mr. President, since the departure of the *Aquitania* and the *Mauretania*, other vessels have come into American ports. We see in the current press of the day accounts of the arrival of the French ship *De Grasse* with guns mounted fore and aft, the British ship *Cameronia*, and the British ship *Georgic*. I ask unanimous consent that at this point in my remarks there may be inserted in the RECORD certain news articles which appeared in American newspapers with regard to the arrival of those ships.

The PRESIDING OFFICER (Mr. ADAMS in the chair). Without objection, it is so ordered.

The articles are as follows:

[From the New York Times of October 17, 1939]

NINE HUNDRED AND NINETY ARRIVE HERE ON TWO ARMED LINERS—"CAMERONIA" BRINGS IN 709 AND THE "DE GRASSE" 281—318 OF TOTAL ARE AMERICANS—CONVOY SYSTEM DROPPED—MASTER OF ENGLISH VESSEL SAYS PATROLS ARE USED NOW—GUN CREWS HELD PRACTICE

Nine hundred and ninety cheering, waving men, women, and children arrived here yesterday from foreign ports aboard two vessels of the belligerent nations that had crossed the Atlantic unannounced, with defense guns on their decks.

The first of the two vessels to appear was the French liner *De Grasse*, which carried 281 passengers and docked shortly before noon at pier 88 at West Forty-eighth Street. Two hours later the Anchor liner *Cameronia*, with 709 passengers, docked at pier 47 in the North River. Forty-seven of the *De Grasse's* passengers and 278 of the *Cameronia's* were American citizens. Also among the *Cameronia's* passengers were 58 Poles and 4 Czechoslovakians rescued from the *Athenia*. Both vessels were painted gray.

Capt. G. B. Kelly, master of the *Cameronia*, said the British Admiralty apparently has abandoned the convoy system and instead has dotted the Atlantic with patrol vessels from Europe to the North American Continent.

KEPT IN TOUCH WITH PATROLS

From the time the vessel sailed from Glasgow, carrying 40,000 cases of Scotch whisky in addition to its passengers, the captain said, he was in radio communication with the British Admiralty at all times and was constantly advised of the position of the patrols. The patrols, he said, consisted of destroyers and small cruisers.

Captain Kelly said he had been advised by the Admiralty that there were no submarines on the North Atlantic shipping lane from Ireland to Canada. Patrol boats were stationed off the Canadian coast, he said.

The gun crews of both vessels practiced firing their weapons on the way over and both ships were completely blacked out at night. According to passengers on the *De Grasse*, which was the first French liner from Europe since the *Ile de France* arrived on September 8, the gun crew used empty champagne cases tossed over the side as targets. One shot in three hit the mark, they declared. The *De Grasse* had a gun crew of ex-navy men who stood at their posts day and night. Both the *Cameronia* and the *De Grasse* had guns mounted fore and aft. The forward gun on the *De Grasse* was mounted on a turret and could be elevated to an angle of 85 degrees for antiaircraft defense; the after gun was mounted on a small platform for use against submarines.

ALL PORTS KEPT CLOSED

The *De Grasse* left Havre October 7 and Plymouth October 8 and was escorted by an armed British trawler through the mine field north of the English Channel. Capt. Francois Lebez declined to discuss the voyage but passengers said they had been caused considerable discomfort because not only was the vessel completely blacked out at night, but all portholes were closed, making ventilation of the cabins difficult.

There was only one lifeboat drill on the *De Grasse*, passengers said, but the boats were in position for lowering at all times. The use of portable radios was not permitted and no messages were sent from the vessel. Brief news bulletins, including that of the sinking of the *Royal Oak* and the torpedoing of the French vessels *Bretagne* and *Louisane*, were posted. The bulletins, the passengers said, only caused additional consternation.

The passengers of both the *Cameronia* and the *De Grasse* were voluble in expressing their relief at having arrived in New York safely. Immediately upon docking, Captains Kelly and Lebez went to the United States customhouse to make official explanation to Harry M. Durning, collector of the port, that the arms their vessels carried were for defensive purposes only.

THREE OTHER VESSELS DOCK

The other arrivals of the day included the American Scantic liner *Scanmail* with 130 passengers from Denmark and Scandinavia; the United States Army transport *Hunter Liggett* with 355 Army officers, officers' families, and soldiers from the Panama Canal Zone; and the Nippon Yusen Kaisha steamer *Kasima Maru* with 180 Japanese refugees from European war zones.

All but one of the Japanese intend to continue on to Japan. The exception was Minoru Kawabata, son of the artist Ryushi Kawabata, who applied for permission to continue his art studies here. Young Kawabata was one of a group of 30 artists and writers forced by the war to leave their French homes.

Mrs. Toyo Miyazaki, wife of the Acting Japanese Ambassador to France, also was on board with her 3-year-old son.

The passengers on the *Scanmail*, most of them American citizens, included Miss Marie Hollis, an acrobatic dancer who twice danced before Hitler and only once got paid. The first time was at the reopening of the Deutsches Theater in Munich, the second was at a special request party at the Musical Academy in Berlin.

"I did not get paid for the request performance," she said. "It is supposed to be an honor to give a command performance before Hitler. I was asked to do it, and in Germany when you are asked to do something for Hitler, you do it. However, he did send me some flowers."

[From the New York Times of October 23, 1939]

"GEORGIC" HERE A DAY EARLY—ANCHORS OVERNIGHT TO AWAIT CUSTOMS INSPECTION

The Cunard White Star motorship *Georgic* caused some surprise along the water front yesterday by arriving a day ahead of time. She brought 341 passengers and had been expected by customs and immigration officials to dock today at pier 54, West Fourteenth Street, at 9 a. m.

The *Georgic*, painted war gray and with a 6-inch uncovered gun on her after deck, passed through quarantine at 12:30 p. m. yesterday and proceeded up the harbor toward her pier. Her arrival was reported to the Cunard White Star Line here and the tugboat *George M. Barret* was sent to meet the ship with orders for Capt. Edgar Edkin, the master, to turn her around and anchor off Clifton, Staten Island, for the night.

There were no immigration or customs officials available, as no advance notice of the change in the ship's arrival time had been given.

The arrival of the *Georgic* a week after the *Samaria* tended to bear out the statement by the Cunard White Star Line that weekly passenger and freight service would be maintained by the company between New York and England.

Two other British steamships arrived in quarantine yesterday at the same time as the *Georgic*. They were the Lamport & Holt freighter *Swinburne* from Para, Brazil, with two passengers, and

the *City of Wellington*, from Calcutta, owned by the Ellerman Bucknell Line, the company that owned the *City of Mandalay*, which was sunk in the Bay of Biscay last week.

The *Swinburne* went to pier 5, Hoboken, and the *City of Wellington* anchored off Clifton, Staten Island.

Many motorists on the West Side Highway yesterday viewed the *Queen Mary* and *Normandie* lying at their piers in the North River. The uncovered gun on the *Georgic* attracted attention of motorists ashore when she turned about at Fourteenth Street to steam to anchorage.

Mr. CLARK of Missouri. Mr. President, I wish to summarize very briefly the history of our inglorious and mistaken policy toward armed merchantmen in the last war, and I do it with no partisanship, no animosity toward any man, because the men who invented that policy admitted that they had been wrong. They tried to change it, as you will see; but the American public had been kept in such ignorance of their realization of their error that they could not change it without doing the thing statesmen most dislike—admitting in public that they had taken the Nation up to the edge of war without warrant, and reversing themselves in public. What I am complaining about at this moment, and what I am asking for definite, clear, and immediate action on by Congress, is our apparent intent to repeat the very same error. If we cannot even learn anything from the experiences in the World War and our mistakes in it, then it must be said to the thousands of dead and the thousands of wartime casualties that their suffering was indeed useless.

I wish to repeat that we seem to be starting off now on the same policy in regard to armed merchantmen which President Wilson and Secretary Lansing themselves started off on; and after thousands of drownings, and after the American flag had been draped around foreign ships, where it had no right to be, they admitted they were wrong.

When the *Mauretania* and the *Aquitania* left the port of New York with their guns mounted, we were well on the way to ignore all the hard-bought wisdom which the leading officials of the last wartime administration had garnered after a year and a half of mistakes. I freely admit that there is some difference between the last war and the present war, the major difference to date being that the last war began in August and the present one in September. You remember that, even before the present war broke out, American officials felt so duty-bound to prevent any possible foreign belligerent vessel from becoming armed in our ports that they held the *Bremen* here for some time and searched her and researched her for guns. I am not quite clear in my own mind as to why those searches did not go on on the *Aquitania* and the *Mauretania* and the *De Grasse* and the *Cameronia*, possibly meeting with some success, unless, perhaps, our Treasury officials do not believe what they see in the newspapers and have consequently passed up the pictures prominently displayed in every metropolitan newspaper of these ships with their guns so conspicuously present that a man would have to be very blind indeed to ignore them.

The searching of the *Bremen* is an echo of August 1914 when, the day after the Belgian border had been crossed, the British warned us of our duty to prevent German merchant vessels in our ports from arming and going out to sea, stating that we should be held responsible for any damages they inflicted. It told us that the *Kronprinz Wilhelm* had sailed on August 3 fitted with guns, and might become a commerce raider. The presence of the *Aquitania* and the *Mauretania* also brings back the echoes of early August 1914, for on August 9, 1914, the British Chargé d'Affaires, Mr. Barclay, presented a note to Secretary of State Bryan, saying:

> As you are no doubt aware, a certain number of British merchant vessels are armed, but this is a precautionary measure adopted solely for the purpose of defense, which, under existing rules of international law, is the right of all merchant vessels when attacked. (Foreign Relations Supplement, 1914, p. 598.)

This note told us that we had no right to intern or order the immediate departure of belligerent vessels except "actual and potential" men of war. I do not know whether the State Department is now in receipt of any similar communications concerning the *Aquitania* and the *Mauretania* or other armed merchant vessels which may seek the safety of our ports. My resolution calls, as will be noticed, for that information, but the captains of the two ships now in our port made public statements upon their arrival here that the guns were purely for defensive purposes.

The British diplomats of 1914 insisted that we keep our ports open completely to British armed merchantmen, and on August 25, a little over 25 years and a month ago, we were handed a piece of paper, signed by the British Ambassador, which was, in the unfortunate course of events, to become the second "scrap of paper" of the World War. We were told by the British Ambassador that—

> In view of the fact that a number of British armed merchantmen will now be visiting United States ports—

He had the honor—

> to reiterate that the arming of British merchantmen is solely a precautionary measure adopted for the purpose of defense against attack from hostile craft. (Foreign Relations Supplement, 1914, p. 604.)

Then came the guaranty, which we were requested to take seriously, and did take seriously, and yet which, as will be seen upon analysis, was based on the odd presumption that a man behind a gun will not shoot until he has punctiliously waited to be shot upon. The guaranty reads:

> I have at the same time been instructed by His Majesty's Principal Secretary of State for Foreign Affairs to give the United States Government the fullest assurances that British merchant vessels will never be used for purposes of attack, that they are merely traders armed only for defense, that they will never fire unless first fired upon, and that they will never under any circumstances attack any vessel. (Foreign Relations Supplement, 1914, p. 604.)

Among the British ships then entering our ports, as the *Mauretania*, the *Aquitania*, the *Cameronia*, and the French ship *De Grasse* have entered now, were the White Star liner *Adriatic* and the British ship *Merion*. The *Adriatic* sailed with her guns still mounted. In the case of the *Merion* the assurance was given the Secretary that the ammunition would be taken off and the guns dismounted and placed in the hold. In the same days the German ships were being prevented from mounting guns in our ports because under international law a neutral government was required to use due diligence to prevent the fitting out, arming, or equipping within its jurisdiction and the departure of any vessels which it had reasonable ground to believe would carry on war against a belligerent. Great Britain had to pay damages for allowing this in the case of the Confederate cruiser *Alabama*.

Mr. President, in the last few days I have listened to eloquent and cogent dissertations in this body by many Senators, including the Senator from Nevada [Mr. PITTMAN], the Senator from Texas [Mr. CONNALLY] and other Senators, with which I entirely agreed, inveighing against the distinctions sought to be made between offensive and defensive weapons. I agree, so far as I am concerned, that it is impossible to define weapons as offensive or defensive weapons on land, and it is equally impossible to define 5-inch guns or 6-inch guns or 12-inch guns, mounted on merchantmen, as offensive or defensive weapons. It is equally as impossible to make that distinction on vessels afloat as it is as to forces on land.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Texas?

Mr. CLARK of Missouri. I yield.

Mr. CONNALLY. While what the Senator says is absolutely true, there is a distinction between the uses made of the weapons.

Mr. CLARK of Missouri. Mr. President, that extends to all weapons. There is great difference between the uses, but, as I shall show officially in confirmation, when the British admiralty orders an armed merchantman to fire on a submarine on sight, its gun necessarily becomes an offensive

weapon. The distinction the Senator is now trying to make is true of all weapons.

Mr. CONNALLY. I do not desire to disturb the Senator in his remarks, but he mentioned my name——

Mr. CLARK of Missouri. I mentioned a statement made by the Senator from Texas, with which I agree.

Mr. CONNALLY. A 5-inch gun is both an offensive and a defensive weapon, but if it is not used for offense, it is not an offensive weapon.

Mr. CLARK of Missouri. Mr. President, the distinction the Senator is now seeking to draw is one which I agreed with him was unsound in connection with land weapons, and I insist it is equally unsound with regard to weapons used afloat.

Mr. CONNALLY. The Senator is aware of the fact, however, that that was exactly the position of this Government in 1914, and all during the World War as to armed merchantmen; that is, if a merchantman was armed only with defensive weapons, and made no offensive use of the weapons which it carried, it was not a war vessel.

Mr. CLARK of Missouri. I do not like to cut the Senator off, but I will presently show that the Government of the United States itself concluded that it made a very bad ruling on that point during the last war.

So, again in August and the beginning of September, 25 years ago, we were doing to other German ships what we did to the *Bremen*, and at the same time doing to British ships what we are doing with the *Mauretania* and the *Aquitania*.

Professor Borchard, whose book, Neutrality for the United States, is one of the outstanding contributions of a distinguished international lawyer to the whole subject, says:

> At that early date, therefore, the department conceded in favor of Britain and against Germany the unsustainable distinctions between armaments on German and on British vessels, based on the supposedly offensive or defensive intention with which the arms were to be used. * * * This was a fateful mistake into which the administration was led by poor advice which it went out of its way to demand.

He, too, points out—

> The invalidity of this distinction the Department had subsequently (January 10, 1916) to admit; but the admission was retracted on March 25, 1916, when, under circumstances presently to be related, the Secretary of State readopted the erroneous view that British armed merchantmen were legally immune from unwarranted submarine attack. (Borchard, Neutrality for the United States, p. 85.)

This whole matter was enormously important to the British, as we shall see later, from the point of view of getting us involved, although I do not say that this was their major consideration at the moment in urging this position upon us. On September 9 they sent a memorandum to us, explaining that arming merchant vessels was an old English custom, and claiming that the right to arm and resist capture had been sustained by Chief Justice Marshall in the case of the *Nereide*. In support of their claim, they did not hesitate to leave out the key words of the United States Naval War Code of 1900, article 10. They quoted it as reading—

> The prisoners of merchant vessels of an enemy who, in self-defense and in protection of the vessel placed in their charge, resist to an attack, are entitled to the status of prisoners of war. (Foreign Relations Supplement, 1941, p. 608.)

Actually, the article of our Naval War Code reads:

> * * * are entitled, if captured, to the status of prisoners of war.

The British argued, therefore, that—

> * * * a merchant vessel armed purely for self-defence is therefore entitled, under international law, to enjoy the status of a peaceful trading ship in neutral ports and His Majesty's Government do not ask for better treatment for British merchant ships in this respect than might be accorded to those of other powers.

Professor Borchard comments:

> There was no connection between premise and conclusion. Merchantmen certainly have been privileged to arm—contrary to a view Germany expressed—but they thereupon lost their immunities as merchant vessels. They could be legitimately treated as war vessels, both on the high seas and in port.

What Chief Justice Marshall actually said in the *Nereide* case was:

> She is an open and declared belligerent; claiming all the rights and subject to all the dangers of a belligerent character. (9 Cranch 388–430.)

Which, Mr. President, I believe to be the correct rule of international law today.

This argument was accepted at that time by our high officials, as I presume similar arguments are now being accepted in connection with the *Mauretania* and the *Aquitania* and the other ships which have been in our ports. The result of the British contention that these armed vessels were just as peaceful as unarmed vessels was that not only the President but the whole Congress was mislead into taking a position which had no foundation either in law or in common sense. The ink on the British argument was hardly dry before we had accepted it on September 19, 1914, just a bare 25 years ago.

Mr. Lansing, the Solicitor of the Department of State, later Secretary of State, let everybody know what we thought about these armed merchant vessels and, in the course of it, came to conclusions which—

> * * * served to drag the United States into positions so inflexible and acrimonious that they became identified with national honor. From these there was no retreat except war. (Borchard, p. 88.)

Mr. President, there are several interesting things here. The first is that the Dutch Nation saw right through this whole argument that an armed ship would not use its guns except defensively, and threw the argument overboard and would have none of it. In fact, the Dutch compelled the British armed merchantman *Princess Melita* to dump its guns and ammunition overboard before admission into Dutch waters. The British tried on the Dutch every argument that they tried on us, but where we did not see through them until a year and a half later, the Dutch saw through them at once and avoided the complications which we did not avoid. The Dutch statement was very simple:

> A belligerent merchant vessel which fights to escape capture or destruction by an enemy warship commits an act the legitimacy of which is indeed unquestionable, but which is nonetheless an act of war.
>
> The Queen's Government are of the opinion that it would be contrary to the strict neutrality which they have determined to observe from the beginning of the war not to assimilate to a belligerent * * * any belligerent merchant vessel armed with the object of committing, in case of need, an act of war." (Borchard, p. 101.)

The other thing to note is that there was no secrecy about the fact that the British merchantmen, which, like our own subsidized ships, are supposed to be converted into auxiliaries of the fleet and are subsidized by the Government, have emplacements for guns which can be mounted easily. In England the *Mauretania*—that is, the old *Mauretania*—was subsidized under the "Cunard agreement," which provided, among other things, that all the officers had to belong to the Royal Naval Reserve. The armament of some of these ships cost a million pounds sterling.

In the last war for a while, there was no trouble as a result of our accepting the British view that these armed merchantmen were simply peaceful ships. The question, however, began to become acute in 1915 when submarine warfare began in earnest. The British Admiralty on February 10, 1915, issued orders to its merchant vessels to ram submarines. On February 25, these instructions were amplified by ordering merchantmen to fire on submarines at sight. Now these orders, as the Senate can see very readily, were very, very different from the mild assurances and guaranties given us on August 25, 1914, that "British merchant vessels will never be used for purposes of attack * * * and that they will never under any circumstances attack any vessel." I wish to point out that this change of instructions was, as far as our historians have been able to find out, not communicated to the State Department to which the guaranties had so nobly been given by the government which had given them. The information concerning these

amended orders came through the American Ambassador in Berlin. We do not want to have any guaranties given to us and then taken away without our knowing about it, all over again.

As these instructions became public, it was obviously even more difficult than before to pretend or hold that there was a real distinction between the offensive and defensive armaments. In 1936, in the Journal of Royal United Service Institute, the British general, Sir Henry Thuillier, commented, in regard to arms on merchant vessels:

I find a difficulty, being a soldier, in knowing how to distinguish between weapons used in aggression and those used in defense.

Mr. President, I again refer to the distinction between the weapons used in aggression and those used in defense. I stated on the Senate floor the other day, in connection with the criticism of the address of Colonel Lindbergh, against which so much frantic debate has been directed both in and out of this body, particularly by the so-called kept columnists, which indicates that it is the galled jade that winces, that having for a brief time been a soldier myself I found great difficulty in knowing how to distinguish between weapons of aggression and those used in defense.

In this connection—and I am referring now particularly to the reference to offensive and defensive weapons mounted on armed merchantmen—I wish to refer to the comment which Admiral McClain of our own Navy made to the Senate Committee on Naval Affairs in 1930 when he told the committee:

The most effective step toward humanizing the use of submarines in war, would, in my opinion, have been a provision forbidding the arming of merchant vessels when on a peaceful mission. * * * A submarine in the last war fired without warning purely because he knew that as soon as he exposed himself to give warning he would be shot at by the merchant vessel. * * * To my mind, the question of disarming a merchant vessel is the secret of the whole thing. * * * If you put a gun on a merchant ship now, it is to enable her to violate the law. * * *

I wish to repeat the last sentence for the benefit of the Senate and the American people:

* * * If you put a gun on a merchant ship now, it is to enable her to violate the law.

In relation to the fact that the *Mauretania*, the *Aquitania*, *Georgic*, the *Cameronia*, and other ships were allowed to put into our ports with guns mounted fore and aft, to be used in any way that they might see fit on the high seas, I ask how that comports with our protestations of neutrality.

As the year 1915 wore on, the Germans brought the submarine weapon into use. According to international law, a belligerent vessel is supposed to search and either seize or sink a vessel carrying contraband to an enemy after allowing the crew and passengers to escape to lifeboats. However, the instructions to the merchant vessels were to fire on the submarines on sight and to ram them. The simple technical situation was that a shot from a 5-inch gun could sink a submarine while it was on the surface or while it was rising to the surface to go through the formalities of halting and searching the merchantman. The Germans knew that a good many of the British ships were armed. They did not necessarily know which ones. They could never be sure. To rise to the surface was to risk their lives with any ship.

The whole situation was complicated by the fact that we were allowing our American citizens to travel on these British armed merchantmen just as if they were not in fact warships. Some of those ships were sunk, as Senators will remember. The *Lusitania*, which was sunk to our horror, was not, so far as is known, carrying any guns at all. It had been in the practice of flying the American flag instead of the British flag, which aroused a certain amount of indignation here but led to no action, not only because Congress did not see and understand the consequences, but because Congress was not kept fully informed as to what was going on. The Secretary of State, Mr. Bryan, did protest on February 10, 1915, to the British that their unauthorized use of our flag and other flags was going to lead to attacks on our own ships legitimately carrying our own flag. His note read:

The Department has been advised of the declaration of the German Admiralty on February 4 indicating that the British Government had on January 31 explicitly authorized the use of neutral flags—

I ask the Senate to remember this statement, indicating that the British Government had on January 31 explicitly authorized the use of neutral flags, including the American flag—

on British merchant vessels, presumably for the purpose of avoiding recognition by German naval forces. The Department's attention has also been directed to reports in the press that the captain of the *Lusitania*, acting upon orders or information received from the British authorities, raised the American flag as his vessel approached the British coast in order to escape anticipated attacks by German submarines.

Walter Millis, in one of the ablest reviews of the last war, in his Road to War cites a trip of Colonel House about this time on the *Lusitania:*

The passengers were full of the new submarine war; approaching St. Georges Channel they noticed, with mingled emotions, the boats being uncovered and swung out, and then the sudden appearance at the *Lusitania's* monkey gaff of the Stars and Stripes! Colonel House discreetly omitted to observe this latter phenomenon himself, but others did, and there were big stories about the strategem in the American newspapers. It was a sudden suggestion that there might, after all, be more complications in this submarine affair than had at first appeared; more than that, it lent color to the German contention that they could not guarantee the safety of neutral ships in the war zone because the Allies were misusing neutral flags.

Our pro-Ally press—

That refers to the American pro-Ally press—

proved equal even to this situation. If the *Lusitania* had been compelled to misuse our flag, the Philadelphia Ledger severely observed, the "one effect" should be "to provoke an immediate declaration against the barbarous policy which Germany proposes to enter upon." At the State Department they were less biased and more logical; unfortunately, all they saw in the flag episode was an opening for a conventionally adroit move in the routine chess game of diplomacy. On February 10 a stiff note was dispatched to Germany:

"If the commanders of German vessels of war should act upon the presumption that the flag of the United States was not being used in good faith and should destroy on the high seas an American vessel or the lives of American citizens, it would be difficult for the Government of the United States to view the act in any other light than as an indefensible violation of neutral rights."

Mr. Millis continues:

Thus flatly—and far too hastily—was the war-zone concept rejected. To the argument that the Germans had been authorized to adopt it by our acquiescence when it was invented by the British, we replied upon the technically correct, if practically irrelevant, ground that we hadn't acquiesced. Were we not, indeed, still protesting British illegalities? And to prove it another note was despatched on the same day to Great Britain, energetically protesting the misuse of our flag. This protest was of course to go the way of all our others; yet in the German note we had added—incautiously, even recklessly—that we would hold Germany "to a strict accountability." It was a phrase which President Wilson was later to have cause to regret. [Millis, p. 136.]

Outwardly the British spokesmen bent all their energies to denouncing the barbarity of the submarine campaign. As a matter of fact, however, it had come as a godsend. The calculations of the British Admiralty convinced them that the Germans as yet had too few submarines to make any serious inroads upon their commerce if only the merchant ships would risk the inevitable sinkings. On the other hand, as Mr. Winston Churchill has put it, "we were sure that [the submarine war] would offend and perhaps embroil the United States; and that in any case our position for enforcing the blockade would be greatly strengthened. We looked forward to a sensible abatement of the pressure which the American Government was putting upon us." On this realistic appreciation of the situation they immediately extended their great project to starve the German civilians into submission (p. 137).

I wish particularly to call attention to this last statement by Mr. Winston Churchill, quoted by Mr. Millis, that the British realized the more we became entangled in this controversy between the armed merchantmen and the submarines the greater was the chance for our letting the British violate international law and blockade Germany with complete disregard of it. This question of the misuse of the American flag was not settled during the last war by the Congress or the Executive. I am happy that today the Senate made a very, very slight advance in that direction.

As I remember, one of the early neutrality bills contained a prohibition that if any belligerent used our flag as a means of deceit the President should forbid our ports to all vessels of that belligerent. For some reason which I have not been able to ascertain that provision was discarded and was never passed by either House. Therefore, while we have made a

slight beginning in that direction today, I think it is a subject which should receive the recurrent and constant attention of the Congress.

The PRESIDING OFFICER. The time of the Senator on the amendment has expired.

Mr. CLARK of Missouri. I will take some time on the joint resolution, Mr. President.

I very earnestly suggest that we come back to the question and cite in this connection the account of a case which was referred to by Secretary Lansing, who can in no wise be accused of being anti-British, and who in his later memoirs wrote, as will be remembered, that:

> The notes that were sent [to Britain] were long and exhaustive treatises, which opened up new subjects of discussion rather than closing those in controversy. Short and emphatic notes were dangerous. Everything was submerged in verbosity. It was done with deliberate purpose * * *. (Munitions Committee Report, pt. 5, p. 23.)

That was the characterization by the American Secretary of State of his own notes which he had sent to Great Britain. The notes to England were probably made long and verbose in order that nothing should be brought to a head, and our rights were subordinated to the interests of the British in these matters.

Secretary Lansing said—and I think this is a subject of great importance:

> You will recall the case of the *Baralong*, where a German submarine was bombarding a vessel from which the crew had escaped in boats, when a tramp steamer approached flying the American flag. The submarine remained on the surface and awaited the steamer, which, on nearing the submarine, lowered the American flag, hoisted the British colors, and, with a gun mounted on the stern (a defensive armament, according to our early definition), opened fire and sank the German vessel, killing all the crew. The British Government would urge that this was merely a ruse de guerre and entirely allowable, and so it would have been under old conditions, but under the new conditions it presents a strong argument in favor of submarine attack without warning. (Munitions Committee Report, pt. 5, p. 36.)

Mr. President, the present situation is ready for another *Baralong* case. We have excluded submarines from our harbors, but we are permitting to enter and leave our harbors, without the treatment to which vessels of war are subjected, armed merchantmen, whose arming is the necessary and inevitable concomitant to unrestricted submarine warfare. As I have just stated, the present situation is ready for another *Baralong* case.

There is nothing in the proposed neutrality law, as redrafted and now presented to Congress, which will take care of this situation. Unless the chairman of the Committee on Foreign Relations, or other Members who have doubtless given thought to this situation, have violent objections, I shall propose at the proper time to amend the joint resolution so as to penalize the use of the American flag by foreign belligerents in the most rigorous way possible by forbidding the use of our ports to nations flying our flag for deceit.

I wish to return to the rest of the account of the armed belligerent merchantmen, and will repeat that American intervention in the European war was largely induced by the attempt of the administration at that time to maintain not only the privilege of the British merchantmen to arm, but to use their arms against submarines, while yet enjoying immunity from submarine attack because the merchantman had American citizens among her passengers or crew. I appreciate full well the fact that some of the Senators who have studied our experiences in the World War have done a noble service to the country in bringing to the fore and keeping to the fore the idea that American citizens had no right to endanger the peace of the country by venturing abroad on the naval vessels of foreign belligerents.

I believe we should redraft that part of the pending measure so as to provide that American citizens may travel on American passenger vessels carrying no contraband. I believe that could be done, provided it were made indubitably sure that the vessels upon which they were traveling neither were armed nor were carrying contraband, nor were prepared to resist proper visit and search.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Nevada.

Mr. PITTMAN. Do I correctly understand that the Senator would be willing to have Americans travel on belligerent merchantmen if they could be assured that the vessels were not armed and were not carrying contraband?

Mr. CLARK of Missouri. Mr. President, the theory which I have been attempting to expound is that the only justification which has ever been urged for unrestricted submarine warfare is that certain merchant vessels were not only carrying contraband but were prepared to resist the right of visit and search guaranteed belligerent vessels under international law. I say that if there could be an understanding or assurance that the vessels which leave our ports were not armed and were not in any way prepared to resist visit and search, there would be no justification for unrestricted submarine warfare; and I do not believe that even Hitler would risk such a course. I say that it is the fundamental duty of the United States not to permit armed belligerent vessels, under the guise of being merchantmen, to enter or leave our ports except under the restrictions commonly and ordinarily applied to vessels of war.

Mr. PITTMAN. Of course, that was not my question. I agree with the Senator that, if it were known that a vessel was a merchant ship, if it were known that it was not armed, and if it were known that it was not carrying contraband, there would be no excuse to sink it without notice. On the other hand, knowing the belligerents as I do from the history of the last war, I realize that we cannot know what they are going to call contraband. I realize that we cannot know whether or not they are going to believe that a given ship is not armed. Therefore I am totally unprepared unnecessarily to submit our citizens to the danger of being killed; and I think it is entirely unnecessary for them to travel on belligerent vessels.

Mr. CLARK of Missouri. Mr. President, I entirely agree with the statement of the Senator from Nevada that no American citizen should be permitted to endanger the peace of the United States. I say only that if the United States, as the greatest and most powerful nation in the world, were to say, as the Dutch did in the last war, "We will not permit a merchant vessel to enter or leave our ports with arms, or with guns mounted for the purpose of resisting the right guaranteed under international law of visit and search, or possible seizure and sinking," the Germans, according to any contention which they ever made in the last war or in this war, would have no excuse for sinking without warning. If the United States should enforce what seems to me to be the equitable common rule of international law of treating both sides alike, it might be entirely possible in such a situation for vessels to sail across the sea without the risk of being sunk without notice.

During 1915 we had committed ourselves to a course which was fraught with danger for us. Germany was being starved by the Allied blockade, which did not let food get into Germany. England was suffering from a German attempt to starve it by sinking its ships. We went into the middle of the situation and, without maintaining whatever rights we had to ship food to Germany, decided, in effect, that Germany had no right to starve England, although the actual controversy was about whether German submarines ought to expose themselves to being sunk with one shot before searching the armed British vessels. Once a policy—particularly an erroneous policy—is adopted, it is very difficult to change it, even if changing that policy might do something toward keeping us out of war. The President himself, at a time just a little before the sinking of the *Lusitania*, said that the fact that we had, during a very short period in August and September, made up our minds to accept the British conditions about the peaceful conditions of their armed merchantmen precluded our saying we were wrong. In a note to Secretary Lansing, he said:

> We defined our position at the outset and cannot alter it—at any rate so far as it affects the past.

The American people did not know that Charles Cheney Hyde, a very distinguished international lawyer then in the

Department of State, was protesting the exports of munitions and arms.

After all this had gone on, and the American honor had been tied to the idea that Germany was to be prevented from sinking merchantmen of belligerent nations and held to strict accountability, the State Department apparently became aware that the policy had been wrong.

We find Colonel House making a notation in his famous diary on October 2, 1915, the time he was engaging with Lord Reading in negotiations concerning the $500,000,000 Anglo-French loan which was the first result of our changing our foreign policy—again without consulting Congress—on the matter of loans and credits. Congress, if it had been in session and had been correctly informed, instead of incorrectly informed, by the State Department concerning the matter of loans, might have saved us from a very heavy financial entanglement. Colonel House noted his conversation, as follows:

What the British Government desire is that on the one hand we shall demand of Germany that no merchantman shall be sunk without warning, and, on the other hand, that merchantmen shall, as in times gone by, have the right to arm. I mentioned my conference with Lansing on this subject, in which Lansing did most of the arguing, holding that they could not have their cake and eat it, too; that it was manifestly unjust to the submarine to give merchantmen warning and then permit them to fire upon the submarine and sink it while she was giving the warning. (Munitions Committee Report, pt. 5, p. 35.)

President Wilson was becoming aware of the matter. In a letter to Colonel House on October 4, 1915, 2 days after the previous entry in the House diary, the President said:

I read the letters from Plunkett and Balfour with the greatest interest. The matter of armed merchantmen is not so simple as Balfour would make it. It is hardly fair to ask submarine commanders to give warning by summons if, when they approach as near as they must for that purpose, they are to be fired upon, as Balfour would evidently have them fired upon. It is a question of many sides and is giving Lansing and me some perplexed moments. (Munitions Committee Report, pt. 5, p. 120.)

On October 18 the Acting Secretary of State, Mr. Lansing, cabled our Ambassador in England:

It has been reported to the Department that British Government has ordered British merchant vessels to arm themselves with small-caliber guns manned by trained gunners, and instructed such armed vessels to ram and otherwise make unprovoked attacks on German submarine craft, and that such attacks have been made by these vessels and submarines sunk as a result. * * * (Munitions Committee Report, pt. 5, p. 36.)

What happened between October and January in this connection is still shrouded in mystery, but by January 2, 1916, the Secretary of State had been sufficiently aroused to the danger on our part of continuing to treat British armed merchantmen purely as commercial vessels that he addressed the President formally on the subject in a letter, of which the President said:

This seems to me reasonable and thoroughly worth trying.

In the letter Secretary Lansing held forth as follows:

Three or four days ago I forwarded to the Italian Ambassador at his request the statement in regard to armed merchant vessels, which we issued in September 1914. I had discussed the question some 4 or 5 weeks before with Mr. Barclay, of the British Embassy, and told him that, in view of the development of submarines as commerce destroyers, which had been unknown when our statement was issued. I felt that the arming of merchant vessels with any gun, of sufficient caliber to attack a submarine, would make it very difficult, if not impossible, to insist that a submarine should expose itself to attack by coming to the surface and hailing a vessel so armed; and that, while the armament might be termed "defensive", it was capable of being used offensively against a submarine and so I thought that a merchant ship carrying a gun or guns would have to be considered and treated as a vessel of war if it entered our ports.

Since we issued the statement of September 1914, formally, it appears to me advisable to issue a new statement setting forth the new conditions resulting from the successful employment of submarines in interrupting and destroying commercial vessels, the impossibility of a submarine's communicating with an armed merchant ship without exposing itself to the gravest danger of being sunk by gunfire because of its weakness defensively, the unreasonableness of requiring a submarine to run the danger of being almost certainly destroyed by giving warning to a vessel carrying an armament, and that, therefore, merchant vessels should refrain from mounting guns large enough to sink a submarine, and that, if they do, they become vessels of war and liable to treatment as such by both belligerents and neutrals.

The chief difficulty with the situation seems to me to lie in this: If some merchant vessels carry arms and others do not, how can a submarine determine this fact without exposing itself to great risk of being sunk? Unless the Entente Allies positively agree not to arm any of their merchant vessels and notify the Central Powers to that effect, is there not strong reason why a submarine should not warn a vessel before launching an attack?

* * * * * * *

Not only, therefore, should we, in my judgment, rewrite our statement as to the status of armed merchant vessels but show that if any vessels of that class is armed, all merchant vessels are in danger of sudden attack without warning. As to the use of the American flag on any merchant ship converted into an armed vessel it might be well also to make representations to the British Government. (Munitions Committee Report, pt. 5, pp. 36, 37.)

Here, then, was our Department of State admitting that its attitude toward the armed merchantmen had been wrong, and proposing to pull itself out of its difficulties if it could. It will be remembered in this connection that Secretary Lansing, in his war memoirs published later, not only admitted that he had been more pro-British than pro-American throughout the controversies before we entered the war, but that he blamed the Allies bitterly for not accepting the proposal he was then making.

It is interesting to follow the line of reasoning in these matters. When the President and his Secretary of State were convinced that the policy had to be changed, they did not make a proposal to the world. Instead, they made it only to the Allies, who, because it had been made only to them, could then decline it in all secrecy.

On January 16, Secretary Lansing wrote the President:

My first inclination was to send letters to the German Ambassador and Austrian Chargé, but two reasons prevented: first, I was convinced that the German and Austrian Governments would assent to the propcsal as it only required them to conform to the rules of international law, while it required their enemies to modify a present practice which might be construed into the relinquishment of a legal right; and, second, if Germany and Austria acceded promptly to the suggestion, any demur by Great Britain, France, Italy, or Belgium would, if it became known (as it would undoubtedly through the German or Austrian Embassies), arouse adverse criticism in the press of this country and excite public resentment against the Entente Powers, which appears to be increasing from day to day.

By adopting this method of approach, the proposal can be kept secret if it is refused by the Entente Governments and if it is considered inexpedient to make it public. (Munitions Committee Report, pt. 5, p. 37.)

It will be noticed that in the last paragraph he says if the proposal is refused by the Entente Governments it can be kept secret; if it is accepted by the other governments, it will become known. The obvious desire which stands out in this language is to force nothing on England or France, no matter how right or how much in accord with international law it was.

The President replied:

This draft has my entire approval. I hope that you will send it to the governments you have indicated to me; and I most sincerely hope that they will feel that we are right in our argument and suggestions and will be willing to cooperate with us in attaining the object we have in view, an object which they must surely wish to accomplish as earnestly as we do, and which this seems, in the circumstance, the only feasible way of reaching. (Munitions Committee Report, pt. 5, p. 37.)

After this approval by the President, the proposal went forward to the Allies. It was called a modus vivendi—

* * * a modus vivendi for the observance of rules of international law and principles of humanity by submarines and the discontinuance of armament of merchant ships.

It pointed out that the use of the submarine had changed the situation regarding so-called defensively armed merchant vessels, and that a submarine could not stop and search a merchant vessel on the high seas without exposing itself to almost certain destruction by the guns on board the merchant vessel.

It would therefore appear to be a reasonable and reciprocally just arrangement, if it could be agreed by the opposing belligerents, that submarines should be caused to adhere strictly to the rules of international law in the matter of stopping and searching merchant vessels, determining their belligerent nationality, and removing the crews and passengers to places of safety before sinking the vessels

as prizes of war, and that merchant vessels of belligerent nationality should be prohibited and prevented from carrying any armament whatsoever * * *.

I should add that my Government is impressed with the reasonableness of the argument that a merchant vessel carrying an armament of any sort, in view of the character of submarine warfare and the defensive weakness of undersea craft, should be held to be an auxiliary cruiser and so treated by a neutral, as well as by a belligerent government, and is seriously considering instructing its officials accordingly. (Munitions Committee Report, pt. 5, p. 37.)

The proposal was that an enemy merchant vessel should not be attacked without being ordered to stop. The vessel then had to stop, and should not be attacked unless it attempted to flee or resist. If it was impossible to place a prize crew on board or take it into port it could be sunk, provided the crew and passengers had been removed to a place of safety. In other words, the proposal admitted the existence of a submarine as a new naval weapon, and contended that the—

Placing of guns on merchantmen at the present day of submarine warfare can be explained only on the ground of a purpose to render merchantmen superior in force to submarines and to prevent warning and visit and search by them. Any armament, therefore, on a merchant vessel would seem to have the character of an offensive armament. (Foreign Relations Supplement, 1916, p. 142.)

The proposal was that—

Merchant vessels of belligerent nationality should be prohibited and prevented from carrying any armament whatsoever.

In turn, the submarines would rise to the surface and give passengers and crew an opportunity to attain safety before the ship was sunk.

Of this proposal, Professor Borchard says:

Mr. Lansing's proposal was the high point of the American effort at neutrality. It was sound and unassailable, but short-lived. Had the position been maintained it might have been more difficult to find a good ground on which to lure the country into war, which by that time an influential minority seemed to desire. (Borchard, p. 106.)

Let me give one more quotation to indicate that the guiding officials of our foreign policy at that time realized everything that was involved. It became clear, for reasons which I wish to go into later, that the British and French did not want to have us withdraw from our involvement in the controversy between the submarines and their armed merchantmen. They wanted us to stay right in the middle of that controversy; and the reception given to the proposal for disarming the merchantmen was cold.

On January 27, the Secretary of State wrote the President:

It seems to me that the British Government expected us to denounce submarine warfare as inhuman and to deny the right to use submarines in attacking commercial vessels; and that these statements by Sir Edward Grey evidence his great disappointment that we have failed to be the instrument to save British commerce from attack by Germany.

* * * * * * *

In regard to the submarine matter I think there is nothing to be done until we have heard from the Allies of Great Britain but I presume in view of these telegrams that they will be opposed to any arrangement. I do not think it is necessary for us to act immediately upon such refusal but we should consider what course we are going to take in regard to Americans traveling on vessels carrying arms, which can be used offensively against submarines. I doubt whether we can insist that vessels so armed can be considered other than as auxiliary cruisers of the respective navies of the Allies. (Munitions Committee Report, pt. 5, p. 125.)

On February 2, he wired Colonel House in Paris:

Call your attention to confidential telegram January 26, 5 p. m. addressed to Embassy, Paris. Page cables that Grey is seriously disturbed over proposal, as he claims it is wholly in favor of Central Powers and against Allies. Page fears that this proposal will be considered German victory and that all our influence with Allies will be lost. I feel strongly that the proposal is fair and only humane solution of submarine warfare for the future. If merchant ships are armed and guns used to sink attacking submarines as has been done and as merchant ships are now instructed to do then it is unreasonable to insist that submarines should take risk of coming to surface to give warning. (Munitions Committee Report, pt. 5, p. 126.)

Some 12 days later, Colonel House cabled back from Paris that he hoped Lansing would drop the matter for a while. His cable read:

There are so many other issues involved in the controversy concerning armed merchantmen that I sincerely hope you will leave it in abeyance until I return. I cannot emphasize too strongly the importance of this. (Munitions Committee Report, pt. 5, p. 126.)

As we know now, and did not know at the time—another one of the secrets of our secret diplomacy—Colonel House was engaged in arranging a House-Grey agreement which planned to take us into war on the side of England in case Germany refused to accede to all the peace terms which were agreeable to England.

In his war memoirs, Lansing was later to write:

As I review the record of submarine warfare subsequent to March 1, 1916, I am more than ever convinced that the decision of the Allied governments to decline to enter into the proposed arrangement was unwise from the humanitarian point of view and resulted in the sacrifice of hundreds of lives which might otherwise have been spared. It seemed to me at the time that they lost a great opportunity, because, if the Germans performed their part of the modus, the lives of crews and passengers on commercial vessels of the Allies and neutrals would not have been in constant danger from surprise attacks by submarines. * * * However, with a short-sightedness which it is hard to comprehend, and with a stubbornness in insisting on legal rights which were in their exercise open to possible question in view of the new conditions that prevailed, the British rejected the modus vivendi proposed by this Government, and the attempt to lessen the certainty of future horrors failed. The British Government, in refusing to consider any deviation from the strict letter of the law even by agreement, was not only blind to the strategic advantage to be gained but was utterly inconsistent in its own practice, for the British naval authorities had violated more rules of international law than the Germans, though their violations were not attended by such dreadful results. For a year and a half we had made protest after protest to London because of the illegal practices of the British authorities in their treatment of American commerce and in their disregard of American rights on the high seas, and these controversies were in progress at the very time that the proposal of the United States in regard to submarine warfare was rejected. (Munitions Committee Report, pt. 5, p. 39).

It will be noticed that he speaks of the shortsightedness of the British in refusing to disarm their merchantmen, and says they were thereby guilty of the sacrifice of hundreds of lives. I think he misunderstood the interest of the British in continuing that controversy.

As I have said, the reception in the Allied countries was cold. It seemed to the President and to Lansing a way of saving all the sinkings and drownings and of ending the submarine controversy; but Sir Edward Grey spoke of it, as our Ambassador in England reported, "as one speaks of a great calamity." Interestingly enough, although it is somewhat aside from my subject, in the same cable in which our Ambassador tells us how the British Government regarded this as a great calamity, the American Ambassador reports that—

* * * Engendered bitterness against us will be intense in the Allied countries and such influence as we might have had with the Allied Governments will be lost. * * * It has been rumored here in well-informed circles for several weeks, and I believe it is true, that the British Government have been constructing extra munitions works in England and Canada which can on short notice be manned and used to make as many munitions as the United States now supplies. * * * If necessary, orders placed in the United States could now be stopped within a month without diminishing the total supply. If no merchantman may carry a defensive gun into an American port, this change may precipitate a cutting off of American orders, not from any wish to cut them off, but from fear that other embarrassing acts by us may follow.—Page. (Foreign Relations Supplement, 1916, pp. 151, 152.)

Incidentally, can anyone in the Senate read that language without understanding that pressure was being brought to bear upon us to hold in abeyance a fair and just settlement of the submarine controversy in order that our munitions factories might be protected in orders they had, and that orders would not be taken away and given to Canada? Does that not sound like 1939 instead of 1916? For today the idea that munitions factories in Canada instead of munitions factories here will get work is something that worries many, many persons; and I personally have no doubt it is one of the causes for the repeal movement in relation to the arms embargo.

The remainder of the story is short, bitter, and bloody. The day after Page's warning, Secretary Lansing heard that British armed merchantmen had voluntarily opened fire on submarines in the Mediterranean and probably sunk them, emphasizing the correctness of his new-found belief that the armed merchantman with guns could be offensive as well as defensive. The British as well as the French turned down the proposal to solve the submarine controversy. Further American lives were lost. The Germans, unable to secure from us recognition of the simple truth which the Secretary of State and the President admitted in private, began their unrestricted submarine warfare in early 1917. The one sane idea of disarming all the merchantmen was spurlos versenkt. We went back to our original admittedly incorrect position, and we had to maintain that submarines had no right to attack armed merchantmen without warning, and when the Germans decided to go ahead and sink them we were horrified, and got into the war without either Congress or the American people really knowing that the leaders of our foreign policy were fighting for a position they knew was a blunder.

Section 11 gives the President the same free-and-easy, take-it-or-leave-it power he had in the World War to keep armed merchantmen out of our ports or not, exactly as he willed. The presence of these armed ships in New York Harbor today and in the recent past means that we are repeating the blunder of last time. Only action by Congress will prevent a repetition of what happened last time.

Alongside of that hidden danger in the joint resolution is the provision preventing the arming of American merchant vessels. I am for that. I want no incidents or fortuitous accidents to get this country into war. But is it not ridiculous for us to see the danger when our own ships, which will not be in the war zone, are involved, and not see the danger when we allow the naval auxiliaries of belligerent nations all the rights and freedom and protection of our ports as if they were, in fact, peaceful merchantmen?

Mr. President, I repeat that it seems to me the subjects of armed merchantmen and submarine warfare cannot be dissociated, and that they should be treated on the same basis and in the same category.

I will ask the Senator from Nevada whether or not he has ever had occasion to examine this subject. The other day I received a letter from a man whom I do not know, who told me that he had been closely associated in a business and personal way with Simon Lake, the inventor of the submarine.

He told me that Lake had been the adviser of the German Government at the time the *Deutschland*, the great German supersubmarine which was not armed, came over here during the World War; and he stated that there is nothing whatever in the present law which would prohibit the construction in this country, by the Germans or by anybody else, of large supersubmarine merchant vessels which might be loaded with oil or any other valuable war commodity, title might be taken by the foreign belligerent in this country on the date of the launching and the loading, and the vessels might go out to sea.

I do not know whether or not that is true. I have not had the opportunity of examining the law with reference to that question. I am certain it is not the intention of the committee or of the Senate to permit any such practice. I am simply suggesting that this whole question of submarines and armed merchantmen is one which ought necessarily be considered as a whole, and that if we have regard for neutrality and impartiality and the peace of the world it should be to our interest to treat them alike.

Mr. President, I reserve the remainder of my time.

Mr. RADCLIFFE. Mr. President, in the discussions which have taken place in the Senate, in the press, over the radio, and in public addresses, many of the specific phases of the pending neutrality and embargo legislation have been so freely and fully argued that there is little need for restatement. It is obvious that our people are so much opposed to war that they will do everything consistent with national honor and safety to avoid it. I hope and firmly believe we shall be successful in keeping at peace.

I can recall no discussion on the floor of the Senate in which there has been such general accord as to the general objective which is desired. Differences of opinion have hinged almost entirely upon the selection of routes to take to reach the goal sought by nearly all of us.

I am going to avoid the temptation to discuss with any degree of particularity any of the many phases of the questions of neutrality and embargo which are now before the Senate for consideration. Frequently it is stated that our present problems as to neutrality are very simple, revolving around one or two points. Such statements are not true, for these questions are unusually complicated in character.

It is fortunate that the American people have attempted to study this matter of neutrality in a thoughtful, dispassionate frame of mind, usually without idle or mischievous recourse to charges of improper motives or influences. We have before us today for consideration and decision some questions as important as any that have ever confronted our country. There can be no doubt of the fact that our people are trying thoughtfully and conscientiously to solve these problems honestly and wisely.

I do not recall any other discussion in the Senate in which there has been so much indulgence in prophecy. I realize that in considering any matter of proposed legislation we naturally forecast what we think the effects will be. As a rule, however, we consider the various successive steps which we think will follow if the suggested legislation is passed. But in discussing the pending legislation on neutrality and embargo, intermediate steps have been largely disregarded and general results have been freely predicted with little reference to the routes to be taken or the various stages on those routes.

Let me be specific. Again and again the statement has been made that if we repeal the embargo it will be tantamount to some form of participation by us as a belligerent and will be in some manner equivalent to an act of war, or at least that repeal would be likely to lead to war. Likewise, we are told by some of those holding divergent views, that if we do not pass the legislation our policy may carry us into war.

How can such general conclusions in either case be warranted? Is it sufficient to say that if we repeal the present act we are taking a step toward war unless we define with particularity certain definite results which we think would naturally and necessarily follow our legislative action? Can we say with conviction that if we pass this joint resolution we are making a move in the direction from war unless we clearly explain how we reach such a conclusion? The American people want to know specific reasons for prognostications and prophecies.

Discussions on neutrality have covered an unusually wide range. As to some aspects there has been apparently a settling of public opinion.

For instance, if we sell to belligerents we shall apply the doctrine of cash and carry. This means, of course, that the articles will not be purchased on credit or transported in our own ships after such purchases from us. On the contrary, the belligerents must pay cash for articles bought from us, must take title to them, and must carry them away in their own vessels.

Although the United States has always stood for the doctrine of freedom of the seas under principles and usages of international law, we favor certain self-imposed restrictions upon our commerce. These restrictions will tend to keep our ships and citizens out of danger zones. Determination as to what is a quite obvious danger zone is necessarily a difficult and perhaps a varying one, but with that purpose in mind we shall attempt to limit, in the light of reason, our maritime operations.

We have quite difinitely decided that we shall not be influenced by suggestions that our factories or industrial plants may be blown up, or by any other threats of sabotage. We shall not admit that we cannot and will not maintain order in our own country.

Attempts to determine whether certain kinds of war materials are to be used for offensive warfare, and certain other kinds for defensive activities, are not regarded as sound. Modern warfare, because of its never-ending complexities, knows no such basic distinctions, except in a degree which is really negligible.

If we sell anything whatever to a neutral, must we reckon upon the possibility that the articles may, through transshipment, reach a belligerent?

The attempts in the present law, however idealistic they may be, to determine what and to whom we as a neutral may sell are not workable, may easily lead to confusion and friction, and are dangerous. We shall, however, impose restrictions upon transportation by us.

We realize that for many years the constant tendency has been toward lessening the distinctions, in fact if not in theory, between contraband and noncontraband of war. Modern warfare today disputes more and more the application of such distinctions because of the obvious fact that war as it is now conducted preempts the products as well as nearly all the energies and activities of the people of a belligerent. Little is made, produced, or used by a belligerent which may not serve the purposes of war. A belligerent may have facilities for fabricating instruments of war, but it cannot create, except to a limited extent, raw materials. Oil and steel and many other raw materials are just as much needed for warfare as are ammunition or the fabricated instruments of war. We must regard the constant changes in viewpoint as to what really is contraband of war.

The determination as to whether or not neutrals sell to belligerents is legalistic and not factual. In other words, the test is whether the neutral is willing to sell to all belligerents, and not whether all belligerents try to buy and succeed in buying from it.

For instance, the United States and Hungary, as neutrals, may be willing to sell to all belligerents. Circumstances may be such at this time, at least, that England can succeed in buying from the United States, but Germany cannot. On the other hand, Germany may be able to buy today from Hungary, while it may be that England cannot.

Mr. President, one of the objections raised against the pending joint resolution is that "the United States should not alter the rules while the game is in progress;" that is to say, that while we are neutral we should not change the character of our dealings with belligerents. Such a statement assumes that in accordance with international law or usages, it is definitely settled that neutrals have not made and do not make such changes. Facts do not bear out any such statement. It has frequently happened that neutrals have changed their methods of dealing with belligerents. As a matter of fact, in 1915 Germany asked that we place an embargo upon certain kinds of sales to England and France. That is, she asked that we change the method of our dealings with certain belligerents while war was actually being waged.

There is no definite, clearly-defined policy, generally accepted by international law or custom, which unequivocally prevents any change in such dealings. Those who enunciate the doctrine that a neutral must not change the character of its dealings with belligerents have always recognized that there are certain definite exceptions to the rule. One of them is that a neutral is fully justified in changing its policy toward a belligerent providing the safety or welfare of the neutral requires such a change. To quote from the Hague Convention No. 13 of 1907:

> Seeing that, in this category of ideas, these rules should not, in principle, be altered, in the course of the war, by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power.

This means, of course, that no neutral should be expected to continue any special type of neutrality if thereby its safety or welfare is impaired or jeopardized.

The question also arises as to who is to decide such a question, and when. Quick decision is needed, and there is no court or tribunal which has jurisdiction. It is, therefore, generally accepted that the neutral must decide for itself whether its safety or welfare or rights are affected, and this is exactly what we must bear in mind at this time.

There are so many conflicting theories and viewpoints, and even precedents, as to whether neutrals should or should not change their dealings with belligerents, that those who oppose the policy of the United States repealing the embargo at this time must admit that at least the question as to the right of neutrals to change during the course of a war is an unsettled one.

Are the safety, welfare, or rights of the United States in any sense involved in the present situation? If so, is that jeopardy an immediate or merely a remote one? Is it definite, or is it contingent?

These questions should be answered in the light of history. Attention must be given to the fact that from time immemorial neutrals have sold to belligerents. Experience so far has seemed clearly to justify this policy, since it has been the general custom.

When, a few years ago, we passed the Embargo Act, we did so in the hope that good would be accomplished by a policy which was practically a new one, and that some obstacles would be thrown in the pathway of war. Can we feel satisfied today that such an opinion is sound? Are we ready today to stand definitely on the program that we as a neutral should not sell to any of the belligerent nations while war is in progress? This, of course, involves the point that if we refuse to sell to belligerents, then should we at some time become involved in a war, we could not expect any neutrals to sell to us. Are we ready to accept such a doctrine as being wise and prudent?

Suppose the United States should be unjustly attacked. We, of course, would either have to submit ignominiously or fight, and, of course, we would not submit. But would we be prepared to fight? I know we are frequently told that two great oceans intervene between us and Europe and Asia. We are informed that these oceans are so formidable as barriers that a relatively slight degree of preparedness on our part is sufficient for our protection. Mr. President, are you satisfied with that assurance? If so, what significance do you attach to the fact that a few days ago a large battleship of the British Navy, believed to be fully protected, was destroyed by a submarine? In our assumption that we needed a strong Navy we have thought that our battleships would be safe from submarines. In the light of the destruction of the *Royal Oak*, are we not obliged to give some consideration to the question whether or not our reliance upon our battleships is as well-grounded as it once was?

Each year brings astonishing developments in the airplane. Who believes that the limit of the effectiveness of the airplane has been reached? The airplane today has ranging powers and facilities for fighting which are vastly in excess of those of a few years ago.

The submarine is making great strides in effectiveness. Do not Senators believe that the airplane and the submarine have lessened to a considerable extent the bulwark to our safety afforded by the Atlantic and the Pacific Oceans?

Any effort of a militant power to attack the United States is often visualized as beginning with an attempt of such foreign powers to overcome our Navy and to land troops on American soil. That procedure might result, but developments of the last few years have suggested that other methods are often followed. Attempts from outside of America to create internal dissension, efforts to penetrate so deeply by trade that political domination or control results, are certainly not unknown in the Western Hemisphere, as elsewhere.

The feeling of cooperation between our country and the other republics of North and South America is so close that it is the general opinion that these republics would stand together if attacks were made upon them by nations of Europe or Asia. The Monroe Doctrine has been happily broadened into a friendly spirit of cooperation among the republics of the Americas, and a determination to stand together for mutual protection against aggression from the Eastern Hemisphere.

Panama will always require close protection. Any attempt to attack the United States might be preceded by efforts to secure controlling influence, or possibly even to get footholds in some of the adjacent islands of the ocean, or upon some parts of the mainland of the Western Hemisphere.

I am sure we all feel that such attacks upon the Americas will not take place, but can we have such a degree of confidence that we can assume that we can entirely disregard the possibilities of such aggression against the Western Hemisphere? I wish I could think so with a complete feeling of assurance. I wish I could believe that the possibilities of such aggression can be entirely and completely disregarded. Should some nation or nations of the world decide to make an attack upon the United States, whether it began with an open frontal movement or whether there were preliminary efforts of penetration to gain footholds in the Western Hemisphere, we must reckon then upon our ability to defend ourselves, and that plan of defense must assume that the protection afforded by the oceans, great as it is, has been lessened materially in effectiveness by the submarine, the airplane, and other new or improved instruments of warfare.

What I want to emphasize is that we cannot at this time know conclusively what would have to be the character of our defense, or what kinds or degree of preparedness would be necessary for us before we could offer effectual resistance. Methods of warfare continue to change rapidly. Some of the nations of the earth today are, and have been for many years, highly militant, and the energies of their governments have been concentrated primarily upon preparedness for war. Some of these nations have been geared up to a status of preparedness which we cannot visualize in this country. Are we ready to follow their example? Are we prepared to concentrate the energies of our Government and country on preparations for war? Are we ready to adopt universal military service should it seem that this method is essential if we are to compete in a frenzied race for preparedness?

We must also know that such plans for preparedness as carried out today cannot be consummated quickly. They require years of preparation and development, especially in view of the fact that warfare today has become so highly mechanized. Should hostile forces attempt to attack us today, and should we feel it necessary to put ourselves on a war footing similar to that of some of the other nations of the world, all our intentions and all our energies would be inadequate to accomplish quickly the results desired. Time would be essential. This point is so obvious that I will not dwell upon it.

If we are not going on a militaristic basis—and very few people in this country would have us do so; if we are not going to increase tremendously and fundamentally our preparations for warfare, then we must reckon upon the fact that we may come in conflict with entirely militaristic nations. We must face the possibility that our country, like many other nations which have become involved in warfare suddenly, would have to supplement its facilities for providing war equipment. Our country as a belligerent would have to purchase war materials from other nations under such circumstances.

If we, by our action in regard to the pending neutrality legislation, tend to emphasize and to crystallize into practice the doctrine that neutrals should not sell to belligerents, can we be sure that the same prohibition would not be enforced against us whenever we wanted to purchase? If we by our legislation and by our activities attempt to change the age-long practice of belligerents buying from neutrals, and should it be our misfortune some day to become a belligerent, we might have to face the doctrine which we are now urged to retain in our legislation.

It is not sufficient to say that such a danger is very remote because we will never start an offensive war. I believe that we will not again go to war, but can we be sure we will not, especially so long as certain doctrines of military might are so highly regarded and so freely invoked in the world?

However slight may be chances of our having to fight a defensive war, I am not willing to disregard them as being nonexistent. This country should not assume that it is immune from attack. Several other nations in the world which thought they were immune have recently either passed out of existence, or at this time are fighting for their lives. No valid reasons have been or can be assigned for depriving Poland, Czechoslovakia, and each one of the belligerent countries of the status of independent nations.

It is easier for us to keep at peace with our neighbors than it is for some of the other nations of the world. Our boundary lines have not for centuries separated nations who have met each other again and again on the field of battle. We do not share in the feuds, animosities, or rivalries which centuries have developed in various quarters of the globe. We have no harassing questions of minorities. We are all Americans, and the people of this country desire to live under no other flag than our own, nor do we desire to add to our domains any of the lands of any other country on earth. But efforts on the part of various nations of the world to obtain footholds on this continent are certainly not unknown. Have they occurred for the last time? No one knows.

All of this leads to the question that, however unlikely it may be that we will be called upon to fight a defensive war, and no matter what protection may be afforded to us by the Atlantic and Pacific Oceans, we, as a reasonably prudent nation, cannot assume that some such risk does not exist and will never confront us.

Everyone of us believes we should make some preparations for war. I have voted for large appropriations for such purpose, and I will continue to do so, much as I regret that such expenditures are necessary, when we have urgent needs of education, health protection, and other vital matters which deserve our full attention and support. We all join fervently in the hope that a better sense of proportion as to relative expenditures will arise soon in the world.

In short, I am not willing to subscribe to a doctrine which would either require us to compete with other militaristic nations in the world in a frenzied rush toward extreme preparedness, or to take steps which might deprive us of the customary facilities which belligerents have had for ages of buying from neutrals in time of war.

Those who oppose the repeal of the embargo express the belief that the embargo would tend to shorten war and would mean the saving of the lives of combatants. Such an objective has a powerful instinctive appeal to every peace-loving citizen. It certainly has to me. But it is necessary to look a little more into certain facts.

For instance, it has been suggested that we should refuse to sell to an aggressor, but should be willing to furnish arms and other supplies to a nation unjustly attacked. Determination as to who is right and who is wrong is not easy. Respective merits are sometimes mixed, and besides, the truth can often not be ascertained, if ever, until after a war is over, when records which were secret may be given publicity.

Suppose, in sales by neutrals, some aggressor belligerent is benefited, let us not forget that likewise some nonmilitaristic, peace-loving nation may be also helped to defend itself against wanton attack. It is said that it is better that 99 guilty persons should go free rather than that 1 innocent person should suffer. The application of this doctrine to sales by neutrals to belligerents is logical.

I wish that our example and our standard of peace could have persuasive weight in the world in demonstrating that force is not a suitable method of settling disputes. I wish that our abhorrence of war and that our desires that peaceful means of arbitration could be found for settlement of differences could be fully convincing upon all other peoples. I cannot believe that the people of this world desire to fight, whether they live in Asia, Europe, or America. The hideous tragedies of war cannot be a temptation to any man or woman who is conscious of them. We in America seek the golden days of peace, and we will do everything to promote them consistent with our safety and our self-respect. But we must realize that dreams of world peace must have with them a realization that peaceful methods of settling disputes between nations are not yet universally recognized.

In Baltimore last month we celebrated the one hundred and twenty-fifth anniversary of the writing of the Star-Spangled Banner. Our anthem was conceived by Francis Scott Key while an attack was being made on Baltimore. The other day I was looking at the type of guns used at that time in the defense of Baltimore. Doubtless 125 years ago those guns seemed to be formidable. Today they are puny, almost as puny as toys. So far have methods of warfare changed during 125 years.

Several thousand years ago a sturdy young boy slew the mightiest warrior of his day. David with a sling and a pebble killed Goliath, a warrior of superhuman strength, and protected, doubtless, by the most powerful weapons and armor of his day. The transition from the sling and pebble of David to the tremendously powerful engines of war of today, weighing many tons, the contrast in preparedness as illustrated by the picking of a pebble by David from the brook for his sling, and the gigantic Nation-wide preparations for mechanized warfare of today, represent an enormous change in the field of preparedness.

The tragedy of it all is, however, that although nations have constantly found more effective methods of killing people in warfare, they have not devised more efficient ways of preventing warfare. There is no method, there is no power today conclusive in preventing war, as there was not in the days of David and Goliath. The people of the world have long dreamed of a utopia where disputes between nations could be settled by reason and not by the sword. Countless are the methods or expedients which have been adopted for the moment and then discarded. Mighty men of war such as Alexander, Caesar, Charlemagne, Napoleon, and others, have tried to superimpose their will upon the world, but the vast empires set up by them have crumbled into dust.

Since no one power has been sufficiently strong to impose its will upon the world or to keep such a peace as it so desired, what is the substitute? Various ideas and plans have been evolved, tried, and, to a considerable extent, found wanting. I might mention the influence of religion, the Holy Roman Empire, balance of power, the League of Nations, The Hague Tribunals, world courts, and many others. Each plan has lived in the hearts of man as offering comfort and protection against the occurrences of war; each one at times has had persuasive force and power; but the authority of no one is absolute today, and it is doubtful whether it ever will be.

We will continue to cherish the idea that a solution can be found. Whether the peoples of the world will come to the conclusion that peaceful means of settling disputes between nations just as between individuals can and must be observed, and whether the nations of the world will ever consent to any plan which will create some power sufficiently strong to prevent nations from going to war, I do not know. Questions of sovereignty and independence are vitally concerned.

It may be that the people of the world will some day come to the conclusion that no questions of minorities, of boundary lines, of spheres of influence, of trade, of affronts, or alleged injuries are so serious that some tribunal superimposed, or voluntarily selected, could not determine and settle such controversies. Many such disputes have been settled peacefully in the past. But such a realization must be a universal one. What will it avail if nearly all of the nations are willing to resort to arbitration and yet a few nations insist upon force as the determining factor? What influence can we conceive of which will invariably lead militaristic nations to arbitrate? Will such a development ever be reached? We hope so, and we will cherish that hope in spite of present day disheartening and distressing activities to the contrary.

Mr. President, as a Marylander attempting to assert my belief in the theory that peaceful means can and should be found to settle controversies, I am resting on historic grounds. Maryland has sought again and again to apply such doctrines in times of stress and storm. Notable among incidents of this character was the attitude of the men and women of Maryland in 1860 and 1861, when the Civil War was in the making. The people of Maryland insisted again and again that the men of the North and the men of the South should settle their differences, no matter how grave they were, by methods other than war. Indeed, for a short period in 1861 the opinion was quite prevalent in Maryland that Maryland could even remain neutral in the Civil War.

I will not discuss the constitutional questions involved in those days. I merely want to emphasize that Marylanders were firm in their belief and active in their efforts to prevent impending war. Just so long as there seemed to be a chance of preventing the Civil War, many of the people of Maryland made attempt after attempt to prevent the conflict. In their efforts to secure peace, their hearts were always eager and their hands ready for the work.

When hopes of peace faded out completely and the war broke out, then the men of Maryland lined up with the North and the South as their judgment and conscience dictated. And so I, as a Marylander, raised in the traditions of those who believed that peaceful methods of settling differences between nations can and must be found, believe that in the hearts of most men and women there is an instinctive and firm belief that controversies should be settled by peaceful means and not by war. Such views have lived in the beliefs of people for many, many years.

The cold fact remains, however, that wars have again and again broken out, and there is no power in this world which can say to a nation starting an offensive war, "You must refrain." There is no power sufficiently strong to compel a nation starting an offensive war to attempt to settle its differences other than by fighting. Until that time comes, if ever it does, I see nothing for us in the United States to do but to devote sufficient of our energies to matters pertaining to preparedness for war.

I believe most assuredly that we should not become a militaristic nation, but so long as there are nations which are militaristic, we must reckon upon the possibilities, however remote, that some day we may face some such nation geared up and fully prepared for warfare.

In making our plans for preparedness, I am not willing to support any doctrine of international law or usage which will jeopardize our opportunity of protecting ourselves either by what we do in this country in the way of preparedness, or by the purchase of war supplies elsewhere.

Among the reasons why I will vote for the repeal of the embargo is my feeling that I cannot do otherwise consistent with my desire to do what I can for the welfare and protection of the United States not only as of today but for tomorrow.

Mr. President, as was said a few days ago by President Roosevelt, "We should walk before God in the light of the living." That doctrine we should gladly accept. That intent should always be our ideal; that objective, our gleaming goal. We should walk with our hearts aright. But we must also do so with our senses keen and alert as to what is prudent and wise. If we "walk before God in the light of the living," we must have broad humanitarian concepts and principles which guide our energies and our lives. We should also in "walking before God" use properly the brains which He has given us. When we as a nation "walk before God," let us do so with the realization that we must be able to protect and to conserve our peace against those who would wantonly and unjustly drag us into war.

Mr. BARKLEY. Mr. President, I ask unanimous consent that beginning tomorrow on the meeting of the Senate, and during the further consideration of the joint resolution now under consideration, no Senator shall speak in the aggregate more than 20 minutes on the joint resolution or in the aggregate more than 20 minutes on any amendment, and that at the conclusion of 30 minutes debate on the pending amendment, one-half to be controlled by the Senator from Missouri [Mr. CLARK] and one-half to be controlled by the Senator from Nevada [Mr. PITTMAN], a vote shall be taken on the pending amendment.

Mr. MCNARY. Mr. President, I have conferred with the able Senator from California [Mr. JOHNSON], who has been

diligent in trying to arrange a unanimous-consent agreement. I think the arrangement suggested by the Senator from Kentucky practically conforms with the understanding which has been reached, save the suggestion, as I understand from the senior Senator from California, that a provision should be contained in the agreement that a vote on the Clark amendment be had at 11:30 a. m. tomorrow.

Mr. BARKLEY. I will say to the Senator from Oregon that the difficulty about that suggestion is that some time will be consumed in calling the roll, and by other matters, which will reduce the amount of time to less than 30 minutes. I think the agreement I have suggested would operate satisfactorily. I have conferred with the Senator from California about it.

Mr. McNARY. Very well, Mr. President. That is quite agreeable.

The PRESIDING OFFICER (Mr. TRUMAN in the chair). Is there objection to the unanimous-consent request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. THOMAS of Utah obtained the floor.

Mr. McCARRAN. Mr. President, I was trying to get the attention of the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. THOMAS of Utah. I yield.

Mr. McCARRAN. Am I to understand that the debate on the Clark amendment is limited to a certain period of time?

Mr. BARKLEY. The suggestion was originally made that we agree to vote at 11:30 tomorrow morning on the pending amendment, but we cannot always anticipate what the situation may be, and some time will be consumed in a quorum call, and perhaps discussion of other matters. So I have modified the suggestion to provide that at the end of 30 minutes' debate on the Clark amendment, one half to be controlled by the Senator from Missouri and the other half by the Senator from Nevada, a vote shall be taken on that amendment.

Mr. McCARRAN. Mr. President, I suppose I am foreclosed now, but had I heard the request for the agreement as to the Clark amendment, I should not have consented to it.

Mr. CLARK of Missouri. Mr. President, will the Senator having the floor yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. THOMAS of Utah. I yield.

Mr. CLARK of Missouri. Let me say that, so far as I am concerned, I have no desire to occupy more time on the amendment which I offered, and I shall be glad to give the time at my disposal to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I do not think the matter should be handled that way, because I may not be the only Senator who cares to discuss the Clark amendment, after Senators who were absent this afternoon shall have read the RECORD. I believe the able discussion by the Senator from Missouri, when they read it, will arouse the interest of some Members of the Senate who were not present to hear it. I think nothing more important has come before this body than the amendment of the Senator from Missouri. If we really wish to remain neutral during the world conflict, that amendment should be adopted.

Mr. BARKLEY. The Senator from Nevada is not unfamiliar with the fact that we have been seeking in every possible way to arrive at an understanding for an arrangement for a limitation of debate, and this arrangement is satisfactory to everyone on both sides of the question who has come to me about it. I do not think that anyone will, in any way, be inconvenienced by the arrangement.

Mr. McCARRAN. I wish to say to the Senator from Kentucky that the 20-20 minute arrangement is highly satisfactory. I think I was the one who suggested it, and I am perfectly willing to go along with it.

Mr. BARKLEY. It was first suggested that a 15-15 minute agreement be had. However, in deference to the Senator from Nevada, I suggested that it be made 20-20 minutes.

Mr. McCARRAN. I am pleased with that, and entirely content with it, as to all amendments; and it may be that the Senate would not require more than 30 minutes on the Clark amendment. But I respectfully request that there be 40 minutes time given on the Clark amendment.

Mr. BARKLEY. Mr. President, I modify my request, so as to make it 40 minutes on the Clark amendment, to be divided as previously requested, one-half to one side and one-half to the other. Of course, the order has been entered, but I ask that it be modified so as to provide for 40 minutes on the Clark amendment, instead of 30 minutes, with the same arrangement.

Mr. McCARRAN. I appreciate the Senator's action.

The PRESIDING OFFICER. Is there objection to the modification of the unanimous-consent agreement requested by the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. McCARRAN. Mr. President, I wish to express my gratitude for the fairness of the Senator from Kentucky, because I was entirely out of order, and could have been foreclosed.

Mr. BARKLEY. Mr. President, I did not hear the Senator's statement.

Mr. McCARRAN. I wish to express my gratitude to the leader of the majority, because I could have been entirely foreclosed.

Mr. THOMAS of Utah. Mr. President, the amendment I offer, and which I shall ask the clerk to read, is one which I bring before the Senate at the request of the Department of Labor to take care of an emergency which has arisen as a result of the pending legislation.

The PRESIDING OFFICER. The Chair will say to the Senator that the Chair is informed by the Parliamentarian that it will require unanimous consent for the amendment to be considered at the present time.

Mr. THOMAS of Utah. I understood that action was not to be taken on the pending motion at this time. I make the request for unanimous consent, if I may, Mr. President.

Mr. BARKLEY. My attention was diverted, and I did not understand the Senator's request.

Mr. THOMAS of Utah. I ask unanimous consent that the pending order may be laid aside so that we may consider an amendment which has been requested by the Department of Labor. I think it will take only a few moments.

Mr. LA FOLLETTE. Mr. President, what is the amendment?

Mr. THOMAS of Utah. I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 25, between lines 17 and 18, it is proposed to insert the following new subsection:

(c) Whenever the President shall have issued a proclamation under section 1 (a) he may, while such proclamation is in effect, require the owner, master, or person in command of any vessel, foreign or domestic, before departing from the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that no alien seaman who arrived on such vessel shall remain in the United States for a longer period than that permitted under the regulations, as amended from time to time, issued pursuant to section 33 of the Immigration Act of February 5, 1917 (U. S. C., title 8, sec. 168). Notwithstanding the provisions of said section, he may issue regulations with respect to the landing of such seamen as he deems necessary to insure their departure either on such vessel or another vessel at the expense of such owner, master, or person in command.

Mr. McNARY. Mr. President, a number of Senators have departed from the Chamber with the notice and understanding that the pending amendment, offered by the Senator from Missouri [Mr. CLARK], would be first considered. I hesitate to grant the unanimous consent requested by the Senator from Utah. I think the matter should come up tomorrow in the usual way following action on the amendment now pending. I hesitate to discommode the able Senator from Utah, but I think the matter proposed by him should go over, and therefore I shall object.

Mr. THOMAS of Utah. Mr. President, I should like to know what is the usual way to proceed. I have been wait-

ing here since 11 o'clock this morning to offer this simple amendment.

Mr. McNARY. The usual way, when the Senator gets recognition tomorrow, is to offer the amendment, thus giving notice to everyone of the matter expected to be discussed. I shall have to object at this time.

The PRESIDING OFFICER. Objection is heard to the request of the Senator from Utah.

RECESS

Mr. BARKLEY. In view of the unanimous-consent agreement just entered into, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Friday, October 27, 1939, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 26, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art most near and yet so far, whose gifts are boundless and grace so free, we thank Thee for Thy love—the anchor to which our souls may hold in storm and tempest, in honor or dishonor, poverty or wealth; it never faileth. We pray Thee to lift us above all pride of place and ambition, and with dignity and calm may we pursue the functions of our sacred office. Heavenly Father, let strength and courage come with the memory of the past. We praise Thee for the chivalrous souls that builded here in years long agone, and for the patriotic hosts to whom this New World was as the very gate of Heaven. Here were the prophets' voice and the seers' vision; here youth gathered courage for its daring dreams, and patriots paid the priceless boon for liberty. O grant, blessed Lord, that their sacrificial devotion may ever remain to us a most precious heritage and unto Thee be eternal praise. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

ANNIVERSARY OF COMMENCEMENT OF FIRST SESSION OF THE SUPREME COURT OF THE UNITED STATES

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 33, Seventy-sixth Congress, the Chair appoints as members of the joint committee to make plans and suitable arrangements for the one hundred and fiftieth anniversary of the commencement of the first session of the Supreme Court of the United States, to be held February 1, 1940, the following Members of the House: Mr. BLOOM of New York, Mr. SUMNERS of Texas, Mr. KEOGH of New York, Mr. GUYER of Kansas, and Mr. MICHENER of Michigan.

EXTENSION OF REMARKS

Mr. SHANNON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include a speech made by William H. Seward in the United States Senate on March 11, 1850.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain figures of a survey I made of the radio stations of America.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may have permission to extend his remarks in the RECORD and to include therein a letter he received from a constituent and a brief statement by a former Member of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes tomorrow at the conclusion of other special orders now on the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a short newspaper article bearing upon the subject of my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a poem.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting an editorial from the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MASON. Mr. Speaker, I ask unanimous consent that on tomorrow, after the other special orders have been concluded, I may have the privilege of addressing the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes next Tuesday after the regular business on the Speaker's table has been disposed of.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the Dies committee list of Government employees and officials who are members of the Communist created, dominated, and controlled American League for Peace and Democracy.

Mr. GEYER of California. I object, Mr. Speaker.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief submitted by the National Grange to the United States Tariff Commission.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TIBBOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Johnstown Democrat, of Johnstown, Pa.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article written by Adolph Starr, of Lafayette, Ind., on the subject of patriotism versus neutrality, which appeared in the Lafayette Leader on October 6, 1939.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution commending the Congress on its flood-control position.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania.

There was no objection.

Mr. JONES of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the Lima (Ohio) News.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. CREAL. Mr. Speaker, I ask unanimous consent that on Monday next, after the special orders already made are disposed of, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under special order of the House heretofore made, the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] is recognized for 20 minutes.

THE SPECIAL SESSION AND PARTISAN POLITICS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, when the President called the special session of Congress he made the special request to the Members of the House and the Senate to refrain from indulging in partisan politics. The Members on both sides of the aisle in this House, so far as I have been able to learn, have followed the President's request. I might say, however, in looking over the newspapers and reading the speeches made by various members of the President's Cabinet and other New Deal associates, that they have not followed that practice. For instance, Secretary Wallace gave out a statement the other day, I think in San Francisco, in which he injected politics by urging President Roosevelt to run for a third term. Other New Deal officials have made political speeches out of harmony with the President's nonpolitical request.

NEW DEAL GAG RULE

For more than 30 days in this special session of Congress Democratic leaders have denied the membership of the House the right to consider important domestic problems which directly affect the future welfare of the American people. It may be that the President considers all domestic problems to be political. But when we look at the welfare of the farmers of this country, the unemployed, and distressed business, I am positive that those of our citizens who are so affected do not regard their problems as being political in any manner. The fact that we have been denied the right in this special session of Congress to consider these important domestic problems should be classed as a direct slap at the present and future welfare of the American people.

NEUTRALITY FIGHT A SMOKE SCREEN TO COVER UP

The neutrality fight, for which the special session was called, is more or less of a smoke screen intended to divert the people's minds off from the critical domestic situation. The war hysteria which has been developed has largely accomplished this purpose, despite the fact that the American people, through its Congress, have already decided to remain neutral and to keep out of the European war.

I wonder if the President and his associates feel that the war will solve our domestic problems and, therefore, have denied the right to Congress to consider them at this special session? Does the President believe that the European war, unless we get into it, will put our 10,000,000 unemployed back to work? Does he believe that the European war will feed the 20,000,000 American citizens now on public relief? Does he advocate the continuance of the war so as to bring about an increase in the price level of farm products?

Yes; the farm prices started to go up in September, the first 5 days of the war, and then Secretary Wallace made his famous statement to the effect that there was no justification for increased prices on farm products because of an abundance of supplies, and then prices went down. Today they are nearly back to pre-war level.

Does the President feel that the continuation of the war will solve our labor problem so as to avoid the necessity for the adoption of highly important amendments to the wage-and-hour law which is now destroying small business and agriculture throughout the country? Does he feel that the war will do away with the necessity of adopting amendments to the Wagner labor relations law in order to give both business and labor a square deal? His attitude in regard to domestic problems, which has been carried out by Democratic leaders in Congress, has put a gag rule on the American people and stopped them from giving consideration to scores of domestic problems which should be taken up in this special session of Congress for immediate solution and action.

AMERICAN PEOPLE WILL STAY OUT OF EUROPEAN WAR

Mr. Speaker, the American people are determined to keep out of the European war. They believe in strict and honest neutrality. The neutrality law now on our statute books can be strengthened, without controversy and war hysteria, so that the United States may remain neutral and at peace with the world. The young manhood of our country should never again be forced to fight on foreign soil. [Applause.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I am sorry, but I cannot yield now. This determination to stay out of the European war will leave us free to work for a solution of our own domestic problems. Congress should stay in session and set its own house in order here in this country.

OFFICIALS SEEK TO DESTROY AGRICULTURE AND BUSINESS

What are some of these New Dealers doing to inject politics in our present-day discussion, so as to prepare for a third term? In addition to what Secretary Wallace said the other day in San Francisco and his statement to depress farm prices, the Department of Justice is cracking down on business, trying to put people out of business when they should be aiding in providing work for the unemployed of this country in the factories and on the farms of the United States.

This idea of making speeches to continue low farm prices prevailing in this country is an outrage when you consider that we are appropriating nearly a billion dollars for benefit payments to supplement the farmers' income for 1939. The farmers do not want to be on the bounty list of the Federal Government. All they ask for is decent prices so that they can have a good, fair American income with which to buy the products of industry and enjoy an American standard of living. This war scare has been largely imbued with propaganda to keep people in a state of fear and confusion and to keep their minds off their home troubles.

GIVING AWAY OUR HOME MARKET

One of the things that is being slipped over on the farmers of this country is the continued effort on the part of the administration to give away our home market to foreign producers. Trade agreements are being negotiated with various countries, and when the minds of the people are on keeping out of war they find that we have officials in Government circles who are dealing them out of their houses and homes. All trade agreement negotiations should be suspended during the duration of the war [applause], and when the act comes up for extension in January or February it should be repealed. If it is not repealed, some other action should be taken so as to stop the administration from giving away the American markets. [Applause.]

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. COFFEE of Nebraska. I think the gentleman is familiar with the fact that I introduced recently a bill which would provide for Senate ratification of all future trade agreements. [Applause.] I am wondering if the gentleman does not agree that that is necessary if we are going to properly protect agriculture, particularly the livestock industry, in view of these agreements that are in contemplation at the present time—namely, trade agreements with the Argentine and Uruguay?

Mr. AUGUST H. ANDRESEN. I will say the gentleman is absolutely correct, unless we can repeal it. I am with the gentleman, unless we can repeal the act, because we should either repeal it or we should provide for Senate ratification.

Mr. COFFEE of Nebraska. Does not the gentleman think that Congress should at least regain a part of this power that has been delegated, at least to the extent of providing for Senate ratification of these trade agreements, the same as is provided for other treaties with foreign nations?

Mr. AUGUST H. ANDRESEN. Not only power in that respect, but we should restore to Congress a great many other powers that have been delegated to the President and his associates.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. COX. I dislike to find myself in disagreement with the gentleman——

Mr. AUGUST H. ANDRESEN. I am sorry. I would like to yield to the gentleman for a lengthy statement, but I cannot do it now. Let me conclude my speech and I will call on you if I have time.

I would like to call the attention of the gentleman from Nebraska [Mr. COFFEE] to what has happened with respect to the cattle situation. In 1933, the first year of the New Deal, 74,000 head of cattle were imported into this country. In 1937, 494,000 head of cattle were imported. In 1938, the first 9 months, from January 1 to October 1, 295,000 head were imported; but during the same period of this year, for 9 months, 604,015 head of cattle, as against 295,000 in the same period a year ago, came into this country.

In the first 9 months of this year 69,000,000 pounds of canned beef were imported as against 58,000,000 pounds in the same period last year. We noticed immediately that after the President made his celebrated statement in March, in which he said that Argentine beef was better and cheaper than American beef, the people of this country, not only the Navy, but the people generally, acted upon the President's recommendation and started to purchase larger quantities of Argentine canned beef. So there we have the picture of increasing imports, giving away our American markets to the detriment of American farmers and workers, when they should have this market if we are to protect them and their American standard of living.

ARGENTINE TRADE AGREEMENT

It was a pathetic sight the other day down before the Committee for Reciprocity Information when 75 Members of this House and Senators appeared in opposition to the trade agreement with Argentina. Democrats and Republicans alike came there to plead with an agency of the Federal Government, set up by the Congress, to protect our own American citizens. What the distinguished Senators and my colleagues said to the Committee should be a warning to the administration to change its tactics and encourage them to return to the traditional American course of protecting our farmers and the citizens of the United States.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. KNUTSON. Should it not also be a warning to Congress not to surrender any more of its powers to the administration?

Mr. AUGUST H. ANDRESEN. The gentleman is absolutely correct. The proposed trade agreement with Argentina covers a cross section of the United States. Its effects will extend from the Atlantic to the Pacific and from Canada to the Gulf of Mexico.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I am sorry I cannot yield.

It proposes that the duties will be cut on the following generally produced commodities of the United States:

Beef and veal, cured and canned; casein, a product of milk; cheese; turkeys; eggs; flaxseed; linseed oil; wool; hides; corn; and other farm products. Here we have a supply of corn of over 3,000,000,000 bushels, one of the largest supplies of corn we have had in the history of this country. In fact, we have a surplus of every commodity included in the list except wool and flaxseed. Both of these latter products can be produced in this country in sufficient quantity to take care of domestic needs if our farmers are given the opportunity to do so.

Flaxseed can be profitably grown in the spring-wheat area. The farmers in this section should be encouraged to grow flaxseed on some of the millions of acres of wheatland which was taken out of production under the New Deal farm program. At least 5,000,000 acres of land could be used for flax production to take care of domestic needs. Such activity will stimulate production of a necessary crop, bring additional income to thousands of farmers, and provide employment for idle men.

Production of wool can be stimulated in all parts of the country as a new industry which will help to do away with surplus production of other farm commodities. But when the administration lowers the duty on wool and flaxseed American farmers are driven out of this type of farming, and the entire country is left to the mercy of foreign speculators in these commodities.

Argentina, of course, has approximately 50,000,000 bushels of surplus corn they want to get rid of; so the administration proposes to cut the duty on corn when we already have a surplus, and let the Argentine farmers ship that corn in here to glut the market and further depress the price for American farmers.

The only things Argentina produces are competitive farm commodities, the same things we produce in the United States. These are the only things they are going to use in trade. We will have to let them send in the commodities I have enumerated that are produced generally throughout the United States. Again I say this means that we will have a glutted market, lower prices, and further depressed conditions throughout this country for all farm products.

Mr. PITTINGER. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. PITTENGER. Is it not true that the proposed reciprocal trade agreement with Argentina will directly affect the dairy and agricultural interests of Minnesota?

Mr. KNUTSON. Not only in Minnesota but it will affect those interests all over the country.

Mr. AUGUST H. ANDRESEN. Certainly it does on all commodities that are produced in the United States, and it will be of particular damage to dairy and poultry farmers. One of the leading Senators from Texas and Members of this House from Texas, as well as my good friend from Oregon, were down before the President's committee and vigorously and vehemently protested against cutting the duties on farm products. We stood there as one man speaking for the interests of the American farmers before an administration or a committee which was determined to act as Santa Claus to foreign producers; to help them instead of helping our own people. [Applause.]

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. KNUTSON. Did not the Republican membership of this House warn the Democrats as to what would happen if they passed the reciprocal trade law originally? They went into it with their eyes open. Now they are crying because the very things we told them would happen, are happening.

Mr. AUGUST H. ANDRESEN. There is no question about that, but it has gotten beyond political considerations. This is an American issue for members of all parties to join together on, and try to save the American market for the American people.

Remember, this agreement with Argentina is not a thing that applies solely and singly to that country, but Japan, Russia, and every other country in the world except Germany will get the full benefit of the reduced duties in the agreement.

Another agreement is being proposed for Uruguay containing the same commodities as are contained in the agreement with Argentina. This, of course, is just fooling the people of Uruguay because if they reduce the duty for Argentina, Uruguay gets the benefit of the same reductions.

FEW BENEFITS FOR INDUSTRY

There are but a very few exporters who will be benefited by this treaty. They might sell a few more automobiles in

foreign trade, and a few radios. I doubt if they will sell any washing machines. They may sell a few American-made products, but very few. Let me tell you this, Mr. Speaker: I would rather see the incomes of the farmers of Oregon, Iowa, and the other States of this Union supplemented so they could buy the products of American industry, and put American men back to work. [Applause.] American citizens are the best customers we have, our own American people; and we Members of Congress should make it our business to see that they get the income, and that it is not given to the cheap labor of other countries.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. TREADWAY. Does not the gentleman's argument as to the Argentine agreement apply to every other trade agreement that has been entered into by this administration?

Mr. AUGUST H. ANDRESEN. The gentleman is absolutely correct. What I am saying here applies to every other trade agreement that has been approved and put through, and to every other trade agreement that will be entered into. Before June 12 next they are going to try to put through all of the agreements because that is the expiration date of the existing law.

AIDING AGRICULTURE

You know there are things that seem mighty strange and funny. For many years our Government has spent billions of dollars to make two blades of grass grow where one grew before. We improved the quality of our livestock herds, we improved the quality of our grains, we sought to do away with insect pests that were destroying billions of dollars worth of products. Even Secretary Wallace developed a new type of hybrid corn that increased the production of corn from 20 to 30 percent above normal.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. GORE. Does the gentleman object to that?

Mr. AUGUST H. ANDRESEN. Certainly I do not object to that. I object to the inconsistency of the whole thing. That is what has happened over a score of years; and the Government wanted to do that, we wanted to help the farmers improve their livestock and raise better grain and other farm products; we are all for that. On the other hand, however, for the last 7 years we have spent billions of dollars to produce less because we were producing too much, and we took 40,000,000 acres of land out of cultivation because we had done so well under the spending of billions before that time.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. SCHAFER of Wisconsin. That was done under the program conceived by Mordecai Ezekiel, the real New Deal Secretary of Agriculture whose name was on the red list given out by the Dies committee yesterday.

Mr. AUGUST H. ANDRESEN. That may be. I do not know what the gentleman has in mind.

Mr. KNUTSON. It is not fair to make Mordecai Ezekiel the goat for a lot of dreamers.

Mr. AUGUST H. ANDRESEN. But here we are taking 40,000,000 acres of land out of production because the farmers are producing too much, and we are spending billions of dollars to reimburse farmers so that their income may be supplemented to give them an American standard of living.

Then we find, in addition, the New Deal is proceeding to give away the domestic market that our farmers heretofore had to cheap foreign production. That is what they are doing in the trade agreement with Argentina. That is what they are doing in every other trade agreement that has been negotiated, because those trade agreements have been a detriment to both agriculture and industry and has stopped recovery in this country.

Mr. Speaker, we should stay in session. The business of the Congress in this session should be to protect American farmers, American laboring men, and American industry, and not destroy them. Let us therefore override the President's desire or demand that we do not consider any other legislation. Let us stay in session and get down to business and solve these domestic problems in order to save our own country.

We will not go into the European war. The American people are against it and the Congress is against it. The Congress will therefore see to it that no executive agency of the Government involves us in that European war.

I think if we are going to act as a Santa Claus to anybody we should act as a Santa Claus to American citizens. [Applause.] We will not be serving them if we do not protect the American market for them. They are entitled to have this protection, and I, for one, demand that we stay here and solve some of these difficult problems affecting our own welfare. I know that many of my colleagues will join with me in that demand. Let us put our own house in order.

Mr. CRAWFORD. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I believe the gentleman referred to the fact that Germany had not been permitted to participate in these trade agreements under the most-favored-nation clause.

Mr. AUGUST H. ANDRESEN. That is right.

Mr. CRAWFORD. Has Germany been excluded from participation under that clause ever since the program started?

Mr. AUGUST H. ANDRESEN. Probably not the first ones, but in the case of all the later agreements Germany has been excluded.

Mr. CRAWFORD. It is my understanding that the most-favored-nation clause has never been extended to Germany for any trade agreement.

Mr. AUGUST H. ANDRESEN. That may be.

Mr. CRAWFORD. Does the gentleman know of any reason why that condition should have existed prior to the declaration of war?

Mr. AUGUST H. ANDRESEN. The only point I make on that is that Germany was paying a subsidy for the exportation of its farm and other commodities, which subsidy runs contrary to our dumping laws.

Mr. CRAWFORD. Is it not true that we paid a subsidy on some of our exports of agricultural products long before war was declared?

Mr. AUGUST H. ANDRESEN. Yes; and when the gentleman mentions the paying of a subsidy, may I say that we paid a subsidy of approximately 30 cents a bushel to get rid of wheat in the last year, and we did get rid of considerable wheat; but one strange thing about that is that apparently some of these war lords over there in Europe knew this war was going to take place, so they drove the price of wheat down to the lowest point that it had been in 350 years; then we paid them 30 cents a bushel to take it out of the country.

Mr. GORE. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Tennessee.

Mr. GORE. In answer to the question the gentleman from Michigan asks, may I point out that the barter system of trading which Germany practices does not lend itself to reciprocal trade, neither does it very readily lend itself to any form of trade in which America has traditionally engaged.

Mr. CRAWFORD. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Does our subsidized exports of wheat and subsidized exports of cotton as we are now doing lend itself to the most-favored clause of the reciprocal-trade agreements?

Mr. AUGUST H. ANDRESEN. I do not think it does.

Mr. CRAWFORD. No; neither do I.

Mr. COX. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. Will the gentleman get me additional time?

Mr. COX. I cannot guarantee that; but I would like for the gentleman to yield to me if he will.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to proceed for 10 additional minutes.

The SPEAKER pro tempore (Mr. BOREN). Is there objection to the request of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]?

There was no objection.

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Georgia now.

Mr. COX. I do not want to be impolite and insist upon the gentleman yielding.

Mr. AUGUST H. ANDRESEN. There is no gentleman in the House for whom I have a higher regard than I have for the gentleman from Georgia.

Mr. COX. And the gentleman knows something of my confidence in him and my deep affection for him. I must say regretfully that the gentleman has not been fair in the statements he has made with reference to the policy of the State Department or the administration, nor has he been fair in what he said with reference to our trade agreements.

Mr. AUGUST H. ANDRESEN. Will the gentleman point out where I have not been fair?

Mr. COX. I hope the gentleman will remain here until I have had opportunity to at least attempt to make an answer to what he stated.

Mr. AUGUST H. ANDRESEN. I will be delighted.

Mr. COX. The gentleman has undertaken to create the impression in this body and throughout the country that the Department of State has deliberately sought to take advantage of the disturbed condition that prevails in the minds of the people of this country to put something over on the farmer, to give away his home markets, with the result that the farmers will be disadvantaged and that other industry will be advantaged.

Mr. AUGUST H. ANDRESEN. I thank the gentleman. I intended to point out what is taking place.

Mr. COX. Now I want to ask the gentleman what evidence has developed thus far in the hearings that have been held by the State Department that indicates there is any intention on the part of the administration to give away the home market of any agricultural commodity?

Mr. AUGUST H. ANDRESEN. I will answer the gentleman.

Mr. COX. Let me say this further to the gentleman: The gentleman has sought to leave the impression that agriculture has suffered as a result of the trade agreements that have thus far been set up.

Mr. AUGUST H. ANDRESEN. I thank the gentleman, for he is correct as to my intention.

Mr. COX. I would like to ask the gentleman, What does he find in congressional tariffs that have been of comfort to the farmer? In other words, is the gentleman taking the position that agriculture has suffered a disadvantage under the trade agreements compared with what it formerly enjoyed under congressional tariffs? Does the gentleman want this country to return to the Smoot-Hawley tariff unaffected by the agreements that have been made between the United States and other countries?

Mr. AUGUST H. ANDRESEN. I want to return to the time when the cotton farmers of the South got an average of 17 cents a pound for cotton, as they did during the 12 years of Republican administration. [Applause.] I want to return to the time when our dairy farmers got from 40 to 60 cents a pound for butterfat. [Applause.] I want to return to the time when the cattle farmers were protected on their American market. I want to see to it that our people here get the proper protection to which they are entitled. I want to return to the time when the American laboringman had a decent job at American wages. The gentleman has not misunderstood me and I hope the country does not misunderstand me. Because of the trade agreements that have been negotiated, wherein agricultural commodities were covered, the duties were cut, imports entered into this country beyond former imports, the markets were glutted, and prices were depressed, and our American farmers have suffered distress, as a result, from one end of the country to the other. [Applause.]

Mr. COX. Will the gentleman yield further?

Mr. AUGUST H. ANDRESEN. I cannot yield further.

Mr. COX. The gentleman ought to yield at this point.

Mr. HOFFMAN. Regular order, Mr. Speaker.

Mr. AUGUST H. ANDRESEN. I have given the gentleman 5 minutes of my time and I now have only 5 minutes left. I always have the highest regard for the gentleman. He is one of my real warm friends. His judgment is generally very good and I have gone along with him scores of times in this House and stand ready to follow him in the future, but not when it comes to giving away our market to cheap foreign production in other countries of the world. [Applause.]

Mr. HILL and Mr. GORE rose.

Mr. AUGUST H. ANDRESEN. I cannot yield now.

Let me tell you something about the price situation in my home town today. You talk about farm prices. My farmers are getting 73 cents a bushel for No. 1 wheat and 39 cents a bushel for rye. They are getting 32 to 49 cents a bushel for barley, 25 cents a bushel for oats, and from 30 to 37 cents a bushel for corn. Eggs are selling from 11 cents for pullet eggs to 23 cents for No. 1 eggs. Butter is selling for 32 cents a pound and cream 28 cents; poultry, from 5 cents to 9 cents a pound is what the farmers are receiving. And still, in this proposed trade agreement the President is contemplating cutting the duty on turkeys from 10 cents to a maximum cut of 5 cents, and I suppose that is what they will do because they cut the duty on live turkeys from 8 cents to 4 cents in the Canadian agreement, and the price of turkeys today is 5 cents a pound lower than what it was last year.

Mr. SCHAFER of Wisconsin. Is that why we now have two Thanksgiving Days?

Mr. AUGUST H. ANDRESEN. I have not thought about that.

Mr. HILL and Mr. O'CONNOR rose.

Mr. AUGUST H. ANDRESEN. No; I cannot yield just now. Let me answer that question.

Last year, in 1938, we had a supply of 26,000,000 turkeys. This year—and I do not know who arranged it—we have 32,000,000 turkeys. This answers the gentleman from Wisconsin. So we can have a turkey on the 23d and a turkey on the 30th, to be properly thankful to the administration that fixed the two dates for the bounteous blessings that have been heaped on the American people.

I yield now to the gentleman from Washington.

Mr. HILL. Will the gentleman please explain the attitude of your distinguished Vice Presidential candidate last year, Colonel Knox, of Chicago, on the question of trade with South America?

Mr. AUGUST H. ANDRESEN. I cannot explain it, and I do not follow him. I am here to protect citizens of my country.

Mr. O'CONNOR and Mr. KNUTSON rose.

Mr. AUGUST H. ANDRESEN. I yield first to the gentleman from Montana.

Mr. O'CONNOR. The gentleman speaks about wanting to return to certain prices. I agree with some things the gentleman has said. As now, the gentleman always contributes a great deal of information to the House when he speaks.

Mr. AUGUST H. ANDRESEN. I thank the gentleman.

Mr. O'CONNOR. But would the gentleman want to return to 3-cent hogs, 2- and 3-cent beef, 25-cent wheat, and 6- or 7-cent cotton, the condition that existed in the spring of 1933?

Mr. AUGUST H. ANDRESEN. I will answer the gentleman. Of course not. But I do want to put the farmers back to where they can get an American income. While they did not get it in 1932 because of the world depression, during the 12 years of the administration the gentleman has condemned, the Republican administration——

Mr. O'CONNOR. The gentleman does not want to return to the prices of the Hoover administration, does he?

Mr. AUGUST H. ANDRESEN. During the 12 years of Republican administration, including 1932, the average price

level was from 25 to 50 percent higher than it has been at any time under the New Deal.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman.

Mr. KNUTSON. The gentleman read some market figures a few moments ago; were they based upon the 59-cent dollar of the New Deal or the former Republican 100-cent gold dollar?

Mr. AUGUST H. ANDRESEN. The prices I referred to were under the 100-cent dollar.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. CRAWFORD. I very much dislike to get tangled up with my good friend from Montana, but I suggest to the gentleman who is speaking to ask him if he wants to turn his beet-sugar market in Montana over to Cuba through a reciprocal trade agreement policy.

Mr. AUGUST H. ANDRESEN. I can answer, I think, for the gentleman from Montana. I do not believe he wants to give any of our American markets away to foreign producers; neither do I, and neither should any other Member of this House; and therefore as friends of the American people, elected here to represent the interests of our own citizens, let us make it our business from now on to protect the welfare of our own people rather than trying to be Santa Claus for the rest of the people of the world.

[Here the gavel fell.]

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota may proceed for 2 more minutes to answer a question.

The SPEAKER pro tempore (Mr. BOREN). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Does not the gentleman think it would be for the good of the Nation if we, as a Congress, would refuse to adjourn and then try to do something in this coming month about taking away from the President and the State Department the power they now have to give away our American markets?

Mr. AUGUST H. ANDRESEN. The gentleman is absolutely correct. We have been sitting here for 30 days twiddling our thumbs in our seats for a few minutes each day doing nothing, when we should have been working and could have been working for the welfare of the American people; and let me say further, with all due respect to our distinguished Speaker, he found there was a drought situation in certain States and so he formed a bloc here in Congress of both Republicans and Democrats to get $50,000,000 to aid those drought-stricken people. He threatened that we would take it up here in this special session of Congress, when it was supposed that we could not consider any other matter, and then the President turned around yesterday and gave him the $50,000,000 for the worthy cause of aiding those in need.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. O'CONNOR. I just want to make this observation, inasmuch as the gentleman has referred to me. I want to assure the gentleman and the Members of this House that I have always stood, and stand now, for reserving the American markets for the American producers. [Applause.]

Mr. AUGUST H. ANDRESEN. I stated that much myself in answer to a gentleman, because I knew how the gentleman felt, and I can only add that I wish the gentleman would come over on our side of the aisle and help us put through some of the doctrines that we believe are for the welfare of the American people.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from New York.

Mr. REED of New York. I simply want to ask a question, and anybody in the House can answer it who desires. Do you believe, if we had followed the regular practice of having the Senate ratify these agreements, that a single one of these trade agreements would have been enacted in the form they are in now?

Mr. AUGUST H. ANDRESEN. Of course not. There would not have been any trade agreements, because no sane Senate on earth would have ratified any agreement that has been made.

Mr. REED of New York. The other countries ratify them through their legislative bodies, or at least most of them do so.

Mr. AUGUST H. ANDRESEN. The gentleman is right. The foreign legislative bodies quickly ratify the agreements because they get the best end of the deal at the expense of American citizens. Let us put a stop to this injurious policy and immediately begin work in Congress to put our own house in order. [Applause.]

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Massachusetts [Mr. TREADWAY] is recognized for 30 minutes.

THE TRADE-TREATY PROGRAM

Mr. TREADWAY. Mr. Speaker, had I been aware of the nature of the address that the distinguished Member from Minnesota expected to deliver I would have asked that the time allotted me be given to him, because he has covered the very matter that I wanted to deal with, and at the same time I feel that he can do it so much more ably than I can that he should be the one to speak in behalf of our side in relation to the trade-treaty program.

Practically all of this session has been devoted to the subject of neutrality. This is the all-absorbing subject at the present time, not only in both branches of the Congress, but in the country at large. Therefore it perhaps is a little difficult to turn the current of thought from the foreign policy of this country and other countries to a subject of very great and important domestic interest.

PUBLIC ATTENTION DIVERTED FROM DOMESTIC ISSUES

While I have no doubt that the administration and the administration leaders are glad to have the attention of the people at least temporarily diverted from its failure and its ruinous policies, nevertheless I feel that we of the Republican minority have a duty to see to it that these domestic issues are not forgotten. I do not intend to allow the war situation to interfere with my interest in domestic problems, and there is no greater issue today than the trade-treaty program, the administration of which has been such a signal failure.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. KNUTSON. A year ago it was the Supreme Court; now it is neutrality. The gentleman recalls that the old-fashioned mother, when the baby was colicky and ailing, would put molasses on its fingers and then hand it a feather to play with. I am wondering if these two issues are not feathers.

Mr. TREADWAY. I say this in support of the administration, in answer to the gentleman's comparison, that such issues as the trade-treaty program and the Supreme Court issue were of our own making, whereas the matters arising out of the question of our neutrality, in which we are so deeply involved at the present time, are not, fortunately, of our making here in this country. I shall not make any reference to that today.

Mr. Speaker, I want to get back to this one subject the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] has so ably touched upon. His remarks were limited largely to a discussion of agricultural difficulties resulting from the trade-treaty program. I think the question is much larger than that, and so does he. It affects every producer in the United States—labor, industry, agriculture, and everything else having to do with the well-being of our country. Therefore it is much broader than simply a discussion of agriculture, meritorious as was his argument in relation to that subject. Let us get beyond that one idea and include everything having to do with the well-being of this country.

EXPORTS WERE ALREADY ON INCREASE WHEN TREATY PROGRAM WAS ADOPTED

It will be recalled that this program was inaugurated in 1934 for the avowed purpose of expanding our export trade. That was the excuse given originally for the adoption of the unconstitutional trade-treaty program—an expansion of our export trade. One of the arguments made in behalf of the program was that it was the only means by which we could hope to regain our former prosperous export business.

This contention was made despite the fact that at that time our export trade was rapidly on the increase from the low point it had reached at the depth of the world-wide depression in 1932. We have every reason to believe that this upward trend would have continued even without the treaty program. The treaty program was not the means of increasing our foreign trade. It was simply a coincidence that the trade-treaty program was adopted at a time when we were on the upward trend anyway.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. CRAWFORD. Let us take the Argentine situation at the moment. Heretofore Germany has supplied Argentina with the principal portion of her iron and steel products. Suppose we get the Argentine agreement into operation now and that business automatically falls into our hands due to the European situation. It will then be quite natural for someone to claim that that business is the direct result of the trade agreement.

Mr. TREADWAY. Of course, the gentleman is right. They will take the credit for any increased exports, and even for any decline in imports, although, as we know, no tariff duties have ever been increased under the treaty program.

What happened in the time of the Wilson administration, when we had a free-trade tariff bill? The war made an artificial trade barrier and brought about a protective tariff that the Democratic Congress would never otherwise have written, and brought prosperity back to the country. Does the gentleman not agree with that?

Mr. CRAWFORD. Yes; I do.

EXPORTS TO MANY NONTREATY COUNTRIES HAVE INCREASED MORE THAN TO TREATY COUNTRIES

Mr. TREADWAY. To continue my remarks, it can be shown that our exports to many nontreaty countries have increased to a greater extent than have our exports to countries with which we have entered into treaties and granted concessions in our our home market.

It is my purpose today to prove that the treaty program has not accomplished the purpose in regaining our export market.

DOMESTIC INDUSTRIES UNNECESSARILY SACRIFICED

In my opinion, we have unnecessarily and unjustly sacrificed our domestic market and our domestic producers in trying to expand our foreign trade through the present trade-treaty program.

In considering the alleged benefits of the treaty program, we must not overlook the price we have had to pay, not only in the concessions we have made to individual treaty countries but in the extension of those concessions to the whole world with no compensating benefit to us. That applies, as the gentleman from Minnesota so well pointed out in his remarks, to the benefits that Argentina will secure under this proposed treaty, and that will be extended to other countries as well, without the slightest return to us. We have given up far more than we have received. American agriculture, labor, and industry have had their birthright, the American home market, traded off for a mess of pottage. Let us look after our own affairs a little bit and take care of the domestic problems here at home before extending these rights and privileges in our market to foreign countries.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. AUGUST H. ANDRESEN. Is it not a fact—I believe the gentleman has already pointed it out generally—that very few manufacturers in this country are benefited, to any material extent, by these trade agreements?

Mr. TREADWAY. I would say that is absolutely true.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. CASE of South Dakota. Not only is this constitutional feature involved, but does the gentleman know of any basis in the trade-agreement act itself that authorizes the reductions in excise taxes which are proposed or listed for consideration in some of the announcements now out?

Mr. TREADWAY. No; I know of no such basis.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield further?

Mr. TREADWAY. I yield.

Mr. AUGUST H. ANDRESEN. Will the gentleman discuss the effect upon imports coming into this country, of the reduced value of foreign currencies?

Mr. TREADWAY. No, I am not touching on that subject today, because I am trying to bring up some comparisons of treaty and nontreaty countries. I am not touching on that phase of the question which is, by itself, an important subject for discussion.

Mr. AUGUST H. ANDRESEN. But is it not a fact that with respect to commodities contained in the agreement with Canada and Great Britain, the duties have been reduced about 15 or 20 percent additional?

Mr. TREADWAY. Yes, as a result of exchange fluctuations due to the depreciation of the British pound.

STATE DEPARTMENT'S PROPAGANDA MACHINE TRIES TO PAINT FAVORABLE PICTURE

Taking up the question of the alleged benefits of the treaty program, we find the State Department propaganda machine trying to paint a favorable picture by pointing out that our combined exports to treaty countries have increased to a greater degree than our combined exports to nontreaty countries.

At first blush, this may sound like a plausible argument in favor of the treaty program, but when we look to our trade with the individual countries within each group, it becomes apparent that the result shown is a mere coincidence.

Increased exports to treaty countries are not consistently greater than to nontreaty countries. On the contrary, many instances can be cited where exports to nontreaty countries have increased far more than in the case of treaty countries.

EXAMPLES OF INCREASED TRADE WITH NONTREATY COUNTRIES

Let me cite a few instances, comparing the average exports in 1934 and 1935 with 1937 and 1938. Turning first to Latin America, here is what we find:

In the case of Colombia and Guatemala the exports increased 84 and 81 percent, respectively. These are both treaty countries. However, our exports to Venezuela, a nontreaty country, increased by 161 percent. You do not get any of that information through the State Department propaganda on trade treaties.

Thus, so far as those three countries are concerned, we fared best without any trade treaty. That is apt to be the case right along.

Let us take two other countries similarly situated—Brazil and Argentina. We have a treaty with the former, but not with the latter, although one is now under negotiation, which has been so thoroughly discussed by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], this morning. Our exports to Brazil, the treaty country, increased 56 percent, but exports to Argentina, the nontreaty country, increased 97 percent.

Again, we got along very well without a treaty. How do the advocates of the trade-treaty program account for that comparison? Let us not forget this fact—that our trade with Argentina increased nearly 100 percent without our making a single concession to her products in the American market. So why negotiate a treaty with them now for their benefit—not ours? All we got from Brazil, after making a number of concessions to her products, was a 56-percent increase. How do we know but that our exports would not have increased

in substantially the same percentage, even if the treaty with that country had not been entered into?

Of course, it cannot be proved either way, but we do have the example of Argentina to bolster the argument that trade treaties are not essential to increased export trade.

Now, let us turn to Europe and see what kind of comparison you find there. We have a trade treaty with Sweden, but not with Norway; yet our exports to Norway increased in almost the same percentage as in the case of Sweden—80 percent as against 81 percent. Thus, all we got out of the treaty with Sweden, after making numerous concessions to her in the American market at the expense of our own producers, was a 1-percent greater increase in exports than to Norway.

France and Switzerland are both treaty countries, but our exports to them increased by only 28 and 26 percent, respectively. On the other hand, our exports to the United Kingdom, which in 1938 was not a treaty country, increased by 30 percent; our exports to Portugal, another nontreaty country, by 39 percent; to Denmark, another nontreaty country, by 56 percent.

As offsetting the 100-percent increase in the case of exports to Finland, a treaty country, we find that our exports to the following nontreaty countries increased by even more: Rumania, 102 percent; Irish Free State, 170 percent; Russia, 183 percent; and Turkey, 292 percent. How do those comparisons sound? It appears that we have been successful in increasing our trade with nontreaty countries as well as with treaty countries.

LUMPING OF EXPORT FIGURES GIVES DISTORTED PICTURE

In lumping the increased exports to all treaty countries and setting them off against the increased exports to all nontreaty countries, as the State Department does, a distorted picture is presented. By looking at our trade with the individual countries we find there is no basis for the State Department's generalization that trade treaties have proven beneficial. Also it becomes apparent that there is no basis for the statement that trade treaties constitute the only hope of regaining our export trade. The fact is that our exports to nontreaty countries are increasing at a rapid rate without costing us anything in the way of concessions in the American market involving injury to domestic producers.

TREATY PROGRAM A COSTLY FAILURE

I stated at the outset that I would refer not only to the ineffectiveness of our trade-treaty program in expanding our export trade, but also to the tremendous cost at which this experiment has been carried on. Like many other New Deal experiments, the trade-treaty program has been an expensive failure. I am not criticizing the principle of reciprocity—that is, true reciprocity—but the present program does not come within that category.

We are giving up more than we receive, because we extend our concessions to the whole world while obtaining concessions only from the individual treaty countries. This in itself is costly and one-sided and is not reciprocity but charity—charity with the American producer's birthright, his home market. It is not necessary to make costly concessions in the home market either to expand or maintain our foreign trade.

NO SENSE IN BUYING WHAT WE ALREADY PRODUCE

Conceding that we have to buy if we export to sell, it does not follow that we have to buy what we already produce for ourselves and therefore do not need. There is no sense in that. That is the argument the gentleman from Minnesota used so effectively this morning, that we are arranging to get from Argentina agricultural products that we raise here ourselves and exclude our own farmers from our own markets. This is the outstanding objection to the present trade-treaty program.

Up to the present time this administration has made concessions of as much as 50 percent on over 1,000 items coming into our market from abroad to compete with and displace our own products. I have frequently referred to many of these items. They embrace the principal products of farm and factory. I should like to have the entire list of reductions printed in the RECORD so that American producers could see how the administration now in power has sacrificed their interests in our home market, but the cost of such printing of the enormous number of items precludes that request. A document has been published by the Tariff Commission showing these changes, and the document is almost as large as the tariff law itself. In fact, the intention of the trade program is to write a tariff bill without the authority of Congress. That is where the claim is substantiated that it is not constitutional to so proceed.

NO GAIN FROM GIVING UP DOMESTIC MARKET TO SECURE FOREIGN MARKET

Disregarding for the moment the sacrifice which American producers are called upon to make as a consequence of tariff reductions on competitive foreign products, the fact remains that nothing is to be gained by giving up a dollar or more in the domestic market for each additional dollar of foreign trade realized; yet that is precisely what is now being done under the treaty program. Certain groups of producers are being sacrificed in an effort to expand the export business of certain other producers.

I am opposed to expanding our foreign trade in this way even if it should be successful, which, of course, it is not. One domestic producer has as much right to live as another, and instead of killing off our industries, either agricultural or manufacturing, we should promote and protect home production, realizing that we have right within our own borders the richest market in the world.

Governments are created, not to destroy, but to protect and preserve the people and their livelihood.

NO JUSTIFICATION FOR SACRIFICING DOMESTIC PRODUCER

Right now the administration is preparing to enter into a treaty with Argentina, probably with an idea of gaining markets there which formerly went to countries now busily engaged in trying to destroy each other.

But I ask, why, in order to sell Argentina a few dollars more, we should sacrifice the American farmer, as is contemplated?

Why, in order to sell any country any more goods, should we sacrifice any domestic producer or any American wage earner? There is no answer; no justification.

Those who say we must buy to sell apparently forget that two-thirds of our imports in point of value are already on the free list. There is no reason to give foreign producers any greater free market in this country. Let them trade for our surpluses the goods we need but do not produce ourselves.

There is no need for our importing Argentine beef, or British woolens, or Belgian cement, or hundreds of other items I could mention on which our duties have been drastically reduced so as to invite and encourage foreign importations.

RECIPROCITY AND PROTECTION SHOULD GO HAND IN HAND

Reciprocity and protection for our industries should go hand in hand. In our previous experiences with reciprocity under Republican auspices such was the case. It should be the case today, but is not. The present treaty program is simply a backhanded method of bringing about a general downward tariff revision, which this Congress and the country would never stand for it it were proposed in a single measure. That is in line with the inquiry made by the gentleman from New York [Mr. REED] of the gentleman from Minnesota, who was speaking, whether any of these treaties would ever have been confirmed had it been necessary to put them before the Senate.

AUTHORITY FOR TREATY PROGRAM EXPIRES NEXT JUNE

Here is the important point, Mr. Speaker: This program, injurious as it is to every feature of American production, was inaugurated in 1934. It was renewed upon its expiration in 1937 for a further period of 3 years, but with fewer votes than it had originally been enacted. It expires again next June, and I sincerely hope and trust that it will not be reenacted again in its present form. It must not be, and that is one of the issues that we as Republicans must place directly before the country.

I recall having said in the last session of Congress that a great many of our new Members were elected to this Congress

on the basis of their opposition to the trade-treaty program. That program of opposition must be carried out. Not only should these new men be returned to Congress, but many others should take the places of some of the majority at the present time.

I am glad to see that several Democratic Members have joined with the Republican Members in introducing bills either to terminate the trade-treaty program or to require ratification of the treaties before they shall become effective. Only last week the gentleman from Nebraska [Mr. COFFEE] introduced a bill of the latter character. The gentleman from California [Mr. IZAC] would repeal the whole program, and that is not a bad idea.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

NOTICE REQUIRED TO TERMINATE OUTSTANDING TREATIES

Mr. MICHENER. Assuming that this authority granted to the Executive to execute these trade agreements should expire by limitation next June, what would be the condition of the treaties already entered into by the Government with these foreign nations?

Mr. TREADWAY. They would not expire. It is simply the President's authority to negotiate and enter into the treaties that expire next June. The treaties will continue in effect until they cease under their own terms or until terminated by either party upon proper notice.

Mr. MICHENER. I do not have the law before me, but I assumed there was somewhere, somehow, some law which would provide for the sanctity of a contract, and if this Government made a contract—which is a treaty—with Brazil, Argentina, or any other country, and there was a time limit on it—for instance, a 3-year limit—that the treaty would be good for 3 years as a result of the agreement entered into.

Mr. TREADWAY. The gentleman is correct.

Mr. MICHENER. The gentleman from New York [Mr. REED] calls my attention to a provision or clause in the law which suggests that if these treaties result in the disadvantage to our Government they may be canceled.

Mr. TREADWAY. Of course, it is fair to assume that the present administration, having entered into this program, is not going to say it has been to the disadvantage of our country. Here is the provision covering termination of the treaties as contained in the law:

SEC. 2. * * * (b) Every foreign trade agreement concluded pursuant to this act shall be subject to termination, upon due notice to the foreign government concerned, at the end of not more than 3 years from the date on which the agreement comes into force, and, if not then terminated, shall be subject to termination thereafter upon not more than 6 months' notice.

Mr. MICHENER. I do not want this Government to be placed in a position where it gives its solemn promise in the form or shape of a trade agreement with another country and then repudiates what it has done. I do not want it to be put in that position.

Mr. TREADWAY. I agree with the gentleman. We must be fair and honest with other countries.

Mr. MASON. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Illinois.

Mr. MASON. It is my understanding these treaties are in the nature of contracts and that they are not to be terminated unless 6 months' notice is given.

Mr. TREADWAY. That is my understanding.

Mr. MASON. We can presume that under the present administration which favors those treaties there will be no 6 months' notice given. It would therefore require, you may say, a change of administration before we could expect to give the 6 months' notice.

Mr. TREADWAY. Is that not what the gentleman expects next year?

Mr. MASON. I was not expressing my hope.

Mr. TREADWAY. I can express it for him. I know what the gentleman's views are on that subject, and they coincide with my own.

Mr. MASON. Of course.

Mr. TREADWAY. For the benefit of the country at large, there must be a change of administration next year.

Mr. CRAWFORD. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Is it the gentleman's understanding that in the coming session, beginning in January and ending in June, the question of extending the life of the trade-agreement program will come up?

Mr. TREADWAY. Yes; it will necessarily have to come up; otherwise, the authority to negotiate these agreements will expire on the 12th of June.

MANY DEMOCRATS NOW OPPOSE TREATY PROGRAM

Mr. Speaker, the recent hearings before the Committee for Reciprocity Information in connection with the proposed Argentine treaty produced some interesting revelations.

The junior Senator from Texas is credited with having stated:

I voted for the trade-agreement program, but occasionally I have repented my vote.

I am glad of that. Doubtless the same feeling of repentance has occurred to many Democratic Members who voted for the program. Look over the list of Members who have appeared before the Committee for Reciprocity Information to ask that the duties on the products of their districts be not reduced. There are just as many Democrats as Republicans.

It must be somewhat embarrassing for those Democratic Members who voted for the treaty program to have to appear before the Reciprocity Committee and ask that no reductions be made on the products of their districts. If the program is good for the rest of the country, then it is good for their districts; but, of course, I have always contended that it is not good for the country, so I sympathize with them in trying to protect their people. I want to protect all the people.

DEMOCRATIC CONGRESSMAN SAYS TREATY PROGRAM IS ON THE WAY OUT

According to press reports, the gentleman from Oregon [Mr. PIERCE] told the Reciprocity Committee that while he voted for the original legislation, he was suspicious of it and voted against its renewal 2 years ago.

He further stated, according to the press, that the law in its present form "is on the way out." I agree with him.

According to an item in yesterday's press, Representatives of 11 Western States were reported by the gentleman from Utah [Mr. ROBINSON] to have pledged themselves to seek repeal or modification of the trade-treaty program if tariff reductions on agricultural and mining products resulted from impending treaties with three South American countries. According to our colleague, all but one of this group voted for extending the program in 1937. He is quoted in the press as having stated:

Now, however, every one of us is ready to vote against its further continuation if they are going to trade our products off to the detriment of our country.

It is fine to see some enlightenment on the part of the men who helped to put this program through originally.

Of course, if the administration does not trade off the products produced in the districts of these 11 western Members, it will trade off the products of other districts.

In fact, the reductions already made under the treaty program embrace in some degree at least the products of virtually every congressional district in the country. Under the circumstances, therefore, it seems to me that there ought to be a unanimous vote in opposition to the present program, involving as it does reductions on competitive foreign products which displace our own.

Some of those who appeared before the reciprocity committee in connection with the Argentine treaty have included copies of their remarks in the RECORD for the benefit of Members. I have been interested in what they had to say. The gentleman from Arizona [Mr. MURDOCK] stated in his remarks concerning his appearance before the committee:

I find myself in somewhat of a predicament in this respect, that in general I favor trade agreements where they can be mutually profitable and beneficial, but they must be reciprocally helpful to obtain my approval.

The gentleman never made a wiser statement than that one, and he is one of our wise Members.

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, the gentleman has been liberal in yielding. I ask unanimous consent that his time be extended 10 minutes.

The SPEAKER pro tempore (Mr. BOREN). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TREADWAY. I thank the gentleman and I thank the House.

Our colleague from Arizona then went on to say later in his remarks:

> I am not willing to cripple any American industries, certainly not the basic industries of my State, in order to encourage trade.

DOMESTIC INDUSTRIES CRIPPLED UNDER TREATY PROGRAM

In that statement the gentleman put his finger on the fundamental objection to the present program, namely, that it involves crippling American industries, if not of his State, then of some other State.

I quote from our colleague further because I am in agreement with what he says:

> I know, of course, that the committee is looking at the good of the whole country, but it cannot be for the good of the whole country to cripple the livestock industry or the mining industry or the agricultural industry of half our people.

Fine. I applaud these remarks, and I would add that it is not good for the country to cripple any domestic industry in any section in the mere hope of expanding our export trade.

The remarks of the gentleman from Nebraska [Mr. COFFEE] are replete with Republican tariff arguments to which I subscribe. I quote one paragraph from his statement; there are many others to which I would like to refer. He said:

> There can be no justification for reducing the tariff on any of these competitive agricultural commodities when millions of dollars from the Federal Treasury are now being spent in reducing production and in aiding the disposal of the surpluses. The American market must be preserved for the American farmer if agriculture is to receive its fair share of the national income. Restoration of the purchasing power for American agriculture will provide a greater market for industrial products and more employment than restoration of purchasing power in some foreign country. There is no doubt that we might increase our sales of automobiles and industrial products to Argentina if under this agreement we tear down our protection and permit a flood of competitive agricultural commodities to enter this market. But what about the sales that will be lost in the domestic market? Sixty-eight percent of all the automobiles in the world are owned right here in this country.

What the gentleman from Nebraska says regarding imports of competitive farm products applies equally to imports of competitive industrial products, and that is why I elaborate more on this program than did the gentleman from Minnesota. He was limiting himself to one feature. I want to extend it to the broad field of American industry.

Just as our manufacturers gain nothing by securing foreign markets at the expense of agriculture, so agriculture gains nothing by securing foreign markets at the expense of industry and labor.

The American workingman is the highest paid in the world and the farmer's richest market is right here at home.

Under the present treaty program any gains we make in our export market are more than offset by the loss to domestic producers of the home market. On the other hand, when we import noncompetitive products—and there are plenty of them that we need—we do not injure American agriculture, industry, or labor, but tend to increase their prosperity.

The present program of encouraging imports of competitive products takes away the livelihood of large groups of our citizens, beats down our price and wage structure, and works to the detriment of the whole people.

NOT NECESSARY TO MAKE CONCESSIONS TO ARGENTINA TO SECURE HER TRADE

A few moments ago I referred to our efforts to secure the South American market which formerly went to nations now at war. I want to point out that there is no necessity for us to make ruinous concessions in our own tariffs in order to gain this market. We can obtain it by default, without these proposed concessions on American farm products. Why make sacrifices for something that is free?

In any event, the South American countries have no reason to complain of our tariffs.

They are the principal beneficiaries of the present free market in this country for two-thirds of our imports.

Our duties on competitive South American products are imposed simply to offset competitive advantages in the home market which those producers have by reason of their low production costs and low-wage scales.

There is nothing unreasonable in that.

Those who complain about our tariff rates being too high should realize that there is now on the statute books ample authority for making reductions in our rates where this fact can be shown.

WHY NOT PUT THE TARIFF COMMISSION BACK TO WORK?

We have a Tariff Commission which was set up to make investigations and to propose changes to the President under the so-called flexible tariff.

That law has been temporarily suspended by the trade-treaty program.

Our highly paid Tariff Commissioners are now nothing but errand boys for the reciprocity committee.

They make no decisions affecting policy.

They have nothing to do with the negotiation of the trade treaties.

For all I know they are perfectly free to spend their time going fishing, because so far as getting up information and figures for the State Department is concerned that work can and is being done by the staff of the Commission.

We ought to put our Tariff Commissioners back to work doing what Congress intended they should do, namely, so keep our tariff rates in adjustment that they equalize competitive conditions in the home market as between domestic and foreign producers.

This carries with it, of course, the duty to raise duties where necessary in order to properly protect American producers against unfair foreign competition.

Under the trade-treaty program, as we all know, adjustments in rates are only made in one direction—downward.

Little, if any, consideration is given to the needs of our own people.

In negotiating trade treaties, the foreign cost-of-production advantage may be, and generally is, ignored.

This should not be.

Instead of being relegated to a mere statistical body, the Tariff Commission ought to be carrying out its function and duty of protecting the American market from unfair competition from abroad.

The Tariff Commission was created as a quasi legislative branch.

Its purpose was to carry out the mandate of Congress as set forth in the flexible tariff provisions of existing law.

It has now been turned into a minor adjunct to one of the departments in the executive branch which is exercising the tariff powers which properly belong to Congress alone, as provided in the Constitution of the United States.

If we are to have a body to regulate our foreign trade and promote exports, why not let us do away with the present free-trade program of the State Department and set the Tariff Commission up as an expert body to carry on that function under the guidance of Congress?

CONGRESS MUST DEAL WITH TRADE-TREATY ISSUE AT NEXT SESSION

As I have indicated, the authority for the present unconstitutional and ruinous trade treaty will expire next June. I want to emphasize that feature. Congress will have to deal with the matter of its extension at the coming session in January. Presumably the administration will make an effort to have the authority continued. Therefore, it behooves those who feel as I do about the program to make ready to meet that issue, and when that time comes these gentlemen on the Democratic side who have stated their position I hope will continue to view the case as they have stated they do

at the present time. Perhaps an acceptable substitute program which protects the interests of our own people can be worked out.

One thing is certain, and that is that the Republican minority will make a vigorous and determined effort to defeat the extension of the treaty program in its present form. I need not remind the leaders on the other side that our forces have been doubled in number since this matter was last before us here, nor do I need to remind them that there have been defections on their own side, as I have just recently pointed out—Democrats who realize their mistake in having voted for the program and who are not going to repeat that mistake.

As the gentleman from Oregon [Mr. PIERCE] has truly said, "The law in its present form is on the way out." [Applause.]

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes; I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. Let me say one thing as to the matter of your having made converts among some of the Democratic Members of the House looking toward repeal, or at least a noncontinuation of this measure when it comes up for consideration at the next session. I was one of a small group of Democratic Congressmen who met this morning to lay plans concerning one of these proposed trade agreements, at which time one of the Members pointed out that there were now 161 Republican Members, probably all of whom would be in favor of repealing this measure or not continuing it, and that if 20 or more Democratic Members from the Middle West, the farming area, and the mining West, should vote with these 161 there would be little likelihood of this power being extended. This remark was made by one Democrat to several others.

Mr. TREADWAY. Right in their own family group?

Mr. MURDOCK of Arizona. I think in all fairness it ought to be stated that the Democrats in that meeting this morning from the Rocky Mountain area were thinking directly of the possibility of the great harm which might come to this country and to the mining West through the adoption of a trade pact with Chile by which the present tariff on copper would be reduced. This would indeed be distinctly ruinous to all the copper-producing areas of this country. Therefore, not to give too much aid and comfort to the speaker or to his party in regard to Democratic help, let me say that I know some Democrats who are now in the process of watchful waiting to see whether all the proposed treaties with Latin American countries will materialize. If they do not materialize to our hurt, and we earnestly hope they will not, then, of course, I for one would have no reason to fight the program.

Mr. TREADWAY. In other words, the gentleman is giving warning to the administration today that you want them to look out for the protection of your local interests, otherwise you will go with us for the general interest and for the greatest good of the greatest number throughout the country. I take that to be the gentleman's position, and I thank the gentleman for his contribution.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Is it not a fact that there are many Members of Congress, as long as they are not touched with respect to any commodities in their own districts, who are willing to enforce this trade-agreement policy upon the ones that are touched?

Mr. TREADWAY. We get right back to the old General Hancock proposition that the tariff is a local issue. When there is a possibility of the tariff on their local products being done away with, then the well-being of the whole country is jeopardized. But when the products of some other section are involved in tariff reductions, they do not seem to think that the good of the country is affected, no matter how large or important an industry is being injured or destroyed. I would rather look at it from a broad, national viewpoint. I would much prefer that.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to my colleague from New York.

Mr. REED of New York. I was, of course, very much interested in the gentleman's speech, and I was also interested in what the gentleman from Arizona had to say about the mining interests. There are a great many Members on the floor here who come from fruit-growing sections, and I would remind the Members of the House that the great central valley of Chile is the greatest fruit and vegetable producing section in the world. They have a man there by the name of Rodriquez who is the Burbank of South America. The time of shipments from Chile to New York or from that fruit-growing section is about 14 days. Their exports are coming into our harbors here in great volume. They have big canning factories with cheap labor, and I understand in this agreement with Chile they are going to open up our markets to all that canned fruit and to these very wonderful vegetables and other fruits. They raise vegetables there that weigh 3 and 4 pounds. They raise melons, in the nature of muskmelons, that are large enough to serve an entire banquet in New York. I am not exaggerating when I make that statement. If we are going to open our markets to all these things, we are simply going to depress the market for our farmers further and further. I think we should be on the alert and realize that this is not a partisan matter.

Mr. HAWKS. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman.

Mr. HAWKS. I would like to remind the small group of Democrats who are apparently seeing the light about this thing——

Mr. TREADWAY. The group will be very much larger before June.

Mr. HAWKS. I would like to remind them that in 1940, based upon the returns of 1938, they had better cooperate in the matter of adjusting the reciprocal-trade agreements or they will not be back here in Congress.

Mr. TREADWAY. Well, worse things could happen than the departure of some. [Laughter.] There should be enough so that this side would be returned as the majority side. [Applause.]

[Here the gavel fell.]

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point in regard to trade agreements.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I feel pleased that the gentleman from Massachusetts [Mr. TREADWAY] has studied my remarks concerning the proposed trade treaties with Argentina and with Chile. I feel honored that he has quoted me at some length. Candidly, I am greatly worried because of the harm that may be done the farmers, livestock men, miners, and other laborers of my State. I have asked for this opportunity to make a little further statement so that the gentleman and other colleagues may not get the wrong impression from what I said.

In the first place, I do not want anyone to think that I am concerned only about the farmers, livestock men, miners, and other laborers of my State. I am interested in such producers in any part of my country wherever they may be found. I am fighting for this class of producers in my State, because I am the only Congressman such producers in Arizona have to fight their battles in this legislative Chamber.

Let me make myself clear on another matter. When I went before the Committee on Reciprocity Information last week, and when I go to the State Department tomorrow, as I am scheduled to do, and when I take the matter up with the President, it is not done to fight the reciprocal-trade program but to fight a possible abuse of that power. I am fighting certain proposals and suggestions which I think never should go in a reciprocal-trade agreement. Agricultural products

from Argentina and copper from Chile have not yet been let into this country in competition with our own production. I think it would be folly to let them in. I do not ordinarily oppose the placing of a gun in the hands of a peace officer. Yet there are certain cases in which I would oppose the use of that gun by a peace officer. This I could do logically without condemning the carrying of guns by peace officers generally.

The gentlemen on the other side of the aisle preceding me have been condemning reciprocal-trade agreements on the ground that they have already done the terrible things which some of us Democrats fear might be done if certain proposals are carried out. We differ from you in that you fight the whole theory of the program and we are fighting to prevent certain abuses getting into that program.

The gentleman has spoken of trade agreements as unconstitutional. Although I am not a lawyer, I doubt that the law is unconstitutional. I believe that it is certainly constitutional. Furthermore, I think that it is a wise provision, assuming that it is wisely administered; but it certainly does afford opportunity for very unwise trade provisions, which might lead, even unwittingly, to great harm to many of our people.

If the delegation of power to the executive department to modify duties on foreign goods is unconstitutional, Republican administrations have been doing that for a long while. If my memory serves me well, President Harding and President Coolidge, and also possibly President Hoover, were given the power by law to modify existing tariff rates up or down to the extent of 50 percent. The theory was then that such modification was to be based on the advice of expert judgment of a group who gave careful study to the general effects of such modification upon our country. Is not that exactly what we are doing now? Today the executive department may modify the existing rates in our tariff system to the extent of 50 percent. Presumably this is done on the advice of a board of experts giving scientific study to the problem in all of its phases and implications. Where is the constitutional difference between the present Democratic Party plan and the former Republican Party plan?

I am not a free-trader. I believe trade between nations can promote peace. Nevertheless, I believe in some trade restrictions and regulations. Of course, the power constitutionally resides in Congress to regulate commerce, but our tariff history—and certainly the history of the making of our various tariff laws—all show that Congress cannot go into the minute detail of such regulation with a large degree of wisdom or fairness. It is wiser that such complicated matters be left to a board of expert men. I believe that it is better so, but I would like to nominate the Angel Gabriel as chairman of that board and let him name his associates on the board. What we in the West are afraid of in connection with these proposed trade pacts is that a board of experts may overlook some facts which have a vital bearing in the matter and take too narrow a view of this great and diverse country of ours.

PERMISSION TO ADDRESS THE HOUSE

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. GILCHRIST] may be permitted to speak for 20 minutes tomorrow after the special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that on next Monday, after the special orders that have heretofore been granted, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

EXTENSION OF REMARKS

Mr. KITCHENS asked and was given permission to revise and extend his own remarks in the RECORD.

The SPEAKER pro tempore. Under special order heretofore made the gentleman from South Dakota [Mr. CASE] is recognized for 20 minutes.

THE INDEPENDENCE OF THE UNITED STATES

Mr. CASE of South Dakota. Mr. Speaker, "the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers."

Those words, delivered to the Eighteenth Congress of the United States on December 2, 1823, by President James Monroe, are recognized as basic in determining the foreign policy of this country. Not quite so well known, but equally integral in that message were these words:

> In the wars of the European powers in matters relating to themselves we have never taken part, nor does it comport with our policy to do so. * * * Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, remains the same, which is not to interfere in the internal concerns of any of its powers; to consider the government de facto as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy.

The declaration of the Monroe Doctrine was not an accident. It was the direct outgrowth of an interchange of views between President Monroe, his Secretary of State, John Quincy Adams, formerly Minister to England, and our then Minister in England, Richard Rush, general observer on continental disturbances in that day.

MONROE WRITES TO JEFFERSON AND MADISON

The correspondence Monroe bundled up and sent first to Thomas Jefferson and then to James Madison, the two living ex-Presidents. I wish that every citizen might read those letters as they have been compiled in a volume on the writings of Monroe. They would find most interesting parallels between the European politics of that day and this.

Thomas Jefferson, writing from Monticello on October 24, almost 6 weeks before Monroe delivered his message, said to the President:

> The question presented by the letters you have sent me, is the most momentous which has ever been offered to my contemplation since that of independence. That made us a nation. This sets our compass and points the course which we are to steer through the ocean of time opening on us.

James Madison, writing from Montpelier, 6 days later, referred to events in Europe and the activities of the Holy Alliance, and then said to the President:

> There ought not to be any backwardness, therefore, I think * * * keeping in view, of course, the spirit and forms of the Constitution in every step taken in the road to war which must be the last step if those short of war should be without avail.

He was referring, of course, to the possibility that European powers might use force to restore Spain in South America.

WHAT JEFFERSON PLACED FIRST

There was another sentence in Thomas Jefferson's letter of October 24, 1823, just 116 years ago this week, which I think should be quoted because it is his due as its author, and also because to my mind, it is the briefest, clearest, most compelling statement of proper American foreign policy that has ever been made. I quote:

> Our first and fundamental maxim—
>
> Jefferson said to Monroe—
>
> should be never to entangle ourselves in the broils of Europe—
>
> Then comma, only a comma—
>
> our second never to suffer Europe to intermeddle with cis-Atlantic affairs.

It might be argued then, with good support, that not Monroe, but Jefferson was the author of what we call the Monroe Doctrine. Another, however, might trace the thoughts of both back to Washington. Suffice it to say that the Monroe Doctrine brought together the finest, truest patriotic utterances of the men who gave this Nation leadership in its early critical years. And most men will join with that son of New England, Daniel Webster, who said:

> Sir, I look on the message of December 1823 as forming a bright page in our history. I will help neither to erase it nor tear it out; nor shall it be, by any act of mine, blurred or blotted.

Mr. Speaker, I cannot escape the conviction that deeper than the discussion of details in the pending neutrality legislation is the question of whether we shall dim the brightness of that page in American history.

SIX WORTHY OBJECTIVES

Much of the discussion has been on six worthy objectives which the President, in his special message, plainly told the Congress were achieved in existing law, or could be substantially achieved by proclamation.

The objective of restricting American ships from entering such zones—

The President said—

may be attained by prohibiting such entry by the Congress; or the result can be substantially achieved by Executive proclamation that all such voyages are solely at the risk of American owners themselves.

After all the headlines and screaming of the past few days about the detention of one American ship, I thanked God this morning for a State Department honest enough and fair enough to announce that 21 ships had been detained by belligerents since the outbreak of the European war, 2 of them by Germany, 12 of them by Great Britain, and 6 of them by France.

The second objective—

The President stated—

is to prevent American citizens from traveling on belligerent vessels. And this—

He said—

can also be accomplished by legislation through continuance in force of existing law.

The present Neutrality Act forbids travel on ships of belligerent nations.

The third objective—

And again I am quoting the President—

requiring the foreign buyer to take transfer of title in this country to commodities purchased by belligerents, is also a result which can be attained by legislation or substantially achieved through due notice by proclamation.

The present act licenses exports. Ships must clear. And the President has proclamation powers under a declared emergency.

The fourth objective—

And again I quote—

is the preventing of war credits to belligerents.

Of that the President said:

This can be accomplished by maintaining in force existing provisions of law.

The fifth and sixth objectives, the President said—

Have been amply attained by existing law, namely, regulating collection of funds in this country for belligerents, and the maintenance of a license system covering import and export of arms, ammunition, and implements of war. Under present enactments such arms cannot be carried to belligerent countries on American vessels—

He said, and concluded:

This provision should not be disturbed.

Six worthy objectives—most of them specifically provided for by existing law, all of them substantially attainable by powers of proclamation. Since that be so, I see no particular value in debating whether they should be conserved by maintaining existing law or by setting them forth in a new bill.

ARMS EMBARGO CRUX OF THE MATTER

The question then reverts to what the President described as the "crux" of the matter—repeal of the arms embargo and/or a return to international law.

The bill now pending in the Senate and shortly to come before this body does not propose a return to international law, for, in the words of Senator PITTMAN—

We relied on international law in 1917, and that was our undoing.

The sole issue of controversy is the proposal to repeal the arms embargo. What arguments have been made for that repeal? The report of the Senate Foreign Affairs Committee contains only one sentence of argument. It says:

It (the arms embargo) is contrary to the accepted precepts of international law, which prescribe that any belligerent may purchase any articles or materials in any neutral country.

Since when? Since when have belligerents had the right to buy anything anywhere? Since when have two brawlers been able to command a bystander to sell them guns?

I come from a country not far removed from the frontier West—the Black Hills of South Dakota. Only a few years ago guns settled disputes. But neither in those days nor the present could a bystander supply the guns and long keep out of the fight. Neither in those days of frontier codes nor in these days of statutory law could a dealer or an owner be compelled to sell or supply guns or ammunition to somebody in a fight. Indeed, if one did that today, knowing the gun was to be used for murder, he would be charged with being an accessory before the fact. And had he done it in the old days, he would have been marked as the next victim.

NOT DEPARTURE FROM, BUT DEVELOPMENT OF, INTERNATIONAL LAW

The argument has been modified to say that while an arms embargo was not a violation of international law, it was a departure from it. To that I would reply that instead of being a departure, it is a development of international law. Let us look at the record.

The present arms embargo law was enacted in 1937; but in truth it was only reenacted then. The arms embargo was written into the Neutrality Act of 1935 because, as the gentleman from Texas [Mr. JOHNSON] so clearly said:

It would seem that by now the nations of the earth would have learned that war does not pay. We have learned it in America. * * * Having learned our lesson, we are determined to set our house in order, so that when the storm breaks we shall be prepared to safeguard as best we can our peace and prevent our involvement, if possible. * * * We will prevent our country or our citizens from selling or furnishing to nations engaged in wars arms, ammunitions, or implements of war, and this bill does just that. It is permanent legislation.

Was a declaration that we would not sell implements of war a departure from international law, or even something new in our own history? Not at all.

Back in 1915, and again in 1917, we enacted laws that made it a crime against the United States for anyone not merely to sell but to permit battleships, submarines, indeed any vessel or contrivance capable of transportation on water, being sent or taken out of the jurisdiction of the United States for use by any belligerent against any nation with whom we were at peace.

Let me read one section of that act of June 15, 1917:

During the war in which the United States is a neutral nation, it shall be unlawful to send out of the jurisdiction of the United States any vessel built, armed, or equipped as a vessel of war, with any intent or under any agreement or contract, written or oral, that such vessel shall be delivered to a belligerent nation, or to an agent, officer, or citizen of such a nation, or with reasonable cause to believe that the said vessel shall or will be employed in the service of such belligerent nation after its departure from the jurisdiction of the United States.

The penalty provisions of the statute go even further. They place a penalty up to $10,000 in fines, 5 years imprisonment, and forfeiture of the vessel, cargo, and equipment for "taking, attempting or conspiring to take" a vessel out of the jurisdiction of the United States in violation of the statute.

And mark you, that is still the law—enacted in 1915, reenacted in 1917. It is in the Criminal Code of the United States. It is a crime to sell a battleship, a cruiser, a submarine for the use of nations at war. Indeed, a crime to sell, or send or take any vessel out of the United States for the use of a belligerent. And what is a vessel?

WHAT IS A VESSEL?

The present Neutrality Act, the act of 1935, and indeed, the bill now pending, define "vessel" to be:

Every description of watercraft and aircraft capable of being used as a means of transportation on, under, or over water.

The old definition of a vessel was:

Any contrivance capable of transportation on water.

Now, I do not pretend to say whether an airplane is a vessel within the meaning of the act of 1917, but certainly a bombing hydroplane would be, and as far as precedents of domestic and international law are concerned, it was no departure for us in 1935 to say that we would not supply implements of war to belligerent nations.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. Yes, indeed.

Mr. O'CONNOR. I have given some thought to the same question, and I first entertained the view that at the time that Congress passed the Embargo Act in 1935 it was adopted as a policy to keep this country at peace with the world, with no war in mind, but upon looking up the record, I find that there is substantial evidence to the effect that a war was going on between Italy and Ethiopia, or at least in the making, and that we passed this bill, it is claimed, for the primary purpose of preventing Italy from acquiring arms in this country with which to destroy a people who had neither money nor a navy, nor means to equip itself with arms and ammunition. Is there anything to that?

Mr. CASE of South Dakota. I think possibly that was in the minds of some people, but I hope the gentleman will follow me, because I want to start with 1937 and 1935 and go back through the record and trace the development of the arms embargo as a part of international law and the domestic law of this country.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. Yes, indeed.

Mr. KNUTSON. Will the gentleman bring out in his discussion the letter that was written by the Secretary of State to Senator PITTMAN in reply to a letter from Senator PITTMAN, wherein he asked if it would be advisable to lift the embargo on arms shipments to Spain, where the Secretary replied it would not be advisable, because to do so might involve us in the war?

Mr. CASE of South Dakota. I do not have that in my remarks and appreciate the gentleman calling attention to it at this time.

Mr. KNUTSON. I suggest that the gentleman incorporate it, because it is pertinent at this point.

Mr. CASE of South Dakota. I shall do so if a copy can be made available tonight. Resuming, then, were the acts of 1917 and 1915 an abrupt departure from precedent? No. Back in 1907 article 8 of the Conventions on Naval War adopted by The Hague International Conference said:

> A neutral government is bound to use the means at its disposal to prevent, within its jurisdiction, the equipping or arming of any vessel which it has any reasonable suspicion of being destined to act as a cruiser or to join in hostile operations against a power with which it is at peace.

And further:

> It is also bound to exercise the same surveillance to prevent the departure out of its jurisdiction of any vessel intending to act as a cruiser or take part in hostile operations, and which, within the said jurisdiction, may have been adapted wholly or in part to warlike purposes.

Was that an abrupt break with precedent? No. Back in 1871 the Treaty of Washington, between Great Britain and the United States, bound both parties, among other things, to prevent—

> The departure from their jurisdiction of any vessel having been especially adapted in whole or in part within such jurisdiction to warlike uses.

Was that an abrupt departure from precedent? No. Neither for us nor for England. The Foreign Enlistment Act of August 9, 1870, a revision of the Foreign Enlistment Act of 1819, was minute in its provisions to prevent the—

> Enlisting or recruiting of men or the building or the equipping of vessels for the military service "of a foreign state at war with a friendly state" (Encyclopedia Britannica 447 and ff).

Is an embargo on bombing planes in 1917 or 1935 any greater break with precedent than an embargo on battleships half a century or a century earlier? Indeed not.

And the pages of the RECORD are filled with evidence submitted by other gentlemen on the great number of other nations that today have an arms embargo.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield again?

Mr. CASE of South Dakota. Yes.

Mr. O'CONNOR. Does the gentleman know whether or not the proposed bill—that is, the bill now under consideration in the Senate—contains any provisions with reference to repealing the acts of 1915 and 1917?

Mr. CASE of South Dakota. Quite to the contrary. The bill as reported to the Senate refers specifically to the act of 1917 in one place and suggests a provision for reinforcing one of its provisions. Hence, far from repealing the act of 1917, the new bill redeclares it.

Mr. O'CONNOR. As a matter of fact, if the gentleman is correct in his implication to the effect that those laws, properly interpreted, would include the bombing plane, and if we pass the present proposed law, it would be inconsistent with the provisions of the act of 1915 and 1916.

Mr. CASE of South Dakota. I think that is correct; but I refer that to the distinguished legal authorities in the House, such as the gentleman from Montana himself.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. Yes, indeed.

Mr. KEEFE. Has the gentleman, in his examination of the statutes, discovered that in 1909 this Congress enacted the specific statute prohibiting the outfitting and sale of vessels of war—battleships and cruisers—and that when the World War came on Secretary Bryan and Secretary Lansing and President Wilson, although submarines were not specifically mentioned in the 1909 act, held by construction that submarines were included and prohibited the shipment of submarines or submarine parts to belligerent nations? That law was enacted in 1909.

Mr. CASE of South Dakota. The gentleman is correct; and the act of 1915 was bottomed on the act of 1909.

AN EMBARGO ON OTHER THINGS?

At this point possibly someone is saying, "Well, then, why not embargo cotton and wheat and oil?" My answer is that some day the world may do that; some day the moral conscience of the world may shut off all supplies to belligerents. We are now proposing to put them on a cash-and-carry basis again. But because we cannot draw the embargo line everywhere does not prove that we should draw it nowhere. The other logic would make us repeal the act of 1917 on battleships and earlier laws on enlistment and furnishing of supplies generally.

In the final analysis, then, Mr. Speaker, it is hard to escape the fact that the proposal to repeal the arms embargo is a proposal of intervention. It is hard to escape the frankness of a distinguished Member of the United States Senate [Mr. BURKE] who has said:

> I speak no more of the arms embargo as an expression of strict neutrality. It is not that. It checks the belligerents that I want checked. It favors the belligerents that I want favored.

IT IS NOT OUR WAR

Personally, I think England and France will win this war. I hope they will. They can wait it out. It is doubtful if Germany can. But whether they can or they cannot, it is their war, not ours. [Applause.] For, Mr. Speaker, if we accept the other point of view, then we cannot deny the logic of the distinguished gentleman from Georgia [Mr. COX]. On this floor a few days ago he said:

> If this be our destiny, then let us now highly resolve that we shall accept it; but let us accept it courageously, boldly, manfully, with our eyes open. Let us solemnly resolve now to plunge this Nation into this new conflict.
>
> Let us once again become the savior of Europe, the hero of aspiring minorities, the champion of self-determinism. Let us wage war again to preserve Europe and make the world safe for democracy. Let us wage war to end war. Then let us resolve that within a quarter of a century we shall do it all over again, and again, and again, until hatred, greed, racial and linguistic animosity and economic desires, ambitions, and covetousness shall have been removed from the European cauldron of war.
>
> In short—

Mr. COX concluded—

> let us highly resolve to continue to do so in perpetuity, and let us devise and bequeath that burden to our posterity, so that they, too, may periodically renew the conflict and join the battle, the burden of America, our destiny.

The SPEAKER pro tempore (Mr. MARTIN of Colorado). The time of the gentleman from South Dakota has expired.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, did our enactment of an arms embargo 4 years ago encourage aggression, or was it indifference at Shantung, jealousy in Ethiopia, self-interest in the Orient, and appeasement at Munich? Shall American blood be shed because other powers abandoned economic sanctions to save spoils of their own? God forbid!

THIS CHARTS OUR COURSE

Mr. Speaker, let me return to the words of Thomas Jefferson, with which I opened these remarks:

The question—

He wrote President Monroe—

presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of independence. That made us a nation. This sets our compass and points the course which we are to steer through the ocean of time opening on us. * * *

Let me paraphrase that. I hardly need to do so. The words fit as they are. The question presented by the legislation before this Congress is the most momentous which has been offered to our contemplation. This sets our compass and points the course which we are to steer through the ocean of conflict opening on the world.

This Congress appropriated funds to create a memorial to Thomas Jefferson, here in the city of Washington. It is being built today. This Congress is now called upon to test its devotion to the principles of Thomas Jefferson in a more significant way.

I repeat his words again:

Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs.

Jefferson loved England, respected Great Britain; no doubt would want her to win her war today. In this same letter to Monroe he said:

Great Britain is the nation which can do us the most harm of anyone, or all, on earth. * * * With her, then, we should the most sedulously cherish a cordial friendship, and nothing would tend more to knit our affections than to be fighting once more, side by side, in the same cause.

But note his next sentence:

Not that I would purchase even her amity at the price of taking part in her wars.

Wherein is this war not hers but ours? Wherein is this war not Europe's but ours? Were its issues debated in this Congress? Was it voted by the representatives of the American people? Were its causes created by an American foreign policy? Were the blunderings of diplomacy the mistakes of our ministers? Were the pledges of mutual aid given in pacts of our making? Were the run-outs in Czechoslovakia, in China, in Abyssinia, our desertion of recognized principles of international fair dealing? Did we write or even ratify the wrongs in the Treaty of Versailles?

Of course not. Not in a single instance. And yet it is proposed here to set our compass and point our course on the basis of decisions made in councils where we had not even the minor voice that was proposed in the League of Nations.

ARE WE TO INTERVENE, AGAIN AND AGAIN?

Are we to intervene? Is America to become the make weight in the everlasting balancing of powers that has marked European history for centuries? Are we to do this thing, again and again and again, as the gentleman from Georgia [Mr. Cox] has so pointedly asked? Are we to turn our back on the goal that brought brave men to these shores—the goal that here their sons and daughters might be free to live their own lives, worship God as they saw fit, dream dreams, and build their homes away from the domination of governments where people were only pawns for those in power?

It is within the ability of this Congress to give the people of this Nation a rekindled vision of the high mission of the United States. It is within our power to chart a course that will carry America through these troubled times and give greater meaning to the independence of the United States.

Professor Borchard, of Yale, in his brilliant book on neutrality for the United States, says:

A strong neutral is the trustee for civilization in a shell-shocked world.

A similar thought was expressed in a letter received by Mrs. Roosevelt from an English friend and published in her column a few days ago. Borchard continues—

By intervention in European quarrels we can make the situation worse, but never better.

A BETTER DESTINY THAN THAT

Mr. Speaker, there is a better future for the United States than trying again the role of savior for Europe.

That better future means building the United States into a power that can protect itself against aggression. In his immortal message, Monroe said:

It is by rendering justice to other nations that we may expect it from them. It is by our ability to resent injuries and redress wrongs that we may avoid them.

Surely this Congress will do its full part on that score.

That better future for the United States means devoting to the solution of our domestic problems the energy and the expense that ambitious leaders in other nations give to the expansion of their frontiers—and to that we can all dedicate ourselves. We must show that constitutional democracy works, that the Republic lives.

That better future means cultivating good will with the other nations of this hemisphere so that the balance-of-power theory can never find foothold here. The policies that inspired the Panama Conference must be encouraged and sustained. This may cost something, but it will cost far less than a foreign war, and in the end it means an America far greater than can be created on the battlefields of Europe, for it means an America fulfilling her own mission in the New World.

TO DEFEND THE UNITED STATES

Mr. Speaker, what I have said in these remarks I have spoken in the utmost kindness and respect for every Member of this body. Every Member has taken an oath—

to protect and defend the United States.

What is the United States? An area of land? A flag? Or a great merging of people into a national soul whose life is liberty and whose purpose is to maintain freedom for men and women to plan their individual destinies, to live their own lives, to die on battlefields only when they have had a voice in the conditions that created the conflict?

The other day I read that a Senator had said his vote would be cast in keeping with a pledge he had made on bended knee before a soldier's coffin 20 years ago. With that same sacred purpose the votes in this House will be cast. And I quarrel with no Member on his motives; I only plead, as all men must, the issues as we see them. Every man knows that boy of 20 years ago, that boy who was a brighter, stronger, finer man than he; that boy who went and never returned. And in devotion to that memory and in loyalty to the boys of today and tomorrow, each Member will cast his vote as he honestly thinks best to prevent our involvement and to protect the independence of the United States. [Applause.]

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield for me to make an observation?

Mr. CASE of South Dakota. I yield.

Mr. O'CONNOR. I think the gentleman has made one of the most remarkable speeches in connection with the question before the Senate and House that has been made in either the Senate or in this House. I, for one, am mighty grateful to the gentleman for his great contribution to this subject.

The gentleman has made a statement that I would like to have him elaborate on somewhat. Does the gentleman believe that under the law as it now stands the President may, by

proclamation or otherwise, place on a cash-and-carry basis commodities other than munitions of war?

Mr. CASE of South Dakota. I would so interpret the statement of the President in his opening message to this special session of the Congress. He stated at that time that the result could be substantially achieved by proclamation on both of those points.

Mr. O'CONNOR. And does the gentleman agree with the President in that regard?

Mr. CASE of South Dakota. I rather think he can. When he has declared an emergency, I think he can.

The SPEAKER pro tempore. The time of the gentleman has again expired.

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial from the Washington Post.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under special order, the gentleman from Nebraska [Mr. CURTIS] is recognized for 20 minutes.

TOLERANCE

Mr. CURTIS. Mr. Speaker, the essence of Americanism is tolerance. Freedom of conscience, freedom of speech, freedom of press—which now includes the radio—the right of assemblage and the right to petition Congress are dependent upon a spirit of tolerance.

These rights, Mr. Speaker, are supposed to be guaranteed by the Constitution and they are supposed to be inalienable rights. But today I want to sound the warning to this Congress and this Nation that one by one these rights are being alienated.

It was Voltaire, I think, who first said:

I do not agree with a word that you say, but I will defend to the death your right to say it.

Mr. Speaker, I have always had some doubt in my mind that there are very many individuals who are broad enough to disapprove of what an opponent says and yet were willing to fight to the death for his right to say it. This quotation is used many times, but I am afraid that it is quoted very much oftener than it is practiced.

I think perhaps a statement made recently by a distinguished Member of this House may in time rank as philosophy with some of these sayings we quote from the philosophers of other days. I refer to the recent declaration of the distinguished gentleman from Virginia, the Honorable CLIFTON A. WOODRUM, when he said, "There are three sides to every question—your side, my side, and the right side."

Mr. Speaker, it is of vital importance to this Nation that we approach this neutrality question with that spirit.

As I said a moment ago, I have always been inclined to doubt that many men would be willing to die to sustain the right of their opponents to disagree with them. But, Mr. Speaker, here is a case where no one has to die in order to sustain freedom of conscience, the right of free speech, and the right of free press. We merely have to be tolerant enough—mildly tolerant enough, if you please—to permit those who may disagree with us a respectful hearing of their views.

Why, Mr. Speaker, the very essence of this Americanism we hear so much about on this floor is the tolerance of permitting those who disagree with us to express their disagreement or their opposition without abusing them, without seeking by parliamentary devices to prevent them from expressing their opposition, without assailing their motives and their characters, without trying to smear them as has been done in the case of Col. Charles A. Lindbergh and other noted and able men who have dared to disagree with the administration on this question of repealing the arms embargo.

No, no, Mr. Speaker, this does not involve at all any agreement whatsoever with the ideas put forward by Colonel Lindbergh in his two radio addresses. But I say that there is a danger signal waving in this Nation when such an illustrious gentleman as Col. Charles A. Lindbergh can be smeared and by innuendo insulted and accused of being pro-German by the jingoists from the White House down, merely because he dares to disagree with what the Chief Executive wants.

Mr. Speaker, suppose on this issue, the White House view is the correct one and is the surest way to peace. If those who disagree with the White House views are to be silenced by insult and criticism and personal attacks now, what will be the situation if it should develop that the administration's attitude was not the wisest course? In other words, Mr. Speaker, what becomes of the constitutional process of government which is exemplified in disagreement, discussion, and compromise? We have come to that time when it would seem that a citizen, no matter how prominent, how responsible or how fitted by experience to speak he may be, must keep silent or expect to be berated, maligned, and attacked in ways in which he cannot defend himself.

Mr. Speaker, let me make this clear. Our danger here is coming in a subtle way. It is entirely proper to ridicule or to condemn or to disagree or to answer or to argue against an idea or a plan no matter by whom it may be proposed. But I say to you, sir, that free government, the Bill of Rights, Americanism, is being destroyed when sources close to if not within the White House and in the Congress undertake to attack the character and the integrity of those who dare to disagree with the Government.

One of the distinctions of certain governments of Europe which we do not like is that there you cannot disagree with the government.

I confess that I was shocked when I read in a column entitled "My Day" veiled insinuating criticism of Lindbergh that I felt was certainly inexcusable coming from the high source that it did.

To millions of American boys and girls Lindbergh represents the symbol and ideal of clean living, character, courage, achievement, and patriotism. But were he the humblest citizen in all the land, guilty of many errors and failures, he still would be an American, and entitled to express his opinions. Is the America of free men, who are entitled to free expression, a matter of history only?

Mr. Speaker, if the trends continue in the direction they seem to have taken since this embargo question came up, it will not be long until they will be daubing yellow paint on the doors of those who dare to disagree with the Government. Imagine daubing yellow paint on the home of a Gold Star Mother because she dares speak out in behalf of the other mothers.

This, Mr. Speaker, is no longer a question of being neutral, at least it would seem that to be neutral we must favor one side—England and France. We have neutrality urged upon us, we are told that we cannot remain neutral unless we repeal the arms embargo; let us at least be honest if we cannot be tolerant and recognize the fact that it is not neutrality that the administration wants at all. I think there was something exceedingly significant of which the American people ought to take note, when the Chief Executive sat in his church last Sunday while his pastor prayed that God would grant that King George should triumph over all his enemies. I would that every minister and every priest in America would pray for peace and truth, and not for victory for the side that they personally favor, for it is written, "Ye fight and war—because ye ask not."

We should be ever mindful that "the work of righteousness shall be peace."

Dream not that sword and helmet
Are signs of valor true,
For peace hath greater victories
Than battle ever knew.

If we are to accept that intolerance which will stigmatize men like Lindbergh for disagreeing with the Government on this question of repeal of the arms embargo, what will we do if the question arises as to whether or not we shall go into this war with our men and our money?

When we consider the administration's attitude on the question of so-called territorial waters, and when we look at the various other indications in order to try to determine the attitude of the administration, we begin to perceive that we may not be so far from this question of going in with our men and our money as many people would like to believe.

Mr. Speaker, there is just one way in this wide world to be neutral, and that is to be neutral. Regardless of what one's sympathies may urge upon him, regardless of what course emotionalism, propagandized or otherwise, might suggest, it still remains a fact that the only way to be neutral is to be neutral, and that means absolute impartiality between all belligerents.

We must either withdraw from the affairs of Europe or meddle in them. If you are a partner in business, you must take the liabilities along with the assets. "What communion hath light with darkness?"

Mr. Speaker, it is a lamentable and a dangerous condition of affairs when the Gold Star Mothers and the veterans of that other war are accused of being pro-Nazi or anti-American because they dare to exercise their constitutional privilege to write to their Congressmen expressing their views on how their grandsons and their sons may be kept out of another war. Who has the right to charge that they do not know how to think for themselves? Is this a government of the people, for the people, and by the people, or must the people be silenced as in the dictator-ridden countries of Europe?

Mr. Speaker, if there is anybody on God's green footstool who has a right to say something about this question, it is the boys who will have to do the fighting and the dying; it is the mothers and fathers who must bid good-bye to their loved ones and send them off to be slaughtered on the battlefields or to come back home, broken in body and in mind, to drag out the weary days of their existence. I insist, sir, that they more than anyone else have the right to express themselves on this question and that they have that right and must have that right, free from insult, free from character assassination, free from abuse by anybody, and it is the duty of the Members of this Congress to rise in their places whenever necessary to defend that right of the common people to say whether or not their sons shall die in war. [Applause.]

Mr. Speaker, in conclusion I want to raise my voice in this Congress in a plea for tolerance. I want to raise my voice in a plea for the right of free speech, free press, free radio, free church, the right of the citizens to petition the Congress, and the right of free assemblage.

With that patriot of old, let me again say, "Eternal vigilance is the price of liberty."

Throughout the years thousands of Americans have died for the cause of liberty. If the time has now come that one must die politically to defend free speech, free expression, the right to assemble, and the right to petition Congress in order to hand on the spark of liberty to our children and their children, I for one will gladly face that fate. [Applause.]

Mr. Speaker, I love liberty. I believe that our task is to maintain liberty at home. God forbid that when the pages of history are written it will be said of America, "They made us the keeper of the vineyards, but our own vineyard have we not kept." [Applause.]

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. O'CONNOR. The gentleman, for whom I have a very great regard, being privileged to serve on committees with him, has made a very fine speech and made a good contribution to the subject he treated, but it seemed to me that there is an implication in the gentleman's remarks to the effect that free speech is attempted to be curtailed from the President down. Now I know the gentleman wants to be fair. I want to call the gentleman's attention to the statement made by the President of the United States when he was delivering his message to Congress, when he called us here in extraordinary session, to this effect, that he wanted to accord to all of those people who disagreed with him as to the method that should be used to keep this country out of war, the same loftiness of purpose that prompted him in taking the position that he does with reference to keeping us out of war.

Mr. CURTIS. I remember the statement and I agree with the statement. I am sorry that it has not been practiced by those who apparently speak for the executive department of this Government.

Mr. O'CONNOR. Let me also bring up this question: The gentleman refers to this church incident. The gentleman does not think that the President of the United States should have run from the church when the preacher was giving his prayer, and so forth, does he?

Mr. CURTIS. No! No!

Mr. O'CONNOR. The gentleman does not think that those were the sentiments of the President of the United States, does he?

Mr. CURTIS. I do not think they were displeasing to him. The prayer was undoubtedly prepared with the view of pleasing the Chief Executive.

Mr. LAMBERTSON. Will the gentleman yield?

Mr. CURTIS. I yield.

Mr. LAMBERTSON. The President certainly sanctioned what the preacher said when he allowed his picture to be taken with him after the services.

Mr. O'CONNOR. Oh, I do not agree with the gentleman there. He did not write the prayer and he did not necessarily agree with the sentiments.

Mr. LAMBERTSON. But he had his picture taken with the preacher, and he agreed to that.

Mr. O'CONNOR. I might have my picture taken with the gentleman, but he and I never did agree. [Laughter.]

The SPEAKER pro tempore. The time of the gentleman from Nebraska has expired.

EXTENSION OF REMARKS

Mr. HUNTER. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include in the RECORD an address delivered by Dr. Edward J. McCormack before the Michigan State Medical Association.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Georgia [Mr. COX], under previous order of the House, is recognized for 20 minutes.

Mr. COX. Mr. Speaker, I would regret that even the humblest citizen of this country should suspect that any remark that I may have ever made upon the floor of this House was in the leastwise colored by partisan politics. I presume that I might manifest bitter partisan politics in my official behavior if I so desired. But I do not wish to so act. I was sorry that my long-time and devoted friend, the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], apparently permitted politics to color his discussion of the proposal to enter into a trade agreement with Argentina. This I might also say of the gentleman from Massachusetts [Mr. TREADWAY].

Mr. Speaker, in view of what has transpired and of which the public has been fully advised, it was most unkind and unfair in the gentleman from Minnesota that he should have said that this administration is taking advantage of the disturbed state of the public mind and is seeking to put over something on the farmers of this country, is seeking to give away their best market, their domestic market. The facts in the case do not justify this criticism of the administration, this castigation of the high-minded, patriotic gentleman who heads the State Department.

On August 23 last the Acting Secretary of State issued a press release. In that release he said:

> Our trade with Argentina has suffered in recent years for lack of a trade agreement. The trade of certain European countries with Argentina has been developing at our expense under the influence of their commercial agreements with Argentina. The placing of American commerce in Argentina on a footing of full equality with that of our European competitors was a subject which was gone into fully in preliminary discussions. The agreement will enable us to maintain our competitive position in a market of great present and prospective importance.

In the same release the Acting Secretary of State said:

Effecting this agreement with Argentina will be the most important accomplishment of this administration in the field of international relations.

On the same date, Mr. Speaker, the Department of State issued another press release in which they discussed the question of entering into negotiations with a view of effecting a trade agreement with Argentina. In that statement this observation was made:

United States trade with Argentina declined drastically between 1929 and 1932. Since then it has increased, but remains well below 1929. In 1929 the United States imported from Argentina $117,585,000 worth of commodities. It exported to the same country $210,000,000 of our own American commodities. In 1932 our imports fell to $15,000,000, but in that same year our exports to Argentina were $90,000,000 plus. For the present year they have been built up, our imports amounting to $41,672,000 and our exports stand at $86,479,000.

The gentleman from Minnesota said in his condemnation of the policy of forming these trade agreements with other countries that he wanted to return to where American farmers were getting a price better than the price now obtaining under the agreements that have been set up as between the United States and 21 of the other powers. I presume that what the gentleman had in mind was returning to the time when his party was in power. I call attention to the fact, Mr. Speaker, that even as late as August 15, 1932, when the gentleman's party was in power and when our foreign trade was entirely under the influence of the Smoot-Hawley Act, that the price of beef cattle stood at $4.35, while in September of the present year the price was $7.07. Hogs in 1932 sold at $4.06, while in September of the present year the price was $7.06. In August 1932 corn was 30.2 cents per bushel, and on September 15 of the present year it was 56.2. In 1932 wheat was 38.5. On September 15 of the present year wheat was 72.7. Butterfat, to which the gentleman referred, was in August 1932 selling at 17.5, but in September of the present year it was at 24.7. Cheese in 1932 was selling at 10.6. In September of the present year cheese was selling at 14.3. Wool brought, on August 15, 1932, 7.4, but in September of the present year it brought 24.3.

Mr. Speaker, if the gentleman has been able to find anything in any of the congressional tariffs that have been set up by the Congress in the past 50 or 100 years that was particularly advantageous to the farmer I would like to know what it is.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes; with pleasure.

Mr. O'CONNOR. Under the operations of the A. A. A. in the neighborhood of 30,000,000 acres of productive land have been retired on the theory of trying to raise farm prices up to parity. Does not the gentleman feel that we should adopt a foreign policy that will not cause idle acres with resulting idle men who increase our relief rolls?

Mr. COX. I take it that the gentleman agrees that it is to our advantage to do business with foreign powers.

Mr. O'CONNOR. To a certain extent that is correct.

Mr. COX. And that we must accept conditions as we find them? We cannot make conditions what we would have them be.

Mr. O'CONNOR. Yes; but in doing that let us not make the American farmer bear the brunt of the deal.

Mr. COX. I agree with the gentleman entirely, Mr. Speaker; we must keep in mind doing something for the farmer, the main purpose of entering into trade agreements with other countries is to bring to agriculture benefits which cannot otherwise be obtained. [Applause.] Let us not fool ourselves. The gentleman knows that there was nothing but misery and distress in the Smoot-Hawley Tariff Act for the farmer of the country.

Mr. O'CONNOR. There is no question about that, but we should not surrender our markets for farm products to foreign competitors who can produce crops at a much lower cost than the American farmer. Understand, I do not want to return to the days of Hoover and starvation prices, closed banks, closed factories, and hungry people any more than the gentleman does, but on the other hand neither do I want to take bread out of the mouths of our people who need it and place it in the laps of our foreign competitors.

Mr. COX. There is no thought of surrendering our farm markets to anybody. The purpose as well as the necessity is to broaden such markets. The gentleman is obliged to agree that our farmers are faring better under trade agreements than was the case under congressional-made tariffs.

Mr. O'CONNOR. Yes; but the gentleman does not want to make the American producer and the American farmer the goat in connection with our foreign trade?

Mr. COX. Of course not, neither does the Secretary of State. If I am a special pleader for any group it is for the farmers of the country because my district and State are predominantly agricultural.

Mr. O'CONNOR. The gentleman will concede then that if the policy results in idle acres it necessarily results in idle men?

Mr. COX. Mr. Speaker, I cannot concede that the prosecution of our trade-agreement policy has resulted in anywise to the disadvantage of the farmers of the country. As I have stated, the purpose of the program is to improve the condition of the farmer and the operation of the agreements thus far made have had that effect.

Mr. O'CONNOR. The gentleman will concede, will he not, that under the operation of the Agricultural Adjustment Act the retiring from production of acres of land theretofore producing was done for the purpose of raising the farmer's prices to what we call parity prices?

Mr. COX. Yes, of course.

Mr. O'CONNOR. Why should we not adopt a policy so the American producer can produce what he can and give him the benefit of the expanding market, if there is such, the same as we would the manufacturer?

Mr. COX. Mr. Speaker, we expand our foreign markets by increasing our business with foreign countries. The observation has been made in the debate during the day that we should cease to operate under the agreements that have thus far been made. In other words, the contention of the opposition is that we should remain static and do nothing in a positive way to improve the condition of the farmers of the country. Complaint is made because in the notice of intention to negotiate given by the State Department there are agricultural commodities in the list of products on which the United States will consider making concessions to Argentina. Why, Mr. Speaker, Argentina is an agricultural country, even more pronouncedly so than the United States. If we do business with Argentina at all, we are obliged to take in trade some of the commodities that she produces. We take that which our national economy will best stand and we give in exchange to Argentina that which she most needs.

Is it contended by the opposition that we should not trade with Argentina at all?

Mr. O'CONNOR. Will the gentleman yield?

Mr. COX. I yield to the gentleman from Montana.

Mr. O'CONNOR. Is it not a fact that particularly in the West and in the northwestern country, where we have rigorous winters, where we are required to feed livestock six months out of the year during some years, where wages are high, where taxes are high, where all of our expenses are high, where the investment in land is high, the farmers are at a disadvantage in trying to compete with foreign competition? How can the American farmer in the West and northwest country, and even in the South, compete with producers down in those lower countries such as Argentina, Brazil, and so forth?

Mr. COX. Maybe they cannot compete.

Mr. O'CONNOR. Then why should we compel them to compete?

Mr. COX. Does the gentleman mean that simply because our labor costs, our operating costs are higher than they are in Argentina we should not undertake to do business with Argentina at all?

Mr. O'CONNOR. We should not undertake to do business with Argentina if one class of people is going to suffer as a result of doing that business. The farmer should not be made

to bear the brunt of this trading with foreign countries in favor of the manufacturer.

Mr. COX. There is no intention on the part of the State Department or the administration to make the farmer bear the brunt of anything. There is no thought of favoring our manufacturers. The whole purpose, as I have said over and over again, is to improve the condition of the farmer and all others.

Mr. BUCK. Will the gentleman yield?

Mr. COX. I yield to the gentleman from California.

Mr. BUCK. The gentleman from Montana seems to be under the impression that the State Department is trying to sell the American farmer down the river by taking away his domestic market. I wonder if the gentleman from Montana is aware of the fact that in 1938 our imports of agricultural products of all kinds were valued at slightly less than $956,000,000. Of this total one-half was of types such as rubber, coffee, silk, and so forth, not produced in the United States; nearly 30 percent was of types imported over the tariff wall because the United States did not produce enough to meet its requirements; 14 percent was accounted for by sugar, the imports of which were controlled throughout 1938 by quota and less than the 7 percent remaining was accounted for by minor miscellaneous items falling into the competitive groups?

Mr. O'CONNOR. May I suggest this to the gentleman from California: What is the purpose of taking acreage out of production if it is not for the raising of our prices up to the so-called parity prices on the theory of creating a scarcity of the article?

In other words, the American farmer can produce the needs of the American people and as long as he can do that he has the right to that market, because the very moment you take an acre of land out of production you cause to go on the relief roll the people who have been working to produce crops upon that acre.

Mr. COX. Mr. Speaker, if the gentleman and I agree that Argentina has nothing to sell other than agricultural commodities——

Mr. O'CONNOR. That is right, and she competes with the American farmer.

Mr. COX. She has nothing but agricultural commodities to give us in exchange for the things she buys.

Mr. O'CONNOR. That is correct.

Mr. COX. Then does the gentleman mean we should not do business with Argentina at all?

Mr. O'CONNOR. If we are going to do business and make our people suffer as a result of doing business with Argentina, then the trade is not worth it. No class of people should be required to lose their shirt in the process.

Mr. COX. Mr. Speaker, the gentleman loses sight altogether of the fact that this is a general sort of a program, that we are not only undertaking to enter into an agreement with one country but we are undertaking to enter into agreements with all countries. There is no likelihood that in the agreement proposed to be negotiated with Argentina that the farmers of this country will be put to any disadvantage. If Argentina has nothing but agricultural commodities to give us in exchange or in payment for the commodities she takes from us, then, of course, we are obliged to take some of her agricultural commodities or else we do not do business with her. If we cut out one country, then we have disrupted the program upon which we have entered, that is, of ultimately entering into agreements with all the countries with which we do business. We cannot afford to lose the business of Argentina because we export to that country very much more than we import. Our trade with Argentina has been altogether advantageous to our producers.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes.

Mr. CORBETT. Reserving the right to object, Mr. Speaker, I notice that the gentleman from Montana [Mr. O'CONNOR] is, under a special order previously entered, to follow the gentleman from Georgia. I wonder, since this discussion is between these two gentlemen, if this time cannot be taken out of the time of the gentleman from Montana.

Mr. O'CONNOR. Mr. Speaker, I am glad the gentleman brought that point up. I was going to suggest that whatever time has been allowed me I shall be pleased to share with my distinguished friend, the gentleman from Georgia, who, as always, is making a very fine address but one with which, in some respects, I do not agree.

The SPEAKER pro tempore (Mr. MARTIN of Colorado). Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. COX. What we are hearing now is simply a repetition of what we have heretofore heard when proposals to enter into agreements with another power have arisen.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield to the gentleman from Pennsylvania.

Mr. BOLAND. I take it the gentleman's philosophy is that building a tariff wall around our country, such as we had with the Smoot-Hawley tariff wall, is most disastrous to the farmers of the country.

Mr. COX. Of course, Mr. Speaker, I presume that is recognized by everyone who claims to have any familiarity at all with public events.

Mr. BOLAND. May I say for the gentleman's information that I come from the anthracite-coal fields, and that the Smoot-Hawley tariff wall was responsible for Canada, which was the great market for the anthracite industry, putting a tariff on our coal, with the result that we lost our entire market in Canada and this ruined the anthracite coal district.

Mr. COX. Mr. Speaker, as I remarked, there are those who make a calamitous outcry every time the question of entering into some sort of a trade agreement with another power arises. The past record of trade agreements ought to be a guide in the present instance. The 21 agreements which have been concluded should demonstrate that the fears generally have been unwarranted. It is true that some guarded concessions have been granted on agricultural products, but this was necessary in order to get greater advantages for some other branch of industry. However, our country has not been flooded with agricultural products.

Mr. O'CONNOR and Mr. BUCK rose.

Mr. COX. Let me yield first to the gentleman from Montana, and then I shall yield to the gentleman from California.

Mr. O'CONNOR. What was the purpose—and I direct this inquiry also to the gentleman from California—of holding the hearing with the idea in mind of reducing the tariff on agricultural products from the Argentine if it was not that of making it easier for the producers in the Argentine to get their products on the American market which would result in competition with the American farmer, who has to pay the taxes and who pays the cost of administration of this Government.

Mr. COX. Mr. Speaker, the question carries with it a reflection upon a department of the Government that is not justified.

Mr. O'CONNOR. Is it not a fact that that is the purpose of the hearing?

Mr. COX. There is no purpose to injure the farmer. The whole purpose is to improve his lot.

Mr. O'CONNOR. Would it not injure the American farmer if a larger amount of farm products of the Argentine came into the American market to compete with the products of the American farmer? Does it not follow as a matter of course that such a procedure would injure him?

Mr. COX. Nothing that has happened thus far in the hearings that have been held on the proposal to enter into an agreement with Argentina and nothing that has happened as a result of making the agreements with the other 21 powers with whom agreements have been made warrants even the remotest suspicion that agriculture will be put at a disadvantage as a result of the agreement now being negotiated.

Mr. O'CONNOR. May I make this observation, and then I am through. Of course, any lowering of duties results in

an increase in importations. The gentleman will agree with that statement.

Mr. COX. That might be true, yet there will be a corresponding lowering of the duties imposed by Argentina upon our own commodities, and this will mean there will be a greater flow of our domestically produced goods into that country. The gentleman will agree with that.

Mr. O'CONNOR. That is true.

Mr. COX. Perhaps imports would be increased but exports also would be increased. Our exports to Argentina have continuously been larger than our imports.

Mr. O'CONNOR. The gentleman will also agree that our exports are manufactured articles, perhaps articles we do not need and for which we have no use.

Mr. COX. Probably, to some extent, but the gentleman should keep in mind that we have in the years that have gone by exported many agricultural products to Argentina, and this trade has been considerable.

Mr. GORE and Mr. O'CONNOR rose.

Mr. O'CONNOR. If the gentleman will yield for one further observation——

Mr. COX. Let me yield to the gentleman from Tennessee, and then I will come back to the gentleman.

Mr. GORE. Much has been said about the domestic markets, but should it not also be borne in mind that the domestic market for domestic agricultural products is also the market of the workers in the manufacturing units?

Mr. COX. I thank the gentleman. That is an answer to the gentleman from Montana.

Mr. O'CONNOR. I realize that this is a sort of round-the-table business, but at the same time my contention on these trade agreements, particularly with countries that raise nothing but farm products, is that in being permitted to ship such farm products into this country in competition with our American farmer, he, the American farmer, cannot compete with them, and that fact is putting the American farmer at a disadvantage.

Mr. COX. Let the gentleman and myself understand one another. The gentleman means to say to the House that if he were in control of these negotiations he would never let in any commodity that in anywise might compete with any agricultural product of this country?

Mr. O'CONNOR. I will qualify what the gentleman states——

Mr. COX. Would the gentleman say that?

Mr. O'CONNOR. No; I will qualify what the gentleman states by saying that if my policy was such in the permitting of farm products to come into this country as to cause millions of acres of land in this country to remain idle, causing idle men and increasing the relief rolls, then I would change the policy. We should look after ourselves first.

Mr. COX. Mr. Speaker, let me answer the gentleman. A glance at the record that has been made under the agreements thus far set up will be helpful to the gentleman and to the country.

The imports that the Department of Agriculture classifies as competitive agricultural products amounted to $296,000,000 in 1932, at the bottom of the depression, and in 1938, the last full year for which data is available, these imports had increased to $477,000,000. In the meantime our agricultural exports increased from $662,000,000 in 1932 to $828,000,000 in 1938.

It is seen that the so-called competitive agricultural imports in 1938 were only 58 percent as large as our agricultural exports, which would be approximately the relationship between the years 1932 and 1930.

An examination of the income received by farmers in recent years should indicate that agriculture has not been injured by the imports. For example, the total cash income from the marketing of all farm products, exclusive of Government payments, was $4,606,000,000 in 1932 and $7,533,000,000 in 1938.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. COX. In just a moment.

The estimated income for 1939 is considerably above that of 1938.

All major agricultural groups of producers have participated in these increases.

I now yield to the gentleman.

Mr. H. CARL ANDERSEN. I am a farmer myself, and may I ask why you do not compare, as the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] did, those 12 years, including 1932, with the past 7 years? Why pick out one year?

Mr. COX. That might be done with profit.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. COX. In just a second.

It will be remembered that during the period of 1930 to 1932, the Hawley-Smoot tariff was in operation. During 1938, the trade-agreements program was in effect. Instead of a promised period of prosperity following the Hawley-Smoot Act, the cash income from the marketing of all crops fell by $1,912,000,000 and the income from marketing of livestock and livestock products dropped by $2,423,000,000. Income derived from the marketing of meat animals fell by $1,322,000,000, and income derived from marketing of dairy products declined by $640,000,000 between 1932 and 1938.

The income received from the marketing of all crops increased by $1,273,000,000 and the income received from the marketing of livestock and livestock products was increased by $1,659,000,000. Income from the marketing of meat animals rose by $1,022,000,000 while income derived from marketing of dairy products rose by $407,000,000.

I now yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. I think it should be pointed out that our exports of meat products have fallen materially. Between 1925 and 1929 our average annual exports of pork products amounted to over 1,000,000,000 pounds a year, but due to a series of droughts our exports of pork products fell to practically nil. We have not had a surplus in this country, but we are gradually accumulating a surplus again, and I want to point this out to the gentleman. Beginning in 1922 our exports of agricultural products amounted to approximately 50 percent of our total exports.

Since that time we have gradually been dwindling our agricultural exports, and our nonagricultural exports have been increasing. In other words, agriculture furnished approximately 50 percent of our total exports in 1922, and during the first 9 months of 1939 our agricultural exports accounted for only 18.6 percent of our total exports.

Mr. COX. Permit me to ask this question. Was not the loss of foreign markets to cotton largely responsible for that?

Mr. COFFEE of Nebraska. The loss of cotton was one of the items that accounted for a great deal of the shrinkage. We have lost our foreign markets, however, for wheat, and also for pork products. In fact, more attention should be paid to developing more markets for agricultural products, and less attention should be paid to facilitating the exportation of our industrial productions, at the expense of agriculture.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes.

Mr. BUCK. Let me call attention to this. The total amount of agricultural exports in 1938 was $827,000,000. The total amount of all exports for 1938 amounted to $1,591,000,000, which shows we are still over that 50 percent the gentleman was talking about, and the decrease for 1939 is unquestionably due to the unsettled conditions of foreign countries.

Mr. COFFEE of Nebraska. The gentleman's figures would indicate that agriculture furnished over eight hundred million.

Mr. BUCK. And that is over one-half.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes.

Mr. HOOK. I agree with the gentleman that the only way that we are going to be able to retain our world markets is through reciprocal-trade agreements. However, we must be very careful under the most-favored-nation clause. For instance, in this Argentine proposal, in the matter of cheese,

Argentina exports only what is known as the Italian type of cheese, and that is now manufactured in the United States. Argentina exported only $101,000, or about 1,000,000 pounds, but under the most-favored-nation clause Italy herself exports around about 26,000,0000 pounds, and if the proposed agreement for a reduction from 7 to 4 cents is made to Argentina, under the most-favored-nation clause Italy would get the benefit of that reduction on 26,000,000. I think that should be watched very closely under the most-favored-nation clause.

Mr. COX. I thank the gentleman.

Mr. DWORSHAK. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes.

Mr. DWORSHAK. The gentleman a short time ago made a very serious accusation against the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] and the gentleman from Massachusetts [Mr. TREADWAY], because he alleged they invoked partisanship in their opposition to the proposed tariff reductions on agricultural products under the Argentine treaty. Does the gentleman similarly accuse members of his own party, a score of Senators and Representatives from his own party, who appeared last week at the hearings of the Committee for Reciprocity Information, for vigorously protesting against a reduction in the agricultural tariffs?

Mr. COX. I do not accuse anybody. If there is any exception to the remark I made with reference to the political complexion of the addresses of the gentlemen from Minnesota and Massachusetts, I gladly withdraw it.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes.

Mr. O'CONNOR. I just want to make one more observation. I ask the gentleman to read the Republican platform promulgated by the national convention in 1932 and the Democratic platform promulgated by the national convention in 1932 and reaffirmed in 1936 on the part of both major political parties. If he does so, he will find that both parties pledged themselves to the American farmer, that they would reserve as far as possible the American market to the American producer. That was done on behalf of both major political parties in 1932 and in 1936. We owe to the farmer the duty of carrying out that pledge.

Mr. COX. And I am satisfied the State Department in endeavoring to carry forth this trade-agreement program, is undertaking to fulfill that promise.

Mr. HOOK. On the question of the type of testimony given before the Tariff Commission, the proposals at that time were submitted for the purpose of giving facts to the Tariff Commission. I happen to have appeared down there, and merely facts should have been presented. I thought while I was listening there that I was listening to political campaign speeches. It was a question of policy instead of facts.

Mr. COX. I dare say the gentleman is correct.

Mr. COFFEE of Nebraska. Would not the gentleman favor restoring to Congress that power which we have delegated, to the extent of ratifying these trade agreements, at least?

Mr. COX. Let me say in reply to the gentleman, the gentleman knows something of the way I feel toward the suggestion that Congress delegate any of its constitutional powers to others. I know, however, that the lesson of experience teaches that we cannot set up trade relations with other powers in a manner to do justice to all, and particularly to agriculture, through a congressional-made tariff. We have had those. The most recent is the Smoot-Hawley tariff bill. Does the gentleman find anything in the Smoot-Hawley Tariff Act that is of comfort to him or to agriculture?

Mr. COFFEE of Nebraska. There are certain phases of it, while I will agree that the Smoot-Hawley tariff bill as a whole was not an advisable measure.

Mr. COX. Even with Argentina alone, it brought our exports down from $210,288,000 in 1929 to $31,288,000 in 1932.

Mr. COFFEE of Nebraska. But would not the gentleman think it would be the proper function of Congress to at least ratify those trade agreements; that is, provide for ratification in the Senate, inasmuch as all other countries must ratify the agreements?

Mr. COX. I hope the gentleman will not take me into that field. It might have been well if Congress had attached that condition, in legislating. I do not know. I think, however, it would have meant that we would have had no tariffs except Congress-made tariffs, and they have proven failures.

Mr. RAYBURN. In other words, one man in the Senate might for 12 months hold up the ratification of any of those trade agreements?

Mr. COX. That is a very pertinent objection to the suggestion.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. BATES of Massachusetts. Does the gentleman feel we ought to develop this foreign trade at the expense of some particular industry, which involves 75 percent of the population of our communities?

Mr. COX. I do not. I think that imports will be better adjusted to conditions in this country as the result of the setting up of these agreements, and that no single commodity will have to take the brunt of heavy imports of competitive goods.

Much criticism has been directed toward the Canadian agreement. In spite of the alleged ill effects of the Canadian agreement on our cattle-raising industry and the comparatively large imports during this year, its representatives as late as October 18 admitted that the condition of the cattle industry were prosperous. The prices for cattle on September 15, this year, were above parity, and that is more than can be said for many other important agricultural products.

As I have heretofore stated, I represent a State and district which is largely agricultural and naturally am sympathetic to the cause of agriculture. We should not forget that agriculture generally has lost out in almost every congressional tariff revision of the past. We hope, and believe—and the record seems to show—that in the present reciprocity program agriculture has more to gain than lose. I can agree, however, with what the gentleman from Kansas [Mr. HOPE] said before the Committee for Reciprocity Information when he recently appeared before that body relative to the proposed agreement with Argentina. He said, in part:

> I think there are probably some agricultural commodities upon which there are excessively high rates just as there are some industrial commodities upon which the rates are excessive. Perhaps adjustments are needed.

In this reciprocity program the administration, under Secretary Hull, has set up an interdepartmental committee whose duty and responsibility it is to look into the manifold factors necessary for a proper adjustment of tariffs. The proposed agreement with Argentina is under that very process at present. It would be impossible now to indicate with any degree of accuracy the scope and nature of the tariff reductions which this Government will be able to make in the trade agreements now under consideration.

These matters are determined in the light of the information submitted by interested parties in public hearings. Whatever concessions are made, they will be, judging by the past, for the purpose of promoting the economic welfare of our Nation as a whole through the expansion of markets at home and abroad. The experience of previous negotiations should be assurance that every care will be exercised to avoid injury to our domestic producers.

In connection with these expressed fears, I want to point out the following statement which should have a calming influence from the notice of intention to negotiate with Argentina:

> The inclusion of any product in this list does not mean that a concession with respect to it will necessarily be granted. The concessions to be granted are not decided upon until after interested parties in the United States have been given full opportunity to present information and views in writing and orally. In the case of many of the products included in this list it may be that no concession will be made; it may be that the existing

import duty will merely be bound, without reduction; it may be that only a part of a given tariff classification, as set forth in the list, will be affected by the agreement; or it may be that a concession, if made, will be limited as to the quantity of the product to which, or the season during which, the concession is applicable.

Just how has agriculture fared in comparison with industry in the concessions obtained and granted? A larger proportion of agricultural than of nonagricultural exports from the United States is covered by the trade-agreement concessions. Farm products making up nearly one-half (46.9 percent) of this country's total farm exports in 1937 are affected by concessions made by foreign countries in trade agreements. Slightly less than one-fourth (24 percent) of the nonagricultural exports are of concession items.

Because many important agricultural export commodities of the United States, such as cotton and some foodstuffs, have in the past encountered relatively few excessive import barriers raised by foreign countries, a considerable proportion of the concessions that have been obtained for these products have taken the form of binding or guaranteeing the continuation of duty-free entry of our exports, or of relatively low tariffs already in effect.

The following table shows the percentages of 1937 export products covered by the various categories.

Percentages of United States exports on which trade-agreement concessions have been obtained (1937 basis)

	Agricultural products	Nonagricultural products	Total products
	Percent	*Percent*	*Percent*
Reductions in duty and other mitigations of barriers	12.9	14.4	14.0
Bindings of existing treatment	34.0	9.9	15.8
Total concessions	46.9	24.3	29.8

On the basis of the 1937 figures the United States has, in trade agreements, guaranteed the continued free entry of nearly two-fifths—38.9 percent—of its total agricultural imports. This country has also bound existing tariff rates on 1 percent of its total agricultural imports.

Thus the United States, in trade agreements, has granted actual tariff reductions on items which, in 1937, made up only about one-seventh—14.6 percent—of its agricultural imports. In this category nearly one-half was accounted for by Cuban sugar. Until the outbreak of the present European war imports of sugar were controlled entirely by quotas imposed under legislation other than tariff laws.

Excluding Cuban sugar, only 8 percent of the total agricultural imports in 1937 were of commodities on which tariffs have been lowered under trade agreements.

I believe we ought to look at the proposed agreement with Argentina in the light of American solidarity. It will be recalled that last spring Col. Frank Knox, candidate for Vice President on the Republican ticket in 1936, made an extended tour of various South American states. After his visit to Argentina, Mr. Knox said:

> To sell American products abroad, we must buy what some of our foreign customers have to sell. You cannot always sell and never buy in foreign markets. * * * The largest single export item of Argentina is linseed. We use far more linseed oil than we produce. We could take all of Argentina's linseed and still be short about 60 percent of our needs. We could admit linseed free from duty. It would be a great aid to Argentina and would help us.
>
> We require large quantities of quebracho extract, the wood from which tanning extract is made. We could take most, if not all, of this from Argentina. We use far more hides than we produce. A modification of the tariff on hides is both feasible and desirable. We import wool from abroad. A part of our foreign supply might well come from the pampas of Argentina.

I do not know that I agree with Colonel Knox in all of his statements, and I know many of my colleagues on both sides do not agree with him, but I have presented them to indicate that our reciprocity program is not necessarily a partisan program. Many other outstanding Republicans support this phase of our foreign policy.

We might explore to advantage our present trade position with the Latin American Republics. Taking Argentina alone during the 15-year period from 1924 to 1938, we sold to that country $1,542,600,000 worth of merchandise. In turn we bought $1,055,700,000 worth from it. Although too much stress should not be placed on a mere balance, we sold nearly a half billion dollars' worth more than we bought. During that period we sold to Argentina comparatively large quantities of such agricultural products as apples, rice, tobacco, and eggs.

Tabulations recently issued by the Division of Regional Information, United States Department of Commerce, show that in 1938, 64.5 percent of the total exports and 74.5 percent of the total imports of 20 Latin American countries went to and came from 6 countries, namely, the United States, Germany, the United Kingdom, Japan, France, and Italy. The relative share of each of these countries in Latin American trade is given in the following table:

Value of trade of 20 Latin American countries with selected countries, 1938

[Thousands of United States dollars]

	Exports to—		Imports from—	
	Value	Percent of total	Value	Percent of total
United States	553,006	31.5	497,195	35.8
Germany	181,683	10.3	238,170	17.1
United Kingdom	279,890	15.9	169,748	12.2
Japan	23,237	1.3	38,178	2.8
France	70,423	4.0	48,759	3.5
Italy	26,155	1.5	43,546	3.1
Total 6 countries	1,134,394	64.5	1,035,596	74.5
Total all countries	1,758,014	100.0	1,390,531	100.0

These figures reveal that from the purely material side the United States has an opportunity to develop permanent, profitable, and friendly commerce with South American countries. It is not a question of launching a campaign to oust others, in trade rivalry, from those markets. The present European war has eliminated much of the European competition and the trade of South America is literally being dropped into our laps, whether we like it or not. The position of leadership in trade is being made rather easy for us. We are the world's greatest creditor nation as well as the world's greatest source of raw materials; we have the facilities for carrying on world commerce. We ought to survey this general field and view the proposed agreement with Argentina in that light. We ought to look at the picture as a whole. The proposed agreement with Argentina is 1 in a series of more than 20. I recall that when the agreement was being negotiated with the United Kingdom about a year ago, representatives of many manufacturing industries expressed fear similar to that now being expressed by agriculture. They looked upon the proposed agreement with the United Kingdom as sacrificing the interests of the manufacturers for the interests of agriculture. It is true there were some concessions granted on manufactured products for the benefit of agriculture. Important concessions were also obtained for the direct benefit of agriculture in the United Kingdom agreement. I am glad to say, however, that the fears of the manufacturers have not materialized. Of course, war conditions may have affected the concessions of that agreement in both directions. The worst fears expressed have not happened in agreements thus far negotiated. I think those of us who continue to support trade agreements have been justified in our position.

The following excerpt from a Republican newspaper, which has not always supported the trade-agreements program, expresses the spirit of my remarks here today:

> Of course, no tariff treaty, no matter how carefully framed, would please everybody. In that respect a tariff treaty is precisely like an ordinary tariff law. But cannot there be more unity than there now is, between Democrats and Republicans, about the general purpose and effects of the reciprocal-trade program?

At the present time we should indicate an open-minded determination to establish beneficial trade relations with Latin America. The area of new negotiations should be expanded when possible. The experience of the past 5 years

should not now be jettisoned. The negotiations in progress with such countries as Argentina, Venezuela, Uruguay, and Chile are a part of this vital effort to maintain solidarity on the American Continents. We now have an opportunity to place the trade relations between this country and some of the important nations to the south on a basis of greater mutual advantage. This can be done to the undisputed benefit of both sides, and at the same time to strengthen the ties of friendship and good will in the Western Hemisphere. These factors are vitally important to our common security in a world now harassed by war.

POISON GAS

Mr. H. CARL ANDERSEN. Mr. Speaker, it is agreeable with the other gentlemen, who have kindly consented that I may have 1 minute at this time, providing there is no other objection.

The SPEAKER pro tempore. Is there objection that the gentleman may proceed for 1 minute?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, for the past 18 years, having a brother in the veterans' hospital at St. Cloud, Minn., it has been my duty to go there two or three times a year to visit him. I see him and some 700 other boys there, most of them in that institution, if you please, because of poison gas and shell shock, a grim reminder of the last World War. Today I am deeply shocked by the action of the body at the other end of the Capitol, wherein an embargo against the exportation of poison gas was refused by a vote of 54 to 36. I repeat, I am deeply shocked that any parliamentary body in this world would vote to ship poison gas, of all things, out of this Nation, of all nations, supposedly a free, peace-loving Nation, dedicated to the preservation and not to the destruction of mankind. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under special order heretofore entered, the gentleman from Montana [Mr. O'CONNOR] is recognized for 30 minutes. The Chair understood that the gentleman from Georgia [Mr. COX] had consumed 10 minutes of the time of the gentleman from Montana.

Mr. O'CONNOR. That is correct, Mr. Speaker. I gave the gentleman the time, as I was having a very interesting discussion with the gentleman.

NEUTRALITY

Mr. O'CONNOR. Mr. Speaker, we have heard some very fine speeches today on the question of neutrality and the question of trade agreements.

As the Representatives from Montana are very modest, diffident, and backward about asking for time [laughter], I feel that I want to carry on that habit or practice. Therefore I am not going to take the time that has been so generously given me by the Members of the House, and with the consent of the gentleman from Texas [Mr. RAYBURN], I move that the House do now adjourn. [Applause and laughter.]

The SPEAKER pro tempore. There is another special order.

The gentleman from Pennsylvania [Mr. CORBETT] is entitled to recognition for 20 minutes.

Mr. CORBETT. Mr. Speaker, I might have agreed with the gentleman's motion to adjourn, but I believe he will appreciate some of the information that may be made available to him here.

I recognize that there have been a great many speeches made on this floor, both today and other days, on the subject of neutrality, and I do submit that possibly we will have something a little different to present at this time.

There has been much loose and unsubstantiated talk about the purposes and effects of the Jeffersonian embargo and nonintercourse acts. Therefore and with no other immediate interest than historical accuracy, I here propose to discuss these two measures and the causes of the War of 1812.

The study which I have made is not complete, nor has all of the data been exhausted, but it is based on the best secondary authorities available and should prove quite sufficient to inform the Congress as to the studied conclusions of the majority of the recognized historians of the period.

After a very brief portrayal of the background we will turn specifically to the embargo and nonintercourse acts and then to the causes of our second war with England.

In 1792 a war broke out in Europe that was to involve England and the continent almost continuously from then until 1815. Our young Republic, guided by the wise neutrality proclamation of President Washington, enjoyed from 1792 till about 1806 perhaps the most prosperous times in its history. Our commerce in particular grew by leaps and bounds. Following the renewal of hostilities in 1803, and particularly after 1806, American shipping was increasingly caught in the cross-fire of Napoleon's continental system and England's blockade policy. These two systems were embodied primarily in Napoleon's Berlin and Milan decrees and successive orders in council promulated by the British Government.

These acts and the flagrant violations of our neutral rights gave us abundant provocation for war, but the United States was not prepared for war. Furthermore, Jefferson and later Madison were essentially pacifistic in their outlook. They sought to find some means short of actual conflict to secure the treatment that we as a sovereign power were entitled to.

The Embargo and Nonintercourse Acts were their replies to blockade and interference with American rights, and they had the support of the great majority of the Republican Party which controlled Congress during the period. These measures may best be accounted for by the desire of Jefferson and his colleagues to exert economic pressure upon the belligerents by depriving them of our goods which they sorely needed. Although Jefferson did recognize the fact that the embargo would safeguard our shipping from seizure, it seems clear that Jefferson and the Republicans looked upon it primarily as an economic sanction, as a means of bringing about the observance of our neutral rights without going to war. There is abundant evidence to support this thesis and the preponderance of historical opinion subscribes to it.

Fundamentally it appears that Jefferson had been a firm believer in the efficacy of a policy of economic coercion from Revolutionary times. He remembered the effect of the nonimportation policy in 1767–70 in securing the repeal of the Stamp Act and the Townsend Acts. Between 1789 and 1794 Madison, largely at the instigation of Jefferson, three times proposed in Congress commercial retaliation against Great Britain. The report on commerce, prepared while Jefferson was Secretary of State, was less definite as to an embargo but advocated commercial reprisals against European powers guilty of discriminating against American trade. So the acts of 1806–12 represented the evolution of a theory which Jefferson had been developing over a period of several decades.

But let the historians tell the story.

On July 16, 1810, after Jefferson had retired from office and the embargo had been repealed, he wrote Henry Dearborn:

> I have ever been anxious to avoid a war with England unless forced by a situation more losing than war itself, but I did believe we could coerce her to justice by peaceable means; and the embargo, evaded as it was, proved it would have coerced her, had it been honestly executed. (Paul L. Ford, editor, The Works of Thomas Jefferson, XI, 144.)

Henry Adams, the leading historian of the Jeffersonian period, has the following to say about Jefferson's policy in 1806:

> He believed implicitly in the efficacy of commercial restrictions; he thought the Nonimportation Act a better guaranty of good treatment than the best treaty ever made and was quite ready to try the experiment of such a measure against England. (Henry Adams, History of the United States During the Second Administration of Thomas Jefferson, vol. I (vol. III of series), 411.)

As to the Nonintercourse Act of April 18, 1806, Edward Channing states:

> The law was plainly designed as a club to be used by the American negotiators in London. (Edward Channing, A History of the United States, IV, 357–358, IV, 358.)

Claude G. Bowers, a former distinguished keynoter at a Democratic National Convention and an apologist for and

defender of Jefferson, also concurs with the historians just cited. He has written:

Jefferson was hopeful that the closing of the American market, if rigidly enforced, would soon drive England to terms without the drawing of the sword. (Claude G. Bowers, Jefferson in Power, pp. 453–454.)

Need more be advanced to prove that the Jeffersonian Embargo and the Nonintercourse Acts were economic sanctions—weapons forged as instruments of offense against the crippling policies of England and France rather than neutrality measures? If more evidence is needed that these laws were part of a commercial struggle as distinct from armed conflict, I have that evidence here and will gladly submit it.

Now let us turn to a consideration of the causes of the War of 1812. At the outset it must be pointed out that neither the embargo which expired in 1809 nor the Nonintercourse Act nor Macon's bill No. 2 were important causes. In fact, they were not causes at all. Soon we shall see that they might possibly have prevented the war had they been maintained.

I should also note that despite 2 years of professional research in the period of American history under discussion I have yet to find an authoritative statement which says that the Jefferson-Madison policy of economic sanctions was a cause of the war. In fact, I never saw or heard that statement in any form, substantiated or otherwise, until last September 21, when the Congress was reconvened in extraordinary session.

However, let us not be content with the absence of evidence. Let us see what the historians think caused that war.

J. H. Latane writes in A History of American Foreign Policy:

June 1, 1812, President Madison laid before the Congress a full statement of our grievances against England. They included the impressment of American seamen, the hovering of British cruisers within our territorial waters, the insolent conduct of officers in searching American vessels, the illegal blockade and restrictions upon American commerce established by the orders in council, the attempt to dismember the Union, and, finally, the intrigues with the Indians of the Northwest. (J. H. Latane, A History of American Foreign Policy, p. 143.)

S. J. Bemis, in A Diplomatic History of the United States, on page 156 declares:

It must be said at this place that the question of neutral rights could not alone have caused the War of 1812. The maritime constituencies of the Union voted against it. * * * A study of the debates and vote in Congress shows most of the navigating interests voting nay, and the interior, particularly the whole frontier in a great crescent from Vermont to Louisiana, voting aye. * * * War offered the opportunity of quelling these Indian conspiracies forever and at the same time, so the western "war hawks" thought, a conquest of Canada. On the other hand, the Southern and Southwestern States united with the rest of the West for war because they hoped that it would bring to them a conquest of Florida from Great Britain's feeble ally, Spain. The War of 1812, therefore, was finally caused by a western expansionist urge rather than solely by the just grievances of neutral rights and impressment.

We should remember that the new Congress which convened on November 4, 1811, contained 70 new Members, most of whom were young men and most of whom have always been classified as "war hawks." Henry Adams, in volume VI, page 123, the works previously quoted, records that the "war hawks," Clay, Calhoun, and the rest—

Bent on war with England, they were willing to face debt and probable bankruptcy on the chance of conquering Canada and carrying the American flag to Mobile and Key West.

Channing, on page 447 of his book, lists another factor. He points out that—

Monroe came into office (as Secretary of State) with a serious and firm conviction that the American Government must resent the usage it had received by an appeal to arms. These opinions he held forth day and night and was more responsible than anyone else for the declaration of war.

Allen Johnson, in volume 15 of The Chronicles of America, page 208, points out an interesting factor to consider, but one which is not fully subscribed to by historians generally. I read from his book:

The personal question which thrust itself upon Madison at this time was, indeed, whether he would have a second term of office. An old story, often told by his detractors, recounts a dramatic incident which is said to have occurred just as the congressional caucus of the party was about to meet. A committee of Republican Congressmen headed by Mr. Speaker Clay waited upon the President to tell him that if he wished a renomination he must agree to recommend a declaration of war. The story has never been corroborated; and the dramatic interview probably never occurred; yet the President knew, as everyone knew, that his renomination was possible only with the support of the war party. When he accepted the nomination from the Republican caucus on the 18th of May he tactily pledged himself to acquiesce in the plans of the "war hawks." Some days later an authentic interview did take place between the President and a deputation of Congressmen headed by the Speaker, in the course of which the President was assured of the support of Congress if he would recommend a declaration. Subsequent events point to a complete understanding.

All of these authoritative statements indicate one thing clearly, namely, that the Embargo and the Nonintercourse Acts did not involve us in the War of 1812. But we are not yet through. Let us regard how nearly they succeeded in keeping us out of that war. As a matter of mere chronology, the English Government acquiesced on June 17, 1812, and suspended the operation of the orders in council just 24 hours before the United States declared war. In truth, Castlereagh had announced on June 16 that they would be suspended. But let us again turn to those who know.

Turning to the work of Professor Bemis, I read from page 157:

Because of their failure to prevent war, Jefferson's expedients have long since been the laughingstock of historians. It is only fair to concede that if an Atlantic cable had existed in 1812 there might today be extolled everywhere by amiable and philosophical lovers of peace as an effective and bloodless remedy for the gravest international difficulties. The vote in Congress showed only a small majority for war. It is quite likely that had the impending repeal of the orders in council been known in Washington the declaration of war would not have carried the Senate.

Henry Adams, writing again of Jefferson in volume IV, page 464, concludes:

Yet he clung with more and more tenacity to the faith that his theory of peaceable coercion was sound; and when, within a few months of his death, he alluded for the last time to the embargo, he spoke of it as a measure which persevered in a little longer, we had subsequent and satisfactory assurance would have effected its object completely.

Turning once more to Allen Johnson, page 212, he states:

It is one of the bitterest ironies in history that just 24 hours before war was declared at Washington, the new ministry at Westminster announced its intention of immediately suspending the orders in council. Had President Monroe yielded to those moderates who advised him in April to send a minister to England, he might have been apprised of that gradual change in public opinion which was slowly undermining the authority of Spencer Perceval's ministry and commercial system. He had only to wait a little longer to score the greatest diplomatic triumph of his generation; but fate willed otherwise. No ocean cable flashed the news of the abrupt change which followed the tragic assassination of Perceval and the formation of a new ministry. When the slow-moving packets brought the tidings, war had begun.

Finally, let us consult James Truslow Adams. He declares on page 66 of his History of the United States:

Jefferson had "kept us out of war," but at a price which the people were unwilling to pay, and his hope of showing Europe that, instead of armed action, there are "peaceable means of repressing injustice by making it the interest of the aggressor to do what is just and abstain from future wrong" had proved vain. It is impossible to say whether he might have been successful had the people stood by him, not engaged in smuggling, and had kept their ships at home. The Federalists who blamed him most were the worst offenders in undermining his policy, and in any case he underestimated that preference for profit to patriotism, which is always in evidence in every crisis and which a statesman has to allow for.

Perhaps that last statement will bear repetition:

He underestimated that preference for profit to patriotism, which is always in evidence in every crisis.

Thus we could go on heaping fact on fact, but all this should be enough to prove that the Embargo and Nonintercourse Acts were in no way analogous to our present Embargo and Neutrality Acts in purpose. It should be enough to prove that these economic sanctions of Napoleonic times were not the causes of the War of 1812. It should be enough to prove that the Jeffersonian Embargo and Nonintercourse Acts came very close to preventing an unnecessary war and came very close to establishing a new instrument of national policy as a substitute for throat cutting. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, today throughout the Nation, in the mind of every surviving member of American wars and in the minds of American parents, there is a feeling so intense because of the neutrality issue that fist fights occur between old friends and former war buddies. It would appear that most discussions on neutrality are ended in a heated and frequently bitter controversy.

How can we keep out of war? Will the lifting or the retention of the embargo provision answer that question? That is the problem of the hour and the problem which rests heavily upon the people of America at this time. The membership of the House knows how much I abhor war and love peace, for the reason that I have on numerous occasions presented arguments and offered resolutions aiming at keeping America out of war. The thought of bloodshed for no purpose, which is war, is sickening to me and something against which we all revolt.

My colleagues, at this very minute America is faced with another kind of war even more sinister in its effects because it is destroying the morale and traditions of our beloved country. I refer to communism. I cannot remain silent while this menace spreads its filthy tenacles around this country that we all love and prepares for it a fate more dreadful than on the field of battle.

Daily we read of the activities of our congressional investigating committee, and from the testimony before that committee we learn of traitorous characters that were forced to flee from their respective countries through fear of death. "America for safety" was their slogan. They came to America with only a sneer for Old Glory and not an ounce of gratitude in their whole carcass. Some of them came here not to escape political oppression but as "missionaries of hate" determined to sabotage our institutions and to spread a gospel foreign and treacherous among our children. In addition to poisoning the minds of the youth of our country, they have tried to create a state of unrest among our working men and women. Yes, they have done even worse. The ships of our Navy have been damaged by sabotage, and American factories, so vital to our national defense, have been constantly endangered by these treacherous leeches. Their disciples have found their way into the Government "white collar" organization, as well as among our soldiers and sailors.

In spite of all the harm that has been done, nothing apparently has been done to correct the situation. Our courts seem helpless to deport them and our officials seem reluctant to prosecute them, but all the while they continue to do their dirty work, using the pulpit, radio, and the press. My boy and yours, and yours, and yours, Members of the House, are being slowly indoctrinated with these poisonous ideas of social life, religion, and government, just as the least intelligent of of our workers are being lead away from the principles of American democracy. God pity us that a sizeable number of our more intelligent citizens have gone over to this communistic program of destruction.

In the parade of witnesses before the House Committee Investigating Un-American Activities, have been some of the most contemptible creatures our liberal naturalization laws allow to be called citizens. They have brazenly told the committee that they would refuse to fight for America and they have admitted being engaged in espionage work against the best interests of our country. For their testimony, in which they admitted committing perjury and other capital crimes, they have been loudly praised in many quarters.

Earl Browder, head of the Communists in the United States and now under indictment in the Federal court for perjury as well as other Communists, have admitted that they traveled on falsified passports to Russia so that they could bring back to this country specific directions from that devil Stalin.

We are constantly receiving mail that is distinctly communistic propaganda. There seems to be no limit to the finances or gall of the individuals who are directing this campaign.

I have received recently from this same Browder a copy of a speech he made recently in Philadelphia. He said that Americans who want to keep out of this war should be in a position to understand and sympathize with the determination of the Soviet Union not to be used as a cat's-paw for one or another imperialist camp to pull its chestnuts out of the fires of war. Then he adds:

> But the Soviet Union has done much more than merely keep out of the war. Without engaging in a war it has been able to accomplish what all the rest of the world confessedly failed to do. It drew the line far from its own borders beyond which Nazi aggression dared not go. It even was able to force the Nazi military machine to retire and to redeem more than half of that Poland which the British-French Governments, with all their paper guaranties, had cast to the Nazi wolves. The Red Army marched. The Red Army marched into western Ukraine, White Russia, and Poland.
>
> Our American newspapers leaped to the defense of Chamberlain like a pack of well-trained hunting dogs. They leaped forward without a second's hesitation; they knew all the answers in advance. They didn't have to think a single moment before they began to vilify the Soviet Union, brand the march of the Red Army into western Ukraine, White Russia, and Poland on its mission of liberation and protection, as a "partnership in aggression" with the Nazi aggressors. But already, before the month of September is over, when war has been going on less than a month, through all the howling of the dogs of reaction, the truth forces its way through for all the world to see.
>
> The most rabid anti-Communists in America, who happen to have family connections in Poland, are publicly praying that their relatives may find themselves in the area occupied by the Red Army. American newspapermen in Rumania are forced to note in their dispatches that refugees who fled across the border before the advance of the Nazi armies, returned immediately to Poland when they learned that the Red Army had come.
>
> Behind the Red Army lines the peasant masses, long among the most exploited and oppressed in Europe, are fulfilling their age-long dream of undisputed possession of the land. It is their land for the first time in history. The quarter-of-a-million-acre estate of Prince Radziwill was one of the first to be distributed among the landless peasants. That is why they are so profoundly angry with the Soviet Union and the Red Army. They are angry because they know that this news that the land is being distributed to the men who dig the land and who raise the crops, that news they can't stop from spreading like wildfire throughout Europe and the rest of the world, especially throughout eastern Europe. The peasants are getting their land, and no censorship and no blockade can stop that news from penetrating over the world. And let us not forget that eastern Europe, as well as central Europe, including Germany, rests upon the foundation of a land-hungry and exploited peasantry, who are going to learn this news and are going to watch for the day, which is coming soon, when they can do the same thing in Germany and eastern Europe.

What would happen, I ask you fair-minded persons, if an American went to one of these "ism" countries and sought to wash himself of past sins by a confession? Rascals that have not the courage to go back where they came from but who come here and are received with certificates of citizenships.

I am sure that almost every Member of this House read the recent stories in the Saturday Evening Post by a General Krivitsky, a former Soviet military intelligence chief, who fled to this country for his life. They were enthralling articles, probably true. But I ask you, colleagues, why should such a person be allowed the sanctum of our country?

There was a Maurice Malkin, who told of fabulous espionage activities, admitted a prison record for "slugging." Another fine American.

Then there was a Ben Gitlow, deposed head of the American Communist Party. He told of forged passports, counterfeiting of American money, other crimes against the United States. But he said he quit the organization and was thus washed of his sins.

It does not take a thief to catch a thief, any more, Members of the House. Our excellent Federal Bureau of Investigation has demonstrated that. There is no more room in municipal police departments for such characters.

But who do we find as chief investigator of the Un-American Committee? Mr. J. B. Matthews. Check up on his past record and his brazen attempts now to chase down his former comrades.

Just the other day, the committee questioned a former member of the Communist Party, guarded by a police escort who brought him here from a prison cell in North Carolina. He said that the Communist had gone away down to North Carolina to foment a textile strike to promote a Communist organization. He is serving a sentence from 17 to 20 years for conspiracy to murder a police officer at Gastonia.

Almost at the same time, the Ford Motor Co. expelled 51 Russian experts, who had been given the courtesy of the plant ostensibly to study manufacturing methods. But they really sought to steal plans.

Mr. Speaker, and Members of the House, let us think seriously of this situation. War means death, crippled bodies, and dependents which this Government will forever support.

But this dreadful spread of communism is even worse to consider. It seems the destruction of religious freedom, of economic safety, political parties—the ruin of democracy.

It is not necessary to review the alliance of Russia and Germany. Hitler is more frightened than ever in his life. Well he might be. When Stalin is ready to take over, Germany is doomed. Not from bullets, but communism.

Now is the time for us to take steps. We have a wonderful organization within the Department of Justice, the Federal Bureau of Investigation. But best of all, Mr. Speaker and Members of the House, we have the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Spanish-American Veterans and, too, there are still a number of those glorious old soldiers of the Civil War who could wield a cane with plenty of vigor. Every one a proven patriot, and every organization solidly united toward the eradication of this danger.

These veterans have demonstrated their patriotism. They have posts scattered throughout the country, and there is no finer group or more vigilant men and women who are anxious, even eager, to meet this insidious threat to the tradition of America. They despise these "isms." Turn them loose with the best wishes of this Congress. But let us put some teeth in laws to care for these filthy Communists, and then offer to these war veterans the full assistance of that splendid organization, the Federal Bureau of Investigation.

Do this, and over night these rascals will take to cover. I propose that Congress invite these organizations to enlist themselves for the duration of the war against communism.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Friday, October 27, 1939, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY:

H. R. 7601. A bill to amend section 907 (c) of the Revenue Act of 1936; to the Committee on Ways and Means.

By Mr. HAVENNER:

H. J. Res. 393. Joint resolution authorizing negotiations for the acquisition of certain territory in the Western Hemisphere; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. PACE introduced a bill (H. R. 7602) for the relief of Emory N. Jenkins, which was referred to the Committee on Military Affairs.

SENATE

FRIDAY, OCTOBER 27, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 11 a. m., on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, creator and preserver of all things visible and invisible: We give Thee thanks for those things which no man has seen or can see, yet have reality for us, as suggested by things which are seen and do appear. We bless, Thee, O God, for that which is known only to the pure in heart, which transcends mere human knowledge; give to us this day an open vision and the inspiration that comes of character and grows in us as we grow in life and being. May it be ours to think and say and do only such things as shall be pleasing unto Thee and shall promote the safety, honor, and welfare of the people of the United States and amity and peace among the nations. Grant that more and more we may find kinship with the large and loving soul of Him in whom Thou didst reveal the fullness of the Godhead bodily, who came that we might have life and have it more abundantly, Jesus, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, October 26, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Austin	Ellender	Lucas	Sheppard
Bailey	Frazier	Lundeen	Shipstead
Bankhead	George	McCarran	Slattery
Barbour	Gerry	McKellar	Smathers
Barkley	Gibson	McNary	Smith
Bilbo	Gillette	Maloney	Stewart
Borah	Green	Mead	Taft
Bridges	Guffey	Miller	Thomas, Okla.
Brown	Gurney	Minton	Thomas, Utah
Bulow	Hale	Murray	Tobey
Burke	Harrison	Neely	Townsend
Byrd	Hatch	Norris	Truman
Byrnes	Hayden	Nye	Tydings
Capper	Herring	O'Mahoney	Vandenberg
Caraway	Hill	Overton	Van Nuys
Chandler	Holman	Pepper	Wagner
Chavez	Holt	Pittman	Walsh
Clark, Idaho	Hughes	Radcliffe	Wheeler
Clark, Mo.	Johnson, Calif.	Reed	White
Connally	Johnson, Colo.	Reynolds	Wiley
Danaher	King	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The VICE PRESIDENT. Ninety-one Senators have answered to their names. A quorum is present.

SEPTEMBER REPORT OF THE R. F. C.

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Reconstruction Finance Corporation, submitting, pursuant to law, a report of the activities and expenditures of the Corporation for the month of September 1939, including a statement of loan and other authorizations made during the month, showing the name, amount, and rate of interest or dividend in each case, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

PETITIONS

The VICE PRESIDENT laid before the Senate the petition of the Young People's Forum Committee, Mary Hardman, chairman, praying that the United States call a conference of representatives of the nations to take steps to stop the war in Europe, so as to bring about an effective peace, which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by the West Texas County Judges and Commissioners' Association and city officials at Lubbock, Tex., favoring the redistribution and reallocation of W. P. A. funds so as to increase the quotas and amounts available for relief of the unemployed in drought-stricken agricultural areas such as west Texas, which was reported to the Committee on Appropriations.

BILL INTRODUCED

Mr. BARBOUR introduced a bill (S. 2995) for the relief of John Horvath, which was read twice by its title and referred to the Committee on Immigration.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES IN NEW YORK HERALD-TRIBUNE FORUM

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by the President of the United States on October 26, 1939, in the New York Herald Tribune Forum, which appears in the Appendix.]

ADDRESS BY SENATOR BYRNES ON NEUTRALITY LEGISLATION

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD a radio address on neutrality legislation delivered by Senator BYRNES on October 26, 1939, which appears in the Appendix.]

HANDS OFF—ADDRESS BY SENATOR REYNOLDS ON NEUTRALITY

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a radio address delivered by him on the evening of October 26, 1939, on the subject of pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR LODGE ON NEUTRALITY LEGISLATION

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address on pending neutrality legislation delivered by Senator LODGE at the New York Herald Tribune Forum, October 26, 1939, which appears in the Appendix.]

ADDRESS BY SECRETARY ICKES TO THE NATIONAL COAL ASSOCIATION AT NEW YORK

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an address delivered by Hon. Harold L. Ickes, Secretary of the Interior, before the National Coal Association of New York on the subject of national fuel resources and supplies, which appears in the Appendix.]

INVESTIGATION BY FORTUNE OF PRICE-PEGGING SYSTEM

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD a press release by Fortune under the heading "Nation-wide Investigation by Fortune Reveals How Price-Pegging System Works in Almost Every City," which appears in the Appendix.]

ADDRESS BY SENATOR KING ON NEUTRALITY LEGISLATION

[Mr. KING asked and obtained leave to have printed in the RECORD an address delivered by himself on the subject of neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR JOHNSON OF CALIFORNIA ON NEUTRALITY LEGISLATION

[Mr. NYE asked and obtained leave to have printed in the RECORD a radio address delivered by Senator JOHNSON of California, on Tuesday, October 24, 1939, relative to pending neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR GREEN ON NEUTRALITY LEGISLATION

[Mr. BROWN asked and obtained leave to have printed in the RECORD a radio address delivered today by Senator GREEN relative to pending neutrality legislation, which appears in the Appendix.]

THE CHURCH AND THE UNDERPRIVILEGED—ADDRESS BY SENATOR MALONEY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered by him at the National Conference of Catholic Charities, at Denver, Colo., on Sunday, August 6, 1939, on the subject "The Church and the Underprivileged," which appears in the Appendix.]

ADDRESS BY REPRESENTATIVE VOORHIS, OF CALIFORNIA, BEFORE WASHINGTON TEACHERS' UNION

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address delivered by Representative JERRY VOORHIS before the Washington Teachers' Union on October 17, 1939, which appears in the Appendix.]

ADDRESS BY COL. THEODORE ROOSEVELT ON NEUTRALITY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address delivered by Col. Theodore Roosevelt on October 16, 1939, on the subject of neutrality, which appears in the Appendix.]

ARTICLE BY DAVID S. MUZZEY ON DEMOCRACY

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article by David S. Muzzey, professor of American history at Columbia University, entitled "All Is Not Lost in the Fight for Democracy," which appears in the Appendix.]

SEIZURE OF AMERICAN SHIPS

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article published in the New York Evening Post on October 26, 1939, under the headline "As the Crow Flies," by Ernest L. Myer, which appears in the Appendix.]

EDITORIAL BY VICTOR MURDOCK ON NEUTRALITY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an editorial by Victor Murdock in the Wichita (Kans.) Eagle entitled "America, Stay Out," which appears in the Appendix.]

STATEMENTS BY SENATOR WALSH ON PENDING NEUTRALITY LEGISLATION

[Mr. WALSH asked and obtained leave to have printed in the RECORD two statements made by him and published in the press, on the question of neutrality, which appear in the Appendix.]

PENDING NEUTRALITY LEGISLATION—EDITORIAL FROM EXTENSION MAGAZINE

[Mr. WALSH asked and obtained leave to have printed in the RECORD a portion of an editorial from the November issue of the Extension Magazine, on the subject of neutrality, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

The VICE PRESIDENT. Let the Chair see if he interprets correctly the intention of the Senate when it took a recess last night. It appears from the unanimous-consent agreement as stated in the RECORD that the Senator from Missouri [Mr. CLARK] had offered an amendment, which is now the pending question; that there was an agreement that the amendment should be debated 40 minutes this morning, the Senator from Missouri to control 20 minutes and the Senator from Nevada [Mr. PITTMAN] 20 minutes. That is the way the Chair interprets the agreement. Is that correct?

Mr. CLARK of Missouri. That is correct.

Mr. PITTMAN. That is correct.

Mr. CLARK of Missouri. Mr. President, there will be but one speech on the side of the proponents, which will be made by the Senator from Nevada [Mr. MCCARRAN]. Therefore, I suggest for the proponents of the amendment that the other side proceed.

Mr. PITTMAN. Mr. President, I ask unanimous consent that the provision of the pending joint resolution to be found on page 25, section 11, be read, and that the amendment proposed to that section by the Senator from Missouri be read, without taking the time required for the reading out of the 40 minutes allotted for debate. I think the Senate is entitled to know what the provision is.

Mr. MCNARY. Mr. President, I should like to accommodate the Senator, but I think we should adhere, so far as I am concerned, strictly to the agreement.

Mr. PITTMAN. It is satisfactory to the Senator from Nevada to do anything the Senator from Oregon desires.

Mr. MCNARY. I thank the Senator from Nevada.

Mr. PITTMAN. Mr. President, the Senate not having an opportunity to know from a reading at the desk exactly what the joint resolution as now framed proposes and what the amendment of the Senator from Missouri proposes, and the time being limited, I will merely state that in the existing law, which has been copied in the pending joint resolution, it is provided:

SEC. 11. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be

unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe.

There is a sound discretion vested in the President, based upon existing facts. The amendment offered by the Senator from Missouri makes it absolutely mandatory upon the President of the United States, after his proclamation has been made declaring a state of war, to prohibit any merchant vessel of a belligerent state from entering a harbor of the United States, if it has any armament upon it, no matter how insignificant.

The Senator from Missouri has cited the *Nereide* case, and the opinion delivered by Chief Justice Marshall in 1815. He quotes just one line from that decision, in which the Chief Justice states that the *Nereide* was a belligerent vessel. Of course it was a belligerent vessel, because it was a British vessel. The Chief Justice did not say it was a war vessel. Great Britain was at war with the United States at that time, and therefore it was a belligerent merchant vessel; but the whole opinion discloses the fact that though the *Nereide* was armed, that fact did not make it a war vessel. It was armed for defense; and, as the Chief Justice states, it was the custom of merchant vessels of belligerents from time immemorial to be armed for defense. He not only emphasized that fact, but although this British vessel was condemned by the courts of New York and the cargo was condemned, there were goods on the vessel that belonged to a citizen of Argentina; and the court determined that those goods of a citizen of Argentina, being friendly goods, although on a belligerent vessel, were entitled to go to that citizen.

If the Chief Justice had held that the *Nereide* was a war vessel, then international law with regard to a war vessel of a belligerent never would have justified the return of the neutral property to the owner of such neutral property. So that decision entirely sustains our position all the way through.

The only question involved here is as to whether we shall grant to the President discretion to determine when it is dangerous to the lives of our citizens and the peace of our country to restrict or prohibit armed merchant vessels of belligerents from entering or departing from our ports. There is no question that arming a merchant vessel for defense does not constitute it a war vessel; but I may say at that point that it lies entirely with our own Government as a neutral, controlling its own ports, having a duty to protect its own citizens and our peace, to determine when a vessel of a belligerent is a war vessel and when it is not a war vessel. I do not think anyone denies that statement.

There is no question that a submarine is a war vessel. However, it is a war vessel of a peculiar character. Therefore, we propose to allow the President to place additional restrictions on war vessels of that character; but a submarine comes within the general rules governing a war vessel. We allow the President to place restrictions upon an armed merchant vessel of a belligerent if, in his opinion, such arming endangers the lives of our citizens or threatens the peace of our country.

The Senator from Missouri [Mr. CLARK] said that we have contended that it is practically impossible to determine the difference between weapons of offense and weapons of defense. In that statement I thoroughly agree with him. It is impossible for us to tell whether the 5-inch gun mounted on the stern of a merchantman of Great Britain is an offensive weapon or a defensive weapon when we do not know how it will be used; but we do know that it is a defensive weapon when used on such ship. Ordinary experience and common sense have enabled us generally to tell the difference between a war vessel and a merchant vessel. They look different. They have different armaments. They are constructed for entirely different purposes. One of them is constructed for war purposes and the other for peacetime commercial purposes.

I admit, of course, that a merchantman might be converted into a warship, and we would determine for ourselves whether or not it had been so converted. There is no doubt that during the World War the *Emden* was converted into a warship, into a raider. There is no doubt that when we armed our merchant vessels in March 1917 we did not thereby constitute them a part of our naval vessels. We did not intend to make them war vessels. We did not make them war vessels. They were not recognized by any of the belligerents as war vessels. Even Germany did not denominate them war vessels. Germany, however, did state that it was impossible for her submarines to comply with the usual requirement of international law by coming to the surface and going on board a merchant vessel and searching it for contraband by reason of the danger of being sunk by a gun on board the merchant vessel.

So I say to you that not during the World War, nor ever that I know of, has a weapon on board a merchantman, when it was evident that the vessel carried it solely for purposes of defense against being captured or sunk, constituted it a war vessel. Neither does the size of the gun, the fact that a 5-inch gun is carried on the rear of the vessel, constitute it a war vessel. As a matter of fact, we know whether a vessel is a raider or whether it is a merchant vessel engaged in a regular route of commerce between the belligerent country and our ports. If it has on board simply one gun or two guns, is not leaving that course, is not seeking any enemy vessel, and is armed simply for defense against submarine attack or air attack, then we know it is not a war vessel; and if it is not a war vessel, we should not treat it as a war vessel.

Of course, there is a distinction between our arming our vessels as a neutral and a belligerent arming its merchant vessels. The belligerent, in arming its merchant vessels, knows from experience that its enemy will sink those vessels if it gets a chance; and 9 times out of 10 the only chance the belligerent merchant vessel has to defend itself when attacked by a submarine is to sink the submarine. On the contrary, we know that one of our neutral vessels will not be sunk in ordinary cases if it does not carry an arm, does not try to escape, does not rely merely on the flag to identify it, but is identified by certain markings. The situation is different. It was dangerous to us to have belligerent merchantmen armed at the time we allowed our citizens to travel on them during the World War, but now that we prohibit our citizens from traveling on them it is not so much a matter of concern to us. What the Clark amendment proposes is that if a belligerent vessel arms for defense—which has been done all through time—that vessel may not engage in commerce in our country, without regard to whether or not there is any danger to our citizens or to our peace, because if there is danger to our citizens or to our peace the President is directed, under the proposed legislation, to put restrictions on such vessels coming into our harbors.

That is all I have to say at this time. I yield either to the Senator from Texas [Mr. CONNALLY] or to the Senator from Kentucky [Mr. BARKLEY].

Mr. CONNALLY. Mr. President, I desire to call the attention of the Senate to the fact that the language contained in section 11 of the joint resolution is the identical language contained in the existing embargo statute. There is no change whatever. To adopt the language incorporated in the amendment offered by the Senator from Missouri [Mr. CLARK] would be practically to destroy all commerce with belligerent nations, for the simple reason that Great Britain has a well-established policy of permitting her merchantmen to arm for defense only; and if we prohibit any armed merchantmen from coming into our ports, we automatically shut the door to every British ship which comes here for any purpose whatever. The door would be closed to French vessels.

Mr. President, what is this policy? It is the well-defined policy of the United States, and has been all along, to permit armed merchantmen to visit our ports when they are armed only for defense. That was the attitude of the United States during the World War.

I cite a letter from Secretary Lansing dated September 19, 1914, to the British Ambassador, in which he points out that

the United States will permit armed merchantmen to visit our ports if they are armed for defense only as against submarines. If they are armed for purposes of offense, they will be excluded. That is what this provision empowers the President to do; he may issue his own regulations, and if the vessels are warships, of course, they are excluded, except under the exceptions provided by international law, that they may visit a port for refueling and supplying themselves until they can reach their destination, and leave the port within 24 hours.

Mr. President, there is no danger to the peace of the United States. The pending measure is supposed to keep us out of war. Visits of armed merchantmen to ports of the United States, so long as they are armed only for their own defense as against submarines, cannot in anywise endanger the peace of the United States. They come and they depart. There is nothing to involve us.

The Disarmament Treaty of 1922, which was ratified by the Senate, recognizes this principle. In article XIV it is provided:

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6-inch (152 millimeters) caliber.

In other words, we recognize the principle that we will not permit merchant vessels to convert themselves into war vessels, but we explicitly provide that mountings may be prepared on merchant ships for the mounting of guns not larger than 6 inches. That is because even under the regulations issued by the President and under the attitude of the United States during the World War, we recognized that guns up to 6 inches were permissible as defensive weapons against submarines, but not for offensive purposes.

Furthermore, Mr. President, if we treat other nations in this way, if we ever get into war they will treat us the same way, exclude all of our commerce on merchant vessels which happen to have defensive weapons on them.

The Senator from Missouri read from the Supreme Court decision of Chief Justice Marshall in the *Nereide* case. The Chief Justice said in that case:

In point of fact, it is believed that a belligerent merchant vessel rarely sails unarmed—

"Rarely sails unarmed"—practically none of them sail unarmed.

So that this exception from the rule would be greater than the rule itself. At all events, the number of those who are armed, and who sail under convoy, is too great not to have attracted the attention of writers on public law; and this exception to their very general rule, if it existed, would certainly be found in some of their works.

Omitting portions of the opinion, this language occurs:

The antiquity of the rule is certainly not unworthy of consideration. It is to be traced back to the time when almost every merchantman was in a condition for self-defense, and the implements of war were so light and so cheap that scarcely any would sail without them.

Mr. President, the provision in question leaves the matter in the hands of the President. If a merchant vessel becomes a warship, he excludes it. He has power to issue rules and regulations, and there is absolutely no danger whatever. But the amendment of the Senator from Missouri would take away from the President that authority. He would arbitrarily close our ports.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WHITE. I am sure the Senator from Texas has in mind that our merchant-marine legislation requires that all ships constructed by the Government shall be built on plans and specifications approved by our Navy, the ultimate purpose of the provision being that they shall be so constructed that defensive weapons may be mounted on them.

Mr. CONNALLY. I thank the Senator from Maine. There is no Senator in this body who knows more about the merchant marine or the shipping laws of this country than does the Senator from Maine; and I thank him for pointing out that the law requires that, in the construction of merchant vessels, under the Maritime Commission, the plans shall be submitted to the Navy Department for the very purpose of enabling the Navy to see to it that they are so constructed that when war comes they may be able to mount weapons for defense, in conformity with the views which I am undertaking so poorly to express, and in conformity with the pending legislation.

Mr. President, I ask unanimous consent that I may have printed at the conclusion of my remarks a memorandum on this subject for the information of the Senate.

The PRESIDING OFFICER (Mr. BYRNES in the chair). Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

SHOULD ARMED MERCHANT VESSELS OF BELLIGERENT COUNTRIES BE PERMITTED TO ENTER THE PORTS OF THE UNITED STATES?

The laws of naval warfare are based for the most part upon custom. The practice of arming merchant vessels for defensive purposes is of ancient origin, having been carried on for at least three centuries. Authorities in international law state that the historical evidence as to the arming of merchant ships in self-defense from the time of Charles I onward is conclusive, citing numerous acts of the seventeenth and eighteenth centuries, and the practice of merchant vessels in carrying guns for self-defense not only in times of war but also in times of peace. (Higgins' Defensively Armed Ships and Submarine Warfare, 1917, pp. 6, 7.)

Speaking for the Supreme Court in 1815, Chief Justice Marshall stated:

"In point of fact, it is believed that a belligerent merchant vessel rarely sails unarmed. * * * At all events, the number of those who are armed and who sail under convoy is too great not to have attracted the attention of writers on public law"—

and he adds that there was a time "when almost every merchantman was in a condition for self-defense, and the implements of war were so light and so cheap that scarcely any would sail without them." (The *Nereide*, 9 Cranch, p. 426.)

Another authority states that the introduction of armament intended to be used exclusively for defensive purposes by merchantmen "is sanctioned by the long-established custom of many maritime powers; in this country (Great Britain) the practice has definitely been established for at least three centuries." (Sir Frederick Smith, The Destruction of Merchant Ships Under the Naval Law, 1917, p. 20.)

Indeed, the practice of arming merchant vessels for defense was compulsory in England in the seventeenth century (Higgins, supra) and commercial contracts elsewhere seem to have required such arming. (The *Panama*, 176 U. S. 535.)

Although merchant vessels were armed primarily for defense against privateers and pirates, this was not exclusively the case, such vessels being armed when fitting out for trading voyages to certain foreign countries as a protection against the natives. (Moore's Digest of International Law, vol. 2, p. 1070.)

Privateering was abolished by the first article of the Declaration of Paris of April 16, 1856, but despite the disappearance of piracy and the abolition of privateering, merchant vessels continued to arm for self-defense when the conditions necessitated it and the right to do so was uncontroverted at the time of the outbreak of the World War. (See II Hyde, International Law Chiefly as Interpreted by the United States, sec. 709 and the authorities there cited.) The reason for the rule is well stated by Professor Stowell:

"It is the most fundamental right we can think of for a man to defend his property unless somebody with authority comes to take it from him. A merchant sailing the seas has a right to defend his property unless somebody under authority comes to take it from him. Certainly the enemy are not coming with authority to take it from him unless by international law they have been given that right; but to the present day that right has never been given." (Proceedings, American Society of International Law, 1917, p. 22.)

After the outbreak of the World War and the use of submarines against merchant shipping, the distinction between offensive and defensive armament, which had not theretofore received any particular attention, became a matter of widespread discussion and controversy, due to the vulnerability of the submarine to attack. Chandler P. Anderson, in an address before the American Society of International Law, took the position that—

"The status of armed merchantmen depends primarily upon whether their armament is for aggressive or for defensive purposes. The merchantman armed for attack upon commerce or upon enemy ships loses its status as a merchantman and acquires that of an auxiliary cruiser or privateer, which puts it outside of the scope of the present discussion. On the other hand, a merchantman armed solely for self-defense retains its status as a private ship, either on the high seas or in the territorial waters of a neutral, so long as it attends strictly to its legitimate business of carrying cargoes and passengers. This was the accepted rule prior to the present war and until Germany discovered that a merchantman armed for defense and retaining its status as a private ship presented an obstacle to the unrestricted use of submarines as commerce destroyers." (Ibid., p. 11.)

In answering the question, "What is defensive armament?" Higgins states that, "there is in fact, no difference between offensive and defensive armament, a 6-inch gun can be used for either purpose;

but a 6-inch gun is placed on a merchant ship in order to enable it to defend itself from capture. 'It is not the nature of the armament but the use which is made of it that makes it offensive.' (Dr. Ellery Stowell in the New York American, March 7, 1916.) A warship is entitled to act on the offensive, to visit, search, and capture enemy or neutral ships; the armed merchantmen must do none of these things, except when capture follows on a successful resistance to attack by an enemy warship" (supra, p. 21).

Professor Garner takes the position that the contention of the German Government that a merchant vessel has no right to defend itself against attack by a warship and that every merchant vessel which carries armament for any purpose, whether for defense or attack, must be treated as a warship "was contrary to the views of practically all the authorities, contrary to the practice of the past, and contrary to the rules laid down in the prize codes of all the maritime powers, including even that of Germany itself." (International Law of the World War, vol. 1, p. 393.)

The question whether a merchant ship is armed for offense or defense is, of course, important in determining the rights of the vessel. If the ship is armed for offensive purposes, it is clear that its rights would be entirely different from those of a private vessel, which is its status if it is armed for defense only. This would be particularly true with reference to its access to neutral ports. Warships of belligerents are not admitted to neutral ports except for a very short period, and are limited in the amount of supplies they may receive, whereas an ordinary merchant vessel may be allowed to stay in port as long as it chooses and take on as much provisions and cargo as it chooses.

The right of merchant vessels carrying armament for defensive purposes only to use the ports of the United States was raised early in the World War. The position of this Government was set forth in a memorandum of September 19, 1914, which stated that a merchant vessel of belligerent nationality might carry an armament and ammunition for the sole purpose of defense without acquiring the character of a ship of war, and that any presumption that the armament was for offensive purposes might be overcome by evidence showing that the vessel was armed solely for defense. The memorandum continued that the ship must show conclusively that its armament was not intended for offensive operations, and certain specifications concerning the size and number of guns, their position on the vessel, the quantity of ammunition carried, etc., were laid down as indicative that the armament would not be used offensively. (American White Book, vol. 2, p. 43.)

As a result of further controversy with the British and German Governments concerning the status of armed merchant vessels, the Department of State issued a memorandum on the status of such vessels on March 25, 1916. That memorandum stated that the status of an armed merchant vessel in neutral waters might be determined, in the absence of documentary proof or conclusive evidence of previous aggressive conduct, by presumption derived from all the circumstances of the case. It went on to define the relations of belligerents and neutrals as effected by the status of armed merchant vessels in neutral ports, and in that connection said:

"(4) Merchantmen of belligerent nationality armed only for purposes of protection against the enemy are entitled to enter and leave neutral ports without hindrance in the course of legitimate trade.

"(5) Armed merchantmen of belligerent nationality under a commission or orders of their government to use, under penalty, their armament for aggressive purposes, or merchantmen which, without such commission or orders, have used their armaments for aggressive purposes, are not entitled to the same hospitality in neutral ports as peaceable armed merchantmen." (American White Book, vol. 3, pp. 190–191.)

All other neutral states, excepting Holland, recognized the legality of armed merchant ships during the World War by admitting them to their ports on the usual terms of ordinary merchant vessels. A few states made regulations stipulating certain terms on which the armed merchant vessels would be admitted, but only one state, the Netherlands, refused to admit defensively armed merchant ships into its ports on the footing of ordinary merchant ships. (Higgins, pp. 17, 18.)

The possibility of arming merchant ships was specifically recognized by this and other governments in the treaty limiting naval armaments concluded at Washington, February 6, 1922, article XIV of which stipulates that decks may be stiffened "for the mounting of guns not exceeding 6-inch (152 millimeters) caliber."

It is believed to be clear from the foregoing that the general rule of international law is that merchant vessels may arm for defense without loss of their private character and that they may, therefore, be admitted to the ports of a neutral as merchant vessels and not warships.

Mr. BARKLEY. Mr. President——

Mr. CONNALLY. I yield to the Senator.

Mr. BARKLEY. How much more time remains?

The PRESIDING OFFICER. The Senator from Texas has 2 minutes more.

Mr. BARKLEY. I wish to say, in the remaining time, that under the pending measure we outlaw any commerce between the United States and belligerent nations on our own ships, and if this amendment should be agreed to, we would outlaw any commerce between the United States and belligerents on their ships; so we would impose an embargo on commerce between the United States and any belligerent country.

There is a difference between the treatment a submarine should receive at the hands of a neutral and the treatment an armed merchant vessel should receive. A merchant vessel is out on the sea, it is above board, it can be seen, it can be regulated. It is subject to strict regulations within the 3-mile limit. But that is not true of a submarine. If we start out after it and undertake to punish it as a result of some violation of our regulations, it will submerge and escape. What we are asked to do by the amendment is to provide that a merchant vessel, a vessel carrying on commerce between a belligerent and our country, if it mounts a gun in order to defend itself from an assassin, cannot enter our ports. That is what it amounts to.

Mr. GEORGE. Mr. President, I call the attention of the Senator to the fact that a submarine is not a merchant vessel.

Mr. BARKLEY. Of course a submarine is not a merchant vessel; it is a war vessel.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment of the committee.

Mr. CLARK of Missouri. Mr. President, I yield the remainder of my time to the junior Senator from Nevada [Mr. MCCARRAN].

Mr. ADAMS. Mr. President, may I propound a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. ADAMS. Am I to understand that other Senators are now precluded from speaking on this amendment, by the unanimous-consent agreement? I desired to offer some remarks in connection with it. I was not here at the time the agreement was made; there was no quorum call—and there did not have to be one, I admit—but I thought a certain amount of time was allowed to each Senator. This is a very vital amendment.

The PRESIDING OFFICER. The Chair is informed that there was an agreement by unanimous consent under which the time was to be divided, one half of the time to be controlled by the Senator from Missouri [Mr. CLARK] and the other half by the senior Senator from Nevada [Mr. PITTMAN].

Mr. MCCARRAN. Mr. President, let me say in that regard, in order that I may comply with the entirely correct request or suggestion of the Senator from Colorado, that I hope to confine my remarks to approximately half of the time allotted, which will be about 10 minutes. I will try to cut my remarks down.

Mr. CLARK of Missouri. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. In view of the fact that I have given assurances to the senior Senator from Nevada [Mr. PITTMAN] that there would be only one more speech on our side and in view of the fact that, under the unanimous-consent agreement, the time on this side is to be controlled by me, if the junior Senator from Nevada does not use the time which has been allotted to him, it seems to me good faith would require that there should be a vote when he concludes.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the time was to be divided, the Senator from Missouri [Mr. CLARK] to control the time on his side, and he has yielded to the junior Senator from Nevada [Mr. MCCARRAN].

Mr. CLARK of Missouri. In view of the fact that I assured the senior Senator from Nevada [Mr. PITTMAN] that there would be only one speech on this side, which was the occasion for the time on the other side being divided as it was, I do not feel that in good faith I have a right to have the time on this side further divided.

The PRESIDING OFFICER. The Chair understood the Senator from Missouri to yield the balance of his time to the junior Senator from Nevada, and has recognized the junior Senator from Nevada.

Mr. MCCARRAN. Mr. President, I send forward, and shall later ask, to have read by the clerk and inserted in the RECORD

a letter received by the senior Senator from Missouri [Mr. CLARK] from Prof. Edwin Borchard, dated October 26, 1939. Professor Borchard will be recognized as an outstanding authority on international law, and he has given much attention to the particular subject now before us.

I realize at the outset that I probably am talking against a determined defeat. The Senate has been voting down every amendment right straight along. It has voted so as to place the stamp of approval upon the use of gas in war. It has even voted so as to place the stamp of approval upon flame throwers in war. But I think that it is worth while that the Senate of the United States should give serious attention to the particular amendment now pending, because some day or other we will review the whole situation, and those who are really interested, perchance in an hour when we may not be at peace, as we are now, will wish that they had given more thought to the subject; and that is by no means said by way of criticism of those who will vote against the position I take.

Mr. President, as I view the situation, speaking along the lines of my humble experience, the law has been determined, so far as a court of last resort for this country can determine it, in the *Nereide* case. That case covers some forty-odd pages, giving a very complete history of the *Nereide*, her lessor, her master, and the cargo which she carried. She was at that time flying the British flag. She was chartered by a citizen of a neutral country, and the fact of the neutrality of that particular country was sought to be impressed upon her. She carried 10 guns, mounted, and there were 16 men in the crew. She was, according to Chief Justice Marshall, a belligerent, which had mounted guns for offense and defense, and therefore she must take the consequences which might befall such a vessel. That was Chief Justice Marshall's decision. Senators may read it as long and as often as they like, and they can reach no other conclusion.

Mr. President, what is the purpose of the pending amendment? Let us go back to first principles. The purpose of the amendment proposed by the Senator from Missouri is to protect America so far as possible by providing that vessels of a belligerent nation which are armored, which have guns mounted on them, shall not enter the territorial waters of the United States, nor its ports, when, as the result of what may happen upon their leaving our territorial waters, they may bring us into war. That is the whole story and purpose of the amendment.

Even though it may be in the present law, I have no objection to it being written into the pending measure. Even though it is written in the law as it is now, it will do no harm to write it in again.

Mr. President, the able Senator from Texas [Mr. CONNALLY] is entirely correct in many of his expressions, but the able Senator in applying the *Nereide* case forgets the fact that implements of war used on the water have been changed since the decision in the *Nereide* case was written. Today we have the submarine, which is known to be a destructive agency. But the submarine may also be a merchant vessel carrying merchandise, and may ply the waters of the world without mounted guns or without carrying guns at all. We have an example of such a vessel. A merchant vessel plying the sea under the waves left a German port during the World War and carried a complete cargo of merchandise—noncontraband merchandise, if you please. She went beneath the waters and came up in an American port, but she did not carry a single gun; she came over here without carrying a gun, either for offense or for defense or for any purposes. She later left the American port and returned to her home port.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CONNALLY. The Senator from Nevada honored the Senator from Texas when he mentioned his name a moment ago and said the Senator from Texas had forgotten that methods of warfare had changed since the decision in the *Nereide* case. Does not the Senator from Nevada, as a distinguished lawyer and a great jurist, recognize that defensive measures are proportioned and are measured by the offensive measures which are taken against a country, so that with the coming into being of the submarine-defensive processes as against the submarine would come along in the natural course of events? One hundred years ago——

Mr. McCARRAN. Mr. President, I hope the Senator from Texas will not use any of my time in which to make a speech.

Mr. CONNALLY. I beg the Senator's pardon. I would not have interrupted his speech if it had not been that the Senator emboldened me by referring to my statement.

Mr. McCARRAN. In answering the Senator's question, I take great confidence from the fact that for the past 2 days I have heard the Senator say that an offensive weapon cannot be distinguished from a defensive weapon.

Mr. CONNALLY. One can distinguish the use of them, though.

Mr. McCARRAN. One may be able to distinguish the use of them; but when a submarine comes up and knows that a belligerent vessel of the enemy is in the neighborhood, and that it is instructed to shoot at the submarine on sight, and also knows that one blast from that enemy vessel will sink the submarine, then the submarine can take no chances.

Mr. President, a submarine merchant vessel is as much a merchantman as is a surface merchant vessel. If a submarine merchant vessel can enter one of our ports carrying noncontraband of war, as did the *Deutschland*, which came across the ocean to our shores, without carrying a gun, and went into one of our ports and left the port and went out to sea again—if a submarine can do that, then she is as much a merchantman as is a surface merchant vessel.

That, however, is beside the question. The thought I wish to impress upon the Senate now, shearing from the question everything else, is that our court of last resort has dealt with this question conclusively. The attempt was made to prove that this vessel, the *Nereide* was plying the ocean without any idea of being a belligerent or a war vessel. Chief Justice Marshall, in dealing with the question, brushed aside everything else and held that since she had mounted guns she was armed either for offensive or defensive purposes, and therefore she must take her chances. Why do I deal with that point?

Mr. PITTMAN. Mr. President, the Senator will not find the words "offensive" or "defensive" in the opinion.

Mr. McCARRAN. No; those words will not be found in the decision, but Senators will find the conclusion I have stated. The words I have employed are not used in the decision, but, remember, I am dealing with an opinion of some 40 pages in the short period of 20 minutes.

Mr. President, that is not the question now before us. The question before us is, How can we fortify ourselves so as not to be drawn into the present European war or any other war? That is the object, that is the aim, that is the purpose of the pending amendment. That being true, then if a submarine, whether armed or unarmed, is to be regarded as a vessel which should not enter our ports, an armored merchantman, whether armed for offense or defense, should be placed in the same category. No one can draw the line, as was so well said by the able Senator from Texas, as to whether it is armed for offense or defense. Otherwise we say to the world that we will not allow to come into our ports the submarines of one nation or another nation, but we will allow to come into our ports the armed surface vessels, every one of which, so far as destruction is concerned, has the same potentialities.

Mr. President, I now ask that the letter written by Edwin Borchard to the Senator from Missouri [Mr. CLARK] be read.

The PRESIDING OFFICER (Mr. HILL in the chair). Without objection, the clerk will read as requested.

The legislative clerk read as follows:

YALE UNIVERSITY SCHOOL OF LAW,
New Haven, Conn., October 26, 1939.

The Honorable BENNETT C. CLARK,
United States Senate, Washington, D. C.

DEAR SENATOR CLARK: I hope you can succeed in having armed merchantmen excluded from American ports. In association with the exclusion of submarines, the admission of armed ships is not

merely unneutral but I believe it to be inherently contrary to international law. If British ships must arm, let them unload and reload their arms at Halifax.

I devoted a chapter of the book Neutrality for the United States to the mishandling of the armed-ship question during the late war. You are also acquainted with John Bassett Moore's letter to the New York Evening Sun of September 27.

At the Pan American Conference of Havana, 1928, a neutrality convention was adopted by which practically all the Latin American countries agreed to treat armed merchant ships entering their ports as having the status of warships. The United States made a reservation on that particular section for reasons of which I am not aware. But the Latin Americans did not make a reservation.

I now find that in the Panama declaration of October 3, 1939, there is a passage to the effect that armed belligerent merchantmen carrying not more than four 6-inch guns mounted on the stern shall not be assimilated to warships. The mention of four 6-inch guns leads me to believe that the United States is unfortunately now subverting the Latin American countries, perhaps under the head of the good-neighbor policy, from their adherence to law to our departures from law. All the Latin Americans seem to have been able to save was the reservation that the guns be mounted on the stern, whereas we seem to be openly admitting ships armed fore and aft.

A treaty was signed in Washington, February 6, 1922, between the United States, Great Britain, France, Italy, and Japan to protect, among other purposes, the lives of neutrals and noncombatants at sea in time of war. Article I, relating to submarines, reads as follows:

"(1) A merchant vessel must be ordered to submit to visit and search to determine its character before it can be seized.

"A merchant vessel must not be attacked unless it refuse to submit to visit and search after warning or to proceed as directed after seizure.

"A merchant vessel must not be destroyed unless the crew and passengers have been first placed in safety.

"(2) Belligerent submarines are not under any circumstances exempt from the universal rules above stated; and if a submarine cannot capture a merchant vessel in conformity with these rules the existing law of nations requires it to desist from attack and from seizure and to permit the merchant vessel to proceed unmolested."

You will thus observe that submarines are expressly treated as lawful naval vessels and particularly as having the right to visit and search. These merchant vessels may be attacked if, after warning, they refuse to submit. How, then, could it possibly be argued that a merchant vessel may carry armament to resist visit and sink the submarine? The gun precludes any possibility of visit. Accompanied as it is by orders to sink and ram submarines, the armed merchantman is "an open and declared belligerent." We should follow the concise reasoning of Holland, which during the late war defended its right, as against Great Britain, to refuse to admit armed British merchantmen to Dutch ports.

Very faithfully yours,

EDWIN BORCHARD.

Mr. McCARRAN. Mr. President, in order that the Senate may have a glimpse of the language of Chief Justice Marshall in the *Nereide* case, I shall read a short excerpt from it. He speaks of the argument by which it was sought to establish that the *Nereide* was a peaceful merchant vessel plying to a neutral port. She was on her way to a port in South America. Chief Justice Marshall says:

> The *Nereide* has not that centaur-like appearance which has been ascribed to her; she does not rove over the ocean, hurling the thunders of war, while sheltered by the olive branch of peace; she is not composed in part of the neutral character of Mr. Pinto—
>
> Who was a contractor on the vessel—
>
> and in part of the hostile character of her owner. She is an open and declared belligerent; claiming all the rights, and subject to all the dangers, of the belligerent character.

Let us consider the present situation. If I am not mistaken, the rules and regulations of the British Admiralty provide that every merchantman subsidized by British money, and flying the British flag, shall be an auxiliary member of the British Navy in time of war in which England is involved. More than that, every merchantman subsidized by British money must carry mountings for guns and armament. Following that we have the regulations set out by the British Admiralty during the World War, in which such vessels were ordered to fire on submarines at sight. They were taking no chances.

Mr. President, all this is mentioned to show that today such vessels are just as much a part of the British Navy as though they were armored cruisers, save and except they are not exactly so constructed. Nevertheless, they are just as destructive within the ability of the guns they carry.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired. The question is on the amendment of the Senator from Missouri [Mr. CLARK] to the committee amendment.

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Austin	Ellender	Lucas	Sheppard
Bailey	Frazier	Lundeen	Shipstead
Bankhead	George	McCarran	Slattery
Barbour	Gerry	McKellar	Smathers
Barkley	Gibson	McNary	Smith
Bilbo	Gillette	Maloney	Stewart
Borah	Green	Mead	Taft
Bridges	Guffey	Miller	Thomas, Okla.
Brown	Gurney	Minton	Thomas, Utah
Bulow	Hale	Murray	Tobey
Burke	Harrison	Neely	Townsend
Byrd	Hatch	Norris	Truman
Byrnes	Hayden	Nye	Tydings
Capper	Herring	O'Mahoney	Vandenberg
Caraway	Hill	Overton	Van Nuys
Chandler	Holman	Pepper	Wagner
Chavez	Holt	Pittman	Walsh
Clark, Idaho	Hughes	Radcliffe	Wheeler
Clark, Mo.	Johnson, Calif.	Reed	White
Connally	Johnson, Colo.	Reynolds	Wiley
Danaher	King	Russell	

The PRESIDING OFFICER. Ninety-one Senators have answered to their names. A quorum is present.

The question is on the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment in the nature of a substitute.

On that question the yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I am paired with the senior Senator from Virginia [Mr. GLASS]. I am informed that if present he would vote "nay." I transfer my pair with him to the senior Senator from Washington [Mr. BONE] and will vote. I vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained on account of illness.

The Senator from Arizona [Mr. ASHURST] is detained by illness in his family.

The Senator from Ohio [Mr. DONAHEY] is unavoidably detained.

Mr. McNARY. The Senator from Massachusetts [Mr. LODGE] is unavoidably detained. I am informed that if present he would vote "yea."

The result was announced—yeas 26, nays 65, as follows:

YEAS—26

Borah	Downey	McCarran	Tobey
Bulow	Frazier	McNary	Vandenberg
Capper	Holman	Nye	Walsh
Chavez	Holt	Overton	Wheeler
Clark, Idaho	Johnson, Calif.	Reed	Wiley
Clark, Mo.	La Follette	Reynolds	
Danaher	Lundeen	Shipstead	

NAYS—65

Adams	Ellender	Lee	Sheppard
Andrews	George	Lucas	Slattery
Austin	Gerry	McKellar	Smathers
Bailey	Gibson	Maloney	Smith
Bankhead	Gillette	Mead	Stewart
Barbour	Green	Miller	Taft
Barkley	Guffey	Minton	Thomas, Okla.
Bilbo	Gurney	Murray	Thomas, Utah
Bridges	Hale	Neely	Townsend
Brown	Harrison	Norris	Truman
Burke	Hatch	O'Mahoney	Tydings
Byrd	Hayden	Pepper	Van Nuys
Byrnes	Herring	Pittman	Wagner
Caraway	Hill	Radcliffe	White
Chandler	Hughes	Russell	
Connally	Johnson, Colo.	Schwartz	
Davis	King	Schwellenbach	

NOT VOTING—5

Ashurst	Donahey	Glass	Lodge
Bone			

So the amendment of Mr. CLARK of Missouri to the amendment of the committee in the nature of a substitute was rejected.

Mr. CONNALLY. Mr. President, I ask unanimous consent to offer a mere textual amendment which is to the amendment offered jointly by the Senator from Nevada [Mr. PITTMAN] and myself and which has already been adopted. Instead of moving to reconsider the vote by which the amendment was adopted, I ask unanimous consent to offer the amendment to it. I will explain my proposed amendment briefly.

In the language adopted the other day, we described the exemptions from title requirements and shipping "to any port on the south Atlantic Ocean south of 30° north latitude." I simply want to strike out the word "south" before the word "Atlantic" and say, "No port of the Atlantic Ocean south of 30° north latitude," because if we use the words "south Atlantic" it might apply only south of the equator, whereas we seek to make it apply up to 30° north latitude. I ask unanimous consent that the Senate may consider that amendment to the text of the amendment heretofore agreed to without reconsidering the amendment which has been agreed to.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Texas to the amendment heretofore adopted.

The LEGISLATIVE CLERK. The amendment heretofore adopted reads:

To any port on the south Atlantic Ocean south of 30° north latitude.

Mr. CONNALLY proposes to strike out the word "south" so that the amendment, when perfected, will read:

To any port on the Atlantic Ocean south of 30° north latitude.

Mr. PITTMAN. Mr. President, I hope that amendment will be agreed to, because——

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas that the amendment to the amendment be considered by unanimous consent? The Chair hears none, and the amendment to the amendment is agreed to.

Mr. WHEELER. Mr. President——

Mr. PITTMAN. Mr. President, since the Chair cut me off, I should like to finish my sentence.

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nevada?

Mr. WHEELER. I yield.

Mr. PITTMAN. I was in the middle of a sentence when the Chair undertook to facilitate matters. I wanted to say that I was in favor of the amendment offered by the Senator from Texas to the amendment because—I had reached the word "because"—the south Atlantic is below 30°, and it simply would be a conflicting definition to say "the south Atlantic Ocean south of 30° north latitude." That is all I desired to say.

Mr. WHEELER. Mr. President, I move that the Senate now consider the motion which I entered the other day to reconsider the vote by which the amendment offered by the Senator from Missouri [Mr. CLARK], relating to the appointment by the President of the Senate of two Members of the Senate and by the Speaker of the House of two Members of the House of Representatives to the National Munitions Control Board, was rejected.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana to reconsider the vote by which the amendment referred to by him was rejected. Is there objection? The Chair hears none, and the question now is on the motion of the Senator from Montana to reconsider the vote by which the amendment referred to was rejected.

Mr. CLARK of Missouri. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PITTMAN. Mr. President, I do not think ordering yeas and nays shuts off debate. I have only a few words to say.

I was not present when the vote was taken on this amendment. I wish to say that I was inclined then to favor the amendment. I do not consider that it has the importance which some of those who advocate it attach to it. Nevertheless, had I been present I should have voted for it. However there has been extended debate on the merits of the question, and I do not think that any further debate is necessary. There was a substantial majority against the amendment.

I may again say, as has been said several times, that a group of the members of the Foreign Relations Committee cooperated in the framing of the proposed legislation. I find that a great majority of them are not in accord with my idea that it would be advisable to adopt the amendment of the Senator from Missouri.

I make this statement frankly because I shall vote "no" on the motion to reconsider.

Mr. CLARK of Missouri. Mr. President, it had not been my purpose to detain the Senate with a discussion of this matter, because I agree with the Senator from Nevada that the amendment was sufficiently discussed prior to the original vote. At the same time, however, it seems to me the statement of the Senator from Nevada calls for a few remarks.

Mr. President, the Senator from Nevada said that when this amendment was adopted just a few days ago if he had been on the floor he would have been prepared to vote for it. He now says the amendment was defeated by a substantial majority—"a substantial majority" in which a change of a few votes would have caused a tie vote in the Senate at that time, and in which the votes of Senators who were unavoidably detained might possibly have changed the result.

Therefore it seems to me that if the conviction of the Senator when the matter was before the Senate the other day was in favor of that amendment certainly nothing has happened since which should change his conviction on a matter of this importance.

Let me say further, Mr. President, that the admission of the Senator that he is bound by caucus action in a Senate committee is the greatest criticism I have heard of the suggestion of adjourning politics during the consideration of this momentous question.

Mr. HAYDEN. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from Arizona.

Mr. HAYDEN. Mr. President, I was not present when the vote was taken the other day. Like the Senator from Nevada, I was inclined to vote with the Senator from Missouri, but when the Senate has passed judgment on a question in due order, and a majority of the Senate has made up its mind, I am going to be guided by the majority. I am not going to vote for the motion to reconsider.

Mr. CLARK of Missouri. The Senator, of course, can vote as he pleases, but on the theory which the Senator from Arizona and the Senator from Nevada have announced there is absolutely no sense in the principle of the rule providing for reconsideration or in the ordinary parliamentary rules for reconsideration, because if any Senator feels himself bound by a majority of 4 in a body of 96, when some Senators were absent, there is no sense in having the principle of reconsideration whatever in our rules.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. CLARK of Missouri. I yield.

Mr. PITTMAN. The way I vote is a matter for me to decide and the Senator from Missouri has a right to decide as to how he shall vote.

Mr. CLARK of Missouri. Of course the Senator from Nevada has a right to vote as he pleases on any question, and I certainly would be the last to challenge that right, but I think, if the Senator will permit me to say so, a majority of 4 in a body of 96 certainly should not bind anybody.

Mr. PITTMAN. I wish to say, as I said before, I am very sorry that my attitude does not appeal to the Senator from Missouri.

Mr. CLARK of Missouri. I am sorry, too.

Mr. PITTMAN. To me it is of some importance whether it does appeal to the Senator from Missouri because I consider him probably the best-versed man in parliamentary law, in the history of statesmanship, patriotism, and ethics in this Chamber, and even when I am in a two-thirds majority I feel very humble by reason of that fact. Still I cannot agree with the Senator from Missouri.

I stated I was inclined to support his amendment and if I had been present at the time of the vote I should have done so. I also stated that I did not consider it of serious importance. Everyone admits that to provide for the appointment of Members of Congress on the Board would probably be running into the face of the Constitution. Furthermore, if there were four Members of the Congress on the Board there would still be five members of the Cabinet to override the four on any controverted matter. In January, according to the provisions placed in the pending joint resolution, the Board must report to this body. That report must contain all the information that the Congress could think of demanding. But this is the trouble: Are Members of Congress sufficiently familiar with export and scientific matters in the 2 months before the Congress will meet in January to prepare a report? Whether or not it is advisable to make some change in that board, I will determine for myself when I see the report.

It may be, so far as I am concerned, that I shall vote for the establishment of an entirely different kind of board; but in this matter the Senator is critical because I feel like acting with a few of our Senators who did not happen to agree with the Senator from Missouri. I have not criticized him.

Mr. CLARK of Missouri. I think the Senator will agree that I have at no time made any criticism. I even went to the trouble of calling up the Senator from Nevada to call his attention to the fact that I had been invited to a meeting of the caucus by mistake, and the Senator very frankly said that it had been by mistake, which I recognized when I received the invitation. I took that in perfect good part. I might have gone over and embarrassed the Senator and his associates in the caucus by appearing in response to the invitation which had been telephoned from the Committee on Foreign Relations to my office. I did not do that. I called up the Senator from Nevada; and, after being told once or twice that the Senator from Nevada was not coming down to the Senate that day, I succeeded in getting him on the telephone and asked him the frank question, and he gave me a frank answer, which I took in perfect good part.

So I am not criticizing the action of the Senator from Nevada in acting with his associates in the committee caucus. I simply desire to call attention to the fact that since the action on this amendment the other day, when the Senator from Nevada says he would have voted for the amendment, nothing has intervened which has changed the situation in regard to the amendment. I do not criticize the Senator from Nevada for changing his mind. That is a right which he has at any time. I am simply calling attention to the fact that the situation has not in the slightest degree changed since the other day, when this amendment was originally voted on.

Mr. PITTMAN. Mr. President, let me finish.

Mr. CLARK of Missouri. I shall be glad to let the Senator finish.

Mr. PITTMAN. The Senator did say something that was rather critical of the close association of those who drafted the pending joint resolution. I very much dislike to hear the criticism of the Senator from Missouri. It always pains me when he criticizes me.

Mr. CLARK of Missouri. I do not know when I have criticized the Senator or anybody else.

Mr. PITTMAN. Yes; the Senator has criticized me several times during the debate. It has pained me every time he has done it, because, as I said before, there is no one whose ability and patriotism and historical knowledge and ethics and parliamentary ability I consider superior to his. It happened, however, that I was thrown with 12 other Senators in the committee who, while being probably not so highly qualified as the Senator from Missouri with regard to all these matters, happened to be personal friends of mine. They happened not to be led by the Senator from Missouri with regard to the embargo, and I involuntarily associated myself with them; and I gave—unfortunately, as the Senator from Missouri would think—probably too much consideration to their opinions with regard to these matters; and therefore I am subject to criticism.

I have not mentioned anything at all about any meeting that the Senator from Missouri has been in ever since we came to Washington on the 20th of last month. Not a word have I said about it, and I have not any criticism to make about it; but, unfortunately, every time there is a meeting of a few Democrats, members of the Foreign Relations Committee, something awful has happened in the opinion of the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, I certainly have uttered no criticism at all of any meeting that anybody holds or that any group of Senators of any category wants to hold at any time. I certainly never said a word to the Senator from Nevada in any sort of criticism about the caucus that was held on the Saturday before the joint resolution was reported, and on the Monday following, when the full committee was called together. I went over very humbly, and, while the motion-picture machines and klieg lights were all going, I threw my hat very quietly into the committee room, and when it was not thrown out I walked in and sat down at the table. [Laughter.]

Mr. BARKLEY. Mr. President, will the Senator from Missouri yield to me?

Mr. CLARK of Missouri. I yield to the Senator from Kentucky; in fact, I yield the floor.

Mr. BARKLEY. I do not wish to take the time of the Senator, but the Senator has used the word "caucus" with some invidious implications.

Mr. CLARK of Missouri. Nothing except what is involved in the word "caucus."

Mr. BARKLEY. The Senator realizes, of course, as do all other members of the majority in the committee, and members of the minority, too, that he was not in sympathy with the proposal.

Mr. CLARK of Missouri. Certainly I was not; and, Mr. President, I want the Senator from Kentucky to understand that I make no complaint about that.

Mr. BARKLEY. I understand.

Mr. CLARK of Missouri. I have been sitting in caucuses ever since I was a little boy, and I expect to sit in a good many more before I die.

Mr. BARKLEY. I hope the Senator will sit in many, and I hope he will sit in many of which I myself am a member, because it is always painful to me for any group of Democrats to sit together and the Senator from Missouri to be absent.

Mr. CLARK of Missouri. As it is to me, Mr. President.

SEVERAL SENATORS. Vote! Vote!

Mr. BARKLEY. Under those conditions, let us vote.

Mr. CONNALLY. Mr. President, I desire to take just a minute.

The attitude of the Senator from Missouri [Mr. CLARK] is that he thinks the Senate ought to reconsider and change its mind, but he is opposed to the Senator from Nevada [Mr. PITTMAN] reconsidering and changing his mind.

Mr. CLARK of Missouri. Mr. President, if the Senator will permit me, I made no such statement. I said that anybody has a right to change his mind at any time he wants to do so.

Mr. CONNALLY. Mr. President, the conclusion the Senator from Missouri arrived at was that he thought the whole Senate ought to agree to his amendment, and he wanted to change its mind, but it was an offense for the Senator from Nevada and the Senator from Arizona to reconsider and change their minds.

I hope this amendment will not be adopted.

SEVERAL SENATORS. Vote! Vote!

Mr. CONNALLY. Just a moment. I am trying to get through. I should like to have the occupants of the galleries quit hollering "Vote!" [Laughter.]

What is the sense of putting two Senators and two Representatives on this Board? Why not put two Senators in the Cabinet and two Representatives in the Cabinet?

SEVERAL SENATORS. That would be a good idea.

Mr. CONNALLY. Why not provide that the Secretary of War must have two assistant secretaries, one a Representative and one a Senator; or that the Department of Commerce must have two Representatives and two Senators on its staff?

This is an executive function. We have control of the Board by law. We can examine them. We can pull them over the coals. We can get all the information they have through these reports. This is simply an attempt to make them half fish and half fowl—yes, fowl—[laughter]—half fish and half fowl.

I hope the Senate will not reconsider its action on this amendment, but will let us go ahead and pass the joint resolution.

Mr. BURKE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Nebraska?

Mr. CONNALLY. I yield.

Mr. BURKE. The argument of the Senator from Texas is very persuasive.

Mr. CONNALLY. I thank the Senator.

Mr. BURKE. I voted for the amendment of the Senator from Missouri [Mr. CLARK] the other day, not because I had any very great faith that it was a vital step but largely because of my deep affection for the Senator from Missouri, and because I could not see any real objection to it; but after considering the matter very carefully in the interim, and listening to the argument of the Senator from Texas and others, it seems to me it is bad policy. Therefore, I shall run the risk of being accused of changing my mind, and vote against the amendment.

SEVERAL SENATORS. Vote! Vote!

Mr. WHEELER. Mr. President, I shall detain the Senate for only a moment. I was not here the other day when this matter was voted upon. Had I been here, I should have voted for the amendment; and I have not changed my mind.

It seems to me that there has been a very great demand on the part of the people of the country that the Congress stay in session during this so-called war emergency. My colleague to my left [Mr. SMITH] says, "Oh, hell!" [Laughter.] There are a good many people in this country, however, who I am sure would disagree with the Senator from South Carolina; and I candidly think the people of the country would have a great deal more faith in this Board, and feel better about the matter, if there were two men from the Senate and two men from the House of Representatives serving on the Board. For the life of me, I cannot conceive why any member of the Board should object to it. I would not be on the Board, but undoubtedly the Senator from Nevada [Mr. PITTMAN] would be a member of the Board. Probably there would be two members from the Foreign Relations Committee on the Board, and two members of the House, probably from the Foreign Affairs Committee. I think many Members of the Senate would have very much more faith and confidence in the action of the Board if the distinguished Senator from Nevada and probably the distinguished chairman of the House Committee on Foreign Affairs were to serve on the Board.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BARKLEY. There are only two functions of the Board. One is to report to Congress. The other is to advise the President with respect to categories of arms, ammunition, and implements of war.

I hold in my hand the three reports of the Munitions Board to Congress, made up of tabulations showing the value of exports of arms to all the countries in the world. That is all the report is. Anybody who can go over the records with a typewriter can make up such a report.

With respect to the other function of the Board, as to advising the President regarding the categories of arms, ammunition, and implements of war, that is so well decided and determined by treaties and practice and tradition and custom, not only in our State Department but in all the nations of the world, that there is really very little flexibility about it; so there really is not any discretion that Members of Congress ought to be required to exercise as members of the Board.

No Senator or Representative would want to sit down there in the State Department and help get up this 100-page or 150-page report—made up of a mass of figures. It is utterly unlikely that as a result of Members of Congress sitting in on the Board there would be any change in the technical category of arms, ammunition, and implements of war, and those are the only two functions of the Board.

The law is being administered by the Secretary of State. Even if there were not any board, the Secretary of State would be charged with the administration of the law. But when we consider the functions of the Board, only two in number—one to make a report to us and the other to say whether the category of implements of war has been correctly set out—it seems to me a futile gesture to put Members of Congress on the Board.

SEVERAL SENATORS. Vote! Vote!

Mr. WHEELER. Mr. President, let me say to the Senator from Kentucky that I do not consider this matter as important as some people have thought it was; but there has been so much talk about a crisis, and there have been so many proclamations issued, that the people of the United States have come to the conclusion there is a serious crisis in this country, and that we might get into the war. I do not believe there is any crisis, and I do not think the talk about there being a crisis in the United States should be permitted to go out to the general public. I do not believe the propaganda that is going forth from Washington and from the city of New York with reference to the possibility of our getting into the war should be permitted.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. THOMAS of Oklahoma. In the event that the pending amendment should be agreed to, the Senator has referred to the possibility of the chairman of the Committee on Foreign Relations being named a member of the Board. My question is, Does not the Senator think that the chairman of this committee, the senior Senator from Nevada [Mr. PITTMAN], could exercise more influence with the President in his capacity as chairman of the Committee on Foreign Relations than if he were submerged in the membership on this Board?

Mr. WHEELER. Knowing the chairman of the Committee on Foreign Relations of this body as I do, and recognizing his great ability, I think he would exercise the greatest amount of influence with the President of the United States, no matter whether he were on the Board or off the Board. I cannot conceive of it being otherwise.

SEVERAL SENATORS. Vote! Vote!

The VICE PRESIDENT. The question is——

Mr. WHEELER. The question is whether I am to be allowed to conclude. [Laughter.]

I have not anything further to say, except to repeat that I did not change my mind; I was not present when the amendment was voted on; I think it is a good gesture; I think what it proposes would be a good thing to do, and I cannot conceive of the administration objecting to it.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana [Mr. WHEELER] that the vote by which the amendment offered by the senior Senator from Missouri [Mr. CLARK] was rejected be reconsidered. On that question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. SHIPSTEAD (when his name was called). Making the same announcement as before, I vote "yea."

The roll call was concluded.

Mr. MINTON. The senior Senator from Washington [Mr. BONE] and the senior Senator from Virginia [Mr. GLASS] are absent on account of illness.

The senior Senator from Arizona [Mr. ASHURST] is detained by illness in his family.

The result was announced—yeas 43, nays 50, as follows:

YEAS—43

Adams	Danaher	Johnson, Calif.	Shipstead
Barbour	Davis	Johnson, Colo.	Taft
Borah	Donahey	La Follette	Thomas, Utah
Bridges	Downey	Lodge	Tobey
Bulow	Frazier	Lundeen	Townsend
Byrd	Gerry	McCarran	Tydings
Capper	Gillette	McNary	Vandenberg
Chandler	Gurney	Nye	Walsh
Chavez	Hatch	Overton	Wheeler
Clark, Idaho	Holman	Reed	Wiley
Clark, Mo.	Holt	Reynolds	

NAYS—50

Andrews	Gibson	Maloney	Schwellenbach
Austin	Green	Mead	Sheppard
Bailey	Guffey	Miller	Slattery
Bankhead	Hale	Minton	Smathers
Barkley	Harrison	Murray	Smith
Bilbo	Hayden	Neely	Stewart
Brown	Herring	Norris	Thomas, Okla.
Burke	Hill	O'Mahoney	Truman
Byrnes	Hughes	Pepper	Van Nuys
Caraway	King	Pittman	Wagner
Connally	Lee	Radcliffe	White
Ellender	Lucas	Russell	
George	McKellar	Schwartz	

NOT VOTING—3

Ashurst	Bone	Glass

So Mr. WHEELER's motion to reconsider was rejected.

Mr. THOMAS of Utah. Mr. President, is the amendment which I offered last night in order now?

The VICE PRESIDENT. It is in order. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to insert the following new subsection between lines 17 and 18 on page 25:

(c) Whenever the President shall have issued a proclamation under section 1 (a) he may, while such proclamation is in effect, require the owner, master, or person in command of any vessel, foreign or domestic, before departing from the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that no alien seaman who arrived on such vessel shall remain in the United States for a longer period than that permitted under the regulations, as amended from time to time, issued pursuant to section 33 of the Immigration Act of February 5, 1917 (U. S. C., title 8, sec. 168). Notwithstanding the provisions of said section, he may issue regulations with respect to the landing of such seamen as he deems necessary to insure their departure either on such vessel or another vessel at the expense of such owner, master, or person in command.

Mr. THOMAS of Utah. Mr. President, for the information of the Senate, since this amendment has not been printed, I may state that it is to be found on page 913 of the RECORD.

As I stated last night, this amendment was sent up yesterday by the Department of Labor. In a conference with officials of that Department I explained to them that I was indeed loath to offer an amendment of this kind, especially as it had to do with a subject which we had not considered in committee; that had it been offered sooner I would have been happy to support it. Then the seriousness of the situation was explained to me, and I am sure that all Senators, especially those who come from port cities, will be glad to have information concerning the amendment, and the need for it. Because of the lateness I shall not argue for the amendment, but I shall explain the reason why it is presented, and I trust that the Senate will give attention to what I have to say.

Mr. President, since the declaration of war, and since foreign ships, both neutral and belligerent—mostly neutral—have come into our ports, 1,653 members of the foreign crews have deserted and come ashore under the right which is theirs under present regulations. The present law cannot and does not hold the shipping companies responsible for the return of these seamen. It is a seaman's right under the law to quit his ship when he comes into a foreign port, and no one would want to change that right. At the same time, there is such a wide loophole now open that the Government has in reality a real problem on its hands in regard to these seamen.

Our immigration laws, especially our quota system, can be completely overcome by what is happening. I will cite an exact situation. One country which has a quota of about 250 a year has already had seamen desert greatly in excess of that number. While it is true that under the law theoretically these seamen can stay here only 60 days, we know that under the present circumstances great opportunity exists for enlisting seamen who are sure of a safe voyage to America, with undoubtedly an idea in their minds to desert, and then become lost among the great mass of American people and stay here indefinitely.

The proposed amendment merely provides that whenever the Neutrality Act is invoked by the President of the United States he may require of all ships that come into our ports—of their masters, their owners, or their captain—a bond that sailors who have left the ship shall be returned.

Mr. President, that is permissive on the part of the President. The provision would not be invoked unless the threatened injustice and wrong to our immigration laws is continued. It would have the simple effect of making it necessary for all shipmasters in recruiting their crews in foreign countries to make it known to them that the shipowners are under obligation to see that the crews are returned, and it would tend to cause those who are a bit crafty in overcoming our immigration regulations to cease openly working in such a way that under the present arrangements great numbers of foreign sailors can come into the country and stay.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. DAVIS. As I understand, when conditions are normal we clear at all the ports of the United States, in round numbers, 1,000,000 seamen. That is, I mean to say a ship will make half a dozen trips back and forth, but counting all the registrations of seamen who come and go, I believe the total number is about 1,000,000.

I am in hearty accord with the Senator's amendment and shall be glad to vote for it.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. REYNOLDS. I simply want to take advantage of the opportunity to make a very brief observation. I wish to state to the Senator that I shall be glad to vote for his amendment. I think it should be adopted. The situation is just as the Senator has said he has been advised by the Department of Labor. Innumerable men, those who are seamen and those who are employed in various capacities aboard ships coming to this country, have been in the habit of skipping the ships, and, as the Senator stated, lose themselves among the 130,000,000 people of the United States. For that reason, I think the adoption of the amendment is extremely important, particularly in view of the fact that the Attorney General recently stated that this country was honeycombed with spies, which is substantiated by evidence to the effect that Mr. Hoover, of the Department of Justice, had found it necessary to employ several hundred additional young men who are now being trained for work in the Bureau of Investigation.

Unfortunately, in this country we do not have a registration or a fingerprinting law. We are the only country upon the face of the earth which does not follow up the activities of aliens who come within our borders, and now, of all times, certainly we should bring about the embodiment of the proposed amendment to the neutrality measure, which in a sense, as a matter of fact, interests itself in national defense.

Mr. President, if today in America we had a law providing for a mandatory registration and fingerprinting of aliens, which is now being demanded by the American people in this emergency, we would not be experiencing the trouble we are by way of spies and by way of classes of people who have been designated as saboteurs.

I mentioned in the Senate the other day a matter which should be of interest to every Senator; that is that one company, frightened by sabotage, in order to protect its property, within the past 30 days has employed at its own expense an additional 2,000 watchmen and patrolmen.

In the instance mentioned by the Senator in the discussion of his proposed amendment, hundreds of spies and saboteurs can easily enter this country by way of skipping from ship at the various ports in this country, and will no doubt do so unless the Senator's amendment is adopted. It will provide a safeguard to the United States.

Mr. DAVIS. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Utah. I yield.

Mr. DAVIS. Under the seamen's law, as pointed out by the Senator from Utah, a seaman has the right to come into this country and remain here 60 days before returning. There should be some provision of law which would compel seamen to register, or someone ought to be responsible for their return if they should remain here beyond the period of 60 days.

Mr. THOMAS of Utah. Mr. President, I think we would not have had great trouble with respect to the present law covering foreign seamen if it had not been for the outbreak of the war. Of course, it is the war which has brought on the immediate trouble. It has opened up all the loopholes which the Senator from North Carolina has mentioned; therefore this amendment covers the situation only during the period of the war.

Mr. DAVIS. Mr. President, will the Senator again yield?

Mr. THOMAS of Utah. I yield.

Mr. DAVIS. What the Senator mentioned has been going on all the time since the passage of the law. At one time my attention was called by the American Federation of Labor to the number of seamen who are working in shipyards on the coast. When I made application for the purpose of going into the yards to ascertain if the immigrants were here illegally, I found shipyards had to close down because of the number of men who were found to be here illegally. The workers in question had come in under the seamen's rights; they had come over as seamen, had come ashore under their rights as seamen, and remained here. That had been going on for all the years since the passage of that law.

Mr. KING. Mr. President, will my colleague yield?

Mr. THOMAS of Utah. I yield to my colleague.

Mr. KING. I may suggest to the Senator from Pennsylvania that I think this is an inappropriate time to formulate a new immigration law. I am a member of the Immigration Committee, and have been a member of it for years. I know that our immigration laws need some rectification. I think the amendment proposed by the Senator should be adopted, but I do not think we ought to rewrite the immigration law at the present time.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. DAVIS. Mr. President, in answer to the Senator from Utah [Mr. KING], I will say that I do not ask for any such legislation at this time. I merely called attention to existing conditions, so the illustration I gave might have some favorable effect upon the action of the Senate upon the amendment proposed by the junior Senator from Utah.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. McCARRAN. I should like to propound a question to the Senator from Utah and also to the Senator from North Carolina, who has in the past year or more devoted a great deal of time to the study of the subject of immigration. It is reported—at least I have heard it from sources which I think are fairly reliable—that shiploads of refugees are coming into this country, remaining in the country, mingling with the citizens, and that there is a general letting down of the bars of our immigration laws. I should like to know whether either the Senator from North Carolina or the able Senator from Utah knows of that situation; and if so, by what authority such a condition exists.

Mr. REYNOLDS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina for the purpose of answering that question?

Mr. THOMAS of Utah. Not only do I gladly yield to the Senator, but I shall be very happy if he can answer the question propounded by the junior Senator from Nevada.

Mr. REYNOLDS. In answer to that question I wish to be perfecty frank and fair in stating that, of course, I have no personal knowledge of the number of aliens annually entering our borders illegally.

My information is based upon rumors and upon hundreds of letters I have received within the course of the past 6 months from all the cities of America where our great ports are located. The authors of these communications allege that many hundreds of persons are illegally entering those ports. Some of the communications state that the writers have been unable to secure from the refugees themselves information as to whether or not they came here legally. On the other hand, as we all know, many come here legally, but remain illegally. No one knows how many jump ship annually, how many come across the Canadian border—which is not at all difficult—how many come into the United States across the Rio Grande, or how many come from Cuba and various other portions of the Caribbean. That discussion leads to the question of the number of aliens in this country who have not made application for American citizenship.

Mr. President, I have contended on the floor of the Senate that the number is between 5,000,000 and 7,000,000. I cannot prove that contention. Others have contended that there are perhaps only three or four million noncitizens in America. I cannot prove that they are in error about that, because we have never had a law making mandatory the registration or fingerprinting of aliens in this country.

The Immigration Committee, of which my distinguished colleague the senior Senator from Utah [Mr. KING] is a member, reported to this body a bill which I have had before the Senate for several years, asking for the registration of aliens. That bill is now on the Calendar, No. 817. We shall never know how many there are in this country, from where they came, when they came, how they came, how long they have been here, and what they are doing, until we pass a law of that sort. So I say directly, in partial answer to the Senator's question, that nobody knows how many there are here, or how they got into this country.

Mr. McCARRAN. Mr. President, just one further question along the same line.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. THOMAS of Utah. I yield.

Mr. McCARRAN. If the rumor be true—and I believe it is—that shiploads of refugees of certain classes are coming in from European countries in excess of the quotas, does not that in part account for the condition of unemployment we have today? We hear it said—and I think the statement is made by those having considerable knowledge—that refugees are furnished with employment immediately on arriving here, and that American citizens are displaced.

The PRESIDING OFFICER. The time of the Senator from Utah on the amendment has expired.

Mr. THOMAS of Utah. Mr. President, I will take time on the joint resolution.

The PRESIDING OFFICER. The Senator from Utah is recognized on the joint resolution.

Mr. THOMAS of Utah. I yield to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I wonder how far the able Senator from North Carolina [Mr. REYNOLDS], with the studiousness and zeal he has shown in connection with this matter, has gone in determining that question. I am wondering whether or not our Labor Department can come to Congress with good grace and ask for anything if that statement be true.

Mr. REYNOLDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. THOMAS of Utah. I yield for a moment.

Mr. REYNOLDS. Mr. President, the Senator from Nevada a moment ago mentioned the thousands of refugees coming into this country. I have some personal knowledge in regard to that matter. I was in Europe about 5 weeks ago. I came back on the steamship *Washington*, of the United States Lines. On the ship on which I made the trip across the Atlantic there were about 175 aliens, noncitizens, refugees from foreign countries, who were attempting to escape the war zone and come to the United States.

When I was in Paris I waited for 5 days for the purpose of obtaining transportation for myself upon the ship, for the reason that I knew that this extraordinary session of Congress would be called. Thousands of Americans were then attempting to obtain transportation upon that ship. I succeeded in obtaining transportation because I explained to the officials that I was a Member of Congress, and that it would be necessary for me to be in Washington on the opening day; otherwise, I would be severely criticized.

I went from Paris to Havre, and there waited 5 days for the arrival of the ship. There I saw literally hundreds of fathers and mothers, with their children, who were actually crying for transportation to America aboard an American ship. I regret to state to this body that hundreds upon hundreds of American citizens who should have been provided for on American ships were left in Europe in the war zone. Instead, the berths upon American ships were occupied by aliens, noncitizens, coming from foreign countries to the United States. I have made specific mention of only one ship at this time, because I happened to be on that ship. I saw the foreign passports. As a result of a statement made by me, the Secretary of State said there were only 173 aliens aboard that ship. I say that was 173 too many when American citizens were waiting to come back to the United States.

Mr. THOMAS of Utah. Mr. President, the time is passing rapidly, and we are under a limitation of debate. I am sure the chairman of the Foreign Relations Committee has no objection to this amendment. Therefore, I suggest that we vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. THOMAS] to the committee amendment in the nature of a substitute.

Mr. WHITE. Mr. President, because what I purpose to say is intended primarily for the ears of the people of my own State, and because I desire my statement to be consecutive, I very respectfully suggest that I choose not to be interrupted during the progress of these brief remarks.

In his message to the Congress on September 21, 1939, the President said:

> Beginning with the foundation of our constitutional government in the year 1789 the American policy in respect to belligerent nations, with one notable exception, has been based on international law.

Again, the President said:

> I seek a greater consistency through the repeal of the embargo provisions and a return to international law. I seek reenactment of the historic and traditional American policy which, except for the disastrous interlude of the Embargo and Nonintercourse Acts, has served us well for nearly a century and a half.

Further, the President said:

> Repeal of the embargo and a return to international law are the crux of this issue.

These quotations and the President's message as a whole make crystal clear that the President was urging the repeal of the existing embargo because he regarded it as an essential step toward our return to and our reliance on the principles of international law, which he insisted had, with one notable exception, served us well through a century and a half.

As one who voted against the Embargo Act of 1937, I could justify on the ground of consistency a vote now for its repeal. I could justify such a vote because of my desire that the United States, through its professions and its efforts, shall make a contribution to the principles of international law. I could find satisfaction in our country giving of its influence to the amplification, the codification, and the vitalizing of these principles; for unless there is an accepted code of international conduct and international morality to guide and control nations in their world relationships I can see no hope for an ordered and a peaceful world.

But, Mr. President, the joint resolution before us does not respond to the President's repeated and insistent request for a return to the salutary principles of international law. It does not return us to any "historic and traditional American policy"; it is not based upon international law; it does no honor to international law. On the contrary, it proposes to abandon our rights as a neutral under international law and to change our relationships as a neutral with the rest of the world as these relationships are defined in international law. It is as complete a departure from the principles of international law as ingenious and industrious minds could write.

Mr. President, I can understand how any Senator might support an effective embargo against the shipment from this country of arms, ammunition, and implements of war, and other articles of substantial usefulness in military operations because of his unwillingness that this country should make such contribution to war and to the misery of mankind. I can appreciate also how a Senator could oppose all embargoes and insist on that freedom of trade contemplated by international law.

Mr. President, the pending resolution is loyal to neither of these conceptions. It prohibits, with limited exceptions, the American ship from transporting any materials to any belligerent. It does permit the shipment of lethal weapons and all other articles and materials to belligerents in foreign ships or to neutrals in any flag ship for transshipment to belligerents, but it restricts this right by the requirement that title shall have first passed and that payment shall first have been made. The insistence that payment shall be made before shipment is a restriction upon freedom of export which partakes of the nature of an embargo and which will become, if the present European war long continues, an effective embargo. The necessity for passing of title is at once an effective embargo against important exports of the United States.

Nearly 25 percent of all American exports to the United Kingdom now moves in American ships. This resolution denies this service to the United Kingdom.

More than 34 percent of our exports to France now moves in American ships, and this resolution now denies this service to France.

The resolution evidences no concern for the men, women, and children who will be killed nor for the destruction of property nor for the abasement of mankind which will come by the deathful implements it permits us to ship, but it is solicitous that we shall be paid for our contributions to the evils visited upon humankind. It labors to make certain that no harm shall come to us through our materialism.

This resolution, in its substance, repeals no embargo. It renders lip service only to this purpose. It substitutes one embargo for another, and no one can now tell, with certainty, the full effects of this substitution.

Neither, Mr. President, does the resolution make contribution to the neutrality of the United States. On the contrary, in my view, it breaches neutrality in letter and in spirit. If enacted it will radically change our existing Neutrality Act. That act deals with the rights and the acts of our own nationals and it fixes our relationships with other nations of the world. We now propose, war having come, to change these rights of our own people and these world relationships. In 1937 we prohibited the shipment of arms, ammunition, and implements of war to a belligerent.

We now are asked to sanction such shipments, if we first get the cash. In 1937 we prohibited such shipments to a neutral for transshipment to a belligerent. We now seek to remove from our law this denial of the right of shipment to a neutral for transshipment. In 1937 the American ship sailed the seas with the rights and dignity of a neutral vessel except as we limited these rights in particular respects. We now propose to abandon those rights secured by

international law and to accord the American ship only those narrowly limited rights found in the pending resolution. In 1937 our neutrality legislation was general, applying equally in its terms to all nations of the world. We now are considering a resolution which makes available the services of the American ship to one belligerent and denies such services to another belligerent. This is partiality in legislative enactment. It is a preference accorded one belligerent. It is governmental discrimination against another belligerent. It constitutes a change from a policy of neutrality to one of partiality.

Mr. President, I could have respect for such reversal of attitude if we openly and courageously announced to the world that we were no longer neutral but were participants in behalf of one of the combatants. But until we are ready for such honesty of declaration, I would have us neutral in our legislation and in our governmental acts. This resolution rejects every principle of neutrality; it flouts that international law to which the President appeals to us to return; it puts us into the ghastly trade in arms, ammunition, and implements of war, we first being assured that we get our money from this bloody traffic.

Mr. President, in the resolution there is further offense to me. In section 2 (a) is found our great renunciation. By that section in large measure we cast aside our heritage of the seas. In subsequent provisions of the resolution we undertake, by exceptions, or reservations in our terms of surrender, to preserve, in limited degree, some of the rights which belong to us as a neutral under international law; but these efforts do not hide the shameful fact that we are yielding our rights as no other nation in the world is doing, and that our timid efforts to escape the consequences of our surrender are of negligible importance to the American merchant marine as a whole.

Mr. President, it is impossible for me to bring into harmony the figures as to our shipping industry and the many views held as to the consequences of this proposed legislation.

I think, however, we may accept as reasonably accurate the statement that we had as of September 1, last, exclusive of tankers and vessels upon the Great Lakes, 213 American ships of 2,000 gross tons and over, operating to belligerent ports; that these vessels aggregated 1,438,000 tons; and that their cost of construction or acquisition was approximately $470,000,000. In the original draft of the resolution this substantial part of our marine would have been swept from the seas. The amendments proposed by the majority members of the committee and now adopted lessen somewhat the force of this blow. As now framed, the resolution will permit the operation of a few lines in remote trades, but it is still devastating in its consequences. It is estimated that under the joint resolution, even in its amended form, nearly 40 percent of our ships and our tonnage would be driven from the oceans of the world. It means tragic losses to those who have invested in these affected shipping services. It threatens disaster to the economic life of many of our ports and those sections of our country tributary to them. It disrupts and wrecks the efforts of our citizens and our Government to restore the American ship to its rightful place upon the seas.

Mr. President, I venture the assertion that none of us has adequate understanding of the problems involved in the requirement of section 2, subparagraph (c), prohibiting shipments to any belligerent state until all right, title, and interest in the articles or materials shall have been transferred to some foreign government, to some creature thereof, or to some national of such foreign government. I believe this resolution, if enacted, would stop all shipments on consignment; would prevent American companies which have agencies abroad, either branches or American subsidiaries, from supplying their products to such agencies or subsidiaries, for they could not give the required declaration that no American had an interest in the goods; and that it would prevent the shipment of all that vast body of patented and copyrighted articles to which, under long-established practice, title does not pass, but which are leased, or the use of which is permitted without the passing of title.

There are great industries in America whose foreign markets will be completely lost by this provision as it stands. In my view, it is an unnecessary assault upon our business life.

Mr. President, I shall vote on this resolution with an easier mind than I at first had because of my growing belief that the importance of the legislation, except as it adversely affects our commerce and departs from right principles, has been greatly overemphasized. I do not believe its enactment or the failure to enact it will in substantial degree contribute to the cause of peace or to war. I am in agreement with the President that we are not going to war. I should feel greater security if this legislation were not urged upon us. I believe there is greater regard for the principles of international law in the existing statute than in the pending proposal; that there is in present law greater respect for American rights and American interests; that the law as now written would prove in its operation more helpful to the cause of Britain and France, to whom my sympathies go, than will the resolution we are debating; and, finally, I am of the firm belief that there is less danger to the peace of our country in the retention of the present statute than in the adoption of the resolution before the Senate and in its operation and enforcement. War has been in progress for several weeks with the existing law in force, and no incident has occurred which threatens our peace. Why leave this seemingly safe ground to experiment with our security in dubious fields? It is safer to maintain our present position than to venture forth into the unknown.

Mr. President, for all these considerations, and for the reasons urged, when I spoke in this presence a few days since, I shall be compelled to vote against the pending resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. THOMAS] to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. GEORGE. Mr. President, I have an amendment which I wish to offer to section 2 (c) of the joint resolution. The amendment has been before a large number of members of the Foreign Relations Committee. The chairman of the committee has no objection to it, nor have the other members of the committee.

I desire to call the attention of the Senator from Iowa [Mr. GILLETTE] to the fact that I am offering this amendment, and to say in that connection that the Senator from Iowa has an amendment relating to the same subsection which also is not objected to by the members of the Foreign Relations Committee. Both amendments are intended to facilitate the mere transfer of title when goods and merchandise are shipped out of the United States and are in the interest of our commerce.

I send to the desk the amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. After the period, following the word "national", in line 16, page 16, it is proposed to insert:

Issuance of a bill of lading under which title to the goods shipped passes to the purchaser unconditionally upon delivery of the goods to carrier, shall constitute a transfer of all right, title, and interest therein within the meaning of this subsection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE] to the committee amendment in the nature of a substitute.

Mr. McNARY. Mr. President, I ask the distinguished Senator from Georgia whether this amendment has been submitted to the committee having jurisdiction of the matter.

Mr. GEORGE. This amendment has been so submitted; yes.

Mr. McNARY. Has the committee reported it as a committee amendment?

Mr. GEORGE. The committee has not reported it as a committee amendment, but I am authorized to state for

the majority of the committee that they have no objection to it.

Mr. McNARY. Was the amendment submitted to the whole committee or to the Democratic membership of the committee?

Mr. GEORGE. To the Democratic membership of the committee; and I also talked with some other members of the committee.

Mr. McNARY. Just what does the amendment propose to do?

Mr. GEORGE. Section 2 (c) provides simply that—

Whenever the President shall have issued a proclamation under the authority of section 1 (a)—

Designating a state that is at war—

it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any state named in such proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national.

The amendment merely provides that whenever the shipper has delivered the merchandise to the ship and secured a straight bill of lading which passes title unconditionally to the purchaser upon delivery to the ship and issuance of the bill of lading, it shall be a sufficient evidence of the passage of title, right, and interest within the meaning of this subsection.

Mr. McNARY. Mr. President, I have before me a copy of a letter written to the chairman of the Foreign Relations Committee, the Senator from Nevada [Mr. PITTMAN], by William H. Montgomery, manager of the international trade department of the San Francisco Chamber of Commerce. I desire to read an excerpt from the letter, and ascertain if this amendment meets the situation described in it.

The letter is dated October 20 of the present year:

I wish to bring to the attention of the Foreign Relations Committee the conflict in section 2 (c) of the neutrality legislation. Compliance with this section would require that the American exporter declare that title has passed in order to secure his bill of lading from the steamship company carrying the merchandise. Under normal trade procedure, title does not pass until the exporter presents the bill of lading to the negotiating bank for encashment of the letter of credit established there by the foreign buyer. Inasmuch as it is impossible for the exporter to collect his money from the bank, a prerequisite to transfer of title, until he gets the bill of lading, which in turn requires a declaration that title has already passed, the conflict is obvious.

Does the Senator understand that?

Mr. GEORGE. Yes; I think I understand it. The amendment is designed to meet exactly that situation.

Mr. McNARY. I thought so.

Mr. GEORGE. In other words, a cash sale of articles or materials in international trade or foreign commerce involves certain mechanics. The purpose of this amendment is to enable the shipper, when he delivers the article or material to the ship and receives the bill of lading, which passes the title unconditionally, then to be able to say, "I have complied with the provisions of this subsection," without any further action being taken. He then has, of course, physical possession of his bill of lading, which he may take to the bank or send through the ordinary channels to the bank for collection. That is precisely what Mr. Montgomery is pointing out in his letter.

Mr. McNARY. I am very grateful to the able Senator from Georgia. I knew that the amendment, similar in nature, proposed by the Senator from Iowa [Mr. GILLETTE], met the situation described by this gentleman in San Francisco; but from the very clear statement made by the Senator from Georgia, I think his amendment also precisely meets the situation.

Mr. GEORGE. I may say to the Senator that in conference with the Senator from Iowa we have decided that both amendments are proper and are needful in order to facilitate the movement of our commerce.

Mr. President, may we have a vote upon the amendment?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE] to the commitee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. GILLETTE. Mr. President, I offer and ask to have stated from the desk an amendment pertaining to the same matter which has just been discussed by the Senator from Georgia.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa to the committee amendment will be stated.

The CHIEF CLERK. On page 16, line 19, beginning with the word "there", it is proposed to strike out through the word "to", in line 20 and to insert in lieu thereof the following: "he has complied with the requirements of this subsection with respect to transfer of right, title, and interest in such articles or materials, and that he will."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa to the committee amendment in the nature of a substitute.

Mr. GILLETTE. Mr. President, I will make a brief statement as to what the amendment is intended to do. I think it meets the point just raised by the Senator from Oregon.

A number of American industries market through subsidiaries that are foreign corporations. In many cases the stock is owned in whole or in part by American citizens. While it is easy to divest themselves of title to a foreign corporation or company, under the circumstances there are many of them who feel that they cannot comply with the requirement to file an oath that no American citizen has further interest in the shipment.

This amendment simply changes the provision now in the proposal from a requirement to file an oath that no American citizen has further interest in the shipment to a requirement to make a statement that the shippers have complied with the provisions of this subsection as to divestment of title.

The amendment has been submitted to the chairman of the Foreign Relations Committee [Mr. PITTMAN], the Senator from Georgia [Mr. GEORGE], and others; and I think there is no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. GILLETTE. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 21, line 14, after the comma, it is proposed to insert the following: "or to purchase, sell, or exchange bonds, securities, or other obligations of any such government, political subdivision, or person, issued before the date of such proclamation where the legal or equitable title or beneficial interest in any such obligations was vested on such proclamation date in a person other than a citizen of the United States."

Mr. GILLETTE. Mr. President, this amendment does not meet the approval of some of the members of the committee. In connection with its discussion I wish to make a very brief general statement with reference to the joint resolution; and perhaps by that time some of those opposed to the amendment will have returned to the Chamber.

Mr. President, I happen to be one of the very few Members of the Senate who so far as I know, have made no public commitment as to the vote to be given on this measure. My attention is called to the fact that there is one more, a Senator sitting near me; but I stated that I was one of very few. I wish to make a statement at this time.

Mr. President, we are engaged in doing what I believe to be an extremely difficult if not an impossible thing. We are trying to enact a measure so comprehensive and so elastic as to meet conditions which we cannot anticipate, which we cannot possibly foresee. We are trying to erect an edifice of national security against war involvement with a foundation resting on the shifting sands of the rapid changes in

international, political, social, economic, financial, and commercial conditions. I believe that it is impossible so to do. I do not believe we can put on the statute books a unilateral proposal of this kind which can be sufficiently comprehensive and sufficiently elastic to secure us from war involvement as we desire to be secured.

Mr. President, I shall take this occasion to say that from the time we commenced attempting to do this thing I have been convinced that there are only two ways in which we could approximate accomplishing it. One of them is by drawing so closely within our shell of isolation as to cut off and curtail all trade with neutrals or with belligerents, or with neutrals for transshipment to belligerents. That is a price the American people will not pay for peace or neutrality, and the evidence of the protests during the past few weeks, and the evidence in the very able address delivered a few minutes ago by the Senator from Maine against that type of restriction show that the American people will never consent to that sort of restriction, which might be reasonably effective.

The other alternative, in my humble opinion, is to repeal this heterogeneous conglomeration of thought and afterthought, and say to our people, "Go back and trade under international law, with this limitation, that there is a war going on and a danger area over there, made effective by proclamation, and if you go into that area with American property, American ships, or American nationals, you are going at your own risk, and you cannot expect the American Nation, with its Army and Navy, to come to your protection." That, Mr. President, is embodied in a bill which I had the honor to introduce, but which has not been before the Senate for consideration. However, I wish to call attention to it at this time.

With reference to the pending measure, as additional proof of the difficulty, within 4 years from the time we first attempted to put this type of legislation on the statute books we are engaged in a fourth such attempt, and the pending measure represents the work of almost 10 months of the best thought and the best minds in the State Department and in the Senate of the United States.

Yesterday a proposal was made by the Senator from California to add as an amendment to the proposed act an embargo more comprehensive than the one now contained in the existing law. I voted for the amendment yesterday, and I will vote for any proposal to retain our present embargo on arms and munitions or make it more secure and more comprehensive. I would do that because I believe it is fallacious to say that we cannot have additional restrictions without repealing the embargo provision. I cannot subscribe to that. Nor do I think we cannot improve on the law if we repeal the present embargo. I am going to vote for any proposal to restore or retain the embargo; but, whether that is defeated or not, I am going to vote for the pending measure, because I believe that it is not a step backward. I do not share the fears of some of my good colleagues that it is a step toward war. I think it is wholly unnecessary, as I have repeatedly said, to repeal the embargo, but I consider this measure in connection with the additional restrictions it imposes on the requirement for divestment of title; the absolute prohibition which is now contained in the joint resolution against the extending of credit to foreign nations or their agents; the absolute prohibition against extending to private individuals of a belligerent nation credit for the purchase of arms, ammunition, and implements of war; the prohibition against transportation by American ships. All these provisions I consider distinct improvements, and they are not in the present law.

Because of the fact, then, not that I consider it necessary to repeal the present embargo, but because of the fact that I think this is a step forward, a weak, faltering, unsteady step forward, but, nevertheless, a step forward in the direction of national security, I expect to support the measure.

Mr. BROWN. Mr. President, will the Senator from Iowa yield?

Mr. GILLETTE. I yield.

Mr. BROWN. I should like to have the opinion of the Senator from Iowa who is a member of the Foreign Relations Committee and of the Senator from Nevada, the chairman of the committee on an important question along the line of our present remarks. I have found, in discussing the matter of credits which might be granted by an American national to a citizen of a belligerent state, that there is much misunderstanding and much misapprehension as to what the pending measure contains. I find statements in the press which indicate that many believe that the provisions of the joint resolution prevent the granting of credit by an American to a citizen of a belligerent as to articles and materials other than those proclaimed by the President to be munitions of war.

To illustrate, let me read to the Senate two paragraphs picked at random from newspapers during the past few days:

ALL DEALINGS ON CASH BASIS

The two amendments dealing with financial transactions would put all dealings with belligerents on a strictly cash basis and would make it clear that these terms should apply to individual citizens and corporations of belligerent nations as well as to governments.

Another news item states—

That we voted to apply the no-credit provision of the bill to individual purchasers of American goods in foreign nations as well as to the foreign governments.

My understanding has been that the prohibition is not a prohibition against credit, but is a prohibition against the retaining of any title in the goods involved. I wish to ask the Senator from Iowa whether I am right or wrong, and I should like to have the Senator from Nevada, chairman of the Foreign Relations Committee, confirm him. Taking a concrete illustration, is there anything in the pending measure to prevent the Coca-Cola Corporation in Georgia, we will say, from shipping a bill of its goods to an English national, and granting credit to that national? Of course, I understand that there could be no lien, no title whatsoever retained in the goods, but I do understand that credit can be granted. Am I right or am I wrong in that?

Mr. GILLETTE. I shall be glad to yield to the chairman of the committee to answer.

Mr. PITTMAN. Unless Coca-Cola were placed upon the list of arms, ammunition, and implements of war by a proclamation by the President, there would be no limitation upon the credit the Coca-Cola concern in this country might extend to any citizen of a belligerent country, provided the title to the Coca-Cola were conveyed before it was transported.

Mr. BROWN. That is my understanding. We have the protection, first, that the goods may not be carried in an American ship; we have, second, the protection that the title must pass, that it cannot be retained in the American seller; and we have the further protection that any loss of the cargo may not be made the basis of a claim by the United States citizen. I am quite surprised at the widespread misapprehension which appears, both in the press and in the minds of some Members of the Senate, upon that proposition, and I think it should be cleared. I am happy to have the statement of the chairman of the committee.

Mr. PITTMAN. Mr. President, may I interrupt the Senator from Iowa further?

Mr. GILLETTE. Certainly.

Mr. PITTMAN. I have just read again the amendment which the Senator from Iowa has offered, an amendment to be inserted on page 21, line 14, after the comma, and I wish to see if I understand it correctly. The proposed insertion reads:

Or to purchase, sell, or exchange bonds, securities, or other obligations of any such Government, political subdivision, or person, issued before the date of such proclamation where the legal or equitable title or beneficial interest in any such obligations was vested on such proclamation date in a person other than a citizen of the United States.

I do not think that is in conflict with the clause which provides for the readjustment of existing debts.

Mr. GILLETTE. I am confident it is not.

Mr. PITTMAN. So far as I am concerned, I am in favor of the amendment.

Mr. GILLETTE. I thank the Senator.

Mr. PITTMAN. I have also suggested to one or two members of the group which prepared the pending legislation that, so far as I see, there is no objection to it.

Mr. GILLETTE. I thank the distinguished chairman of the committee.

Mr. PITTMAN. I have no objection because of the language at the end of the proposed amendment, which reads:

Was vested on such proclamation date in a person other than a citizen of the United States.

Mr. GILLETTE. I thank the Senator from Nevada. I may say to him that he was out of the Chamber when I presented the amendment, and I purposely discussed the joint resolution as a whole until his return, without bringing up the amendment.

Now, just one word with reference to the question raised.

Mr. THOMAS of Utah. Mr. President, I wonder whether the Senator will answer a question for me, which has arisen in my mind since hearing what the Senator from Nevada has just stated?

Mr. GILLETTE. I shall be very glad to yield to the Senator.

Mr. THOMAS of Utah. Would not the effect of the amendment be simply this: Assuming two persons, one a citizen of the United States and the other not a citizen of the United States, the amendment would make it impossible for the noncitizen of the United States to use his property but it would make it possible for the citizen of the United States to use the property. Would not that be its effect?

Mr. GILLETTE. Of course, the Senator is speaking of the citizens of a belligerent nation covered by this proposal.

Mr. THOMAS of Utah. The securities of a belligerent nation, but not necessarily those of the citizen of a belligerent nation.

Mr. GILLETTE. The Senator is referring to the ownership of the securities.

Mr. THOMAS of Utah. Yes.

Mr. GILLETTE. I think the Senator from Utah is correct.

Mr. THOMAS of Utah. Mr. President, I am wondering if the Senator is not emphasizing the matter of a citizen in contradistinction to a noncitizen in a question which has to do primarily with the ownership of property, and if, for instance, the Senator is not probably doing an outright injustice, so far as the ordinary practices of our law are concerned, to a person who is penalized in connection with property which he has—a person who lives in the United States legally but who is not a citizen. I think if we consider the consequences of an amendment of this kind we will be very careful, because I believe that all persons in the United States, regardless of their citizenship, who own property, have certain rights before the law in regard to that property, and as I read the language of the amendment it seems to me the emphasis is placed so much upon citizenship that actually it may unjustly deprive a person of property in cases in which I know the Senator does not wish to do so.

Mr. GILLETTE. Mr. President, I sincerely thank the Senator from Utah. The point he has raised is not only interesting but is important. This amendment, however, refers to the matter of dealing in securities of a belligerent during wartime. There is a prohibition in the measure as it is now before us against the flotation and exchange of securities issued after the date of the proclamation. To do otherwise would be in effect to confiscate the securities of owners. But we have no responsibility for providing a market for the holders of securities who live in some other country. We do not have to keep our markets open for securities in which they may have invested. The purpose of the amendment is to prevent a belligerent nation—having in mind the prohibition against the flotation of a new issue of securities—to call in an outstanding issue, substitute the new issue, and use the called-in securities for the purpose of establishing in this country a basis of credit. That provision is placed in the amendment in order to secure the American citizen from confiscation of his investment. However desirable it may be, I believe no responsibility exists to keep our markets open for the exchange and sale of investments which aliens have made.

Mr. President, just one word, in closing, with reference to the question raised by my distinguished colleague the Senator from Michigan [Mr. BROWN]. There has been, and still is, great misapprehension with reference to the cash-and-carry provisions of the measure. As it came from the committee, there was no limitation of credit to foreign nations, subdivision or agent thereof, excepting the right of the President to limit it to 90 days.

The PRESIDING OFFICER. The time of the Senator on the amendment has expired.

Mr. GILLETTE. And on the joint resolution?

The PRESIDING OFFICER. No; not on the joint resolution. The Senator has 20 minutes on the joint resolution.

Mr. GILLETTE. I will say about three words on the joint resolution.

The PRESIDING OFFICER. The Senator from Iowa is recognized on the joint resolution.

Mr. GILLETTE. In view of the fact that the amendment of the Senator from Michigan to the amendment presented by the chairman of the committee, the Senator from Nevada, has been adopted, the joint resolution will now provide for an absolute prohibition of credit on anything to belligerent governments, subdivisions, and agents thereof.

It provides unlimited credit to nationals or companies or corporations other than agents of a foreign country for everything except arms, ammunition, and implements of war, as to which no credit can be extended.

In closing, I wish to make one other statement by way of tribute to the chairman of the Committee on Foreign Relations.

Mr. KING. Mr. President, before the Senator does that, may I interrupt him?

Mr. GILLETTE. Yes.

Mr. KING. Does the Senator mean that the amendment he has offered, or the joint resolution itself, prohibits an American citizen engaged in a legitimate business from extending credit to any resident of a neutral country?

Mr. GILLETTE. No, indeed.

Mr. KING. I so understood the Senator.

Mr. GILLETTE. I am sorry if I did not make myself clear.

Mr. KING. Because I am opposed to that.

Mr. GILLETTE. If I again may refer to the matter to which I have just alluded: I believe no one has ever had a more difficult task assigned to him than has the chairman of the Committee on Foreign Relations. Here was a matter which has engaged our attention for months and months, and I am sorry to say I am afraid it will come back to Congress for further attention. The entire country has been tremendously interested in it. There has been an avalanche, a barrage, of opinion expressed through various agencies by the people of the country. Through all of this the chairman of the Committee on Foreign Relations has with unfailing courtesy and consideration given attention to Senators who, like myself, have not been in agreement with all his views. On the floor and in the committee he has been, without exception, extremely considerate, and I felt that I would not do justice to myself and my fellow members on the committee if I did not make this public acknowledgment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. GILLETTE] to the amendment of the committee in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. NYE. Mr. President, I send to the desk three amendments, which I wish to have considered en bloc. I ask that the amendments be stated.

The PRESIDING OFFICER. Without objection, the amendments will be stated.

The CHIEF CLERK. On page 15, line 21, after the word "or" where it appears the first time, it is proposed to insert the following: "to carry directly or indirectly"; on page 16,

line 12, after the word "proclamation," is is proposed to insert "or to any neutral for transshipment to or for the use of any state named in such proclamation"; on page 19, line 4, after the word "area", it is proposed to insert a colon and the following:

Provided, however, That no definition of combat areas shall permit American vessels to engage in indirect commerce with any state named in the proclamation issued under authority of section 1 (a) by transshipment at or through neutral states.

Mr. NYE. Mr. President, since these three amendments all go to one lone point, I ask unanimous consent that they may be considered jointly.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota? The Chair hears none, and it is so ordered.

Mr. NYE. Mr. President, I shall be very brief in stating my reasons for wanting to see this amendment adopted. The present neutrality law provides for that contingency which might find shipments going to a belligerent nation through neutral ports. The pending measure before the Senate does not provide for such a contingency. I am sure it should be provided for. If it is argued that there cannot be a successful enforcement of any law restraining shipments to belligerents through neutrals, I simply point to the report of the Federal Muntions Board revealing instances wherein the Board has considered that it has power to restrain shipments intended for belligerents shipped to a neutral port for transshipment. The whole purpose of the amendment is simply to provide that there shall be no shipment to a belligerent through a neutral port.

Mr. KING. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. KING. I am not sure that I fully understand the meaning of the Senator, although I have no doubt his statement was very clear. Am I correct in understanding that the Senator's amendment goes so far as to prevent any nation that has obtained American commodities which have passed through a combat zone disposing of them legitimately to some other neutral or some nonneutral country? I am not quite sure how far the amendment offered by the Senator goes.

Mr. NYE. My wish is to prevent exports to belligerent nations which might be obtained by the belligerent dealing through a neutral port. The law today—the Neutrality Act of the land—provides the President with power to put a stop to exportations when he finds they are reaching belligerents to whom our law prohibits shipment. That is the whole purpose.

Mr. KING. Assume that wheat or any other commodity essential to life should be denounced as contraband, and that the United States should ship to Holland something which Germany had denounced as contraband. Would that mean that if we shipped it to Holland the purchaser there might not ship it to Germany, even in a legitimate transaction?

Mr. NYE. The power would rest with our Government to prevent future shipments of that kind if they were found to be going to a belligerent who, under our law, was not intended to receive that help.

Mr. KING. Would the power extend to noncontraband commodities?

Mr. NYE. It would.

Mr. PITTMAN. Mr. President, this matter, of course, was given great consideration by those who drafted the substitute. I am rather surprised to hear that the distinguished Senator from North Dakota desires to grant all this discretion to some one person. I believe he thinks he is granting that discretion to the President. As a matter of fact, he is granting that discretion to Mr. Green, in the Munitions Control Board. In other words, Mr. Green says whether or not a shipment of wheat, cotton, or anything else may be made to Norway, if he has some proof that it is to be transshipped to Great Britain or Germany.

Mr. NYE. Mr. President, does not the amendment rather definitely provide that the power shall rest with the President, who has the determination of what shall be the war zones?

Mr. PITTMAN. If we say, directly or indirectly, that the President shall have the determination, as a matter of fact, someone else determines the matter. In the case of Spain, as has been shown in the RECORD, Mr. Green cut off some shipments of airplanes to France. Other shipments of airplanes he did not cut off, on the theory that some of them were going to Spain and others were not. There was no trial before anybody. No testimony was taken. There was quite a diplomatic correspondence on the subject between France and our country. That was a very small affair.

The proposal now is to allow the President to determine whether or not a shipment of cotton or wheat shall go to Russia, on the theory that it might reach Germany. The determination that it shall not go into Rumania, Yugoslavia, or any of those countries if somebody determines that its ultimate destination is Germany, would be made solely by the President of the United States. It is too much power to place in any one person's hands. If the President determines that a certain shipment shall not take place, it is unlawful, and anyone who violates his orders may be put in the penitentiary.

The master of a ship, we will say, has a cargo going to Russia or to Yugoslavia. Then there is a determination that the goods he has on board—perhaps cotton, wheat, or foodstuffs—are ultimately destined for Germany, Great Britain, or France. If the goods eventually reach such a destination, the master of the vessel goes to the pentitentiary. He has no control over the matter.

Mr. President, if those who do not want our Government to meddle in the affairs of Europe are sincere about it, they will not vest any such power as this in the hands of anybody. We know who the belligerents are, and we say that commodities on the contraband list shall not be shipped to them. Until they become belligerents, we do not want to mix into the affairs of every neutral country in the world.

I hope the amendment will be defeated.

Mr. REYNOLDS. Mr. President, just prior to the adoption of the amendment offered by the junior Senator from Utah [Mr. THOMAS] I had occasion to make a few observations in regard to refugees coming into this country as the result of an inquiry directed to me by the junior Senator from Nevada [Mr. MCCARRAN].

In that connection I wish to say that in my opinion the United States Lines are not responsible for having permitted alien refugees to occupy berths aboard ships flying the American flag, instead of those berths being occupied by American citizens. I say very pointedly that I do not think the executives of the United States Lines ought to be censured, for the reason that prior thereto the United States Lines had made contracts with the refugee alien passengers for accommodations aboard the respective ships of the fleet of the United States Lines. However, I do say that in my opinion criticism should be directed to the State Department of the United States, because I contend, as my personal opinion, that American citizens should have been protected and provided for prior to any protection being given to aliens or refugees from foreign lands who are coming into this country to escape from the war zone.

Mr. President, in connection with the subject of un-American activities, which is concerned with the limitation of foreigners coming to this country, which subject was brought up by way of the Thomas amendment, I have just clipped from the afternoon Washington News two articles, one entitled "G-men on the Alert To Foil Saboteurs," and the other entitled "Tons of Anti-Democratic Propaganda Flood United States." I ask unanimous consent that these articles be printed in the RECORD in connection with my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of October 27, 1939]

G-MEN ON THE ALERT TO FOIL SABOTEURS

The campaign against possible sabotage and alleged un-American activities moved forward today on several fronts.

As President Roosevelt denounced conscious and unconscious supporters of communism, nazi-ism, and fascism as "distinct dangers to democracy," these developments stood out:

1. Attorney General Murphy revealed that the Federal Bureau of Investigation has instituted a plan of protective supervision over important industrial plants to guard against sabotage.

DIES ASKS PROSECUTION

2. Chairman MARTIN DIES (Democrat, Texas) of the House committee investigating un-American activities, asked Mr. Murphy to proceed against the American League for Peace and Democracy, whose membership includes Federal officials, for "flagrant violation" of the Federal statute requiring registration of foreign principals with the State Department.

3. Representative J. MARTIN KENNEDY (Democrat, New York) proposed that Congress "put some teeth in law to care for these filthy Communists," and then turn war veterans' organizations "loose, with the best wishes of this Congress," to help the F. B. I. drive "these Communist rascals to cover."

MURPHY PRAISES DIES

4. Mr. Murphy praised the Dies committee for its "excellent work in the educational field," but said the Justice Department would engage in no "red hunts or brass-band raids," and would limit its investigations to violations of Federal laws, not "political ideologies." He confirmed reports that F. B. I. agents are cooperating in an investigation of alleged anti-Semitic activities there, and is investigating activities of Fritz Kuhn, German-American Bund leader. There is evidence, he added, that some bund members are engaged in illegal transportation of arms.

5. Representative NOAH MASON (Republican, Illinois) declared all Government employees who are members of the American League for Peace and Democracy should either resign or be fired from their posts.

ASKS ACTION AGAINST LEAGUE

Representative DIES, in a letter to Mr. Murphy, said that because of the President's proclamation of a "limited national emergency," the case of the League for Peace and Democracy "clearly requires attention in connection with the strengthening of our national defense."

Representative KENNEDY said Communists were spreading their "devilish propaganda" throughout the Nation because United States naturalization laws "hold out a welcome hand" and courts apparently are "reluctant to deport them."

He urged the House to "check up on" J. B. Matthews, chief investigator for the Dies committee, who formerly was a Communist "fellow traveler." The House, Representative KENNEDY said, should look into Mr. Matthews' past record and "his brazen attempt now to chase down his former comrades."

[From the Washington Daily News of October 27, 1939]

TONS OF ANTIDEMOCRATIC PROPAGANDA FLOOD UNITED STATES

Approximately 900 antidemocratic groups are bombarding Americans—28,000,000 of them—with literature every week, Eduard C. Lindeman declared yesterday at the United States Chamber of Commerce in a lecture sponsored by the Council of Social Agencies.

The figure has been compiled by the Institute of Propaganda Analysis, of which Mr. Lindeman is head.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. NYE] to the committee amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. NYE. Mr. President, I had a second amendment which I had intended to call up, but I am most happy to observe that this afternoon the senior Senator from Iowa [Mr. GILLETTE] accomplished, by reason of his amendment, the purpose which was mine.

I now ask to call up for consideration my amendment in the nature of a substitute for the joint resolution.

The PRESIDING OFFICER. The amendment offered by the gentleman from North Dakota in the nature of a substitute will be stated.

Mr. McNARY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. NYE. I yield to the Senator from Oregon.

Mr. McNARY. Do I correctly understand from the able Senator from North Dakota that this amendment is in the nature of a substitute for the measure as reported by the committee?

Mr. NYE. It is.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bankhead	Borah	Burke
Andrews	Barbour	Bridges	Byrd
Austin	Barkley	Brown	Byrnes
Bailey	Bilbo	Bulow	Capper
Caraway	Harrison	Mead	Smathers
Chandler	Hatch	Miller	Smith
Chavez	Hayden	Minton	Stewart
Clark, Idaho	Herring	Murray	Taft
Clark, Mo.	Hill	Neely	Thomas, Okla.
Connally	Holman	Norris	Thomas, Utah
Danaher	Holt	Nye	Tobey
Davis	Hughes	O'Mahoney	Townsend
Donahey	Johnson, Calif.	Overton	Truman
Downey	Johnson, Colo.	Pepper	Tydings
Ellender	King	Pittman	Vandenberg
Frazier	La Follette	Radcliffe	Van Nuys
George	Lee	Reed	Wagner
Gerry	Lodge	Reynolds	Walsh
Gibson	Lucas	Russell	Wheeler
Gillette	Lundeen	Schwartz	White
Green	McCarran	Schwellenbach	Wiley
Guffey	McKellar	Sheppard	
Gurney	McNary	Shipstead	
Hale	Maloney	Slattery	

The PRESIDING OFFICER (Mr. LUCAS in the chair). Ninety-three Senators have answered to their names. A quorum is present.

The question is on the amendment offered by the Senator from North Dakota [Mr. NYE] to the committee amendment in the nature of a substitute.

Mr. NYE. Mr. President, first, I should like to perfect my proposed substitute at page 5, in line 15, after the semicolon, starting with the word "and" and extending down to and including the word "vessel", in line 19, by striking out that language and inserting in lieu thereof the words "or (4) to any port on the Atlantic Ocean south of 30 degrees north latitude." That modification is made in order to make the proposed substitute accord with the form in which the pending proposal now is, and includes the slight alteration striking out the word "South" before the words "Atlantic Ocean", which was made on request of the Senator from Texas [Mr. CONNALLY] this morning.

Mr. PITTMAN. Yes. The word "South", before the word "Atlantic", was stricken out. I understand the Senator is modifying his own amendment?

Mr. NYE. Perhaps I may more clearly state it. I should like to modify my amendment to the extent that the pending resolution has been modified in this particular instance.

Mr. PITTMAN. Of course, there is no objection to the Senator doing that.

The PRESIDING OFFICER. The Chair will state to the Senator that he has a right to modify his own amendment.

Mr. NYE. I ask unanimous consent that the amendment as modified may be considered as having been read.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NYE's modified amendment, in the nature of a substitute for the committee amendment, is as follows:

On page 15, starting with line 1, to strike out all of that page and all following pages down to and including line 10 on page 32, and insert the following:

"PROCLAMATION OF A STATE OF WAR BETWEEN FOREIGN STATES

"SECTION 1. (a) That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

"(b) Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

"EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war, from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any American vessel to carry any passengers or to carry, directly or indirectly, any articles or materials to any state named in such proclamation.

"(b) Whoever shall violate any of the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon

conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

"(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States, directly or indirectly, to any state named in such proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath that there exists in no citizen of the United States any right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest, in such articles or materials. No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States.

"(d) Insurance written by underwriters on articles or materials included in shipments which are subject to restrictions under the provisions of this joint resolution, and on vessels carrying such shipments shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

"(e) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"(f) The provisions of subsection (a) of this section shall not apply to transportation by American vessels on or over lakes, rivers, and inland waters bordering on the United States, or to transportation by aircraft on or over lands bordering on the United States; and the provisions of subsection (c) of this section shall not apply (1) to such transportation of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i), or (2) to any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (i).

"(g) The provisions of subsections (a) and (c) of this section shall not apply to transportation by American vessels (other than aircraft) of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (i) (1)) to any port in the Western Hemisphere south of 30 degrees north latitude, or (2) to any port in the Western Hemisphere north of 35 degrees north latitude and west of 66 degrees west longitude, or (3) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, the Tasman Sea, and the Arabian Sea, or (4) to any port on the Atlantic Ocean south of 30 degrees north latitude. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such vessels.

"(h) The provisions of subsection (a) of this section shall not apply to transportation by aircraft of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (i) (1) to any port in the Western Hemisphere, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Bay of Bengal, and the Arabian Sea; and the provisions of subsection (c) of this section shall not apply to such transportation of mail, personal effects of any individual on any such aircraft, and necessary supplies for any such aircraft. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such aircraft.

"(i) Every American vessel to which the provisions of subsections (g) and (h) apply shall, before departing from a port or from the jurisdiction of the United States, file with the collector of customs of the port of departure, or if there is no such collector at such port, then with the nearest collector of customs, an export declaration (1) containing a complete list of all the articles and materials carried as cargo by such vessel, and the names and addresses of the consignees of all such articles and materials, and (2) stating the ports at which such articles and materials are to be unloaded and the ports of call of such vessel. All transportation referred to in subsections (f), (g), and (h) of this section shall be subject to such restrictions, rules, and regulations as the President shall prescribe; but no loss incurred in connection with any transportation excepted under the provisions of subsections (g) and (h) of this section shall be made the basis of any claim put forward by the Government of the United States.

"(j) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, the provisions of subsections (f), (g), (h), and (i) shall expire.

"EXPORT CONTROL BOARD

"SEC. 4 (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), he shall thereupon establish an Export Control Board (hereinafter referred to in this section as the 'Board'), to be composed of a chairman to be appointed by the President, the Secretaries of State, Commerce, and Interior, two Members of the Senate to be appointed by the President of the Senate, not more than one of whom shall belong to the same political party, and two Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, not more than one of whom shall belong to the same political party. A vacancy in the membership of the Board shall not affect the power of the remaining members to execute the functions of the Board, and shall be filled in the same manner as the original appointment.

"(b) In order to prevent the growth and subsequent collapse of a short-lived war boom with its attendant dangers to our peace, prosperity, and cost of living, it shall be the duty of the Board to limit the annual exportation of commodities from the United States to each state named in any such proclamation to the average annual exports to each such state from the United States during any 4 consecutive years of the 12-year period immediately preceding the date such proclamation is issued.

"(c) The Board shall compute for each such state as soon as practicable the average annual exports of commodities from the United States to each such state for each of the following major categories: Crude materials, crude foodstuffs, manufactured foodstuffs, semimanufactures, and finished manufactures. The computation so made with respect to each such major category for any such state shall thereafter be the annual quota for such category for such state.

"(d) Upon the establishment of an annual quota for each major category for each such state, the Board shall, upon the request of the duly authorized and empowered purchasing agent for such state, issue licenses to such agent for the exportation of commodities to such state. No licenses shall be issued to any such agent during any 1 year for the exportation of commodities within each major category in excess of the annual quota established for such category for such state: *Provided*, That if the President shall find that the civilian population of any such state is in extreme need as a result of the war to which the President's proclamation relates, he may increase the annual quotas for such state so long as such need exists, but such increase shall not exceed 10 percent of such annual quotas.

"(e) Whenever a stored surplus of commodities within any such major category exists in the United States and such surplus is not necessary for the welfare or defense of the United States, licenses for the exportation of such commodities shall be limited to such stored surplus so long as such surplus exists.

"(f) It shall be the duty of the Board to tabulate and examine the character of exports to neutral states, and if the Board finds (1) that commodities in any major category are being imported from the United States by any such neutral state in abnormal quantities, (2) that such imports are not in lieu of imports previously secured from belligerent states, and (3) that such imports are not for their own needs but are being transshipped to belligerents, the Board shall announce such finding and thereafter the provisions of this section shall apply to such neutral state with respect to such major category in the same manner and to the same extent as it applies to such belligerents.

"(g) The Board shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. The Board is authorized to utilize the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government. The members of the Board shall serve without additional compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Board. The Board is authorized to make such rules and regulations as may be necessary to carry out its functions under this section.

"(h) During any period in which the provisions of this section are in effect, it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any such state during any calendar year, and such commodities in excess of the quota so established; and it shall be unlawful for any person to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any such state, any such commodities without first having obtained a license therefor.

"(i) The provisions of this section shall apply only during a period in which a proclamation issued under the authority of section 1 (a) is in effect; and shall cease to apply to any state named in any such proclamation when such proclamation has been revoked with respect to such state.

"COMBAT AREAS

"SEC. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area: *Provided*, That no definition of combat areas shall permit American vessels to engage in indirect commerce with belligerents by transshipments at or through neutral ports.

"(b) Whenever the President shall have issued a proclamation under authority of section 1 (a), he shall require American vessels to carry clear distinguishing marks, both by day and by night,

and the ships of any state which duplicates such marks or uses the American flag on its vessels shall be barred from the ports of the United States until such time as the President is satisfied that such duplicated marks or misuse of the flag have ceased or been removed from every ship of such state.

"(c) In case of the violation of any of the provisions of this section by any American vessel, or any owner or officer thereof, or by any shipper, such vessel, owner, officer, or shipper shall be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the shipper or the owner of such vessel be a corporation, organization, or association, each officer or director participating in the violation shall be held liable to the penalty hereinabove prescribed. In case of the violation of this section by any citizen traveling as a passenger, such passenger may be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

"(d) The President may from time to time modify or extend any proclamation issued under the authority of this section, and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist he shall revoke such proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

"AMERICAN RED CROSS

"SEC. 6. The provisions of section 2 (a) shall not prohibit the transportation by vessels, under charter or other direction and control of the American Red Cross, proceeding under safe conduct granted by states named in any proclamation issued under the authority of section 1 (a), of officers and American Red Cross personnel, medical personnel, medical supplies, food, and clothing, for the relief of human suffering.

"TRAVEL ON VESSELS OF BELLIGERENT STATES

"SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of any state named in such proclamation, except in accordance with such rules and regulations as may be prescribed.

"(b) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

"SEC. 8. Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel, engaged in commerce with any foreign state, to be armed, except with small arms and ammunition therefor, which the President may deem necessary and shall publicly designate for the preservation of discipline aboard any such vessel.

"FINANCIAL TRANSACTIONS

"SEC. 9. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States, or for the United States or an instrumentality of the United States, to purchase, sell, import, exchange, or accept as security, or accept as payment for any goods or services, bonds, securities, currency, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, unless such bond, security, debt, or other obligation was issued and outstanding in the United States before the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person. Any agreement, contract, or other commitment to produce, make, sell, or deliver goods, or to perform any service, under which the full face value of the contract, agreement, or other commitment is not paid in cash, or for the payment of which equivalent cash is not placed in escrow, at the time such agreement, contract, or other commitment is entered into, shall be deemed to be credit within the meaning of this section. The face value of any contingent or open-end agreement, contract, or other commitment shall be considered to be the value of maximum performance thereunder. In this section cash shall include only obligations or lawful money of the United States or certified checks drawn upon banks within the jurisdiction of the United States, or of any State. The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation issued under the authority of section 14 (i): *Provided*, That any person except banks, the United States, or instrumentalities of the United States, may acquire currency of any such state, and any bank other than a bank owned by the United States may acquire such currency up to 10 percent of its capital and surplus. Nothing in this section shall prevent any bank from investing such currency in any manner so long as the sum of such investment and such currency does not exceed 10 percent of its capital and surplus.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may have been outstanding in the United States on the date of such proclamation.

"(c) Whoever shall violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, of both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed. No claim acquired through any loan or credit extended, or through any obligation purchased or acquired, in violation of this section shall be enforceable in any court of law or equity within the jurisdiction of the United States, or of any State.

"(d) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"SOLICITATION AND COLLECTION OF FUNDS

"SEC. 10. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in such proclamation or for or on behalf of any agent, instrumentality, or supporter of any such state.

"(b) Nothing in this section shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf or in aid of any such government, but all such solicitations and collections of funds shall be in accordance with and subject to such rules and regulations as may be prescribed.

"(c) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

"AMERICAN REPUBLICS

"SEC. 11. This joint resolution shall not apply to any American republic engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

"RESTRICTIONS ON USE OF AMERICAN PORTS

"SEC. 12. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port or from the jurisdiction of the United States, fuel, men, arms, ammunition, implements of war, supplies, dispatches, or information to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 edition, title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port or from the jurisdiction of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any fuel, supplies, dispatches, information, or any part of the cargo, to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a).

"(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously departed from a port or from the jurisdiction of the United States during such war and delivered men, fuel, supplies, dispatches, information, or any part of its cargo to a warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), he may prohibit the departure of such vessel during the duration of the war.

"SEC. 13. (a) Whenever the President shall have issued a proclamation under section 1 (a), the submarines or armed merchant vessels of any state named in such proclamation shall be considered ships of war and shall be accorded only such treatment in the ports and territorial waters of the United States as is accorded to ships of war.

"(b) No disguised armed vessel with masked or concealed guns or weapons of any sort shall be permitted to enter or depart from the Territorial waters of the United States, and the ships of any state which employs such disguised armed vessels shall be barred from ports of the United States until such time as the President is satisfied that the use of such disguised armed vessels has been discontinued.

"NATIONAL MUNITIONS CONTROL BOARD

"SEC. 14. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the 'Board'). The Board shall consist of the Secretary of State, who shall be Chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of Commerce, two Members of the Senate to be appointed by the President of the Senate, and two Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. A congressional vacancy in the membership of the Board shall be filled in the same manner as the original selection.

Except as otherwise provided in this section, or by other law, the administration of this section is vested in the Secretary of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the Chairman and shall hold at least one meeting a year.

"(b) Every person who engages in the business of manufacturing, exporting, or importing any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

"(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $100.

"(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Board the name of the purchaser and the terms of sale and having obtained a license therefor.

"(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

"(f) Licenses shall be issued by the Secretary of State to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

"(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

"(h) The Board shall make a report to Congress on January 1 and July 1 of each year, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war, including the name of the purchaser and the terms of sale made under such license. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder, including the name of the purchaser and the terms of sale made under such license.

"(i) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this joint resolution.

"REGULATIONS

"SEC. 15. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.

"GENERAL PENALTY PROVISION

"SEC. 16. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

"DEFINITIONS

"SEC. 17. For the purposes of this joint resolution—

"(a) The term 'United States', when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

"(b) The term 'person' includes a partnership, company, association, or public or private corporation, as well as a natural person.

"(c) The term 'vessel' means every description of watercraft and aircraft capable of being used as a means of transportation on, under, or over water.

"(d) The term 'American vessel' means any vessel documented, and any aircraft registered or licensed, under the laws of the United States.

"(e) The term 'state' shall include nation, government, and country.

"(f) The term 'citizen' shall include any individual owing allegiance to the United States, a partnership, company, or association composed in whole or in part of citizens of the United States, and any corporation organized and existing under the laws of the United States as defined in subsection (a) of this section.

"(g) The terms 'bonds,' 'securities,' or 'other obligations' shall include every debt, claim, title, ownership, or interest, and every instrument evidencing any of them.

"(h) The term 'currency' shall include all forms of the lawful money of any state named in any proclamation issued under section 1 (a) and bank balances carried in such currency.

"SEPARABILITY OF PROVISIONS

"SEC. 18. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"APPROPRIATIONS

"SEC. 19. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution.

"REPEALS

"SEC. 20. The joint resolution of August 31, 1935, as amended, and the joint resolution of January 8, 1937, are hereby repealed; but offenses committed and penalties, forfeitures, or liabilities incurred under either of such joint resolutions prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of either of such joint resolutions or of any rule or regulation issued pursuant thereto may be commenced and prosecuted, in the same manner and with the same effect as if such joint resolutions had not been repealed.

"SEC. 21. This joint resolution may be cited as the Neutrality Act of 1939."

Mr. NYE. Mr. President, I shall be very brief and desire to state only wherein my substitute proposal differs from the Pittman resolution now pending before the Senate. I offer it only as an evidence of what I should like to see contained in the neutrality law of the United States. Other Senators share, at least in some particular, a like interest.

Section 1 (a) of the amendment is identical with the Pittman resolution, except that the language referred to by the Senator from Colorado [Mr. JOHNSON] in the amendment which he proposed is eliminated.

Paragraph (b) of section 1 is identical with the Pittman proposal.

Sections 2 (a) and (b) are identical with the Pittman proposal.

Section 3 (a) is the same as the Pittman proposal, except there is added a ban against indirect shipments through neutrals in accordance with an amendment I previously offered this afternoon.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. NYE. I yield.

Mr. KING. That is the same as the amendment which was offered and which was voted down a few moments ago, is it not?

Mr. NYE. The Senator is correct in his statement.

Paragraph (c) of section 3 is the same, except for the ban which is provided therein against indirect shipments or transshipments, which provision was also involved in a previous amendment offered this afternoon.

Paragraphs (d), (e), (f), (g), (h), (i), and (j) are identical with the Pittman proposal.

In section 4, involving the Export Control Board, the proposed substitute incorporates what is commonly referred to here as the La Follette quota base or system.

Section 5, paragraph (a), adds a ban against American ships entering danger zones to carry indirect cargoes to belligerents.

Paragraph (b) is new and is a protection, or a proposed protection, of American ships by forbidding foreign states to misuse our flag, which has been involved in other amendments which have been considered by the Senate.

Paragraphs (c) and (d) of section 5 are the same except the proposed substitute provides an extension of the penalty to the shippers as well as to the vessels.

Section 6, section 7, and section 8 are identical with the Pittman proposal.

Section 9, involving financial transactions, does, in fact, what the section of the Pittman resolution appears to do. In the light of what the Senate has done this afternoon in adopting the amendment offered by the senior Senator from Iowa [Mr. GILLETTE], I should be quite happy to include in any serious consideration of the proposed substitute the language which the Senate adopted by reason of his amendment.

Section 10, section 11, and section 12 are identical with the Pittman proposal.

Section 13 (a) relates to the entrance of armed merchantmen and submarines into American ports, a question which has been dealt with by a separate amendment already considered by the Senate.

Paragraph (b) of section 13 forbids the disguising of armed ships as peaceful merchantmen.

Section 14, involving the National Munitions Control Board, is the same as that proposed in the Pittman resolution, but adds the proposal which was advanced by the Senator from Missouri [Mr. CLARK] and which would enlarge the Board to the extent of adding Members from the Senate and Members from the House of Representatives to the membership of the Board.

Section 15 is precisely that embodied in the Pittman resolution; and the same statement may be made as to section 16.

The only changes in section 17 are found in paragraph (b), which adds public corporations to the definition which the section provides.

In paragraphs (g) and (h) of the same section there is a definition of financial terms which I believe to be essential.

The remainder of the proposed substitute is identical with the Pittman proposal.

Mr. President, it will be observed that in the main the wish represented by this proposed substitute is for the retention of the arms embargo and for the cover-all of other commodities not involved under the embargo by the so-called La Follette quota plan.

On the proposed substitute I have no desire to be heard further by the Senate, but I should like to be accorded the privilege of a record vote upon the proposed substitute.

Mr. PITTMAN. Mr. President, I tried to follow the Senator, and I think I have done so. He includes in section 1 (a) the provision in the form in which it was offered by the Senator from Colorado [Mr. JOHNSON], which amendment was rejected by the Senate. That question is raised again by the proposed substitute.

In section 2 (a) he also raises again the question of indirect shipments to belligerents through neutrals. That question has just been decided adversely to the contention of the Senator from North Dakota by vote of the Senate.

In section 3 he includes the words "directly or indirectly," which, again, in effect, is a request for reconsideration of an amendment which has already been decided adversely by a vote of the Senate.

The Senator from North Dakota includes in section 4 of his proposed substitute the provision with regard to an Export Control Board. That provision was offered and defeated in the Senate.

He proposes in his combat-area provision to have enacted the form in which he tried to correct the committee substitute. His proposal was defeated by the Senate in connection with that amendment.

His financial-transactions provision I have not followed through; but he states that it is practically satisfactory as it is now, with the acceptance of the amendment of the Senator from Iowa [Mr. GILLETTE].

He attempts to return to the mandatory provision with regard to armed merchantmen which was offered today in the amendment of the Senator from Missouri [Mr. CLARK] and defeated.

He also attempts to reenact the National Munitions Board control, containing the amendment of the Senator from Missouri [Mr. CLARK] which was defeated today by the Senate.

However, the main issue brought up here is that the Senator from North Dakota proposes, by this substitute for the pending joint resolution, to add the mandatory embargo features of the existing law and to change any discretion in the President with regard to placing the act in force and effect through proclamation.

I ask that the substitute of the Senator from North Dakota be rejected as to the whole issues involved.

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, offered by the Senator from North Dakota [Mr. NYE] to the amendment reported by the committee.

Mr. NYE. On that question I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS], who is unable to be present. I am informed that if he were present he would vote "nay." I transfer my pair with him to the senior Senator from Washington [Mr. BONE], and will vote. I vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained because of illness.

The Senator from Arizona [Mr. ASHURST] is detained by reason of illness in his family.

The Senator from California [Mr. DOWNEY] is unavoidably detained.

The Senator from Nevada [Mr. MCCARRAN] has been called to one of the Government departments. I am advised that if present and voting he would vote "yea."

The result was announced—yeas 22, nays 67, as follows:

YEAS—22

Bulow	Frazier	Lundeen	Vandenberg
Capper	Holman	McNary	Walsh
Chavez	Holt	Nye	Wheeler
Clark, Idaho	Johnson, Calif.	Overton	Wiley
Clark, Mo.	La Follette	Reynolds	
Donahey	Lodge	Shipstead	

NAYS—67

Adams	Davis	King	Schwellenbach
Andrews	Ellender	Lee	Sheppard
Austin	George	Lucas	Slattery
Bailey	Gerry	McKellar	Smathers
Bankhead	Gibson	Maloney	Smith
Barbour	Gillette	Mead	Stewart
Barkley	Green	Miller	Taft
Bilbo	Guffey	Minton	Thomas, Okla.
Bridges	Gurney	Murray	Thomas, Utah
Brown	Hale	Neely	Tobey
Burke	Harrison	Norris	Townsend
Byrd	Hatch	O'Mahoney	Truman
Byrnes	Hayden	Pepper	Tydings
Caraway	Herring	Pittman	Van Nuys
Chandler	Hill	Radcliffe	Wagner
Connally	Hughes	Russell	White
Danaher	Johnson, Colo.	Schwartz	

NOT VOTING—7

Ashurst	Borah	Glass	Reed
Bone	Downey	McCarran	

So Mr. NYE's amendment, in the nature of a substitute for the amendment reported by the committee, was rejected.

Mr. LA FOLLETTE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to insert the following new section at the end of the joint resolution:

SEC. —. (a) Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its Territorial possessions, or by any non-American nation against any country in the Western Hemisphere, a national advisory election shall be held in the several States upon the question of war or peace prior to any declaration of war by the Congress.

(b) Every citizen of the United States qualified to vote according to the laws of the State of which he or she is a resident shall be entitled to vote at such election. Such election shall be held and conducted under such rules and regulations as may be prescribed by the United States Referendum Election Board, except that such election shall be by secret written ballot and shall be conducted as nearly as possible in accordance with the laws of the several States for the conduct of their respective State elections.

(c) There is hereby created a United States Referendum Election Board (hereinafter referred to in this section as the Board), to be composed of the President of the Senate, three members of the Senate Committee on Foreign Relations to be appointed by the President of the Senate and of whom not more than two shall be members of the same political party, three members of the Committee on Foreign Affairs of the House of Representatives to be appointed by the Speaker of the House of Representatives and of whom not more than two shall be members of the same political party. Any vacancy in the membership of the Board shall be filled in the same manner as in the case of an original appointment. The President of the Senate shall be chairman of the Board ex officio, but shall have no vote except in case of an even division between the members. The members of the Board shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Board.

(d) The national advisory election herein provided for shall be called whenever four or more members of the Board shall file with the Secretary of State of the United States a written demand therefor. The question to be submitted at the election shall be, "Under existing conditions shall the United States go to war?" The Secretary of State shall by proclamation fix the day of the election, which shall be held not less than 15 days from the filing with him of the demand for the election as herein provided.

(e) In conducting any such election, the Board shall, so far as practicable, use the election officials and the polling places provided for by the laws of the several States.

(f) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Board to carry out its functions and duties, and the Board is specifically authorized and empowered to make arrangements with the Governors of the several States, or other appropriate State officers, or with towns, cities, villages, and counties or their respective officers, for using the State or local election officers, employees, and equipment in the conduct of the said election, and the costs and expenses for holding the said election shall be paid for at the same rate as may be provided by the laws of the respective States.

(g) The Board shall make public immediately the results of each national advisory election, together with the number of votes cast in each State for and against the question submitted at the election.

Mr. LA FOLLETTE. Mr. President, in my view, this amendment provides for a purely advisory referendum on the question of an overseas war.

I recognize, of course, that no statutory enactment can impair the right of Congress granted in the Constitution to declare war at any time a majority of both Houses shall pass such a resolution. However, I do contend that Congress, if a majority of it so desires, may provide that in case an issue confronting it concerning a declaration of an overseas war, machinery for taking a vote of the people shall be set up, and that if it is the will of the Congress, such an election shall be held.

I wish to make it clear at the outset, and I want to emphasize the point that the amendment does not provide for an advisory referendum to be held in case there is an attack or a threatened attack by armed forces upon the United States, upon its possessions, or upon any nation in the Western Hemisphere. The proposition is nakedly a proposal to grant the people of the United States the right, by referendum vote, to say whether or not in their opinion the Congress of the United States should make a declaration of war involving an expeditionary force to fight on foreign soil, across the sea.

Against the basic democratic idea that the people should be given a voice in the supreme issue of peace or war abroad, attacks have been provoked, often misinformed, and in some instances sheer nonsense. The sincere and profound desire of the people to have a voice in the matter of life and death has even been made the subject of dishonest and unfounded witticisms.

Mr. President, let me say that the right of the people to be heard effectively on the question of waging war outside of this hemisphere, and not in defense of our territorial possessions, cannot be answered satisfactorily to the citizens of this Nation by derision.

The amendment is based on faith in the democratic process. It presents the issue of permitting the voice of the people to be heard on the supreme issue of life or death for millions of its citizens in an overseas war.

Let me emphasize that the amendment is so drawn that Congress would not afford the voters an opportunity to express their opinion in any case where an attack was actually made or immediately threatened against this country, its territorial possessions, or the Western Hemisphere. In short, the right to an advisory vote would only be given the people upon the question of waging an offensive war overseas on foreign soil.

It is my view that this proposal is in keeping with the spirit of the Constitution. The framers of that immortal document lodged the war-making power as near to the people as the conditions under which they lived permitted. James Madison considered their final decision a real victory for democracy. He said:

> In no part of the Constitution is more wisdom to be found, than in the clause which confides the question of war or peace to the legislature, and not to the executive department. Beside the objection to such a mixture of heterogeneous powers, the trust and the temptation would be too great for any one man. * * * War is in fact the true nurse of executive aggrandizement. In war, a physical force is to be created; and it is the executive will, which is to direct it. In war, the public treasuries are to be unlocked; and it is the executive hand which is to dispense them.
>
> Hence it has grown into an axiom that the executive is the department of power most distinguished by its propensity to war; hence it is the practice of all states, in proportion as they are free, to disarm this propensity of its influence.

Mr. President, I cannot see how any Senator who believes in democracy, who believes in the extension of popular participation in government, can fail to support this proposal for a national advisory war referendum prior to any declaration of an overseas war.

We have the means at hand to extend and make more effective popular participation in the policy-making decisions of our Government which did not exist at the time the Constitution was drawn. Today rapid transportation and communication, the radio, newspapers, and the rising tide of literacy which has characterized the advance of education in the United States, have provided this country with an economic and an intelligent and a democratic environment which makes this further advance toward reposing the power in the hands of the people possible, giving them a right to say whether or not their sons are to be drafted to fight on foreign soil in an overseas war. Of course, these media for reaching the whole public quickly did not exist in 1787.

Mr. President, if the amendment should be dignified by any debate, let me say, in anticipation of those who may criticize it, that under the present conditions one can no longer prevent the American people from being fully aware of each and every important critical decision which the Congress may make in the direction of going to war. Should the unhappy day ever come again in this legislative Hall when we shall be debating the issue of peace and war, every citizen—every man and woman in the United States—will know all the arguments, pro and con, which are being uttered in this Chamber.

So, Mr. President, whether we like it or not, modern life and the advance of science have drawn the supreme sovereign power of the people closer about their designated representatives in the Congress, and, whether we like it or not, I repeat, they will be hearing the arguments; they will each and every one of them be making up their own minds; and I say that upon the question of war, which is the most important of all issues which can confront the citizens, or can confront their representatives in Congress, we should do all in our power to give them an opportunity to be heard.

An advisory war referendum would have been impossible at the time the Constitution was framed. Now it is both possible and practicable. The machinery and necessary arrangements for it would be set up ahead of time if the amendment were adopted. The advisory referendum itself could be held in much less time than it takes to hold our national elections. Our national safety could not possibly be jeopardized. The referendum would not be held in case of attack or immediate threat of attack. We are amply prepared and we have a geographical situation which makes us impregnable to attack. Our strategic situation is such that we can, without any danger to our national security, extend our democracy to give our people some say, in a purely advisory way, on whether they want to fight and die on foreign soil.

Furthermore, Mr. President, I wish to emphasize that there is nothing in the pending proposal which would cripple any Chief Executive in his conduct of our foreign policy so long as that policy is not to be implemented in the end by involving this Nation in an offensive war overseas. I do not believe that there is validity in the proposition that there are effective measures short of war, but if there are those on the Senate floor who take an opposite view, this proposal for an advisory referendum on foreign war will strengthen and buttress that position. In short, this joint resolution takes at their word the spokesmen for the administration's foreign policy who maintain that it does not involve any danger or risk of war. If nothing is being done or urged upon Congress which will lead to our involvement in foreign war, then I do not see how it can be logically maintained that this amendment would cripple the administration's foreign policy in any way.

It has recently been suggested that Congress should remain in session to prevent measures leading to war from being taken. I have been a Member of this august body for nearly 14 years, and I have a great respect for the membership of both Houses of Congress, but I believe history proves that the legislative branch of our Government cannot prevent diplomatic measures from being taken which lead to war. Congress has no veto power in practical fact. Congress has only the power to write "approved" across a foreign policy of a Chief Executive when that policy has finally culminated in a demand by the Executive that Congress vote a declaration of war. Then, Mr. President, I find from my brief experience, that it writes it with cheers mixed with epithets and howls of derision against those few men who may oppose the resolution declaring a state of war.

Mr. President, this is not alone my view. Pomeroy, one of the outstanding commentators on the American Constitution, wrote as far back as 1868:

> The President cannot declare war; Congress alone possesses this attribute. But the President may, without any possibility of hindrance from the legislature, so conduct the foreign intercourse, the diplomatic negotiations with other governments, as to force a war, as to compel another nation to take the initiative; and that step once taken, the challenge cannot be refused. (Pomeroy, John N., An Introduction to the Constitutional Law of the United States, 3d ed., New York, 1875, pp. 447–448.)

I also wish to quote from Willoughby, a more recent authority:

> It is also to be noted that the power constitutionally vested in the President with regard to the control of the foreign relations of the United States makes it possible for him to bring about a situation in which, as a practical proposition, there is little option left to Congress as to whether it will or will not declare war or recognize a state of war as existing. (Willoughby, W. W., The Constitutional Law of the United States, 2d ed., New York, 1929, III, p. 1558.)

It may be charged by opponents that this amendment violates our traditional form of government which they contend is purely representative in character. The same argument could have been made against woman suffrage and the direct election of United States Senators. It will be noted that several States have incorporated the referendum proposal in their constitutions without impairing their traditional forms of government. The Democratic Party in convention assembled, in 1924, without a single voice of opposition so far as I have been able to ascertain, advocated that—

> Our Government should secure a joint agreement with all nations for world disarmament and also for a referendum on war, except in case of actual or threatened attack. Those who furnish the blood and bear the burdens of war, should, whenever possible, be consulted before this supreme sacrifice is required of them.

I venture the assertion that there is not a single Member of Congress today who has received a mandate from the people to act in his capacity as a representative to put this Nation into war in Europe, Asia, or Africa. I further venture the assertion that except in very rare instances no Member of Congress will ever be in the possession of a mandate upon that question.

It would only be in case it could be said that an election involving the election of Representatives and Senators had turned, and turned almost exclusively, upon a pending issue of peace or war. Only then could it be said that Members of the Congress had received a mandate from their constituencies and were in a position to act in a representative capacity upon that supreme issue.

Mr. President, acknowledging with all frankness and candor my absolute confidence in the sincerity of every statement which has been made by Senators in this debate to the effect that they would not vote again for a declaration of war involving the sending of American troops in an expeditionary force overseas, I want to express it as my fear, growing out of the experience which I went through during the last war, that history will repeat itself. Instead, if that unfortunate issue is presented, I think history will repeat itself, and that rather than acting in a representative capacity, Congress will be forced to approve the Executive decision and to make the best of Executive failure. I fear in the future, as in the past, that the congressional function will be to vote the declaration demanded and to follow it with conscription and the necessary funds to carry on the war. This is a function but it is a stretch of the imagination to characterize it as a representative function.

I can find no instance in our whole history when the Congress has refused the Executive a resolution declaring war when it has been asked of it; and I am apprehensive, Mr. President, that no such precedent will ever be established.

The demand to stand behind the Chief Executive, the pressure of party loyalty becomes almost insuperable in such a situation. Members of Congress may justify their conduct in the future as they have in the past, but I do not think it can be said that they will be acting in a representative capacity.

The PRESIDING OFFICER. The time of the Senator on the amendment has expired.

Mr. LA FOLLETTE. Then I will take time on the bill.

Mr. President, in these critical hours of the world's history, I think our concern should be to establish a closer contact between the people and their Government on the vital matter of war abroad. I hope the consideration of this proposal will not turn upon the question of the representative system but will more directly turn upon the merits or demerits of the basic proposal.

To preserve the democratic process we must buttress it and make it more effective. Nothing so discredits it as empty formalism. Let us not overlook the part that the political disillusionment following the last World War played in undermining faith in democracy in some other nations. In the chaotic economic and political situation prevailing in the world today, no one can foresee future developments, but I unhesitatingly assert that if another war should come to America it would not give anyone in this country what he wants. Modern war does not attain its announced objectives. Should we become involved in this European war, in my opinion the people of this country would be more deeply shocked and disillusioned by its result than they were after their tragic experience in the "war to end war" and "to make the world safe for democracy." Another war would bring catastrophe at home, and we might anticipate in the United States an attack upon the democratic system of proportions never before experienced.

Mr. President, this amendment would give the voters an opportunity to express themselves on the question of war abroad. If they should vote for it, they would have to accept the responsibility for the results, and thus we should protect our system of government from an effective, even though untrue, charge that a small group of public officials in the legislative and executive branches of the Government make the decision for war and produce the chain of miseries which are certain to follow.

Despite the misrepresentation which has been made in the press and elsewhere; despite the powerful opposition of a portion of the press; and despite the opposition of the administration, every poll of public opinion has shown a large majority of the people to be in favor of the basic idea involved in this amendment. It is a measure to make democ-

racy real on the supreme issue of foreign war, while at the same time completely protecting the Nation, its possessions, and the Western Hemisphere.

The amendment, if adopted, would not curtail the constitutional power of Congress to declare war. No legislative enactment could do that. It would not jeopardize the national defense of this Nation, or its territorial possessions, or of this hemisphere. The proposal comes down to a single and simple issue: Are we willing to give the people whose blood will be shed, whose homes will be broken, whose lives will be ruined, whose way of life and government may be permanently altered, the opportunity to advise the Congress whether they are for or against a declaration of war in instances not involving the defense of this country, our possessions, or this hemisphere?

Mr. President, democracy is on trial in this critical hour. I appeal to all Senators who have been expressing their devotion to democracy and to the objective of keeping the United States out of war to join in supporting this amendment.

Mr. President, I reserve the remainder of my time.

Mr. PITTMAN. Mr. President, there is no doubt that the purpose and intent of the Senator from Wisconsin appeal to every Senator. I think his great desire to avoid this country becoming involved in a foreign war is joined in by every Member of this body. However, he is asking us, not to endorse his views, but to vote for an amendment which he has drafted. I think it will readily occur to Senators that they are two different things.

If this amendment were referred to the Foreign Relations Committee or the Judiciary Committee, they would probably work on it for 2 weeks before having it in the form they wanted it.

Let us see whether or not it is in such form that Senators would want to vote either in the affirmative or the negative.

In the first place, a referendum election is to be held throughout the country. When is the election to be held? It is to be held when four Members of Congress say it shall be held. Four Members of Congress may call an election in the United States at any time. However, under the first subsection they may not call it if there is a threat of armed force against the United States or its territorial possessions, or a threat of armed force by any non-American nation against any country in the Western Hemisphere. If such threat exists, they may not call the election.

When do they call the election?

> The national advisory election herein provided for shall be called whenever four or more members of the Board shall file with the Secretary of State of the United States a written demand therefor.

Of whom does the election board consist? It consists of the President of the Senate, three Senators, and three Representatives. Whenever the election board demands of the Secretary of State that he call an election throughout the country it shall be done. They many not call an election if there is a threat of attack on the United States. They may not call an election if there is a threat of attack against one of our possessions. They may not call an election if there is a threat of some foreign government against any country in this hemisphere. In what cases may they call an election?

Mr. LEE. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. LEE. Whose judgment is to determine whether or not there is a threat of attack?

Mr. PITTMAN. The judgment of four Members of Congress.

Mr. LEE. Might not their judgment be wrong, as was the judgment of some Senators in predicting a few months ago that there would be no war?

Mr. PITTMAN. It might be.

Let us go further. These four gentleman may call a great national election. How is that election to be conducted? This is the way it is to be conducted:

> Every citizen of the United States qualified to vote according to the laws of the State of which he or she is a resident shall be entitled to vote at such election.

That is all right.

> Such election shall be held and conducted under such rules and regulations as may be prescribed by the United States Referendum Election Board—

That is, the board of seven members, four of whom constitute a majority, are to determine how the election shall be held. How many Senators are willing now to subscribe to that proposal? Oh, yes; it goes a little further:

> except that such election shall be by secret written ballot and shall be conducted as nearly as possible in accordance with the laws of the several States for the conduct of their respective State elections.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. McKELLAR. I know it is old-fashioned to ask such a question; but is there anything in the Constitution which provides that the Congress may pass such a law as that now proposed?

Mr. PITTMAN. I do not want to go into the constitutional question of the right of seven Members of Congress to conduct elections in the various States of the Union according to such rules and regulations as they desire.

The board may call an election any time four Members of Congress get together and say, "We ought to have an election." Conditions may be as peaceful as a spring day in the State of Wisconsin, and as far away from war; but there would be nothing in such a peaceful time to prevent the four men getting together and saying, "There is no threat of attack on the United States. We may not call an election if there is a threat of attack on the United States. There is no threat of attack against any of our possessions. We may not call an election if there is such a threatened attack. We may not call an election if there is a threat of attack on South America or Canada; but it is a nice, peaceful day, so let us call an election."

What would they submit to the people when they called the election? This is what they would submit:

> The question to be submitted at the election shall be, Under existing conditions shall the United States go to war?

Mind you, they may not call an election if there is any threat of war against the United States or against any American country. There must be no threat of war against the United States by a foreign country or against South America by a foreign country.

To go further:

> In conducting any such election the Board shall, so far as practicable, use the election officials and the polling places provided for by the laws of the several States.

I have read enough, Mr. President. The aim of the Senator is worthy of consideration, but he should not attempt to carry out such a vital proposal—and even such high ideals—by attempting in a hurried manner to develop some scheme such as the proposed amendment and asking the Senate of the United States to consider it at this hour, when we are attempting to bring to a conclusion the pending legislation, and when we all desire to get through with it and leave. He should not attempt to introduce a provision which would require the consideration of a committee for a considerable length of time, and which would call for much debate on the floor of this body.

Mr. BARKLEY. Mr. President, will the Senator yield to a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Kentucky?

Mr. PITTMAN. I yield.

Mr. BARKLEY. I agree fully with what the Senator has said about this matter. Suppose that this amendment should be adopted and there should be submitted to the people the formula or question provided by the amendment, which is, "Under existing conditions shall the United States go to war?" Suppose there was a referendum on a statement of conditions which were described as existing and the American people voted on that question based upon the existing conditions and voted one way or the other; or suppose they voted not to enter a war under the existing conditions; and suppose those conditions changed within 3

weeks after the vote taken by the American people; would it be necessary to hold another referendum to decide whether, under the changed conditions, we would go to war, or would the Congress still be trusted under the Constitution to determine whether or not we should go to war? How many referendums would it be necessary to take in the kaleidoscopic situation which exists in every war of any magnitude before Congress would know whether the American people had instructed it to vote to declare war under the conditions that existed at the time the vote was taken?

Mr. PITTMAN. I do not know what the Senator from Wisconsin has in mind, but certainly the proposal is so indefinite that the Senator from Nevada is unable to answer the questions of the Senator from Kentucky.

Mr. BYRNES. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. PITTMAN. I yield.

Mr. BYRNES. Assuming that the referendum were held, and there was a large vote, say in 10 of the States, and a majority of the votes cast in the country were in favor of going to war, but two-thirds of the States voted against going to war and two-thirds of the Members of the Senate were opposed to going to war. Even if, as the Senator from Wisconsin has said, it would be an advisory election, would there not immediately arise the demand that Congress, as the agent of the people, should regard the vote of the entire voting population as mandatory and proceed to vote to go to war, even though two-thirds of the Senate were opposed to war? Does the Senator think that might happen?

Mr. PITTMAN. Oh, it is subject to that construction. I do not see any use in discussing a matter of this kind which indicates clearly that it involves a great many controversial questions besides the idea suggested by the Senator from Wisconsin. I do not think any of us know what is in the proposal.

Mr. CONNALLY. Mr. President, will the Senator yield for a question there?

Mr. PITTMAN. Let me read from the amendment first. This is the way it starts out:

SEC. —. (a) Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its Territorial possessions, or by any non-American nation against any country in the Western Hemisphere—

Except in those cases—

a national advisory election shall be held in the several States upon the question of war or peace prior to any declaration of war by the Congress.

It seems that practically every chance of having an election has been eliminated, because if there is a threat of war against our country, an election cannot be called; if there is a threat of war against any country on the Western Hemisphere by any foreign country, an election cannot be called. When one would be called, I do not know. I now yield to the Senator from Texas.

Mr. CONNALLY. I will not interrupt the Senator now.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. I yield.

Mr. SCHWELLENBACH. Assuming such a situation that every Member of Congress except four members of this board believed that there was an actual attack upon the United States by armed forces but the majority of the board insisted that there was no attack, and they did not agree with all the other Members of the Congress, the board then could call an election and have the question passed upon by the people? Would it not give four members of the board complete and absolute power to determine the question of election and also the question as to whether or not there was an attack or a threatened attack upon the United States?

Mr. PITTMAN. Oh, yes; the amendment would give absolute power to four Members of Congress. If every other Member of Congress except those four Members said, "There is no use going to that expense, there is no threatened danger at all," the four Members could still call an election; or if every Member of the Congress except the four Members said, "There is an immediate threat of war against the United States," the four would not have to accept their judgment; they could still call an election and say there was no such a threat.

Mr. CLARK of Missouri. Mr. President, when I was a young fellow entering into the practice of law in Missouri I was familiar, as were others of us who had the experience of occasionally practicing in a justice court, as most of us had to do in working our way into the practice of the law, with the term "pettifogging." I must say, that in all my life I have never heard more suggestions of a pettifogging nature in so short a time than I have heard this afternoon upon this amendment. The suggestion has been made——

Mr. PITTMAN. Mr. President; just a moment, please.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. CLARK of Missouri. I yield.

Mr. PITTMAN. Before the Senator goes any further, I want to ask him if he includes my remarks in his statement.

Mr. CLARK of Missouri. I think some of the remarks of the Senator might be classed in that category, but I will withdraw the statement.

Mr. PITTMAN. No; the Senator will not withdraw it. He has a habit, in his conceit and vanity and lack of ethics, of indulging in such expressions. I want to have the pleasure of answering him.

Mr. CLARK of Missouri. I call the Senator to order for making personal remarks.

Mr. PITTMAN. I will take my seat, but I suppose the Senator does not think that he is pettifogging at all.

The PRESIDING OFFICER. Both Senators will take their seats.

Mr. LA FOLLETTE. Mr. President, I move that both Senators be permitted to proceed in order.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wisconsin.

The motion was agreed to.

Mr. PITTMAN. Mr. President, I have nothing more to say.

Mr. CLARK of Missouri. Mr. President, I call attention to the fact, without debating the merits of the amendment proposed by the Senator from Wisconsin adequately, that an effort has been made here to befog the issue by the most extreme conception of circumstances which could possibly arise, namely, the suggestion that four Members of the Congress alone, setting themselves against the will of all the other Members of the Congress, could call a special election of the country when there was no occasion for it. That is set up as against the requirement of the amendment that this country shall not be plunged into war except in case of an attack upon the United States or upon this hemisphere.

Mr. President, the real suggestion is not that this is any invasion of democracy in the United States but that it is too much of an invasion of the processes now involved in going to war without giving the democracy of this country an opportunity of expressing itself upon the question of the sacrifices they shall make.

Mr. President, what are the provisions of this amendment? The Senator from Nevada said a moment ago this board could not act in any case where there was a threat of war. The amendment says no such thing. I quote from the amendment:

Except in case of attack by armed forces, actually or immediately threatened, upon the United States or its territorial possessions, or by any non-American nation against any country in the Western Hemisphere, a national advisory election shall be held in the several States upon the question of war or peace prior to any declaration of war by the Congress.

That provision does not invade the constitutional authority of Congress to declare war if, in its wisdom, it wishes to do so; but this advisory vote from the people of the United States, considering the sacrifices which shall be made, the blood which shall be poured out, the treasure which shall be thrown away, simply affords the poor privilege to

the average citizen of the United States to express his opinion in a way which will not be subject to the question of who took the poll, of any question of bias as to the poll takers or the method by which it was taken. It simply affords an opportunity to the electorate of the United States to advise the Congress of the United States, who, after all, are only their servants and not their masters, as to their wishes, as to whether this country should be plunged into a war when they are not in danger of being immediately attacked.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Iowa.

Mr. GILLETTE. I wish to interrogate the Senator as one who likes the substitute proposal. Does the Senator think that under the existing conditions there could be an intelligent expression of opinion on the part of the voting public upon the question "Shall the United States go to war?" without specifying where or with what country?

Mr. CLARK of Missouri. Mr. President, I do think so in general terms, although personally I should be glad to support an amendment to this amendment as to the formula. I am not completely satisfied with the formula; but as to the principle of the amendment I am entirely satisfied, and am in entire support of it. I certainly do not think the question is one as to which it can be assumed that the majority of the commission are just going out for a pastime on some summer afternoon, when no national crisis confronts the people of the United States and order an election for the fun of the thing. On the other hand, I do think the formula should be set up in such a way as most accurately to record the advisory opinion of the American people.

As I say, I am not by any means convinced that the formula set up for the submission of the question is perfect. I do believe, however, that the principle of this amendment would be vastly in the interest of the American people.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I am glad to yield to the Senator from New Mexico.

Mr. HATCH. The Senator from Missouri knows that the Senator from New Mexico has had quite an interest in this subject.

Mr. CLARK of Missouri. I am very familiar with that fact.

Mr. HATCH. And that the Senator from New Mexico conducted hearings on an amendment proposed by the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Missouri, and several others. The Senator also knows that I disagree on the war referendum, and do not believe it is a question which should be submitted.

Mr. CLARK of Missouri. I have great respect for the Senator's opinion, and I am aware of the fact that he differs with some of us on that question.

Mr. HATCH. The thought which has been coming to my mind, though, while this discussion has been going on is this:

In view of the fact that a proposed amendment to the Constitution is now ready for action by the Senate, the committee having reported it to the Senate, and that there will be ample opportunity to discuss this very important question, in which so many sincere persons in the United States are interested on both sides, and that there is more likelihood of making a mistake in draftsmanship, if nothing else, in proceeding in the hurried manner in which we are now proceeding, would it not be better to withdraw the amendment at this time and discuss the whole subject when we come back here and can argue the question of a direct constitutional amendment? For, in effect, that is what this amounts to.

Mr. CLARK of Missouri. Mr. President, normally I should agree with what the Senator from New Mexico says, except for the fact that for years a great many of us have been struggling to obtain consideration for that constitutional amendment, and we have not been able to obtain consideration for it in the Congress.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I shall be glad to yield in just a moment. We are now considering a measure with regard to a definite situation, I regret to say, because I do not believe neutrality laws should be considered with regard to definite situations; but the Congress today is considering a neutrality law with regard to a definite situation, and this is an amendment clearly within the limits of the Constitution. Therefore, to my mind, we should not deal with this subject at all without dealing with the possibility of the American people being plunged into war without having the opportunity to express at least an advisory opinion on the subject.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I gladly yield to the Senator from New Mexico.

Mr. HATCH. The Senator said he had been unable to obtain any consideration of the matter by Congress. I am not unmindful of the fact that the Senator from New Mexico, the Senator from Idaho [Mr. BORAH], and the Senator from Arkansas [Mr. MILLER] spent some 3 or 4 weeks of the last session of the present Congress in taking testimony as a subcommittee of the Judiciary Committee; and while we made a report adverse to the Senator's position, we made a report to the full committee. The full committee acted on the report and voted by 9 to 5 against the joint resolution; but in order that the Senator from Missouri and the other Senators might have their day in court they brought the joint resolution to the floor of the United States Senate, where it pends on the Calendar at this time, subject to being called up. That is what we did.

Mr. CLARK of Missouri. I should like the Senator from New Mexico to understand that I certainly am not criticizing the procedure in the Judiciary Committee; but, nevertheless, there has been a long fight over the question of a constitutional amendment, which has never been officially acted on by the Congress. Therefore, I say, having regard to the necessity for such action, as I see it, that I think since the proposed amendment to the Constitution has not been heretofore adopted, any measure within the Constitution not requiring an amendment to the Constitution ought to be considered in connection with the pending joint resolution.

Mr. HATCH. Mr. President, will the Senator yield for one more question? Then I shall not interrupt him any more.

Mr. CLARK of Missouri. I am glad to yield to the Senator from New Mexico.

Mr. HATCH. I am sure the Senator will agree with me that if this amendment should be adopted and become the law and should be obeyed, it would in effect amend the Constitution of the United States. Knowing the views of the Senator from Missouri on the Constitution, will he not also agree with me that if the Constitution is to be amended it should be amended in a constitutional way?

Mr. CLARK of Missouri. Mr. President, I agree with the conclusion of the Senator from New Mexico, but I by no means agree with his premise. In other words, I agree that if the Constitution is to be amended at all, it should be amended in accordance with the orderly processes set up by the Constitution; but I certainly by no means agree that such an amendment as this, providing for a national referendum opinion, not to be binding on the Congress or the President, is an invasion of constitutional process.

Mr. BYRNES. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from South Carolina.

Mr. BYRNES. In perfect good faith, does not the Senator think there is considerable to the suggestion of the Senator from New Mexico [Mr. HATCH]?

On the question of time provided in the amendment, without any filibuster the Senate for more than a month has been endeavoring to arrive at a conclusion upon the issues presented by the joint resolution reported from the Foreign Relations Committee; yet this amendment would require or make possible the submission by this Board to 130,000,000 people for discussion and conclusion upon their part, upon 15 days' notice, the all-important question of going to war.

Mr. CLARK of Missouri. That, again, is entirely a matter of detail. If the Senator thinks the time is too short, he can

very readily offer an amendment to the amendment. After all, the time within which the election is to be held is a matter of detail.

Mr. BYRNES. In line with the suggestion of the Senator from New Mexico, and just because of that question, does not the Senator from Missouri believe this important question ought to be carefully considered at a time when we may determine, if it is to be done, how much time should be allowed for holding such an election, and other matters of that kind?

Mr. CLARK of Missouri. Mr. President, there is merit in what is said by the Senator from South Carolina; but what I am afraid of is a situation which might suddenly develop at some time as I saw it develop once before, very shortly after the people of the United States had solemnly decided an election on the question of "He kept us out of war." Within a few months, the session of the Congress having expired, the Congress was suddenly called together on 10 days' notice for the purpose of hearing a recommendation from the President of the United States for a declaration of war; and I am not in the least criticizing the President of the United States for what he saw fit to do on that occasion.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I shall be glad to yield to the Senator from Kentucky in just a moment. On 10 days' notice the Congress of the United States was called into extraordinary session for the purpose of voting on the question of whether we should go into war; and within 5 months after a great party had elected a great President upon the issue of keeping out of war, we were fighting in a "war to end war."

The PRESIDING OFFICER. Does the Senator from Missouri now yield to the Senator from Kentucky?

Mr. CLARK of Missouri. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, it has been repeatedly stated, not only in this debate but ever since 1917, that the issue involved in the election of 1916, in which President Wilson was reelected, was the fact that he had kept us out of war.

I think it should be stated, and I do not think the statement is subject to contradiction, that at no time in that compaign did President Wilson ever advance the argument that he had kept us out of war; but a good many of his advocates did make that suggestion, which was the truth. He had kept us out of war for 2½ years; but it was after his election that the conditions were completely changed by the order for unrestricted submarine warfare on the part of the Imperial German Government, which made it necessary for Congress to deal with a situation that formerly did not exist.

Mr. CLARK of Missouri. Mr. President, I have stated that I am not in any degree whatever criticizing ex-President Wilson for any course he took. I mention the matter in connection with a suggestion of the Senator from South Carolina that 15 days is too short a time for the American people to make up their minds as to whether they want to have a war or not. I call attention to the fact that in the case of the World War the responsibility was devolved upon the representatives of the American people within 10 days, as I recall, to decide whether or not we should have peace or war.

Mr. THOMAS of Utah. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. CLARK of Missouri. I shall be glad to yield to the Senator if he will just let me pursue my remarks a moment. My time is limited. How much time have I left on the amendment, Mr. President?

The PRESIDING OFFICER. The Senator from Missouri has 3 minutes left.

Mr. CLARK of Missouri. I reserve the remainder of my time.

Mr. CONNALLY. Mr. President, I shall detain the Senate for only a short time, but some matters have been injected into the debate to which I think reply should be made.

The Senator from Missouri brings up the old issue of the campaign of 1916 and the reference to Woodrow Wilson keeping us out of war, and the declaration of war of 1917. I submit to the Senate and to every man in Washington the question of whether or not the country was back of the war declaration in 1917. The people of the United States more than President Wilson forced the Congress to take action with regard to the World War; and if we had had a referendum, as proposed in the pending amendment, the people of the United States would have voted to get into the World War a year or two before the Congress of the United States finally put us into the war.

I challenge anyone to call attention to a single instance in which the Congress of the United States has ever declared war when the people of the United States were not backing the declaration. Congress is more conservative with regard to getting into war than are the people of the United States. Senators and Representatives know that we are not going to vote for a war, any kind of a war, anywhere, until we think the people of the United States want the war, and want it badly.

There is much talk about this referendum. Of course, it is an assault on the representative principle. If we, as a House of Representatives and a Senate, have not sense enough to legislate on whether we are to go to war or not, we have not sense enough to legislate on anything else. Why not submit everything to a vote of the people?

Whenever the Congress speaks, it is not our voice, it is the voice of the people of the United States. We are representing the people; we are their Senators. I have the highest respect for the people of the United States, God bless them. If it were not for the people of the United States none of us would be here. [Laughter.] The people of the United States are responsible for the Senator from Missouri being here; they are responsible for the Senator from Idaho being here; and when they sent them here they sent them here to act as Senators, not manikins, not Edgar Bergens. [Laughter.] They sent them here to use their judgment.

Mr. BARKLEY rose.

The PRESIDING OFFICER. The Chair will permit the Senator from Texas to make the amendment. [Laughter.]

Mr. CONNALLY. Mr. President, I desire to make the correction the Chair has in mind. Instead of Edgar Bergen I should have said Charlie McCarthy. I looked over at my leader for inspiration and he nodded, and I thought he meant it was Edgar Bergen. [Laughter.]

Mr. BARKLEY. I knew Charlie McCarthy's name was not Edgar, and I thought when the Senator said "Edgar" he meant Bergen. [Laughter.]

Mr. CONNALLY. Mr. President, the people sent us here to act as Senators, and not as manikins. Someone will say this is showing disrespect for the will of the people. No; it is not. Talk about a referendum. We get a referendum in the Senate every morning. When we go to our offices, when we open our mail, when we wait for the telegraph boy, when we go to the long-distance telephone, when we mingle with our people at home, we are having a referendum, not every 7 or 8 or 10 years, as under the proposed amendment, but we are having a referendum every day in the year, and if Senators are honest and patriotic they want to represent the views of the people, unless the people are absolutely wrong.

If I were opposed to our country going to war, did not believe it was to the interests of this country to go to war, if I were big enough and had courage enough I would say, "No," even if the people of my State did vote for a war. Would not the Senator from Missouri do likewise?

Mr. CLARK of Missouri. I hope so.

Mr. CONNALLY. Exactly. But they want this referendum. What would it do? Suppose we submitted this question to a vote. Congress would be waiting. Congress, we will assume, is going to consider the war question when we get to it. But let us submit it to the people on 15 days' notice. Every radio in the country would be throbbing with the voice of the sympathizers of some nation concerned, and the radio across the street would be throbbing with the sentiments of the sympathizers and the descendents of the people of the other nation, and instead of having war abroad, we would probably have one here at home before we got through. [Laughter.]

Mr. President, if this is sound legislation, if this is sound governmental theory, if this is sound constitutionalism, if this is sound representative government, then let us do away with representative government and go back to the old Greek system of going out and calling the people all in and bringing them in Government trucks to a public meeting place and having a lot of heated speeches and then vote them down with a steam-roller process and go ahead.

I have respect for the people, and every time they go to the ballot box and express themselves, every time they elect a Representative or a Senator, they are electing something more than a suit of clothes and a hard-boiled shirt; they are electing someone they think at least has brains and courage and integrity, and is willing to discuss and consider the question of war and peace.

We have been here a month considering this joint resolution, not as important as deciding the question of war. The Senate of the United States cannot settle it in less than a month, but the proposal is to have 130,000,000 people settle a question about which they have not sufficient information, and make them vote for a war or against one in 15 days.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BYRNES. The Senator's question as to the people having sufficient information causes me to ask this question: Is any provision made by which the Government would make known to the people of this Nation before they vote whether or not the Government is ready to go to war? Before they vote that we shall go to war, should we not inform them as to the status of our national defense?

Mr. CONNALLY. Exactly; I was just coming to that. I thank the Senator, and I shall try to arrive at the point directly.

Consider England and France. People complained about their action a year ago in regard to Czechoslovakia, and many people said, "England was not ready." If the English people had voted to go to war, England probably would have gotten into the war and been licked very quickly.

The point I was making when I said they did not have sufficient information was this: If Congress acts in these matters, it has committees to gather the information needed, the Secretary of State and his ambassadors all over the world will be sending us information. We do not put it all in the papers. We would not put it in the papers so that the enemy could find it out.

We have military attachés in foreign countries, supposed to tell us about the navies and the armies of the people who are going to fight. We cannot put all these things in the papers. But the Congress can find out about them, the committees can find out about them, those who are charged with the responsibility of voting can find out about them. How would the people find out about those things?

Another thing is that we do not want to declare war until we are ready. We want to know where our armed forces are, what amount of war materials we have already stored up, how many airplanes we have, all about our infantry and artillery and chemical warfare. We want to know where the Navy is, and how many ships we have, and where they are located. We do not want to declare war until we get them located in the right spot, ready to fight.

Mr. BARKLEY. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. Under the proposed amendment, section 1 (a), it is provided:

> Except in case of attack by armed forces, actual or immediately threatened, upon the United States.

What does it mean by "the United States"? Does that mean the territory of the United States, that an army has to be landed somewhere in the United States, or is about to be landed? What does it mean? If we have to wait until an army is landed or is about to be landed for an attack on the United States before we hold an election, the army could get to Washington and burn the Capitol again before the people could vote on whether we would have a war or not.

Mr. CONNALLY. I thank the Senator. The language is:

> Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its Territorial possessions.

Mr. BARKLEY. I suppose, however, that would be a pettifogging argument, but, at the same time, it is possible.

Mr. CONNALLY. Sometimes pettifogging is better than just fogging. [Laughter.] I thank the Senator for the interruption.

That first sentence is only an exception, however. But suppose the enemy sinks one of the American ships halfway to Europe, 1,500 miles out in the ocean, one of our warships, if you please, without any declaration of war; that would not be an attack on the United States or its Territorial possessions.

Mr. BARKLEY. Mr. President, if the Senator will yield, I was going to ask him whether under the amendment it might be proper for some nation to drive our commerce from the seven seas, provided it did not involve attack on territory of the United States; would that still be a cause for war, or a referendum?

Mr. CONNALLY. They could call for a referendum in that situation, I think. [Laughter.] But while they were fooling around with the referendum all the ships might disappear.

Mr. President, if this is so sound for a foreign war, why is it not good for a domestic war? Is there anything more sacred about a war abroad than one here; and if the people should pass on going into a foreign war, why should they not pass on going to war right here at home?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. I should like to suggest to the Senator that if the people of the United States, rather than the politicians, had had a chance to pass on the War between the States—the Civil War, as it is called—we possibly would never have had that great calamity befall the people of this country.

Mr. CONNALLY. The Senator knows more about that that I do. I was not here. [Laughter.] According to this amendment, however, that would not have been covered. This amendment would not have covered the War between the States, I am sure.

Mr. President, suppose there was an election. The question to be submitted to the electorate would be:

> Under existing conditions shall the United States go to war?

Suppose we had a referendum yesterday on the question Shall the United States go to war? Then the question would arise, and someone would say, "Well, they did not say against whom we are to go to war, whether against England or against Germany. We must have another referendum now to decide whether the people meant that we should go to war against Germany, or that we should go to war against England, or against what country we should go to war." So, Mr. President, under this proposal all that can be done is to go out and shoot anybody you meet. [Laughter.]

Mr. President, in all seriousness, there is pending a resolution to amend the Constitution so as to provide for a referendum on the question of war. While I do not favor the proposal, I do say that it is being considered; it has been before the Judiciary Committee; we have had extensive hearings on it. The way to amend the Constitution is to do so in the manner provided under the Constitution, and not to go around and come in at the back door. That is what the proposed amendment attempts to do. It is an attempt to amend the Constitution by subterfuge, and by circumlocution, and by crawling in by the back stairs when you could come in the front door under the Constitution by amending the Constitution.

Mr. President, if this is not an attack on the right which resides in the Congress, and in no one else, to declare war, what is it? It is a limitation of that authority. It is a weakening of that authority. It is a striking from the Congress of some of its powers. The purpose of this referendum is to coerce the Congress, to make it take certain action,

to take away from Congress the right to declare war, or not declare war, according to our best lights, according to our conscience, according to our patriotism. Its purpose is to take away from Congress that power and put it somewhere else.

Mr. President, the people trust us if only we trust ourselves. The people do trust us or we would not be here. Shall we show the people that we have no confidence in our own integrity, in our own character, in our own intelligence, and our own patriotism, and say "No, this is a mean question. I wash my hands of it. You go out and decide this." That is what Pilate said to the mob when he tried Christ. He said, "I find no fault with this Man," but he said he did not want to have anything to do with trying Him. He did not want that responsibility. He said, "I wash my hands of the matter."

Mr. President, we were elected to assume these responsibilities. We held up our hands and swore we would assume them. One of these responsibilities is to decide whether, and how, and when, the United States shall go to war or not go to war.

Mr. President, I for one am not prepared to say to my people, "I do not have the nerve, I do not have the courage, I do not have the intelligence or the patriotism, or the sense of responsibility to discharge the duty which you gave into my keeping under the Constitution."

Mr. President, the Constitution does not belong to us. It belongs to the people, and their power, which is in the Constitution, rests there because the people put it there. I shall not take it away until it is taken away under the Constitution in a constitutional manner.

Mr. THOMAS of Utah. Mr. President, that which I am going to say will sound very tame after the speeches which have been delivered, but it happens that the people have a way under the Constitution of expressing themselves if that is their desire. Whenever the people decide that they want a war referendum they will get it. The war-referendum proposal has now been before the people of the United States for at least a generation. It has been debated. There is a method under the Constitution which has never been used, which could be used, and if there was any desire on the part of the people of the United States to avail themselves of this power there would have been an expression of that desire by now. In public debate there have been expressions concerning the matter.

Under the amending article of the Constitution there is this provision, which has never been used, and it is well that we know that it is there because probably, if it is ever used, we will say that the fathers anticipated that the people at some time wanted to take these powers into their own hands. I read from article V of the Constitution, which, of course, everyone present knows by heart:

> Or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments.

Mr. President, if there had been any will in the minds of the American people in the last 20 years to show a desire to have a referendum in regard to war, applications would have come from the States, and we would have heard about them in the proper way.

I trust that when the amendment comes before us it will be discussed properly. I would not have said anything about it at this time if it had not been for the fact that the problem is of such vast importance that the arguments which have been used are hardly in any way equal to the problem itself.

Mr. FRAZIER. Mr. President, whatever may be said about the amendment offered by the Senator from Wisconsin, the principle is right. It represents pure democracy. It is all well and good for Members to rise and make fun of it, or to ridicule other measures to which they happen to be opposed, but nevertheless the principle of the amendment is right. If there are changes needed in the method of applying it, well and good. They can be provided by amendment. Laws have been amended from time to time to make them workable. The amendment proposed by the Senator from Wisconsin is on the right track. There is nothing more democratic than to put to the people themselves the question of whether their country shall or shall not engage in war. When the question of becoming involved in a foreign war arises, the people are entitled to decide what shall be done.

Mr. President, it is argued that we should amend the Constitution. We have tried to do so, but a few powerful committees have blocked action on the part of those who wanted to bring the question before Congress and put it to the people, and therefore we have not been able to bring the question before Congress for action. We have not been able to obtain a vote on it. But I believe the time will come when we shall have in the Congress a vote on the question, whether by referendum the people shall decide whether or not war should be declared.

Furthermore, a proposition of this kind to provide for a referendum vote on the question of a foreign war will be a real step in the direction of world peace. It will be an example for other nations, and, I believe, it will be a good example. I am convinced that if the people of England or the people of France had been able to vote on the question of whether or not they wished to go to war, they would have voted against war.

Mr. BARKLEY. How about the people of Germany?

Mr. FRAZIER. I think they also would probably have voted against it had they been given the opportunity to vote. The situation in Germany is a little different because of the dictatorship existing there and the fear on the part of the people perhaps.

Mr. BARKLEY. Does the Senator think that, regardless of the fact that every other nation in the world can declare war on us over night, we should wait until we have an election before we could declare war on a nation that made war on us?

Mr. FRAZIER. Mr. President, that is hardly a fair question. There is nothing in the pending amendment which provides for anything like that or makes any insinuation of anything like that. It is a childish, schoolboy question which, it seems to me, should not be asked in a situation of this kind, when we are considering an important question.

Mr. BARKLEY. Mr. President, I admit that the Senator is well qualified to pass upon childish, schoolboy questions——

Mr. FRAZIER. I am, Mr. President, because I used to teach school.

Mr. BARKLEY. As a matter of fact, it is not a childish, schoolboy question, because if we should adopt this amendment we would be placing ourselves in such a situation that we could become the victims of any nation in the world without recourse to any such methods as they have to decide whether we should make war.

Mr. FRAZIER. Mr. President, I cannot agree with that argument. I cannot read anything in this amendment which might justify a statement of that kind. But, Mr. President, it seems to me that if we will adopt the amendment we will take a step in the right direction. I believe it should be adopted. Give the people a chance to vote on important questions of this kind. Nothing could be more democratic than doing that. It is an expression of real democracy to let the people themselves decide on questions involving war. We should have more democracy instead of less of it.

Mr. NORRIS. Mr. President, in opposing the adoption of the proposed amendment and in criticizing it I wish to say to begin with that in drafting, it seems to me, the Senator from Wisconsin has done it as well as it could possibly have been done. I do not believe, however, that there is sufficient ingenuity in any man, no matter how wise he may be, to draw a provision of this kind and have it free from difficulties which it seems to me are fatal. I think the Senator from Wisconsin has come as near doing so as it is possible to come. So when I criticize the amendment, Mr. President, it is in no sense on the theory that I think the amendment might be improved. Perhaps it could be; but I shall not consider it in that light.

Let us see what it is. If the amendment should be agreed to, then four men would have it in their power to say whether

or not a referendum should be held. It would not be Congress; it would not be the Senate and the House, but four men who are Members of the Senate and the House.

Mr. President, I ought to say before proceeding further that I believe in the principle of the referendum. I fought for it from the very beginning when it was proposed. It has its usefulness. I think it is one of the fundamental things that a free people ought to have in any case in which it is practicable.

Four or more members of the board, consisting of three Members of the Senate and three Members of the House, presided over by the Vice President of the United States, who shall have no vote except in case of a tie, would have this matter submitted to them.

I think many Members of the Senate were originally under the impression that the Senate and the House would decide on the referendum any time it might be invoked. But not so. If we should adopt this amendment we would delegate our authority to four men. Is that practicable? Does the reasonable and patriotic man, however opposed he may be to war, believe that it is the practicable thing to do?

What kind of an election would be held? The board would call the election; and the amendment provides that in carrying out the election the board shall consult with the Governors or State officers, and with officials of cities and municipalities.

The election would cover the entire United States. There are 48 States in which elections would be held, and no 2 of them have exactly the same laws. The board must negotiate with the Governors and with city and municipal officials to carry the proposed law into effect. Is it practicable? Can it be done? Are there 4 men under God's sun with sufficient wisdom satisfactorily to carry out the provisions of the amendment? There are not, Mr. President; and we know it.

It seems to me that if we reason this thing out, down in our hearts and in our brains we can come to no other conclusion than that we shall be following a will-o'-the-wisp if we put the proposed law on the statute books.

Illegal voting would be penalized. Probably men would be sent to jail for illegal voting. How would that be done? Then it would be necessary to pay all the election officials who participate in the holding of the election. It is impossible, Mr. President.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NORRIS. I prefer not to yield, because my time is limited, and I wish to reserve some of it.

Mr. President, what would the board do? Would it write to the Governors of the States and to city and municipal authorities and say, "We are going to have an election. Help us carry out the election. Every citizen who is a voter is entitled to vote."

Suppose someone who is not a citizen should present himself and desire to vote. Suppose a German, a Briton, or a Hollander should come to the polling place and want to vote; would he be permitted to vote? Suppose he should vote? Would he be punished for it? No; not under the proposed amendment. I do not see how it is possible to regulate such matters.

Mr. President, that is not all. I assert as emphatically as I can that if the amendment should be agreed to and should be followed by Congress—and I think it is conceded that we ought to follow it if we enact it—it would be impossible for Congress to declare war until after a referendum was held.

The first subsection says that except in case of attack on the United States or American possessions—

> A national advisory election shall be held in the several States upon the question or war or peace prior to any declaration of war by the Congress.

What does that mean? If Senators and Members of the House were to obey such a law they could not carry out their constitutional prerogatives until the referendum had been held under the conditions I have outlined.

I confess that if I were drawing such an amendment I could not improve on it. I am not trying to find fault with the draftsman or the author of it. He was simply confronted by an impossibility.

I know, Mr. President, that it is very easy to say that we abhor the terrible conditions brought about by war. That statement always obtains a hearing. But, as I see it, that has nothing whatever to do with the amendment. I agree with all the black pictures of war that have been so eloquently painted by the Senator from Wisconsin [Mr. LA FOLLETTE]. I agree with every word of his description; and I am just as anxious as he or anybody can be to eliminate war. But I want to be practical. I am bound in my own conscience and brain, small as it is, to follow the light that God has given me. I believe it is a fantasy, an illusion, that we can surmount the obstacle by submitting to the people the question of embarking on war.

Mr. President, it has been said that history repeats itself, and that when we provided in our Constitution that a law could not be enacted until Congress, representing the people, had declared it, that was a great victory for the people and for human liberty. I agree to that, every word of it. Other countries declared war through the heads of their governments. Ours could not do so until the representatives of the people took action. At first, only Members of the House were elected directly by the people. After the amendment to the Constitution Senators were directly elected by the people. That was a great victory. The Constitution at present comes as near as we can make it come to letting the people decide this question. We cannot come any nearer to it.

Much has been said about the World War and our declaration. I approach that subject with much hesitancy, fear, and trembling, because to me it is not one of the bright pictures of this country. It is not one of the bright spots in the history of the American people. It seems to me it is one of the darkest spots in my own life. However, I then saw the reverse of what is being attempted today by this referendum amendment. I cannot prove my next statement, of course. It may not be true; but after going through that experience, the hell, the damnation of those terrible, agonizing, and bitter days, I have reached the conclusion that if Congress had followed the dictates of its own conscience no war would have been declared.

Mr. President, I saw men in the Senate and in the House trembling under the burden that was upon them. Many of them talked privately with me and said, "I wish I dared vote against this damnable resolution." When I asked, "Why not vote against it?" the answer invariably came, "My people are unanimous for this resolution."

I think my people were practically unanimous. If there had been a referendum then, in my opinion, 95 percent of the voters would have voted for war.

There is a vast difference between casting a vote in a ballot box and casting a vote in the Senate, where we represent the lives, the happiness, and the comforts of millions of people. Shoulder a reckless man with responsibility and he becomes a different individual. He then has a responsibility that sobers him. He must reason things out. For that reason the vote of a Senator is vastly different from the vote of the ordinary citizen who goes to the ballot box and casts his vote. We have the blood of our people resting upon us. We are thinking in a broader sense than we would think if we were in an election booth. We are different men.

Some say that Senators and Members of the other House should have the courage of their convictions and vote against war, regardless of the opinion of those who send them here, while others say that they ought to follow as nearly as they can—which they could do if a referendum was held—the wishes of their constituents. I concede, Mr. President, that on some questions the votes of our constituents ought to determine our votes; on other questions, involving principle, we ought to have convictions of our own. If we do not have, we are not worthy to sit in this Chamber. When the blood of my countrymen and the lives of men and women are at stake and in my hands, even if every man, woman, and child rose up en masse and said, "We want you to vote for a declaration of war," if I believed, in my heart, that a declaration of war would be wrong, I would vote against it. I did that once, and I am ready to do it again.

But I do not want my people or your people, Mr. President, in 15 days' time, or longer, if it were desired to make the period longer, to pass on the momentous question of how I shall vote. It seems to me that we should look into our own hearts and our own souls, apply our own reasoning faculties and our own brains, and not try to evade the responsibility.

Mr. President, if we will do that we will stay out of war many times when, because of a sudden eruption of feeling of some kind, which it would be difficult to explain, our people, with a mad rush, might go over the chasm into the depths of the agony and misery of a terrible war.

It seems to me, Mr. President, if we want to be practical, we cannot escape the constitutional responsibility of passing upon such questions ourselves, and we should not try to do so. We know what may happen in almost a moment's time. When the Maine was blown up, people all over the country rose up the next day demanding war. When the Lusitania was sunk, there was aroused an awful feeling of resentment, which rose to the boiling point, and people throughout the United States said, "Let us go to war." We ought to give sober thought to the decision of such a question. We ought not to be taken off our feet by some emotional excitement which may occur any day and which has occurred in the past many times almost without a moment's notice.

Therefore, giving full credit as I do to those who favor this amendment, in my heart I cannot find it possible to support it. I sympathize with its proponents; I am just as much opposed as they are to the terrible miseries of war. My heart goes out in sympathy when they, in eloquent language, tell of the suffering and torment which are always incident to modern war. This amendment will not remedy that; we cannot remedy it in this way. I have no remedy to offer except to plead with my comrades in the House and in the Senate to keep on an even keel and follow their reason.

The PRESIDING OFFICER. The time of the Senator from Nebraska on the amendment has expired. He has full time on the joint resolution if he desires to occupy it.

Mr. WILEY. Mr. President, I shall take but a few moments of the time of the Senate. I have listened with a great deal of pleasure to the distinguished Senator from Nebraska [Mr. NORRIS], and I am sure we all agree with his sentiments. I have likewise listened with pleasure to my colleague [Mr. LA FOLLETTE], and I am sure that we agree with the high ideals expressed by him.

Mr. President, it seems to me that the proper way to approach the problem which has been suggested by the pending amendment is by an amendment to the Constitution of the United States. In May last I introduced a joint resolution providing for such an amendment. I wish to read into the RECORD the identical language of that joint resolution, for it is very short:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by conventions in three-fourths of the several States:

This is not the usual suggested amendment that has been before Congress for the last 10 or 15 years; it is different—

ARTICLE —

SECTION 1. The Congress shall have power to declare war when the United States or any of its Territories or possessions have been invaded, or are in immediate danger of invasion, and when any part of the Western Hemisphere has been invaded by, or is in immediate danger of invasion by, the forces of any non-American nation, and shall have power to declare war in other cases only if a majority of those persons voting in a national referendum held in such manner as the Congress shall by law provide shall vote in favor of such declaration of war.

It would be a double check, because the vote of the people would constitute one check and the vote of Congress would constitute a second check.

Congress could not vote for war unless a referendum vote of the people authorized them to do so.

On the other hand, according to the terms of my resolution—which differs in this respect from all previous resolutions—the vote of the people for war would not force Congress to vote for war. It would be an authorization for Congress to vote for war, but it would not be mandatory. It would be mandatory on Congress only when the referendum was against war.

It is thus apparent that my resolution adds another desirable and vital check on the dogs of war and adds another obstacle to a hastily and ill-considered declaration of war. It is vital that the American people be given a voice in determining whether they shall go to war. It is equally vital that the declaration of war be made as difficult as possible.

My proposed constitutional amendment satisfies both these requirements, and it is the only proposal for a war-referendum amendment that does so. For this reason, I favor my war-referendum resolution over the pending amendment of my colleague to the measure now under consideration.

Mr. President, as suggested by my colleague, we need checks on the dogs of war. At the time the Constitution was framed, when there was taken away from the Executive, where it had been lodged for ages past, the power to make war, and that power was put in the hands of the representatives of the people, a step forward was taken. The men who wrote that article of the Constitution said, "We have put a check on the dogs of war." When I introduced the joint resolution to amend the Constitution of the United States which I have read, I felt that if it were adopted it would put a double check on the dogs of war.

I believe it is unfortunate to offer to the pending joint resolution the amendment which has been presented. I believe the subject should be approached by an amendment to the Constitution, but that the people themselves should have a direct say whether or not they want to adopt this new process or new method of procedure when it comes to resorting to the arbitrament of arms.

Mr. McKELLAR. Mr. President, I will detain the Senate for only a moment. I wish to call attention to the fact that not only does the author of the pending amendment [Mr. LA FOLLETTE], for whom I have the sincerest affection and the greatest admiration, think that this is an unconstitutional proposal, but he has so stated to the Senate of the United States. I wish to read, therefore, Senate Joint Resolution 270, introduced in this body on February 25, 1938. I read:

By Mr. La Follette (for himself, Mr. Bone, Mr. Capper, Mr. Clark, Mr. Donahey, Mr. Frazier, Mr. Hitchcock, Mr. Lundeen, Mr. Murray, Mr. Nye, Mr. Shipstead, and Mr. Wheeler).

January 5 (calendar day, February 25), 1938. Read twice and referred to the Committee on the Judiciary.

I digress sufficiently long to say that if the amendment now proposed was not then thought to be unconstitutional by the distinguished Senator, I do not see why this joint resolution should have been introduced.

He would not have sought to change the Constitution if he had thought the situation could have been such by a simple act of Congress. If his amendment was unconstitutional on February 25, 1938, it is unconstitutional now. I think it was unconstitutional then and equally unconstitutional now.

Joint resolution proposing an amendment to the Constitution of the United States for a referendum on war

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

Here is the resolution, and I call attention to the very great resemblance it bears to the amendment which is now before the Senate. The real and substantial part of it is exactly the same as the proposed amendment now offered by the Senator from Wisconsin:

ARTICLE —

SECTION 1. Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its territorial possessions, or by any non-American nation against any country in the Western Hemisphere, the people shall have the sole power by a national referendum to declare war or to engage in warfare over-

seas. Congress, when it deems a national crisis to exist in conformance with this article, shall by concurrent resolution refer the question to the people.

SEC. 2. Congress shall by law provide for the enforcement of this section.

SEC. 3. This article shall become operative when ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McKELLAR. Yes.

Mr. CLARK of Missouri. I do not wish unduly to invade the Senator's time; I know he is speaking under a time limit.

Mr. McKELLAR. I intend to take but a few moments.

Mr. CLARK of Missouri. But if the Senator will permit me, let me say that I joined in the introduction of that joint resolution proposing a constitutional amendment. I was for it when I joined in its introduction; I am for it now; I should like to see it written into the fundamental law of the United States in such a way that no Congress could disregard it; in such a way that it would not be advisory but mandatory upon the Congress of the United States. But, failing under our constitutional processes, of being able to do that at that time, in connection with this measure, I want to do the very next best thing and adopt the amendment which is now proposed by the Senator from Wisconsin, providing for an advisory opinion from the American electorate to their representatives in Congress.

Mr. McKELLAR. I am not saying anything about the merits of the joint resolution which I have read; I might vote for it when it comes up as a constitutional amendment; but I say to the Senator from Missouri and the other Senators who were named as having introduced the joint resolution to amend the Constitution of the United States that they certainly would not have wanted to present it unless they thought that a legislative proposal to the same effect would be unconstitutional.

They then, by introducing the constitutional amendment, admitted that their present proposal is unconstitutional. This joint resolution means the same thing, or virtually the same thing. Almost the identical language is used. I believe most of us in this body know that Congress only has the right under the Constitution to declare war. It will take a constitutional amendment to change that provision of the Constitution, and it ought not to be put on this joint resolution. We have no right to legislate until the Constitution is amended.

One other matter, and I am through. I find that my distinguished friend the senior Senator from North Dakota [Mr. FRAZIER]—who serves on my committee, and for whom I also have the greatest admiration and affection—introduced on January 4 of this year a joint resolution proposing an amendment to the Constitution of the United States, reading as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. War for any purpose shall be illegal, and neither the United States nor any State, Territory, association, or person subject to its jurisdiction shall prepare for, declare, engage in, or carry on war or other armed conflict, expedition, invasion, or undertaking within or without the United States, nor shall any funds be raised, appropriated, or expended for such purpose.

"SEC. 2. All provisions of the Constitution and of the articles in addition thereto and amendment thereof which are in conflict with or inconsistent with this article are hereby rendered null and void and of no effect.

"SEC. 3. The Congress shall have power to enact appropriate legislation to give effect to this article."

That shows what the Senator from North Dakota then thought about the matter. I do not agree to that view.

I desire to say that it seems to me most of those who are in favor of this amendment are Senators who heretofore, by their own acts, have stated that in their judgment the Constitution does not now provide for such a referendum, and therefore they undertook to amend the Constitution. As I said a few moments ago to the Senator from Nevada [Mr. PITTMAN], I am one of the old-fashioned persons who believe that when I stand up and raise my hand to Almighty God and take an oath to defend and protect the Constitution of the United States, I should be guided by that oath.

I say again I do not know what I may do when the constitutional amendment providing for a referendum to the people before declaring war may come before the Senate. That amendment has much to commend it. If a proper and workable measure is developed, I may vote for it, for I would, indeed, make it more difficult to go into war, and especially a foreign war. But I believe the amendment proposed to this bill is unconstitutional and I cannot vote for it.

Mr. HATCH. Mr. President, I merely desire to put in the RECORD at this time the letters of the Secretary of State and the Secretary of War which were submitted to the Committee on the Judiciary during the consideration of the constitutional amendment. I ask permission that they may be inserted in full in the body of the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

MAY 16, 1939.

MY DEAR SENATOR HATCH: I refer to your letter of May 5, 1939, regarding Senate Joint Resolution 84, proposing an amendment to the Constitution of the United States for a referendum on war.

When a similar proposal was receiving consideration in December 1937, I stated to the press that "from the standpoint of promoting peace and keeping this country out of war, I am unable to see either the wisdom or practicability of this proposal." Further reflection on the subject has confirmed me in the view I expressed at that time.

The statesmen who founded this Government were acutely aware of the paramount importance of keeping our Nation out of war. They concluded that this purpose would best be accomplished by vesting in the representatives of the people the power to declare war.

In my opinion, the experience of a century and a half has proved the wisdom of the statesmen who established our representative form of government.

The preservation of peace is the cornerstone of the foreign policy of the United States. I am convinced that the present constitutional provision, under which the power to declare war rests with the Congress, is far more satisfactory from the standpoint of keeping the Nation out of war than would be the plan contemplated in the proposed amendment. It is my belief that this plan would seriously impair the ability of the Government to safeguard the peace of our people.

Referring to your suggestion that I might desire to appear before the subcommittee of the Senate Judiciary Committee during hearings on S. J. Res. 84, that course seems unnecessary as my attitude toward the proposition under consideration is set forth in this letter. However, you may be sure that I appreciate your courtesy in offering me an opportunity to appear during the hearings.

Sincerely yours,

CORDELL HULL.

WAR DEPARTMENT,
Washington, June 9, 1939.

Hon. CARL A. HATCH,
Chairman, Subcommittee of the Committee on the Judiciary, United States Senate.

DEAR SENATOR HATCH: Further reference is made to your letter of May 5, 1939, concerning Senate Joint Resolution 84, proposing an amendment to the Constitution providing for a referendum on war. Reference is also made to my letter of recent date, which stated that a written statement of my views on the subjection legislation would be submitted.

Careful consideration and study of Senate Joint Resolution 84 convinced me that the adoption of a constitutional amendment as set forth in that resolution would materially hamper and restrict the War Department in carrying out its primary mission of defending the United States and its possessions, and might in some cases even jeopardize the successful accomplishment of that mission and thus result in a national disaster. Accordingly, the War Department is opposed to the enactment of Senate Joint Resolution 84.

This proposed legislation, with report thereon, was submitted to the Bureau of the Budget, which reports that there would be no objection to the submission of this unfavorable report to the committee.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

Mr. HATCH. Mr. President, I also happen to observe, on the same page with the documents to which I have referred, a statement in short form on the general issues which I think very pertinently describes many of the reasons why a measure providing for a war referendum should not pass. I ask permission that it also may be inserted in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

STATEMENT OF NATIONAL LEAGUE OF WOMEN VOTERS, WASHINGTON, D. C.

Opposition to war-referendum legislation was voted by the Council of the National League of Women Voters, meeting in Washington April 25–27, 1939. Since 1923 the league has been concerned with study of the causes of war and possible cures. Members of the league have concentrated in the last few years on the study of the conduct of foreign policy by the United States, the respective responsibilities of the Executive and the Congress in the conduct of foreign affairs, and of possible legislative safeguards against involvement in war. The action of the council, a representative body of the league, is an accurate statement of the sentiment of the membership of the organization and a logical development from the total experience of the league, not only in the study of foreign policy but in its activity in the whole field of government.

Disagreement between those groups advocating delegation to the people of the decision on a declaration of war and those who oppose such a move comes on method for achieving an objective, not on the objective. There are always efforts to solve difficult problems by an easy formula, when they can only be permanently solved by continuous, earnest, and tolerant effort. To members of the League of Women Voters the proposal to delegate to the people the final decision on a foreign war comes into this category of too easy formulas for difficult problems.

In the day-by-day, year-by-year conduct of the relations between the United States and other countries is found the only adequate safeguard of this country. War situations do not develop overnight; they brew over a long period of time. It is probably inevitable that the Executive and the Congress will occasionally err in making these daily decisions. The tariff policy of the United States after the World War; racial discrimination in immigration laws; refusal to assume international responsibility commensurate with the inescapable influence of the United States on world affairs have been contributing factors to the present war situation. The existence of a war referendum would not have affected these decisions. Neither would anyone admit or believe that these decisions were meant as war-provoking ones. Yet proponents of the war-referendum proposal argue that the existence of such a measure would deter the Government from pursuing a policy leading toward war, assuming that it is always possible to know without question whether a policy is war-provoking or in the direction of peace. Until the people of this country are willing and prepared to take into account effects of national actions on the international situation, to subordinate their special immediate interests to the long-term public interest, this Nation will continue to contribute to international situations that may lead to war. When war exists in the world, keeping this country out will not be accomplished by a mere repetition of "We want to stay out of war" or reliance on a vote of the people, but on the day-to-day conduct of foreign policy.

It has been pointed out in the hearings on this proposal that it does not take away from the power of Congress but simply shares this power with the people. Shared responsibility frequently leads to failure on the part of one or both of the groups concerned to make decisions with sufficient seriousness. Dictatorships have developed through the failure of legislative bodies to meet situations that confronted them. Detracting from the responsibility of the legislative body weakens it; it is a disservice to representative democracy.

Proponents of the war referendum claim that it would be more difficult to stampede the whole citizenry into a war than it would be to stampede Congress. This argument is based on the assumption that the elected representatives of the people are indifferent to the welfare of the country and tends to undermine the confidence of the people in their Government at a time when fear and hysteria are especially dangerous. History fails to show that such distrust is warranted. Proponents argue that the necessity for referring to final decision to the people would act as a check on the conduct of foreign policy. Opponents argue that it would encourage aggressor nations, thus making more certain the eventual outbreak and spread of war which would jeopardize the security of this country.

In conclusion, the war-referendum proposal offers no sure and certain safeguard against the involvement of this country in a foreign war. There is grave danger that through the lessening of the responsibility of the legislative body and through the false sense of safety that a war-referendum measure might give to large groups of people the chances for involvement in a foreign war would actually be increased.

Mr. BORAH. Mr. President, as a member of the Judiciary Committee, which at the last session had under consideration a constitutional amendment providing for a referendum on war, we gave considerable time to the subject and had able persons appear before us to discuss it. We had very little trouble or difference of view with reference to the principle involved, but we were unable to agree upon a method by which the principle we favored could be put into practice or made effective in its administrative terms.

I think the question is a very difficult one to solve. I am frank to say that I have not been able to solve it, although I have given very considerable attention to it.

To write a constitutional amendment which would fit into the exigencies of war and enable the people to pass upon the question under the different circumstances and conditions under which war arises, I think anyone will find, once he sets his mind to it, is a most difficult undertaking.

But, Mr. President, I think the Senator from Wisconsin [Mr. LA FOLLETTE] is dealing with a vital problem. It is well to bring up for consideration whenever practicable. I cannot escape the conviction that progress toward peace means that we ought to bring the question of war or peace closer to the people. I think if anything has been well demonstrated during recent years, it is that the people have had too little to say about whether or not a war should be waged. You may say what you please, but the fact is that people do not want war. The President once declared the people do not want war.

It is now almost an established fact, well supported by historians, that the World War was brought on through the manipulation and scheming of less than 25 men. The people had nothing to do with it. As one great writer upon the subject—Lord Lorburn, I believe, said—the people were brought up to the precipice without knowledge of the real facts, and then were pushed over the precipice. It seems to me some way must be devised by which the people may be brought into fuller knowledge and closer contact with the conditions and the facts which lead up to war. They should have greater control. But the practical machinery for doing that is the great difficulty. We might destroy the principle itself by failing to provide a proper method for its execution.

In my opinion at the present time the peoples who live in the countries which are engaged or are about to engage in war are not desirous of war, and I venture to believe that if they could be heard in an effective way, or if public opinion could be permitted to have sway, the conditions in Europe would be wholly changed.

It was asked a while ago if that would be true in Germany. It would not be true in Germany, I suspect, under the present machinery, because the voice of the people would be controlled by that machinery; but from what I am told by persons who have traveled in Germany and those who are familiar with the situation, the German people are not anxious for war. They are not desirous of being in war; and I presume that was thought to be true by Great Britain when she spent so much time in distributing leaflets over Germany.

I doubt if any of the people engaged in this war, if permitted to have a voice in the matter, would be in any sense in favor of the war which is now raging, or which at least is in contemplation of being carried on.

So I think the subject is one to which we ought to give our attention; and the difficulty really is in finding a practical method or a workable scheme by which to put into operation the principle to which I have referred.

I confess that in my efforts, as I have said, I have not been able to determine what that method should be. Therefore, as much as I sympathize with the effort of the able Senator from Wisconsin and as highly as I regard his noble effort in pursuing this matter to the utmost, I am unable at this time to cast my vote for the amendment.

I do not feel that I would be candid with the people who are anxious to have something done if I should do that which I thought was not practical in carrying out their wishes. I feel like encouraging just such things as have happened here this afternoon, led on by the Senator from Wisconsin [Mr. LA FOLLETTE]. This question must be discussed, and it must

be considered. If there is any practical way by which to bring the people closer to the question of war, it is one of the great problems which we should undertake to solve, and I hope we may solve it.

Mr. LA FOLLETTE. Mr. President, I wish to say just a few words before the vote is taken.

In response to the statements made by the distinguished chairman of the Committee on Foreign Relations, the Senator from Nevada [Mr. PITTMAN], concerning the occasions upon which an advisory election would be held, it may be said that his constant iteration and reiteration of the language in the first section of the amendment only serve to emphasize the fact that, in drawing the amendment, it was provided that the only occasion upon which an advisory election would be held was in case this country were contemplating a declaration of war involving an overseas expeditionary action against some foreign power.

Much has been made of the fact, in the debate, that the amendment would give power into the hands of a board to call an election. If we are to assume that those charged with responsibility are going to act in an unreasonable manner in connection with nearly every important piece of legislation which the Congress enacts, in fact, in the power which the Congress itself has been given by the Constitution, there have been created opportunities for destroying this very Government itself.

Mr. President, I think that in considering any piece of legislation, including any amendment, it must be assumed that those who are charged with its administration are going to act in a sane and a reasonable and an honorable manner. Otherwise, as I stated a moment ago, it would be impossible to frame a single piece of legislation and pass it through this body.

Much also has been made of the fact that there is pending on the calendar a constitutional amendment providing for a referendum on war. That amendment is entirely different in principle from the one now before the Senate. That amendment proposes to take away from Congress by constitutional amendment the power to declare an overseas war until the people have registered their will at an election. The pending proposal provides only, as I view it, for an advisory referendum, which Congress may or may not decide to follow. Therefore, I do not think it is an argument in point to contend that because there is a constitutional amendment pending, predicated upon an entirely different principle, this amendment is therefore not worthy of consideration.

It has been stated that the 15-day period provided for in the amendment is too short a time for the people of the United States to make up their minds upon such an important decision. I have only this to say, that if the time ever comes when Congress is considering a declaration of war, and the people of the United States are given an opportunity to vote in an advisory referendum, by the time the referendum is held the people of the country will have all the information which the newspapers, the radio, the administration, and Members of Congress can bring to them.

It is perfectly absurd, to take the position that Members of Congress, in this day and age, have superior information of great importance which is not available to the general electorate. As a Member of this body I have served on the Committee on Foreign Relations for a number of years, and I have repeatedly stated publicly that I had, as a result of such membership, no more information on foreign affairs as a member of that committee than any person who reads a well-edited newspaper in the United States from day to day. There is a lot of "eye wash" given out to the general public about the superior information which Members of Congress possess with regard to foreign relations.

It has been suggested that it would be unfortunate if the people of the United States were to participate in such an advisory election and would have to listen to the radio and the arguments which might be made pro and con upon the issue of peace or war. Have not the people of the United States been listening to the arguments pro and con upon every single important issue since radio came into existence? If there are any Senators present in this body today who are laboring under the delusion that if the Congress ever takes under consideration a resolution to declare war in the future, the people of the United States will not be hearing both sides of the question argued at great length on the radio, I wish to say that they will be sadly disillusioned when the time comes.

Mr. President, if there is ever an occasion in this country again to consider the question of a declaration of war by Congress, every citizen of the United States will have heard all of the arguments pro and con upon that proposition before a vote can ever be brought about in both Houses of the Congress of the United States.

So if Senators vote down this amendment, they will not, in that eventuality, have prevented the people of the United States from hearing all the arguments and obtaining all the information and from coming to a conclusion as to what is for the best interests of their beloved country. All that will have been done will be to have denied them, in the last analysis, the right officially and effectively to express their views.

Mr. President, it may bring laughter on the floor of the United States Senate from representatives of the people here from the several States, it may amuse Senators to hear this fundamental democratic idea ridiculed, and I hope the RECORD will go out to the country with every single occasion of laughter that occurred during the time this proposition was being ridiculed indicated, for I say to my colleagues in all good spirit on the floor of the Senate today, that they cannot successfully, by ridicule, bury the inherent desire of the men and women, citizens of this country, to have some effective opportunity to express their opinion upon the most important, the supreme issue and decision which can come in the life of any generation of people. This will not be the last time this issue will have to be faced by this body, and I am just as confident as that I am standing here in this place this afternoon that ultimately the people of this country will obtain for themselves an effective voice in expressing thir opinion, upon the question of whether or not their sons shall die in an expeditionary offensive war on foreign soil.

Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I transfer my pair with the Senator from Virginia [Mr. GLASS] to the Senator from Washington [Mr. BONE], and will vote. I vote "yea."

The roll call was concluded.

Mr. MINTON. The senior Senator from Washington [Mr. BONE], and the senior Senator from Virginia [Mr. GLASS], are absent from the Senate on account of illness.

The senior Senator from Arizona [Mr. ASHURST] is detained by illness in his family.

The Senator from New Mexico [Mr. CHAVEZ] is absent on official business.

The result was announced—yeas 17, nays 73, as follows:

YEAS—17

Bilbo	Donahey	La Follette	Walsh
Bulow	Downey	Lundeen	Wheeler
Capper	Frazier	Nye	
Clark, Idaho	Holt	Overton	
Clark, Mo.	Johnson, Calif.	Shipstead	

NAYS—73

Adams	Gerry	McCarran	Slattery
Andrews	Gibson	McKellar	Smathers
Austin	Gillette	McNary	Smith
Bailey	Green	Maloney	Stewart
Bankhead	Guffey	Mead	Taft
Barbour	Gurney	Miller	Thomas, Okla.
Barkley	Hale	Minton	Thomas, Utah
Borah	Harrison	Murray	Tobey
Brown	Hatch	Neely	Townsend
Burke	Hayden	Norris	Truman
Byrd	Herring	O'Mahoney	Tydings
Byrnes	Hill	Pepper	Vandenberg
Caraway	Holman	Pittman	Van Nuys
Chandler	Hughes	Radcliffe	Wagner
Connally	Johnson, Colo.	Reynolds	White
Danaher	King	Russell	Wiley
Davis	Lee	Schwartz	
Ellender	Lodge	Schwellenbach	
George	Lucas	Sheppard	

NOT VOTING—6

Ashurst	Bridges	Glass	Reed
Bone	Chavez		

So Mr. LA FOLLETTE'S amendment to the committee amendment in the nature of a substitute was rejected.

Mr. AUSTIN. Mr. President, I offer an amendment which I send to the desk and ask to have read.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BARKLEY. A number of Senators have asked whether it is the purpose to sit continuously this evening until this measure is finally disposed of. I have no way of knowing how many more amendments will be offered; I hope not many; but I feel it my duty to advise the Senate that it is our purpose to sit here continuously until this measure is finally voted upon and disposed of tonight.

Mr. AUSTIN. Mr. President, I ask that my amendment be read.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Vermont to the committee amendment.

The CHIEF CLERK. At the end of the joint resolution it is proposed to insert the following new section:

SEC. —. Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, this joint resolution shall have no further force or effect; but offenses committed and penalties, forfeitures, or liabilities incurred under this joint resolution while it was in force and effect may be prosecuted and punished, and suits and proceedings for violations of such joint resolution or of any rule or regulation issued pursuant thereto may be commenced and prosecuted, in the same manner and with the same effect as if such joint resolution were still in force and effect.

Mr. AUSTIN. Mr. President, this amendment represents a certain school of thought. It is far more important than it appears to be on its face. The amendment represents a fundamental theory. If the joint resolution should be amended, as I propose, and then became a law, it would operate upon conditions that we can see today, and those further conditions that we cannot visualize, but which may happen during war proclaimed to exist, and thereupon this law would cease to operate. It would be entirely finished, it would have performed its whole purpose and function, and as a Government, as a sovereignty, we would return to the position we were in before this law was passed.

Some of my colleagues very kindly called my attention to the fact that there are now in the joint resolution provisions for the termination of the application of the law upon the termination of the war. That is quite another thing, Mr. President, from what I propose. Senators will observe that under the provisions—and there are several of them—which would bring to a close the effect of sections 2, 3, 5, and other sections relating to vessels at sea and to the change of title of goods, and to the hindrance of travel by persons, the section referred to by them in each case shall cease to apply. In certain sections they shall cease to apply to the States named in the proclamation, and in others it is provided that the sections shall cease to apply. But that does not mean that the law will not stand on the statute books, to come automatically into effect upon the proclamation of the President, and it really comes into effect upon the proclamation of the President, because that must always occur under the pending joint resolution.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CLARK of Missouri. I dislike to interrupt the Senator's remarks. If I correctly understand the Senator's amendment, it is to change the nature of the whole legislation proposed by the joint resolution from a permanent law, attempting to establish a permanent neutrality function, to an act applying only to this particular situation.

Mr. AUSTIN. Mr. President, that is absolutely correct.

Mr. CLARK of Missouri. I thank the Senator for his frankness. He is presenting an issue which is entitled to be settled by the Congress, as to whether we should legislate permanently on the subject of neutrality, or should attempt to legislate with regard to each particular situation.

Mr. AUSTIN. Mr. President, that is it. I think my colleagues know that from the very beginning, when we first started out upon the effort to say what we would do as a sovereignty in the event of war, I have been opposed to it on the ground that no legislators can be sufficiently wise to forecast and visualize the circumstances so that they may in advance ascertain what the interests of the United States may be in some future disturbance in the world that amounts to war. We were not able to do it when we enacted the prior legislation.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. AUSTIN. I will yield in just a moment.

The existing law operates entirely differently than its sponsors designed it to operate. It was proposed as a neutrality measure, and we now find that it is operating unequally and is not a neutral law. So we go about to change it to adapt it to the known and existing circumstances.

In passing let me call attention to the fact that since we started out upon this type of legislation 71 different proposals have been made in the Congress toward the same objective. Of those proposals, some 49 are now on the calendar of the Committee on Foreign Relations of the United States Senate. This fact is brought to the attention of the Senate merely to emphasize something which is almost axiomatic, and that is that we cannot possibly conceive and devise a statute that will be sufficiently wise and all-embracing in its conception to fit the circumstances that may confront us without our further activity and without our taking any voluntary position.

I now yield to the Senator from Washington.

Mr. SCHWELLENBACH. I do not wish to be overly technical, but I should like to call the Senator's attention to the first provision of his amendment, which reads:

Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked—

And so forth. I am wondering if that language is sufficiently definite. In view of the repeal section of the proposed statute, which repeals the 1935 and 1937 acts, there is a question in my mind whether or not it will be necessary for the President to issue a new proclamation after the passage of the joint resolution, if it should pass. The language of the Senator's amendment is indefinite.

Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked.

It does not seem to me it fixes any definite time. If the other theory is correct, it might be that the act would never become operative.

Mr. AUSTIN. Mr. President, I concur in the doubts about the accuracy and precision of that particular paragraph; but I feel very firmly persuaded that a new proclamation will be necessary if the joint resolution should become a law, because the joint resolution is founded upon something more than the recognition of the existence of war. There must be found the further fact that this sort of hindrance of the commerce of America is necessary as a proper element of national defense. That is the heart of this measure. That is one of the fine, new, different things in this proposal which makes it superior to the existing law. It has no pretense on its face of being a neutrality measure. It represents itself—to me, at any rate—as a pure measure of national defense.

Assuming either that it is a measure whose sponsors believe it to be an act for neutrality or whether it be that which I think it is—for national defense—in either case I do not want it left on the statute books as an act to be applied in an improper way and against the interests of the United States, and perhaps to its great danger, at some time in the future. Suppose, for example, that Germany should declare war on Colombia, a South American state, a Latin-American nation, and we should find our Monroe Doctrine infringed. We should then find our actual, real self-defense invaded and

endangered. I do not want an old statute coming up like a ghost, as the existing law today has been presented to us, to stand in the way of our taking the proper action adapted to the new circumstances.

There is not a person within the sound of my voice who is not aware that it has been constantly reiterated that we must not adapt our law to the new conditions because that would be changing the rules of the game after the game had started. Whether or not there is merit in that contention, we can remove that claim of estoppel by having the act expire when its purposes shall have been accomplished. Then as a sovereign Nation we shall be free to take such position as we ought to take with respect to the interest of the United States. Then in truth we shall be independent and free to assume a new position in international affairs if we think wise, and if it is best for the welfare of the United States.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from Idaho.

Mr. BORAH. I understand it is the desire of the Senator to terminate the existence of the law as soon as the European war is over.

Mr. AUSTIN. Whenever the President shall make a proclamation that the conditions which put the law into effect have ended. The amendment provides—and this answers the Senator's question:

> Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, this joint resolution shall have no further force or effect.

Mr. BORAH. The President issues his proclamation on the basis that a war exists between certain nations. I take it the effect of the Senator's amendment—I think that is his desire—would be to terminate the existence of this legislation when the conditions which called it into existence shall have ceased to exist.

Mr. AUSTIN. Mr. President, that might be true, and it might not be true.

Mr. BORAH. What I am trying to do is to ascertain what would be the real effect of the amendment. When would it go into operation? The amendment reads:

> Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked.

Suppose the President should not revoke his proclamations?

Mr. AUSTIN. I have just read to the Senator from Idaho the simple language that when the original proclamation is revoked by a second one——

Mr. BORAH. Suppose he should not revoke it?

Mr. AUSTIN. Then the law would continue.

Mr. BORAH. In other words, the Senator is basing the entire effect of his amendment upon the question of proclamations, and what the President may do by way of proclamation.

Mr. AUSTIN. Of course, that is what puts the law into effect; and that is the only thing that can make it ineffective. We shall be in no different condition whether we have my amendment or not, if we are to assume such an absurd possibility as that the President will put the five different embargoes contained in the joint resolution into effect by proclamation, and then leave them in effect permanently. I cannot imagine such a situation.

Mr. BORAH. I confess it is an absurd idea; but I derived it from reading the Senator's amendment.

Mr. AUSTIN. Mr. President, I am sorry the Senator from Idaho gleaned such an idea. I am not apprehensive that that is the meaning of it in any sense.

Mr. BORAH. I have found that other Senators take the same view.

Mr. AUSTIN. I suppose the Senator can express his views in various ways; and if he has an amendment which he thinks will improve the situation, I shall be glad to consider it.

Mr. BORAH. I should be glad to consider an amendment to repeal the law just as soon as it can be repealed.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. AUSTIN. I will yield once more, and then I must finish.

Mr. PEPPER. I was interested in the query propounded a few moments ago by the Senator from Missouri [Mr. CLARK]. Of course, the Senator from Vermont is aware of the fact that there is already a provision in the joint resolution providing that if the proclamations issued under section 1 (a) were revoked, then the exceptions under sections (f), (g), and (h) would expire of their own force.

Mr. AUSTIN. No, Mr. President. Let me call the Senator's attention to the fact that he has misinterpreted the language of the joint resolution. All the joint resolution provides is that it shall "cease to apply with respect to such state." In some sections that is true, and in other sections it shall "cease to apply."

Mr. PEPPER. I beg the Senator's pardon. I am referring to the following language:

> Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked the provisions of sections (f), (g), (h), and (i) shall expire.

As I understand, that provision was adopted a few moments ago. I can well understand that the Senator might be concerned about the inapplicability of the proposed statute to a war in the Pacific, because the joint resolution allows us to send our ships to the Orient, to New Zealand, to Australia, and other territory in the Pacific Ocean. However, I wonder if the Senator would consider the fundamentals of the joint resolution—that is to say, that our ships shall not go into the combat area in any case and shall not carry goods or passengers to belligerent powers in any case, which is an excellent permanent policy for the United States to assume in any war.

Mr. AUSTIN. Mr. President, I could not understand all the distinguished Senator said.

Mr. NORRIS. Mr. President, I ask the Chair to maintain order.

The PRESIDING OFFICER. The Chair is trying his best to maintain order. The Chair asks Senators, and asks the occupants of the galleries, to cooperate with the Chair. The Senator from Kentucky has stated that it is the purpose to finish the consideration of the joint resolution tonight. The sooner Senators cooperate and cease conversation in the Senate Chamber, the sooner we shall finish.

Mr. AUSTIN. Mr. President, from what I could understand I interpreted the inquiry to be whether I realized that already an amendment has been adopted which would render void certain subparagraphs of the joint resolution—(f), (g), (h), and (i). Is that correct?

Mr. PEPPER. That is correct.

Mr. AUSTIN. Yes; I realize that; and, so far as that goes, that is very satisfactory. That, however, does not go to the point I am trying to make, which is that we should not, figuratively speaking, tie the hands of the United States behind its back. We should not weaken its sovereignty. We should not cripple it in any way. In my opinion, it is just as bad as a matter of public policy and as a matter of principle for us to hamper the power of the United States by a statute as it is to do so by an alliance. The effect is exactly the same.

We observed the distinguished Senator from Missouri [Mr. CLARK] presenting here some time ago—I think about 2 years ago—a resolution to advise the President to terminate the treaties which tied the hands of the United States behind its back with respect to its power over embargo for the purpose of enabling the Congress to pass embargoes against the shipment of arms, ammunition, and so forth.

I might favor that proposal at some time and under some circumstances which I could clearly see, as I do favor here and now the five different embargoes in the pending proposal.

This joint resolution contains embargoes against our having anything whatever American on the high seas in combat areas. No American materials or commodities can

be in commerce on the high seas between United States ports and the ports of a belligerent, or between United States ports and the ports of a neutral, if they must pass through the combat areas. I am in favor of that because of circumstances I know about today, and I would readily act in accord with the spirit of the resolution of the distinguished Senator from Missouri; but what I want to do is to have the slate clear, and have us take the first step first, and stand before all the world and stand in history and on the record as a neutral nation. That is the way I should like to start, at least.

If we had our statutes cleared away, if statutes that were particularly applied to an existing condition today went out of existence at the termination of the events which excited them, we should then be back again to our independent and free position as a great Nation.

The PRESIDING OFFICER. The time of the Senator from Vermont on the amendment has expired.

Mr. AUSTIN. May I have time on the joint resolution, please?

The PRESIDING OFFICER. The Senator is recognized on the joint resolution.

Mr. AUSTIN. I do not intend to weary Senators with a long debate.

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Louisiana?

Mr. AUSTIN. I yield to the Senator.

Mr. OVERTON. Is it the Senator's view that there are many provisions in the pending joint resolution which would not be applicable in the event of another major war between different countries than the one now raging?

Mr. AUSTIN. Mr. President, the question answers itself in the affirmative. Of course. How can we today devise a law which assumes that the President will prescribe—in fact, proscribe—the North Atlantic, proscribe American vessels from the North Atlantic, in some future war which may be in the South Pacific Ocean? There are many details in the proposed law which I should want to see altered if changing circumstances required it, but why be embarrassed by this particular law in another consideration by and by as we have been embarrassed in this extraordinary session of Congress by the existing statute?

Mr. OVERTON. Mr. President, may I ask the Senator another question?

Mr. AUSTIN. Yes; I yield.

Mr. OVERTON. Is it the Senator's idea that when this joint resolution shall die by limitation in the event his amendment is adopted, and the world is at peace, or at least when there is no major war, Congress shall then again set itself to the task of enacting neutrality legislation?

Mr. AUSTIN. I do not know whether or not Congress would pass another neutrality act. It might see fit not to do so, but it would be free to do so.

Mr. OVERTON. Is it the Senator's view that it is better to enact neutrality legislation in times of peace rather than in times of war?

Mr. AUSTIN. No; that makes no difference whatever.

Let us assume that we had enacted this joint resolution at the last session of Congress. I think it is a great fallacy to say that it would have been less partisan. In those days we knew as well as we know today what our interest as a nation was. We knew then that it was necessary for us to increase our defensive weapons, spiritually and materially, and we went about doing it. Why? Because the world was afire; because we knew what was going on in Europe, and anticipated what has since happened, and if we had acted then we would have acted in the light of that knowledge, and our act would have been just as significant as it is today.

Mr. BARKLEY. Mr. President, I do not want to take up the Senator's time.

Mr. AUSTIN. I yield.

Mr. BARKLEY. If the Senator does not wish to yield, I will not interrupt him.

Mr. AUSTIN. I yield.

Mr. BARKLEY. Under the pending joint resolution, no matter where a war breaks out, if it is of sufficient magnitude to endanger our peace and the lives of our people the President is required to issue a proclamation naming the countries. I do not see any harm in having that permanent law, no matter where the war might be anywhere in the world; and when such a proclamation is issued our ships then would not be permitted to go into the ports of belligerents, nor would our citizens be permitted to travel on belligerent ships.

I see no objection to that being permanent law; but if the Senator's amendment should be adopted, and this law should automatically terminate at the conclusion of this particular war, and another war should break out in the same region or anywhere in the world of sufficient magnitude to involve our peace and the lives of our citizens, while we were spending from 4 to 6 weeks again in passing another law dealing with that particular war our ships and our commerce and our citizens would have a right to go into the war zones, to go into the regions of danger, and thereby, before we could enact another law, possibly drag us into controversies that might lead to war.

Mr. AUSTIN. Mr. President, that is the same argument which has been made here against our legislating today. I put no faith at all in it. As I have said time and again, I think the act of ours of voting up or voting down the pending joint resolution will not have the effect of taking us into war, and will not constitute a step toward war. If we cannot stop taking that position here, I think we are unable to recognize our own ability.

Mr. BARKLEY. One more question and I will not ask the Senator to yield further.

Mr. AUSTIN. I yield.

Mr. BARKLEY. Would not the adoption of the Senator's amendment or any amendment making this law terminate in toto at the end of the present European war give color to the argument that, after all, this is a war measure designed to deal with a single war and to give some advantage to a single set of belligerents?

Mr. AUSTIN. Yes, Mr. President; that is one of the meanings it would have, but the meaning spoken of by the distinguished leader of the majority is only a secondary meaning. The primary meaning of this measure is that we regard it as necessary for our national defense. That is the primary consideration. We regard it as important to our security and our peace that we keep the battle line on the other side of the Atlantic Ocean, and not have it reach over here; but I am not going into a long argument about that subject. I want to call attention to two or three other objectives of my amendment.

Mr. THOMAS of Utah. Mr. President, I wonder if the Senator will yield to me for just one question.

Mr. AUSTIN. Yes; I yield.

Mr. THOMAS of Utah. I want to support the amendment. I believe in the philosophy the Senator from Vermont has enunciated; but there is one provision in the pending resolution which is permanent. Section 12 sets up the National Munitions Control Board, a board which acts during peacetime. It acts when there is no neutrality legislation. Therefore, I ask if the Senator would not be willing to make an exception as to section 12.

Mr. AUSTIN. Mr. President, I would not. I think it would destroy the effect of the great principle which I have offered this amendment to present to the Congress and to the people of the United States; and, what is more, I say "no" for another reason: That is, it is not necessary to keep that particular paragraph in the measure. The old Espionage Act of 1917 provides for a similar board; and if this act should become functus officio, the act of 1917 would still be continuously in operation. We have been working under it for some time. We would not be left without supervision over the exportation of arms, ammunition, and implements of warfare if this measure should terminate.

In the interest of our peace it still would be necessary for the exporter to obtain a license through the Secretary of

State, the Secretary of War, and the Secretary of the Navy before he could export any of these things to a foreign country, in peacetime as well as in wartime.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. AUSTIN. Yes; I yield.

Mr. NORRIS. I dislike to interrupt the Senator, because I know his time is dwindling; but I should like to ask him if this matter is worthy of consideration, or what he thinks the legal effect would be.

Would the adoption of the Senator's amendment eventually, after the repeal of the entire act, if it should become a law, have the effect of reinstating the present Embargo Act which this measure repeals?

Mr. AUSTIN. Mr. President, I believe not. Of course, that can be nothing but an opinion.

Mr. NORRIS. I was wondering about that. I agree with the Senator, but I confess I cannot help having some doubt about it. Would it not be wise for the Senator to provide in his amendment that this act shall terminate, excepting that line which is the repealer?

Mr. AUSTIN. I do not want to put any exceptions in this amendment, for the reason I have already mentioned.

Let me make this observation in answer to the question of the distinguished Senator from Nebraska: The repeal of the act of 1937 and the act of 1935 becomes effective if and when this joint resolution is approved by the President of the United States. Those two acts will be ended, they will be finished, by that approval. Then this joint resolution, we will assume, will be the law; and it will continue the law until the President proclaims that the state of war has ended, and revokes his former proclamation. That finishes, as I see it, the operation of this joint resolution.

Mr. WALSH. Mr. President——

Mr. AUSTIN. I yield to the Senator from Massachusetts.

Mr. WALSH. Did I correctly understand the Senator to say that the passage of this joint resolution is in the interest of our national defense?

Mr. AUSTIN. Yes; I suppose the Senator did so understand.

Mr. WALSH. May I assume from that statement that the Senator takes the position which others take that by passing this joint resolution and furnishing arms, ammunition, and implements of war to some of the belligerents we are keeping the war away from home?

Mr. AUSTIN. Yes.

Mr. WALSH. That is the Senator's position.

Mr. AUSTIN. Particularly regarding France and England.

Mr. WALSH. My position is well known. The pending resolution tends to remove the spirit of the true, genuine neutrality for which I think my country should stand. I cannot conceive of anything that would so label this country as completely unneutral as making a complete declaration of taking open sides. By providing for the repeal of the arms embargo provision of this act in the midst of the war and at the same time providing for the termination of the law at the end of the war, this would make the measure a special law applicable to the present war and remove it from the claim of a general neutrality policy by our Government.

Mr. AUSTIN. Very well. I accord the distinguished Senator from Massachusetts not only the right to take that position, and to hold those views, but to express them, and of course to vote for them. My idea is that if his claim is correct, and if it is true that this proposed law constitutes in effect an alliance, if he wishes to go as far as that and say that it constitutes an alliance with Britain and France, then by all means attach my amendment to the joint resolution, because it would render only temporary that alliance, it would render temporary that which by the joint resolution would be permanent if my amendment shall not be adopted.

My proposal is traditionally American, it rests on the rock bottom of the principle of neutrality and of our traditional attitude of independence, though not isolation. It is in full accord with Washington's enunciation of the principle and in full accord with Jefferson's enunciation of it.

I wish to say in closing that it was quite apparent in the Farewell Address of George Washington that he did want our country to depend upon temporary alliances, according to the need of the occasion as it might be, but he believed that our true policy should be to steer clear of permanent alliances with any portion of the earth. He said this about temporary alliances, and it fits the case today:

> Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Mr. President, if any man undertakes to place me in the attitude of favoring a temporary alliance with any nation, he is taking the wrong position. I have clearly explained on two or three different occasions that my position with respect to the pending legislation and my support of it are based on the idea of affording defense of American principles and of American lives and of American peace, and that I believed that the success of the Allies was necessary for us to avoid fighting on this side of the Atlantic, in order that we might preserve our security and our peace.

It has never been my position that I was for these results because I wanted to have the United States ally itself with Britain and France, either temporarily or permanently, and, of course, those who undertake to put me in that position, those on the Senate floor who try to do so, must do it with full knowledge that it is strictly in opposition to what I have declared here; and I do not believe any man will doubt my word.

Mr. President, I offer the amendment to remove the illusion of an estoppel so that we may tackle the job the next time free from the illusions caused by an existing so-called neutrality act. I offer it so that we may avoid partisanship that is permanent, and avoid such a charge before all the world. I offer it so that we can end the very great discretionary powers, which are delegated to the President of the United States, bring them to a conclusion, and have them ended. We may some day have a President whom we would not want to entrust with the powers which are granted by the pending joint resolution. I offer the amendment in order that we may maintain our own freedom from external control. I offer it, of course, in order that we may go back to the independence and complete sovereignty which we should enjoy as one of the greatest of all the great treaty powers of the earth.

Mr. President, I ask to have inserted in connection with my remarks an address I made on this subject during the election campaign of 1938 before the Executives Club of Chicago. It amplifies somewhat more fully my theory about the subject.

The PRESIDING OFFICER. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

> Mr. President, ladies, and gentlemen, this is a very happy introduction. I thank you for your welcome so generously expressed through your president. I will comment only to this extent, that is to say, that there probably never was a more eventful day in my own experience than the day I learned that the majority of the Committee on the Judiciary of the United States Senate would vote against the court-packing bill. [Applause.]
>
> Now, I hope that you are going to enjoy this meeting as much as I do. This is a very happy occasion for me, of course, because I am meeting many old friends whom I do not often see, but more importantly because this is one of the greatest cities of the world, this great commercial city of the Middle West and of the United States, this city of affability and of open-hearted, open-handed generosity and hospitality. I love to come to Chicago.
>
> And I am especially pleased to meet with this distinguished Executives Club and with so many of them as are here today. The charming lady at my right at this table commented that the ladies were allowed to come because I was here today. Well, of course, nothing sweeter could have been thought of, I am sure, than that remark. But it occurs to me that it is significant because of the sentiment that I entertain about the women of America. Briefly stated, I think that the great historian M. de Tocqueville expressed it in a concise way when he concluded his works upon the United States of America by saying: "If I were asked to point out the cause of the wonderful advancement in prosperity and civilization of the American people, I would say it is the superior character of their women." [Applause.]
>
> When your president, my dear friend, Beverly Howe, invited me to come here and asked me to forthwith say "Yes," and give him

the subject of my address, there was one thought, above all others, that dominated my answer, and that was that perhaps here was an opportunity to express myself upon a current issue of the day of paramount importance. I have no intention, in discussing it, to make a partisan political address, but it is distinctly a political subject, and I am sure that my hearers, Democrats and Republicans alike, will acquit me of attempting to turn the philosophy of my address into a partisan argument.

Of course, the events in the Orient, and in the Near East, and in Europe, all of them force this issue before us.

OBSERVATIONS ON OUR FOREIGN POLICY

Today, amid disorder which injures our foreign trade, impairs our peaceful relations with our neighbors, and challenges our moral responsibility as a Christian nation, we try to accomplish an effective degree of unanimity in a foreign policy founded on righteousness and justice, and designed to promote peace—peace is the all-important objective.

The problem is complicated by domestic issues as well as by traditional attitudes and treaty obligations. It cannot be simplified to a choice between erecting a united front of republics against totalitarian states, and the alternative of isolation. Its solution, if any is possible, must be approached step by step—principle and policy, dictated by developing circumstances, being fully understood by the people.

The importance of popular understanding and belief arises from the fact that our foreign policy consists in an attitude of the people. It can be changed, as we have seen, from an attitude for peace to an attitude for war.

Taking our stand on facts which are beyond controversy and looking ahead, have we not a duty to try to mold opinion in this and kindred governments to develop within themselves a foundation for international faith of a kind that is new in the world?

IMPRACTICABILITY OF ISOLATION

Isolation is impossible. We are inextricably involved in the affairs of the world. The open-door policy which Japan agreed to respect and the obligation of the United States to conduct the foreign relations of the Philippine Commonwealth keep us in the oriental disturbance. We gave our consent to the Palestine mandate on condition that the term of the approving convention between Great Britain and the United States should not be changed without submission to us.

Our good-neighbor commitment to South American states through the general treaty of inter-American arbitration and our venerable Monroe Doctrine entangle us in the affairs of the Western Hemisphere. The Nine Power Pact of Washington is inconsistent with an attitude of isolation. The Kellogg-Briand Treaty, outlawing war as a means of settling disputes, in which the United States assumed a leadership, contradicts isolation.

Isolation is impossible if we are to preserve a republican form of government on this continent. Isolation would afford the "emergency" for perfection of the totalitarian state here.

OUR INTERVENTION POLICY

In 1823 we found the doctrine of nonintervention in affairs of other nations this side of the Atlantic was inadequate defense against attacks upon representative government. Therefore we developed the Monroe Doctrine which is founded on intervention—the opposite of isolation. This attitude, maintained to the present, implied that the United States might view as just ground for intervention any attempt to extend non-American dominance on the American Continent or to impose non-American powers on the political independence of American states. This position was defensive. It was not an undertaking to guarantee a republican form of government to foreign states in this hemisphere. The occasion for its announcement was resistance to the activity of the Holy Alliance, in cooperation with France, striving to propagate the divine right of kings on fresh soil, and to put an end to representative government in the Western Hemisphere.

We employed the doctrine of intervention to safeguard the independence of the institutions of the United States. It may be unique in respect to its byproduct of assistance to other republics, but its principal objective was preservation of this Republic. As it bears on the question of today, we recognize that the principle of intervention, when thus employed by the United States, was not novel as the basis of a policy. Europe had long employed it as the basis of the balance of power. The maintenance of the balance of power implied that the members of the European family of nations would view as a cause for intervention the concentration of such power in any one of its members as would enable that state to coerce the others. European states expressly approved our attitude in the terms of the League of Nations Covenant. Today, as of old, this principle of intervention is opposed to aggression by others as well as by ourselves.

It cannot be correctly said that this position is inflexible and commits us to action. The exclusive prerogative of this Government to decide, as each case arises, what character of international conduct this Government will adopt is of the essence of the doctrine.

DESIRABILITY OF COOPERATIVE POLICY

Generally our foreign policy has occupied a middle ground. We have promoted peace by the examination of issues and rendering service in the family of nations, free from the limitations of long-term general treaties.

We have maintained "an attitude of independence, not of isolation," as Chief Justice Hughes—then Secretary of State—characterized it. He further said, in an address to the American Bar Association within a few years after the World War:

"Our people are still intent upon abstaining from participation in the political strife of Europe. They are not disposed to commit this Government in advance to the use of its power in unknown contingencies, preferring to reserve freedom of action in the confidence of our ability and readiness to respond to every future call of duty. They have no desire to put their power in pledge, but they do not shirk cooperation with other nations whenever there is a sound basis for it and a consciousness of community of interest and aim. Cooperation is not dictatorship, and it is not partisanship. On our part it must be the cooperation of a free people drawing their strength from many racial stocks, and a cooperation that is made possible by a preponderant sentiment permitting governmental action under a system which denies all exercise of autocratic power. It will be the cooperation of a people of liberal ideals, deeply concerned with the maintenance of peace and interested in all measures which find support in the common sense of the country as being practical and well designed to foster common interests."

WARNING AGAINST ALLIANCES

Accepting as a fact that we cannot take the attitude of isolation, then must we resort to an alliance with Great Britain and her dominions and other nations endangered by fascism or communism?

The pact against communism between Germany, Japan, and Italy, depending on military strength as its vital sanction, may excite a union of communistic societies for the purpose of meeting might with might. However, the logic of indisputable facts of our own history leads us away from an alliance or united front with any other nation.

The right of independence or freedom from external political control;

The avoidance of opportunity for aggression through internationalism; and

Our present grave concern about the preservation of republican liberty in this country dictates a policy of nonalliance. This, moreover, is happily consistent with the most venerated American statesmanship.

Washington in his Farewell Address announced:

"It is our true policy to steer clear of permanent alliances with any portion of the foreign world."

Jefferson, in a letter to Monroe, amplified it:

"Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs."

Let us notice that Washington, while advising against entanglements in "the toils of European ambition, rivalship, interest, humor, or caprice," did not advocate isolation. He advised against both permanent alliances and isolation. Washington favored the adaptation of our foreign policy to changing circumstances according to informed public opinion. He said:

"Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we must safely trust to temporary alliances for extraordinary emergencies."

An alliance for the purpose of opposing one ideology against another—republicanism against totalitarism, would naturally be of a permanent duration.

Under the limitations of either the united front for republics or isolation, the United States could not always adapt her course in favor of right and against wrong. As a proponent of peace we would be often disabled to create or foster the policies or implements of peace.

Without independence we might be unable to cultivate the spirit of mutual friendliness with totalitarian states, which it is our disposition to do. Realism, judicial poise, Christian kindliness, and recognition of the right of every nation to conform to its own beliefs without trespassing on us, firmly plant us on the middle ground of independence.

This independence requires support. It cannot maintain itself. In peace and in war this Republic must defend itself against dominance by others. In negotiations with a view to peaceful solution of differences our independent responsibility must have the authority of respect by others, to be effective. In arbitrations, when participated in by us, as they have been in more than 70 instances, we should have the confidence caused by real neutrality.

NEUTRALITY DEFINED

So we come to some specific conclusions.

Amid the turbulence of the world, with war, declared or undeclared, actually going on, we all want to keep our boys out of the danger of bullets and gas. At the same time we believe we would be unwise in withdrawing commercially to our continental area, nationalizing all production and industry, and further centralizing all government in Washington. We do not want to establish nonparticipation in trade and finance. Such a plan would require a vast financing scheme to further organized control of all business and commercial activities and cushion the fall of industrial employment and the lack of necessary materials not obtainable here. The dictatorship perfected thereby would insure to us and our posterity a curse of unhappiness.

Our aim is neutrality.

NEUTRALITY ACT OF 1937 MISNAMED

However, the Neutrality Act of 1937 is not a neutrality act and ought to be repealed or amended. It may have the effect of unneutrality.

Neutrality visualizes two nations at war and a third friendly to both. Neutrality is a condition of impartiality. As John Quincy Adams stated:

"It avoids all consideration of the merits of the contest."

It is a state of mind of the third nation which acknowledges the cause of both belligerents as just.

But the act of 1937, through its cash-and-carry plan, may throw our resources into the contest on the side of a nation having ships. The mandatory embargo may assist a belligerent having resources not available to its enemy.

Neutrality cannot be confined to acts of governors. When economic participation expresses popular sympathy with one side only, the government is not neutral, however pacific governors may be.

The state of public opinion is of more efficacy for peace or war than any mandatory act binding the President in advance and in unforeseen conditions to embargo arms, the sale of securities to belligerents, and travel by American citizens on belligerent vessels—as is done by the Neutrality Act of 1937. Moreover, we expose ourselves to the chagrin of seeing some other nation decide a war between our neighbors by furnishing arms and goods to a belligerent whose success may be distinctly against our interest. Meanwhile we may have foolishly tied our own hands behind our backs.

The act also freezes our position by the provision that it shall go into effect upon a finding by the President "that there exists a state of war" between two foreign states, or a state of serious civil strife in a foreign state. As it has been interpreted, the President withholds his determination in the absence of a formal declaration of war by one of the belligerents. So, again, we put ourselves under control of a foreign power. A belligerent having vessels to participate in the cash-and-carry plan could force a foreign policy into action by declaring war. Thereupon it would force us to impose on ourselves restrictions contained in the statute which we had been avoiding by not recognizing that a state of war existed.

Under the Constitution, the Executive, in time of peace, conducts our foreign relations, within certain limitations, because that is the only practicable way to act with necessary celerity. The same liberty of action should be left him in time of war, for exactly the same reason.

AN IMPRESSIVE VOICE

The voice of America is potent—no more powerful government exists. No belligerent or would-be aggressor would willingly add the United States to its enemies. This was proved recently. It may be only a truce. The dove wears a gas mask yet. America's voice was effective because of the freedom of the Executive in peacetime, and before the Neutrality Act of 1937 could restrict him, to take an affirmative attitude toward peace—an unequivocal intention to sympathize with those who were for peace and to disagree with those who were for war.

In the President's note to Chancelor Hitler it was pointed out that the United States had "no political involvements" in Europe and would "assume no obligations" in the conduct of negotiations, but recognizes its responsibility "as part of a world of neighbors."

In the language of diplomacy this means "you cannot assume with safety that we will withhold action until the ship of state has been boarded."

The voice of America was impressive because it could be spoken at the opportune moment. It had the authority of deeds behind it. There was a striking similarity to the attitude of America preceding our entry into the World War. Then there existed a general desire for American isolation, sympathy with the victims of aggression, but also the prospect of better prices and broader markets for wheat and oil, and cotton and steel, and copper; and then President Wilson engaged in the role of public exhortation to European countries. Yesterday, as it were, public opinion and economic interest corresponded to the ante bellum emotions of 1917. Then President Roosevelt began his letter writing. The vital difference consisted in the fact which our participation in the World War demonstrated, namely, that this country can cooperate and that it is a mistake to underestimate its efforts at peace.

It is my opinion that our experience in the late peaceful settlement of the European conflict between autocracy and democracy will excite action to amend the Neutrality Act of 1937. Probably there will be an effort to remove the mandatory features of it, and to give the Executive discretion to apply or to withdraw the embargoes of the act under two conditions:

(1) When war actually exists, whether declared or not, and

(2) When such action is necessary "to promote the peace and security of the United States or to protect the lives of its citizens."

Thereupon the United States would again be free from commitment to a definite course of action in advance of unknown conditions. The operation of our legislation would not be subject to automatic control by a foreign power. The voice of America could make a more positive contribution to the world's decisions for peace in all circumstances.

THE NEED OF PUBLIC UNDERSTANDING

We would do better to stand firmly on neutral rights under international law than to impose limitations on our action by statute; such statutes may, while they last, be equally embarrassing as treaties.

We should "keep ourselves by suitable establishments on a respectable defensive posture." This requires adaptation of our armament to the needs of the present and the foreseeable future. It does not require matching equipment with the rest of the world.

It does not justify disregard for the checks upon spending for military purposes which taxpayers wrested from tyrants in the long ago and which our forefathers established for themselves and for their posterity. The providers ought to earmark the new taxes for the spenders. We have discovered the dangers of uncontrolled spending power. Openly without blushing, campaign speakers base their requests for a vote on the quantity of money spent in the voter's community. This complication in the solution of our foreign policy will require special study by Congress and it will need the intelligent assistance of the people in that study—such assistance as the Executives' Club rendered Congress when that great issue over the independence of the judiciary was on trial there. [Applause.]

We should limit future reciprocity agreements to specific barter transactions in order that advantages may be actually reciprocal and mutual and that economic causes of international resentment may be reduced.

We should stop purchasing unneeded gold and silver at exorbitant prices. [Applause.] Such gifts are especially improvident since they engage us in financing wars in which we should be neutral. We should not indulge in bluffing, threatening, or giving unsought advice. It is only a year ago that the Chief Executive gave vent to that word "quarantine" as a fist shaken in the face of our neighbors. We cannot afford as a great and dignified Nation to make threats with a mental reservation. I think we cannot afford to talk ourselves into a position similar to that of Sambo, the colored boy, who had a trial in court, and was about to take the stand in his own behalf as a witness, was asked a few questions preliminary to the oath being administered in order to find out whether he understood the import of the oath. The judge said to him: "Sambo, do you know what would happen after you have taken this oath, if you should tell a lie?" Sambo turned to the judge and said, "Yassah, yo' Honor, I'd go to Hades and I'd burn a long time." The judge said: "Well, Sambo, do you know what would happen if you should tell the truth?" "Yassah, yo' Honor," said Sambo, "I'd lose the case." [Laughter.]

OUR MORAL RESPONSIBILITY

We cannot afford to get ourselves into the position of compromising our future, as well as our past. We should maintain our own good character as a republic which carried out its promises and makes good its representations.

I dislike to part from such attractive company as this, but I am about to do so, with one concluding comment, and that is that looking forward, far forward, as we ought to do, as a great nation, with our responsibility, we ought to strengthen the means of moral influence in the cause of peace.

Upon our experience with the common law, which to a marked degree has unified Great Britain, Canada, and the United States culturally, may we not aspire to an entente for peace with all nations. Treaties are not necessary. Treaties are ineffectual, as shown by the present condition of the world.

Treaties only witness a true unison. Its substance, if realized, must be sought for in the sentiments and habits of society. May we not hope and strive for national custom and habit of mind and action which impose restraints without which freedom from international interference is impossible and with which spontaneous support for international law and order would react from every stimulus. Thereupon the world could have peace without the sanction of force—peace based on moral responsibility. [Applause.]

Mr. PITTMAN. Mr. President, there are Senators in the body at present who believe that our Government is protected in maintaining its peace better by acting entirely under the rules of international law. I think the Senator from Vermont is one of those Senators.

We have won the confidence of the people of the country in this fight, in my opinion, by the provision with regard to cash and carry. I think the people would be shocked beyond expression if they thought there was any chance on earth of having all this proposed legislation expire the minute the present war between Great Britain and France and Germany was declared by the President to have ended.

Only a few weeks ago, when the Senator from New Hampshire [Mr. TOBEY] offered an amendment for the purpose of hurrying the enactment of that portion of the joint resolution dealing with cash and carry, strong arguments were made that it should be enacted immediately, not even waiting for 1 day to pass.

Under the pending amendment, if it should be agreed to, if the President in one week should declare that the war between Great Britain and France and Germany were at an end we would have no law of any kind or character upon our statute books granting to the President any power of restraint whatsoever over our citizens, and we would be in exactly the same fix we were in in 1917.

Mr. President, I contend that the overwhelming majority of the Senate wants as permanent legislation the prohibition against American vessels engaging in commerce with belligerents, and if there is to be any exception, it should be a temporary exception as to localities where apparently there

is no danger; but section 2 (a) should remain forever as the pronouncement of the principle of this country that American vessels should not trade with belligerents, that the chance of the loss of the lives of our seamen should not be taken. I think the Members of this body want that as permanent legislation.

I think, too, that they want in our permanent legislation those provisions which make it absolutely unlawful for a citizen of the United States to travel on belligerent vessels. I do not think there is going to be any compromise on that whatever. I think they want as permanent legislation the provision that no belligerent can sell its bonds or obligations or securities in this country during war. I do not think there is any question but that we want that as permanent legislation.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. NORRIS. I confess that I am very much in doubt about whether or not we should adopt the amendment. I should like to call this state of facts to the attention of the Senator from Nevada: We have on the statute books today the Embargo Act, which the pending joint resolution would repeal. It was passed by almost unanimous vote in the Senate. Let us assume it is a fair and equal law, which, as I see it, is not true at all. I think it is unfair and unequal, and if I had known the conditions were to be as they now are, I never would have voted for it. Who voted for that law and who had any idea that in this day Germany, for instance, and her allies, would act in conjunction with each other, one being a belligerent and the other a neutral, in order to get the advantage over England and France, which do not have adjoining them any country from which they can have goods shipped in?

I do not know what may happen in the future, but I am afraid some condition may arise, if this kind of thing should ever happen again, which we cannot now foresee. The Senator has asked, Who wants a belligerent selling bonds in this country? I am wondering whether such a case might not arise that we would all want a belligerent to have that right.

Mr. PITTMAN. When we were neutral?

Mr. NORRIS. Yes. Would we not want Cuba to have that right, if Cuba were fighting for her independence? If there is such a country as we were when we were in the Revolutionary War, would we not want that country to have the right to get munitions? I do not know that we would, but I am afraid, looking into the future, the dark future, that we cannot see what the conditions are going to be, and I am wondering if it would not have been better, in the present situation, if we never had passed a neutrality law. It seems to me it would have been. We voted for the present law in the best of faith. The result was, as I see it, to give Germany an advantage in this war over every one of her opponents. That is unfair and unjust, and it might control the decision at the end of the war.

Mr. PITTMAN. Mr. President, the Senator from Nebraska has been such a strong supporter of the joint resolution that I admit frankly that his doubt about the matter is very disturbing. I would not under any consideration on earth of which I can think want to see this country again as helpless as it was in 1917, just before we went into the World War.

Mr. NORRIS. I agree with the Senator.

Mr. PITTMAN. If we do not have any law on the subject, we are bound to be in such a condition.

Mr. NORRIS. I am afraid so.

Mr. PITTMAN. There is no doubt on earth about the fact that our vessels were destroyed without notice on the high seas, illegally, under international law; and we were standing on international law. We have decided since that time that we would suspend our rights under international law until the war is over, and then seek whatever redress we may have if we have been wronged. We have said we are not going to let our ships suffer the danger of being destroyed on the high seas on account of a little commerce our vessels may get with the belligerents, and that is as fixed an idea in this country as ever existed with regard to foreign policy. It is as permanent an idea with two-thirds of this body as was ever entertained with regard to foreign policy.

Mr. President, what is the purpose of the amendment? It is proposed that if 1 month from now Germany and Great Britain and France declare peace, that all the work we have done in 1935 and 1937 and since we have been here now for weeks shall be for naught; that all the arguments that have been made shall be for naught; that the protection we have provided against our citizens being destroyed on the high seas shall be wiped out, and we shall allow our citizens to travel on belligerent vessels as they did on the *Lusitania*, and the danger of death shall exist as it did at that time; that we shall allow our ships to arm in another war. That is what is proposed by the amendment.

Mr. President, what would happen? I say that in 1 month the war between Great Britain and France and Germany may cease, and if it should, it would become the duty of the President of the United States so to declare, and when he should so declare he would wipe out all the neutrality legislation for which we have been working all this time.

That would be the effect of this amendment, and we should be back to the position we occupied in 1917. Then 2 weeks later a war may break out somewhere else; let us say it breaks out between some other great European powers, or breaks out between some great Asiatic powers, and we have then no neutrality law on our statute books. Our ships may trade with the belligerents. Our citizens may travel on belligerent vessels. Our vessels may arm to force their way into belligerent harbors.

Belligerent nations can throw their bonds on our markets through Morgan & Co. or other concerns. They can flood our country with credit, and we will have to come back here and go through all this discussion, all this consideration, while our citizens are being destroyed, because the law has been wiped off the statute books.

Mr. President, I think it is the most inadvisable proposition I have ever known to be advanced, not only in this debate but that has ever been made in the Senate in regard to neutrality.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. TYDINGS. I am sure that what the Senator from Nevada says must impress every one of us that we have a very difficult choice to make of one of two alternatives. On the one hand we had a neutrality law at the start, and found it to be inadequate, and had to change it after the present war broke out. On the other hand, where would we be if we had no neutrality law? If the Senator will permit me, I wish to say that one of my misgivings about the matter of the permanency of this law rises from this consideration: Suppose there had been no war between Japan and China.

Suppose that at the conclusion of the present European conflict Japan was for the first time to invade China, and under the present neutrality law Japan could come here and buy munitions, guns, shells, cotton, raw materials, foods, everything that we had to sell, while poor China, with no merchant marine, the injured party, the country that had been invaded, the country that had done nothing, we will assume, in world opinion, to cause the war. I would hate to feel that under such circumstances we would not deal with them. Under such circumstances and in that situation I would not want a change made in the existing law.

Now we have to choose either horn of the dilemma. What would the Senator say as to the situation between Japan and China if there were no European war, and Japan were invading China for the first time?

Mr. PITTMAN. I would say exactly what I say now. I have tried not to think who is fighting in the war. I try to remember that we were dragged into the war in Europe, with enormous loss of life and property, because we thought the German Government engaged in illegal submarine warfare and killed our seamen. I voted for our entry into the war because I felt Germany had violated the law and our rights.

I since have come to the conclusion that I would rather suffer the loss of commerce, even suffer humiliation through circumscribing our commerce on the high seas, than to be dragged into another war.

I think the soundest course we can take is to make it absolutely unlawful for American vessels to engage in commerce with belligerents, not on account of the loss of ships or the cargoes but because ships have to have seamen on board and the belligerents care very little for the lives of seamen on vessels.

Mr. President, we should not allow the repeal of the law which protects our country in times of war. We should not allow our citizens to sail on belligerent passenger vessels. There is no necessity for it. Whether they are killed legally or illegally on such vessels, when they are killed it arouses the war spirit in this country. We should never let that happen again. We should make it a permanent policy that our merchant marine shall not be armed when engaged in foreign commerce, because it invites destruction by submarines, prevents search on the surface, and makes defense practically impossible. Yet after all the work we have done for years on this matter, the suggestion is made at this very moment that we should go back to international law of 1917 because perhaps we are uncertain about what we are doing today. We may be uncertain about some of the minor details of the legislation; we may be uncertain how it will affect China and Japan in some future war, but we are not uncertain about what happened in 1917.

No one here desires to take the same chance again. I believe we are thinking of a war between other nations instead of thinking of the welfare of the American people. I think the pending amendment should be rejected.

Mr. WALSH. Mr. President, if this amendment is adopted, I hope we will change the name of this resolution from "Neutrality Act of 1939" to "The War Act of 1939." This, Mr. President, is the end of the pretense of neutrality. All here know my position. I disagree with the chairman of the Committee on Foreign Relations, but I do commend him for his statement that we ought to look upon the European situation objectively. That is just what those of us who are against repeal of the arms embargo have been doing, and for that reason we are opposed to aiding and abetting one group of belligerents. We want genuine neutrality.

Mr. President, what will this amendment do? It will say to the belligerents who will be benefited by the lifting of the arms embargo, "See how the United States aids and supports our cause. It repealed its neutrality law just for our benefit, and to prove that, it terminated it when the war was over."

This amendment does not intend to make this bill a policy of government. It seeks to make it a special war act for the benefit of favored belligerents.

And what would the other belligerents say? They would say, "It is not only injurious and hostile to us, but the United States even went so far in taking sides as to limit its so-called neutrality by terminating it at the end of the war." Would not this add to their hatred, add to their dislike and denunciation of us and our pretense at neutrality?

Mr. President, to me this proposal is the last straw. Disliking this measure as I do, and voting against it as I shall, I love my country too well to have the word go out to the world that America has labeled a law for the period of the war a neutrality measure and therein provided for the lifting of its general law forbidding the sale of war implements only because it desires to benefit certain belligerents.

At least some of the Members on this side of the Chamber, who will vote for this joint resolution claim that they are neutral (?), claim that we made a mistake when we passed the original neutrality law, claim that it was unneutral, and now they want to make it neutral. In Heaven's name how can we call a law neutral when in the midst of a war we change from forbidding munition sales to any belligerent to permitting sales for the period of this war to other belligerents. Of course we understand that those who dislike the President but favor assisting the allies to the limit, naturally want this power terminated for fear that in the next war the President's objectives will not be in harmony with their objectives, for they now believe the President and they are in accord.

Mr. President, it is inconceivable that such a bold and one-sided suggestion should be made. If this amendment is adopted we ought to change the name of the measure to the "War Bill of 1939 to Assist the Allies."

Mr. LEE. Mr. President, I desire to resist this amendment. The purpose of the proposed neutrality law is to prevent war; it is a preventive measure. Then if we should repeal it and another war scare should come along, it would not be a preventive measure. It would be like closing the barn door after the horse has been stolen, to wipe this off of the statute books, and wait until another war came along and then make an effort to take action to prevent war.

Then if we understook to pass another neutrality law, the argument would be raised again that we should not pass a law after the situation had arisen which we proposed to cure. A principle of this kind would be like putting a clause in labor legislation that at the termination of every labor trouble the law would expire, and then with the beginning of another labor trouble we would be required to pass another law.

Mr. President, law is a progressive thing; it grows. Every new piece of legislation must be refined and improved from time to time. Gradually we eliminate the portions that do not carry out the principle we had in mind when we passed it. The pending neutrality legislation is an effort on the part of the Congress to blaze a new trail in the prevention of war. The first one was passed in 1935. We amended it in 1936. We revised it again in 1937. We are now revising it again in 1939.

Mr. President, I supported every one of those measures and I have no apology for so doing. I do not think I made a mistake. I voted with what light I had at the time, as I believed then was for the best; and as circumstances develop, when the need arises for revision, I shall vote to do so, but I do not think it is necessary to repeal the entire legislation in order to do that.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. TYDINGS. I was wondering if the limitation to 30° latitude would apply if there should be another war and the belligerents should be different from the ones that are now engaged in war.

Mr. PITTMAN. Under the proposed amendment that provision would expire with the conclusion of the present war.

Mr. LEE. Mr. President, those who have written to me are laboring under the impression that if we pass the Pittman measure we are repealing neutrality. Nothing could be further from the truth. We are revitalizing neutrality. We are putting more teeth in the Neutrality Act than it ever had. There are other provisions in the measure than the embargo. We are strengthening the provisions regulating the travel on belligerent ships.

We are strengthening the provision with reference to the control of the manufacture of munitions. There is a provision that the manufacture of munitions shall be under a license system, which gives the Government control of that instrumentality, which it never had before the enactment of this measure. I should not want to see that repealed.

There is another provision which requires our ships to get out of the line of fire when other nations are at war. That is not a surrender of our rights on the high seas under international law. It simply means that we are foregoing the exercise of those rights during the period of the war in order that our vessels may get out of the line of fire, so as not to be destroyed and be a cause of war to this country. Therefore, I hope that the effort to repeal all this legislation at the termination of the present European war will be defeated.

Mr. WHITE. Mr. President, I wish to say a brief word indicating my approval of the amendment offered by the Senator from Vermont [Mr. AUSTIN]. I take it that in normal times this joint resolution would not be before the Senate of

the United States; and if it were I venture the further assertion that it would have scant consideration and few votes.

Mr. President, we were not called into extraordinary session for the purpose of dealing with the usual and ordinary conditions which confront our people and our Government. We were called into extraordinary session to meet extraordinary circumstances; and the pending legislation proposes to meet them in an extraordinary way. It grants to the President of the United States unprecedented powers. It places extraordinary limitations upon the individual; and the proposed legislation involves extraordinary impacts upon the industrial and economic life of our people.

When the unusual and extraordinary circumstances which gave rise to the proposed legislation shall have passed away, then it seems to me, as a matter of good sense, that the extraordinary legislation should terminate with the ending of those circumstances. In my opinion, that is all that the amendment proposed by the Senator from Vermont undertakes to do, and it has my sympathy.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. NORRIS. I recognize the force of the argument made by the Senator and of the argument made by the Senator from Vermont. I clearly realize, too, that when we pass upon the amendment and the principle involved in it, we must look into the future. We have to admit, if we are fair, that we cannot discern the future very clearly.

What has the Senator to say about making permanent the regulations relating to the travel of our citizens on the ships of belligerents? What about making permanent the law preventing sales except on a cash basis? Or what about several of the other provisions, which I think ought to be permanent and ought to apply always?

I think I can see quite clearly that there are some things we might want to change in the future. So far as we can now see, the joint resolution "fills the bill"; but as I understand, the argument for making it temporary, to end with the war, is based upon the uncertainty that we know must be in the future. We may confront a condition similar to that which now confronts us. In the past we enacted a law which I think has been injurious to our country.

Mr. WHITE. I probably cannot give a satisfactory answer to the Senator. I doubt if I can wholly satisfy myself.

Mr. NORRIS. I cannot satisfy myself, either. I have to vote in a way which I think will result in the least injury to the country.

Mr. WHITE. I happen to be one of those who have felt that, a war being now existent, we should not undertake to redraft existing neutrality legislation. After the war is over, when what I conceive to be normal conditions shall have been restored, I shall then be prepared to consider these problems and undertake to work out permanent legislation. In these extraordinary times I do not think we ought to undertake it.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN] to the committee amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. GURNEY. Mr. President, it is my desire briefly to give most of my reasons for my decision to vote for the measure now before Congress, known as the Neutrality Act of 1939.

First, let me state definitely that this is entirely an American issue, and therefore should not, and cannot, be considered a partisan issue.

I firmly believe that each Member of this Congress should vote exactly as his own individual experience and best judgment dictate as being for the best interests of the United States. By that I mean closely scrutinizing the joint resolution as to how its provisions will affect not only the present, but the future well-being of our country, which for the present certainly means that every step must be taken to prevent our involvement in the present war.

In this connection let me say that I am pleased with our President's statement of last evening, that it is the sincere policy of this administration to prevent a repetition of the World War events which made it necessary to send our soldiers to other lands.

I am convinced that no Member of Congress intends by any act of his to involve our country at any time.

In these times of stress when nations, because of their own interests, do not recognize any principle of international law—if there be any such law—it is absolutely necessary that we take positive steps to guard against our involvement. This I believe we are doing by passing the present measure. As a further preventive, we must continue the good national-defense program that is now in progress, so that our country may be prepared defensively against all known dangers, and may further prepare, as well as possible, against any unforeseen dangers. Let me state definitely that I believe our first and best defense measure is to build up our own economy with less government and less taxes, remembering that our best defense is a happily governed, prosperous people.

The question now before Congress has been debated at length. It is not conceivable that a single angle has not been given thorough consideration; and although I have approved of some amendments that have been voted down, the original measure, with accepted amendments, is now in such shape that it commands my favorable vote. There is a good old American principle that the majority rules; and I am willing to abide by this time-honored, worthwhile American system.

I will admit that the provisions contained in the joint resolution—which are, by the way, regulations of our own people only—may seemingly favor one side in the present European conflict.

I call to the attention of the Senate a distinct possibility that may be very evident after an intensive war of 6 or 12 months. I have said that the passage of the present measure seemingly favors one side; and I have admitted that this is undoubtedly the case at present. Let us go back to the experience of the Allies during the World War. It was ships and food that then gave the Allies such a preponderant advantage. I am sure Senators will all remember the great quantities of material that went across the Atlantic from our shores in our own ships. The prohibition against our ships being used for this same purpose in the present conflict will undoubtedly be a loss rather than a gain for the countries at present seemingly favored by the passage of the joint resolution.

Our present arms embargo discriminates in favor of all countries which in times of peace have built a large armament for aggressive purposes. Theoretically it is fine to consider it absolutely right not to sell munitions or implements of war to any belligerent nation. However, national defense being of first importance, it is my belief that for our best interests we must and can be practical at this time by accepting the regulation of our own people that is contained in the pending measure.

Some of the good provisions in the joint resolution as it now stands are, in my opinion:

First. It retains for Americans freedom of the seas in peaceful waters, allowing the free flow of commerce, which is good for our national economy.

Second. It prevents our ships and citizens from entering danger zones. By these two actions, keeping our merchant marine busy and out of danger, our Navy is sure of the assistance of an efficient merchant marine so necessary in time of national danger.

The best considered opinion at this time tells us that the pending measure will be the law of the land in the near future. Realizing the tremendous influence this country has on world opinion, and in view of the terrible events which may come to other parts of the world, let us now tighten our determination to assist in every way possible in calming the emotions of our people.

Now is the time for the United States of America to show by its own good example that democracy does work. As long as our people have a will for peace we are safe from any

danger of becoming involved in the present conflict. Let each Member of Congress make it his job to instill in the hearts of our people his own determination that this country will remain at peace.

Mr. JOHNSON of California. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from California will be stated.

The LEGISLATIVE CLERK. On page 16, line 13, after the word "materials" it is proposed to insert "(except copyrighted articles or materials)"; on page 17, line 3, after the word "citizen" it is proposed to insert "(1)"; and on page 17, line 5, after the word "materials" it is proposed to insert "or (2) in connection with the exportation or transportation of any such copyrighted articles or materials,".

Mr. JOHNSON of California. Mr. President, I shall take only a moment to explain my amendment, if there are any Senators present who do not yet know its design.

Its purpose is to serve the motion-picture industry, which is placed in a peculiar position by the pending measure. It cannot do as commanded by the joint resolution, and become a party to the cash-and-carry plan, because the films which it packs in a small compass and sends to various places in the south Pacific are always leased. They are copyrighted so that they cannot be disposed of otherwise than by lease. So they attempt to get from under the particular cash-and-carry provision in order that they may transact their business.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of California. Yes.

Mr. BARKLEY. As I listened to the reading of the amendment it seemed to me to be broad enough to apply to all copyrighted matter and not simply to moving-picture reels.

Mr. JOHNSON of California. It applies to copyrighted matter, but I cannot see that it applies to all such matter.

Mr. BARKLEY. It would apply to books and songs and periodicals of all sorts, I suppose.

Mr. KING. And musical compositions.

Mr. BARKLEY. I may be in sympathy with what the Senator is trying to do; but I am wondering whether his amendment would not cover every copyrighted article that might be shipped, regardless of the fact that it might not be a moving-picture reel.

Mr. JOHNSON of California. It certainly is not the design of the amendment to cover any copyrighted article, because I do not think they stand upon the same basis. The scenarios are packed in small compass. They occupy but part of a ship. They are in a position which enables the companies to deal with their customers only by virtue of leases. It is not so with books, periodicals, and the like. They are in a different category; and while they may be copyrighted, they are for sale, while the moving-picture scenarios cannot be sold.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. JOHNSON of California. Yes; I yield.

Mr. CONNALLY. So far as I am concerned, I think the Senator's amendment ought to be adopted. I am willing to accept it. I think it ought to be adopted.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. JOHNSON] to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. DANAHER. Mr. President, I send to the desk an amendment dealing with the cash-and-carry plan which it seems to me ought very properly to be superimposed upon the text of the pending joint resolution.

I ask to have the amendment stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The LEGISLATIVE CLERK. On page 16, line 20, after the word "materials", it is proposed to strike out the comma and insert "and that such articles or materials have been paid for in full in lawful money of the United States"

Mr. LODGE. Mr. President, will the Senator yield?

Mr. DANAHER. Yes.

Mr. LODGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Schwellenbach
Andrews	Downey	Lodge	Sheppard
Austin	Ellender	Lucas	Shipstead
Bailey	Frazier	Lundeen	Slattery
Bankhead	George	McCarran	Smathers
Barbour	Gerry	McKellar	Smith
Barkley	Gibson	McNary	Stewart
Bilbo	Gillette	Maloney	Taft
Borah	Green	Mead	Thomas, Okla.
Bridges	Guffey	Miller	Thomas, Utah
Brown	Gurney	Minton	Tobey
Bulow	Hale	Murray	Townsend
Burke	Harrison	Neely	Truman
Byrd	Hatch	Norris	Tydings
Byrnes	Hayden	Nye	Vandenberg
Capper	Herring	O'Mahoney	Van Nuys
Caraway	Hill	Overton	Wagner
Chandler	Holman	Pepper	Walsh
Chavez	Holt	Pittman	Wheeler
Clark, Idaho	Hughes	Radcliffe	White
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	
Davis	La Follette	Schwartz	

The PRESIDING OFFICER. Ninety-three Senators have answered to their names. A quorum is present.

Mr. DANAHER. Mr. President, it seems to me that the amendment I have offered goes directly to the root of the proposition which has been submitted to the country, and also submitted to the Senate, as the basis for a so-called cash-and-carry plan.

It will be recalled that when an amendment submitted by the Senator from Texas [Mr. CONNALLY] and the Senator from Nevada [Mr. PITTMAN] was offered the other day, we deliberately and willfully and intentionally excepted from the provisions of the so-called cash-and-carry idea the thought that American goods going to the ports named in that amendment need not be paid for in cash.

Mr. MALONEY. Mr. President——

Mr. DANAHER. I yield to my colleague.

Mr. MALONEY. Perhaps I am interrupting at an inappropriate moment, but I desire to get one thing clear in my mind. As I understand the Senator's amendment, it provides that such material shall be paid for in lawful money of the United States.

Mr. DANAHER. That is correct.

Mr. MALONEY. I wonder if I might prevail upon my colleague—because I think I want to do what he wants to do—to change the language to the words "for cash," because if he retains in the amendment the language he now uses, "lawful money of the United States," it seems to me a truck might be required to carry it.

Mr. DANAHER. Mr. President, I think I can best answer the question raised by my colleague by pointing out that the proposed amendment should be read as part of the context of the whole sentence. In order to clarify it, let me make apparent the purpose of the use of this particular language. I read from page 16 at line 16:

> The shipper of such articles or materials shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath—

Now, notice:

> A declaration under oath that there exists in no citizen of the United States any right, title, or interest in such articles or materials, and that such articles or materials have been paid for in full in lawful money of the United States.

It makes no difference to me in what form that money is brought up, if you like, to the exporter or to the American owner. I do not care whether or not it is brought up in a truck, if my colleague will pardon me for adopting his language. The plain fact of the matter is that if a declaration under oath has been filed, and, in fact, the goods have been paid for in lawful money, checks or drafts or trade acceptances, which in the normal course of business will clear through the bank of the owner thereof, and, as they clear, the credits will be applied on the account of the owner of that particular account, as we all understand and know the

term in common, ordinary business parlance, payment has been had in lawful money of the United States.

All that this amendment, therefore, would do is to require a certification, on the oath contained in the declaration, first, that there no longer exists any right, title, or interest in an American owner, and, second, that the particular goods have been paid for in lawful money of the United States. In that way, Mr. President, the declaration under oath is the important thing, for, of course, we have statutes which protect us against false oaths—which protect us against perjury, if you like.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. DANAHER. Yes; I yield.

Mr. MALONEY. I should like to ask another question of my colleague, if I may.

Mr. DANAHER. I yield. Before yielding to the Senator from Kentucky let me ask my colleague if I have sufficiently answered him in the particular in which he raised the question.

Mr. MALONEY. No; I am sorry to say that my colleague has not answered completely to my understanding. I am only asking these questions for the purpose of enlightenment.

If the collector of the port or any other official or individual testifies that the articles or materials are fully paid for, I am wondering why it is necessary to use the language "in lawful money of the United States."

Mr. DANAHER. Mr. President, I have been talking so loudly, and perhaps my colleague has been talking so loudly, that I have not been able to hear all the Senators in the Chamber. [Laughter.]

The PRESIDING OFFICER rapped for order.

Mr. DANAHER. If I correctly understood my colleague's question, the point he raises is that there is no need to say "in lawful money of the United States" if we use the language "paid for in full." Is that the question?

Mr. MALONEY. What I should like to avoid is any misunderstanding concerning the Senator's purpose. I am sure the Senator wants to be certain only that there is a cash transaction.

Mr. DANAHER. Precisely.

Mr. MALONEY. I am prepared to vote for his amendment if that is exactly what it does; but, so far as I am concerned, a certified check or some legal payment is sufficient. I want to be sure that that is sufficient with him.

Mr. DANAHER. Now I understand fully the question of my colleague.

Mr. President, let me first point out that the person who makes the oath is not the collector of the port or any other Government officer. He is the shipper of the material. Consequently, if he is satisfied that it has been paid for in full in lawful money of the United States, and he makes oath to that effect, it can be treated as a cash transaction.

Going one step further, let me point out to my colleague that if we do not send him lawful money of the United States, an acquittance, which is the equivalent of the goods being paid for in full, could be executed between the parties, even though a note were accepted.

Mr. BARKLEY. Mr. President——

Mr. DANAHER. Let me answer the one question fully. If I go to my colleague's place of business and order from him a bill of goods and he is willing to accept a 30-day or 60-day or 90-day note from me and call it payment, he has that privilege. Therefore it would constitute payment in full, in that sense. Therefore payment in full as such is not enough. The goods should be paid for in full in lawful money.

Mr. MALONEY. That is why I suggested in the first place that it might be advisable to substitute the words "for cash."

Mr. DANAHER. I understood the import of my colleague's interpolation of the words "for cash," but "for cash" actually, while we understand the expression, is a colloquialism, which is strange to the law as such, but payment in lawful money of the United States is a legal term, and everyone who reads our statutes in that connection will know that it means that goods must be paid for.

Mr. President, if the point my colleague raised were appropriate to be applied to this situation in a proper sense, I call attention to the fact that the $5 bill one takes out of his pocket contains on its face the statement that it is legal tender and is lawful money and is to be treated as such. It does not follow that payment for goods at a store downtown may be made by a check, but the minute the check clears through the bank payment is made. That answers the point raised.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. The term "lawful money" is one that is defined by law, and the definition does not include a check. The check, when it is cashed at the bank, may be changed into lawful money, but the check itself given in payment for goods is not lawful money. Therefore, it seems to me that it is not necessary for the Senator to try to amend the measure, because we provide against the giving of any credit with respect to the transaction.

Let us suppose we had a consignment of tobacco or cotton, and were proposing to exchange the cotton for some goods sent here from some other country, and it was a fair exchange, satisfactory to the parties. The goods could not be described as lawful money. It would not necessarily involve a check, either. So that it seems to me that when the Senator provides that there must be lawful money, it means that it will be necessary to take cash in silver or paper; it cannot be transacted in gold or gold certificates, because they are not in circulation. It will be necessary to take silver or paper money in some form, and pay it over physically in exchange in the transaction.

Mr. DANAHER. Let me ask the Senator from Kentucky whether, if we were to strike out from the pending amendment the words "in lawful money of the United States," that would meet his objection as he now voices it?

Mr. BARKLEY. It would meet that one.

Mr. DANAHER. If that language were stricken from the amendment, would the amendment as such meet any objection of the Senator from Kentucky?

Mr. BARKLEY. I am inclined to think so, but I would want to study its other ramifications.

Mr. GEORGE. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. I yield.

Mr. GEORGE. I hope the Senator from Kentucky will not assent to the proposition.

Mr. BARKLEY. I said that, so far as my objection to the particular language read by the Senator was concerned, the objection would be met, but I did not mean by that that I agreed to the amendment.

Mr. GEORGE. Is it the purpose of the Senator from Connecticut to require absolute cash payment for every article of merchandise sold by any individual or firm or corporation in the United States to an individual in France, Germany, or Britain?

Mr. DANAHER. Mr. President, answering the question so posed, I should say that it has been my understanding all along that section 2 (c) follows the issuance of a proclamation which names foreign states, to which foreign states it will be unlawful to ship goods unless there be filed under oath a declaration that no right, title, or interest in those goods remains any longer in a citizen of the United States.

Mr. GEORGE. Certainly the title passes to the merchandise going on a belligerent ship, if a neutral ships goods as the merchandise of the purchaser. The citizen of the United States has no further interest in it. All of his right, title, and interest are gone. But he can extend credit if he wishes to.

Mr. DANAHER. Is it the Senator's understanding that this provision permits the extension of credit to the foreign purchaser?

Mr. GEORGE. Does the Senator mean to an individual?

Mr. DANAHER. Yes.

Mr. GEORGE. There is not a line in the joint resolution that forbids it.

Mr. DANAHER. Precisely.

Mr. GEORGE. Wait just a moment. I want to understand what the Senator is talking about. It is well to understand it. There is but one class of sales by an individual or an American firm or an American partnership or an American corporation to an individual or firm or copartnership in any of the belligerent countries that is outlawed, and except upon a strict cash basis, that is to say, no American citizen whether an artificial person or a natural person, can sell to any citizen of Great Britain or France or Germany any arms, ammunition, or implements of war or anything else classified by the President under section 12 (i) as a munition of war or implement of war. But those transactions stand on a cash basis, they stand on the basis of any other purchase by a belligerent government. The belligerent governments must pay cash for all they buy, whether it be arms, munitions, apples, wheat, lumber, or tobacco. But there is not a prohibition in the joint resolution against the sale by an individual citizen in the United States to an individual citizen in a belligerent country, except the one provision that before the citizen ships the goods he must part with his title and his right and his interest in the merchandise. So that if the merchandise goes, it goes not as the property of the American citizen.

I desire to ask the Senator this question: Is it his purpose—and if so, then we narrow the point of debate—is it his purpose to make the seller of tobacco to an English firm or individual or corporation get the actual cash and make settlement in full before he transfers his title and his right and interest in the tobacco to the English merchant?

Mr. DANAHER. Of course.

Mr. GEORGE. Is that correct?

Mr. DANAHER. It is.

Mr. GEORGE. Then the Senator wants to do away with practically all commerce.

Mr. DANAHER. Let me ask the Senator a question.

Mr. GEORGE. Yes.

Mr. DANAHER. Is it not the Senator's purpose to make the same importer, the British or French importer, pay cash for sheet tubing, for oil, for gasoline, for cotton, for all those supplies which are not munitions of war?

Mr. GEORGE. The individual?

Mr. DANAHER. The individual.

Mr. GEORGE. Not at all.

Mr. DANAHER. Not at all?

Mr. GEORGE. He pays cash for nothing except arms, ammunition, or implements of war, or things classified as such by the President under section 12 (i). If the latter, then, though the shipment be made and sale be made by an individual in this country to an individual in Great Britain, it stands on the same basis as if it were being sold to the British Government, and must be paid for in cash.

Mr. DANAHER. Mr. President, I dare say the Senator from Georgia was here when the Senator from Nevada explained the joint resolution to us when we first convened, and the joint resolution was reported on October 2. I dare say he heard the President of the United States explain that the vast category of normal supplies, outside of the embargoed munitions, today can be sent to Great Britain and to France. We heard the Senator from Nevada explain that oil and gasoline and all these other articles are just as necessary to the prosecution of war as munitions themselves.

We have been told from one end of the country to the other that the joint resolution contained a cash-and-carry provision. It was our understanding, of course, that it was going to provide for cash and carry as to necessary supplies, excepting munitions. But no; we now discover from a frank, full, complete, and honest statement by the Senator from Georgia that there is no such provision in the joint resolution, and he does not intend that there shall be. Neither does the proponent of the joint resolution intend that it shall be. That is exactly what I have been trying to have fully realized; there is no cash-and-carry provision in the joint resolution.

Mr. LODGE. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. I yield.

Mr. LODGE. Will the Senator from Connecticut permit me to ask the Senator from Georgia, for whose frank statement I am much indebted, what there is to prevent governments from setting up artificial persons, corporations, and thereby avoiding the requirement?

Mr. GEORGE. Purchases by a government, or by any agency of a government, or by any agent for a government do fall under the strict cash provisions of the joint resolution, and purchases by any citizen in a belligerent country of arms, ammunition, and implements of war, or anything so classified by the President—it might be scrap iron, it might be gasoline, it might be cotton, if he chose to so classify it—must also be considered sales to the government of the country to which they are transported.

Mr. LODGE. Would it not be a simple thing for a government to subsidize or set up an artificial person?

Mr. GEORGE. I would not say it would be a simple thing, but, of course, a government might undertake to evade the law, as governments sometimes have done.

Mr. LODGE. When they are desperate they will, will they not?

Mr. DANAHER. Mr. President, I rise to a parliamentary inquiry. How much time have I left?

Mr. GEORGE. I beg the Senator's pardon. I was merely trying to point out what the issue was.

Mr. DANAHER. I realize that, and I am happy to have it so clearly stated by the Senator from Georgia.

The PRESIDING OFFICER The time of the Senator from Connecticut on the amendment has expired.

SEVERAL SENATORS. Vote! Vote!

Mr. DANAHER. I will take my time on the joint resolution.

Mr. LODGE. I ask for order on this important question.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. No. I want to talk in my own time; I have so few minutes left.

Let me point out that the Senator from Nevada caused to be filed for printing in the RECORD, and it was included as part of his remarks on October 2, a statement which appears on page 57. I quote the following:

> The old cash-and-carry law, which expired on May 1, 1939, as far as the divesting of title of the American citizen, is reenacted in the proposed substitute, but has been strengthened by providing that any loss by any American citizen in the sale and transfer of title and possession of his goods shall not be made the basis of any claim by the United States Government.

In the report filed by the majority of the committee which reported the joint resolution, I read the following, which appears on page 58:

> From a consideration of the text it will be noted that the cash-and-carry provisions of the law which expired by their terms on May 1, 1939, and which have not been reenacted, have been strengthened as to the provisions dealing with the divesting of title of citizens in goods to be conveyed and transferred and exported to belligerent countries. The addition of this language to the paragraph in the old law with regard to the divesting of title, namely, that "No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States," covers any loophole that might have existed in the old provisions as an excuse for demanding of the Government that the Government undertake to collect debts due a citizen.

Mr. President, when we come right down to an analysis of the question, and put the matter squarely before the Senate, we discover, just as the Senator from Georgia, has accurately stated, that there is no cash-and-carry provision with respect to more than 90 percent of all of the exportable merchandise in the United States. There is no cash-and-carry provision with reference to all of those secondary supplies necessary for war. We are told that the only cash-and-carry provision is that which applies to actual munitions of war defined by a proclamation issued under section 12 (i). The specious

argument which has been made as to cash and carry might be openly abandoned by the committee itself.

Let us go one step further in that particular, and point out that when the Senator from Nebraska was on the floor of the Senate recently, the Senator from Nebraska stated he was for the joint resolution because of the cash-and-carry provisions. I asked him to show where they were in the joint resolution, and he could not show them, but he yielded to the Senator from Nevada. I asked the Senator from Nevada where they were, and the Senator from Nebraska yielded the floor, and the very alert Senator from Texas made a point of order and took the Senator from Nevada right off the floor.

Mr. BURKE. Mr. President, will the Senator yield?

Mr. DANAHER. Not at the moment.

I have just a few minutes, and I cannot yield at this time.

Mr. BURKE. The Senator brought me into the picture, so, therefore, I ask him to yield.

Mr. DANAHER. Very well, I yield.

Mr. BURKE. I dislike to interrupt the flow of oratory, but it is perfectly clear, Mr. President, as anyone of intelligence can see, that the measure provides for such a cash-and-carry plan as never was undertaken by any other government in the world.

Mr. DANAHER. Where does the Senator get that? Where is it in the measure? I do not think he can find it.

Mr. BURKE. All through it.

Mr. DANAHER. No, Mr. President; let the Senator mention a sentence.

Mr. BURKE. Mr. President, in the Senator's short time I shall not point out the particular provisions of the measure, but if he does not understand that this measure provides cash and carry for every instance except those instances pointed out just now by the Senator——

Mr. DANAHER. Ninety percent of these articles are exportable merchandise.

Mr. BURKE. That has nothing to do with warfare at all. Of course cash and carry does not apply to those.

Mr. DANAHER. Oh, Mr. President, the President of the United States told us in his message that they had something to do with it. He told us that we ought to be consistent and embargo all munitions, even including scrap iron. I do not know how many times the Senator from Nevada used the words "scrap iron" as illustrative of the fact that that material was not embargoed under the present law. But the Senator from Nebraska tells us that it is a cash-and-carry provision as to all except munitions.

Mr. BURKE. If the Senator will yield again——

Mr. DANAHER. I yield.

Mr. BURKE. Scrap iron is clearly included within the cash-and-carry provision.

Mr. DANAHER. Where does the Senator find that?

Mr. BURKE. Well, let the Senator look for himself. [Laughter.]

Mr. SCHWELLENBACH. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. How much more time has the Senator from Connecticut?

Mr. CLARK of Missouri. Mr. President, I make the point of order that the Senator from Washington has no right to take the Senator off his feet by a parliamentary inquiry.

Mr. DANAHER. I will make the inquiry myself, if there is need for such thing. I have 18 minutes, have I not?

The PRESIDING OFFICER. Sixteen minutes.

Mr. DANAHER. I thank the Chair.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. Not just now. I will yield in a moment.

There has been an imputation here that there is a strict cash-and-carry provision with regard to so-called munitions. There are those who would undertake to tell us now that there is no cash-and-carry provision as to the more than 90 percent of our exportable merchandise, but that there is a strict cash-and-carry provision as to munitions named in a proclamation to be issued under section 12 (i). In the first place there will be no proclamation under section 12 (i) until the President shall issue a proclamation that there is a state of war.

In the second place, let me point out that in section 7 (a), beginning on page 21, line 9, which purports to be the one which the Senator from Kentucky and others say there is a bar to complete credits, there is no limitation upon the right of a foreign government to hypothecate its bonds, and there is no limitation on the right of a foreign government to pledge its bonds. What it does do, Mr. President, is to say that no person within the United States shall "purchase, sell, or exchange bonds, securities, or other obligations of the government of any state," and consequently, the precise mechanics of how that situation will be handled, as it was handled in the last war, is this——

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. DANAHER. Yes.

Mr. BARKLEY. But further down it is provided:

> Or to make any loan or extend any credit to any such government, political subdivision, or person.

How could the purchaser put up as security bonds issued by some government to obtain credit of any kind without violating this provision?

Mr. DANAHER. I will tell the Senator. Apparently it is a point with which he has not familiarized himself. This is how it will be done, and this is how it is being done, and this is how it was done in 1915, 1916, and 1917. There is no reason in the world why the British Government today cannot sweep up all the British bonds it wants and bring them into the United States. There is no reason why it cannot form a corporation in the city of New York and capitalize that corporation with those British bonds. You then have an American citizen. You then have a person, in other words, within the meaning of this language. That particular person can borrow all he likes, he can buy all he likes, he can order all he likes.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. DANAHER. I yield.

Mr. BARKLEY. What purpose would be served by the British Government or the French Government sweeping up all the bonds that are now in the hands of individuals all over the world and bringing them here, because in order to sweep them up they would have to pay for them, and they could in the meantime pay for the goods here with the money with which they swept up the bonds.

Mr. DANAHER. Does the Senator know how they pay for them? All they have to do is to refinance them, and issue new bonds to the holders of the old bonds, to their own nationals who hold their own bonds, and they bring the valid bonds here, and capitalize corporations with them. That is just what they did before as the record will show. And further they obtained credit on just that kind of an operation.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield on that point?

Mr. DANAHER. Yes.

Mr. SCHWELLENBACH. The Senator has said that they can organize a corporation.

Mr. DANAHER. Yes.

Mr. SCHWELLENBACH. And they would set up a corporation with a certain amount of capital stock, and that they would use the bonds they had swept up throughout the world in order to capitalize that corporation. Now, under the laws in any State of the Union, the sale of the capital stock in the corporation to whomever would own it would require some consideration. If these bonds were used for the purpose of capitalizing that corporation, then that corporation would purchase the bonds of the British Government, which would be in direct violation of the provisions of the financial sections of this particular measure. So there is absolutely nothing to the proposal the Senator makes.

Mr. DANAHER. Mr. President, let me show the Senator from Washington how such bonds are brought in. Let us say the incorporators put an appraised valuation on the goods or property which is being put up in lieu of cash, with which to

organize and to capitalize the corporation. They can place any valuation they choose on the bonds. The moment they do and they comply with the laws of any State, they can form a corporation, and that corporation becomes a corporate person, and that particular corporate person can go to any munitions manufacturer, can place an order, and that particular manufacturer can pledge the contract. He pledges it to his own bank, and borrows all the money he needs for that purpose.

Mr. President, does the Senator overlook the fact that perhaps section 7 (a) of the joint resolution will never become operative until after the President issues his proclamation? Any of us who ever went to a race track will remember that when the announcer says "the horses are now down the stretch, and they are waiting to approach the barrier," a bettor has 5 minutes, and all he has to do is to rush in and place his bet, but when the bell rings the window closes and there is no more betting on that particular race. There is nothing in this measure which says that when the President of the United States decides to act he will not wait until the boys get their bets down.

Mr. President, there is only one reason in the world why paragraph 7 (b) was put in the measure. It was put in for a particular purpose. Those who drew the measure could have said, "Let us put in something about W. P. A." No, they did not want that in. They could have said, "Let us put in something about W. P. A." No, they did not want that. But they did want 7 (b), and they put it in there. And what does it say?—

The provisions of this section—

That means the section dealing with financial transactions—

shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

Mr. President, the Senator from Nevada was at great pains to explain that the Johnson Act did not affect this. I heard one of the Senators on the other side of the aisle make a reference to the Johnson Act a little while ago. The Senator from Nevada had the foresight to place in the RECORD the statement that the Johnson Act did not apply.

The indebtedness, however incurred, on whatever credit basis they choose to establish it, that exists on the date of the proclamation, is excepted. It is taken out of the provisions of this act. Yes; that is deliberate, it is intentional; it was put in there for the specific purpose of making it possible for an extension of unlimited credit between now and the date when the proclamation shall ring the window down.

There is no other reason in the world for that principle to be stated in the measure than to except precisely and distinctly all debts and all indebtedness that accrues between now and the date of the proclamation. So there is not even a limitation, I will say to the Senate, upon the extension of credit for the export of munitions, whether they are named in section 12 (i) or not.

Mr. President, we are now at the crux of this whole measure. Everybody all over the United States has been led to think that this is a cash-and-carry measure. We have heard now that 90 percent of our exports are not covered by cash and carry. They heard discussion of an amendment the other day which would take out of the provisions of the measure exports which went in American vessels to all the places named by the Senator from Nevada. We now know that all American exports are taken out of the provisions of this bill. We know that all articles intended for belligerents are taken out of the measure.

SEVERAL SENATORS. Vote! Vote!

Mr. DANAHER. No, no, Mr. President. [Laughter.]

Mr. President, reserving the balance of my time on the measure, I send to the desk another amendment. I ask unanimous consent to be permitted to conclude my remarks upon the amendment which I send to the desk and which I will offer later. I will take my time on the amendment now, if I may.

Mr. GEORGE. I object. There cannot be more than one matter before the Senate at one time.

Mr. DANAHER. Mr. President, I will take the time later. My idea was that, so long as all the thought was integrated on the one subject, we might discuss now a number of amendments; but if Senators prefer not to go on with it at this time, I will do so later as soon as I get time.

Mr. President, may I ask the Chair what time I have left? I have 8 minutes left, have I not?

The PRESIDING OFFICER. Four minutes.

Mr. DANAHER. I will reserve my time for the present on the joint resolution.

Mr. CLARK of Missouri. Mr. President, I claim the floor on the first amendment of the Senator from Connecticut [Mr. DANAHER], and I address the Senator and will ask the Senator whether there is any part of his argument which he can legitimately put in the form of questions addressing me? I cannot yield to the Senator to make a speech, but I can yield to him to ask questions.

Mr. DANAHER. Let me put it to the Senator from Missouri this way. Mr. President, if the Senator from Missouri were a member of the American public, to whom it had been represented that the Congress had the alternative of voting to repeal the arms embargo or to accept the strict cash-and-carry measure, and if when he reached here he found that the Senator from Nevada extends to the people of the United States the representation that this is a cash-and-carry measure, and if he found on analysis that it is not a cash-and-carry measure, that 90 percent of all exportable merchandise is not covered at all, and if he found that paragraph 7 (a) makes exception as to credits, providing for unlimited credit, and if he found under section 7 (b) that all indebtedness so created will never be covered until the proclamation shall issue, and then it will be expressly excepted from the provisions of the measure, let me ask the Senator from Missouri would he not think that there had been submitted to the American people a spurious, specious hoax, and that this joint resolution is just that?

Mr. CLARK of Missouri. I will say to the Senator from Connecticut that the assertion that there is any antagonism between the retention of the arms embargo and a real honest-to-goodness cash and carry is an entirely spurious assumption, as I have heretofore pointed out to the country.

I certainly do not intend to vote for any measure which contains the repeal of the arms embargo because I feel that such action would be a fraud on the American people.

Does the Senator from Connecticut desire to ask me any further questions?

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I have already invited the Senator from Connecticut to ask a question.

Mr. SCHWELLENBACH. Is this a general invitation?

Mr. CLARK of Missouri. For the present it is confined to the Senator from Connecticut. I shall be glad to let the Senator from Washington in a little later.

Mr. DANAHER. Mr. President, I appreciate the interest of the Senator from Missouri more than I can tell him. Let me point out, as I frame this question——

Mr. HATCH. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. It is manifest that the Senator from Connecticut is not asking the Senator from Missouri a question. I raise the point of order that the Senator from Missouri is inviting questions in order that the Senator from Connecticut may violate the limitations on the right of debate.

Mr. CLARK of Missouri. I invite the Senator from New Mexico or any other Member of this body to point out anything in the rules of the Senate which prevents a Senator from inviting questions. I have heard that done in this body ever since I was a little boy. I have heard Senators stop and deliberately invite a question, and then refuse to yield to any Senator to answer the question.

Mr. HATCH. Mr. President, I insist on the point of order.

The PRESIDING OFFICER. Will the Senator again state his point of order?

Mr. HATCH. The point of order is that the invitation to the Senator from Connecticut by the Senator from Missouri is a manifest effort on the part of the Senator from Missouri to grant to the Senator from Connecticut time in which he may continue his speech beyond the limitations specified by the unanimous-consent agreement.

The PRESIDING OFFICER. Let the Chair state the parliamentary situation as he understands it.

The Senator from Connecticut had the floor, and the Chair advised him that he had 4 minutes remaining on the joint resolution. Thereupon, as the Chair understands, he yielded the floor to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, the Senator from Missouri claimed the floor in his own right.

The PRESIDING OFFICER. The Senator from Missouri claimed the floor in his own right, and the Chair recognized the Senator from Missouri. The Senator from Missouri then issued an invitation to the Senator from Connecticut to ask him any questions.

Mr. CLARK of Missouri. Which I repeat.

The PRESIDING OFFICER. The Senator from Connecticut then asked a 5-minute hypothetical question of the Senator from Missouri. No point of order was made against that question. The Senator from Missouri now again invites the Senator from Connecticut to ask him a question. Up to this time the Senator from Connecticut has not asked any question, so there is nothing for the Chair to rule upon.

Mr. HATCH. Mr. President, I insist on the point of order. We are not children. We know what is taking place on the floor.

The PRESIDING OFFICER. The Chair will say to the Senator from New Mexico that the Senator from Missouri has the floor, and he will have to proceed in line with what the rules require. The Chair thinks the Senator from Missouri should proceed to discuss the amendment in question, or the joint resolution, without offering an invitation to the Senator from Connecticut to proceed with a long question.

Mr. DANAHER. Mr. President——

Mr. CLARK of Missouri. Mr. President, under the rules of the Senate I am in full possession of the floor; and I have a right to proceed in any way I choose.

The PRESIDING OFFICER. The Senator may yield only for a question.

Mr. CLARK of Missouri. I have great respect for the opinion of the present occupant of the chair. Nevertheless, I insist that under the rules I have a right to discuss the question in my own time, in any way I choose, or to volunteer to permit any questions from any other Senator who may desire to ask them.

Mr. HATCH. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. The Chair will say that the Senator from Missouri has the floor——

Mr. CLARK of Missouri. Mr. President, I hope this parliamentary controversy will not be taken out of my time.

The PRESIDING OFFICER. Let the Chair proceed. The Senator from Missouri has the floor, and he has the right to yield to any other Senator for a question; but the Chair will state that he has not the right to yield to another Senator for a speech. That is exactly what the Senator from Connecticut was doing a moment ago.

Mr. HATCH. Mr. Presient, will the Senator yield to me?

Mr. CLARK of Missouri. I shall be glad to yield later. I ask the Chair if he can lay his finger upon any rule of the Senate which provides that one Senator may not yield to another Senator for a question, whether he invites the question or not.

The PRESIDING OFFICER. The Chair will say to the Senator that the Parliamentarian advises him that there is no such rule, but that there are many precedents for the position taken by the Chair.

Mr. CLARK of Missouri. Then I say the Chair is absolutely wrong. It was ruled by the present Vice President of the United States, in the famous Huey Long filibuster, that it was proper for the Senator from Louisiana, Mr. Long, to yield to the Senator from Nevada [Mr. MCCARRAN] for a 45-minute hypothetical question.

If the Parliamentarian advises the Chair that that ruling is incorrect, then the Parliamentarian is overruling the present Vice President of the United States, who has never been overruled before. [Laughter.]

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. If a Senator is dissatisfied with the ruling of the Chair, what is the proper parliamentary procedure?

The PRESIDING OFFICER. As the Chair understands, he may take an appeal from the decision of the Chair.

Mr. CLARK of Missouri. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. As I understand, the Presiding Officer has not ruled. He has merely advised the Senator from Missouri what his own personal opinion is. Therefore there is nothing from which an appeal could now be taken. Is that correct?

The PRESIDING OFFICER. The point of order made by the Senator from New Mexico [Mr. HATCH] came too late, insofar as what transpired between the Senator from Connecticut and the Senator from Missouri was concerned. The Senator from Missouri yielded to the Senator from Connecticut for a second inquiry, and thereupon the Senator from New Mexico made the point of order.

Mr. DANAHER. Mr. President, will the Senator yield to me for just a moment? I think perhaps I can end the discussion.

Mr. CLARK of Missouri. I yield for a question.

Mr. DANAHER. I will state to the Chair that I had in mind asking only one question of the Senator from Missouri.

The PRESIDING OFFICER. The Senator may ask his question.

Mr. DANAHER. I will say to the Senator from Texas, who has not the floor, but who asked the question——

Mr. CLARK of Missouri. The Senator may take as long as he pleases with the question, and I shall deal with the parliamentary situation when it arises.

The PRESIDING OFFICER. In reply to the Senator from Missouri the Chair will state that the Chair will deal with whatever parliamentary situation may arise.

Mr. DANAHER. I ask the Senator from Missouri if he has followed my argument as I offered it—I hope it was logical and clear, and I am certain it has not been disputed at any time up to now—can we not cure the difficulty with reference to section 7 (a) and the difficulty with reference to section 7 (b) if we make both those sections operative as of September 3, 1939, and thereby take into account the situation as it existed when the President issued his outstanding proclamation?

Mr. CLARK of Missouri. I have no question whatever about that.

Mr. President, I yield the floor.

SEVERAL SENATORS. Vote! Vote!

Mr. JOHNSON of California. Mr. President, I wish to make plain for the purpose of the RECORD that we have no cash-and-carry plan in the pending measure. The character of the cash-and-carry plan in the pending measure is a fraud, a delusion, and a snare.

Mr. President, I wish to read the statement of Mr. Bernard Baruch, made when we were first considering the cash-and-carry plan. These were his words:

> In the first place, money and credit are on a very different basis than is merchandise. No nation is a continuing source of credit to another. When you sell merchandise your interest ends. When you loan money it has only begun. The moment a neutral begins to loan money or advance credit to a belligerent, it has given a hostage to fortune. "Where your treasure is, there will your heart be also." This country should absolutely refuse to finance either side in a foreign war, publicly or privately, either by loans or advance of credit, no matter what would be the pledge or collateral, and no matter how persuasive the appeal. For whatever we sell we should have only one formula—cash on the barrel head.

How often have we heard that in recent years, from the President down. We have heard many men talk of cash on the barrel head. This is the first and great commandment for our peace, our prosperity, and our unassailable neutrality.

Our legislation already provides for this; and we should never alter it.

Mr. President, I shall not consume much time in the discussion of this question. I recognize the futility of discussion, particularly at this time. I will not put myself in the position of being howled down by the United States Senate or of having the United States Senate render a verdict concerning the matter. I recite what Mr. Baruch said because he was the author of the cash-and-carry plan, and he was telling us exactly what it was and what it should be under all circumstances. We thought we had adopted his plan. We now have a measure that is shot full of holes so far as the cash-and-carry plan is concerned. There is not any cash and carry to it. Therefore I want the RECORD to show that it is exactly the reverse of what we imagine it to be.

SEVERAL SENATORS. Vote! Vote!

Mr. SCHWELLENBACH. Mr. President, I appreciate the fact that the Members of this body are anxious to vote. However, in view of the statements which have been made in the past half hour, I am not willing to let the RECORD stand without some effort to correct it.

The Senator from California [Mr. JOHNSON] told us about the testimony of Mr. Baruch, in which he said that cash must be paid "on the barrel head," and that no credit should be allowed. He has told us that we have heard, from the President down, that we had a cash-and-carry measure.

Mr. President, there was not any cash involved in the 1935 act. There was not the slightest semblance of cash involved in the 1937 act. When anyone says that we now find the cash provision riddled, he is not presenting the facts about the situation, and the American people are entitled to know the facts.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. The pending measure is infinitely stronger than the measure which was passed in 1935.

The PRESIDING OFFICER. Does the Senator yield to the Senator from California?

Mr. SCHWELLENBACH. I yield.

Mr. JOHNSON of California. Let us concede that, if it is desired. It has been reported as a cash-and-carry measure. It has been boasted as a cash-and-carry measure. Practically everyone who has made a speech upon the radio has talked of the cash-and-carry provisions. Every Member of this body who is connected with the measure in any way has spoken of it as a cash-and-carry measure.

Mr. SCHWELLENBACH. Mr. President, I think the Members of this body in 1935 and 1937 who were the sponsors of this kind of legislation certainly are entitled to very high credit for the efforts they put forth in reference to the legislation. I am not detracting in the slightest way from the efforts put forth by the Senator from Missouri and the Senator from North Dakota. However, despite the fact that the testimony of Mr. Baruch was given, the people of this country were told, not by the administration but by these gentlemen, in 1935 and in 1937 and all during this time that we had a cash-and-carry law. As a matter of fact, there was not any cash in it. So far as transactions between individuals in this country and individuals in belligerent countries were concerned, there was not any cash whatever in it on any type of goods.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. LODGE. Except on arms.

Mr. SCHWELLENBACH. No; there was not any. Arms were prohibited.

Mr. LODGE. The Senator does not contend that the pending joint resolution is more of a limitation on arms than the previous legislation was, does he?

Mr. SCHWELLENBACH. I am talking about cash and carry. Under the previous measures it is true that arms could not be shipped at all, so the question of cash and carry was not involved, but so far as any goods shipped by an individual in this country to an individual in any belligerent country were concerned, there was no cash involved.

Then there was section 7, with reference to financial transactions. It provided, just as the present joint resolution does, that we could have no credit transactions with belligerent governments. We could not purchase, sell, or exchange their stocks or bonds or other securities, and we could not extend credit to them. But the section also had in it a proviso which gave to the President the discretionary power of extending credit on ordinary commercial transactions, using the term "short-term credits." There was no definition of short-term credits. There was nothing in the law which has been flaunted to the American people for the past 4 years as being cash and carry which did not give to the President the power to extend short-term credits under any definition that he wanted to use of short-term credits, even up to a year.

In this joint resolution we tried to strengthen the cash-and-carry provision. We said that so far as the sale of any articles described under a proclamation included arms, ammunition, and implements of war it must be for cash. We first took the proviso which gave to the President complete discretion so far as the extension of ordinary commercial transaction credits was concerned and we tightened it up in three particulars. We said that the obligation had to show upon its face that it was not renewable. We said that if it was not paid within the period of 90 days no more credit could be extended; and we said that the credit could not be for more than 90 days. Instantly the alarm went up from those who were opposed to the pending joint resolution saying that we were offering 90-day credit.

Talk about attempting to deceive the American people. Talk about anything being spurious in the form of argument. What we did was to try to place three limitations upon that credit; and immediately Senators on the other side who are opposed to this joint resolution pounced upon the radio and said that we were extending 90-day credit.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. CONNALLY. Is it not true that under the present embargo law the President could exempt any character of credit for any period of time, and that the original measure curtailed that power and limited it to 90 days?

Mr. SCHWELLENBACH. That is the point I have been trying to make; but when we tried to limit the credit, when we tried to say it could not be for more than 90 days, the radios were filled with the voices of gentlemen saying, "Why, they are extending 90-day credit!"

We took that exception out when some were not satisfied with our efforts to tighten up the credit written into the measures introduced by the Senator from Missouri and the Senator from North Dakota in 1935, 1936, and 1937. We took out that exception entirely, and provided that the President should have none of that power; and then the Senator from Connecticut [Mr. DANAHER] comes here today and says that this is spurious.

I like the Senator from Connecticut. He is a most genial, jovial gentleman, and I have appreciated my association with him here.

Mr. LEE. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. LEE. Under the present law, is there a cash-and-carry provision at all?

Mr. SCHWELLENBACH. Under the present law there is, so far as the sale of goods is concerned, no cash provision whatever, and there never has been in the law.

Mr. LEE. Then if the Pittman joint resolution is killed, we shall have no cash-and-carry provision at all. Is that true?

Mr. SCHWELLENBACH. That is true; yes. Of course even what I suppose the Senator from Connecticut would call the "spurious" section 2 of the last act, which was represented to the people of the country by those who were opposed to this legislation as being a cash-and-carry provision, expired on the first day of May.

Mr. LEE. Then those who vote to kill this joint resolution, which does offer cash and carry, will be voting against cash

and carry, and to support a law which does not provide cash and carry. Is that true?

Mr. SCHWELLENBACH. That will be the situation.

Mr. LODGE. They will be voting to prevent the sale of arms.

Mr. WILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. SCHWELLENBACH. I do.

Mr. WILEY. I am trying to get this matter of cash and carry down to a concrete basis.

As I understand, under the pending joint resolution, if it becomes law, the cash will cover the 13 percent of exports which we have heretofore referred to as arms, ammunition, and implements of war. That is correct, is it not?

Mr. SCHWELLENBACH. If the percentage now is the same. It would cover arms, ammunition, and implements of war or anything that the President says constitutes arms, ammunition, and implements of war.

Mr. WILEY. Very well; 13 percent is the proportion of total exports made up of arms, ammunition, and implements of war that was sold from 1914 to 1917. Has the Senator any information to show what the total purchases were which were made by the Government or Government agencies from 1914 to 1917 which would now, as I understand, be covered by the cash-and-carry clause?

Mr. PITTMAN rose.

Mr. SCHWELLENBACH. I have not those figures. I will yield to the Senator from Nevada to supply them.

Mr. PITTMAN. Mr. President, at that time all the cotton and all the wheat, which constituted the largest portion of the purchases not consisting of arms and ammunition, were purchased by the belligerent governments or their agents.

Mr. WILEY. Yes. Consequently, under the Senator's joint resolution——

Mr. PITTMAN. They would be cash purchases.

Mr. WILEY. That is what I am getting at. Then, what is the percentage that would be cash and carry, in the judgment of the Senator from Nevada?

Mr. PITTMAN. It is safe to say, under the proposed law, 95 percent.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield to the Senator from Idaho.

Mr. CLARK of Idaho. Of course, the Senator from Washington makes a very consecutive and a very logical argument, and insofar as his premises go he is obviously correct; that is, that the joint resolution we are now considering does contain a little more stringent provisions than the cash-and-carry law which expired by limitation last May, and to that extent the proposed law represents a tightening up. There is no question about that. The Senator is perfectly correct.

Mr. SCHWELLENBACH. The Senator from North Dakota [Mr. NYE] this afternoon offered a substitute. He did not tighten up in that substitute so far as the question of cash is concerned. Nobody who is opposed to the joint resolution would want to do that.

Mr. CLARK of Missouri. That is true. The only difficulty that arises, as I see it, even under the 90-day credit provision in the proposed law——

Mr. SCHWELLENBACH. There is no 90-day credit provision in the proposed law.

Mr. CLARK of Idaho. I understand that; but, even as originally drafted, the 90-day provision in the proposed law was a more stringent limitation than the provision in the cash-and-carry law which expired by limitation.

Mr. SCHWELLENBACH. That is correct.

Mr. CLARK of Idaho. Now the difficulty arises, however—and that is the point of the Senator from Connecticut—that certain representations were made by the President and by the administration, if you please, at the time the present measure was proposed. Let me read from the President's language just one sentence, if the Senator will bear with me. He sets out the objectives of the proposed legislation, and then he says—and I quote:

> The result of these last two [objectives] will be to require all purchases to be made in cash—
>
> All purchases—
>
> and cargoes to be carried in the purchasers' own ships, at the purchasers' own risk.

The point of the Senator from California and the Senator from Connecticut obviously is not that the proposed law is a restriction on the law which expired by limitation but that a misrepresentation has been made to the extent that this is not a cash-and-carry measure.

Mr. SCHWELLENBACH. Let me answer the Senator. Talk about representations! Speeches have been made around the country—I do not say this at all in a critical way—but speeches have been made around the country since 1935 telling the people of the country that the old act provided for cash, and yet there was not the slightest semblance of cash in it.

The people of the country, the people up in the galleries, have been hearing about cash and carry not merely since the President's message on the 21st of September; they have been hearing about cash and carry since 1935. What we have done is to try to tighten up the cash provisions to a greater extent than anybody ever suggested prior to that time.

The Senator talks about the President's representation. The President has not made any representation to anybody. He delivered a message in the House. There has been a great deal of criticism in the past few years to the effect that the President of the United States wrote bills and told us how we had to pass them, and sent them up here, and that all we did was to pass on them. This is a measure which the President did not write. He came up here and delivered a message in which he suggested certain things; and the committee of the Senate itself has presented a joint resolution which certainly was not written by the President or by the State Department or by anybody else outside of Congress.

We ourselves wrote the joint resolution; and certainly no criticism can be made that statements have been made from the top to the bottom, from the President down, representing that this measure provided for cash. All the President did was to submit a message.

Mr. CONNALLY. Mr. President——

Mr. SCHWELLENBACH. I yield to the Senator from Texas.

Mr. CONNALLY. Let me ask the Senator from Washington if it is not true that the original slogan, "cash and carry," was applied to the Neutrality Acts of 1935 and 1937. We always spoke about the expiration of the cash-and-carry provision.

Mr. SCHWELLENBACH. My understanding is—I am not sure about this, but my understanding is—that Mr. Baruch, after seeing the joint resolution of 1935 said, "Why, that is not a cash-and-carry measure. That is a come-and-get-it measure."

Mr. CONNALLY. If the Senator will yield, Mr. Baruch made his appearance before the Foreign Relations Committee during the present year. This cash-and-carry talk has been going on ever since the original Embargo Act. Some persons always refer to the expiration of the cash-and-carry provision of the Embargo Act. Mr. Baruch's appearance before the Foreign Relations Committee was in the present year.

Mr. SCHWELLENBACH. I understand that the term "cash and carry" was invented in 1935 by that brilliant autobiographer, Mr. Raymond Moley. He was the one who did it.

Mr. BARKLEY and other Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield; and, if so, to whom?

Mr. SCHWELLENBACH. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I simply desire to ask the Senator from Washington if it is not true that in the very message from which the Senator from Idaho [Mr. CLARK] has quoted, delivered to the two Houses in joint session on the 21st day of September, the President emphasized the fact that, after all, it was for Congress to determine the method and

manner by which the general principles which he was advocating should be carried out, and in the spirit of that suggestion the committee wrote this joint resolution?

Mr. SCHWELLENBACH. That statement was very definitely made; and I know from personal experience that when we wanted to get some information from the Maritime Commission there was a question as to whether or not they could furnish it because they had received orders not to participate in writing this measure.

Mr. WILEY. Mr. President——

Mr. SCHWELLENBACH. I yield to the Senator from Wisconsin.

Mr. WILEY. Personally, I am not so much interested in phraseology as I am in what the actual operation will be. I should like to know whether anyone will dispute the statement of the Senator from Nevada [Mr. PITTMAN] when he said, in substance, that if the joint resolution which is now before this body for action had been in operation in 1914 to 1917, 95 percent of what was then sold would have been paid for in cash. That is in substance the answer of the Senator, is it not?

Mr. PITTMAN. Yes. My answer was that the proposed legislation, as now amended, not only provides that the government of the belligerent must pay substantially cash, but during the World War, as it developed, all purchases were practically made by or for a government, and it was the government credit which was back of all the purchases. They were not all made by the government. They were made by the various agencies of the British and French Governments, sometimes in this country and sometimes not.

The joint resolution has been amended so as to include not only those direct agencies, but any nationals of those countries who buy any of the articles listed by the President as arms, ammunition, and implements of war. So I still contend that, whether bought by the government or by the agency of the government, or by nationals who were selling to the government, 95 percent of them would come within the financial clauses we now have in the proposed act.

Mr. WILEY. In other words, 5 percent, then, would represent merely dealings between citizens of this country and the Allied countries, and 95 percent would represent dealings between this country or citizens of this country and the Allied Governments and their agencies?

Mr. PITTMAN. Exactly.

The PRESIDING OFFICER (Mr. MINTON in the chair). The time of the Senator from Washington on the amendment has expired.

Mr. TAFT. Mr. President, while this matter is being discussed I should like to ask the chairman of the Committee on Foreign Relations one question regarding this section. On page 21 it is provided that whenever the President shall have issued a proclamation it shall be unlawful for any person within the United States to advance credits to foreign governments. I wish to know whether or not the chairman of the Committee on Foreign Relations considers that the word "person," which is also defined on page 30 as including corporations, and so forth, is broad enough to include the Reconstruction Finance Corporation and the Export-Import Bank.

Mr. PITTMAN. The word "person" expressly includes corporations, and I therefore take it that it does include them.

Mr. TAFT. In the Senator's opinion, it includes the Reconstruction Finance Corporation and the Export-Import Bank?

Mr. PITTMAN. That is my opinion, and that was the opinion of those who drafted the joint resolution.

Mr. GEORGE. Mr. President, I wish to make a short statement. Particularly I wanted to say that my construction of the word "person" is identically the same as that given by the chairman of the committee. I think that is pertinent, because in effect it covers precisely one of the amendments offered by the distinguished Senator from Ohio, which was voted down in this body yesterday. I think the word "person" here does include a subsidiary of the Government, a corporate subsidiary such as the Reconstruction Finance Corporation, or any other corporation which is owned wholly or practically wholly by the Government itself.

Mr. TAFT rose.

Mr. GEORGE. I was merely adding my interpretation of the language, and I particularly wished that it go into the RECORD, because I think it is important.

Mr. President, I should like to say just a few words with reference to the amendment offered by the Senator from Connecticut which is the basis of all the present discussion.

The joint resolution very clearly puts on a cash basis all purchases by any belligerent state, after it has been found to be in a state of war by the President, and so proclaimed, and it also puts on a cash basis all money transactions, all financial transactions by that government, acting directly or through any agency or through any one acting in its behalf.

The joint resolution reenacts in practically identical language the Johnson Act as we know it, and adds specifically a provision beyond the terms of the Johnson Act; that is to say, it includes the language "or extends any credit to any such government, political subdivision, or person." The words "extends any credit" are not found in the Johnson Act. Therefore there is language and there is a provision in the joint resolution beyond even the rigid terms of the Johnson Act.

Of course, the Johnson Act applied only to transactions with those foreign countries which were in default to the United States Government. The Johnson Act is not repealed by the pending measure. There was some early discussion upon that point, and I want to make my own position clear. The Johnson Act stands, it is not affected by, it is not touched by this proposed act at all, but this measure reenacts the Johnson Act with added language so far as any transactions by any belligerent government are concerned.

After a government has been at war, and after it has been found to be at war, and it has been so proclaimed by the President, all sales, all financial transactions, must be on a cash basis. Great Britain, France, Germany, can buy nothing from the United States or from any citizen in the United States or any corporation in the United States except for cash. So long as the war continues, these transactions are all on a cash basis.

Mr. President, that is true whether the purchases by the government be of arms and munitions or whether they be of foodstuffs, whether they be of wheat, or tobacco, or lumber, or cheese, or what not; every transaction by the government must be on a cash basis.

Not only is that true, but every sale by any individual in the United States to any individual or firm in any one of the states at war of any arms, ammunition, or implements of war, or anything classed as arms, ammunition, or implements of war by the President under the authority given him in this act, is to be treated as a sale to the government and must be made for cash.

What is there left? Nothing but the ordinary peacetime commerce that goes on between citizens in the United States and citizens in Great Britain or France or Germany. What happens with respect even to that? The title, the right, and the interest—the entire right, title, and interest of every American citizen to every article and all materials sold to any individual in any country at war must pass before the article or merchandise or material can move from our shores.

Not only that, but no loss sustained by any citizen of the United States on account of the passing of the title or his interest or his right in the merchandise, articles, or materials of whatever kind to any citizen or corporation in any state at war shall ever be put forward as the basis of a claim by the United States on behalf of that citizen.

Therefore, what have we? We have this simple situation, which, if looked at factually, need give no apprehension to anyone. We have a war going on between Germany, Great Britain, and France at this moment. The individual American citizen who must give up not only his title but all of his claim of right and interest in the property in the face of a statute which says that the Government will never assert a

loss which he may sustain on that account, if he has one, is going to deal with individuals and firms and corporations in Great Britain, France, and Germany on a cash basis.

Suppose American citizens do not follow that practice; that is their business. If there is an established trade, for instance, if a cotton merchant in New Orleans, La., has an established trade with a Manchester mill, a private corporation, in Great Britain, if he still elects to extend some credit to his customers in Great Britain, he is taking all of the risk, he can retain no title to the cotton which he sells, no claim of right in the cotton, no lien on the cotton, no interest in the cotton. He is taking more risk than that. If he sustains any loss on account of that transaction, the Government will never put forward any claim on his behalf on account of the loss.

Mr. President, that is as far as any government can go, so far as transactions between individuals in our country and individuals in the belligerent countries are concerned, unless we wish to cut off all extension of credit, all commercial relationships with individuals within those countries.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. JOHNSON of California. I wish to point out the fact, if it is a fact, that as to all the latter class of transactions the Senator has suggested, there is no such thing as cash and carry. That is true, is it not?

Mr. GEORGE. No; that is not true. I want the Senator to understand it. There is no requirement that cash be paid by the purchasing citizen of any one of the belligerent states unless the article be such an article as is classed by the President as arms, ammunition, or implements of war.

Mr. JOHNSON of California. That is as I understand it.

Mr. GEORGE. That is the single exception; except this, that the title of the American citizen must pass, and all claim of right or interest in the property shipped must pass.

Mr. DANAHER. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. DANAHER. In his message to us the President said:

> The fourth objective is the preventing of war credit to belligerents.

The Senator will doubtless remember that.

He also said the result of making that situation possible "will be to require all purchases to be made in cash and cargoes to be carried in the purchasers' own ships, at the purchasers' own risk." But that is not the situation which is presented by this joint resolution, is it?

Mr. GEORGE. Mr. President, as I understand the President's statement, it is exactly covered by the joint resolution. The President had in mind, of course, and he was discussing, extension of credit to a beligerent country.

Mr. BROWN. Mr. President, will the Senator yield to me on that point?

Mr. GEORGE. I yield.

Mr. BROWN. The Senator from Connecticut does not read the whole paragraph which I find in the President's speech. I submit that no fair-minded man can read it without coming to the conclusion which the Senator from Georgia has just stated. The joint resolution fully covers what the President was aiming at in this paragraph. I will read it:

> The fourth objective is the preventing of war credits to belligerents. This can be accomplished by maintaining in force existing provisions of law, or by proclamation making it clear that if credits are granted by American citizens to belligerents—

It is not to citizens but belligerents—

> our Government will take no steps in the future to relieve them of risk of loss. The result of these last two—

Those two are stated plainly in the paragraph—

> The result of these last two will be to require all purchases to be made in cash—

What purchases? Purchases by belligerents?

Mr. GEORGE. Undoubtedly that is true.

Mr. BROWN. He continues:

> and cargoes to be carried in the purchasers' own ships at the purchasers' own risk.

Mr. GEORGE. Undoubtedly that is true.

Mr. BROWN. I say the construction the Senator from Connecticut puts upon that paragraph is entirely unfair. It is not what the President said.

Mr. DANAHER. Mr. President, will the Senator from Georgia yield to me a moment?

Mr. GEORGE. I yield to the Senator for a question. I was about to yield the floor.

Mr. DANAHER. I wish to call the Senator's attention to the fact that it is not the United States which sends exports abroad, it is the belligerent country that buys the goods for export.

Mr. GEORGE. Then it must pay cash. It does not make any difference what the belligerent government buys. If it buys a shoestring or a cannon, it must pay cash.

Mr. DANAHER. Does the Senator find that in section 7 (a)?

Mr. GEORGE. Undoubtedly so.

Mr. DANAHER. What is the Senator's construction of 7 (b)? What is its purpose?

Mr. GEORGE. Section 7 (b) is simply a part of the Johnson Act transposed into this bill, and it permits a transaction already made, before any war arose, to be a debt to be renewed.

Mr. DANAHER. Will the Senator yield further?

Mr. GEORGE. I yield.

Mr. DANAHER. It also will apply to all transactions or all indebtedness that may be incurred between the date of the repeal of the law on the books and the issuance of a proclamation under the pending joint resolution, will it not?

Mr. GEORGE. I do not think there will be any hiatus when we finish the measure. We obviously cannot put in all amendments at one time.

Mr. DANAHER. Is not the construction that I placed upon it correct, as I posed it in the question?

Mr. GEORGE. I did not understand the question.

Mr. DANAHER. Mr. President, I am sorry.

Mr. PITTMAN. While there is the enormous danger which the Senator fears—and he seems to be exceedingly nervous about it—there is no doubt that the signing of this measure, if it is signed, and the new proclamation will be simultaneous. But simply to avoid that hiatus of 1 minute or 1 second an amendment will be offered to keep in force and effect the other proclamations until this proposed legislation goes into effect.

Mr. DANAHER. I should like to ask the Senator one other question. I had an amendment which I intended to offer to make effective paragraphs 7 (a) and 7 (b) as of September 3, 1939. Is that conceivably possible in the Senator's view?

Mr. PITTMAN. No. While the Senator from Connecticut can no doubt draft the bill very much better than the others of us, we are drafting it a little differently. We are taking care of it in another way.

Mr. DANAHER. I am glad of that.

SEVERAL SENATORS. Vote! Vote!

Mr. LA FOLLETTE. Mr. President, I desire to state that I offered an amendment which was intended to meet the same situation which the Senator from Connecticut seeks to reach. I tried to accomplish it in a different way, but in view of the lateness of the hour I simply want the RECORD to show that I shall not offer this amendment, and shall vote for the amendment proposed by the Senator from Connecticut when the opportunity presents itself.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Connecticut [Mr. DANAHER] to the committee amendment.

Mr. JOHNSON of California. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I transfer my pair with the senior Senator from Virginia [Mr. GLASS]

to the senior Senator from Washington [Mr. BONE], and will vote. I vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the senior Senator from Washington [Mr. BONE] and the senior Senator from Virginia [Mr. GLASS] are absent from the Senate on account of illness.

The senior Senator from Arizona [Mr. ASHURST] is absent on account of illness in his family.

The Senator from Alabama [Mr. BANKHEAD] is unavoidably detained.

Mr. HARRISON (after having voted in the negative). I inquire if the Senator from Oregon [Mr. MCNARY] has voted?

The PRESIDING OFFICER. The Chair is informed that the Senator has not voted.

Mr. HARRISON. I transfer my pair to the senior Senator from Alabama [Mr. BANKHEAD] and permit my vote to stand.

The result was announced—yeas 30, nays 60, as follows:

YEAS—30

Barbour	Donahey	Lundeen	Tobey
Bulow	Downey	McCarran	Townsend
Capper	Frazier	Maloney	Vandenberg
Chavez	Gurney	Nye	Walsh
Clark, Idaho	Holt	Reed	Wheeler
Clark, Mo.	Johnson, Calif.	Reynolds	Wiley
Danaher	La Follette	Shipstead	
Davis	Lodge	Taft	

NAYS—60

Adams	George	King	Russell
Andrews	Gerry	Lee	Schwartz
Austin	Gibson	Lucas	Schwellenbach
Bailey	Gillette	McKellar	Sheppard
Barkley	Green	Mead	Slattery
Bilbo	Guffey	Miller	Smathers
Bridges	Hale	Minton	Smith
Brown	Harrison	Murray	Stewart
Burke	Hatch	Neely	Thomas, Okla.
Byrd	Hayden	Norris	Thomas, Utah
Byrnes	Herring	O'Mahoney	Truman
Caraway	Hill	Overton	Tydings
Chandler	Holman	Pepper	Van Nuys
Connally	Hughes	Pittman	Wagner
Ellender	Johnson, Colo.	Radcliffe	White

NOT VOTING—6

Ashurst	Bone	Glass	McNary
Bankhead	Borah		

So Mr. DANAHER's amendment to the amendment of the committee in the nature of a substitute was rejected.

Mr. ADAMS. Mr. President, earlier in the day an amendment was submitted by the Senator from Iowa [Mr. GILLETTE] and was adopted. I was not in the Chamber at the time, and I think many other Senators were not present. I am looking for the Senator to see if he is present.

Mr. BROWN. Mr. President, I have just sent a page for the Senator from Iowa.

Mr. ADAMS. Mr. President, a study of the amendment as adopted led me to believe that it would be a very serious mistake to retain it, and it is my purpose therefore, and I shall move if I cannot obtain unanimous consent, which I would not ask for until the Senator from Iowa [Mr. GILLETTE] returns, that the vote by which the amendment was agreed to may be reconsidered.

Mr. President, the amendment deals with the financial-transactions section of the measure. As reported from the committee, all purchases, sales, and exchanges of the bonds, securities, or obligations of a belligerent government, or any of its agencies, issued after the date of the President's proclamation, were made unlawful.

The amendment offered by the distinguished Senator from Iowa [Mr. GILLETTE], who has just come into the Chamber, extends these provisions by making them applicable to securities issued before the President's proclamation. In other words, securities which today are in the hands of insurance companies, in the hands of investors, even in the hands of foreign governments, and foreign purchasers, acquired in good faith prior to the date of the President's proclamation, become unavailable for sale or exchange in the United States, with the single exception that they might be so sold or exchanged if they belonged to an American citizen. But it means that the vast amount of the bonds of Canada, of Australia, of New Zealand, of France, of Great Britain, issued in past years, which are held by American insurance companies, held by investors, which are in the funds in this country today, which are to be used or expected to be used for the purchase of foodstuffs and supplies to be shipped to Europe, will cease to be available.

In other words, so far as those abroad are concerned, by the provisions of the measure presented by the committee, we have prevented the use of any bonds issued after the commencement of war. That is, we have taken the position that we will not permit our people to aid in financing the war by the purchase or exchange of securities issued thereafter. But by this amendment we are reaching back and depreciating—almost invalidating—securities issued during a time of peace, purchased and held by the endowments of colleges, by insurance companies, and by foreign governments such as Holland, Belgium, and others who may wish to make purchases here.

It seems to me the amendment goes beyond what I am sure the Senator from Iowa wished to accomplish. I therefore ask the Senator from Iowa if it would be acceptable to him to grant unanimous consent for the reconsideration of the vote by which his amendment was agreed to?

Mr. GILLETTE. Mr. President, I will say to the Senator from Colorado that at this stage of the proceedings, when we are all anxious to finish, I would much prefer not to do so. I believe the matter can be taken care of in conference.

Mr. ADAMS. Mr. President, I move that the vote by which the amendment of the Senator from Iowa was agreed to be reconsidered.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment offered by the Senator from Iowa to the committee amendment in the nature of a substitute. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 16, line 19, beginning with the word "there", it is proposed to strike out through the word "to" in line 20, and to insert in lieu thereof the following:

> Or to purchase, sell, or exchange bonds, securities, or other obligations of any such Government, political subdivision, or person, issued before the date of such proclamation where the legal or equitable title or beneficial interest in any such obligations was vested on such proclamation date in a person other than a citizen of the United States.

The amendment to the amendment was rejected.

Mr. ADAMS. Mr. President, while I have the floor I ask the chairman of the Foreign Relations Committee if he will consider a suggested textual amendment.

On page 16 of the joint resolution, near the bottom of the page, is the provision that when articles go aboard a ship, the shipper must make a declaration that—

> There exists in no citizen of the United States any right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time.

This is the portion which I thought should be amended:

> Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials.

It has occurred to me—although perhaps an unlikely situation—that through some controvery over title, or some error, goods belonging to a citizen might be placed on a vessel without his knowledge or consent. For example, the wrong goods might be unloaded at a warehouse, or grain might come out of the wrong elevator; and this provision would absolutely forbid the rightful owner to reclaim his property.

I was about to suggest to the chairman of the committee that we insert after the words "United States" the words "having knowledge of such shipment or of such declaration." Then the owner would not be estopped unless he had knowledge of the shipment or of the declaration. A person who

was innocent of the shipment would not lose all opportunity to claim his own property by reason of the declaration of a shipper made without his knowledge.

Mr. PITTMAN. I have no objection.

Mr. ADAMS. I offer the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. On page 17, line 1, after the words "United States", it is proposed to insert the words "having knowledge of such shipment or of such declaration."

Mr. REED. Mr. President, I take this opportunity to address the Senate because this is the first time this week I have been present. I hope the Senator from Colorado will pardon me for breaking in on his amendment, in which I have no particular interest, except that I am in favor of it.

I am on leave of absence from the Naval Hospital until 9 o'clock. I came to the Chamber with the hope that the debate would have been concluded and that we would be ready to vote upon the main question. If I am present at the time the vote is taken, I shall vote for the motion, which I understand will be offered by the Senator from Missouri [Mr. CLARK], to retain the arms embargo. If that motion fails—and I assume it will—I shall then vote for the passage of the joint resolution. I think that is pretty well understood among my colleagues.

Mr. President, I am a new Member of the Senate. I had not imagined that so much "hooey" would be indulged in by both sides as there has been in this debate, with all due respect for my colleagues upon both sides.

In the first place, Mr. President, I do not think—and I do not think anybody else who approaches this question fairly and squarely thinks—that the present law is unneutral. Yet, beginning with the distinguished Senator from Nevada [Mr. PITTMAN], the chairman of the Foreign Relations Committee, followed by much sound and fury from Senators who spoke on his side, we have heard much talk about an unneutral working of the present law, which I think is all balderdash, not to say poppycock.

In the second place, Mr. President, lest my friends on the other side become too enthusiastic, I do not think the repeal of this law is the first step into war. We have had 3 or 4 weeks of debate, premised, in my opinion, upon foundations which, at least, lack solidity.

I beg the indulgence of the Senate, because I have not occupied any time in this debate. Able, eloquent, and voluble Members of the Senate on both sides have taken all the time that was necessary to inform the country as to their views, and they have done a good job of it. I am here only because I am on leave of absence, which expires in an hour and 5 minutes. I wished only to explain my own position and my lack of agreement with either side in their most important premises, and to tell the Senate how I shall vote if the roll call shall come before I am required to leave the Chamber under the orders of the hospital doctors, who are a pretty tough bunch. [Laughter.]

I wished to have this opportunity of explaining my views to the Senate, and for the RECORD, in the event that I am not able to be present when the vote is taken.

I thank the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. ADAMS] to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. PEPPER. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Florida will be stated.

The LEGISLATIVE CLERK. At the end of section 2 (f), before the period, it is proposed to insert a semicolon and the following:

and the provisions of subsections (a) and (c) of this section shall not apply to the transportation referred to in this subsection and subsections (g) and (h) of any articles or materials listed in a proclamation issued under the authority of section 12 (i) if the articles or materials so listed are to be used exclusively by American vessels, aircraft, or other vehicles in connection with their operation and maintenance.

Mr. PEPPER. Mr. President, I think the offer of this amendment arises from some inadvertence in omitting from the draft which is now before the Senate certain language which was provided for in the original draft submitted by the Foreign Relations Committee.

I wish to offer a word of explanation, and then I shall appreciate it if a statement may be made by the chairman of the committee, to whom this amendment has been submitted. It has also been submitted to the Senator from Idaho [Mr. BORAH] and to the Senator from Texas [Mr. CONNALLY], who have had to do with drafting the substitute.

The original draft contemplated the possibility of aircraft and vessels carrying, without any violation of the provisions of the law, in the case of vessels, articles, or materials which are to be used exclusively by an American vessel, and, in the case of aircraft, necessary supplies for such aircraft.

In drafting the so-called Pittman-Connally amendment, in view of the fact that in the exceptions provided in subsections (g) and (h) vessels were permitted to carry any articles or materials, it was not thought necessary to carry forward the authority to carry, in the case of vessels, articles, or materials to be used by the vessels; and, in the case of aircraft, necessary supplies for such aircraft. However, it develops that the President's proclamation, heretofore issued, in the descriptions of arms, ammunition, and implements of war, described aircraft engines and parts for aircraft engines. So under the draft which is now before the Senate it would become impossible for the pan-American air lines, for example, to carry in one of its own airships necessary supplies for the repair of an engine belonging to that American company.

So all my amendment seeks to do is to say that notwithstanding the fact that certain materials may be listed in the President's proclamation under subsection (i) of section 12 as arms, ammunition, and implements of war, yet if those materials are intended only for use on American vessels or aircraft and by American vessels or aircraft as necessary supplies for their own operation or maintenance, such transportation shall not be forbidden.

Mr. President, I ask the chairman of the committee to express his views; and if the Senate agrees with the chairman I think it would be well to adopt the amendment.

Mr. PITTMAN. Mr. President, I think the Senator from Florida has correctly stated the situation. As originally drawn, the provision had this exception in it; but in redrafting it the exception was left out. It should be put back again.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. PEPPER] to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. PITTMAN. Mr. President, I have a technical amendment which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 28, line 8, after the word "the", it is proposed to strike out the word "Board" and insert in lieu thereof the words "Secretary of State."

The PRESIDING OFFICER. Without objection, the amendment to the committee amendment is agreed to.

Mr. CONNALLY. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of section 2, it is proposed to insert the following new subsection:

(k) The provisions of this section shall not apply to an American vessel whose voyage was begun 7 days or more in advance of (1) the date of enactment of this joint resolution; or (2) any proclamation issued after such date under the authority of section 1 (a) of this joint resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. CONNALLY. Mr. President, on behalf of the Senator from Nevada [Mr. PITTMAN] and myself, I offer the amendment which I send to the desk, in the nature of a preamble.

The PRESIDING OFFICER. The offer of the Senator from Texas will be withheld for a moment.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry. Should not the preamble be considered after the passage of the joint resolution?

The PRESIDING OFFICER. The Chair has been advised by the Parliamentarian that it should be withheld until that time.

Mr. CONNALLY. I did not know there were other amendments to be offered. That course is entirely agreeable to me.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to further amendment.

Mr. CLARK of Missouri. Mr. President, if there are any other amendments for the purpose of perfecting the joint resolution I shall be very glad to have them offered at this time, because the amendment I intended to offer is an amendment which is intended to raise the naked issue of the repeal of the arms embargo. Therefore it seems to me it should not be mixed up with any perfecting amendments.

The PRESIDING OFFICER. The Chair is advised that the Senator from Connecticut [Mr. DANAHER] has an amendment which he wishes to offer.

Mr. DANAHER. Mr. President, I respectfully move that, on page 21, lines 6, 7, and 8 be stricken out and that there be inserted in lieu thereof the following:

After September 3, 1939, it shall be unlawful for any person within the United—

Otherwise the paragraph will be as it now reads. The purpose, Mr. President, is simply to make the exception retroactive, to coincide with the date of the proclamation already in force under the present law.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER] to the committee amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. BRIDGES. Mr. President, I offer an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. 19a. (a) In order to protect the interests of the United States and its citizens in the event of emergencies arising as a result of the present European war, it is hereby declared to be the policy of the Congress to remain in session for the duration of such war.

Mr. BRIDGES. Mr. President, I hesitate to take the time of the Senate when I know everyone is very desirous of completing action on the pending joint resolution.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield.

Mr. CONNALLY. If Congress wants to stay in session, who can keep it from doing so? We cannot get out of here until we adjourn by our own vote.

Mr. BRIDGES. I just want to make it the sense of the Congress as expressed in the joint resolution. I believe it is very important, in times of emergency and crisis, for the Congress to remain in session. It is their job to be here in Washington. It is not my desire or my personal wish to stay here, any more than that of any other Member; but I believe this is the place where the Congress should be.

I realize that this amendment will not meet with popular favor; but I believe the United States Senate should have an opportunity, when considering this joint resolution, to vote on this particular amendment.

I ask for favorable action on the amendment, and ask for the yeas and nays upon it.

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. BRIDGES] demands the yeas and nays. Is the demand seconded? Apparently there is not a sufficient number.

The question is on agreeing to the amendment offered by the Senator from New Hampshire to the amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. REYNOLDS. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The Chief Clerk read as follows:

Before the issuance of a visa to any person not a citizen of the United States to enter this country there shall be requested of such person a pledge under oath to the effect that he will make no public statement, oral or written, which is designed to or which may affect or influence the foreign policy of this country. Any violation of such pledge shall be cause for the immediate detention of such person by the authorities of the United States Immigration Service, or officers acting under their direction, and upon the proof of such violation in a court of competent jurisdiction such person shall be immediately deported.

Mr. REYNOLDS. Mr. President, in other words, before any foreigner from any other country of the world shall be able to secure a visa for the purpose of entering the United States, he must have certified under oath that while in the United States he will not make any statement, oral or written, which may be designed to change or influence the foreign policy of the United States Government.

I ask for the yeas and nays upon the amendment, Mr. President.

The PRESIDING OFFICER. Is there a second to the demand for the yeas and nays? Evidently not a sufficient number have seconded the demand.

The question is on agreeing to the amendment offered by the Senator from North Carolina to the committee amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. REYNOLDS. Mr. President, I send to the desk another amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The CHIEF CLERK. At the end of the joint resolution it is proposed to insert the following new section:

SEC. —. Hereafter, any person not a citizen of the United States granted permission to remain in the United States for a definite and temporary period who shall make any public statement, oral or written, which is intended to, designed to, or likely to affect or influence the public opinion or the foreign policy of the United States, shall be detained by the United States Immigration Service, and, upon proof of such action, be deported.

Mr. REYNOLDS. Mr. President, I desire to explain to the Members of this body that this is an amendment designed to protect the people of the United States.

The amendment I have just had read provides that any alien who is in this country at the present time, or who hereafter comes here by way of visa attached to his passport, is subject to expulsion if, while in the United States, he utters any words which may be construed as likely to change the foreign policy of this country.

I believe the adoption of this amendment will be for the benefit of the people of this country during the present emergency, and particularly when the countries of Europe are at war.

I ask for the adoption of the amendment, and ask for the yeas and nays on it.

The PRESIDING OFFICER. Is there a second to the request for the yeas and nays? Apparently there is not a sufficient number.

The question is on agreeing to the amendment offered by the Senator from North Carolina to the committee amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. CLARK of Missouri. Mr. President, if there are no other perfecting amendments, it is my intention at this time to offer an amendment to present the very question of the repeal of the arms embargo. Therefore, it seems to me that, in fairness to all concerned, before the amendment is offered or stated, we should have a quorum of the Senate present; and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Schwellenbach
Andrews	Downey	Lodge	Sheppard
Austin	Ellender	Lucas	Shipstead
Bailey	Frazier	Lundeen	Slattery
Bankhead	George	McCarran	Smathers
Barbour	Gerry	McKellar	Smith
Barkley	Gibson	McNary	Stewart
Bilbo	Gillette	Maloney	Taft
Borah	Green	Mead	Thomas, Okla.
Bridges	Guffey	Miller	Thomas, Utah
Brown	Gurney	Minton	Tobey
Bulow	Hale	Murray	Townsend
Burke	Harrison	Neely	Truman
Byrd	Hatch	Norris	Tydings
Byrnes	Hayden	Nye	Vandenberg
Capper	Herring	O'Mahoney	Van Nuys
Caraway	Hill	Overton	Wagner
Chandler	Holman	Pepper	Walsh
Chavez	Holt	Pittman	Wheeler
Clark, Idaho	Hughes	Radcliffe	White
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	
Davis	La Follette	Schwartz	

The PRESIDING OFFICER. Ninety-three Senators have answered to their names. A quorum is present.

Mr. CLARK of Missouri. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Missouri will be stated.

The Chief Clerk proceeded to state the amendment.

Mr. CLARK of Missouri. Mr. President, may we have order in the Senate while the amendment is being read? To my mind, this amendment is the crux of the whole controversy; and I should at least like the Senate to be able to hear while the amendment is reported.

The PRESIDING OFFICER. Let there be order in the Senate, please; and the occupants of the galleries will please remain quiet while the amendment is being read.

The clerk will state the amendment.

The CHIEF CLERK. At the end of the joint resolution, it is proposed to insert the following:

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

SEC. 20. (a) Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

(c) Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state.

(d) The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's Proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and Implements of War, signed at Geneva June 17, 1925.

(e) Whoever, in violation of any of the provisions of this act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than $10,000 or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245).

(f) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

(g) Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed, or forfeitures incurred, prior to such revocation.

Mr. CLARK of Missouri. Mr. President, I shall detain the Senate for only 2 or 3 minutes on this proposal, because it is a proposition which has been debated both before the meeting of this extraordinary session of the Congress and in nearly every speech which has been made during the session.

I have offered an amendment in the exact terms of the present law, to restore to the proposed committee substitute the language of the arms-embargo provision which is in the present law. There is nothing I can add at this late hour of the evening on this last day of the debate which has not already been said by me and by many other Senators.

I merely desire to call attention to the fact, as it has been called attention to before, that during the course of the debate, and before the debate began, inside this body and outside this body a sedulous effort has been made to create the impression in the minds of the people of the country, which to a certain extent has been successful, that it is inconsistent to have in the Neutrality Act of the United States the arms embargo and the cash-and-carry provisions and the war-zone provisions provided for in the committee substitute for the present law.

The amendment which I have presented draws the absolutely naked issue as to whether we should have an arms embargo or whether we should not have an arms embargo.

I have refrained from offering this amendment until the joint resolution presented by the majority of the Foreign Relations Committee had been perfected by the friends of the measure in the Senate of the United States. Not one single amendment has been adopted by this body to the measure reported by the Committee on Foreign Relations without the approval and consent of the caucus majority of the Committee on Foreign Relations. Therefore, the joint resolution, whatever its merits may be, is the measure of the majority of the Committee on Foreign Relations.

I am perfectly frank to say that I think there are several provisions in the measure which are very much better than the existing law. Certainly I am in favor of the restoration of the so-called cash-and-carry provision; whether it is perfect or imperfect, certainly it is better than none at all. Certainly I am in favor of many of the provisions of the measure; and the amendment which I have now proposed is designed solely for the purpose of drawing the absolutely naked issue of whether or not we desire to abandon the policy solemnly adopted in three sessions of the Congress, and three times solemnly signed by the President of the United States, at a time when no state or belligerency existed among foreign states—whether or not we now desire to change that policy, as avowedly urged on the part of some proponents of the measure, in behalf of one set of belligerents as against the other set of belligerents.

Mr. President, there is only one possible issue presented by the amendment. It is not the question of cash and carry; it is not the question of credit; it is not the question of war zones; it is not the question of armed merchantmen; it is not any other question involving our neutrality. It is the sole question of whether or not we shall change our policy after a war situation has developed abroad by changing a neutrality act, three times adopted, by the repeal of the arms embargo.

Mr. President, I reserve the remainder of my time, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. OVERTON. Mr. President, I shall vote for the arms embargo amendment offered by the senior Senator from Missouri [Mr. CLARK], and in the event that amendment shall be defeated, as I anticipate it will be, I shall vote against the joint resolution. I shall vote against it, not because I am

opposed to the additional safeguards contained in it, but I shall vote against it because it repeals the arms embargo.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the amendment of the committee. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS], which I transfer to the senior Senator from Washington [Mr. BONE], and vote "yea."

The roll call was concluded.

Mr. HAYDEN. My colleague, the senior Senator from Arizona [Mr. ASHURST], is necessarily absent on account of illness in his family. If present, he would vote "nay."

Mr. BYRD. My colleague, the senior Senator from Virginia [Mr. GLASS], is detained on account of illness. Were he present, he would vote "nay."

Mr. HILL. I beg to announce that the senior Senator from Washington [Mr. BONE] is necessarily absent on account of illness.

The result was announced—yeas 33, nays 60, as follows:

YEAS—33

Borah	Downey	Lundeen	Townsend
Bulow	Frazier	McCarran	Vandenberg
Capper	Gillette	McNary	Walsh
Chavez	Holman	Nye	Wheeler
Clark, Idaho	Holt	Overton	White
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Danaher	Johnson, Colo.	Reynolds	
Davis	La Follette	Shipstead	
Donahey	Lodge	Tobey	

NAYS—60

Adams	Connally	King	Russell
Andrews	Ellender	Lee	Schwartz
Austin	George	Lucas	Schwellenbach
Bailey	Gerry	McKellar	Sheppard
Bankhead	Gibson	Maloney	Slattery
Barbour	Green	Mead	Smathers
Barkley	Guffey	Miller	Smith
Bilbo	Gurney	Minton	Stewart
Bridges	Hale	Murray	Taft
Brown	Harrison	Neely	Thomas, Okla.
Burke	Hatch	Norris	Thomas, Utah
Byrd	Hayden	O'Mahoney	Truman
Byrnes	Herring	Pepper	Tydings
Caraway	Hill	Pittman	Van Nuys
Chandler	Hughes	Radcliffe	Wagner

NOT VOTING—3

Ashurst Bone Glass

So the amendment of Mr. CLARK of Missouri to the amendment of the committee was rejected.

Mr. PITTMAN. Mr. President, I offer an amendment to the "Repeals" title, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. Without objection, the amendment will be stated.

The LEGISLATIVE CLERK. On page 32, line 1, it is proposed to strike out the semicolon after the word "repealed" and to strike out the word "but", and to insert:

Provided, That such repeal shall not affect the validity of certificates of registration or licenses issued pursuant to section 2 of the joint resolution of August 31, 1935, or section 5 of the joint resolution of August 31, 1935, as amended, or the validity of proclamation No. 2237, of May 1, 1937 (50 Stat. 1834), defining the terms "arms, ammunition, and implements of war," which, until it is revoked, shall have full force and effect as if issued pursuant to this joint resolution: *And provided further*, That

Mr. CLARK of Missouri. Mr. President, will the Senator from Nevada explain the effect of this amendment? There is so much confusion in the Chamber it is difficult to hear.

Mr. PITTMAN. I will say to the Senator that it is a saving clause in the repeals title, keeping in force and effect the proclamations that have been heretofore issued.

[Cries of Vote! Vote!]

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. PITTMAN] to the committee amendment in the nature of a substitute.

The amendment to the committee amendment was agreed to.

Mr. CONNALLY. Mr. President, I call up an amendment in the nature of a preamble.

The PRESIDING OFFICER. The Chair wishes to call the attention of the Senator to the fact that the Senate must vote first on the measure before the Senator's amendment is in order. The Parliamentarian advises the Chair that the joint resolution is not on its passage. The first action to be taken is on agreeing to the committee amendment as amended.

Mr. BROWN. Mr. President, since it is obvious we are about to vote on the joint resolution, I should like to ask the Senator from Kentucky what the program is?

Mr. BARKLEY. Mr. President, I was going to suggest that it would be well to do so just before the roll call, so that Senators may understand the situation, and I might as well do it now.

Mr. President, the joint resolution will not go to the other House for its consideration until Monday next. Whether the House will ask for a conference or whether it will take up the Senate amendments in the form of a single amendment to the House joint resolution and consider it, I am not in position to say.

But, assuming that the joint resolution goes to conference by action of the House, the House will probably not be able to act upon the motion until Tuesday. Therefore there is no occasion for the Senate to reassemble here before Tuesday, and I should say to the Senator from Michigan and other Senators that it is my purpose to move that the Senate adjourn until Tuesday next.

If the House sends the joint resolution to conference on Tuesday I should hope for the Senate to remain in session sufficiently long to receive the message from the House and to appoint conferees, so that they might meet and take up the differences between the two Houses. How long that conference may last I am not in position to say, but I have every reason to believe that by Thursday of next week the conference report will probably be before the Senate. In that event it would be acted upon first by the Senate. If the conference committee works that rapidly, we might have the conference report Thursday, certainly by Friday. I wish to say to Senators who are here that I hope that there will not be such an exodus of Senators from the city, following the vote tonight, that we will have any difficulty either on Tuesday, or on Thursday, or Friday, or any other time next week, until the measure is completely and finally disposed of.

I wish also to say while I am on my feet that following the final disposition of the joint resolution in both Houses it is the purpose to move a sine die adjournment of this session of Congress. There has been some talk that there may be an effort made to keep Congress in session until January. Whether that effort will develop I do not know, but I think it certainly is the overwhelming view of the Senate that there is no occasion for the Senate or House to remain in session after the business for which we were called here shall shall have been disposed of. So that, so far as I can now foresee, is the program for next week following the vote, which will take place in a few moments.

Now, Mr. President, before the vote is taken, I wish to say a word further.

I wish first to congratulate the Senate on the manner in which this very important legislation has been considered. Considering its importance and the opportunity for acrimonious discussion and debate, and the injection of personalities, I believe I may say that not in the history of the Senate has there been a more dignified, courteous, and legitimate discussion of an important measure than that which has taken place during the last 4 weeks. I make that remark not only so far as those who support the legislation are concerned, but I make it also with respect to those who have opposed the legislation. And I wish personally to thank Members on both sides of the Chamber and Members on both sides of this question for the dignified and sincere cooperation which they have accorded all of us in the discussion and disposition of this great question, which I think is regarded by the American people as one of the most important

questions which has been under consideration in many years. In the discussion of the matter and the manner in which the debate has been conducted, I believe that, regardless of any Senator's position, the Senate of the United States has measured up to the traditions of the Senate of the United States and merited the approval of the American people.

Mr. KING. Mr. President, I voted against and opposed the act of 1937. I thought it contained many provisions which were objectionable to the American people and impinged upon the rights not only of the Federal Government but of the citizens of the United States. I shall vote for the pending measure. It contains many provisions with which I am not in accord, but, in view of the fact that the most important provision, the one dealing with embargo, repeals the act of 1937, I shall cast my vote in favor of the joint resolution.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. What is the vote which is about to be taken? Is it upon the substitution of the Senate committee substitute for the House joint resolution?

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK of Missouri. And thereafter the vote will recur upon the passage of the joint resolution?

The PRESIDING OFFICER. Yes.

Mr. CLARK of Missouri. I ask for the yeas and nays.

Mr. PITTMAN. Mr. President, some of the amendments have necessitated a change in the numbering of the sections of the joint resolution, and without going through all of that matter now, I ask unanimous consent that the changing of these numbers necessitated by amendments may be arranged by the Secretary.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

Mr. CLARK of Missouri. Mr. President, I think we should have the yeas and nays on the committee substitute for the House joint resolution.

Mr. BARKLEY. We will have the yeas and nays on the final passage of the joint resolution. Why have two roll calls?

Mr. CLARK of Missouri. Very well. If I cannot get a sufficient number, I cannot get a sufficient number.

The yeas and nays were not ordered.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

Mr. BARKLEY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. GLASS], who, if present, would vote "yea." I transfer that pair to the senior Senator from Washington [Mr. BONE], who if present, would vote "nay," and I will vote. I vote "nay."

The roll call was concluded.

Mr. HAYDEN. I announce that my colleague, the senior Senator from Arizona [Mr. ASHURST], is absent because of serious illness in his family. If present he would vote "yea."

Mr. BYRD. My colleague the senior Senator from Virginia [Mr. GLASS] is detained from the Chamber on account of illness. If present, he would vote "yea."

Mr. HILL. I announce that the senior Senator from Washington [Mr. BONE] is necessarily absent on account of illness.

The result was announced—yeas 63, nays 30, as follows:

YEAS—63

Adams	Ellender	King	Russell
Andrews	George	Lee	Schwartz
Austin	Gerry	Lucas	Schwellenbach
Bailey	Gibson	McKellar	Sheppard
Bankhead	Gillette	Maloney	Slattery
Barbour	Green	Mead	Smathers
Barkley	Guffey	Miller	Smith
Bilbo	Gurney	Minton	Stewart
Bridges	Hale	Murray	Taft
Brown	Harrison	Neely	Thomas, Okla.
Burke	Hatch	Norris	Thomas, Utah
Byrd	Hayden	O'Mahoney	Truman
Byrnes	Herring	Pepper	Tydings
Caraway	Hill	Pittman	Van Nuys
Chandler	Hughes	Radcliffe	Wagner
Connally	Johnson, Colo.	Reed	

NAYS—30

Borah	Donahey	Lundeen	Townsend
Bulow	Downey	McCarran	Vandenberg
Capper	Frazier	McNary	Walsh
Chavez	Holman	Nye	Wheeler
Clark, Idaho	Holt	Overton	White
Clark, Mo.	Johnson, Calif.	Reynolds	Wiley
Danaher	La Follette	Shipstead	
Davis	Lodge	Tobey	

NOT VOTING—3

Ashurst	Bone	Glass

So the joint resolution (H. J. Res. 306) was passed.

The joint resolution as passed reads as follows:

Joint resolution to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests

Resolved, etc.,

PROCLAMATION OF A STATE OF WAR BETWEEN FOREIGN STATES

SECTION 1. (a) That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

(b) Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

COMMERCE WITH STATES ENGAGED IN ARMED CONFLICT

SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

(b) Whoever shall violate any of the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any state named in such proclamation, any articles or materials (except copyrighted articles or materials) until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. (Issuance of a bill of lading under which title to the goods shipped passes to the purchaser unconditionally upon delivery of the goods to carrier, shall constitute a transfer of all right, title, and interest therein within the meaning of this subsection.) The shipper of such articles or materials shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath that he has complied with the requirements of this subsection with respect to transfer of right, title, and interest in such articles or materials, and that he will comply with such rules and regulations as shall be promulgated from time to time. Any such declaration so filed shall be conclusive estoppel against any claim of any citizen of the United States having knowledge of such shipment or of such declaration of right, title, or interest in such articles or materials. No loss incurred by any such citizen (1) in connection with the sale or transfer of right, title, and interest in any such articles or materials or (2) in connection with the exportation or transportation of any such copyrighted articles or materials, shall be made the basis of any claim put forward by the Government of the United States.

(d) Insurance written by underwriters on articles or materials included in shipments which are subject to restrictions under the provisions of this joint resolution, and on vessels carrying such shipments shall not be deemed an American interest therein, and

no insurance policy issued on such articles or materials, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

(e) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

(f) The provisions of subsection (a) of this section shall not apply to transportation by American vessels on or over lakes, rivers, and inland waters bordering on the United States, or to transportation by aircraft on or over lands bordering on the United States; and the provisions of subsection (c) of this section shall not apply (1) to such transportation of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (1), or (2) to any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (1), and the provisions of subsections (a) and (c) of this section shall not apply to the transportation referred to in this subsection and subsections (g) and (h) of any articles or materials listed in a proclamation issued under the authority of section 12 (1) if the articles or materials so listed are to be used exclusively by American vessels, aircraft, or other vehicles in connection with their operation and maintenance.

(g) The provisions of subsections (a) and (c) of this section shall not apply to transportation by American vessels (other than aircraft) of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (1)) (1) to any port in the Western Hemisphere south of 35 degrees north latitude, (2) to any port in the Western Hemisphere north of 35 degrees north latitude and west of 66 degrees west longitude, (3) to any port on the Pacific or Indian Oceans, including the China Sea, the Tasman Sea, the Bay of Bengal, and the Arabian Sea, or (4) to any port on the Atlantic Ocean south of 30° north latitude. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such vessels.

(h) The provisions of subsections (a) and (c) of this section shall not apply to transportation by aircraft of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation issued under the authority of section 12 (1)) (1) to any port in the Western Hemisphere, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Tasman Sea, the Bay of Bengal, and the Arabian Sea. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such aircraft.

(i) Every American vessel to which the provisions of subsections (g) and (h) apply shall, before departing from a port or from the jurisdiction of the United States, file with the collector of customs of the port of departure, or if there is no such collector at such port, then with the nearest collector of customs, an export declaration (1) containing a complete list of all the articles and materials carried as cargo by such vessel, and the names and addresses of the consignees of all such articles and materials, and (2) stating the ports at which such articles and materials are to be unloaded and the ports of call of such vessel. All transportation referred to in subsections (f), (g), and (h) of this section shall be subject to such restrictions, rules, and regulations as the President shall prescribe; but no loss incurred in connection with any transportation excepted under the provisions of subsections (g) and (h) of this section shall be made the basis of any claim put forward by the Government of the United States.

(j) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, the provisions of subsections (f), (g), (h), and (i) shall expire.

(k) The provisions of this section shall not apply to an American vessel whose voyage was begun 7 days or more in advance of (1) the date of enactment of this joint resolution, or (2) any proclamation issued after such date under the authority of section 1 (a) of this joint resolution.

COMBAT AREAS

SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area. The combat areas so defined may be made to apply to surface vessels or aircraft, or both.

(b) In case of the violation of any of the provisions of this section by any American vessel, or any owner or officer thereof, such vessel, owner, or officer shall be fined not more than $50,000, or imprisoned for not more than 5 years, or both. Should the owner of such vessel be a corporation, organization, or association, each officer or director participating in the violation shall be liable to the penalty hereinabove prescribed. In case of the violation of this section by any citizen traveling as a passenger, such passenger may be fined not more than $10,000, or imprisoned for not more than 2 years, or both.

(c) The President may from time to time modify or extend any proclamation issued under the authority of this section, and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist he shall revoke such proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

AMERICAN RED CROSS

SEC. 4. The provisions of section 2 (a) shall not prohibit the transportation by vessels under charter or other direction and control of the American Red Cross, proceeding under safe conduct granted by states named in any proclamation issued under the authority of section 1 (a), of officers and American Red Cross personnel, medical personnel, and medical supplies, food, and clothing, for the relief of human suffering.

TRAVEL ON VESSELS OF BELLIGERENT STATES

SEC. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of any state named in such proclamation, except in accordance with such rules and regulations as may be prescribed.

(b) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

SEC. 6. Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel, engaged in commerce with any foreign state to be armed, except with small arms and ammunition therefor, which the President may deem necessary and shall publicly designate for the preservation of discipline aboard any such vessel.

FINANCIAL TRANSACTIONS

SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person. The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation issued under the authority of section 12 (1).

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

(c) Whoever shall violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(d) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

SOLICITATION AND COLLECTION OF FUNDS AND CONTRIBUTIONS

SEC. 8. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in such proclamation or for or on behalf of any agent or instrumentality of any such state.

(b) Nothing in this section shall be construed to prohibit the solicitation or collection of funds and contributions to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds and contributions is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, but all such solicitations and collections of funds and contributions shall be in accordance with and subject to such rules and regulations as may be prescribed.

(c) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

AMERICAN REPUBLICS

SEC. 9. This joint resolution shall not apply to any American republic engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

RESTRICTIONS ON USE OF AMERICAN PORTS

SEC. 10. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic

or foreign, whether requiring clearance or not, is about to carry out of a port or from the jurisdiction of the United States, fuel, men, arms, ammunition, implements of war, supplies, dispatches, or information to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port or from the jurisdiction of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any fuel, supplies, dispatches, information, or any part of the cargo, to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a).

(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously departed from a port or from the jurisdiction of the United States during such war and delivered men, fuel, supplies, dispatches, information, or any part of its cargo to a warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 1 (a), he may prohibit the departure of such vessel during the duration of the war.

(c) Whenever the President shall have issued a proclamation under section 1 (a) he may, while such proclamation is in effect, require the owner, master, or person in command of any vessel, foreign or domestic, before departing from the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that no alien seaman who arrived on such vessel shall remain in the United States for a longer period than that permitted under the regulations, as amended from time to time, issued pursuant to section 33 of the Immigration Act of February 5, 1917 (U. S. C., title 8, sec. 168). Notwithstanding the provisions of said section, he may issue regulations with respect to the landing of such seamen as he deems necessary to insure their departure, either on such vessel or another vessel at the expense of such owner, master, or person in command.

SUBMARINES AND ARMED MERCHANT VESSELS

SEC. 11. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

NATIONAL MUNITIONS CONTROL BOARD

SEC. 12. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the "Board"). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this section, or by other law, the administration of this section is vested in the Secretary of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

(b) Every person who engages in the business of manufacturing, exporting, or importing any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of $100.

(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation issued under the authority of subsection (i) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Secretary of State the name of the purchaser and the terms of sale and having obtained a license therefor.

(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

(f) Licenses shall be issued by the Secretary of State to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

(h) The Board shall make a report to Congress on January 1 and July 1 of each year, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war, including the name of the purchaser and the terms of sale made under such license. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder, including the name of the purchaser and the terms of sale made under such license.

(i) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

REGULATIONS

SEC. 13. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.

UNLAWFUL USE OF THE AMERICAN FLAG

SEC. 14. (a) It shall be unlawful for any vessel belonging to or operating under the jurisdiction of any foreign state to use the flag of the United States thereon, or to make use of any distinctive signs or markings, indicating that the same is an American vessel.

(b) Any vessel violating the provisions of subsection (a) of this section shall be denied for a period of 3 months the right to enter the ports or territorial waters of the United States except in cases of force majeure.

GENERAL PENALTY PROVISION

SEC. 15. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000, or imprisoned not more than 2 years, or both.

DEFINITIONS

SEC. 16. For the purposes of this joint resolution—

(a) The term "United States," when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

(b) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

(c) The term "vessel" means every description of watercraft and aircraft capable of being used as a means of transportation on, under, or over water.

(d) The term "American vessel" means any vessel documented, and any aircraft registered or licensed, under the laws of the United States.

(e) The term "state" shall include nation, government, and country.

(f) The term "citizen" shall include any individual owing allegiance to the United States, a partnership, company, or association composed in whole or in part of citizens of the United States, and any corporation organized and existing under the laws of the United States as defined in subsection (a) of this section.

SEPARABILITY OF PROVISIONS

SEC. 17. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

APPROPRIATIONS

SEC. 18. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution.

REPEALS

SEC. 19. The joint resolution of August 31, 1935, as amended, and the joint resolution of January 8, 1937, are hereby repealed: *Provided*, That such repeal shall not affect the validity of certificates of registration or licenses issued pursuant to section 2 of the joint resolution of August 31, 1935, or section 5 of the joint resolution of August 31, 1935, as amended, or the validity of proclamation No. 2237, of May 1, 1937 (50 Stat. 1834), defining the term "arms, ammunition, and implements of war," which, until it is revoked, shall have full force and effect as if issued pursuant to this joint resolution: *Provided further*, That offenses committed and penalties, forfeitures, or liabilities incurred under either of such joint resolutions prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of either of such joint resolutions or of any rule or regulation issued pursuant thereto may be commenced and prosecuted in the same manner and with the same effect as if such joint resolutions had not been repealed.

SHORT TITLE

SEC. 20. This joint resolution may be cited as the "Neutrality Act of 1939."

Mr. CONNALLY. Mr. President, I now offer an amendment to the preamble.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas to the preamble will be stated.

The CHIEF CLERK. In lieu of the matter stricken out, it is proposed to insert the following:

Whereas the United States of America, desiring to preserve its neutrality in war between foreign states, and being desirous of avoiding involvement therein, voluntarily imposes upon its nationals by domestic legislation the restrictions set out herein. By so doing it waives no right of itself, or of any national of the United States, under international law and expressly reserves all rights and privileges to which it or its nationals are entitled under the law of nations. It expressly reserves the right to repeal or change or modify this or other domestic legislation in the interest of the peace, security, or welfare of the United States and its people.

The PRESIDING OFFICER. Without objection——

Mr. CLARK of Missouri. Mr. President, it seems to me that the preamble, as I have heard it read for the first time, is a misdescription of the purposes of the joint resolution, or at least of what is in the joint resolution. Therefore, if it is to be insisted that the preamble be adopted tonight, I shall be forced to ask for the reading of the engrossed Senate amendment.

The PRESIDING OFFICER. We have passed that stage of the proceedings.

Mr. CLARK of Missouri. Mr. President, we have not passed the stage of the proceedings at which a preamble can be adopted without the reading of the engrossed copy of the amendment, have we? It is certainly debatable, and not subject to any limitation of debate.

The PRESIDING OFFICER. The amendment to the joint resolution was engrossed before its passage.

Mr. CLARK of Missouri. I understand, Mr. President, that it is proposed to insert an additional provision in the Senate amendment, which will necessarily also require engrossment. I ask that as a parliamentary inquiry.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian to the contrary.

Mr. CLARK of Missouri. Then I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Idaho	Hayden	Miller
Andrews	Clark, Mo.	Herring	Minton
Austin	Connally	Hill	Murray
Bailey	Danaher	Holman	Neely
Bankhead	Davis	Holt	Norris
Barbour	Donahey	Hughes	Nye
Barkley	Downey	Johnson, Calif.	O'Mahoney
Bilbo	Ellender	Johnson, Colo.	Overton
Borah	Frazier	King	Pepper
Bridges	George	La Follette	Pittman
Brown	Gerry	Lee	Radcliffe
Bulow	Gibson	Lodge	Reed
Burke	Gillette	Lucas	Reynolds
Byrd	Green	Lundeen	Russell
Byrnes	Guffey	McCarran	Schwartz
Capper	Gurney	McKellar	Schwellenbach
Caraway	Hale	McNary	Sheppard
Chandler	Harrison	Maloney	Shipstead
Chavez	Hatch	Mead	Slattery
Smathers	Thomas, Utah	Vandenberg	White
Smith	Tobey	Van Nuys	Wiley
Stewart	Townsend	Wagner	
Taft	Truman	Walsh	
Thomas, Okla.	Tydings	Wheeler	

The PRESIDING OFFICER. Ninety-three Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Texas to the preamble.

Mr. WHEELER. Mr. President, I have introduced many joint resolutions with preambles; but, frankly, I think this preamble is nothing more than a stump speech. The joint resolution speaks for itself, and it is not necessary to have this so-called preamble. I think it is unfair and unjustified. Heretofore when joint resolutions have been under consideration and preambles have been taken up, and it has been suggested that the preamble be stricken out, it has been stricken out.

As the distinguished Senator from Kentucky has said, all the speeches that have been made upon the floor with reference to this legislation have been made in the spirit of calm and cool deliberation and on a high plane. However, I think it is unfair to those who oppose the joint resolution, and to some who have been for it, to come in at the last minute and add a stump speech to the measure.

I have not debated the joint resolution. Things could be said with reference to it that I am sure Senators would not like to have said; but if at the last minute we are to inject into the legislation this kind of a preamble, I am prepared to go ahead and discuss it at some length. I am prepared to do what one of the columnists in the Washington Star said—"Let us tell the truth about it." If we are to have that kind of a fight in the Senate at this time, after the passage of the joint resolution, I am perfectly willing to go ahead, and I am perfectly prepared to do so. I repeat I do not think it is fair to insert a stump speech as a preamble to this legislation.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. HAYDEN. The Senator is aware, of course, that there was a preamble to the House measure.

Mr. WHEELER. Yes.

Mr. HAYDEN. It is the same kind of a stump speech.

Mr. WHEELER. I have read this stump speech, and I wish to say that, in my judgment, it does not correctly state the effects of the joint resolution in many ways. I think it is unfair and unjustified, and I think it should be withdrawn.

Mr. PITTMAN. Mr. President, I am one of the signers of the "stump speech." I did not write it, but I think it states the facts. I think what it states is that by this domestic legislation we have placed certain restrictions upon our own citizens, but that in placing that restraint upon our own citizens we do not surrender any rights that we may have against foreign nations under international law. If the preamble says anything else, I did not mean to have it say anything else. I myself think that while it meets some of the objections to the effect that we are surrendering our rights under international law—which I have never believed—it does not accomplish anything in addition to what the legislation itself accomplishes.

I hope my colleagues who joined me in it will simply withdraw the offer.

Mr. WHEELER. Mr. President, I will say to the Senator from Nevada that so far as I am concerned, if the only effect of the preamble were to state what the Senator has stated, I should have no objection. If it did not go any further than that, I should have no objection. However, what is stated in it is the opinion of certain Senators, with which other Senators disagree.

The legislation speaks for itself. Unless it is desired to play politics with this legislation, why should it be necessary at the last minute to inject a political speech into the issue?

Mr. KING. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. KING. Does the Senator believe it is a political speech when in a preamble we recite a fact, namely, that by this law

we are surrendering certain rights which under international law are accorded to this Nation and to every other nation in the civilized world?

I have voted for the joint resolution because I was willing, on account of some of the advantages, to surrender—which I did reluctantly—some of the rights to which we are entitled under international law. I think the preamble does not make a recitation which is not valid and which does not rest upon fundamental principles.

Mr. WHEELER. Mr. President, I disagree with the Senator from Utah with reference to some of the statements in the preamble. I do not know whether or not the Senator has read the preamble.

Mr. KING. I have read it.

Mr. WHEELER. I certainly think the preamble goes further than the chairman of the Foreign Relations Committee has said he feels that the joint resolution goes.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. MALONEY. I am one of those who very much regret not only the views but the attitude of the Senator from Montana. I should like to ask him to reflect and point out to the Senate wherein there is a stump speech or wherein there is anything misleading in this preamble. It seems to me that the proposed preamble contains exactly what I intended to vote for and what I thought I voted for; and I should like to have him point out the matters to which he refers.

Mr. BORAH. Mr. President, may I ask the Senator from Montana a question?

Mr. WHEELER. I yield.

Mr. BORAH. Either this preamble contains something of some moment with reference to the joint resolution or it does not—one of the two. If it contains something that is not now in the joint resolution, if it adds to the joint resolution, certainly it is additional legislation which we had not been contemplating up to the time the joint resolution was passed. On the other hand, if it is true that there is nothing of moment in it, why adopt it?

Mr. MALONEY. Mr. President, will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. MALONEY. I should like to say that the proposed preamble is exactly what I believe I have been voting for.

Mr. BORAH. Exactly. Therefore, there is no occasion for having the preamble.

Mr. MALONEY. I did not ask for it, and it would not have made any difference to me whether a preamble was put in or not; but I seriously object to having it thrown aside because it is said to be misleading or false, or is not a proper preamble to the joint resolution.

Mr. BORAH. I am not asking that it be put aside on the ground that it is false, but because it is wholly immaterial unless there is more in the preamble than a mere preamble.

Mr. MALONEY. I am not out of sympathy with the opinion expressed by the Senator from Idaho, but I am very much out of sympathy with the opinion expressed by the Senator from Montana. I do not think it is fair.

Mr. WHEELER. Mr. President, let me say to the Senator from Connecticut that I have not said that the preamble is false. I presume the reason why the Senator from Connecticut will vote for it is because he believes the joint resolution contains what is stated in the preamble.

Mr. MALONEY. I do.

Mr. WHEELER. There are other Members of the Senate who do not agree that the joint resolution contains it; but the joint resolution speaks for itself, and should speak for itself. If the joint resolution needs an explanation, and needs a preamble for the purpose of stating what it contains, then there is something wrong with the legislation.

Mr. CHAVEZ. Mr. President——

Mr. WHEELER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Which is the law, the preamble or the joint resolution?

Mr. WHEELER. The joint resolution. The preamble in any piece of legislation we ever pass here does not mean anything whatever. Not only that, but the Supreme Court of the United States in numerous cases has held that, as a matter of fact, it is the bill or joint resolution itself, and not the preamble, that controls.

I do not think it is fair to put in the preamble the statement that:

By so doing it (the United States) waives no right—

That does not mean anything. It does not add anything to the joint resolution and it does not take away anything from it. The joint resolution itself explains what it contains—

of itself or of any national of the United States under international law, and expressly reserves all rights and privileges to which it or its nationals are entitled under the law of nations.

The joint resolution speaks for itself. If it does not do that, all well and good. If it does do it, the preamble does not change it.

It expressly reserves the right to repeal or change or modify this or other domestic legislation in the interest of the peace—

Of course, in passing any piece of legislation, the Congress of the United States expressly reserves the right to repeal or change or modify it or other domestic legislation—

in the interest of the peace, security, or welfare of the United States and its people.

Mr. CHAVEZ and Mr. MALONEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield; and if so, to whom?

Mr. WHEELER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, if the matter goes to the Supreme Court, will the Supreme Court look at this language, or will it look at the joint resolution itself?

Mr. WHEELER. Of course, it will look at the joint resolution itself; and it is ridiculous for us to put a preamble in a piece of legislation of this kind and say that we expressly reserve "the right to repeal or change or modify this or other domestic legislation in the interest of the peace, security, or welfare of the United States and its people." Is there any question in the mind of any Member of the United States Senate, or any person outside of the United States Senate, that when we pass a piece of legislation we reserve the right in the Congress of the United States to repeal or modify or change any piece of legislation we pass?

Mr. MALONEY and Mr. CONNALLY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield, and, if so, to whom?

Mr. WHEELER. I yield first to the Senator from Connecticut.

Mr. MALONEY. Mr. President, I do not insist that the preamble became at all important until the Senator from Montana charged that a stump speech was contained in it. It seemed to me—and I do not mean to be disrespectful to the Senator—that instead of the preamble being a stump speech, his attack upon it was in effect that.

Mr. WHEELER. I cannot help what the Senator thinks. I am simply calling attention to the fact that the preamble is not necessary, and I do not think it is the right thing to add to the joint resolution. It merely states, particularly in the last portion, what is the law under the Constitution of the United States; and it seems to me, from that standpoint, that it is proposed purely as a matter of political bunk.

Mr. BARKLEY and Mr. PITTMAN addressed the Chair.

Mr. WHEELER. I yield to the Senator from Nevada.

Mr. PITTMAN. Mr. President, this is what the preamble says:

Whereas the United States of America, desiring to preserve its neutrality in war between foreign states, and being desirous of avoiding involvement therein, voluntarily imposes upon its nationals by domestic legislation the restrictions set out herein.

Whether or not that is necessary, it is true; is it not?

By so doing it waives no right of itself, or of any national of the United States, under international law, and expressly reserves all rights and privileges to which it or its nationals are entitled under the law of nations.

That is true, whether or not it is put in here, is it not? It is true.

It expressly reserves the right to repeal or change or modify this or other domestic legislation in the interest of the peace, security, or welfare of the United States and its people.

Whether or not we expressly do that, the Senator from Montana says we have a right to do it.

The preamble may state obvious things; in fact, I think it does state obvious things all the way through; but I think the Senator from Montana becomes exceedingly excited, like most people who have been defeated, and uses violent language against us poor fellows who defeated him in stating that we are trying to play politics.

Mr. WHEELER. Let me say to the Senator——

Mr. PITTMAN. Just a minute. I did not try to play any politics. I signed that preamble. I did not write it. I should like to settle the whole hullabaloo, however, by withdrawing it, in order to get rid of it.

Mr. BARKLEY. Mr. President, it seems to me that all of this is a tempest in a teapot. We have adopted a single amendment striking out all the language of the House joint resolution. The House joint resolution contains the following preamble, which, if the Senator will permit me, I will read:

Whereas the policy of the United States in foreign wars not affecting the defense of the United States is a policy of neutrality in accordance with the rules of international law; and

Whereas the United States stands for restating and strengthening the rights of neutrals at the earliest practicable time; and

Whereas it seems advisable, until these rights can be restated, to diminish the risk of this Nation becoming involved in foreign wars by restricting the exercise of certain neutral rights of our citizens: Therefore be it

Resolved—

And so forth. Whether or not the preamble we have been discussing is in the joint resolution as it leaves the Senate, when the joint resolution goes to conference the language that is stricken out of the House joint resolution will be in conference. The conferees may restore that language, or they may add to it, or they may amend it in any way they see fit.

Mr. WHEELER. That is correct.

Mr. BARKLEY. So, after all, it seems to me that whether or not we adopt the preamble, there is a preamble in the joint resolution, and there will be a preamble in conference, and the conferees will be free to write it in their own language.

Mr. WHEELER. That is correct.

Mr. BARKLEY. Then why all this trouble?

Mr. WHEELER. I entirely agree with the Senator from Kentucky, but I want to say to the Senator from Nevada [Mr. PITTMAN] that so far as I am personally concerned, I have not taken the view which some of my colleagues have taken in opposition to this piece of legislation. If I were of the opinion that the repeal of the embargo would keep us out of war, I would vote for the repeal of the embargo. On the other hand, I am not prepared to say, and I do not think any Member of the Senate is prepared to say, that either the repeal of the embargo or leaving the embargo on the statute books means either war or a step toward war or the reverse.

It may be too idealistic for some persons, or it may be because of my Quaker ancestry; but I just cannot bring myself to the point where I want to sell and put in the hands of somebody a gun with which to kill somebody else; nor can I bring myself to the point where I want to sell poison gases in order to torture or kill men, women, and children in some other country.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from New Mexico.

Mr. HATCH. Does the Senator think a single Member of the United States Senate wants to sell poison gases to kill men, women, and children?

Mr. WHEELER. I cannot conceive that to be the case. I cannot conceive that any Member of the Senate wants to do that; but I do say that when we come to consider the question of selling poison gases, this country ought to take the position that it is against the sale of poison gases. It ought to take a position of that kind with reference to all the nations of the world; and yet, if we start to sell them——

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Missouri will state it.

Mr. CONNALLY. I have the floor.

Mr. CLARK of Missouri. Under what rule does the Chair hold that there is any limitation on debate on an amendment to the preamble after the joint resolution has been passed?

The PRESIDING OFFICER. The Chair makes that ruling under the unanimous-consent agreement entered into yesterday, and printed upon the face of the Calendar.

Mr. CLARK of Missouri. The Chair has held that the rule as to the engrossment of amendments does not apply to amendments to a preamble. Therefore, why should the so-called agreement for the limitation of debate apply to amendments to the preamble?

Mr. BARKLEY. Mr. President, the amendment which was adopted had already been ordered engrossed when that point was raised; and certainly this is an amendment to the joint resolution. It may be held that it is an amendment to the part of it which was stricken out; but it certainly is an amendment to the joint resolution in the form of a preamble, and it is just as much an amendment now as if it had been offered as an amendment to the House language or to the Senate language.

Mr. CLARK of Missouri. Then we are entitled to have the reading of the engrossed copy.

Mr. CONNALLY. Well, then, read it. I do not care whether it be read or not.

Mr. CLARK of Missouri. Very well; let us get the formal engrossed copy.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. CONNALLY. I am not at all surprised at the slant that affairs have taken. The majority have been in control all during this debate for a month, and I do not think any Senator can justly say that we have undertaken to put on the heat, or invoke cloture, or do any of the things that could be done by the Senate when it wants to do them.

We have felt that every Senator should have his day in court. I remind the Senate that this afternoon, before we voted on the last of the amendments, the Senator from Texas offered this amendment from the floor, and the Senator from Missouri [Mr. CLARK] himself made the point that the preamble could not be offered until after the joint resolution had been voted upon. The Parliamentarian told the Senator from Texas that it could not be voted upon until after the joint resolution was disposed of, and cited the rule. There is nothing unfair about this procedure, notwithstanding the statement of the Senator from Montana that it is unfair.

The Senator from Montana says it is a stump speech. He ought to know. [Laughter.]

Mr. WHEELER. I do.

Mr. CONNALLY. Now, I want to make one of these "stump speeches" to the Senator from Montana, and ask him what is wrong about this amendment. There is a preamble in the joint resolution. It comes here from the House, and it is subject to amendment just as is any other part of the joint resolution. This preamble was offered before all of the amendments had been voted upon, and would have been voted upon at that time except for the ruling of the Chair, and except for what was said by a number of expert parliamentarians around over the floor of the Senate. [Laughter.] All I wanted was to say these things in the preamble, and I want to know now from the Senator from

Montana what is said in the proposed preamble that is false:

Whereas the United States of America, desiring to preserve its neutrality in war between foreign states—

Does not the Senator from Montana agree to that? Is that untrue? If the Senator from Montana does not agree to that sentiment, let him say so now.

Mr. WHEELER. Let me read it.

Mr. CONNALLY. No; I ask the Senator the question whether he agrees to what I have just read.

Mr. WHEELER. Of course, I agree that this country wants to preserve its neutrality.

Mr. CONNALLY. Very well.

Mr. WHEELER. Let me answer the question. The Senator asked me a question.

Mr. CONNALLY. All right; answer it.

Mr. WHEELER. I believe this country wants to preserve its neutrality and it wants to keep out of the present war; but, in my judgment, in order to preserve its neutrality it should not repeal the arms embargo.

Mr. CONNALLY. Oh, of course, the same old speech. Just because you are licked, you cannot take it. You have not the courage to take it. [Laughter.]

Mr. WHEELER rose.

Mr. CONNALLY. I do not yield any more. The Senator charged the Senator from Texas with being unfair and practicing some sort of legerdemain here, and I do not propose to yield to him until I get ready.

Mr. WHEELER. Do not ask me another question, then, if you do not want an answer.

Mr. CONNALLY. I will ask you another question.

Mr. WHEELER. Very well.

Mr. CONNALLY. I read from the proposed preamble:

Whereas the United States, desiring to preserve its neutrality in war between foreign States—

Does anyone object to that?

and being desirous of avoiding involvement therein—

Is there anything wrong with that? Does anyone here want to become involved in war?

Mr. WHEELER. Is the Senator asking me?

Mr. CONNALLY. No. [Laughter.] I know the Senator says with his mouth all the time that he does not want the country to get into war, but with his conduct—I will not say so much. What does the proposal say? Being desirous of doing these things, the United States "voluntarily imposes upon its nationals by domestic legislation the restrictions set out herein."

Is not that true? Is that not what we have been undertaking to do, to preserve our rights under international law, and yet at the same time restrict our nationals and our ships by domestic legislation? There is nothing wrong with that. Listen to this. I want to see if there is anything wrong with this.

Mr. WHEELER. The Senator is not asking me? [Laughter.]

Mr. CONNALLY. No. I know what the Senator's answer would be. It would be just a lot of flub-dub [laughter], another stump speech, just a lot of "hooey" to try to offset the effect of your vote on this joint resolution.

Mr. CLARK of Missouri. Mr. President, I rise to a point of order.

Mr. CONNALLY. Very well; make it.

The PRESIDING OFFICER. The Senator will state the point of order.

Mr. CLARK of Missouri. I call attention to the provision of the rule which requires one Senator not to address another directly in the second person.

Mr. CONNALLY. Mr. President, the Senator from Montana did not have the courtesy to observe the rules and rise from his seat. He sits in his seat and makes these comments, and I thought the Senator from Texas, since the methods of the back-room domino parlor had been adopted by him, might reply in kind. [Laughter.]

Let us see what is in this terrible preamble, this thing of unfairness, this thing that is slipping something in at the last moment, while these watchdogs of the country are slumbering, not looking.

By so doing—

By doing what? By imposing these domestic restrictions upon our own citizens. We want to tell the world that—

by so doing it waives no right of itself or of any national of the United States under international law, and expressly reserves all rights and privileges to which it or its nationals are entitled under the law of nations.

Is there anything wrong with that? Are not all Senators for that—every one except the Senator from Montana, and he is opposed to it. He does not want it in the joint resolution. On the contrary, he wants to give up some of our rights under international law, and I do not want to give up one of them.

It expressly reserves the right to repeal or change or modify this or other domestic legislation in the interest of peace, security, or welfare of the United States and its people.

That is all there is in it. Is there anything wrong with that? The Senator from Montana says there is no sense in putting in this reservation of the right to repeal or modify, and that everybody knows that. Does everyone know it? It has been shouted from the Senate ever since the debate started that we could not repeal the embargo because we had put all the nations of the world on notice before the war started that that was our policy and that was our law, and that now we had no right to change it or modify it or alter it.

Mr. MURRAY. Mr. President——

Mr. CONNALLY. Where is the Senator who has not heard that ringing out in the Senate Chamber and throbbing over the radio and seen it scattered all through the press? I yield to the Senator.

Mr. MURRAY. The Senator from Texas is constantly referring to the attitude of the Senator from Montana in this matter.

Mr. CONNALLY. I mean the senior Senator from Montana.

Mr. MURRAY. Very well. [Laughter.]

Mr. CONNALLY. Mr. President, I will state why I offered the preamble. We have had a form of this preamble in the committee and before us for some time. The Senator from North Carolina wrote a very admirable one, and we have had it here with the intention, when we reached the proper legislative stage, of offering it, and we could not offer it; but we tried to offer it at every other stage of the proceedings until now. Then the Senator from Montana rises and says it is unfair, it is a stump speech, it is so on and so on. If the Senator from Montana would make more stump speeches like that preamble he would be in better favor with the American people. [Laughter.]

What is wrong with it? I want to serve notice on the foreign governments, I want to serve notice on every human being under any nation's flag, that when we pass this legislation we are not giving up any right of a citizen of the United States, that we are not giving up any right of the Government of the United States under the law of nations. I want to tell them that we want to be neutral, that we want to preserve the peace, but in doing so we are adopting these restrictions in the form of domestic legislation, affecting no citizen on earth except American citizens, affecting no ships on earth except American ships. We are imposing these restrictions voluntarily, in order to avoid involvement in war. Is there anything wrong about that?

I also want to tell them that, whenever conditions change or whenever we change our minds, we have the right to modify this legislation or any other domestic legislation. I want to tell them that we have the right to change the law or repeal it; that it is nobody's business on earth but that of the people and Government of the United States.

If that is a stump speech, let it stand for a stump speech; but I call it good American doctrine; I call it a declaration that we will keep in our own hands the sovereign powers of this Government, and that we will consult no government on

earth about what we shall do to preserve our own neutrality and our own safety and our own security; and we do not want any government coming to us in the future, as at least the Senator from Montana probably has in his mind, and as other Senators on this floor have, and say, "Hold on here; you cannot alter this law; you cannot change it; you cannot repeal it. Why, you are changing the rules of the game after the game has started."

We want to make it clear, not alone to the people of the United States, but we want it to ring out in the chancelries of every government on earth, that we shall surrender not one jot or tittle of our rights under international law, that what we are doing we are doing voluntarily, by domestic legislation, controlling our own citizens in our own ships, in the interest of the peace of the world and the welfare of the people of the United States; in the interest of no other people on this revolving globe.

Mr. WALSH. Mr. President, I should like to amend the preamble offered by the distinguished Senator from Texas. Preceding the first whereas, I move to insert the following:

Whereas the United States of America desires to avoid participation in the present European war; and

Whereas it desires to serve notice to the world that it intends to keep out of participation in the war—

I ask the Senator if he will be willing to accept that amendment.

Mr. CONNALLY. I do not want to make any commitment myself as to what we are going to do in the future. I want to leave that question open. I do not want to make any pledge, so far as I am concerned, to any country, any government, or any individual on earth.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. NORRIS. Certainly I think there should be no objection to the first whereas the Senator from Massachusetts suggests. I can see how there might be to the next, but the first whereas he submits certainly carries out the intent we have.

Mr. CONNALLY. I have no objection to the first one, but the second one reads:

Whereas it desires to serve notice to the world that it intends to keep out of participation in the war.

That is more or less a repetition of the other idea.

Mr. WALSH. What is the harm in telling the world that?

Mr. CONNALLY. I do not want to tell the world what we are going to do. I do not know what the world is going to do. If we knew what the world was going to do to us, we could tell the world what we were going to do to them. So far as I am concerned, we can state our present intention and our present attitude, but I am not going to vote for anything that pledges us in advance, with our eyes closed and with a blindfold on us, as to what this Government will do whenever the occasion may arise. I want to leave the United States Government free; I want the Senate to be free; I want the House of Representatives to be free; I want the people of the United States to be free; so that whenever any occasion may arise we may act upon it on our own conscience, in our own judgment. That is why I am telling foreign nations in this preamble "Take notice that we reserve the right to change this law whenever we change our minds."

I prefer the language contained in the preamble as proposed. We have carefully considered it. I thank the Senator from Massachusetts, but I do not want to give foreign nations any ground to say, "You did not say it in so many words, but you promised us in effect that no matter what we do to you, no matter how many lots you kick us over, no matter how many of our citizens you kill, no matter how many of our ships you sink, we do not propose to fight. We promise you now we will go home and crawl under the bed and stay there until the danger is over."

Mr. President, I am not for that doctrine. I will not vote for it here. I will not vote for it at the ballot box. I will not go back to my people with any such craven and cowardly message from their humble representative.

I think this is a tempest in a teapot. There is nothing in this proposed preamble to which there can be any real objection. I cannot see how Senators, with all respect to the Senator from Montana, can object to it, and if he will only get cool [laughter] and sit around here awhile and forget the sting of defeat of a little while ago there will be another day. He may win some future contest, if he will only do that. If the Senator from Missouri would sort of curl up for a little while and not be so vocal [laughter], there would not be any difficulty.

I do not want to keep the Senate here tonight. I never dreamed that anyone would raise his voice in protest. I know that several Senators on the other side of the aisle wanted something of this kind placed in the joint resolution. I want to close the mouths of foreign governments so that they cannot make the claim, as Senators have made it on the floor, that we cannot change our laws whenever and however we get ready to change them.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. The Senator stated a few moments ago that this matter had been under consideration——

Mr. WALSH. As a matter of fact, I think I have the floor.

Mr. CONNALLY. I did not know I had yielded the floor. Did I yield the floor?

Mr. WALSH. I rose and made a motion, and I thought I had the floor.

Mr. CONNALLY. Whether I have the floor or not, I yield to the Senator from Massachusetts out of my regard for him. [Laughter.]

Mr. WALSH. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I merely wanted to ask the Senator from Texas a question. If this matter has been under consideration and in course of perfection for several days, I should like to know why the matter has never been sent forward to be printed, was never printed in the RECORD, no one has had an opportunity to read it, and at the present time the only copy is the one the Senator has in his hand?

Mr. CONNALLY. Oh, no. I will answer the question of the Senator from Missouri.

Mr. CLARK of Missouri. The Senator from Massachusetts has the floor.

Mr. CONNALLY. The Senator will permit me to answer the Senator from Missouri?

Mr. WALSH. Certainly.

Mr. CONNALLY. Is it not true that this afternoon, when the Senator from Texas rose and offered the preamble, the Senator from Missouri from his seat said it could only be considered after the joint resolution was passed?

Mr. CLARK of Missouri. I said that under the parliamentary practice it should be considered after the joint resolution was passed.

Mr. CONNALLY. Are we not doing that very thing?

Mr. CLARK of Missouri. The Senator from Texas made no offer to have it read for information, never made the slightest offer to apprise the Senate of what he and this little caucus group had been framing up.

Mr. CONNALLY. If the Senator from Missouri could get that "little caucus" out of his system we would make a great deal of progress. The Senator from Missouri admits that when the Senator from Texas rose and offered the preamble he said it could be considered only after the passage of the joint resolution.

Mr. CLARK of Missouri. That was correct.

Mr. CONNALLY. It is correct, the Senator says. That is what we are doing now. Yet the Senator from Missouri and the Senator from Montana boil over like one of the spouting geysers in Wyoming.

Mr. LEE. Mr. President, will the Senator from Massachusetts yield?

Mr. WALSH. I yield.

Mr. LEE. I merely wish to state that I have been sitting here this evening, and I know of my own knowledge that

three times the Senator from Texas tried to offer this preamble when we were acting on amendments; and had it been permitted at that time it would have been adopted, no doubt, by a voice vote without objection, and in fair play to the Senator from Texas I think we ought to accept it at this time.

Mr. BARKLEY. Mr. President, will the Senator yield for a suggestion in regard to this matter?

Mr. WALSH. I yield.

Mr. BARKLEY. While it is true that ordinarily in the passage of bills in the Senate and the House preambles are offered after the vote, the present situation is a little different. This measure came to us with a preamble in it. The Senate committee could have written a preamble in it instead of the one it struck out. It could have included any part of the House joint resolution, but did not do so. I doubt very seriously if the Senator from Missouri was correct in making the point of order that a preamble——

Mr. CLARK of Missouri. Mr. President, I did not make a point of order. I simply made the remark in my speech.

Mr. BARKLEY. Well, anyway, the Senator did so by inference. I doubt very much if the point of order could be made when there is a joint resolution from the House which contains a preamble as a part of the measure they sent over here. I think it would have been in order to offer the amendment on the floor before we voted on the measure. But under the advice of the Senator from Missouri, who is, as we all know, an expert parliamentarian, the matter was not pressed. It seems to me the Senator should not take advantage of the technicality.

Mr. CLARK of Missouri. If the Senator is correct in that, it is too late to offer it now.

SEVERAL SENATORS. Vote! Vote!

Mr. WALSH. Mr. President, I have no desire to contribute anything to the turmoil, if I may call it that, in the Chamber. It is apparent that the language of the preamble offered by the Senator from Texas is objected to because some Members of this body think it proclaims statements or assertions which the measure itself does not warrant. Others claim that it contains assertions which the language of the measure justifies. I personally think the American people are not interested in whether we think this measure is neutral or not, but they would like to get a message tonight, Friday, October 27, that the United States is against war and does not intend to engage in war. Never mind whether we are for a law which asserts an attitude of neutrality or whether we are for a law which does not represent it, but Friday, October 27, on the passage of this momentous legislation, let us send a word of cheer and of hope and of encouragement to the American people that we are not afraid to say we have no desire to participate in the European war or to engage in any war except for our own national defense.

Who can object to that? What is there in the language of this measure which indicates that we are not against war? That we do not intend to participate in war? That we have no desire to engage in war? So it seems to me there should be no objection to proceeding with the preamble offered by the Senator from Texas, but it should carry, in addition, a plain, simple statement that we do not propose to participate in the present European war at this time, when we are passing this law asserted to be a neutrality measure.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. BORAH. I desire to ask a question of the Senator from Massachusetts, and I should like also to have the attention of the Senator from Texas. I suppose it will be conceded that if we were construing this measure we would have to confine ourselves to the measure itself to find out what was in it, and what we were bound by, and not include a preamble for that purpose.

Mr. CONNALLY. As to the provisions of the measure, of course that is true. But the proposed preamble is simply a statement of policy to inform the country and the world why we are enacting the legislation.

Mr. BORAH. But the Senator in his proposed preamble says the United States reserves its rights under international law. Suppose that question should arise; it would have to be determined entirely by the terms of the measure itself as to whether it preserved our rights under international law. That could not be determined by consulting the preamble.

Mr. WALSH. Mr. President, the Senator is absolutely correct. Let me say that some weeks ago it was suggested that a preamble be attached to the joint resolution indicating an attitude of avoidance of war. That did not seem to me to be necessary, for, as the Senator says, the measure speaks for itself. But the preamble is offered to us now, and it goes only so far as to indicate an attitude of neutrality. And now that a preamble is proposed, I should like to have it make a positive declaration of our desire in the passage of this joint resolution to avoid involvement in the present European war.

Mr. BORAH. If the courts were called upon to construe the measure, they would exclude the preamble altogether.

Mr. WALSH. I have no doubt of that. But I assume from what has been taking place in the Chamber in recent days, that the motion to have a preamble attached would be adopted, and I have tried to associate with the preamble, or attach to it, some hope that the joint resolution is not one to promote or encourage war.

Mr. BORAH. I am not against the Senator's suggested addition. I think the additions already incorporated add nothing to the terms of the measure.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. MALONEY. I should like to point out that the preamble proposed by the Senator from Texas and the Senator from Nevada is in exactly the same language as that of the Senator from Massachusetts. It contains the language, "desirous of avoiding involvement therein." That is substantially the language used by the Senator from Massachusetts. I will read from the preamble offered by the Senator from Texas.

Mr. CLARK of Missouri. Mr. President, permit me to inquire of the Senator from Connecticut whether he has been one of the few Senators to see a copy of the proposed preamble?

Mr. WALSH. Mr. President, I will not prolong the discussion, but I seriously present this amendment and I want the Senate to go on record, and to say to the American people tonight, on the passage of this legislation:

> Whereas the United States of America desires to avoid participation in the present European war; and
>
> Whereas it desires to serve notice to the world that it intends to keep out of participation in all wars except wars for its own safety and defense, and to remain neutral——

I move that that language be added to the preamble as proposed, and on that question I ask for the yeas and nays.

Mr. NORRIS. Mr. President, I ask that the amendment proposed by the Senator from Massachusetts be divided, and that the vote be taken first on the first branch of the amendment.

Mr. MALONEY. I was going to make the same suggestion the Senator from Nebraska has made—that the Senator divide his proposal. The Senator from Nebraska anticipated me.

Mr. WALSH. All I desire is to have an expression of the Senate as to the attitude of the United States in respect to war. I shall willingly and gladly ask a roll call first on the first part of the amendment, as follows:

> Whereas the United States of America desires to avoid participation in the present European war—

On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, I was not able to understand exactly what the proposal was.

The PRESIDING OFFICER. Will the Senator from Massachusetts send forward to the desk the amendment offered by him so it can be stated by the clerk?

Mr. RUSSELL. The amendment has not been stated at the desk.

Mr. WALSH. It is as follows:

> Whereas the United States of America desires to avoid participation in the present European war—

Mr. RUSSELL. It should be reported at the desk.

Mr. WALSH. Mr. President, I use the same language as that used by the Senator from Texas.

The PRESIDING OFFICER. The Senator from Georgia [Mr. RUSSELL] requests that the amendment be stated at the desk by the clerk.

Mr. RUSSELL. Is the amendment of the Senator from Massachusetts a substitute for the one which is pending, or is it a different matter; and if so, where does it come in? How will the proposed preamble read if amended?

Mr. WALSH. The amendment should precede the language of the amendment offered by the Senator from Texas.

Mr. CONNALLY. Mr. President, I will accept the part of it just read by the Senator from Massachusetts if he will not offer the remainder of it. I will accept the first part, but not the latter part.

Mr. WALSH. I have agreed to divide the amendment and to have a vote on the first part and then to have a vote on the second part.

Mr. RUSSELL. Mr. President, a point of order.

The PRESIDING OFFICER. The point of order will be stated.

Mr. RUSSELL. Is it in order for an amendment to be voted on by the Senate when it has not been reported by the clerk from the desk?

The PRESIDING OFFICER. It should be reported from the desk. The Senator's point of order is well taken.

The clerk will state the amendment offered by the Senator from Massachusetts.

The legislative clerk read as follows:

Whereas the United States of America desires to avoid participation in the present European war; and

Whereas it desires to serve notice to the world that it intends to keep out of participation in all wars except wars for its own safety and defense, and to remain neutral—

The PRESIDING OFFICER. Let the Chair ask the Senator from Massachusetts if he offers that as an amendment to the amendment to the preamble offered by the Senator from Texas [Mr. CONNALLY]?

Mr. CONNALLY. Mr. President, since this matter would be entirely and wholly and freely before the conference, since the House measure contained a preamble and the Senate committee struck it out, and therefore it will all be in conference, so far as I am concerned, I withdraw the preamble.

Mr. WALSH. Since request is made to withdraw the amendment, my amendment is not in order. I will let the action of the Senate speak for itself.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the committee proposing to strike out the preamble contained in the House joint resolution.

The amendment was agreed to.

The question now is on the amendment of the title.

The title was amended so as to read: "Joint resolution to preserve the neutrality and the peace and the United States and to secure the safety of its citizens and their interests."

Mr. PITTMAN. I ask unanimous consent that the joint resolution, as amended, be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO TUESDAY

Mr. BARKLEY. Mr. President, I move that the Senate adjourn until 12 o'clock noon on Tuesday next.

The motion was agreed to; and (at 9 o'clock and 45 minutes p. m.) the Senate adjourned until Tuesday, October 31, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, OCTOBER 27, 1939

The House met at 12 o'clock noon.

Rev. Luther A. Thomas, D. D., pastor of Emmanuel Lutheran Church, Lincolnton, N. C., offered the following prayer:

O God, for the leadership in generations that have lived, and loved, and wrought, we give Thee thanks: for Thy living presence we glorify Thee; for the way, which Thou art, we bless Thee; for the truth, which has made our tasks understandable, we declare our gratitude with tender hearts; for the life with which Thou hast enriched the world we pledge a more abundant manner of living. Make us not unmindful of enticing dangers, but make us more conscious of an abiding and availing power. With a faith in our fellow man akin to that of the Master, may we, with Him, labor for the common good of all mankind. Grant that our traditional zeals continue to be living realities. Give us a wisdom to know, and a love to interpret, and a courage to do. Endow us with tender consciences and with determined convictions. Make clear to our eyes the halo about the world's first Statesman, of whom it is unanimously written: He went about doing good. We make our common petitions in the name of Him who said,

Be of good cheer, I have overcome the world; and lo, I am with you always.

Amen.

The Journal of the proceedings of yesterday was read and approved.

THE DIES COMMITTEE

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein two letters addressed to the Dies committee by ladies whose names appeared as being members of the League for Peace and Democracy and who deny such membership.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I also ask unanimous consent to place in the RECORD the official record of the Dies committee, showing my protest against the publication of the names of the members of that organization.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I take this brief time to call the attention of the Members of the House to the attitude of the Dies committee in publishing the names of some 550 persons in Government service who are supposed to have belonged to the League for Peace and Democracy. The Dies committee made no effort to ascertain whether or not a single person named on that list actually was a member, notwithstanding my protest and desire to go into executive session and give to the committee the knowledge which I had to the effect that many of these persons were not members of the league and that many persons whose names are not on the list were members of the league.

I shall place in the RECORD today letters from a school teacher in the city of Washington who never even heard of the league, a teacher at the Eliot Junior High School by the name of Lamberton. On the list there was a Mrs. Lamberton, who may or may not have been a member of this organization, but we identify this particular Mrs. Lamberton by saying she was a teacher in the Eliot Junior High School. As a result of this there have been protests and demands for this lady's dismissal. As a matter of fact, there is no finer, cleaner, or more democratic and patriotic lady in this country than she.

[Here the gavel fell.]

The letters referred to were as follows:

WASHINGTON, D. C.,
October 26, 1939.

Hon. MARTIN DIES,
Chairman, Committee on Un-American Activities,
House of Representatives, Washington, D. C.

DEAR SIR: I notice in a list purported by your committee to be a membership roster of the Washington organization of the American League for Peace and Democracy the name of Mrs. B. P. Lamberton, described as a teacher at the Eliot Junior High. In view of the

fact that I am the only Mrs. Lamberton thus employed, I perforce must assume that I am the person so designated in the list.

For your information, and so that the record may be straight, I take this occasion to advise you that I am not now, nor have I ever been, a member of the American League for Peace and Democracy, and, further, I never have made any contribution to this organization, nor have I ever had any contact with it. In a sense of fairness, I trust that your committee will see that this erroneous publication is corrected.

Yours very truly,

(Mrs.) B. G. LAMBERTON.

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,
Washington, October 26, 1939.

Hon. JOHN J. DEMPSEY,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN DEMPSEY: I am glad to know that you objected to the erroneous publication of the names of individuals alleged to be members of the League for Peace and Democracy. I for one was an innocent victim of this exposure, and am enclosing for your information copies of letters I have written to Chairman DIES and to the members of the Senate and House from the State of Connecticut, my legal residence. The information can be used in any manner you see fit.

Very truly yours,

HELEN WOOD,
Acting Administrative Assistant.

OCTOBER 26, 1939.

Hon. JOHN A. DANAHER,
United States Senate, Washington, D. C.

DEAR SENATOR DANAHER: I am enclosing a copy of a letter which I have today written to Congressman MARTIN DIES regarding the publication of my name as a member of the League for Peace and Democracy.

As you undoubtedly are aware, for the past 8 years I was in the employ of the State of Connecticut as deputy labor commissioner and later as executive director of the unemployment compensation division. I feel that the erroneous connection of my name with the activities of the Dies committee is not only a reflection on me personally but upon the State of Connecticut for having had on its staff someone reputed to have been connected with un-American activities.

You may use this letter in any way you see fit to correct the abuse which innocent people are experiencing at the hands of the Dies committee.

Very truly yours,

HELEN WOOD,
Acting Administrative Assistant.

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,
Washington, October 26, 1939.

Hon. MARTIN DIES,
Chairman, Committee for Investigation of Un-American Activities, House of Representatives, Washington, D. C.

DEAR CONGRESSMAN DIES: I notice in the papers of last evening that my name is listed as being on the membership and mailing list of the Washington chapter of the American League for Peace and Democracy. I would like to call your attention to the fact that I have only resided in Washington, D. C., since February 1939; that I am not a member of the league; and, as far as I know, I am not on their mailing list, inasmuch as I have never received any of their literature.

I demand that this erroneous publication be corrected in the official record and in the press and that you send me a letter apologizing for the error that has been made.

A copy of this is going to the Senators and Representatives from the State of Connecticut, my legal residence, with a letter advising them that they can use this in any manner they wish to prevent further activities of this nature by your committee.

Very truly yours,

HELEN WOOD,
Acting Administrative Assistant.

The official record of the Dies committee referred to follows:

HOUSE OF REPRESENTATIVES,
SPECIAL COMMITTEE TO INVESTIGATE
UN-AMERICAN ACTIVITIES,
Washington, D. C., October 25, 1939.

The committee met at 10:30 a. m. in the caucus room, old House Office Building, Hon. MARTIN DIES (chairman) presiding.

The CHAIRMAN. The committee will be in order.

Present: Messrs. STARNES, MASON, VOORHIS of California. Also present, Mr. Rhea Whitley, counsel.

Mr. MASON. Mr. Chairman, I make a motion that the Chair carry out the instructions given him in executive session yesterday, and that this statement and list be made a part of the record, so that it is a privileged matter.

Mr. VOORHIS. Mr. Chairman, other members of the committee would like to be here, I am sure, before that action is taken.

Mr. MASON. We waited until 10:30.

(The question was put and the motion was agreed to.)

Mr. VOORHIS. Mr. Chairman, I cannot vote for that.

Mr. MASON. Mr. Chairman, has the motion carried?

The CHAIRMAN. Yes; the motion has carried. Give the statement out.

Mr. DEMPSEY. May I ask counsel to suspend for a moment? I should like to make a statement to the chairman and members of the committee. I understand that in executive session the committee adopted a resolution to release to the press and the public the names of the members of the American League for Peace and Democracy. I am afraid in doing that you have released not only the names of members but you have released the names of people who have contributed, for instance, to the Spanish refugee fund but who are not members of the League for Peace and Democracy at all.

So far as I am concerned, I want to protest against any such action. I think it is most un-American. And as a member of this committee, I am not here to be a party to injuring anybody who is innocent or who has joined an organization, not knowing the purpose of the organization, and who has resigned after finding out the purpose of the organization. I think it is most reprehensible for this committee to pass any such resolution and release the names of 800 people, many of whom will be accused of being Communists when, as a matter of fact, there is no member of the committee who is any better an American than many of the people who are now going to be charged with being affiliated with the Communist Party.

As a member of this committee, at no time am I going to smear anybody. No politics is going to be injected into this. There is not going to be any politics so far as I am concerned. I think what we have done is the most damnable thing, and I just want to go on record to that effect.

Mr. MASON. It is too bad, Mr. DEMPSEY, you did not go on record yesterday when the action was taken.

Mr. DEMPSEY. Had I been present yesterday I would have. I had official business of importance elsewhere. This morning I advised the chairman that I was going to move to go into executive session, and he agreed that would be the thing to do. I had a long-distance call, and I was 3 minutes late in getting here. The committee and you, personally, Mr. MASON, were not sufficiently courteous to wait 3 minutes so that I might be here.

I do not care what action any member of this committee takes. I am only responsible for myself.

Mr. MASON. This is not an action by any member of the committee. This is an action by the majority of the committee, and the majority of the committee rules. So far as partisanship is concerned, I have not shown any of it on this committee. I have even protested when others have shown it.

Mr. DEMPSEY. You say that a majority of the committee have taken action. You mean a majority of those present.

Mr. MASON. Yes.

Mr. DEMPSEY. That is different; you may have four people present.

Mr. MASON. That is a majority of the committee.

Mr. DEMPSEY. That does not represent the voice of the committee.

Mr. MASON. It voices the opinion of the majority of the committee. That action was taken, and that settles it.

Mr. STARNES (presiding). Gentlemen, do not let us have any personalities.

Mr. MASON. This is not a personal matter with me at all.

Mr. STARNES. Mr. DEMPSEY has stated his position. That is his personal position, and he has a right to that.

Mr. DEMPSEY. I should like to add this, too. I do not believe a majority of the committee present now would favor any such resolution.

Mr. VOORHIS. Mr. Chairman, I would like to say a word. First of all, I would like to say that I do not believe Mr. MASON acted from partisan motives.

Mr. MASON. Absolutely not.

Mr. VOORHIS. I think he acted in the way he thought was right. But, for my own sake, I would like to say that I am in accord with Mr. DEMPSEY's feelings about this matter and with what he said. Yesterday I pointed out to the committee the way I felt about this matter. I did not feel that it was the wise thing to do. I had not intended to make any public statement about the matter, because when the committee takes action, I am willing to abide by the decision the majority makes.

But that is my view; and, since the matter has come up today, I think, in justice to myself, I have a right to say that.

Mr. STARNES. Nobody objects to any member of this committee making any statement he wishes with reference to his personal feelings about any matter, whether it is the conduct of the committee or the conduct of an organization, or the conduct of a citizen. That is his right and privilege. But it is strictly understood that these are expressions of personal opinion and the personal feelings of the member who is speaking at the time.

Let us proceed with the examination.

Mr. DEMPSEY. Let me say this to you before you proceed with the examination: It is my feeling that a Communist should not be employed in the Government service at all. And that goes for the Nazi as well; I mean those whose loyalty is to the German Government rather than to the American Government. It is my opinion that a Communist's first loyalty is to the Russian Government and not to the American Government. So do not misunderstand me on that.

But I am not in favor of smearing a lot of good American citizens who, just because they inadvertently contributed to something

that had a very patriotic-sounding name—and that is what many of them have done.

Mr. MASON. The statement issued by the chairman under orders of the majority of the committee definitely clears any suspicion of the fact that these people are all Communists.

Mr. DEMPSEY. Mr. MASON, you do this. You published 800 names and let us assume that the committee were to say that 95 percent of these people are not Communists but 5 percent of them are. Unless you point out those that are, then you reflect upon every other one of the 95 percent who are not.

Mr. MASON. More than a year ago we found, by a majority of this committee, that this was a Communist-front organization, and we notified the world in our report of that. That was followed by action on the part of this local chapter of putting on a campaign for increased membership as a defy of that report. It seems to me we have no reason to protect such people.

Mr. DEMPSEY. Mr. MASON, we did point out, as you say——

Mr. STARNES (interposing). I want to be courteous to the gentlemen, but I do not think it helps the committee or the conduct of the investigation to debate this matter after it is closed. If any Member wishes to make a statement to the press expressing his views, he is at liberty to do so. But I do not think it is proper procedure for the members of the committee to engage in a controversy on a matter that is already a closed chapter.

Mr. DEMPSEY. It is not a controversy so far as I am concerned. I am simply stating my position.

Mr. STARNES. Which you have a perfect right to do.

Mr. DEMPSEY. If you will allow me to continue for a minute. This committee did point out that this American League for Peace and Democracy was a front organization. As a result of that, I have personal knowledge of many, many withdrawals. Yet their names will appear in the press as members of this organization. That is what I am taking exception to.

Mr. MASON. They can then point out that they have withdrawn.

Mr. DEMPSEY. Yes; that is a fine thing to do.

Mr. STARNES. Proceed with the examination, Mr. Counsel.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein a letter from Bushrod Washington to George Washington, and his reply.

The SPEAKER. Is there objection to the request of the gentleman from Virginia.

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter and extracts from previous proceedings of the House.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent magazine article by myself.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by Gov. Leon C. Phillips, of Oklahoma, at Fort Worth, Tex., discussing the bill for oil regulation known as the Cole bill, now pending in Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by Chester Thompson, a former Member of this body.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two tables on the subject of the cost of the World War.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I have received on the arms embargo.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an article written by David Lawrence appearing in last night's Washington Evening Star, entitled "Congress Can End 'Front' in Government; Holds Purse Strings of Members in Employ of United States." This article bears directly on the speech I expect to make on the floor of the House this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HANCOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting therein an address delivered last evening by our colleague the gentleman from New Jersey [Mr. EATON].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AMERICAN YOUTH

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, I cannot understand why the heads of the administration are continually going out over the country defending themselves. Back in the days of St. Paul it was definitely set forth that a man's works speak louder than his words. I had to listen yesterday to Aubrey Williams, head of the National Youth Administration up in the State of Pennsylvania, declaring "that the average American can only buy one overcoat in 11 years and the average woman one hat in 3 years." He declared "that the American system of government is wrong and that it will correct itself if we fail to do so." This sounds like a "red" speaking. This was just as nauseating to the people of Pennsylvania as it was for Secretary Wallace, out in California, to declare that the present war situation demands the President's reelection. I am now convinced that the administration is in a position to and is going to capitalize on the present international situation and that our entry into the war depends on whether or not it will be necessary to go to war in order to continue the present administration of the New Deal.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an address I delivered in Pennsylvania yesterday in Caledonia State Park, setting forth the evils of the wet-nursing of youth by this administration and the fact that there is opportunity for youth in this country yet, regardless of what New Deal leaders may say.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, the address to which I referred is as follows:

Mr. Chairman, it is a very great pleasure for me to be here today at this dedication of the Caledonia Conservation Museum and demonstration area by the Department of Forests and Waters of Pennsylvania, together with the National Youth Administration.

And in these 5 minutes allotted me I want to deal with the oft-repeated assertion that the youth of America has no future. I want to further say that there is no more appropriate place for this museum than here in this beauty spot of Franklin County. Pennsylvania from Delaware to Ohio and from New York to the Mason and Dixon Line is noted for its wealth and its beauty. But regardless of its geographical location, Caledonia Park is the central attraction in Pennsylvania. Here in these mountains a tired man may come and relax and receive new energy. A weary soul will feel just a little closer to God here in the forest and receive strength to carry on. Here where wild game lures the sportsman he can enjoy himself and go back to his business with renewed energy. And here amid nature at its best youth can find inspiration to rise above the common level and say, "Thank God I'm an American. I don't want relief; I want a job."

I highly approve of all the constructive things the National Youth Administration is trying to accomplish, but I do find myself growing more and more impatient with the theme song of sadness that is being chanted throughout the United States, the principal

refrain of which is "There is no opportunity for youth." I venture the assertion that there has never been a time in the history of this country when there has been a greater demand for brains and ability, for youthful ideas and courage, than today.

Executives all over the country are looking for young men and women today to step into the ranks of business and industry and carry on. It is perfectly apparent that executives are constantly growing old, and their places are of necessity being taken by our younger men and women.

New ideas in human service are being demanded. New ideas in business and in industry and in government are in demand. The new science of farm chemurgy—the industrialization of farm products, the use of farm products as raw materials for manufacturing—is calling with a veritable clamor for young men and women to enter upon a future vastly more promising, of greater opportunity, than even the automotive industry ever offered to the youth of America.

Chemistry, the new science of air-conditioning, modern refrigeration, modern transportation, all of these are literally sciences which have been born within the last 10 years. Talk about there being no opportunity for youth. Why, Mr. Chairman, opportunities exist on every hand for young men and women who can see dignity in labor and who have the thrift, the independence, the self-reliance, and the initiative to go to work.

There has been entirely too much wet-nursing young men and women and trying to make them believe that opportunity is gone, and that the depression has blighted their future and condemned them to the bread lines or the W. P. A.

To be perfectly frank, there are only two dangers facing youth today in America. One of these is that we might get mixed up in the wars of Europe. And the second danger that youth faces is the mounting public debt and the continuing annual deficits which are piling up, and which may take all too much of the energy and the sweat and the toil of American youth in years to come.

I have no fear that youth of America of today will not give as good an account as did the youth of my day, provided they are given the same fair chance and are not wet-nursed into the belief that it is no use to try.

Of course youth can fail; middle-age can fail; so can old-age if we never try.

So then I bring you this message, and I hope it reaches every young man and woman in this country, and that message is this: "Raise your heads in courage and let not your hearts be fearful. There is opportunity for those who will work. So choose your opportunity and be captains of your own fate, because the world of today belongs to youth, and the opportunities are there for the taking."

The SPEAKER. Under special order heretofore made, the gentleman from Ohio [Mr. SMITH] is recognized for 20 minutes.

THE LIFTING OF THE ARMS EMBARGO WILL PUT US INTO WAR

Mr. SMITH of Ohio. Mr. Speaker, in a critical time such as we are now in, when powerful forces are acting to agitate the minds of the people and inflame their passions, as a Representative in Congress, I deem it highly essential to keep my mind as free as possible from all bias, so that I may judge and act in an unprejudiced and intelligent manner. I am especially cautious not to permit myself, even in the sanctum of my own private thoughts, to take sides with either of the belligerent groups. I deem it incumbent upon myself to steadfastly maintain this detached attitude of mind. Only in this way can I assure myself of being able to exercise my best judgment and most properly serve what I believe to be the best interests of my country. I follow as nearly as I can the pattern of George Washington.

The one and only premise upon which I permit myself to form any opinion is, What is best for my own America? This attitude has fixed itself in my mind more especially because of the profound conviction that I have that the physical constitution of our economic body is so gravely ill that it cannot withstand much more strain without breaking down completely, that we dare not do the least thing to harm it further, and that we must strive with all our efforts to relieve the stress upon it.

The purpose of lifting the arms embargo can now certainly no longer be in doubt. The debates in the Senate make it clear that it is to aid one of the belligerent groups. The permanent record is there and I feel sure history will confirm my judgment in this.

The President, in his address to the House last September, admitted as much when he said:

> Repeal of the embargo and the return to international law are the crux of this issue.
>
> The enactment of the embargo provisions did more than merely reverse our traditional policy. It had the effect of putting land powers on the same footing as naval powers, so far as sea-borne commerce was concerned. A land power which threatened war could thus feel assured in advance that any prospective sea-power antagonist would be weakened through denial of its ancient right to buy anything anywhere. This, 4 years ago, gave a definite advantage to one belligerent as against another, not through his own strength or geographic position but through an affirmative act of ours.

I conceive it impossible that history can do other than accept this statement at its face value, namely, that the President's purpose in lifting the arms embargo is to definitely, by positive action, place the Government of the United States on the side of one of the belligerent groups.

Parenthetically, we should like to inquire where is there anything in international law which guarantees any nation, sea power or other, any "right to buy anything anywhere"? Were we violating international law when we refused to sell helium to Germany? Are we violating international law if we refuse to sell opium to China?

The proposed legislation is so involved in a maze of absurdities and contradictions that they stun the imagination. The claim made—that this is a neutrality measure; that its purpose is to keep us out of war and to return to international law—is, in my opinion, an insult to the intelligence of the Congress and a travesty upon the faith of our people.

Think of it! The proposal to lift the arms embargo and return to international law is tied up with the proposal to voluntarily surrender the most vital maritime rights which have been guaranteed us by international understanding and custom since the founding of our Nation. What international interests are to be left to us, that concern the laws of nations, after we give up our rights to sail our own merchant ships upon the high seas? The repealists are arguing strongly that we went to war in 1917 because our maritime rights were violated. The administration's floor leader especially has taken this position. What sort of reason is it, what kind of mental process is it, that justifies our having gone into the war in 1917 to protect our maritime commerce under international law and which at the same time now contends we must voluntarily relinquish all that we fought for so as to conform to international law? How is it possible to reconcile the idea of an appeal to our rights under international law as an argument for repealing the arms embargo, with the idea of voluntarily surrendering our most important sea-trade rights under international law?

In my judgment, the whole argument of the advocates for repeal of the arms embargo and the substitution therefor of the so-called cash-and-carry provision breaks down so utterly and completely on this single point alone that there is nothing left of it.

The bare truth is, the phrase "cash and carry" is a seductive bait which is being deliberately used to fool the American public. The people do not understand it now. I am not so certain, however, that they will not learn about it later.

Nearly all of the advocates of repeal strongly emphasize the "carry" feature. This is the principle sop they throw out to the people of this country for their support.

The President himself places special emphasis upon the need of the "carry" provision. In speaking of the present embargo provisions, in his September address, he said:

> They furthermore allow such products of industry and agriculture to be taken in American-flag ships to belligerent nations. There in itself, under the present law, lies definite danger to our neutrality and our peace.

I am not arguing that the "carry" feature, if actually enforced—of which there is no asurance it will be if the proposed law is passed—might not be a help in keeping us out of war. What I am contending is, that this is not the purpose of the "carry" feature, but the real purpose is to lift the arms embargo and make it possible to sell war supplies to the belligerents.

Last July the President asked for the repeal of the arms embargo. Then he did not ask for the so-called cash-and-carry provision. Why? It cannot be because new conditions have arisen, because he told us in his address in September he "foresaw last January" what was coming which caused him to ask in July for a change in the neutrality law. His

bill failed to pass. It was not until we were called to this special session that this lurid proposal was made.

How is it that in July he considered the repeal of the arms embargo necessary to the "cause of peace and in the interest of real American security" but did not discover until September that cash and carry, and especially carry, are vital to that interest and security?

How is it that in July the embargo provisions were considered by him to be "most vitally dangerous to American neutrality, American security, and American peace," and 2 months later he discovered that failure in having the "cash and carry" provision in the law was even more vitally dangerous to "American neutrality, security, and peace"?

Definite proof that the cash-and-carry provision has only been added as a talking point and to mislead the public was established when the advocates of the present resolution refused to accept Senator TOBEY'S proposal to first enact the cash and carry and then debate the embargo.

The cash feature is put into the proposal to allay the feeling of resentment our people have against the failure of European nations to pay back the money they borrowed from us in the other war. Here is being perpetrated upon our people what appears to me to be the gravest injustice. In certain remarks I had placed in the RECORD on the 28th of last September I showed the utter fallacy of there being any cash, so far as payment in gold is concerned. No doubt gold will be used, since the belligerent group that would buy from us have between five and six billions of the yellow metal.

Insofar as payment in gold will be made, it will be another case of American workmen and producers giving away their labor, just as we did in the other war.

Whether the lifting of the arms embargo would involve us in the war, and to what extent, would depend on the amount of war supplies our Nation would sell. One of the belligerent groups is exceedingly desirous that we join them in their war. No one questions this. They have the gold to buy in almost unlimited quantities. We have the capacity to produce war materials in almost unlimited quantities. Knowing that the more war materials they would buy the more likely would we be to become involved in the war on their side, of course, they would buy in the largest quantities possible.

Suppose the embargo is repealed and the day thereafter England and France order five or ten thousand military planes (Aircraft Year Book, p. 34, states 5,500 military planes can be produced a year), fifty or one hundred thousand tanks of various sizes (see America's Munitions, by Crowell, p. 154), 100,000 tons of poison gas and war chemicals (Chemicals in War, Prentiss, p. 85, shows producting capacity of war chemicals, which, no doubt, could now be greatly expanded), and other munitions in the same proportion, would we be in the war or would we not be in it? Of course, we would be in the war. And in my opinion we will have taken a dangerous step that could easily force us to send our soldiers to Europe again.

How it is possible to try to deny this in the face of our past experience and the facts before us is difficult for me to conceive.

I fear many of us labor under a desperately erroneous assumption, except for which we would perhaps all view the proposal before us in a truer light. That assumption is that Congress has the right, by vote, to declare war, that we would be just as free to make such a decision if we lifted the embargo as we would be if we did not lift it. Once the embargo is lifted, immense and powerful industrial and political forces will be set in operation which will inevitably make for our entrance into this war, over which this Congress will have no control whatever.

Before this House decides on final action in this matter let each Member ponder well over just a few things.

First, the money cost of the last war. The figures I am about to give you are explained in a footnote which will accompany my address.

The money cost up to the present time is, in round numbers, $55,000,000,000.

Since varying figures have been given showing this cost, I deem it advisable to explain how I arrived at this amount. In the June 1930 Annual Report of the Treasury, table 58, beginning on p. 609, is given a statement of money costs of the World War to the United States Government to June 30, 1930. A reference to that statement shows it to be made up of four items—expenditures, receipts, assets, and net war cost.

On p. 612 are given the totals of these items. Under expenditures $2,746,640,992.03 is given as the amount of interest on the war debt from 1918 to 1921. Revised to bring the amount up to date, this figure is $12,032,000,000, which was obtained by taking the amount of interest on the war debt as of June 30, 1934, shown on p. 392 of the 1934 Annual Report of the Secretary of the Treasury, as $9,557,000,000; and, adding $2,475,000,000, the interest at 2¾ percent on the approximately $15,000,000,000 remaining of the war debt for the 6-year period from June 1934 to June 1940. (Treasury has no figures on interest on war debt since June 1934 report.)

Under receipts (foreign obligations June 30, 1930) the item of $2,391,518,141.97 was changed to $2,749,492,491. This was obtained from a Treasury Memorandum Covering Indebtedness of Foreign Governments to the United States, March 1, 1939, p. 12.

Under assets the item of $7,747,000,000 (foreign obligations) was eliminated entirely. This for the simple reason there does not appear to be any prospect of collecting this money. The total indebtedness of foreign governments to the United States on March 1, 1939, was $13,119,304,199, with an unpaid principal of $11,435,645,170.

Another item, $158,000,000 was stricken from the assets listed, due from the German Government, Account of Army Occupation (June 30, 1927). The German Government still owes $181,867,133.36 on this account.

With these revised figures the total net war cost to date, excluding $11,792,082,774 for Veterans' Administration disbursements for relief of World War veterans to June 30, 1939 (figures supplied by Veterans' Administration), and $88,000,000 for settlement of war claims, act of 1928 (1934 Annual Treasury Report, p. 392), $43,179,480,651. Including the two latter items, the total net money cost of the World War is $55,066,563,433.

I estimate the future cost will run the total up well past the $100,000,000,000 mark.

Assuming an extraordinary supermiracle happens—namely, that the National Budget is brought in balance by June 1940, that it is kept in balance for the next 45 years (debt will be forty-five billions by then), that taxes will be sufficiently in excess of regular operating costs to pay the interest on the debt and retire the same at the rate of $1,000,000,000 a year until it is completely wiped out, at 2½ percent interest, the remaining war debt ($15,000,000,000) will cost $8,625,000,000.

It is impossible, of course, to forecast with any degree of precision the future cost of these veterans' benefits. Sufficient data, however, are at hand to suggest something of what may be expected.

All veterans of the other wars—Civil and Spanish-American—after reaching the age of 65 years, receive $60 per month. If this provision is made to apply to World War veterans, the estimated cost will be $21,079,602,189. (Supplied by the Veterans' Administration.)

The present monthly benefit rate for service and nonservice dependents of World War veterans is $38.12 and $29.62, respectively (1938 Veterans' Administration Report, p. 71). The average annual number of Civil War dependents who received benefits from 1890 to 1937 was 226,980. (Supplied by the Veterans' Administration.) The number of men who served in the World War was about twice that of the Civil War. Assuming the number of World War dependents will be twice that of the Civil War, at $30 per month the cost of benefits to World War widows and dependents will be $7,681,003,200. Civil War dependents from 1927 to 1937 received $38 per month.

The total amount of disbursements to veterans, including administration costs, but exclusive of $3,793,864,573 paid out in adjusted-service certificates, from 1918 to 1938, inclusive, was $7,998,218,200. This is an annual average of $380,867,533. Even though the plans providing $60 a month for veterans after the age of 65, and benefits to all widows and dependents, go into effect, disbursements under the present set-up will be heavy for the next 10 or 15 years. An estimate of three to five billion dollars to cover this item would, I believe, be conservative.

During the year 1938 the net operating expense for all hospital and domiciliary facilities controlled by the Veterans' Administration totaled, in round numbers, $50,000,000. (Veterans' Administration Report, 1938, p. 2.) Over 91 percent of the admissions in 1938 were World War veterans. (Veterans' Administration Report, 1938, p. 10.)

In all, a total of $194,681,850 had been made available up to 1938 for the construction of hospital facilities. (Veterans' Administration Report, 1939, p. 13.)

Administration costs have averaged in the 21 years about $77,000,000 annually. Numerous other cost items must be taken into consideration. There will be a large interest charge on the adjusted-service certificate fund, as well as the money borrowed to finance the construction of hospitals. There will inevitably be other extras. The sum of all these items will certainly pass the $100,000,000,000 mark.

Our participation in the World War brought on the depression, the money cost of which is incalculable. The $30,000,000,000 Federal debt, the increased cost to States for relief, the losses caused by undue depreciation of values, the loss of wages caused by unemployment and national income, which is perhaps not less than $150,000,000,000, the increase in taxes, and so forth, easily adds up to more than $200,000,000,000.

Three hundred billion dollars as representing the money cost to us for the part we played in the World War would not be too high.

Of far more serious import is the diseased state of our monetary and credit structure. I shall not go into this part of the picture. But let me say to the House, and to the people throughout the country, that my studies and observations of this part of our economic body lead me to make a diagnosis of a very, very serious affliction here. I consider it so serious that I feel sure the United States could not finance a long war.

More serious still was the fearful price we paid in lives and wounded and maimed. Nearly 40,000 of the flower of our manhood gave their all. Nearly fourteen thousand died of wounds. There were more than 53,000 combat deaths. More than two hundred thousand were wounded, though not mortally. Three hundred and fifty thousand five hundred and ninety World War veterans were left permanently crippled because of their service in the war.

What sacrifices would the mothers of this country be compelled to make if we were plunged into another war? Would our casualties be counted in the thousands, or possibly in the millions?

Suppose we should be forced to send our men to Europe to engage in this war. Suppose that which we all believe could not happen but which, judging from past experiences, might happen, namely our defeat; who then in this whole United States would rise up and admit responsibility for sending our troops to Europe? Where would our God-given 3,000 miles of ocean defense be then? What would become of America under those terrifying conditions? [Applause.]

Let us, from the standpoint of our own interests, thinking constantly of the absolute needs of our own country, look all of the facts squarely in the face. Let us endeavor to think this whole problem through before we act in this, to me, the most critical hour in the life of our Nation.

As for myself, the lifting of the embargo would be the setting free of powerful and uncontrollable forces that would make strongly for a repetition of 1917, only with more disastrous consequences.

From my studies I am convinced the United States cannot endure another such a war, economically or financially, and retain anything like the system of government and industry we have lived under and cherish. The forces of disruption and chaos are already working strongly within our system. Another war would, in my opinion, create the necessary condition for the completion of these disintegrating forces.

I feel it my high duty to oppose, by every honorable means possible, the lifting of the arms embargo. [Applause.]

Mr. THORKELSON. Mr. Speaker, will the gentleman yield at that point?

Mr. SMITH of Ohio. I yield to the gentleman from Montana.

Mr. THORKELSON. Mr. Speaker, it is absolutely a fact, is it not, that Congress will be responsible if we become involved in the war?

Mr. SMITH of Ohio. That is absolutely true.

Mr. CREAL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Mr. CREAL. The gentleman stated that when we lift the embargo we are in war. When are all of the neutral countries now selling to both sides in the war?

Mr. SMITH of Ohio. I know of no neutral country that is selling to both sides.

Mr. CREAL. Well, to one side.

Mr. SMITH of Ohio. I know of no neutrals that are selling to one side. If the gentleman will read my address in the House on October 12, and my remarks in the Appendix of the RECORD, page 351, he will see that the prohibition of the sale of arms by neutral countries to belligerents is a common practice; that this practice has been growing steadily for a hundred and fifty years; and that the United States has been one of the most backward nations in this advancement.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Mr. FISH. Evidently there is a great deal of misunderstanding, or there has been a great deal of misstatement on this particular proposition. I say, without fear of contradiction, that there is not a single nation in the world that sells arms and ammunition to any of the belligerent nations—not one of the European nations or the other nations—and yet they want us to repeal our law in order to do something that no other nation does.

Mr. SMITH of Ohio. In 1931 the British Government established a complete arms embargo and the Scandinavian countries have all issued current complete embargo decrees. [Applause.]

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. KITCHENS). Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Detroit Free Press.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order of the House heretofore made the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

THE C. I. O. AND FREE SPEECH

Mr. HOFFMAN. Mr. Speaker, Wednesday, on the floor of the House, the gentleman from Washington [Mr. COFFEE] very forcefully pointed out that the safety and the security of our Government, to a great extent, rested upon the observance of the right to free speech and a free press.

He might have gone further and have said with equal truth that neither the prosperity, the political, or the religious liberty of the citizen can endure unless the constitutional safeguards protecting the citizen in his right to work, to own, hold, and enjoy property are maintained.

To the sentiments just expressed practically all of our people render lip service and all patriotic Americans give support without reservation. The gentleman used his laudation of the constitutional guaranty of the right of free speech and a free press as the vehicle to carry him to a bitter attack upon the Dies committee and to a defense of Government employees who are members of an organization which was founded by and whose activities are substantially controlled by another organization which advocates the overthrow of our Government by force.

The gentleman's condemnation of the Dies committee, his defense of the Washington members of the American League for Peace and Democracy, would have been more convincing had he heretofore condemned activities similar to those which he claimed the Dies committee practiced when other governmental agencies interfered with the right of free speech, a free press, and the civil liberties of American citizens, and had he been more accurate in his statements.

The gentleman from Washington [Mr. COFFEE]—and I am glad he is present now, I just sent word to him that I was about to speak—talked at length about the right of a man to join or not to join an organization. Time and time again has he stood on the floor of this House and spoken in favor of the C. I. O., which denied the right of a man to work unless he joined that particular organization——

Mr. COFFEE of Washington. Will the gentleman yield?

Mr. HOFFMAN. And which disputes his right to join the A. F. of L. on the west coast, and still hold a job.

Mr. COFFEE of Washington. Will the gentleman yield at that point? If you are going to lie about me in the RECORD, I hope you will allow me to interrupt you.

Mr. HOFFMAN. I did not lie about you. I just told the truth about you.

Mr. COFFEE of Washington. I wish, if you are going to make misrepresentations about what I have discussed, that you will permit me to interrupt you at that point.

Mr. HOFFMAN. If I can have more time, I will be glad to yield. You had time yesterday.

Mr. COFFEE of Washington. I made no distinction in my befriending of any labor organization on this floor.

Mr. HOFFMAN. Oh, did you not talk in favor of the C. I. O.?

Mr. COFFEE of Washington. I have championed the C. I. O., the A. F. of L., and the railroad brotherhoods indiscriminately, not one as against another; and any cheap attempt on anybody's part——

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that I may have 10 more minutes.

Mr. COFFEE of Washington. I will be glad to ask for it for you. I ask unanimous consent, Mr. Speaker, that the gentleman may be accorded 10 more minutes.

The SPEAKER pro tempore (Mr. KITCHENS). Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COFFEE of Washington. I hope the gentleman will not mislead any of us into believing that I have taken the side of one great labor organization in opposition to another. My sole interest is in defending all organized labor, whether it be C. I. O., A. F. of L., or the railroad brotherhoods.

Mr. HOFFMAN. Are you through?

Mr. COFFEE of Washington. Yes.

Mr. HOFFMAN. Have you not time and again stood on the floor and defended the C. I. O.?

Mr. COFFEE of Washington. Not as against any other labor organization.

Mr. HOFFMAN. Have you not time and again stood on the floor and defended the C. I. O.?

Mr. COFFEE of Washington. I have befriended it on two or three occasions when I thought they were in the right in respect to some fight that they were having with their employers.

Mr. HOFFMAN. Did you not on the 30th of March 1937 stand on the floor for 20 minutes or more arguing that the sit-down strike was legal?

Mr. COFFEE of Washington. Yes.

Mr. HOFFMAN. You did not?

Mr. COFFEE of Washington. No.

Mr. HOFFMAN. All right. I call the attention of the House to the RECORD on pages 2924 to 2929, inclusive, and I ask you, then, to form your own opinion whether I am, as the gentleman said, a liar or whether he knows what he is talking about.

Mr. COFFEE of Washington. Now, just a minute.

Mr. HOFFMAN. You have answered my question.

Mr. COFFEE of Washington. I did put in a statement, and I believe it was 5 or 6 minutes, and I extended it probably to a point where it would have taken up 20 minutes' time.

Mr. HOFFMAN. It is in the RECORD—in the body of the RECORD—and not in the Appendix.

Mr. COFFEE of Washington. Yes. I still stand by it.

Mr. HOFFMAN. Sure. You still say that the sit-down strike is legal, do you?

Mr. COFFEE of Washington. From a legal standpoint; yes.

Mr. HOFFMAN. You still say the sit-down strike is legal, do you?

Mr. COFFEE of Washington. It is my opinion.

Mr. HOFFMAN. Now, there we are. Now we have the gentleman on record. He says that the sit-down strike, where men come in and drive other workers from their tasks because they will not join one particular organization is, in his opinion, legal. He says that the sit-down strike, where they crack the heads of the fellows who will not join that particular organization, is legal.

In the Congressional Directory of the Seventy-fifth Congress, first session, January 1937, it is set forth—and these biographies are usually prepared by the Member himself—that the gentleman "graduated from the University of Washington, Seattle, Wash., with A. B. and LL. D. degrees, and from Yale University, New Haven, Conn., with J. D. degree"—a legal education which anyone might envy and which, I am sorry to say, I never was able to acquire. The gentleman is not only a bachelor of arts, a doctor of laws, but he has the degree of doctor of jurisprudence.

Mr. COFFEE of Washington. Now, just a moment.

Mr. HOFFMAN. What do you think of it?

Mr. COFFEE of Washington. In view of the fact that you have brought my name into this so repeatedly, will you yield?

Mr. HOFFMAN. I will.

Mr. COFFEE of Washington. I will say to the gentleman that the faculties of 12 different law schools assisted me in preparing the brief which was put into the RECORD.

Mr. HOFFMAN. I thought it was the gentleman's speech. I am glad to know he had a corps of ghost writers.

Mr. COFFEE of Washington. I say they assisted me in preparing a purely legal brief and not an argument justifying the sit-down strike as a fact. It was justifying it from a legal standpoint solely. That is the reason it was put into the RECORD.

Mr. HOFFMAN. Well, it is certainly interesting to learn that there are that many professors in universities who have so little common sense and so little common decency as to argue that one group of men can go in and take possession of somebody else's private property and retain possession, destroy it, drive men from their jobs, and keep them from their jobs, and argue that that sort of a proceeding is legal. I would like to have the gentleman put their names in the RECORD.

If this be the result of our university training, then we had better get rid of some of our universities and go "to the sticks" and on the farms for our education and get a little bit of common sense and good judgment once more.

Let these professors get out in the wide, open spaces; let them cut a few trees, saw them into logs, into stovewood lengths, and then split those chunks. Let them get out on a farm and follow a plow or a drag in the dirt and dust. In the fall or springtime, let them get out on the fields and spread a few loads of fertilizer. Let them get a few callouses on their hands and get the kinks out of the wheels in their heads. Let the free, pure air of the country sweep away the cobwebs from their muddled thinking, and they will know what everyone else knew from the beginning—that a sit-down strike was illegal.

Without going into a review of the gentleman's activities on the floor of the House, the attention of the House is called to pages 2924 to 2929, inclusive, of the CONGRESSIONAL RECORD, volume 81, part 3, of the Seventy-fifth Congress, from which it appears that, speaking on a resolution introduced by the gentleman from Texas [Mr. DIES] to investigate the sit-down strikes and to a bill which had been introduced to make a sit-down strike a violation of the Federal antitrust law, he said:

> The resolution, the bill, and the remarks were predicated upon a single premise, that sit-down strikes are illegal. Mr. Chairman, I rise to challenge that premise.

The gentleman then further said:

> Mr. Chairman, I base my contention that the sit-down strike is legal on three fundamental principles which are recognized by our court decisions and statutes as the law of the land:
>
> First. The sit-down strikers are invited onto the premises of the company as employees, they remain employees during the course of the dispute, and they can in no way be considered trespassers.
>
> Second. Employees have a property right in their jobs which the law entitles them to protect by appropriate means.
>
> Third. The action of the sit-down strikers is justified under the law as is any other collective action by employees to better their conditions.

The gentleman then proceeded on the floor of the House to make an argument which covers almost five pages of the CONGRESSIONAL RECORD in an effort to prove his assertion that sit-down strikes were not illegal.

The gentleman knew, or he had reason to know, that sit-down strikers had seized and retained possession of factories in the State of Michigan. He knew that the Constitution of the United States guaranteed to a man, to a company, and to every other individual, natural or artificial, the peaceful possession of his own property. He knew that that constitutional right was being denied to the stockholders of the automobile plants of Michigan. Yet he defended the denial of that right.

He knew, or at least he had information which would lead every reasonable man to believe, that hundreds of working men and women in Michigan had been driven from their jobs and were prevented by violence from working at the jobs which were rightfully theirs and which enabled them to provide food, clothing, and shelter for themselves and their dependents. He knew that that conduct was in violation of the citizen's right to liberty and to hold and to enjoy property, for the right to work is property. Yet he stood on the floor of this House and denied that the deprivation of such rights was a denial of our constitutional guaranties.

He knew, or he had every reason to believe, that personal property was being destroyed by strikers; that working men and women who wanted to work were being assaulted and beaten by strikers. He knew that the right to enter private property and to cross public property for the purpose of going to jobs which were rightfully theirs was denied to citizens of Michigan. He knew that such acts were illegal, were unlawful, were a refusal to permit American citizens to exercise their constitutional rights. Yet he stood on the floor of this House and defended the conduct which deprived American citizens of the rights just enumerated and guaranteed by our Federal Constitution.

He knew that those acts were unfair; that they were unjust, and, if he knew anything about the principles of the common law or the wording of our statutes, he knew, or as a graduate of the University of Washington and the holder of the degree of doctor of laws, he should have known, that such conduct on the part of the sit-down strikers was not only a violation of every principle of common law, of every rule of conduct laid down in the Constitution of the Federal Government, but was oppressive and tyrannical. And yet he stood here where I am standing now and defended that kind of conduct.

Wednesday the gentleman said:

> Government employees, similar to all other citizens of this Republic, have the indubitable and inalienable right to join organizations of their own choosing.

Yet when those sit-down strikes were on, the gentleman spoke in defense of the activities of the C. I. O., which denied to individuals the right to join an organization other than the C. I. O.

The gentleman further said—RECORD of October 25, 1939, page 879:

> They have the right to hold and to express their own opinions on all subjects without submitting those opinions to any individual or Government body for approval. Government employees, no less than workers in private industry, must be permitted to exercise these constitutional American rights without coercion from any source or fear of losing their jobs as a consequence of such exercise.

But on the floor of this House the gentleman has defended the C. I. O., which denies to a worker the right to earn a livelihood unless he joins its organization. On the floor of this House he has defended the National Labor Relations Board, which has twice convicted Henry Ford of an unfair labor practice because he told the employees of the Ford Motor Co. and those who sought jobs there that they did not need to pay any organization for the right to work in the Ford Motor Co. plants.

Day before yesterday he criticized the Dies committee because it published the names of those who are members of the American League for Peace and Democracy.

Twice on the 27th day of April 1937, as shown on pages 3881 and 3889 of volume 81, part 4, of the proceedings of the Seventy-fifth Congress, the gentleman from Washington voted in favor of giving to the public the names, not of public officials, not of officers or employees of the Federal Government, but of private individuals who had a net income over and above a certain amount.

Wednesday he objected to the publication of the names of those who belong to an organization which is controlled by an organization which advocates the overthrow of our Government by force.

Did the gentleman ever arise on the floor of this House and condemn the illegal seizure of private papers by the Hugo Black committee? Did the gentleman ever find fault with the seizure of private papers by the La Follette so-called Senate Civil Liberties Committee? Has he ever at any time objected to illegal search and seizure, to the denial of free speech or a free press when the interests of the Communists or the Communist Party was not involved?

Enough along that line. Let us turn now to the statements made by the gentleman on the floor and see just how much reliance we should place upon his statements.

The gentleman just a moment ago said that I was a liar. I do not care to dignify the charge by a denial. The Members of the House are well able to determine, each for himself, the degree of reliance which they will place upon the statements made by each Member of the House. No doubt the gentleman from Washington [Mr. COFFEE] spoke rather hastily. It is my recollection that the 11th verse of the One Hundred and Sixteenth Psalm reads something like this:

> I said in my haste, All men are liars.

But for the sake of determining the accuracy of the statements of the gentleman from Washington [Mr. COFFEE] let me refer to the printed RECORD of the gentleman's speech which he made on the floor of the House day before yesterday. And this I do without thought of criticism but solely for the purpose of getting before the House the facts.

The gentleman from Washington said—RECORD, page 880—that the president of the local branch of the American League for Peace and Democracy and the national president of that organization told the chairman of the committee that the league would be glad to surrender any documents requested, and yet immediately thereafter he said, referring to the committee:

> They went down there, without any time, and seized those documents, which you know as a lawyer they had no right to seize.

If the officials of the league consented to the surrender of their papers, as the gentleman himself says they did, and the gentleman from Alabama [Mr. STARNES] on the same occasion asserted that the papers were only brought before the committee "after full knowledge and consent of the league itself, and with written letters of consent on file in our records," just what foundation is there for the charge of the gentleman from Washington [Mr. COFFEE] that representatives of the committee seized documents which they had no right to seize?

Likewise, on Wednesday, RECORD, page 881, the gentleman from Washington said:

> Let me point out to the gentleman from Alabama that his committee accepted testimony to the effect that John L. Lewis was, for practical purposes, a Communist.

And that immediately thereafter the gentleman from Alabama [Mr. STARNES] arose and said—RECORD, page 881:

> Let me say to the gentleman most emphatically that not one single witness who appeared before that committee ever testified that John Lewis is a Communist; not one from the beginning to this very moment has made that statement.

The records of the committee will show which of these gentlemen is correct. For myself, in view of the inconsistencies in the conduct of the gentleman from Washington and in view of his previous inaccurate statement, I prefer to accept the statement of the gentleman from Alabama.

Again, the gentleman from Washington [Mr. COFFEE] charged in substance, by innuendo, that the committee was

unfair, in that it did not call as witnesses those against whom charges had been made. Again, the gentleman from Alabama [Mr. STARNES] answered him. He said—RECORD, page 881:

Let me give the gentleman the facts. The committee addressed a letter to John L. Lewis giving him the privilege of appearing to deny any statement made by any witness with reference to the existence of communism in any part of his organization or movement, but he has not dignified the invitation with a reply.

Let me say further to the gentleman that any man whose name is mentioned in connection with this investigation who is charged with being in collusion with the Communists or any other un-American movement in this country will be extended every opportunity to appear there and deny under oath that testimony.

Let us come now to the merits of this controversy. On Wednesday the gentleman said—RECORD, page 882:

What is the purpose of the chairman in giving out that list to the newspapers?

He answered his own question in this manner:

It appears to be obviously for the purpose of intimidating Government employees. It states in effect that we, a congressional committee, want you people to know you are jeopardizing your jobs. We know who you are, and we will get you when the time comes and when the hour seems propitious and appropriate. That is the effect of the published membership list on the Government employees affected.

He had previously said that the publication of the list could have but one purpose—RECORD, page 878:

That is to intimidate the members, threatening that the penalty of refusing to resign may be loss of their jobs.

Let us analyze the situation. January 3, 1939, the Dies committee filed a report which was signed by every member of the committee, including the gentleman from New Mexico [Mr. DEMPSEY] and the gentleman from Massachusetts [Mr. HEALEY]. On page 69 of the report I find this statement:

The largest of the Communist "front" movements in the United States is the American League for Peace and Democracy, formerly known as the American League Against War and Fascism, and, at the time of its inception, as the United States Congress Against War.

Over on the next page I find the statement:

Internationalistic Communist organizers, such as Henri Barbusse and Tom Mann, were permitted by the United States Department of Labor to come from abroad to assist in launching this movement.

A little lower down I find:

Members of the league have been pledged to resist military training, to demand "total and universal disarmament," as proposed by the Soviet Union.

At the Pittsburgh convention of this movement in November 1937, its name was changed from the American League Against War and Fascism to the American League for Peace and Democracy. This organization is the American section of the World Committee Against War and Fascism (now the World Committee for Peace and Democracy).

The substance of this report—pages 69 to 71, inclusive—and of the testimony before the committee is that the league was founded by Communists, that it receives a contribution of something like $2,500 per year from the Communist Party.

If, on January 3, 1939, it was the unanimous opinion of this committee, the members of which then were MARTIN DIES, JOE STARNES, JOHN J. DEMPSEY, HAROLD G. MOSIER, ARTHUR D. HEALEY, N. M. MASON, and J. PARNELL THOMAS, that the American League for Peace and Democracy had been founded by, and its activities were in a measure at least controlled by, Communists, why now criticize any member of that committee for the publication of the names of those who belong to the organization?

Taken apparently from a Communist Party organization, in this report appears this statement—page 71:

It is significant that the Communist Party, more than any other labor group, has been able to achieve successfully united fronts with church groups. This is not due to any compromise with religion as such on our part. In fact, by going among religious masses we are for the first time able to bring our antireligious ideas to them.

Wednesday on the floor of this House the gentleman from California [Mr. VOORHIS], who is so earnest and who is so industrious and who we are all sure is sincere, made the statement—RECORD, page 883:

I said, I believe that I was personally compelled to the conclusion, on the basis of evidence that had been presented to me and the committee, that this organization was substantially dominated by the Communist Party.

After hearing witnesses, who testified under oath, and presumably after consideration of that testimony and deliberation thereon, a committee of the House made a unanimous report and that report contains this sentence:

The largest of the Communist "front" movements in the United States is the American League for Peace and Democracy, formerly known as the American League Against War and Fascism, and, at the time of its inception, as the United States Congress Against War.

We have the statement of the gentleman from California [Mr. VOORHIS], who is known to every Member of this House as a liberal; who, from the time he became a Member down to the present time, has spoken always against conservatism, against reactionism; who has given all too generously of his strength and his time to the so-called New Deal; who here day before yesterday, speaking, as he always speaks, on his responsibility as a Member of the House, solemnly declared, when the issue was squarely presented, that he was compelled—note that word "compelled"—"to the conclusion, on the basis of evidence that had been presented" to him and to the committee, "that this organization was substantially dominated by the Communist Party."

So it may be accepted as a fact that the American League for Peace and Democracy is but a tool of the Communist Party. There is no longer in America any doubt about the purpose or the objective of the Communist Party. That party is antireligious.

From 1865 down to the present moment, with but a short exception, on our coins this Nation has carried the motto, "In God we trust." Today the Communist Party proclaims religion to be a fraud, denies the existence of a God. Today, as from the beginning of its activities, the Communist Party advocates the overthrow of our Government by force.

Today, here in Washington, we have an organization, which the proof shows is substantially dominated by the Communists, who, in turn, if they had the power, would overthrow the Government which permits their existence.

No one advocates the publishing of the name of someone who does not belong to that organization. We all know, however, how mistakes can be made. I agree with the gentleman from New Mexico [Mr. DEMPSEY] that it is a grievous wrong to the woman. It is a grievous wrong when the gentleman rises and says that I am a liar, but I am passing it off on the theory that his judgment is wrong, that he does not know what he is talking about and his statement is so absurd, in view of the facts, that no one will believe it.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. DEMPSEY. I am sure the gentleman from Michigan would not be a party to publishing names that might assassinate character until the names had been investigated and it had been determined that the persons named were members of the organization they were accused of being members of.

Mr. HOFFMAN. I agree with the gentleman absolutely.

Mr. DEMPSEY. That is exactly what I asked be done, and what they refused to do.

Mr. HOFFMAN. But we have on the other hand the statement of the gentleman from California [Mr. VOORHIS] yesterday. Now, he may be in error, but because a man makes a statement that is not true does not mean he is a liar. I have always been taught and I believe that a lie is something deliberately misrepresented. The other is a mistaken representation of fact. We all know that, we all know how such statements are made in argument. One or the other may be wrong, but it does not follow that the one who is wrong is a liar; he is just mistaken, that is all. That happens every day.

I agree with the gentleman from New Mexico that the list should have been checked and rechecked time and time again, but then when it was discovered that they were members I see no reason—and I ask the gentleman if he

sees any reason—why the names of the members of this organization should not be published?

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. DEMPSEY. When the names were obtained the record did not show the positions they held in the Government service. The Dies committee took it upon itself to determine what positions they held. In one instance there was a lady by the name of Lamberton on the list. It turned out that there was a lady named Lamberton teaching in the Eliot Junior High School. The publication of this name caused her much distress, yet she did not even know of the existence of such an organization as the American League for Peace and Democracy. That is what I think is wrong about this thing.

Mr. HOFFMAN. If that be true, and I do not doubt it, it shows the necessity of checking. The name should not have been published if she was not a member. But such mistakes will occur and many times the innocent suffer for the acts of the guilty. If it develops upon investigation that this woman was not a member of the league, and that is a fact that can be easily ascertained, I am sure the committee will be the first to publicly acknowledge that act; to tell how the error occurred and to offer a public apology to her.

Should not the woman be satisfied with the public explanation as to how the error occurred and a statement from the committee showing that it was an inadvertence which the members of the committee regret?

That committee is doing a wonderful job. It has a difficult task. It has been bitterly opposed and there is no reason why it should be damned because, being human, it now and then makes an error.

Mr. DEMPSEY. More than that, she has been broadcast throughout this Nation as a member of such organization. This is assassination of character, something that cannot be rebuilt.

Mr. HOFFMAN. That is one of the vicious things that goes with free speech.

Hundreds of thousands of American citizens have been vilified because we cling to the doctrine of free speech and a free press, and while that fact is no reason for character assassination, as long as we trust to the human faculties, as we must, errors will be made and the woman should not think that she is the only one who has been done a wrong.

Perhaps she attaches undue importance to the incident. It may be true as well that enemies of the committee are using the incident to destroy confidence in the committee, and I am not intimating that the gentleman from New Mexico has that thought in mind, for I have not the slightest doubt but that he is loyal to the committee of which he is a member.

Mr. DEMPSEY. Let me say to the gentleman from Michigan, whom I have found to be fair about things always, that what I asked them to do was to take sufficient time to determine whether the list was proper or improper before they published it, and they refused to do it.

Mr. MASON. Mr. Speaker, will the gentleman yield to me?

Mr. HOFFMAN. I yield.

Mr. MASON. The request to take sufficient time to check the list before it was published came after the committee had voted to make the list public. If someone has been hurt, and I have no doubt but what there is, the list as published was the membership list as kept in the office of the local chapter of the American League for Peace and Democracy, and that list only. If there were mistakes of names being on the list that were not members, it was not the mistake of the Dies committee, it was the mistake of the records and the local chapter of that league. Please, therefore, do not blame the Dies committee if there were names on that list that should not have been on it.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield for a brief question?

Mr. HOFFMAN. I yield.

Mr. DEMPSEY. I would like to correct the gentleman from Illinois.

Mr. HOFFMAN. And the gentleman does not accuse him of being a liar either, does he?

Mr. DEMPSEY. I do not.

Mr. HOFFMAN. And the gentleman from Illinois [Mr. MASON] does not claim that the gentleman from New Mexico is one?

Mr. MASON. It was voted to publish the list.

Mr. HOFFMAN. A possible explanation of the whole incident, one which is consistent with the position taken by the gentleman from New Mexico [Mr. DEMPSEY] and the gentleman from Illinois [Mr. MASON], is this: That the list furnished by the local chapter of the American League for Peace and Democracy had on it the name "Mrs. Lamberton"; that in attempting to check this name against a list of Federal employees or employees residing in the city of Washington, the name of a Mrs. Lamberton was found and her profession was given as a teacher in this high school, and some employee of the committee reached the conclusion that the Mrs. Lamberton teaching school was the same Mrs. Lamberton whose name appeared on the league's list.

Let us say that it is a case of mistaken identity; that it was an error on the part of an employee of the committee. Let the committee so state, if that be the fact, and let Mrs. Lamberton and her friends forget it. Any other course but tends to ruffle the tempers of all connected with the incident and to give aid and satisfaction to those who oppose the committee's efforts to expose subversive activities.

Mr. DEMPSEY. The following morning I talked with the chairman, the gentleman from Texas. The list had not been as yet published, and I told him he was in error. I asked that we have an executive session so that I might give him the information which I had. The meeting was called for 10:30. I received a long-distance call about 10:25, and reached the committee room at 10:33, 3 minutes after the committee went into session. Notwithstanding that our colleague from California [Mr. VOORHIS] called attention to the fact I wished to be heard, the gentleman from Illinois said, "We have waited until 10:30, and I move that the chairman carry out the instructions." Three minutes late, if you please. That is the courtesy extended to a member of the Dies committee who has something which he thinks is important; namely, the saving of innocent people from being attacked by a committee of this Congress.

Mr. MASON. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Illinois.

Mr. MASON. I want to make this statement: The gentleman from New Mexico came to the committee meeting at 10:40, 10 minutes late, and after all this had been transacted.

Mr. DEMPSEY. Did the gentleman from California [Mr. VOORHIS] ask you to wait?

Mr. MASON. Yes; he asked that we wait, and we refused to wait.

Mr. DEMPSEY. That is exactly the point I am making.

Mr. HOFFMAN. Getting back to the question I asked the gentleman from New Mexico, if these people are members of this league, does the gentleman see any objection to publishing their names; and if so, why?

Mr. DEMPSEY. If they are members of the league, and have knowledge that it is a Communist front organization, certainly not. If they are members and are innocent of that fact—and I did not know until I became a member of the Dies committee—then I see an objection.

Mr. HOFFMAN. I agree with the gentleman. I am offering a bill today which reads as follows:

A bill to prevent the payment of Federal funds to any person who advocates, or who is engaged in, or who is a member of any organization which advocates, or is a member of any organization which is affiliated with any organization which advocates, the overthrow of the Government of the United States by force, or which is controlled in whole or in part by any foreign government or any agency of any foreign government

Be it enacted, etc., That no part of any appropriation which has been heretofore made, or which shall hereafter be made, shall be used to pay any part of the compensation or the expenses of any officer or employee of the Government of the United States or of any agency the majority of the stock of which is owned by the Government of the United States, who, directly or indirectly, advocates the overthrow of the United States Government by force, or

who knowingly joins, or who remains for a period of 20 days a member of, any organization which advocates the overthrow of the United States Government by force, or who remains for a period of 20 days a member of any organization which is founded by or whose activities are controlled by any individual or any organization which advocates the overthrow of the United States Government by force, after he has knowledge, or has reasonable cause to believe, that such organization of which he is about to become a member, or of which he is a member, either advocates the overthrow of the United States Government by force or is affiliated with another organization which advocates the overthrow of the United States Government by force; or who becomes, or continues to be for a period of 20 days, a member of such an organization whose activities are directed or controlled, directly or indirectly, in whole or in part, by any foreign government or the agency of any foreign government; or who becomes, or continues to be for a period of 20 days, a member of an organization which was founded by, or whose activities are controlled or directed in whole or in part by, an organization whose activities are controlled in whole or in part by any foreign government, after he has knowledge or reasonable grounds to believe that such foreign government controls in whole or in part the organization of which he is about to become, or of which he is, a member, or controls in whole or in part the organization which controls in whole or in part the organization of which he is about to become or is a member.

Mr. HOOK. Who is going to be the judge? You?

Mr. HOFFMAN. I would not presume to do that, and, on the other hand, I would not leave it to the gentleman from northern Michigan either. I would let the courts decide. I would let good, common sense decide that.

Mr. HOOK. Will the gentleman yield?

Mr. HOFFMAN. Not unless I can get more time. I want to make another point.

Mr. HOOK. Just for a question.

Mr. HOFFMAN. Yes.

Mr. HOOK. Does not the gentleman think it is about time that even Members of Congress restrain themselves as purveyors of false information?

Mr. HOFFMAN. I do not know of any Member of the present Congress who ever knowingly was a purveyor of false information. I have found my colleagues to be honest, to be conscientious, and I regret that the gentleman should charge that any Member of Congress has been guilty of giving out false information. In my judgment, the charge is hastily made. Have you ever felt that restraint yourself?

Mr. HOOK. Yes; I have.

Mr. HOFFMAN. Why do you not practice it then?

Mr. HOOK. When I hear you, I think of it right along.

Mr. HOFFMAN. You know, when a man does not have a good argument he calls a name—a childish device. The gentleman cannot cite a single instance where I ever knowingly gave out false information and I do not believe that he can cite a single instance where any Member of this Congress ever knowingly gave out false information.

I have not the slightest doubt but that, if the gentleman ever heard a poltical opponent making a false statement, he would forthwith challenge him on the floor of the House, but so far, he has not successfully done so.

To resort to the calling of names is a confession that consecutive, constructive thinking has ceased and that the one using that method has come to the end of his argument.

Let us get back to the proposition which was being discussed.

The American League for Peace and Democracy which, it has been shown, is a tool of the Communist Party, has among its members Federal employees, who, because of their position in the Government service, have an influence wholly out of proportion to that which they would have as private citizens.

The gentleman from Washington said that the purpose of the publication of this list of names was to serve notice that the members of this organization were jeopardizing their jobs by continuing as members.

I will go one step further. In fact, I have today introduced a bill which would prohibit the expenditure of Federal funds for the payment of compensation to any employee or officer of the Federal Government who belongs to an organization which teaches, or who belongs to an organization which is affiliated with and controlled by any organization which teaches, the overthrow of our Government by force.

This position is not a denial of any constitutional right or privilege. It is not a denial of the right of free speech or of a free press. It is not a denial of religious freedom. It is just plain, ordinary common sense applied to the doctrine of self-preservation.

Here we have a Government which we love, cherish, and on which our hopes for our own economic, political, and religious freedom are founded. Here we have an organization, the Communist Party, which advocates and teaches openly the overthrow of this Government of ours by force. Here we have the American League for Peace and Democracy which was founded by, and is being used by, this organization which teaches the overthrow of our Government by force. Here we have in Government service a group of people, some of them high in official position, who belong to that organization which is being used by the Communists who advocate the overthrow of our Government by force.

It is not only foolish, but it is unpatriotic to permit those who belong to such an organization to remain on the public pay roll. Why should we tax our citizens for the support of our Government and then use a portion of that fund to pay compensation to our Federal employees who belong to an organization which is being used by the Communist Party in its drive to overthrow the very Government which gives them the bread and the meat that they eat, the clothes which they wear, and the shelter which protects them from the weather?

Even the ignorant Hottentot, the Bushman of South Africa, has sense enough to throw out of his village those who would destroy it. We, with our boasted civilization, with all of our education, are so dumb that we lack either the ability to understand the activities of these traitors to our country, or we lack the courage to incur their ill will.

As one who believes in American institutions; as one who believes in loyalty to the Government which enables me to live and enjoy political and religious freedom, I ask for the expulsion from Government service of all of those, be they of low or high degree, who by their membership in this or any other organization, or by their approval, join hands with the traitors to our Government who would overthrow it by force. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from Illinois [Mr. DIRKSEN] is recognized for 30 minutes.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that my time be extended 15 minutes.

Mr. GILCHRIST. Reserving the right to object, Mr. Speaker, and I shall not object, I call the attention of the gentleman to the fact that there are at least 10 more special orders for this afternoon. I have not asked for one moment of time up until today. We will have to run until after 6 o'clock today. I shall not object to this request; but if anyone hereafter asks for additional time, I shall be compelled to object.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. DIRKSEN. I yield, Mr. Speaker.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial appearing in the Washington Post this morning.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Chicago Daily News entitled "Red Milkmen," which I think will be very interesting.

Mr. COX. Reserving the right to object, Mr. Speaker, I wonder if the gentleman will broaden his request to include

the membership list of the so-called League for Peace and Democracy, about which so much has been said.

Mr. GEYER of California. I certainly will not.

Mr. DEMPSEY. Reserving the right to object, Mr. Speaker, does the gentleman from Georgia want to go into the RECORD the names of those who are not members of this league?

Mr. COX. Mr. Speaker, if the statement issued by the gentleman's committee means anything, it means that the present members of that committee were advised of the communistic activities of the league more than 12 months ago.

Mr. GIFFORD. Reserving the right to object, Mr. Speaker, may I make this observation. Why not have this list printed? The remedy is simple. Those on the list can explain whether or not they ought to be on it. Their character is not assassinated, except for a moment. The remedy is simple.

Mr. GEYER of California. I certainly will not.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. DIRKSEN], is recognized for 45 minutes.

NEUTRALITY

Mr. DIRKSEN. Mr. Speaker, never in my lifetime have I felt so humble or so inadequate to the task of analyzing my own convictions as I do now in approaching the problems of setting a course of international policy in our country. In this hour of anxiety, with problems at home and abroad, one can appreciate the dismay of Wordsworth, who on taking stock of England's problems several generations ago exclaimed, "Milton! Thou shouldst be living at this hour." We too in our search for light and guidance might well hark back to the Father of his Country and say, "Washington! Thou shouldst be living at this hour."

But it is our problem. It is the problem of this generation. We are invested with authority by the American people and we must find the solution.

I address myself to the membership today, not in a spirit of empirical wisdom but in a spirit of inquiry. The bill now pending before the Senate has been not yet molded to final form. In completed form, its effect and purport may be materially modified before it reaches this body. Until then, final judgment must be withheld as befits a conscientious legislator.

It is to be presumed, however, from all available observation and conjecture that the arms embargo will have been deleted from existing law when the bill reaches us, and to that subject I would address my remarks.

I live in a town of 18,000 people. It has 1 newspaper. The editor and publisher is one of the keenest, ablest, and most human newspapermen in America. He has a sense of human values and maintains the common touch.

On the front page Editor McNaughton carries a daily column in bold-face type. In his column of October 3, 1939, he carried this story. While riding on a train on Friday, September 29, a man whom he had never seen before said to him:

> If EVERETT DIRKSEN votes on Hitler's and Stalin's side when the embargo vote comes up, he ought to be driven from public life. DIRKSEN may have a lot of letters asking him to vote against changing the embargo, but nobody in all the world is wanting him to vote that way as badly as Hitler; and if he does vote with Hitler, we red-blooded Americans ought to cut off his political life right there.

The following afternoon Editor McNaughton was standing in front of his newspaper plant when a good friend of his came by and said:

> If EVERETT DIRKSEN votes to lift that embargo—why, why, I've voted for EVERETT ever since he began running for anything, but if he votes to lift that embargo I'll get out in person and I'll beat him the next time he runs if it's the last thing I do on earth.

My colleagues, those two examples illustrate the cleavage in public thinking today. Most of you are experiencing the same phenomenon. Measured in terms of political repercussions in the future, it may be a bit disconcerting. Be of good cheer. When Abraham Lincoln left Springfield, Ill., on February 11, 1861, in an hour of crisis to assume the direction of this Government, his fellow citizens presented him with a silken banner on which was embroidered the ninth verse of the first chapter of Joshua. It reads:

> Have I not commanded thee? Be strong and of good courage; be not afraid, neither be thou dismayed; for the Lord thy God is with thee, whithersoever thou goest.

In a way, it is a bit tragic. As if political threats and threatened reprisals will solve the problem before us.

This sentiment has its compensations. It stimulates thinking. It develops resolution in an hour when resolution and clear thinking is needed. It finally dissolves all fear and renews all faith. Only one thing is of importance. The present and future welfare of this country—your country, my country—must be the sole consideration for the votes we cast. With whatever of purpose and of light has been given me, I am ready to resolve the issue.

With all the earnestness of my soul I have sought truth and light by which to resolve the question which comes before us. Like you, I have examined the mail and given ear to the prayerful and fervent appeals of fathers and mothers and young men, in many of whom there lingers a vivid recollection of the last war. I have talked with my comrades, the veterans of the last war, and with those young men who will be veterans of the next war if ever we should again be embroiled in conflict. I have talked with fathers and mothers. I have talked with businessmen and farmers. I have talked with men who worked in mines and mills and with men who are on relief. For days I sat in the Senate Chamber and followed the debates. I have examined the polls of public opinion. I have diligently followed the expositions of Walter Lippmann and Dorothy Thompson, of Hugh Johnson and Ernest Lindley, of Raymond Clapper and David Lawrence, of Mark Sullivan and Charles Ross. I have listened to addresses over the air and from the pulpit. I have examined the resolution addressed to us by groups and organizations devoted to the retention of the arms embargo. I have examined the resolutions addressed to us by groups and organizations who believe that the Neutrality Act should be revised and the arms embargo lifted. I have tried to discriminate between that which might be properly regarded as propaganda and that which was uninspired from propaganda sources. I have tried to think of the problem before us as an American problem. If the vote which I shall record upon this measure proves to be wrong as measured by the turn of events and the judgment of history, it will be a mistake of the head and not of the heart. Standing at my shoulder as I vote will be the composite embodiment of more than 30,000 young men in my congressional district between the ages of 21 and 35 reminding me that if war comes they will be the first to go. Beating on my consciousness will be the fact that all the eloquence and all the printer's ink cannot be expiation for the blood of a single American youth. I do not want another Unknown Soldier for an unknown reason.

First let me set forth my position in the past. On March 18, 1937, I was one of 12 Members of this House who voted against the Neutrality Act of 1937. The vote was 376 to 12. Probably I so voted for reasons far different from the remaining 11. The bill did not go far enough to suit me. Thinking of the last war and of the next war, the words of Secretary Lansing kept ringing in my ears. I thought of all the hideousness of his question when he asked:

> Can we afford to let a declaration of our conception of the true spirit of neutrality, made in the first days of the war, stand in the way of our national interest, which seems to be seriously threatened?

This was Secretary Lansing speaking—the same Lansing who stood in the forefront and watched millions of young men march to the wars. I kept thinking of the ghastly sentiment of one Walter Hines Page, our Ambassador to Great Britain, as he observed in one of his messages to the State Department:

> Perhaps our going to war is the only way in which our preeminent trade position can be maintained and a panic averted.

I have heard Walter Hines Page defended on the floor of this House. But defense or no defense, not one Member of this Congress would care to be remembered to the generations in the stream of our national life as having proposed that the structure of a preeminent trade should be supported on a foundation of young blood. I kept thinking of that old seadog, Admiral Sims, who commanded our fleet during the World War; that same Admiral Sims who said:

> We cannot keep out of war and at the same time enforce the freedom of the seas; that is, freedom to make profits out of countries in a death struggle.

Here was a Secretary of State to whom there was no sanctity about a conception of true neutrality. Here was an Ambassador to whom a panic of things and dollars was of more concern than the ebbing blood of virile, laughing young men. Here was a great admiral, who appreciated the fitness of things and who learned that nations, like men, cannot eat and have their cake. These things, creeping from the musty pages of history, so clearly evidenced the fallibility and grotesqueness of human judgment in an hour of stress and turmoil, and, because of that, I thought the act of 1937 should have been more rigorous in its restrictions than it was. Mine was a protest vote, but I subscribed to the doctrine of an embargo on arms and munitions. I went further and subscribed to an embargo on arms and munitions in time of peace. How can we forever prattle of peace and continue to export the very instrumentalities which rupture peace? If there is to be consistency in our position, then we must follow the inexorable logic of Henry David Thoreau, who went to jail for nonpayment of his poll tax, because he refused to contribute to a Government which countenanced slavery. The logic of his civil disobedience is unassailable. The logic of peace requires that we contribute nothing to the recurrent destruction of peace. What other course is open if we expect to speak with a conviction that the world and all mankind will believe when we hope and yearn and pray for peace? With this conviction in my soul, I have examined the tide of debate, believing there might be safe anchorage in the position of the President and of those who stand with him in petitioning for a change in the Neutrality Act and for casting the present arms embargo overboard. I find no such anchorage.

They say that the arms embargo of itself is not important and that of itself it will not involve us in war or keep us wedded to peace. If that be true, why were we called here to repeal it? If the arms embargo is unimportant, then why not let it stand upon the statute books? If the arms embargo is unimportant, who will contend that it will involve us in war? If the arms embargo is unimportant, who will contend that it will shatter the peace we now enjoy? If the arms embargo is unimportant, why does not the President announce to the Nation and to the world that it is unimportant, and then and there pass it by as befits the agenda of a busy man?

But it is important, and it derives its importance from the very intensity of the effort that is placed behind its repeal. If it is unimportant, why all the radio speeches for its repeal? If it is unimportant, why the daily polemics of Dorothy Thompson, Walter Lippmann, and others for its repeal? If it is unimportant, why were some of the administration leaders so concerned about the possible action of the American Legion Convention in Chicago on this subject? By the very force of the drive for its repeal, they have bestowed dignity upon the issue and persuaded the American people as nothing else could have done that it is important. The argument answers itself.

They said that an arms embargo violated the tenets of international law. That argument appears in the Senate committee report which accompanied the bill. They do not say it anymore. They do not say it anymore because the statement is false. They do not say it anymore because John Bassett Moore and Dr. Borchard, Dr. Corwin of Princeton and Father Walsh of Georgetown, Dr. Healy of Georgetown and Dr. Wright of Catholic University, Dr. Hyde and Dr. Jessup of Columbia, all stand in solid array and deny it. Father Walsh, regent of Georgetown Foreign Service School was not content to let this statement in a Senate committee report escape with a mere passing observation. He characterized it as "absolutely false." On reflection, one wonders how that statement ever found lodgment in a committee report from a committee of the United States Senate and whether it shall stand for all the world to see, as eloquent evidence of the paucity of argument in behalf of the repeal of the arms embargo.

They say we should repeal the embargo on arms and return to the tenets of international law. They say we should repeal the embargo on arms and make all munitions available to all participants to the conflict on a "come and get it" basis. Is that international law? Then John Bassett Moore's Digest on International Law is in error, for he avers that supplying war materials to either party to an armed conflict is an unneutral act. Then Woolsey is wrong, for he says that sending weapons and munitions is a departure from a neutral position. Then Kent is wrong, for he affirms this position. Even in the face of these authorities we might ask what international law is meant. That law which proved so imperfect a rod and staff in 1914? That law which depends entirely upon compliance by the nations for its efficacy? That law which comes into play only after a torpedo has found its mark and engendered a wave of hysteria and emotionalism? That law which the very pending bill seeks to modify and restrict? That law which bestows certain rights upon our citizens and ships as neutrals and which the pending bill proposes to hedge about with restrictions that are scarcely in conformity with international law? Where is the force of this argument? It is no argument. It is but a lilting observation, which when explored to the end leads to a juridical "no man's land."

They say the arms embargo is unneutral and unfair in its effect. They say it impairs the advantage of a naval power as against a land power. Has the geographical position of the parties to the present conflict changed since August 1935, when the embargo was first imposed? Was this fact not apparent to the Congress when it enacted the embargo and to the President when he signed the act in 1935? Was not the whole purpose of the act to be entirely impartial? Will anyone contend that Congress and the President were not aware of the full implications of the act when it was reaffirmed in 1937? One might with equal force argue that our reciprocal-trade agreements are unfair in effect because the concessions made to a country with whom we have the unconditional most-favored-nation relationship inure to all other countries with whom we have the relationship, whereas the benefits are withheld from those nations which do not enjoy that status. The arms embargo was adopted as insurance against war. Shall we tear up the policy now that our neighbor's house is afire?

They say we must hasten to repeal the arms embargo and quickly adopt an all-inclusive cash-and-carry policy to avert the present danger which springs from the fact that our vessels may now carry all forms of contraband other than arms and munitions. The answer is that general sentiment favors a cash-and-carry policy as applied to all materials and supplies other than munitions and that, in addition thereto, a very substantial proportion of our people favor a continuance of the embargo. What a tragedy that the thinking of the country has been confused on this point. Whether by accident or design, people have been led to believe that the issue was the arms embargo versus cash and carry when in fact it was the retention of the arms embargo plus cash and carry on all other materials as against an all-inclusive cash-and-carry plan which embraced arms, ammunition, and implements of war.

Who let cash and carry die on May 1, 1939? Where was the President? Where was the Secretary of State? Did they send messages to Congress at that time? Where was the Foreign Affairs Committee of the House when cash and carry expired? Where was the Foreign Relations Committee of the Senate? Why did they not bring in an interim resolution to bridge the gap if danger existed?

And who will deny that the international situation was definitely acute when cash and carry expired? On March 22, 38 days before cash and carry expired, Hitler seized Memel. Was that not sufficient warning of approaching danger? On April 28, 2 days before cash and carry died, Hitler addressed the German Parliament and indicated his Polish demands. He indicated further that his agreement with Marshal Pilsudski was at an end. Was that not warning of the gravity of the situation? Yet cash and carry was permitted to die. On June 8, 38 days after cash and carry expired, a British emissary went to Moscow. Already the war drums were rolling. Congress was in session. Was any effort made to revive cash and carry? Had some purpose already been formulated to scuttle the arms embargo? Was cash and carry permitted to die, so that less than 5 months later the President could with some force say to us in effect, "Hasten with a revision of the Neutrality Act. Our ships are in danger. Repeal the arms embargo and give me cash and carry that the danger might be averted."

To be sure, danger exists. But who will be persuaded that this danger to our shipping is the primary concern of those who are pressing the present bill? This danger to our ships, our sailors, our cargoes, should have been of immediate concern to the administration. But was it? Then why did those who are so eagerly pressing for the repeal of the arms embargo vote to defeat the Tobey resolution in the Senate? They were not thinking of sinking ships and lifeless sailors. They were thinking of the arms embargo and of the danger of losing their cause if they dared to divide the question.

A cash-and-carry policy could have been enacted and signed during the first week of the present extraordinary session insofar as it applied to all materials and supplies other than arms and munitions. But such was not the object. The danger to our shipping must serve as the vehicle whereby the arms embargo shall be cast overboard. And somehow one wonders why, in view of the oft-repeated assertion by those favoring repeal, that the arms embargo of itself is not important.

They say the arms embargo must be repealed because it impairs the peaceful relations of our country with foreign nations. Do they offer anything save the naked assertion in support of that argument? Has one iota of proof been offered? And how do those who advance that contention meet the bold facts that the arms embargo is in effect and we are at peace with all nations?

They say the arms embargo should be repealed because it will provide employment. What a curious argument. Let us examine the effect of the bill. It proposes to lift the embargo on arms and place the embargo on American vessels instead. "Cash and carry," they shouted. Cash for our wheat. Cash for our lard. Cash for our steel. Cash for our cotton. Let it be cash at tidewater. Let it be cash on the barrel head. The President pronounced his benediction on this magic formula. The Senate reechoed it. The newspapers reechoed it. It was printed on post cards and mailed to Members of the House and Senate. Cash and carry. Cash for our goods to be carried in foreign ships. A 90-day credit provision was inserted in the bill. It received a bad press. The public reaction was bad. It was removed from the bill. Make any concessions, but save the bill and save the repeal of the arms embargo. That appears to be the trimming spirit by which this measure must be passed. Then came the shipowners. They were filled with queries and suggestions. Surely the administration did not mean to strangle a budding merchant marine. Surely our ships would not be tied to the snubbing posts of every dock and wharf in the country to rust out in idleness if this proved to be a long war. More concessions have been made. Already the bill is being torpedoed by its sponsors. Already the Nation witnesses the relaxation of those restrictions on the transportation of goods which the people have steadily demanded as an assurance that we stay out of war. How long will it be before the rest of the restrictions are thrown to the world and we stand just where we stood in the tragic winter of 1917, which saw this Nation engulfed by the tides of war?

If the restrictions remain, what will be the net gain in employment? Who can answer that question? If it were strict cash and carry, you make a job for a steelworker in Pittsburgh and destroy a job for a sailor in New York. You make a job for a munitions worker in Johnstown or Bethlehem and disemploy a maritime worker in Norfolk. Make a job for a chemical worker in the Tennessee Valley and destroy a job for a deckhand at Wilmington. Where is the net gain in employment if the true principle of cash and carry is preserved? Has anyone undertaken to answer this question?

They say that the arms embargo created a fanciful distinction between munitions and the raw material from which munitions are made. Assuming that there were substance to that contention, shall it be met by lifting the arms embargo or by interdicting the material from which arms are made? Yet that suggestion has never been advanced by those who stand for repeal of the embargo. Such a course would provide a solution and be consonant with the logic of peace, but that solution is not wanted. But let us look at the argument in its entirety. Whence comes this distinction between munitions and raw materials? Is it of recent origin? It is not. It derives from the very international law to which the President and the advocates of repeal would have us return. The very international law which they would reinvoke makes the distinction between absolute contraband and conditional contraband—between those materials which are susceptible of exclusive military use and those materials which might be used in peace and in war. If such distinction in fact exists, it was made by the very law to which the President would have us return and to whose tenets he alluded at least a half dozen times in the course of his message to this session of the Congress.

There has been much loose talk on this floor recently about the absurdity of an embargo on arms when the unfinished or unassembled parts might be shipped. I suggest a rereading of the President's proclamation enumerating the items which lie under embargo. It embargoes not only guns but mountings and barrels. It embargoes not only ammunition but cartridge cases and bullets. It embargoes bombs and grenades, filled and unfilled. It embargoes aircraft which is assembled, unassembled, or dismantled. It embargoes not only aircraft but propellers, hulls, wings, tail units, and engines, whether assembled or unassembled. That is a prime reason why the repeal of the embargo is sought. The instruments of death cannot be shipped. The parts cannot be shipped. The raw material must first be shipped, unloaded from the vessels, carted to factories, processed, fabricated, tested before it can spew death. The President did a complete and fulsome job in that proclamation. It was issued in 1937. He has been hoist by his own petard. Now it must be repealed.

But let us go further. In his message of September 21 the President said:

> Let us be factual and recognize that a belligerent nation often needs wheat and lard and cotton for the survival of its population just as much as it needs antiaircraft guns and antisubmarine depth charges. Let those who seek to retain the embargo position be wholly consistent and seek new legislation to cut off cloth and copper and meat and wheat and a thousand other articles from all the nations at war.

That statement was made on the 21st of September. Two days later the representatives of 21 American republics gathered in the soft breezes of the city of Panama to confer. Sumner Welles, the Under Secretary of State, and his staff, was present to represent the United States. Many resolutions were adopted in which the United States concurred. One of those resolutions read as follows:

> The meeting of the foreign ministers of the American republics resolves (1) to register its opposition to the placing of foodstuffs and clothing intended for civilian populations, not destined directly or indirectly for the use of a belligerent government or its armed forces, on lists of contraband; (2) to declare that they do not consider contrary to neutrality the granting of credits to belligerents for the acquisition of the merchandise mentioned in the foregoing paragraph, whenever permitted by the domestic legislation of the neutral countries.

Somehow that seems like a most curious resolution in which this Government concurred in the light of all that has been

thus far written and spoken on the many aspects of neutral policy.

On the 21st the President declares that foodstuffs and cotton are necessary to the survival of a nation at war. Two days later his own State Department concurs in a resolution at Panama to petition for the right to send foodstuffs and clothing under a dispensation whereby they will not be regarded as contraband. If this is the fact, and it is, what happens to the contention of Senator AUSTIN, Senator BURKE, and others that we repeal the embargo and supply munitions to the allied nations in order to bring the war to a speedy and successful termination. They would lift the embargo to speed up death, destruction, defeat, and ultimate peace. Our State Department joins in an effort to lift the interdiction on food and clothing as contraband that the warring nations might be sustained so that they may the longer engage in combat. Quick destruction and peace say those favoring repeal. Sustain them with food and clothing says the State Department. Is this a sample of the consistency which the President suggests to our consideration?

When all is said and done about artificial niceties between arms and other materials, there stands before us the stark, cold, and indisputable fact that the President of the United States is the author of the list that shall be regarded as arms, ammunition, and implements of war. If there be artificial distinctions, they flow from his own authorship.

They say that the embargo permits the acquisition of arms by aggressors in time of peace and denies access to arms in time of war by nations which need them for defense. One Member of the Senate made that statement on the floor of the Senate and also on the radio. He was a Member of this House on March 18, 1937, when the Neutrality Act of 1937 was before this body for consideration and passage. He was a Member of this House on that date when the motion was made to recommit the bill and return it with an amendment to make it unlawful to export arms, ammunition, and implements of war in time of peace as well as war. Then and there he had an opportunity to serve the cause of peace. Then and there he had an opportunity to prevent aggressors from securing our munitions in time of peace. But the roll call of that date indicates that he voted "Nay" on the motion. He could have aided peace by stopping the flow of arms to aggressors in 1937. He failed to do so. In 1939 he urges the repeal of the embargo because of the thing he failed to do in 1937. If he was wrong then, what reason have we to believe that he is not wrong now?

But enough of this. Enough of the sham, pretense, and camouflage which has attended the debate thus far. How much more enlightening it would have been for the people of this country if what was said at luncheon tables and whispered in the cloakrooms could have been substituted for the tenuous arguments developed on the air and in the open forums of the country. But that is past, and it is high time that we come to grips with reality as we perceive it.

I like the candor with which Senator AUSTIN, of Vermont, Senator BURKE, of Nebraska, have spoken on the subject. Their observations were stripped of all pretense. Frankly they averred that the arms embargo should be repealed that we might affirmatively aid one side in the present conflict. Freely they admitted that it might be regarded as a departure from neutrality. Candidly they confessed the hope that by affording weapons to that side where our sympathies lie the present war might speedily come to an end with victory on the side for which the vast majority were cheering. Those gentlemen have rendered real public service. They have slashed to the heart of the present controversy and capably stated the case for the repeal of the embargo. It is not a case of neutrality. It is not a case of whether under all concepts of international law and the precedents of our own State Department we do or do not have a lawful right to do so. It is not a case of stimulating employment or aiding national defense. It is not a case of returning to international law. It is not because the embargo violates international law or impairs our peaceful relations with other countries. The case for repeal consists of a policy of giving every possible aid and assistance to one side in the present controversy without actually being embroiled in war. Can we do it successfully? That is where the issue is finally joined. Those who favor repeal of the embargo are willing to gamble with that chance. Those who oppose the repeal of the embargo are persuaded that it is the first step on the road to a baptism of blood for the youth of America.

I wish I could so blithely dismiss the importance of this embargo provision as some have done. I wish I could regard it as inconsequential. I wish that with an airy flourish I could dismiss it as something which will never drag us in or keep us out of war. I wish I could summon some of that complete and engaging finality with which some men speak as they observe that the arms embargo is a minor matter. Fortunately or unfortunately, I do not share that estimate of its unimportance. In my own mind I have sought to envision the full effect of a repeal of the arms embargo by determining what munitions will be shipped, how they will be shipped, where they are destined to be used, what the effect of the use will be, and what the final repercussion will be upon our own destiny. That analysis may be wrong or it may be right. At least there stands behind it some experience of 21 years ago. Like so many of you, I was part of the Military Establishment of the United States in 1917 and 1918 and spent 17 months overseas. Some of those experiences recur as we consider the present embargo on arms.

When the lid is lifted every conceivable type of material, supplies, and munitions may be shipped. Steel, trucks, tractors, petroleum, and all nonmunitions can be shipped without lifting the embargo. But what types of arms and implements of war will be purchased and exported? It will not be guns, howitzers, field pieces, bombs, hand grenades, or similar types of weapons. Certainly not in appreciable quantities. The huge defense loans during the last year or two in Europe have made provision for that type of material. What they are interested in is aircraft. If anyone doubts this statement, let him but examine the reports of the Munitions Control Board for the last 2 years. Purchases of aircraft, aircraft engines, and aircraft parts constitute well over 90 percent of all purchases of items in the category of munitions. When the embargo is lifted those great giant corsairs of the skies, which have been so prominently featured in the news reels, will be available for shipment. These couriers of death will then be ready to take the air, ready for the grim business of death and destruction.

All this is already anticipated in the chancelories of Europe, if headlines mean anything. For 3 days the news dispatches have heralded the beginning of mass murder from the skies. Lifting the embargo will be a sort of touch off for the aerial offensive which has long been awaited. We will not like that thought. We will not admit. We will not subscribe to it. But to me it seems like one of those inescapable horrors if the embargo is lifted.

If the embargo is lifted, these huge shimmering American-made planes will take their place in the aerial armadas of Europe. They will be paid for on the barrel head. Our interest will have been severed. They will have been transported to Europe in foreign bottoms or under their own power—signed, sealed, and delivered. We have no further interest in them. They will be flnown by foreign pilots. It will be no pleasant thought that the mechanical skill, the designing ingenuity, the engineering resources, and the abundant materials of our own country will have been combined and shipped abroad to kill, and maim, and destroy. It will stir no enthusiasm that our bombers, flown by the pilots of other lands, will rain death from the skies. Perhaps we shall hope that they may bomb only military objectives. Perhaps we shall hope that the genius of American workmanship will not be used to destroy old men, women, and children. But war is war. Inevitably it is resolved by jungle law. And we know as certain as we sit in this Chamber today that airplanes made in this country will take the lives of women and children. It is inevitable. And they will know it.

Paint them as you will, initial them as you will, camouflage them as you will, they will know when planes made in this country are approaching with a load of death. They will know it, and we shall know it.

Twenty-one years ago I spent some time in the St. Mihiel sector as part of an observation-balloon company. Some days one did duty in the balloon basket, spotting artillery fire. Some days one acted as a maneuvering officer. Some days one supervised the antiaircraft machine guns and kept an alert eye for approaching planes. I can still hear and see the men peering intently into the sky hour after hour and announcing to the observer in the basket: "French Spads approaching from the left rear," or "De Havilands on the right" or "German Rumpler above you," or "Fokkers coming from the east." They developed uncanny faculties for identifying planes long before they were near. The sound of the engine, the style of wing, the shape of the fuselage, all combined to tell the tale. It will be no different now. They will know that the bombs which fell and destroyed life will in part have been dropped from aircraft which has been designed and built in the United States. And as they survey the destruction there will come the inevitable repercussions. Then will come what Dr. Harold Lasswell, author of Propaganda Technique in the World War, calls The Mobilization of Hatred. Then will come fuming and bitterness. Then will come rashness and the spirit of revenge. Then will come the first test for lifting the arms embargo. It is then that we shall see whether or not we can stay out of the present imbroglio in Europe. It is then that we shall see a determination of the question of whether we can ship instrumentalities of death to one side in the present war and escape with a whole skin. It is then that we shall find the answer to the plea that rises in swelling crescendo from the mothers, the fathers, the sons of America, "keep us out of war."

You say this is overdrawn and emotional. You say one should not bother in these hectic days to trace from cause to effect. Let history answer any such observation. Standing on the pinnacle of detachment, it is refreshing to go back and ascertain how human nature performed under identical circumstances. In his book entitled "My Four Years in Germany" Ambassador Gerard, who was the United States Ambassador to Germany in 1914, recites that the Emperor continually refused to see him because his country furnished munitions to the other side. Colonel House discloses the same thing in his Intimate Papers of that period. Writing to President Wilson on March 26, 1915, and commenting on feeling in Germany, he says, "This is almost wholly due to our selling munitions of war to the Allies. The bitterness of their resentment toward us for this is almost beyond belief." In a report of Ambassador Gerard to the State Department dated February 14, 1915, he quotes from an official communiqué of the German Government which read, "On our west front artillery ammunition was found which undoubtedly came from American factories." On March 11, 1915, Gerard, in reporting to the State Department, states that "Today's official account of the fighting in France issued by the General Staff and published in all newspapers states that French used an immense amount of heavy artillery ammunition of their own and American manufacture." Instances could be multiplied to indicate what the precise and ultimate effect will be when the embargo is lifted.

In his report to the State Department on June 29, 1915, Ambassador Gerard alluded to the "unfortunate impression" created by an advertisement in an American magazine regarding high-explosive shells containing acid which would cause horrible death. In his diary he states that facsimile copies of that advertisement were distributed through Germany, and that "hate grows daily."

How can it be otherwise? One side will be inflamed with hate that our planes and munitions have come to destroy. Every broken body and shattered structure will augment that hate. The other side will not only rejoice but will widely publish the fact that we are on their side. So it was in 1915, as the indisputable facts from the pages of that period will testify. Can it be otherwise in 1939? From the day of original sin in the Garden centuries ago, the passion of hate has served to determine the destiny of men and nations, and who will say that it will not again serve such a purpose?

What, then, my colleagues? With the munitions and airplane factories of our country enlisted on one side in the present European conflict, what has the other side to lose by regarding us as a sworn enemy? As planes made in our country drop death and destruction from the skies, as old and young are inflamed against us, as hate seethes through the land even as it did 22 years ago, what will be more natural than that a grim and determined effort will be made to stop the flow of planes and munitions? Hate will ride the torpedoes as they seek to sink the cash-and-carry cargoes of munitions almost as soon as the vessels have slipped their hawsers. Hate will supersede reason, and there will be "incidents." There will be that inevitable succession of "incidents." There will be notes and explanations. There will be reports and demands. It will be intoxicating. The fever will grow. And then we shall see whether the Nation can be kept out of war.

Last night in his radio address to the New York Herald Tribune Forum, the President said:

> In and out of Congress we have heard orators and commentators and others beating their breasts and proclaiming against sending the boys of American mothers to fight on the battlefields of Europe. That I do not hesitate to label one of the worst fakes in current history.

Of all persons, the President should know that it does not work that way. War is a dramatic thing in which emotion takes the leading role. Events set the stage. Munitions first deal out death. Planes first drop destruction. Then comes hate and fury. Then come events and incidents. Then comes hysteria. Then comes the smashing climax. Then we shall see whether we can stay out of it all. Twenty-two years ago we gambled with this identical question. Twenty-three of our colleagues, who were Members of this body in 1917 and who answered the roll call in the early morning of April 7, can testify whether we won or lost. Can we gamble in 1939 and stay out?

War and peace are but the products of human will. Where there is a will to war, there can be no peace. Where there is a will to peace, there can be no war. Shall we now take the first step toward impairing the will for peace by contributing the instruments of war? [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Illinois be extended 2 minutes.

Mr. GILCHRIST. I object, Mr. Speaker. There are 10 or 12 other speakers to follow this afternoon.

Mr. LUTHER A. JOHNSON. The gentleman is making a very good speech.

Mr. GILCHRIST. There are 10 or 12 of us yet to speak this afternoon. I gave notice a few minutes ago that I would object to any further extensions of time.

The SPEAKER pro tempore. Under special order of the House heretofore made the Chair recognizes the gentleman from Wisconsin [Mr. HAWKS] for 20 minutes.

Mr. HAWKS. Mr. Speaker, perhaps there is some significance to be attached to the fact that in successive speeches two men appear who put in some time in the last World War, each delivering definite pronouncements for keeping the arms embargo. I think there is considerable significance to be attached to that. I cannot hope to compete with the most remarkable address just delivered by the gentleman from Illinois [Mr. DIRKSEN], and I shall not even try, but I do recommend, not only to every Member of the House but to the people of the country, that most sane and sound address just delivered by the gentleman from Illinois [Mr. DIRKSEN].

It is my honest conviction that cancelation of the arms-embargo feature of our neutrality law would definitely be an unneutral act. It was made a part of the law at a time when we were thinking calmly and sanely, and when we were applying reason instead of emotion.

We wanted an arms embargo because we did not want our country to traffic in those implements of war that, in a war, can and will be used against innocent people who have had nothing to say about war, and certainly who would not have war under any circumstances.

Throughout the history of this country the brotherhood of man has always been a tremendous influence, and while war is a terribly practical and absolute thing, we have always in this country been able to write into our basic law practical applications of our idealism that, in my humble opinion, should not be disturbed during these times of war, particularly when that war is 3,000 miles away.

This is Europe's war, and this war is in Europe. This war is a result of the stupidity, greed, and disregard for human rights on the part of the so-called Allied nations when they forced the Versailles Treaty on a defenseless nation. That treaty, and subsequent actions of the Allies, in no way represented the attitude of America. It was a result of the diplomacy of a group of senile old men who have never had the brotherhood-of-man ideology as a part of their teachings; and at the time it was predicted that impositions and stupid actions of that kind would only result in one thing, and that was another war.

Men like Hitler and Stalin could only rise to power because others in more responsible positions failed to exercise sound judgment and act as Christian beings toward their less fortunate neighbors. I hold no brief for any of the "isms" of Europe, but neither do I credit the leaders of the so-called democracies of Europe with any degree of common sense or human kindness.

If this discussion of neutrality by the elected representatives of the people has not been free from emotion, and if the results of our deliberations are not based upon reason, there is little hope for a permanent peace in this country. In looking back over the period between 1914 and 1917, we are convinced that the only reason we ever became involved in the last World War was because of pure emotion and the insidious workings of propaganda upon those emotions. And then, in looking at that period immediately following the war, when we in America hoped against hope that the Allies in Europe would make a peace settlement that would go far toward assuring permanent world peace, we saw the butchers of Europe, the so-called diplomats, impose territorial and economic restrictions upon a beaten people that could only result in an uprising later on.

Since 1937, without advising the citizens of the country, the administration changed its foreign policy, and the administration has not as yet informed the American people honestly of just what that policy is. In 1936 the President, campaigning for reelection, praised our neutrality law and talked about fool's gold; but in 1937 he indicated that he had chosen sides when he attempted to define and name aggressor nations.

America learned from bitter experience through the loss of over 50,000 of our young men on the battlefields of France, by the accumulation of debts that have not been paid, by being called the Shylock of the Western Hemisphere by former Allies, and by many other dishonest actions of her former friends, that any law or any rule of procedure laid down during times of peace, when reason and common sense were being applied, was a good law, a good rule, and a sound procedure for us to follow, even in time of war.

And mark you, Mr. Speaker, a great majority of the citizens of our country do not want to change the rules of the game at this time.

No one is going to win this present war, but all of the nations involved are going to lose. We want no part of it, because we do not again want to develop a "munitions" economy in this country that, first, will tend to involve us in the war, and, secondly, will lead to the complete collapse of an economic system that has elevated this country to a position of leadership in the world beyond that of any recorded in history.

Our great trouble is that we have not properly assumed that leadership. We have permitted certain nations in Europe to lead us around blindly in their game of duplicity and power politics. Until we fully realize and appreciate our real strength and what a tremendous influence we can be on the economy of the whole world, European nations will always be in trouble. We do not need our Army and our Navy to impose our position of leadership on the world, but we do need the brains that it will take to so manage our economic life that the weaker nations of the world will be forced to follow the path of peace and a sound program for the general well-being of their people.

The star of world leadership rests over America, and has been there for a number of years. We have not seen it, and apparently we are not seeing it today.

We cannot be isolationists, nor can we be extreme internationalists, but we must in the very near future assume a leadership in the world, and by using the full force of our great economic powers, and by continuing with our Christian attitude toward all the peoples of the earth, we can certainly hasten the day when peace on earth, good will to men, will be a reality.

I do not say that by maintaining the arms embargo alone we will even approach our objective, but as a nation not involved in this present conflict we will at least tell the world that we are going to play the game by the rules laid down before the game started. [Applause.]

The SPEAKER pro tempore (Mr. LEAVY). Under special order of the House heretofore made, the Chair recognizes the gentleman from Colorado [Mr. MARTIN] for 20 minutes.

Mr. MARTIN of Colorado. Mr. Speaker, one of the charges with which Members are frequently confronted in the debates on the Neutrality Act of 1939, who now favor lifting the embargo on arms, is that they voted for the original Neutrality Act of 1935 laying the embargo, and the amendments of 1937, and are therefore inconsistent in supporting repeal.

This record, which includes myself as well as many others, has served to accentuate the question in my mind whether the passage of the Neutrality Act in the first place was not a mistake.

This question is not laid by the fact that the original act of 1935 and the amendments of 1937 were, as is so frequently stressed by supporters of the embargo, passed by overwhelming majorities in both Houses and with practically no opposition. This seeming unanimity is pointed to now as conclusive of the wisdom of Congress at those times, and yet the very fact of such unanimity and lack of real opposition may fairly raise the question of the consideration that was given by Congress to these acts. The passage of the original act was in fact typical of the peace role which has been played by the United States ever since the World War. It is really a question whether it was more than a generous gesture toward world peace, the expression of an ideal in the American mind, and the hope that it was an example to the nations of the world which they would follow.

It was of a piece with the Naval Disarmament Conference called by President Harding at Washington in 1922 as a result of which, as Will Rogers put it, "We sank our ships and England sank her blue prints." Then followed the London Naval Conference to place limitations on the size of certain types of warships and fix the famous 5–5–3 ratio of capital ships, which was renounced by Japan 2 years ago, resulting in and accelerating the greatest naval rearmaments program in the history of the world. So there is nothing new in the American peace idealism of 1935. And there is nothing new in the fact that the United States possesses a Neutrality Act which has been copied by no other nation.

And if the act were not now on the statutes, would we now place it there? And would we have placed it there in 1935 if confronted with the conditions now existing in Europe and Asia? The more these questions resolve themselves in my mind the more I am driven to the conclusion that, however praiseworthy its objective, it was a mistake for the United States to tie its own hands in the face of the unforeseeable and unpredictable events of the future. We dealt with a theory then; we are faced with a condition now.

I can say for myself, and I know others could say the same, that my support of those acts was not bottomed on any great amount of confidence in their wisdom or efficacy, either to keep this country out of war or to show the way to other countries, but was rather as an assent to popular demand.

Apparently, if the United States wants to dismantle its Navy or bottle up its merchant marine or prohibit the sale and transportation of arms, or anything else, to warring nations, it will have no competition. Not one nation in the world. I have never read of one that is even considering such legislation as that now before Congress. As Mark Twain said, "Be good and you will be lonesome."

In the last session of Congress I voted for the repeal of the Neutrality Act, yet there are provisions in the act and in the pending bill which, while they will probably be followed by no other nation, would appear to safeguard against incidents which, persisted in and repeated on a sufficiently large scale, might incite the people to a warlike state of mind, and which ought to be preserved as an experiment, if nothing else. These are: Barring all American vessels from combat areas; barring the travel of American citizens on the ships of belligerent states; and adopting the cash-and-carry plan for contraband to belligerent states, to be carried in foreign ships, and with the title in the buyer.

Yet I have been wholly unimpressed with the argument that we can distinguish between the sale of arms and other commodities. I agree with the view that we must embargo everything or nothing. Everything may be listed by a belligerent as contraband of war and a belligerent will not distinguish between such contraband and instruments of war. This was well illustrated in the case of the seizure of the American Government-operated ship, the *City of Flint*, by Germany. Sale to a belligerent, even under the cash-and-carry plan, of contraband of war, will be just as strongly resented as a method of aiding the enemy as would the sale of armaments of war.

I said to a leading Member of the House recently, the distinguished gentleman from New York [Mr. REED], who argued here on the floor that we should place an embargo on the sale and transportation of all contraband commerce, that his position was consistent, but that it placed this country in an impossible situation, because the belligerent who was adversely affected by this commerce would place everything produced in this country on its contraband list. That was shown in the case of the *City of Flint*. Here are some of the commodities listed by Germany as contraband of war:

Lard, cereals, canned meats and other canned goods, apples, wax, lubricating oil, cotton, sewing machines, plows, tractors, asphalt, pitch, grease, shade rollers, machinery, silk, chemicals, abrasive grains, disinfectants, feathers, rags, coffee, lumber, gauze, hair, and wallboard.

The President will be authorized to list as contraband any and all other articles or materials in addition to arms, but the contraband lists of the belligerents, England and France as well as Germany, not of the President, will govern. They can attach an index of all articles and things whatsoever to a declaration of contraband. Nor will the purported destination to a neutral rather than to a belligerent nation protect it. The submarine cannot know what its destination is, and since he cannot safely seize and search, he will sink. Just as certainly as this war lasts neutral American commerce bound for neutral ports will be sunk on the high seas just as during the World War.

This danger will be increased by the exemptions proposed by, of all people, the isolationists, of all commerce, even to belligerents, in the Pacific, the South Atlantic, and the Indian Oceans. One Senate amendment lifted the line above Bermuda. It is the most paradoxical feature of this legislation. It will be treated as a mere subterfuge, as an attempt to do by indirection what we will not undertake to do directly; and sale and transportation to any British or French possession anywhere in the world will be treated just as direct sale and transportation to France and England would be. It all serves to emphasize the impracticability of such legislation.

I am in favor of the exemptions, but I am in favor of them with my eyes open. I am in favor of them because I cannot help doubting the wisdom of the course on which this country is setting out; that this, the most powerful of all nations, will haul down its flag on the high seas and park its merchant marine because, forsooth, a dictator may claim the right to roam the seas like a pirate and sink everything on them regardless, as was done before. And we will do this in face of the fact that every other nation on earth having a shipping industry, the tramp steamers of the world, will come to our ports and haul this commerce to whoever will pay for it. Even the little defenseless Scandinavian countries, but important maritime countries, sitting right at Germany's front door, and surrounded by submarines, mines, and war planes will engage in the traffic abandoned by this country. In the World War those nations lost something over 2,000 ships in war traffic. Norway alone lost more than 800. They are losing them now, yet they are carrying the traffic. A Norwegian ship, cargoed with wood for England, was torpedoed and sunk. The wood could be reduced to war material. It was contraband. There is no halfway ground between the exercise of our rights under international law and bottling up all our ships in American harbors, there to rust and rot till the war ends. But, according to the isolationists, the Americans are supposed to be obsessed by an uncontrollable predilection for war. We cannot be trusted. We must hog-tie ourselves. Hitler will do something to make us see red and we will go out of control and the war will be on, with an army going to Europe.

There is a war hysteria, they tell us. An organization of House Members has been formed to stop what they call the New Deal war hysteria. Personally I have not found any war hysteria anywhere, but I have found fear hysteria everywhere. And it is a state of mind incited by the greatest campaign of propaganda within the memory of living men. A campaign of fear. There are no less than four men here on Capitol Hill who are animated by the hope that they can ride into the White House on a national tide of fear.

What I think of a campaign of this character was expressed by me on the floor of the House early in 1933, when the House had under consideration a resolution granting power to the President to place an embargo on the shipment of arms to a country or countries engaged in, or about to be engaged in, war:

> Gentlemen declare on the floor that the passage of this resolution will mean war with Japan, and within 30 days.

It strikes me that that has a familiar ring. The mere passage of the act would result in war in 30 days. Lifting the arms embargo will involve us in war, they say now. It is tantamount to a declaration of war against Germany, they say, if we dare to resume our rights under international law. If we enact an embargo law, it means war. If we repeal it, it means war. They get us coming and going. Let me continue my quotation:

> Let me say that the gravest error this country could make in dealing with the Asiatic situation would be to take counsel of its fears. Although then a private citizen and out of sympathy with the administration, I applauded the courage and incision of the notes issued by Secretary Stimson on the Asiatic situation. They had the ring of the note of President Cleveland on the Venezuelan boundary dispute, the one act of his two administrations which gave him a place in American history. There may be ways out of the question mark which overhangs the Pacific, but fear is not one of them.

The real question before the Congress seems to be, What will Hitler do? It is useless to blink the fact that hesitancy over repeal of the arms embargo is due mainly to the apprehended reaction of one man. What will Hitler do? Perhaps to play entirely safe there ought to be a provision put into the act that it shall not become effective until he has filed his approval with the President. The leading opponent of the repeal of the arms embargo stated on the floor of the other body in the opening of the debate over the neutrality bill that a condition exists in the industries of this country which would result in their destruction if the arms embargo is lifted, and it has been repeated on this floor.

My answer is that if that condition exists in this country, the sooner we know it the better. There will never be a better time to have the blowing up begin. We are in no immediate danger. We will have time to rehabilitate these destroyed plants before the shooting starts and to determine what can be done about it to prevent a repetition.

There never was such a deliberate, intensive, and I may admit, effective campaign to scare the American people into a course of action. I hope I am not unduly callous in saying that it leaves me cold.

One of the stock arguments which has been used with prejudicial effect and repeated everywhere against lifting the arms embargo is the cost to this country of the World War—the billions we sent to the Allies in Europe and never got back, either in principal or interest. It is true, and morally and legally it is indefensible; and from the mere, naked standpoint of policy it has proved to be decidedly shortsighted. If they had it to do over again, the story would probably be different. And if, when rebuffing Russia, England and France could have foreseen the most monstrous mésalliance in history, that between Russia and Germany; and if the Kaiser in 1917 could have envisioned 2,000,000 American soldiers in France and 2,000,000 more in preparation, history might be different. Of all sad words of tongue or pen, the saddest are these: It might have been.

Our attention is constantly directed to the wasted cost of the last war. I want to direct our attention for the moment to the wasted cost of the present peace, to the fact that this great nonmilitary, peace-loving Nation, resorting to untried experiments to maintain its own peace and show the way of peace to the world, is now spending more than a billion dollars a year and with no end in sight, building up its armaments. With a billion and a half voted this year and two billions estimated for next year, how long will it be, or, rather, how short, before the cost bill of peace will equal the cost bill of war? Why? What is the cause of this enormous armaments program? The answer, I do not hesitate to make. One nation in Europe and one in Asia. One of them started the World War and it started this war. These two nations have visions of world dominion. They exalt militarism and conquest. They threaten the peace and security of the world. We must be prepared. It would be folly for us to do otherwise.

I used to have a comfortable sense that I had been born into a civilized world. I read the great war dramas of the past with the feeling that I had been born into a happier age, that the ages of military conquest and tyranny were past, and that they furnished only a background which served to heighten the sense of security, of peace, of liberty, which had become the normal condition of mankind. Race hatred was dying out, religious hatred was dying out, government by force was dying out; mankind had finally become civilized and was learning to live in amity. The war to end war had been fought. The dream has ended. Four great powers are armed and on the march. No such group of great military powers ever before threatened the peace of the world. The world trembles daily at what one or the other of them will do next. It is unpredictable. After Germany and Russia, anything may happen.

Then men stand on this floor and insist that we must be neutral in thought, that we must be absolutely unsympathetic, yet those men themselves are not neutral and not unsympathetic. They had as well ask men to be unhuman, for that in effect is what they are asking. The man who says he is unsympathetic to what is going on in the world today, that Germany and Poland, that Russia and Finland look alike to him is a liar and the truth is not in him. I should like to live to see the power of every totalitarian state crushed, destroyed, become a fading phantasmagoria on the horizon of the dark past. There will be no lasting peace in the world so long as one of them remains.

Members scout the idea that even if the dictator states win they will attack us. They set up a straw man and then proceed to knock him down. Of course they will not attack us directly. They will not make a frontal assault on our shores. Not now. What they may do is to make the rest of the world impossible for us, make conditions in the Western Hemisphere, even on this continent, intolerable for us. They have the intent to do it. It is their proclaimed purpose to do it. They have dedicated themselves to the proposition that government of the people, by the people, for the people, shall perish from the earth. Death to democracy. They agree on this. They are boring within, even within us. If they can work their deliberate will the world will exist on sufferance, not on right and justice; in fear, not in friendship.

This great Nation was not born of a craven spirit; it was not preserved by a craven spirit. What it needs now is a rebaptism of courage. Our greatest safety is in having these war-mad nations know that we are unafraid and that we are ready—ready to preserve at all cost this continent and this hemisphere as abodes of law, of liberty, and of peace. Very recent events should encourage us. Hitler crushed Austria and Czechoslovakia and Poland, but he made peace, and a costly peace, with Russia. He has a real war to handle on the western front but he is displaying unsuspected powers of control. If it were Belgium and Holland, instead of England or France, the war on the western front would be already over. Fifty years ago I saw a dog do the most human thing I ever saw a dog do. He got in a fight with another dog in the middle of the street and quickly got the worst of it. Then he saw a helpless pup ambling along the sidewalk and he rushed at him, grabbed him by the back in his mouth, slammed him down on the pavement, and trotted off. Dictators as well as dogs pick their man. Let us be ready and unafraid.

There is only one thing certain about this legislation. It will not be satisfactory. The ink will not be dry on it before defects develop and demands for changes are made. I make no claims to infallible opinion on it.

But upon one policy my ideas are fixed. They have never wavered. We should be prepared against the day certain when we will need it. We should have the strongest Navy in the world. We should have an air force better than the best. We should have a land force capable of quick expansion. We should carry on research and experiment with every instrumentality of war. I said at the time of our entrance into the last war and I say now: America only and ready. [Applause.]

(During the delivery of the foregoing address the following occurred:)

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes more.

The SPEAKER pro tempore. Is there objection?

Mr. GILCHRIST. Mr. Speaker, I reserve the right to object. At the opening of this debate I called attention to the fact that there were some 12 people who had been asking time this afternoon. I happen to be one of them, and reserving the right to object, I then said that I would object to further time being granted. I think it is unfair, with all of this list of Members here wanting time, for other speakers to ask an extension of the time granted to them. My friend will appreciate the position that we are in.

Mr. MARTIN of Colorado. I realize what the gentleman has said. I am asking for only 2 minutes.

Mr. GILCHRIST. In all my time on this floor I never have heretofore objected to an extension of time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mr. GILCHRIST. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therewith a comprehensive statement with respect to the Monroe Doctrine by the Honorable Thomas Hewes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The SPEAKER pro tempore. Pursuant to special order of the House, the gentleman from Illinois [Mr. MASON] is recognized for 20 minutes.

LEAGUE FOR PEACE AND DEMOCRACY

Mr. MASON. Mr. Speaker, I asked for 30 minutes' time, and I expect to use 20 minutes and allow 10 minutes if there are any questions, which I shall be glad to try to answer. I therefore do not propose to be interrupted and shall not yield until I have presented the picture as I see it.

Mr. Speaker, in view of the fact that I am the member of the Dies committee that made the demand that the membership list of the local chapter of the American League for Peace and Democracy be published, and also the member that offered the motion in executive committee to publish the list—which motion, by the way, passed without a negative vote—I feel that it is incumbent upon me to state to this House the reasons for such action. I want also to say that while the criticism for this action has all fallen upon the broad shoulders of the chairman of our committee it rightfully belongs upon my shoulders, and I am willing to assume the same.

The publication of this list at my insistence is the culmination of a campaign of "moral suasion" that the committee has conducted for more than a year for the purpose of securing, first, the resignation of the innocent Government employees that are members of the local chapter and, second, the resignation from Government service of those members who are not innocent but who sympathize with and are willing to aid the Communists in their efforts to overthrow the very Government they are working for; and if the resignations from the Government service are not forthcoming; then to separate them forcibly from the public pay roll in the manner suggested by David Lawrence in his column carried in the Evening Star of last night. In that article Lawrence clearly points out the why and the how Congress can and should end this controversy. I recommend his article to your careful consideration. I hope the motion to rid the Government rolls of members of the Communist front organization comes from the majority side next January, just as the Hatch bill came from the majority side, so partisanship will not enter this question.

From the sworn statements of witnesses before our committee, backed up by written evidence that would be acceptable in any court of law in the land, our committee last year found, and so stated in our report, that the American League for Peace and Democracy was originated by the Communists, had communistic objectives, and was controlled and dominated by the Communists. In more picturesque words, we found that the American League for Peace and Democracy was conceived in Moscow, fathered by Stalin, mothered by Browder, and born here in the United States. With such an origin and such parents, do you think this child can change its nature any more than the leopard can change its spots? And just as the leopard takes advantage of the protective coloring of the forest while stalking its prey, waiting to pounce upon it, so does this institutional beast take advantage of every means to disguise itself and cover up its real intent while stalking its prey and waiting for the opportune time to pounce upon it.

The real story of the origin of the American League for Peace and Democracy is as follows: In 1933 Stalin became alarmed at the rise of fascism in the world. Japan had just gobbled up Manchuria and made a puppet state of it. Hitler had come to power in Germany. Mussolini was rattling his sword in Italy. Stalin saw that inevitably there would be a death struggle with fascism on one hand and communism on the other. He called a meeting of the executive committee of the Internationale in Moscow, at which Earl Browder represented the American Communists. At that meeting they discussed the situation confronting communism and decided to set up what was known as the Popular Front Government in France, Popular Front Government in Spain; but so far as the United States was concerned it was not ready for a popular-front government, but must be moved in that direction by careful work and efforts over a period of time. They decided to set up in America to carry out this purpose what is now known as popular-front organizations, of which the American League for Peace and Democracy, with its 4,000,000 members, is the largest and most powerful. Stalin gave Earl Browder orders to come back to America and establish what was called at that time the American League Against War and Fascism, which has now become the American League for Peace and Democracy. Browder came back to America and commissioned Dr. J. B. Matthews to set up and establish this league here in America for the avowed purpose of bringing about, ultimately, a popular-front government in America. That is the origin and that is the primary purpose of this league.

More than a year ago I named six or seven important Government officials who were members of the local chapter and very active in its affairs. I did this as the first move in a "moral suasion" program which we hoped would result in the resignation of all the innocent Government employees who belong to the local chapter and the final expulsion from the Government pay rolls of those members who were not innocent but were sympathetic with the Communist program. It did not seem to bring about that effect. The committee, in adopting its report, which it did unanimously, again found very plainly and in language that no one could misunderstand that the league was of communistic origin, and had communistic objectives, and was Communist dominated and controlled. This also seemed to have no effect, and from that time on our committee has carried on this "moral suasion" program. Today even the two new committee members, well-known liberals, are fully convinced, and they have so stated, that this league is a Communist front organization and that it is a menace to our form of government, and that no Government employee should belong to such an organization. What more could anyone ask?

Now, what about this Dr. Harry Ward who is the president of the league? He testified under oath that since he took the helm in 1934 that he has tried to guide it to the right and believes that he has been successful in doing so. However, this same Harry Ward has, over a long period of years, tried to preach and teach that communistic principles and Christian principles are practically one and the same, and should go along together. This is the same as trying to mix oil and water. The two do not and will not mix. Where communism thrives, Christianity dies, and everyone must realize this from the evidence before the world. This same Harry Ward in his first report as president of the League for Peace and Democracy, said:

> As this audience knows, this superficial governmental authoritative state turns out to be the arm of the owning and employing class. That is the fact that must be made clear to the workers and farmers of this country.

In his second report to the league, on the occasion of the Third United States Congress Against War and Fascism, Cleveland, Ohio, January 3–5, 1936, he said:

> That leads me to another question, with which I close. A good many times our constituent forces and those who come to our meetings ask us this: "Is the American League Against War and Fascism anticapitalistic?" Of course, it is. How otherwise could it stop war? [Applause.] We don't talk in vague terms about economic causes of war. We try to show people in our propaganda that today the economic causes of war are rooted in capitalistic economics. [Applause.] How could we be against fascism without being against capitalism, seeing that fascism is an organized expression of capitalism in its declining period? Because we can in no other way expose the causes of war and fascism, and in no other way can we mobilize the people for their removal. We must continually explain to them that the causes of both of these twin destroyers of mankind root inherently in the profit system. [Applause.]

In his third report to the league, on the occasion of the Fourth National Congress, Pittsburgh, November 26–28, 1937, he said:

> There is one place where they acted in time in Europe, and that was France. In France they anticipated and stopped the Fascist aggressions. [Applause.] They still have a big battle to fight there, but the point is this: They took the offensive. They did not wait for the Fascists to strike in the open. As soon as the Fascists appeared upon the streets of Paris with arms the forces of democracy drove them off the streets and compelled the Government to take arms away from them. [Applause.] Do you know what was behind that? I will tell you. Behind that was the French League Against War and Fascism, which prepared the people for that. [Applause.] If they had not had a French League Against War and Fascism, they wouldn't have been prepared, they wouldn't have known what was going on or how to act. I submit to you, with the evidence before us of the attack on democracy and peace in this country, that the thing for us to do now is to form a movement which can take the offensive, which can act before the antidemocratic forces capture the Government. [Applause.]

I ask you whether our committee should accept Dr. Ward's sworn testimony that he has constantly tried to head this league toward the right and away from its communistic ob-

jectives when in his reports to the league he urges and pleads with the league to go further to the left than even the league membership were willing to go? Which are we to believe, his sworn statements or his recommendations to the league in his reports?

Now, concerning the present activities of the local chapter. I have here a statement on the Russian-Berlin pact which they have sent out to each member. I quote from it to show you that the Communist line and explanation of this pact which was sent out from Moscow for the instruction and benefit of the Communist members in America is identically the same as this message sent out by the local chapter of the American League for Peace and Democracy to its members under date of August 25, 1939:

Dear members, the present crisis of world peace cannot be understood by reading the daily press. As the daily press distorted and lied about the issues and events in Czechoslovakia last year, in Spain and in China, it has distorted and lied about the issues involving world peace today. Your executive committee has voted to submit the following statement to you in the hope that it will help to clarify our understanding of the issues and the forces involved in today's threats to the peace and security of Europe, the world, and the United States.

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This—meaning the Russian-German pact—has been greeted in the daily press as an alliance of the Soviet Union and Germany against the democratic powers and for the partition of Poland. This is exactly contrary to the real meaning of this step by the U. S. S. R. This pact is a real contribution to world peace and to the peace and security of the United States.

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The signing of the nonaggression pact between the U. S. S. R. and Germany is not a war alliance between the two powers. It is not an agreement for the partition of Poland. On the contrary, this action places a stumbling block in the way of the plans of Chamberlain and Daladier for a second Munich. The action of the Soviet Union in spiking a second Munich has cut away the ground on which the sell-out of Czechoslovakia was prepared and consummated a year ago. It has served notice on British imperialism that the scheme of turning Fascist aggression to the east is no longer feasible. In this same sense the pact between U. S. S. R. and Germany is the only real contribution to the security of Poland that has been made to date. It shows so clearly that even the British ruling class must understand that Nazi aggression will not aim to the east, but will rather turn to the west—against the national interests of England and France. It shows them that their own national interest lies in the defense of Poland against Nazi aggression. This is part of the contribution to world peace effected by the nonaggression pact. The pact states very clearly that neither party will join with any power in aggression against the other. This clause ends the so-called anticommintern axis. It isolates Japan. It helps China. It means that the Rome-Berlin-Tokyo axis no longer can operate as a unit against the peace and security of countries toward which one member of the axis has aggressive designs. By doing this the Soviet-German pact makes a very real contribution to the struggle of the Chinese people for liberation, makes a very real contribution to peace in Asia, and protects the national interests and the security of the United States.

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In doing this the Soviet Union has made a real contribution to an understanding of the present crisis in Europe. It has made a real contribution to the peace and security of Europe, the world, and the United States.

Here also is an excerpt from the minutes of the meeting of the local chapter of the American League for Peace and Democracy, held October 4, 1938, and showing one of the purposes of the league—to set up league committees in the various Government agencies with our present membership in those agencies as a nucleus. Also in the same minutes we find this statement:

Mrs. Fowler reported that a delegation from the local league had been sent to Commissioner Brown's office to seek permission to picket the German Embassy. Mr. Brown, after consultation with the State Department, refused.

In the same minutes, the following suggestions for consideration by the executive committee came from the floor:

1. That the executive committee investigate the legality of a slow automobile parade before the German Embassy, this to be followed by a parade of cars with appropriate placards throughout the city, in which other organizations would be asked to participate, and that special contributions be solicited to finance the cavalcade.

2. That posters for automobile windows be printed saying "Boycott Germany, the Aggressor."

3. That the executive committee seek legal advice on picketing the German Embassy in spite of its illegality.

And then a motion was made and carried that the executive committee arrange for the picketing of the Germany Embassy within the present law; that is, 500 feet away from it.

In the minutes of the league's executive committee held Friday evening, January 13, 1939, at the home of Mrs. Fowler, I find this proposal concerning Congressmen:

It was suggested that we make an attempt to get Congressmen to join the league. Mr. Smith will arrange for a luncheon meeting with Marcantonio and Jerry O'Connell to get their advice on how to proceed. The idea is to make Congressmen part of an impressive list of sponsors.

Now, I do not know what you think of these activities of the local chapter found in their own minutes, but I consider that they indicate quite clearly that the local chapter is being guided by Communists and is following the general line of the Communist Party, and is doing its part to work out the Communist program in these United States of America.

The above, in substance, are the reasons for the publication of the membership list of the local chapter of the American League for Peace and Democracy, most of whom are Government employees. I feel sure a great majority of the Members of this House, when they know the facts, will approve the action of the committee. [Applause.]

Mr. DEMPSEY. Will the gentleman yield?

Mr. MASON. I yield to the gentleman from New Mexico.

Mr. DEMPSEY. The gentleman has painted the League for Peace and Democracy as like the changing of a leopard in the jungle, and I am not taking exception to that; but if that is the case, should a committee of the House of Representatives put out a list giving the names of people who never even knew they were members of that league or organization without making a check on the names that are given out?

Mr. MASON. There was a careful check made of this membership list.

Mr. DEMPSEY. How?

Mr. MASON. It was checked from the office files of the league, or its local chapter; and if there have been errors, it only proves conclusively to me that the local chapter of the league itself has, perhaps unwittingly, but I do not believe so, put on their membership list the names of people who did not give their consent to be members.

Mr. DEMPSEY. That is not what happened, and I will give the gentleman a specific instance. There was a name on the list of Mrs. Lamberton.

Mr. MASON. The gentleman has given that instance before. It is too bad an innocent person will be hurt, but that is not the fault of the Dies committee. It is the fault of the records of the American League for Peace and Democracy, and it is just too bad, but she can rectify that.

Mr. DEMPSEY. I think the committe might have held up that list a few days and secured accurate information before publishing it rather than smear people the way it did.

Mr. MASON. I believe Dorothy Thompson's story today in which she said that innocent people oftentimes are hurt in bringing about desired ends. It is too bad that happens, but it cannot be affected. More than a year's notice should have been enough to remove every innocent person from that list.

Mr. DEMPSEY. Why, a hundred years' notice is not enough for people who never knew they were on there.

Mr. HOFFMAN. Will the gentleman yield?

Mr. MASON. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is it not true that what happened was that on the list that came from the file of the league itself appeared this name of Mrs. Lamberton? Then when someone in the office of the Dies committee began to check and went to the list of the employees of the Government and the local directory, he found a Mrs. Lamberton and hooked that name onto an address, which brought in the name of this school teacher, although this particular individual never was a member.

Mr. MASON. I do not believe that is the truth. I do not know, because I did not make this check, but I do not believe that is the truth.

Mr. HOFFMAN. But that may be the way it happened, without any intention to injure anyone—an error in checking.

Mr. MASON. I do not believe our office force would do a thing of that kind.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for 5 additional minutes.

Mr. GILCHRIST. I object, Mr. Speaker.

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois may proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. DEMPSEY. I wish to say to the gentleman from Illinois that the lady in question came to my office yesterday. She stated she had called the secretary of the Dies committee to explain that she had never been a member and had never even known of the organization. However, he was too busy to see her. I called Mr. Strictling, the secretary of the committee, and he told me that a girl in the office of the Dies committee had called the Civil Service Commission and asked if they had on their list a Mrs. Lamberton. They said "Yes," that she was a teacher in the Eliot Junior High School. As a matter of fact, there are several Mrs. Lambertons and we published the name of the wrong one. The mothers of the children in that school called the school and demanded the dismissal of this Mrs. Lamberton. I say that is a damnable thing.

Mr. MASON. If that is true the incident should be regretted and Mrs. Lamberton should be cleared, but that does not mean that the publication of this list was not warranted and made necessary.

Mr. DEMPSEY. How could she be cleared throughout the country? This body should apologize to that lady for the action of this committee.

[Here the gavel fell.]

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Iowa [Mr. GILCHRIST] is recognized for 20 minutes.

RECIPROCAL-TRADE AGREEMENTS

Mr. GILCHRIST. Mr. Speaker, out of all my experience in this House I have never before today objected to an extension of the time any Member had been allowed to address the House, but I hold here a list of 12 speakers whose last chance to make speeches will be today, and I think that those of us who are on this list ought to confine ourselves to the time that has been given us. I am willing to quit when my time is up, and I hope the Speaker will pound the gavel pretty loudly when that time comes.

I want to talk for a moment or two about this reciprocal-trade agreement with Argentina. I have looked through the RECORD, and I have found nothing yet at any great length in the speeches on the floor that discusses the corn situation. The other day I and several other persons who are interested in this question made speeches before the Committee for Reciprocity Information, but these did not get out to the country. You know that Thomas Gray said:

> Full many a gem of purest ray serene
> The dark unfathom'd caves of ocean bear;
> Full many a flower is born to blush unseen,
> And waste its sweetness on the desert air

In the first place, Mr. Speaker, these trade agreements should be reciprocal; they should be mutual and not unilateral. It has been shown that even Secretary Hull himself, in talking about them, stated that a reciprocal-trade agreement should be of mutual advantage to both sides. However, I have discovered that in this particular trade agreement proposed with the Argentine there is practically nothing traded off except agriculture.

I want to join with you from the industrial sections and help you to protect your manufactures, and I want you to join with us from the agricultural sections and protect our products as well. If we are to have these trade agreements at all, let us have them on a basis of mutuality. Agriculture is in distress. The income of agriculture in 1919 rose to between sixteen and seventeen billion dollars, but now it is only about $9,000,000,000. The farmers in 1935 owned only about 39 percent of their farms. About 45 percent of the farms are leased.

The farmers are not getting cost of production, and they are not getting parity. For example, the cost of production of corn is shown to be 82 to 83 cents by the releases of the Agriculture Department, and some of the other sources of information show it to be 95 cents. Still I sold a small amount of corn myself in Iowa within the last 2 weeks for the small sum of 37½ cents a bushel. I did not have a place to store it, although I built extra bins and cribs. I stored and sealed most of my corn, but my storage room ran out, so I sold a portion for 37½ cents a bushel. I had to pay a cent for shelling it and a cent for hauling it, which made a return of about 35 cents. Nobody can live on that. The farmers cannot raise corn at such a ruinous figure. It means bankruptcy and despair to them.

Despite this condition, it is proposed in the Argentine agreement that we allow corn to be brought into this country at very low tariff figures. They are going to haul coals to Gloucester. All through the western country today you will find the Government is building cribs to hold corn, corn that it has put under seal. You will find private farmers are putting up corn cribs. On the small amount of land I own I put up some cribs to hold the 1937 and the 1938 corn, as well as the 1939 corn that is now coming on. The Government asked us to do this. The present crop is almost an unprecedented one. There was one crop this century that exceeded it. We have now in sight over 3,078,000,000 bushels of corn, which is half a billion bushels of corn more than we know what to do with. Still that Committee on Reciprocal Trade Relations and the State Department are now down in Buenos Aires discussing the proposition of trading off corn, among many other things. They will sell corn "down the river"—meaning the Plata and Uruguay Rivers in South America.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. GILCHRIST. I would prefer that the gentleman wait until I have completed my statement.

Mr. AUGUST H. ANDRESEN. I just want to point out to the gentleman that the Argentine has a surplus of 50,000,000 bushels of corn from last year's crop which they must get rid of, and they want to send it into this country.

Mr. GILCHRIST. Yes. If a farmer in Iowa or Illinois wants to join in this program he must restrict his acreage. Suppose you are a farmer raising corn in Iowa. You may have, say, 80 acres of corn, but you must restrict your acreage to 50 acres or such a matter. This is an example only. You are compelled to cut down your acreage, but those peons on the pampas of Argentina cut nothing down. They raise all they can. There are no restrictions.

As the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] has interjected, they have a surplus and they propose under this agreement to introduce these surpluses into America, with all of the excess amount of corn that we now have and which we do not know what to do with. I say that there may be degrees of foolishness, but it is the superlative of asininity in my judgment to introduce that corn here in the face of the unprecedented amount that we already have ourselves. The Government is building steel bins all over the country to take care of this excessive corn crop. We have still stored up much of the 1937 and of the 1938 surplus corn, and we have the immense 1939 crop being harvested. Besides the Government bins, everybody is building corn cribs of his own. I built some corn cribs before I came away to hold the 1939 crop in order that I could comply with the request of the Government to store corn. The Government has much of this corn. It has loaned 57 cents per bushel on corn to the farmer. How is the Government ever going to get out on that corn if we go on with these kinds of stupidities and make the proposed agreement with the Argentine people? Hogs are definitely related to corn. The farrowing of pigs comes 8 or 9 months later, but when

you have low corn, you have low hogs, and when you have much corn you have a large amount of hogs. The hog market and the beef market also depend on this very same thing, and follow corn up or down on the markets, there being a little lag of time. We should not expect to give those cowboys down there on the Pampas the American market for the corn that the farmers of America are raising. It is unfair and unjust, because we fellows out on the farms of Iowa or Illinois expect also to protect the eastern manufacturers, and I say to Detroit that they cannot sell more automobiles to Buenos Aires than they can hope to sell to American farmers in Indiana or Iowa or anything like as many. Neither can they sell sewing machines or radios, or whatnot. Corn in the whole of Argentina does not equal half of what we produce in Iowa alone, nor a twelfth part of what we produce in the United States. The spot price of Argentine corn in Buenos Aires in 1934 was 43 cents. They can jump the tariff wall of 12½ cents if the tariff is reduced that low, as proposed, and still undersell the price which the Government has put upon it, and which is necessary to the farmers of this country.

Mr. Speaker, I want to speak for a moment about one or two other things in which Iowa is greatly interested.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. GILCHRIST. Briefly.

Mr. AUGUST H. ANDRESEN. What the gentleman has contributed about corn with reference to the proposed agreement with Argentina is very valuable, but does he not feel the same way about the other items in the list, such as casein, beef, hogs, poultry, turkeys, milk?

Mr. GILCHRIST. I was just going to say that the same argument relates to everything else in this proposed agreement. It is simply an agricultural agreement with Argentina, because that is all they have to sell. The Government has been giving us 57 cents, and also it has been giving a parity payment. It has appropriated to the farmers of this country about a billion dollars in order to uphold the market for farm products, and still now the same Government, the same administration, is down in South America this afternoon making these agreements, or at least discussing them with the intention of making them. What has been said about milk is also true, and it is also true about flax. I understand the gentleman from Minnesota spoke the other day about flax and other things raised in our country. Flax is a thing that can be raised, and we can raise all that we can use, and we ought to be giving the market to the American farmer.

I want to speak briefly now about the poultry market. They propose to trade off eggs and turkeys down there. Eggs in my country are selling for about 12 cents. You cannot produce them for such a low price. Turkeys, as we all know, is now getting to be a great industry, and that comes into direct competition with other poultry, and with beef and pork and other forms of meat.

I do not know why this administration wants to make turkeys cheap and cut down the price which the farmers' wives get, because turkeys are essentially a rich man's food. They belong in the same luxury category as caviar, champagne, and pâté de foie gras. Being humble, not having the price, I cannot eat turkey except once a year. This year I hope to do it twice, because the Governor of my State does not agree with the President about the date for the great festival, and perhaps my wife can put on two turkey dinners. But, in any event, there is no sense in cutting down the income of the housewives from their eggs and poultry. They need it. They need it for the babies. They need it for the things that go into the homes. They need it to buy a little dress for the girl that is going to the high school. They need it for a new pair of shoes for the boy. They need it for a little ornament for the front parlor. Why should this administration be concerned in cutting down the thing that gives them their only pin money, and trade them off in favor of the wild boys that ride the ranges on the pampas of Argentina?

Now, those peon folks down there are only getting four or five dollars a month in agricultural labor. They are doing this herding on $2-per-acre land. I say to you, if you are a farmer in Indiana or Ohio, or wherever you may be, you just cannot compete with that kind of labor, and you should not try to compete with it. You should not ask your people to compete with that kind of ignorant peon labor.

In my little village of only 1,200 people there is a chicken industry. They shipped about 7 percent of all the chickens that were shipped in carload lots out of the State of Iowa in 1937. I do not have the figures for 1938 yet, but it is a great industry. While we only have 1,200 people, we have 14,000 turkeys there. I suppose they have been shipped now. The gentleman in charge of that institution has often told me, "I want to pay these folks good wages." He has always paid more than the law required him to pay. He said to me, "I am willing to pay those folks more. I want to pay them more than the law requires, but I want the other fellow to pay just as much." He said, "You can vote in the American Congress for a raise in wages. That is all right; but see that the other fellow pays it, too."

Now, what am I going to say to him when I go back home? And tell him that he is now in competition with peon labor on the Plata River, who are getting $4 a month. What will the answer be if they ship in these eggs and turkeys that they are proposing to ship? Turkey production is increasing every year, but the price is going down. Turkeys this year are off 5 or 10 cents a pound. We cannot stand it if they go off much more, nor if they introduce these wild birds from the southern continent. It is big business in America. That business in my little village supports hundreds of folks, not alone the people of my village but from the surrounding villages. They come there and get this employment. Why cut them down? Do you want to put them on a par with the $5-a-month people?

This man of whom I speak has already been paying more than the law forced him to pay. I think that the wage-and-hour law did not affect him materially. He has probably always been paying it. The price which a woman receives for picking the chickens and turkeys has gone up. That is all right with us. It is all right with him. Therefore, let us protect this American industry. Let us protect American industry as against an industry that comes from South America, because that is the industry to which the industrialists of the East must look to buy their products. It is the only industry that can pay American labor American prices.

The same things I have just said about it are also true with reference to dairying and all of the other things that are within the agricultural agreement that is being proposed with Argentina.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. GILCHRIST. I yield.

Mr. AUGUST H. ANDRESEN. Some Members of this House favor this agreement because no commodities in their districts or in their States are included. But if they would propose some of the commodities which they produce, then they would be just as bitter against this agreement as the gentleman and I are. But now that we are included, they say "Go ahead and put it through."

Mr. GILCHRIST. I say to the gentleman from Minnesota, as I said at the opening of this speech, I am willing that everyone should get good wages in America. I do not care where it comes from or what State it comes from. The American market belongs to the American farmer. [Applause.]

I represent a great agricultural district in Iowa. We are interested in livestock, hogs, cattle, poultry, including turkeys, dairying, and the production of grain and corn. It is the policy of this administration to provide benefits for corn farmers by advancing loans upon their corn at a fair price. They get conservation payments and parity payments also. These things are absolutely necessary to the lives and welfare of our people. Prices for corn are much below parity and much below cost of production. A study made by the Department of Agriculture shows that the cost

of production of corn is 82 cents or 83 cents per bushel, while the figures of Mr. Cunningham, of the Farm Union, show it to be 92 cents or 93 cents. But corn is selling on the farms in my district this morning for only about 35 cents per bushel. Sometimes truckers come in from drought districts farther south and west and pay up toward 40 cents per bushel, but it is manifest that without these Government aids and even with them our farmers are going into the red.

We are now increasing wages under the wage-and-hour law and decreasing the hours which workmen employ. But in my State these corn and livestock farmers are industrious and must work in the summer from 12 to 14 hours per day and in the wintertime about 10 hours per day to take care of their livestock. If they were not an intelligent people perhaps they ought not to be paid much, but our people are the most literate of the people of any of the States. They are industrious and intelligent and deserve better than they get. With corn at 35 cents how can they be prosperous? It is said that the use of hybrid corn increases the yield. This verily is true, but let no man believe that we can raise 15 bushels more than formerly of good corn without paying for it in the end. This must necessarily deplete and mine the soil, and because of this very thing they must put back legumes and fertilizers and plant less and less acreages of grain. That they have not been prosperous is proven by the county records. We have 99 counties in Iowa and an acreage equal to 8 of such counties is now owned by insurance companies because of foreclosures and of forced sales. A study that I made 4 or 5 years ago, showed that about one farm out of seven in my particular vicinity had been foreclosed or was under foreclosure process and I may say to you that many of the other six farmers were just about two jumps ahead of the sheriff. That is the condition. We raised, this year, and have in sight over 3,000,000,000 bushels of corn in the United States, which is about 400,000,000 bushels more than we know what to do with.

Shall we then fetch up here more corn from Argentina? If these corn farmers were prosperous you might answer this question in the affirmative, but so long as they are not and so long as Government subsidies and Government helps must be furnished them, then it seems to me that you must answer this question in the negative. Corn at 35 cents and parity at 80 cents and cost of production at 85 cents or more means only disaster. If this Government loves the Argentine farmer better than it loves the American farmer, then we ought to go ahead with the suggestions proposed and allow more importation to further add to the existing surplus and reduce market prices. Newton announced the law of gravitation, but the economic law pertaining to prices under the operation of supply and demand is just as immutable and unchangeable. We cannot now find a market for our surpluses. Then why allow Argentina to add to our distress?

Production of livestock, hogs, and cattle follow the production of corn and feeds. After a big crop of corn there is sure to be a big crop of hogs. There usually is a little lag in this big livestock production. But it is sure to come as verily as causes produce effects. So then, why should we add to the livestock and meat production in our country by reducing our tariffs and thereby providing increased importation from abroad? The ability of manufacturers to sell American products to the American farmers is a better right and means more to them than it does to foreigners. Argentina may get more automobiles from Detroit and more radios and talking machines if this present proposal is put into effect, but the farmers of this country will buy less and the net result will be that America will be injured and our own flesh and blood deprived of what they ought to have. These American farmers, if given a chance, will buy from Detroit and Grand Rapids and Massachusetts much more than the peon from Buenos Aires.

The Agricultural Statistics Year Book for 1938 shows that my State is vitally interested in poultry, including turkeys. On January 1 in each of the years 1935, 1936, 1937, and 1938 Iowa had more chickens on farms than any other State, but it must be made known that all of the States had great numbers of chickens and were enormously interested in the welfare of the poultry industry. It is now proposed to bring this poultry into direct competition with the turkeys of Argentina. It is now proposed that the livelihood of turkey producers should be curtailed in favor of South American producers. I get my figures and data from a friend who raises and packs many thousands of turkeys. He says that there is at present only a small number of turkeys being raised in the Argentine and that it is not yet an important industry there. Few people down there will be harmed if we do not build up for them this business. They should not expect us to build up an industry which will destroy our own.

The turkey industry in this country is growing and amounts now to about $100,000,000 per year, but there is already a real danger of overproduction. The market is already down from 5 to 10 cents under last year, and apprehension exists about marketing the present crop at a decent price. The laborers in Argentina get about $4 a month for herding these turkeys, and they are herded upon land worth from $1 to $2 per acre. Americans cannot compete with this peon labor. My friend says that in Ecuador full-grown turkeys are worth about 40 cents apiece, but baby turkeys in this country cost as much as 40 cents and 50 cents, so here again we cannot compete with South America, and we ought not to be asked even to consider that kind of competition.

Moreover, turkeys come into direct competition with other poultry, and the farm wives throughout this country are the folks who will suffer the most. They pay current family expenses with eggs and chickens. They look after the incubators; they feed the chicks; they gather the eggs; and then they are the ones who, by common consent, get the income and money from poultry sales. This is about the only money the farm wives get. It is their sole income or pin money. They look forward to it. The Lord knows that these farm wives do not have too many of the bright and beautiful things in this world and that they ought to have more. Why not let them have a silk dress once in a awhile? Are you going now to injure this business by foreign peon competition? Will you take away the very small income that these farm wives have? They will spend this money wisely, and they are entitled to a happy life. I have noticed a recent resolution presented by the rural conference of a great church to which I do not belong, but which I respect, and this resolution calls attention to the things that farmers ought to have. All farm folk should have education. Farm families should have a wholesome family life and modern, sanitary homes equipped with labor-saving devices and with cultural materials. We want extension of rural electrification to eliminate drudgery and stimulate development of home arts.

The vanishing ownership of farms is a major problem, and it carries with it disastrous moral, social, and economic consequences. An economic system, to be equitable, must provide opportunity for the masses to become owners and unless this opportunity is offered to the masses the foundation on which the right of property rests is destroyed.

If we do not restore parity of price, if we do not give the farmer costs of production, then the trend toward tenancy will increase. An immediate and sustained and vigorous action is required to stem this tide of increasing farmer tenancy which otherwise will result in rural decadence and desolation. You cannot restore farm prosperity by selling the market to Argentina.

[Here the gavel fell.]

THE FACT-FINDING COMMITTEE ON RECIPROCAL-TRADE TREATIES

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that I may be permitted to insert in the RECORD remarks which I made before the Fact-finding Committee on Reciprocal Trade Treaties on October 17, 1939, in the matter of the proposed reciprocal-trade agreement with Argentina.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The remarks are as follows:

A tremendous amount of accurate and convincing evidence in the way of figures has been presented to this committee. In opposition

to this proposed reciprocal-trade agreement with Argentina it will not, in my opinion, serve the interests of American agriculture, the interests of my constituents, or the purposes of this committee to repeat these figures, because they are overwhelming in their weight and the implications which are to be drawn from these figures are such that this becomes purely a question of whether or not we are going to put the interests of American citizens and American agriculture and American farmers and the welfare of this Nation ahead of some theory that it is necessary to turn our own people out of their homes and off of their farms in order to provide employment and trade for somebody across the seas.

No one can possibly deny with any shadow of justice or logic that the American market belongs primarily to the American farmer.

No one, Mr. Chairman, can deny with any shadow of justice or logic that our first concern must be our own people.

No one, Mr. Chairman, with any shadow of justice or logic can argue that we want to penalize American farmers in order to extend favors to farmers anywhere else on earth.

At no time in the history of this Nation, Mr. Chairman, have the American farmers ever asked this Government to ask any other government to penalize its farmers in favor of American farmers. We would not expect them to do so, and if we were to make any such preposterous request, of course, they would not heed it.

If it is true that the farmers of this country are producing a surplus, particularly meats, which are included in this proposed treaty, that to my mind is the best argument that could be presented to this committee against granting any concessions to the agricultural interests of any other counry and to lower the tariff in order to build surpluses in the American market by the importation of foreign meat.

If a surplus of meat and other products is not being produced by American agriculture, and if there is any need in this Nation for more meat, in the name of justice and common sense let the American farmer employ his idle acres and produce those products for this market.

I am here, Mr. Chairman, to say to you for my constituents that we believe the American market belongs to, and should be retained for, the American farmer up to his capacity to produce. I agree fully with others who have stated to this committee that tariff concessions on the farm products embraced in this proposed treaty would be unwarranted, unjust, and indefensible. It is true, of course, that any such concessions will tend to increase agricultural surpluses and to further drive the farm prices down. It is absurd, Mr. Chairman, to discuss parity for the American farmer while at the same time we are considering here entering into a trade treaty with Argentina.

The terms of this agreement will be favorable to every nation on this globe except Germany. The point has been well made that these concessions would be discriminatory and that the whole plan of these reciprocal treaties, the whole underlying theory of the policy itself is to penalize American agriculture in order to get some advantages for American manufacturing industries. Of course, we want the American manufacturing industries to prosper, but we do not want, and it is not good economics, to endeavor to create prosperity or increase foreign trade for American manufacturing by the method of giving away the American agricultural market to foreign farmers.

We are today facing a serious employment problem on the farm. To make a treaty such as the one proposed here will aggravate that problem. The administration has for 6 years insisted that it was trying to raise wages on the farm. How can we hope ever to raise wages on the farm; how can we hope that the renters and the landowners themselves can continue if we are going to expose them to the competition of South American labor in the American market? They have no wage and hour board in the South American countries, they have no labor organizations in South American countries, they have no labor board in the South American countries. South American meats are produced by low wages, long-hour labor, and when they are permitted to come into this country in opposition to the products of the American farmer, we have placed the American farmer directly in competition with the low wages and the long hours of the South American countries.

Now, Mr. Chairman, it is time that the American farmer knows whether or not they are to be made the pawns in some international game of power politics, or whether they are to have their rights as American citizens under the Constitution and under any sound economics that can possibly be evolved. There is no theory of economics that justifies this treatment.

If we must open the American markets to foreign South American agriculturalists and at the same time lend them gold to finance increased production and to finance the mechanization of their farms and their ranches in order that they may increase their competition with us, then we might just as well say to the American farmer that his interests are no longer being considered and that he is a pawn in the game of international power politics.

The American farmers, the farmers of my district, pay taxes; the meat producers of Argentina pay no taxes here. In the last World War, Mr. Chairman, it was not the sons of Argentine farmers but the sons of American farmers who went to the fields of France to fight, and if there is another war it will not be the sons of Argentine farmers but it will be the sons of American farmers who will march forth to shed their blood for this country.

I want to be a good neighbor to the South American countries, just as I have always wanted to be a good neighbor to whoever lived near me. But it is not the part of good economics, it is not the part of good government, and it is certainly not good Americanism to enter into these treaties and turn our American families off their farms and put them into the bread lines, if you please, or cut them to the barest existence in order to purchase friendship by turning our markets over to the farmers of South America.

The farmers of my district are against this treaty, the farmers of my district are demanding as American citizens that the American market be reserved and preserved for American farmers, the people and farmers of my district are demanding that we care for our own first, and I am here to convey that demand to this committee and I enter my most emphatic protest against this treaty with Argentina.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHANNON. Mr. Speaker, I ask unanimous consent that on Monday next following the gentleman from Kansas [Mr. REES], I may address the House for 30 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by former President Hoover, entitled "We Must Keep Out."

Mr. Speaker, I have, in accordance with the rules, submitted this article to the printer as it exceeds the two pages ordinarily allowed. I have an estimate from the printer and ask to have the article inserted in my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD to be printed tomorrow and to include therein correspondence with the Acting Secretary of the Navy and the chairman of the House Committee on Military Affairs.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HANCOCK. Mr. Speaker, this afternoon I introduced a resolution proposing a constitutional amendment giving Congress the power to meet in special session in its own discretion.

Mr. Speaker, I ask unanimous consent that I may be allowed to extend my remarks at this point in the RECORD in explanation of this resolution.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SPECIAL SESSIONS OF CONGRESS

Mr. HANCOCK. Mr. Speaker, I have just introduced a proposed constitutional amendment providing that Congress may call itself into extra session. We now have no such power.

Article II, section 3, provides that the President—

may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them with respect to the time of adjournment he may adjourn them to such time as he shall think proper.

The twentieth amendment, section 2, reads as follows:

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Congress is without power to call itself into an extraordinary or special session, no matter how great an emergency may arise or how strongly public opinion and public interest may demand that Congress assemble. It is only the President who can convene an extra session. This impresses me as a defect in our fundamental law.

I propose an amendment, as follows:

SECTION 1. Congress shall have the power to provide by law for convening in extra or special session.

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided by the Constitution, within 7 years from the date of the submission hereof to the States by the Congress.

I have not worked out the details of a law to put this amendment into effect. It might provide for convening an extra session on the petition of a certain proportion of the

Members of the House and Senate, or upon the call of the steering committees of the major parties of both Houses, or in some other manner. Surely the legislative branch of the Government ought to have the power to perform its functions in a great emergency even if the Chief Executive should think otherwise.

At the present time there is a strong public demand that Congress remain in session. This can only mean that the people wish their Representatives to stay in Washington as a check and balance on Executive action when there is any threat of war or any danger that hasty or ill-advised moves by the Chief Executive may involve us in it.

The language of my amendment may be inadequate, but I believe the idea behind it merits serious study.

NAVY DAY

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, someone has just called my attention to the fact that this is Navy Day. It is also the anniversary of the birthday of Theodore Roosevelt, one of our greatest American Presidents. Theodore Roosevelt was born on October 27, 1858, and he would be 81 years old today were he alive.

As one of his followers, and devoted to him personally, I want to join in commemorating the birthday of one of our truly great Americans, and one of the most courageous who ever held public office. Navy Day has been set aside in commemoration of his outspoken policy for a large navy to defend our country. It seems to me appropriate at this time to point out that we have the greatest, the largest, the most powerful, and the most efficient navy in the world today in spite of war propaganda and hysteria to the contrary.

Only last week Assistant Secretary of War Louis Johnson, speaking to a group of businessmen, called their attention to the plight of Poland and implied that it might happen to America next, due to our lack of defense. He was called to task by Senator CLARK, that able and fearless Senator from the State of Missouri, who said that statements of that kind were moronic and idiotic. One could even add harsher words to it. I say without fear of contradiction from anyone that our Navy today as we commemorate the birthday of Theodore Roosevelt and celebrate Navy Day, is the greatest and most powerful navy in the world. Furthermore, no nation has the faintest thought of attacking the United States of America, and no nation or group of nations could attack the United States of America even if they wanted to. All admirals will agree that any foreign navy that seeks to attack us would lose 20 percent efficiency every 1,000 miles it gets away from its base.

Our Navy, being at least four times larger than the German Navy and almost as large as the combined navies of all the Fascist and dictatorial powers, we have nothing whatever to fear. Let me call attention to what happened at Gallipoli during the World War. The combined navies of Italy, France, and England could not land sufficient troops in Gallipoli to go 1 mile inland. So as an answer to the type of propaganda, moronic and idiotic propaganda, that we are defenseless and ought to look under our beds each night to see if there is not a Jap, a Nazi, or a Fascist there, I want to put it on record that we have the greatest, the strongest, and the best navy in the world at this time. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. GORE asked and was given permission to revise and extend his own remarks in the RECORD.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 12 minutes p. m.), under its previous order, the House adjourned until Monday, October 30, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1109. Under clause 2 of rule XXIV a letter from the Secretary of War, transmitting the Annual Report of the American Red Cross, audited by the Chief of Finance, United States Army, for the fiscal year ended June 30, 1939, was taken from the Speaker's table and referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 7603. A bill relating to defamation of groups; to the Committee on the Judiciary.

H. R. 7604. A bill relating to defamation of groups; to the Committee on the Judiciary.

By Mr. LEAVY:

H. R. 7605. A bill to authorize the Secretary of Agriculture to cooperate with State and local agencies in carrying out operations against plant and animal diseases and noxious insects and other pests affecting agriculture; to the Committee on Agriculture.

By Mr. HOFFMAN:

H. R. 7606. A bill to limit the expenditure of Federal funds; to the Committee on the Judiciary.

By Mr. VINSON of Georgia:

H. R. 7607. A bill to extend the period for filing claims on insurance contracts under the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. HENDRICKS:

H. J. Res. 394. Joint resolution relating to the improvement of economic, commercial, and cultural relations among American republics; to the Committee on Rules.

By Mr. HANCOCK:

H. J. Res. 395. Joint resolution proposing an amendment to the Constitution of the United States with respect to convening extra or special sessions of Congress; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. CALDWELL introduced a bill (H. R. 7608) for the relief of J. Montrose Edrehi, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5834. By Mr. BROOKS: Resolution of the Red River Parish Petroleum Industries Committee, Coushatta, La., urging immediate and permanent elimination of Federal gasoline, lubricating oil, and motorist taxes; to the Committee on Ways and Means.

5835. By Mr. JOHNS: Petition of Sister Mary Joseph and 88 others, of the city of West De Pere, Wis., protesting against the lifting of the embargo on arms in the neutrality bill; to the Committee on Foreign Affairs.

5836. By Mr. KINZER: Petition of 63 citizens of Pennsylvania, urging that the United States of America do not become involved in the current European war; to the Committee on Foreign Affairs.

5837. By Mr. RUTHERFORD: Petition of students of senior class of Camptown High School, Camptown, Pa., urging the United States to keep out of war; to the Committee on Foreign Affairs.

5838. By Mr. SCHIFFLER: Petition of Alberta P. Schrader, chairman, Public Affairs Committee, Public Affairs Class, Wheeling Young Women's Christian Association, Wheeling, W. Va., supporting the revision of the present neutrality law as proposed by the Senate Foreign Relations Committee; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 30, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Son of God, incarnate, O Son of Man, divine, we need Thee in the kingship of our hearts; clear our vision and bless us with Thy presence afresh. Grant us such energy of mind and vigor of heart that the tasks awaiting us may be a challenge to our powers. May our labors be so squared with the Golden Rule that they shall wisely fit into the notable structure of our Republic. We pray Thee that the mists of doubts and uncertainties which so often hide Thee may be dispensed in the light of a strong, happy faith. Heavenly Father, help us to place our hands in Thine and walk with Thee in holy trust and serene peace. We wait, again our ranks are broken; he has ended his journey and completed his honorable task. Give the blessing of abiding comfort to the family circle with thoughts that overleap the flight of time and give vision of destiny immortal. In our Redeemer's name. Amen.

The Journal of the proceedings of Friday, October 27, 1939, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a joint resolution of the House of the following title:

House Joint Resolution 306, Neutrality Act of 1939.

COMMITTEE ON RULES

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until 12 o'clock tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SABATH, from the Committee on Rules, submitted the following report (to accompany H. Res. 320):

The Committee on Rules, having had under consideration House Resolution 320, reports the same to the House with the recommendation that the resolution do pass.

House Resolution 320

Resolved, That immediately upon the adoption of this resolution, the joint resolution, House Joint Resolution 306, the Neutrality Act of 1939, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that the amendments of the Senate be, and the same are hereby, disagreed to and a conference is requested with the Senate on the disagreeing votes of the two Houses.

EXTENSION OF REMARKS

Mr. CHANDLER and Mr. MOUTON asked and were given permission to extend their own remarks in the RECORD.

Mr. SUTPHIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein the Navy Day speech delivered by the Honorable Charles Edison, Acting Secretary of the Navy.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks by inserting in the Appendix of the RECORD an address I delivered to the Virginia Grange at Winchester last week.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an address recently delivered by Hon. John W. Hanes, Under Secretary of the Treasury.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMPARATIVE PRINT OF NEUTRALITY BILLS

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, I know we are all very much interested in the bill (H. J. Res. 306) which the House passed on June 30, 1939, which the Senate has amended and passed and which has just been sent back to the House. I know the people of America are much interested. I refer, of course, to the proposed amendment of the present Neutrality Act. I believe it would be valuable and enlightening not only to the Members of the House and of the Senate but also to the many readers of the CONGRESSIONAL RECORD if there should be inserted in the RECORD in parallel columns the present Neutrality Act—approved May 1, 1937—the pending bill (H. J. Res. 306), as it passed the House on June 30, 1939, and that same bill (H. J. Res. 306) as amended and passed by the Senate last Friday, October 27. To be of value, I believe these three documents should be printed in parallel columns and in large type; that is to say, in the same type as that in which the body of the RECORD is ordinarily printed. This would involve, however, a departure in this case only from the usual format of the RECORD. As we all know, the RECORD is ordinarily printed with two columns on a page. In this particular case there would be three columns on a page.

There has been a great deal of interest in this suggestion. I have mentioned the matter to the House members of the Joint Committee on Printing. I have also taken the liberty of mentioning the possibility to the chairman of the Joint Committee, the junior Senator from Arizona, Senator HAYDEN, and have been assured by Senator HAYDEN that there would be no objection over there to whatever the House wishes to do with this suggestion.

Therefore, Mr. Speaker, I ask unanimous consent that the present Neutrality Act, the bill (H. J. Res. 306) as it passed the House, and the bill as it passed the Senate, be printed in three parallel columns at this point in the body of the RECORD, in the issue of the RECORD for today.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I say to the gentleman from Colorado that I believe it would be enlightening to the Members to have this material printed as suggested by the gentleman from Colorado. As a member of the Committee on Printing, I should like to see the cooperation of the Members of the House in this respect.

The SPEAKER. The Chair thinks it proper, in order to conform to the established rules of practice in the House with reference to the matter covered by the request of the gentleman from Colorado, to state to the gentleman that in the conference he had with the Chair this morning relative to this matter the information was not disclosed that the request would require a change in the usual format of the RECORD. The Chair is advised by the Parliamentarian that it would be contrary to the law with reference to printing of the RECORD to submit the request.

The Chair would suggest to the gentleman from Colorado that he submit his request subject to the approval of the Joint Committee on Printing.

Mr. LEWIS of Colorado. I so amend the request, Mr. Speaker.

Mr. WOODRUM of Virginia. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Colorado. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. Just for the information of the gentleman, may I say that it is my recollection that the Committee on Foreign Affairs have had the bill printed just in the form in which the gentleman suggests. Of course, this has not appeared in the CONGRESSIONAL RECORD, but my understanding is that the Committee on Foreign Affairs have had the various forms of the bill printed in three columns, just as the gentleman has suggested. The gentleman from New York [Mr. BLOOM] can probably give us further information about this.

Mr. LEWIS of Colorado. That would not serve to inform promptly the many thousands of readers of the CONGRESSIONAL RECORD throughout the country. It is with that idea in mind that I have made the suggestion. I have understood, too, that the Committee on Foreign Affairs do not have printed the bill as passed by the Senate. Perhaps they have, but I have not as yet been so informed.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Colorado. I yield to the gentleman from New York.

Mr. BLOOM. I may say for the information of the gentleman and of the House that the Committee on Foreign Affairs has already had printed and there will be distributed this afternoon comparative prints of the present law, House Joint Resolution 306 as it passed the House, and the Senate amendment. Of course, the number of copies we can have printed for the use of the committee and of the Members of the House is very small.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. Yes; I am pleased to yield to the gentleman from Michigan.

Mr. MAPES. Is the print to which the gentleman refers in addition to the print which the committee had made previously, containing the recommendation of the Committee on Foriegn Relations of the Senate?

Mr. BLOOM. I may say to the gentleman that the previous print contained the present act, the House bill and the bill as passed the House, and the Senate bill as presented to the Senate.

Mr. MAPES. Yes; I understand that.

Mr. BLOOM. In this pamphlet we have the House bill, the present law, and the bill as amended and passed by the Senate last Friday night.

Mr. MAPES. The gentleman had printed as a document the same print that the gentleman from Colorado is asking to have inserted in the RECORD? Is that correct?

Mr. BLOOM. Yes; if the gentleman's request is complied with, they will take the pamphlet that was printed by the Foreign Affairs Committee and insert it in the RECORD.

We have received many, many requests for the comparative print, and we are unable to see that they get out in time. If this request is complied with, the matter will be distributed throughout the country, and the Members then will have a sufficient number of copies to last them during the debate.

Mr. COX, Mr. SWEENEY, and Mr. MICHENER rose.

The SPEAKER. The gentleman from Colorado [Mr. LEWIS] has submitted a unanimous-consent request. Does the gentleman from Georgia reserve the right to object?

Mr. COX. Yes, Mr. Speaker.

Mr. SWEENEY. Mr. Speaker, will the gentleman yield?

Mr. COX. If the gentleman will permit, I would like to ask a question of the gentleman from New York.

Mr. LEWIS of Colorado. I yield to the gentleman from Georgia.

Mr. COX. Does the gentleman from New York intend to have this pamphlet messengered to the offices of the Representatives during the day, or where can they be obtained?

Mr. BLOOM. They will be sent around to each Member sometime this afternoon.

Mr. SWEENEY. Mr. Speaker, reserving the right to object, I want to ask the gentleman from New York [Mr. BLOOM] how many copies will be available for the use of the Members of the House?

Mr. BLOOM. One thousand copies altogether. The trouble will be that the Members will take a copy and keep it in their offices or bring it over here one day and the next day they will not have any copies.

Mr. SWEENEY. The number that the gentleman requests is too small. Why cannot we enlarge that so that every Member may have an ample supply?

Mr. BLOOM. I am not allowed to do that, under the rules.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. The pamphlet or the document referred to by the gentleman from New York [Mr. BLOOM] is frankable, is it not?

The SPEAKER. In the opinion of the Chair it would be frankable.

Mr. MICHENER. The same as a speech if printed in the RECORD would be frankable, as suggested by the gentleman from Colorado?

The SPEAKER. A speech?

Mr. MICHENER. Yes; or an extension of remarks.

The SPEAKER. Yes; that is true. It would be frankable in either event.

Mr. MICHENER. My next question is whether Members of Congress or anyone else may secure copies of the document to which the gentleman from New York has referred to be sent out the same as we send out a speech, and be sent out at the same rates, comparatively?

The SPEAKER. They could be sent out by the Members if they paid for the printing of the document.

Mr. MICHENER. That is the point, whether or not the one document could be secured and sent out broadcast under a frank, the same as the other.

The SPEAKER. Undoubtedly, the document in any form would be frankable.

Mr. FISH. Mr. Speaker, will the gentleman yield?

The SPEAKER. Just a moment, please. The Chair desires to make a statement to clarify the matter. As the Chair understands the situation the Committee on Foreign Affairs was merely authorized to have a thousand copies of the document referred to by the gentleman from New York printed. The Senate is entitled to share in the distribution of the 1,000 copies, the remainder going to the House. That document would undoubtedly be frankable. If any Member desired to purchase through the Printing Office or have printed additional copies of the same document, they would be frankable if the request of the gentleman from Colorado is granted. Of course, his statement together with the document would be frankable.

Mr. FISH. Mr. Speaker, reserving the right to object, I do not propose to object; but for the sake of accuracy and the RECORD, I would like to know when the Committee on Foreign Affairs has met to pass on this question.

The SPEAKER. The Chair cannot answer that question.

Mr. FISH. I would like to propound the question to the chairman of the committee.

Mr. BLOOM. The Committee on Foreign Affairs got out these pamphlets without any meeting. I did not think that was necessary. I assumed we had the right, or the chairman had the right, to publish this pamphlet for the benefit of the Members of the House.

Mr. FISH. Mr. Speaker, I am not going to object to the proposal of the gentleman. I just want the gentleman from New York to state it is his own proposal and not that of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

DICTATORSHIP AND DEMOCRACY

Mr. VOORHIS of California. Mr. Speaker, I had a special order granted for today and as I understand the House will adjourn out of respect for the death of a Member of the House, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I wish to speak today about the struggle between dictatorship and democracy, about the battle to maintain human liberty.

AMERICA'S WORK FOR PEACE

If the pages of history could, in future, record that a Europe on the brink of war was saved by American statesmanship from that catastrophe, those would be the most truly happy pages that have ever been written in all that long narrative of human struggle. It is my earnest hope that all of us will

seize upon every possible opportunity to contribute whatever we can to prevent the impending destruction of civilization on the European Continent. The idea that any good purpose can be served by a military victory seems to me absurd. If a long war takes place, not only will there be constant danger of its spreading to other parts of the world but the only forces that can possibly hope to gain will be those which feed on disintegration, degradation, and utter collapse. Perhaps it is realization of this fact that has given pause in this hour to the combatants and caused them to refrain on both sides from striking blows that would make peace impossible. And while I believe passionately that America should not, under any circumstances, participate in that war, I believe quite as passionately that if America's help can be instrumental in bringing about a decent lasting peace we should not hesitate to do all things to that end. Our President could ask no greater honor or no more worthy place in history than to be the one who brought peace when there might have been war. Perhaps he may yet accomplish that.

THE REAL DANGER

I say these things the more earnestly because I believe the real issue is today obscured and seldom mentioned. For it is not enough merely to say that dictatorship has challenged democracy; it is also necessary to ask why this is so. It is not enough to complain of Hitler's obvious ruthlessness when dealing with smaller and relatively helpless states; it is also necessary to examine the purely economic measures that have been taken within Germany herself. It is not enough to consider ways and means of defending democracy by force of arms, for in all probability that just cannot be done and certainly unless the democracies mend their economic ways in some important particulars the end result will only be a deeper and wider world depression than ever. What must be done is to find the real danger that confronts democracy today. I am convinced that that danger is to be found in the fact that democracy, carrying the incubus of nineteenth-century-finance capitalism, still suffers from unemployment and depression whereas dictatorship has for some reason succeeded in putting its people to work and achieving something like full production. The price of this latter achievement is one too heavy for an American to be willing to pay if that price includes succumbing to a Stalin or a Hitler dictatorship. But I am convinced that the price for the abolition of unemployment is a very small one indeed, convinced that it does not include succumbing to any dictatorship at all, and convinced that the very future of democracy depends not on the outcome of a war but on the adoption by the democracies of a sound economic policy which will do away with unemployment. As a measure of keeping America out of war, I am of the opinion that the Neutrality Act with or without an arms embargo is of minor consequence. The way to keep America out of war is to keep America absorbed in a great national effort to end unemployment in this country.

It is not Hitler's or Stalin's destruction of their people's freedom that we need fear. It is their claim of putting all their people to work. And even if Hitler should be destroyed, if the problems of unemployment and poverty in the midst of plenty remain, will not the survivors of the war ask with one accord, "What price victory?"

THE PRESENT INCREASE IN PRODUCTION

Let us consider for a moment the present ridiculous situation. We are witnessing an improvement in business in the United States. After years of the most earnest effort to increase production for the purpose of meeting the truly desperate needs of the American people we now find that production is actually on a sharp increase because a war is in progress in Europe. Steel production is the highest on record. The Federal Reserve Index of production stood at 110 for September. In other words, although the wheels of our industry would not turn to meet basic human needs in America, they have proven very responsive to the demands of another continent for the weapons of destruction. We are about to achieve a tawdry prosperity by the astonishing method of shipping the mineral wealth and the soil fertility of America to Europe. The reason for this tragic contradiction of the most elementary common sense lies, I believe, primarily in the fact that, although nations know well enough how to expand their credit to finance war, they have not yet put into operation any workable or scientific method of creating the money and credit necessary to make the human demand of their people an effective demand in the market place. And, furthermore, it cannot be emphasized too strongly or too often that the increase in production which has taken place has not been accompanied by even half as large a percentage of increase in employment. This means, to me at least, that we have got to revamp in fundamental fashion our system of distributing buying power in this country. Increased production simply does not any longer mean corresponding increases in employment.

WE NEED THE SIMPLE TRUTH

The old patterns of political thought and the old dogmas of political and economic systems are today either completely discredited or at least lacking in any dynamic appeal.

The battle between communism and fascism in Europe has turned into a Russo-German pact, and from this we learn that the hierarchy of both systems is forced to concern itself primarily with power, more power, and the maintenance of power. Those who have tried to draw sharp distinctions between these two systems are baffled and frustrated as they should be. No longer can an antifascist front be a rallying point for the forces of the left or an anticommunist front for the forces of the right. The old cry of "let business alone" is almost exactly the same as that of some sections of the labor movement. Great movements have arisen in this country advocating one sweeping change, such as a national old-age pension; but in all other matters clinging to a most conservative philosophy. The most ardent opponents of communism are progressives and radicals who have seen the inner workings of the Communist machine at close range. There is gradually emerging a "small business" movement which may turn out to be a more bitter opposition to monopoly than labor has ever been. In democratic nations conservatives and liberals unite together to save liberty. In totalitarian nations built on destruction of the labor movement and the preservation of private property we have seen private property rights reduced to a mere pretense under the overshadowing power of the state. In totalitarian nations built on dictatorship of the proletariat we have seen the proletariat itself denied freedom and the right of protest and reduced to a state similar to that which it suffers in Fascist countries. Yet only the totalitarian nations have eliminated unemployment, and economic inequalities within their borders are less sharp than in the so-called democracies.

To add the final and ultimate element to the confusion, war—the complete denial of all order—has broken out and threatens to destroy the whole structure of European civilization.

There remains for us one reliance—the one that has not yet been tried either by Communists, Fascists, Nazis, Conservatives, Reactionaries, or Liberals. That reliance is the truth—the truth about all things, including the mistakes of one's own school of thought and the strength of the systems one has been taught to despise. It is to that truth that we must turn.

DEMOCRACY REQUIRES EMPLOYMENT

Liberty and democracy are like stately flowers. Regimentation and dictatorship are like tough, rank weeds. The reason is that all men love liberty, but they desire more than liberty to see bread in their children's mouths and to know that their own constructive labor has put it there. The flower of democracy can only grow in soil that has been moistened by the sweat from the brow of a people constructively and steadily employed and hopeful for a brighter day. The weed of dictatorship need fear no lack of moisture. For its soil is moistened by the blood of men who would be free.

NEED OF THE WORLD

The central truth about this struggle of democracy and dictatorship is this: The whole future of human civilization, the whole chance of the survival of human happiness and

art and peace, and above all religion, depends upon the raising up among the nations of the world of at least one people who will demonstrate the way to preserve liberty and at the same time to conquer the economic problem of the machine age and—without war or the help of war—to make the machine the servant of mankind instead of his dumb, ruthless master. America will lose her manifest destiny unless she becomes that people.

Apparently it takes great and terrible events to rouse men out of their smug complacency and their cynical assumption that great changes for good are impossible in their time. Those great and terrible events are here—now, today—and the spirit of liberty waits to see whether the complacency and cynicism of the United States Congress will be burned away by the fire of those events before war engulfs the world.

The great division between people in America today is between those on the one hand who would use this war as a convenient escape from the necessity of attacking and solving our domestic problems, and those on the other hand who are willing to take those bold steps which can and will give us an economic order in which neither loss of freedom nor the sacrifice of young men will be required to end the greatest social crime in all history—poverty in the midst of plenty. As a matter of cold, hard fact, I believe we are going to have to take the second way anyhow, for I do not believe a war-trade boom will even come near to putting our unemployed people to work—even if we should be foolish enough to allow one to develop.

WE MUST PREVENT PROFITEERING NOW

I believe it is most important for us to provide before it is to late a tax program which will effectively prevent a false and unhealthy boom based upon war orders. Between 1914 and 1917 profits in certain lines of American industry rose from 80 to 150 percent above pre-European war levels. The desire to maintain these profit margins was one of the most powerful influences that drove this country into war. To permit this to happen again would be nothing short of criminal. Entirely aside from what may be done about so-called neutrality legislation, our clear duty is to prevent in every possible way the dislocation of our economy through a war-trade boom.

There are several possible ways to do this. The most direct one would be by the establishment of peacetime quotas for our trade with foreign nations. The Senate, unfortunately, has decisively defeated such a proposal. Another way would be by direct price control. We may indeed have to come to something of that sort to protect consumers, but I freely recognize there would be most serious opposition to it. The remaining method is by excess-profits taxation sufficiently severe to discourage overexpansion of war industries and to leave small incentive for exorbitant increases in prices. Incidentally the additional revenue is badly needed to finance necessary governmental measures to combat unemployment.

To allow profiteering means to permit certain producers to take far more than their share of currently produced income. Someone else—either another group now, future taxpayers, or the Nation as a whole—must pay the price.

To allow profiteering means to obscure under a cheap, gaudy cloak the real conditions of our country's economy. The greatest danger to our democracy today is that we will be content to use that cloak instead of facing our problem like men.

A BETTER STANDARD OF LIVING IS THE WAY TO REEMPLOYMENT

Therefore, we have got to have a dynamic program to end unemployment for our democratic people in America, and this is our one paramount duty in this struggle for freedom. Such a program would do far more to combat un-American activities than any other measures that could possibly be taken. In devising such a program, we cannot be dogmatic and we cannot go to any systems of economic theory for our direction. We cannot cast measures aside simply by pinning labels on them. They may be exactly what we need. We have got to be hard-headed realists for once, and everybody has got to admit where he has been wrong. We have got to study what has been done in other nations to determine how they have overcome unemployment. And we cannot be afraid of their economic measures, even if we do not like their politics. There is one main thing that has got to be accomplished, and that is to get our people back to work and to start making a full use of our abundant resources. Generally speaking, there is only one way we can do this decently, and that is by raising the standard of living of our own American people to a point where their demand for goods will require full production to meet it. In the past America got full employment by sending her unemployed out into the virgin lands of the West and by the general method of geographical expansion. More recently some of the nations of Europe have achieved it by instituting huge armament programs. During the World War America had full employment for a few brief giddy years, because we were supplying materials to warring nations.

Indeed, since the coming of the machine age there has been no extended period when full employment was achieved by any capitalistic nation except when it was either operating on a wartime economy or expanding its export trade and sending the wealth of its own people to other nations, there, in many cases, to be used for the business of destruction. There is a great truth in the challenge of a prominent American industrialist when he says:

> If we have to have a war to create and maintain a workable financial system, there must be something tragically wrong with our financial system. It is time then to turn back to Congress the control of that system.

When Baron Rothschild said, "Let me control the money of a nation and I care not who makes its laws," he spoke prophetic words. For he put his finger on the key to our present ridiculous dilemma where our peculiar financial system forbids cotton garments to American cotton pickers while it turns the cotton into dynamite for European consumption, takes the steel and foodstuffs and materials for homes that is needed by our own people and whirls them abroad into the outstretched arms of warring nations. There is more than one cause of this condition, of course. But I am eager that we see clearly how ridiculous it is. Nations know how to create credits for war, how to tax for war, and how to plan for war, and when they do so they have full employment; why then cannot we learn to create credits for peace, to tax for peace, to plan for peace, and for a higher standard of living for our people, and thus to get full employment just the same. And may I point out to those who may feel that my argument is an argument for the restriction of export trade that unless you are willing to take the measures necessary to give all our people work in peaceful pursuits, to give us a money and credit system that will sustain that employment, and to institute such tax measures and such measures of control over monopoly power as will enable full production to take place and will give us a balance between capital goods and consumers' income—unless you are willing to do these things you have no right to argue for a restriction of the export trade. What I am arguing for is a healthy economic condition at home wherein the people are able to consume what they produce and then for a foreign trade which will be based on the mutual advantage of two nations each trading its surplus for products from abroad which it needs for its domestic economy.

OUR CENTRAL TROUBLE

Basically our trouble is that we have too much money in a few hands, not enough in others, we have more idle funds available for investment than can possibly be invested profitably under present conditions and too little buying power in the hands of the millions of our people to either enable them to live decently or to form an adequate consumers' market for the new investments in capital goods that ought to be but are not being made. The thing is a vicious circle and it must be broken. We must understand that we are up against no temporary condition.

THE MONEY ILLUSION

We have got to realize that in an age of highly technical production it is absolutely necessary for the flow of money and credit in the markets of the Nation to bear a scientific relationship to productive capacity. And we have got to realize that if industry and agriculture are to be free and if our economy is not to suffer periodic spasms of collapse it is

absolutely necessary that control over the creation of the money of the Nation be taken out of the hands of private bankers and placed in the hands of Congress, where the Constitution says it belongs.

For unless we do this our industry and agriculture must continue to be the slaves of private finance, and we can never achieve a condition where our economy will be protected against the sharp inflation and deflation of values which has been so disastrous in the past. Indeed, most people do not stop to realize that the real worth of our food, our houses, our property, and wealth of every sort changes but slowly and over long periods of time. People gain the same nourishment from bread and the same shelter from a house in depression as in prosperity. Yet the prices of these things may be many times as high in a boom as in a depression. This is because the buying power of the dollar has changed, and, since all values are measured in dollars, we think the values of real wealth have changed. If we would end unemployment, we must end this ridiculous illusion and, having reestablished prosperity, must thereafter maintain a constant stable relationship between the flow of goods and the flow of money, or, to put it another way around, we must maintain a stable buying power in our dollar.

Following out this line, it is, I believe, plain to be seen that the New Deal has been basically right in what it has tried to do. It has tried—and with marked success over considerable periods—to increase the volume of active buying power of the people because there was idle productive power lying around and not being used. Two adjustments of this general program are, I believe, necessary. The first is that enough new money or credit must be put into circulation over not too long a time to actually bring about full use of productive capacity. The second is that so long as an additional volume of money or national credit is needed by the national economy as a whole and so long as this money or national credit can be matched by increases in the production of goods, just that long no real inflation is possible, and the new money or national credit should be put into circulation directly by Congress and not borrowed into circulation by means of bond issues.

A PLAN OF ACTION

If I could do only four things right now, here is what they would be:

First. Passage of a tax and pension bill which would actually accomplish the vitally necessary shift of about $6,000,000,000 or $7,000,000,000 annually from the idle hoards which seek but do not find profitable investment in new capital goods into the consumer buying power of the aged, the disabled veteran of war or industry, the widowed mother all over the land. Do this and the standard of living of our people will be raised to the level where there will be room for the profitable investment of the balance of the Nation's savings.

Second. Passage of necessary legislation to give us a long-range public-works program to afford employment for all unemployed persons in the creation of such social capital as hospitals, highways, forests, power dams, reclamation dams, and low-cost housing. As quickly as private employment began to absorb the unemployed, this program would be curtailed. As quickly as unemployment increased, again it would be expanded.

Third. Passage of legislation which will break up monopoly control wherever possible, or if that is not possible, then compel monopoly industries to produce at a fair price up to the limits of consumer needs or else—in cases of essential public services—provide for public ownership, either by municipalities or by the Federal Government.

But most important perhaps, because most immediately effective, I would exercise the sovereign right of this Nation to utilize its own credit and to create its own money on the basis of its wealth in order to bring about full employment of our people within 6 months' time. It could, I am convinced, be done. I would put every dollar of this money or credit into circulation without any increase in the public debt. But I would not put out one single dollar beyond what was calculated to be necessary to match the resulting increase in production. There cannot be inflation as long as increasing volume of money is matched by increasing production. The moment we achieve full production and full employment the expansion should cease. A considerable portion of this expansion should, I believe, be accomplished by making credit available on fair terms to small-business men. The rate of interest should not only be low; it must be low enough to induce our businessmen to go ahead. All such credit would finance increased production, upon which, indeed, the credit itself would be based.

Another portion I would use for Government investment in such things as conservation, power development, low-cost housing, and reforestation; in short, in a public-works program wherein tangible and substantial additions to the wealth of the Nation would be made in fields where it is not profitable for private enterprise to venture. Principally, however, the expansion we need is expansion of the consuming power of our people. I would institute a national old-age pension and expand the social-security program, and, until such time as the productive capacity of our Nation had been put to work, I would use the sovereign power of the Nation to create its own medium of exchange as one source of funds for this purpose. Once our people are back at work creating either consumers' goods or capital goods or social capital, once our power to produce is all at work, then we must stop our policy of expansion and add to the volume of money and credit in circulation only to the extent that normal increases take place in our national productive capacity. But when that time comes, with everyone at work and a national income of over a hundred billion dollars being turned out, it will be entirely possible without an excessive tax burden to carry on such a program as I have outlined upon the basis of a balanced Budget.

When it is said that all other reform waits on monetary reform, I believe that is true and that we cannot have today both a balanced Budget and the absolutely essential measures to meet the unemployment problem. To do both these things—to beat unemployment and balance the Budget—will become entirely possible the moment we start exercising the constitutional duty of Congress to issue the Nation's money and regulate its value. The gentlemen who complain of increasing Government debt forget that so long as our present debt-money system is in effect Government debt must be increased whenever private agencies fail to increase their debt. For it is only on the basis of somebody's debt that we can today obtain any increase in our medium of exchange at all.

If it is objected that we now have over $5,000,000,000 of excess reserves in the banks—as we have—and that expansion of national money and credit might bring about a bank credit inflation, then I reply once again that this is only further proof of the necessity of monetary reform and of requiring dollar-for-dollar reserves behind all demand deposits in our banks. Now is the time of times to institute this change.

SIMPLE PROGRAM

We can win the fight for freedom and democracy and we can defeat dictatorship only if we win the battle for jobs and full production. Boiled down to its simplest terms, the way we can do this is as follows:

First. Increase the volume of credit for competitive production and social investment and the volume of money in the hands of consumers of goods in sufficient amount to secure full production and full employment.

Second. Establish and maintain a sufficiently effective and scientific tax program and pension and social-security system so that once full production has been brought about it can be maintained with a balanced Federal Budget and a dollar of stable buying power.

Third. As soon as unemployment appears, put every unemployed person to work, creating needed social capital.

The one serious obstacle in the way of this program, upon which the hope of democracy depends, is fear of debt. That fear must be removed. It can be done in only one way. That is by means of such reforms in our monetary and credit system, as I have outlined in this speech and tried to incorporate in my bills, especially H. R. 4931. And the heart and soul of this reform lies in the exercise by Congress of the sovereign right of the Nation to issue its own money and create its own credit without the sale of bonds or the contraction of debt, but upon the soundest security in the

world—the productive power of the people of the United States. Most of the basic legislation to make possible a program of this kind is at the moment before the Congress. As exhibits A and B, I submit my own bills, H. R. 4931 and H. R. 5910, which would make possible the carrying out of a monetary and credit policy such as I have outlined.

Do we care enough about democracy and freedom and our country to do these things? Are we deeply enough stirred over the plight of millions of our people who are in need while factories and mills work feverishly on war orders to do these things? Are we really in earnest about this struggle against dictatorship? If we are, we will fight first and hardest on our home front and we will set our teeth and vow here and now that whatever things are necessary to banish unemployment from this great land of ours, those things we will do.

The democratic way out of unemployment—the way out that will leave our economic system even freer than it is now—the way out that will be a fulfillment of the basic principles of our constitutional democracy lies along the road of governmental action to effect and maintain an equation between the power of the Nation to produce and the power of its people to consume.

EXTENSION OF REMARKS

Mr. BARTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address which I delivered last night over the National Broadcasting Co. network.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter which I have received from the Consumers Counsel of the Department of Agriculture.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter written by Secretary Hull.

The SPEAKER. Is there objection?

There was no objection.

INCREASING NAVAL DEFENSE OF UNITED STATES

Mr. BATES of Massachusetts. Mr. Speaker, I am filing today a resolution asking for the appointment by the Secretary of the Navy of a special board to investigate the need of increasing the naval defenses of the United States and I ask unanimous consent to extend my remarks at this point in the RECORD and include therein an estimate of the approximate cost of doubling the present size of the Navy, and other information along that line.

The SPEAKER. Is there objection?

There was no objection.

Mr. BATES of Massachusetts. Mr. Speaker, I beg the indulgence of the Members of the House for a short period in order that I may discuss a matter which I believe is of vital interest to the people of this country. Much has been said on the floor of the House as well as on the public platform throughout the Nation concerning the question of building up the naval defenses of the United States, and for the past few years the House Committee on Naval Affairs has been giving unstintingly of its time and study to these same needs of the Nation.

The Members of the House, I am sure, are quite well acquainted with the purpose and results of the Washington Disarmament Conference of 1922, when representatives of the various naval powers of the world gathered in Washington and discussed the question of reducing their respective naval armaments and the stopping of the naval race that was threatening their economic and financial structures and leading to bankruptcy and ruin.

The people of the world were extremely happy when these representatives entered into an agreement placing limitations on the tonnage of naval armaments for each of the countries affected. The representatives of the United States were foremost among those pleading for real, substantial reductions, and the results of the conference clearly show that the United States made the greatest sacrifices of any of the nations involved. In accordance with the provisions of the Washington treaty, the United States scrapped 4 dreadnaughts, 15 predreadnaughts, 7 new battleships building, 4 battle cruisers building, making a total of 30 ships scrapped under the agreement. These ships represented a total tonnage scrapped of 755,380, for which the people of this country had already paid $277,695,994.

The Washington treaty brought great hope to the hearts of the people of the world that the naval-armament race had been brought to an end and that sanity prevailed once more in this particular respect. For a period of years after the Washington conference disputes arose when some of the nations concerned by the agreement attempted to circumvent the spirit of the conference by embarking on a major program calling for the building of certain types of ships which were not included in the agreement and which would, of course, place them in an advantageous position over the other nations. For the most part, these difficulties were ironed out and the ratio of tonnage inspired by the Washington agreement was maintained until 1936, when one of the agreeing countries, namely, Japan, declared she no longer wished to continue a party to the pact.

We are now well aware of the complete break-down of the naval disarmament pact when other nations invoked the escape clause, declaring that they, too, no longer wished to be parties to the agreement. After a lapse of 14 years we saw in evidence the beginning of another race among the great naval powers of the world. In view of these developments the Seventy-fifth Congress authorized an increase of 20 percent in the tonnage of the United States Fleet. This race in recent months has been going on in great earnest, and today hovers like a dark cloud over the people of the world.

In the light of world-wide turmoil, with war and threats of war hanging over our heads, the members of the Committee on Naval Affairs of the House, Members of Congress, as well as citizens throughout the Nation, are wondering just how effective the United States Navy would be even with the authorized increase in strength in any possible emergencies that might arise. The United States Navy today, in my opinion, is equal in efficiency to any of the great powers of the world, but we have a tremendous coast line on both sides of the country to protect as well as our insular possessions, and the question is, How well are we able to do that with the present fleet if attacked on both shores at the same time?

It may be said by some that there is no likelihood of this thing happening because it did not happen before. But it can happen. Things have happened during our lifetime that no one would have dreamed about. We ought to be able to meet these difficulties if and when they ever arise.

We have on the statute books of our country a neutrality law which, in substance, says and means that we do not intend to become involved in any war, any place, with any belligerent nation. The very purpose of the act is to make us strictly neutral. If that is the policy of the United States, as we know it is, we should remember that we can expect no help from other countries when danger threatens us. Admiral Leahy, former Chief of Naval Operations, has informed us that we have a Navy that can afford protection to one coast at a time; and, to use his own words in speaking before the House Naval Affairs Committee 2 years ago:

> If both coasts were threatened, there is not sufficient strength in the proposed navy to guard both coasts.

That statement has interested many Members of the House and people throughout the country and has resulted in many speeches being made in favor of enlarging the present fleet. I have before me letters from the Acting Secretary of the Navy giving information relative to the approximate estimated cost of doubling the size of the present fleet. I have sought this information, not because I have any definite opinion that it should be doubled but simply for the purpose of presenting these figures for the interest of the Members of the House.

These figures show that the approximate estimated cost of doubling the size of our fleet is $3,600,000,000. In addition to that, the cost of additional shore facilities necessary to take care of maintenance requirements for the proposed expansion program is about $622,500,000. The increase in personnel is estimated at 105,792 officers, warrant officers, and

enlisted men. For the benefit of the Members, I am placing these communications and figures from Acting Secretary of the Navy H. R. Stark in the RECORD. They are as follows:

NAVY DEPARTMENT,
Washington, October 19, 1939.

Hon. GEORGE J. BATES,
House of Representatives, Washington, D. C.

MY DEAR MR. BATES: The receipt is acknowledged of your letter of September 26, 1939, requesting an estimate of the cost of doubling the size of the present fleet, including necessary auxiliaries. I regret that, due to the increased amount of work occasioned by the present situation, there has been a delay in replying.

To make an accurate estimate of the cost of doubling our present fleet is impracticable, as it would depend on a number of unknown factors, such as the characteristics of the different types which might be built, the cost of materials and labor during the estimated building period, and the rate at which the program would be completed, i. e., the additional building facilities which would be required. However, the approximate estimated cost of reproducing exactly all ships and aircraft in commission on June 30, 1939 (excluding the cost of doubling the 109 destroyers, 38 submarines, and 18 auxiliaries then out of commission) is as follows:

Combatant ships	$3,000,000,000
Auxiliary ships	450,000,000
Planes	150,000,000
Total	3,600,000,000

The above figures do not include the cost of maintenance, nor do they include the cost of additional shore facilities.

Based on the assumption that a 50-percent increase in personnel ashore and a 100-percent increase in personnel afloat would be required, the estimated additional personnel which would be necessary is:

Officers	7,050
Warrant officers	1,418
Enlisted men	97,324

Sincerely yours,

H. R. STARK,
Acting Secretary of the Navy.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, October 27, 1939.

Hon. GEORGE J. BATES,
House of Representatives, Washington, D. C.

MY DEAR MR. BATES: Supplementing my letters of October 19 and 25 and replying to your oral request for information as to the shore facilities necessary to complement the hypothetical increases in ships and aircraft, I am pleased to furnish the following information:

Estimated cost of shore facilities (exclusive of shipbuilding facilities) which would be necessitated by the increase in ships	[1] $517,500,000
Estimated cost of shore facilities to complement the increased number of aircraft	[2] 105,000,000
Total	622,500,000

Sincerely yours,

H. R. STARK,
Acting Secretary of the Navy.

[1] This expenditure is not in addition to the funds required to make good the deficiencies in the present shore establishment since we are now required to make provision for possible operation of the present fleet on either coast.

[2] These facilities are not in addition to the requirements recommended by the Hepburn board.

I personally do not feel there is any necessity for the doubling of the present Navy fleet, or bringing about such a tremendous expenditure of public money. We are confronted with certain realities and due consideration must be given to all the facts involved, and to that end I am filing a resolution today which provides that the Secretary of the Navy shall be authorized and directed to appoint a naval board consisting of not less than five officers to investigate and report upon the need of increasing the naval defenses of the United States, including such naval bases, naval stations, and other shore activities as may be necessary to complement the forces afloat and in the air. The Secretary of the Navy is further directed to cause the report of the board to be transmitted to the Congress during the third session of the Seventy-sixth Congress.

There is a vital need for such a board to study the question of expanding the present fleet to such strength and efficiency that it would be forbearance against any nations desirous of attacking us. The findings of such a board would help us determine the size of the fleet and shore activities needed in the light of world conditions, and our desire to safeguard our shores and our vital interests; also to promote peace.

Our geographical position in the world, with the obvious danger to the splitting of our fleet in the event of a destruction of the Panama Canal, makes it necessary that for our complete protection we give serious consideration to a substantial enlargement of our present fleet in order to meet any exigencies that may arise in the Atlantic or Pacific Oceans.

At present our main Navy force is on the west coast, with a few war craft in the Atlantic. The Panama Canal defenses are being greatly strengthened, but this does not mean that this important artery is invulnerable, and should the Canal be destroyed or damaged, the fleet would have to go by the long voyage around the Horn in order to reach the Atlantic.

The world situation is fraught with danger, and we cannot remain impassive while the highwaymen in Europe and Asia take everything they want at pistol point. This is but one of the many questions and conditions to be taken into consideration by the special Navy board provided for in my resolution, relative to the need of a fleet in the Atlantic and the Pacific competent independently of carrying out the policy of the United States in those waters and adequately safeguarding our shores and insular possessions.

In view of the naval building program other nations are engaged in, it is imperative that we see to it that we are not put to any great disadvantage in the naval defenses of the United States, particularly in view of the extended coast line that we must defend and which is much longer than that of any other nation.

The extent of the defensive coast lines of the principal naval powers follows:

	Miles
United States	3,800
Great Britain	1,860
Japan	1,440
France	1,100
Italy	1,380
Germany	720

This is the approximate coast line of the countries which it would be necessary to defend. It does not include possessions.

For the information of the Members of the House of Representatives, I have had tabulated a schedule of the naval strengths of the various countries of the world. The same is listed below:

Naval strength of various countries from information received up to July 1, 1939

[Source: U. S. Navy Department]

CAPITAL SHIPS

Nation	Under-age		Over-age		Total		Building and appropriated for		Grand total	
	Number	Approximate tons	Number	Approximate tons	Number	Approximate tons	Number	Estimated tons	Number	Approximate tons
United States	14	438,200	1	26,100	15	464,300	8	300,000	23	764,300
British Empire	18	495,500			18	495,500	9	335,000	27	830,500
Japan	10	301,400	1	7,080	11	308,480	3	121,000	14	[1] 429,480
France	7	163,945			7	163,945	4	140,000	11	303,945
Italy	9	99,498	1	9,232	10	108,730	4	140,000	14	248,730
Germany	5	82,000	2	26,000	7	108,080	4	150,000	11	258,080
Russia [2]	3	69,878			3	69,878	3	105,000	6	174,878

[1] Best obtainable due to fact that Japanese Government does not give out data.
[2] Best obtainable due to fact that Soviet Government does not give out data.

Naval strength of various countries from information received up to July 1, 1939—Continued

[Source: U. S. Navy Department]

AIRCRAFT CARRIERS

Nation	Under-age		Over-age		Total		Building and appropriated for		Grand total	
	Number	Approximate tons	Number	Approximate tons	Number	Approximate tons	Number	Estimated tons	Number	Approximate tons
United States	5	120,100			5	120,100	2	34,500	7	154,600
British Empire	7	127,700	2	20,900	9	148,600	7	138,000	16	286,600
Japan	11	146,520			11	146,520	2	25,000	13	171,520
France	2	32,146			2	32,146	2	36,000	4	68,146
Italy										
Germany							2	38,500	2	38,500
Russia [2]	1	9,000			1	9,000	2	24,000	3	33,000

HEAVY CRUISERS

United States	17	161,200			17	161,200	1	10,000	18	171,200
British Empire	15	145,620			15	145,620			15	145,620
Japan	12	107,800	5	45,250	17	153,050			17	153,050
France	7	70,000			7	70,000			7	70,000
Italy	7	70,000			7	70,000			7	70,000
Germany	2	20,000			2	20,000	3	30,000	5	50,000
Russia [2]	3	24,030			3	24,030	5	40,000	8	64,030

LIGHT CRUISERS

United States	17	137,775			17	137,775	8	60,000	25	197,775
British Empire	24	185,945	23	108,690	47	294,635	25	146,500	72	44,135
Japan	15	97,555	8	35,080	23	132,635	5	[1] 44,000	28	[1] 176,635
France	11	79,729			11	79,729	3	24,000	14	103,729
Italy	12	74,488	2	6,430	14	80,918	14	56,344	28	137,262
Germany	6	35,600			6	35,600	4	28,000	10	63,600
Russia [2]	3	17,034	2	11,960	5	28,994			5	28,994

DESTROYERS

United States	54	84,190	167	189,300	221	273,490	43	68,380	264	341,870
British Empire	107	154,114	71	79,245	178	233,359	37	37,350	215	270,709
Japan	75	106,798	36	34,950	111	141,748	9	[1] 14,900	120	[1] 156,648
France	70	120,286	1	915	71	121,201	30	46,776	101	167,977
Italy	100	111,936	30	21,227	130	133,163	12	15,200	142	148,363
Germany	32	42,844	12	8,237	44	51,081	10	18,110	54	69,191
Russia [2]	23	25,024	14	15,883	37	40,907	10	26,295	47	67,202

SUBMARINES

United States	22	34,435	67	48,740	89	83,175	25	35,250	114	118,425
British Empire	45	52,469	10	4,450	55	56,919	18	15,690	73	72,609
Japan	40	59,261	19	17,602	59	76,863	3	[1] 6,000	62	[1] 82,863
France	75	72,709			75	72,709	27	24,252	102	96,961
Italy	98	77,248	7	2,456	105	79,704	28	30,986	133	110,690
Germany	50	19,709			50	19,709	21	11,573	71	31,282
Russia [2]	[3] 114	[3] 59,897	[3] 8	[3] 4,368	[3] 122	[3] 64,265	[3] 19	[3] 12,158	[3] 141	[1] 76,423

[1] Best obtainable due to fact that Japanese Government does not give out data.
[2] Best obtainable due to fact that Soviet Government does not give out data.
[3] Estimated.

Mr. REES of Kansas. Mr. Speaker, I had 10 minutes granted to me under a special order for today. In view of the change in the program, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, we are advised that tomorrow the amendment to the Neutrality Act, that has just passed the Senate after 5 weeks of deliberation and debate, will be submitted to the House of Representatives for consideration. This legislation is of Nation-wide and even world-wide significance. It involves one of the most momentous problems that has ever challenged the membership of Congress, as well as the minds of our people. It deals with the policy of our Government toward countries that are at war or may become engaged in war.

Mr. Speaker, immediately following the roll call on this measure at the other end of the Capitol the distinguished leader of the other branch of Congress announced that, in his judgment, the House would be through with the bill and it would be back for final consideration by Thursday, and not later than Friday, of this week. We are further given to understand today, through the press and other sources, that House debate will be limited to only a few hours, and no opportunity will be given to amend the bill.

Mr. Speaker, does that mean that this membership is not to be consulted? Are we to become subservient to the body at the other end of the Capitol—rubber stamps on such important legislation? They saw fit to strike out most of the provisions of the measure that was passed by this House last summer, and wrote their own version. I am not criticizing that action. Now we are informed through the press that the leadership of this House expects its membership to accept that measure in its entirety after only a few hours' debate and with no chance to offer amendments.

Mr. Speaker, regardless of the position the Members may take concerning the repeal of the arms embargo, as well as other sections of this bill, a move to bring the resolution to a vote without giving the membership a chance to offer amendments, or even fair opportunity to be heard on the measure, is undemocratic. It is a "gag rule" of the worst kind. On a number of occasions protest has been made against the invoking of a gag rule in this House, but to use it at this time on a measure of such importance is wrong and should be resented by the people of this country. It is a reflection upon Congress itself. Such procedure should not be tolerated. It is not fair treatment to the Members of the House or the people they represent.

Furthermore, Mr. Speaker, this legislation is too important to be handled in such a manner. The question involved transcends all politics and party lines. I have no patience with any Member of the House or anyone else who suggests that this is a partisan issue. It is not. It should not be treated as such.

I believe a great majority of the membership are in accord with and approve many of the provisions of this resolution. They want to support many of its safeguards. But, Mr. Speaker, here is a bill that was written by the Senate Foreign Affairs Committee as a substitute for House Resolution 306. Approximately 30 amendments were afterward adopted on the floor of the Senate. Now we are told we must take this bill in its entirety or not at all. We must either vote it up or down, and we must do it right away.

Since the other branch of this Congress has seen fit to write entirely new provisions into the House bill, is it not only fair and decent that we should be entitled to vote upon these provisions separately? What possible objection could be made to doing it? There are a great many Members in this House who will gladly support many of the provisions of this resolution. There are a number of us who believe, for example, that the embargo on death-dealing instruments of war should be retained and who also favor the so-called cash-and-carry provisions on other commodities. We have no way of expressing our views in that direction.

Mr. Speaker, here is a measure that grants additional powers and authority to the executive department of government in a time of national emergency. Congress has heretofore surrendered more authority to the President than was ever given a Chief Executive in the history of our country. It may be that the majority of the membership want to do this very thing. But they should have a chance to approve or disapprove such action. There are some of us who believe this measure places too much responsibility in the hands of one man in the time of world crisis. Do you realize that under the provisions of section 1 of this resolution the powers granted the President are discretionary, and not mandatory? It is within his power to invoke its terms. He may do so or he may not. It is left to his judgment, and his judgment alone.

Mr. Speaker, this resolution describes and determines the policy as well as the attitude that the United States will take toward warring nations of the world. There are those who support this measure who believe we are obligated to render assistance on one side of the present conflict. There are others supporting its provisions who believe we should remain entirely neutral, and that this measure will preserve that neutrality. Certainly that issue is entitled to reasonable debate.

Mr. Speaker, this resolution grants to the munition makers of America the right and authority to sell death-dealing instruments of war. Under this bill we may manufacture and sell bombing planes, lethal and all kinds of poisonous gases, used for the wholesale destruction of life not only of soldiers of war but innocent men, women, and children. This resolution provides that the United States can become a great arsenal for the warring nations of the world; and yet, Mr. Speaker, we are told that on a measure of such grave importance to the people of this country, we may discuss it for a couple of days and then vote it up or down.

Mr. Speaker, is it fair that 96 Members of the other branch of this Congress should spend 4 weeks' time in the discussion and formulation of this bill, and that the House of Representatives, with 435 Members, also representing 130,000,000 people of this country and likewise responsible to them for their actions on this legislation, should be allowed 2 days, or possibly 3, during which to debate it? Do we not have a right to expect a reasonable length of time during which to express our views? Do we not have a right to change its provisions, as the majority thinks it should be done?

This bill contains eight Senate amendments adopted for the purpose of freeing American shipping and exporters from earlier restrictions that had been imposed. Newspapers today state that "the shipping interests won an unexpectedly big victory and secured from the Senate more than was first believed possible." Is it not proper that these concessions should be carefully examined and fully debated?

Mr. Speaker, I know it is the will of the great majority of the membership of this House that no steps shall be taken and no move shall be made that might aggravate the situation between the United States and other countries, leading us in the direction of war. The people of this country are almost unanimous in that feeling, and I know that this Congress will do everything it possibly can to prevent our becoming involved in the present European conflict.

My plea this afternoon, Mr. Speaker, is to the leadership of this great deliberative body—that sufficient and reasonable time be granted during which we may have free and open debate on this important resolution. Give the membership of the House a fair opportunity to offer amendments to this bill. Let it be known that whatever measure shall pass this Congress shall be the result of fair, careful, deliberate consideration, without restraint of any kind. And may the result of such legislation, so far as possible, keep our country from becoming involved in a world crisis.

Mr. THORKELSON. Mr. Speaker, I have two requests to make. I ask unanimous consent to extend my own remarks in the RECORD and to include an article on neutrality which appears in the American Mercury, the November issue, 1939.

The SPEAKER. Is there objection?

There was no objection.

THE BETRAYAL OF AMERICA

Mr. THORKELSON. Mr. Speaker, the second request is to extend my own remarks in the RECORD at this point and include an article that deals with the Neutrality Act and other things concerning neutrality.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, it is very seldom that a person reads a more subversive or vicious piece of legislation than House Joint Resolution 306, or the Neutrality Act of 1939. It appears to be an alliance with Great Britain instead of a Neutrality Act, for it favors England with money, war material, and help. I would be quite willing to believe that this legislation was drafted by agents of the invisible government under the direction of No. 10 Downing Street.

Should the Neutrality Act pass in its present form, the United States will become a convenience for the British Empire. I realize that objectors may take exception to my statements, but I do not care, for I have reached the point where I am indifferent to criticism. I realize that the truth must be told about the Neutrality Act, and for proof of my assertion, I refer all dissenters to the act itself, which is a fine example of fraud. Anyone who could express hilarity after passage of this kind of legislation, I believe would, without the slightest hesitation laugh at the funeral of a member of his own family. Enactment of such legislation means nothing else but the death of this Republic.

The deception begins in section 1 (a), wherein it is stated that the purpose of the Neutrality Act of 1939 is "to preserve peace, promote security, and to protect the lives of our citizens." This act does not fill any one of these worthy objectives, for if enacted, it will promote strife, abolish peace, and destroy the lives of our citizens. Unfortunately, the lives which are liable to be destroyed will be between the ages of 18 and 30 years, and with these we may include the lives of many defenseless men, women, and children. This is an important matter that should concern every Member of this House, because in passing this resolution as it stands, we start the youth of America marching to the battlefields of Europe. You might want to assume such responsibility, but I do not. I shall therefore vote against the power given to the President in this Neutrality Act and against repeal of the arms-embargo clause.

May I ask you to study carefully the neutrality legislation I introduced in the RECORD on October 25, 1939, page 878. The act I inserted in the RECORD for your consideration will not only assure neutrality but will also increase income on exports 40 percent. This will benefit our merchants and farmers, to which I am sure no one will object. The act which I inserted in the RECORD carries no provision to fine and imprison our own citizens, but instead levies fines and imprisonments where they rightfully belong, namely, on the international exploiters and warmongers. It is high time that Congress begins to levy fines and imprisonment on someone else besides such of

our citizens as still have the courage to work and to pay the expenses of this Government. Yes; the people who have sent us here as their Representatives to look after their interests.

If House Joint Resolution 306, the present Neutrality Act, is passed as it is, it is my firm belief that such action on our part will bring about civil war in the United States, which may well terminate in the ultimate destruction of those in the invisible Government who sponsored this legislation and who are the silent promoters of the present war in Europe.

As the first step in consideration of this so-called Neutrality Act of 1939, please ask yourself, Who is it that wants war? It certainly is not the people that want war, and it is their wish that we must consider, as we are their Representatives in Congress.

Have any of your constituents asked you to vote for war, so that their children may be sent forth to drown in the Atlantic or die in the trenches of Europe? Are there any Members of Congress who want war? I do not believe so. Have you ever stopped to think, or have you tried to identify those whose greatest ambition is to aline this country in war on the side of England? I have not found anyone that wants war except those who harbor hatreds toward Hitler, and strange as it may seem, they are the same people who approved of Stalin.

Is it logical or reasonable that all Christian civilized nations, such as the United States, England, Canada, Australia, France, Germany, Austria, and other European nationalities, must engage in internecine conflict or war of extermination, so that this group of haters may get even with one man? Shall we sacrifice millions of our young men from 18 to 30 years of age to appease personal hatreds of a small group of international exploiters? I think not. I do not believe that there is any one person worth such sacrifice, whether he be king, prince, or dictator.

Let me now carry this argument a little further, for I want to call your attention to the fact that this same group that now hates Hitler was pro-German during the World War, and it is the same group that ruled and directed Germany's military machine before and during the World War. It is the same group that brought about inflation and exploited the German people, and it is the same group that furnished the money that brought about revolution in Russia and eliminated the Russian Army when its aid was needed to win the World War. This same group of internationalists paid and promoted the bloody invasion of Hungary, in which the invaders destroyed life and property with utter disregard for civilized warfare or even decency. It is this same group that has spread and nourished communism throughout the whole world and that sponsored the "red" revolution in Spain. It is the same communistic group which is now concentrated south of us in Mexico, waiting to strike when the time is ripe.

Please ask yourselves if you are justified in giving the President the power set forth in this Neutrality Act, and are you justified in repealing the arms-embargo clause, when you know it is for no other reason except to aline the United States with Great Britain in another war as senseless as the World War. In considering this remember that there are no hatreds among the common people of the nations of the world, and for that reason no desire to destroy either life or property. Is it not time that we, the common people, learn a lesson—yes; a lesson in self-preservation instead of fighting for the "invisible government"? Let us marshal this personnel into an army of their own and ship them some place to fight it out among themselves. It will be a blessing to civilization.

This contemplated war will not save the world for democracy because we have that now in the fullest measure; it is fully entrenched within the Government itself and in many organizations. We need no further evidence of that than the recent exposé of the League for Peace and Democracy, with its many members employed in strategic positions within the Federal Government, to further the cause of democracy and communism. No; this war will not be fought for so-called democracy or communism, for it is here, and is an evil that we will eventually be called upon to destroy or else be destroyed by it.

If the present agitation in Europe should terminate in an active war, its purpose will be to place all Christian civilized nations under the domination of an international government that expects to rule the world by the power of money and the control of fools who sit in the chairs of governments. I do not believe this will happen here, for the people are too well informed about this evil blight that is keeping the world at odds, and which is spreading dissension and hatreds by confusion and international intrigue. Let us shake off this evil, put our shoulders to the wheel, and push the carriage of state back on the road to sound constitutional government. Do not forget, if attack comes, it will be delivered by the Communists within the United States and next by the Communists who are waiting beyond our borders. Let us, therefore, give undivided attention to the Communists within our midst, for they have no place within a republican government. We should not tolerate foreign or hyphenated groups that, for reasons best known to themselves, cannot or will not assimilate to become Americans. For our own preservation we must get rid of those who cannot subscribe to the fundamental principles of this Republic, as set forth in the Constitution of the United States.

I shall now discuss the Neutrality Act of 1939 and try to give you my version of this document.

I have already discussed section 1 (a), and shall therefore proceed to section 2 (a) and (b), which I shall quote:

SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles of materials to any state named in such proclamation.

(b) Whoever shall violate any of the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

It is now my desire to call your attention to the fact that section 2 (a) does not apply in subsection (f), (g), (h), in sections 4 and 9, but section 2 (b) is never suspended but remains instead like the sword of Damocles, suspended over the heads of all who cross the Chief Executive. This section, therefore, becomes an instrument which may well terminate in legal persecution of patriotic citizens.

(c) This subsection makes it unlawful to cause or attempt to export or transport articles or materials until all right, title, and interest has been transferred to someone outside of the United States. This section makes it necessary to observe many regulations, to keep records, and render a multitude of reports all for no other purpose than to relieve the British and French Governments from claims introduced by our own citizens, through the Government of the United States.

(d) This subsection applies to insurance on articles or materials which, when so insured, shall not be deemed an American interest, and therefore, not subject to collection from a foreign government through the Government of the United States. In other words, subsections (c) and (d) allow the British and French Governments full use of all articles and materials they require free from obligation of paying insurance on the same in case of war loss. No nation could ask for more than that. It means that we will finance the war, furnish articles and war materials, meet our own losses without the slightest possibility of collecting from the nations to which such liberal privileges are granted. It is also well to bear in mind at this point that if cash were paid for all merchandise all regulations and transfer of title as set forth in subsections (c) and (d) would not be required. So it means, therefore, that Great Britain and France will operate on a credit and not on a cash basis.

(f) This subsection allows transportation by American vessels over lakes, rivers, and inland waters, and also transportation by airplane to Canada and Mexico. Furthermore, it allows transportation in American vessels wherever they want to go, because subsections (a), (c), (g), and (h) do not apply as set forth in their respective sections. It further provides shipment of war material to American forces located in foreign countries in connection with their operation and maintenance.

Subsection (g) allows transportation in American ships west of the sixty-sixth meridian from the North Pole to the South Pole. It allows transportation in American ships "to any port on the Pacific or Indian Oceans, including the China Sea, the Tasman Sea, the Bay of Bengal, and the Arabian Sea; or (4) to any port on the Atlantic Ocean south of 30° north latitude." This subsection is very liberal, because it allows water-borne commerce south of latitude 30° north, which will include the west coast of Africa and the east coast of South America, south of latitude 30° north. American ships may also proceed to the east coast of Africa, entrance to the Red Sea, and to Australia.

The important question which now arises is, How shall we enforce the safety of our shipping without becoming involved in war with such nations as challenge our rights to such trade routes? This procedure is, of course, directly opposed to international law, and protection of our ships cannot be accomplished with our Navy, because it is too small to cover such large expanses of water. It appears to me that this legislation as drawn in regard to commercial zones and routes is based entirely upon wild speculation instead of common sense.

The unfortunate part of the whole act is that it is so confusing and overlapping that nearly anyone who engages in transportation will find himself either in jail or operating under such fines that life will be unendurable.

It is just about impossible to enforce any part of this act except the penalizing of our own citizens, and it is quite possible if the war lasts long enough that we will find all the honest people in jail and the dishonest at large.

How is it possible for the President to set aside combat areas when the nations at war do not know where such areas may be from one day to another? However, in this section—3 (b)—individuals, incorporations, and officers of American vessels that transgress in combat areas that have been so proclaimed by the President are subject to a fine of $50,000 and imprisonment for 5 years. In addition to that, citizens traveling as passengers in such zones may be fined $10,000 and imprisoned for 2 years.

I may also call your attention to the fact that there is some discussion of arming our merchant ships with defensive weapons. The newspapers seem to have information that such rifles will be 5- or 6-inch caliber. If this is the case, they will have a striking distance of from 8 to 10 miles, which means nothing except that merchant ships so armed will be sunk without warning if intercepted by a submarine. I mention this so that we may be prepared for such losses, and when they come the responsibility must be placed entirely upon those who voted for the Neutrality Act and the Government itself for arming merchant ships. Such losses will not be cause for war, but will, instead, be the best reasons for impeaching a worthless administration and the retirement of "yes men" or "rubber stamps."

According to this act, no one has any right except the Executive and the powers he favors. American republics are coddled in section 9, which I quote:

> This joint resolution shall not apply to any American republic engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

This section, I believe, would be objectionable to South American republics, and little attention would be given to us if such republics became involved in war.

I shall not quote more of this act, because it is drawn for one purpose alone, and that is not neutrality. If enacted as it is, incidents will come about which the subsidized press will pounce upon in order to stir public sentiment in favor of war on the side of England. How any Member of Congress, knowing this, can vote for such legislation leaves one wondering if it is not just about time for the people to take charge.

The Neutrality Act of 1939 is not only unconstitutional but it cannot be enforced without involving the United States in war. Congress has given the President more power in the Neutrality Act than the Constitution gives to Congress itself. This act, and other legislation of this sort, is in reality responsible for the steady disintegration of the Government.

The question may be asked: What right has Congress to pass laws that may be used for persecution of our own people? What right has Congress to nullify the Constitution? When Members of Congress enact legislation that deprives the people of their rights, they also rob themselves of the same rights, for I do not doubt that many of them will be retired to private life. It is therefore better that we use a little common sense and protect the people's rights as well as our own.

All power granted to Congress by the Constitution is to be found in article I, section 8, and Congress has no right to exceed this power without the people's consent. The people have reserved the greater power to the States and to themselves in the ninth and tenth amendments. Furthermore, careful reading will reveal that additional rights are reserved in amendments 1 and 4—yes, rights that Congress cannot suppress.

The question may be asked: Where in the Constitution lies the right to create emergencies that may suspend the Constitution itself? Where in the Constitution are provisions to be found that give Congress the right to pass the present Neutrality Act? Some day Congress will be asked to explain its attitude to the people.

There is considerable difference between this Neutrality Act and the Bloom Neutrality Act that we passed in the last session of Congress. The present Neutrality Act gives the President and his appointees extraordinary power for which there is no precedent or constitutional authority. If this act is passed as it is, it will bring about incidents that are liable to lead us into war or civil strife.

I am inclined to believe that it will be the latter, for the people in the United States are not going to stand idly by and let this administration lead its youngsters to slaughter in Europe. The people have a perfect right to object to it, and should object to such procedure for the general welfare of the people and for the security of our Republic.

If our ships are sunk by submarines the people will know that such destruction is directly the result of the enactment of the Neutrality Act of 1939. For such losses no one is responsible except those who vote for the passage of this legislation.

The Neutrality Act of 1939 is not an act to bring about or maintain peace, it is instead an act to lead the United States into war in defense of the invisible government and on the side of the British Empire. It is the betrayal of America.

UNITED STATES NAVY DEFIED

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, today I place in the RECORD, proof—not a statement by myself—but proof from the Acting Secretary of the Navy that a picket line in Detroit held up delivery of United States property, equipment, and patterns of the United States Navy, not for 1 hour, but for days. Listen and be shocked and amazed.

UNITED STATES NAVY DEFIED

Billions of dollars have been appropriated for national defense. The President has declared a limited national emergency exists. He called Congress in special session. The Army and the Navy are straining every nerve to produce ships, airplanes, motor transportation, and munitions. A comprehensive plan for the drafting of American citizens for war service has been prepared. A bill to take over private property in the event that war comes is in the making.

BUT THE NAVY WAITS WHILE THE PICKETS MARCH

But in one instance at least the United States Navy has been defied and stopped dead in its tracks in its effort to prepare us for national defense or for war, if war comes. The Department of the Navy was challenged and that Department took a licking. This is not a hoax. It is the statement of a fact. I realize you will not believe it until you have read the official admission.

On the 12th day of October 1939, on the floor of Congress, I made the statement that delivery of parts necessary for the

production of aircraft had been refused the Navy by a labor union which had called a strike against the Bohn Aluminum and Brass Corporation.

At the same time I introduced a resolution asking the Navy Department for certain information. The resolution was introduced so that the information might be given officially.

In that resolution I asked certain questions. Very courteously, very completely, the Acting Secretary of the Navy, Mr. Charles Edison, has transmitted that information to me through Congressman VINSON, chairman of the House Committee on Naval Affairs.

I quote from the answer of Acting Secretary Edison, which is dated October 20, 1939:

The resolution (H. Res. 314) requesting information from the Secretary of the Navy on certain matters in connection with a strike of employees in the plants of the Bohn Aluminum Co., at Detroit, Mich., was referred to the Navy Department by your committee with request for report.

The questions in the resolution are set forth below, the answer to each appearing immediately thereafter:

(a) Whether the Navy Department did have a contract with said corporation;

At the time the said strike was called the Navy Department did have a contract with the Bohn Aluminum & Brass Corporation, of Detroit, Mich., for the manufacture of special bearings for aircraft engines. In addition, the corporation was also engaged in the manufacture of special bearings and castings for manufacturers with whom the Navy Department had contracts.

(b) Whether a strike which interfered, or would interfere, with the activities of the Navy Department occurred;

A strike actually occurred in the plants of the said corporation which did interfere with the activities of the Navy Department.

(c) How long such strike continued;

A strike was called at the corporation's plant, No. 1, Detroit, Mich., on August 29, 1939. At the time the strike was called plant No. 1 was engaged in the manufacture of special bearings for aircraft engines for manufacturers with whom the Navy has contracts. On September 15, 1939, a second strike was called at all of the seven plants of the corporation in the Detroit district in sympathy with the strike at plant No. 1 (bearings). At the time of calling the second strike plant No. 2 was engaged in the manufacture of castings for airplane engines in process of manufacture at the Naval Aircraft Factory, Navy Yard, Philadelphia, Pa.; also castings for a manufacturer with whom the Navy has a contract for a special type of marine engine.

The duration of the strike in plant No. 1 (bearings) was from the 29th of August to October 8, inclusive, 41 calendar days. The duration of the strike in plant No. 2 (castings) was from September 15 to October 8, 1939, inclusive, 24 calendar days.

(d) Whether the delivery of bearings or parts which had been manufactured for the Navy, or of plans, specifications, or equipment, or any of them, was delayed.

The delivery of completed castings, bearings, and parts, also those in process of manufacture, was delayed for the duration of the strike.

(e) What, if any, representations were made by the Navy Department to the corporation looking toward the ending of said strike.

No representations were made by the Navy Department to the corporation looking toward the ending of the strike.

(f) What, if any representations were made by the Navy Department to the union or its representatives looking toward the settlement of the strike.

On September 28, 1939, the United States Navy resident inspector of naval material at Detroit, Mich., informed the regional director of the United Automobile Workers, Congress of Industrial Organizations, Detroit, Mich., of the seriousness of the delay in the delivery of the material due on contracts, also the urgent need of the shipment of patterns and requested that he instruct his representative in charge of the picket line at the corporation's plant No. 2 to allow a representative to pass through the picket line to pick up Government-owned patterns and ship them on a Government bill of lading.

The regional director of the United Automobile Workers, Congress of Industrial Organizations sent three representatives of union local, No. 208 to discuss the removal of the patterns with the inspector of naval material. The representatives of union local, No. 208 were given full access to the files of the Navy contracts and they were informed that the delay in releasing patterns for delivery were seriously jeopardizing the manufacture of airplane engines at the naval aircraft factory. At the end of the discussion the union representatives stated that as the strike situation stood at the present time their answer was emphatically "No" and that they would not let patterns or inspected castings be removed. No further action was taken by the Navy Department to remove the patterns and castings. The Navy Department kept in touch with the strike situation at the Bohn plants through its field representatives, and through the United States Department of Labor, but took no steps looking toward the settlement of the strike.

Sincerely yours,

CHARLES EDISON,
The Acting Secretary of the Navy.

THE C. I. O. HAMSTRINGS THE NAVY

The foregoing statement is concise; it is conclusive; and it shows clearly that the great United States Navy Department, the Acting Secretary of the Navy, was defied and the property of the United States Navy held by the pickets of Union Local No. 208 of the U. A. W., Congress of Industrial Organizations.

ROOSEVELT MAY BE COMMANDER OF THE NAVY, BUT C. I. O. GIVES THE ORDERS

Under the Constitution the President of the United States is the Commander in Chief of the Navy. The President asked for billions to build, among other things, airplanes and motor vehicles, and yet, when a local labor union refuses to deliver special bearings for aircraft engines, holds up production at the naval aircraft factory in the navy yard at Philadelphia, refuses to deliver castings to a manufacturer with whom the Navy has a contract for a special type of marine engine, the President, so far as we have been able to learn, does nothing about it.

And the Navy, when it asked the pickets to release patterns for delivery, the holding of which was seriously jeopardizing the manufacture of airplane engines for the Navy, was told, in substance, to go chase itself, or, as stated by the Acting Secretary of the Navy, it received, in answer to the request, an emphatic "No" and, to our shame, be it said, no further action was taken by the Government.

I am not criticizing the Navy, for the Commander in Chief of the Navy, the President of the United States, Franklin Delano Roosevelt, is responsible for this situation, not the Navy, which he made possible by his coddling of John L. Lewis, of the C. I. O., and his tacit acceptance of the support for a third term of the Communists, headed by Earl Browder, now under indictment.

NAVY INSULTED—DEFIED

How humiliating it must be to the officers of our Navy, those men who have gone through training at our great Naval Academy at Annapolis; who have devoted their lives to the service of their country; who are willing to fight their ships and go down with them on any of the seven seas; who beyond question are able to meet openly and wage successful battle with any foreign foe; yet who must here at home, because of political expediency and the red tape which binds the Navy Department, submit to insult and defiance by members of a picket line.

Why talk about national defense, about fighting for American honor or American rights, when here at home the President of the United States permits the wholesale violation of civil liberties, puts the Navy Department to the humiliation of being defied by pickets who will neither themselves work nor permit anyone else to work until their demands have been granted.

Where is the American spirit which defied the Barbary pirates; which brought forth the statement "Millions for defense but not one cent for tribute"?

The C. I. O. and its affiliates are controlled by John L. Lewis and his executive committee. How much longer will the President of the United States submit to the indignity of having the laws of the United States Government set at naught by this would-be dictator and the Communists within his organization?

If the President, instead of designating the exposure of Federal officeholders who belong to the American League for Peace and Democracy, which has the support of the Communist Party, which believes in the overthrow of our Government by force, as a "rather sordid procedure," would insist that those members either resign or be kicked out of Government service, the whole atmosphere would change and no longer would a labor organization successfully hinder or delay our plans for national defense.

Before we police Europe, let us clean out the Communists who would overthrow our own Government. Let the President quit playing politics; let him deny that he is seeking a third term and turn his efforts toward a sensible solution of our own domestic problems, the most important of which is ridding our country of those subversive organizations which would overthrow this Government.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include an article by Paul S. Smith, editor of the San Francisco Chronicle.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGLAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by Ed Sullivan.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUCE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter by Roger Babson.

The SPEAKER. Is there objection?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial from the current issue of the magazine Asia.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a copy of a broadcast recently made by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my own remarks by including an article by Henry Frasier.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE HARTFORD COURANT

Mr. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLER. Mr. Speaker, I have asked for this moment simply to call the attention of the Members of the House to the anniversary edition of a newspaper published in my district—The Hartford Courant. Yesterday the Courant celebrated its one hundred and seventy-fifth anniversary. It is interesting to note that this newspaper printed the text of the Declaration of Independence as news; numbered George Washington among its subscribers; and, at one time, employed Israel Putnam as war correspondent. The celebration of the one hundred and seventy-fifth anniversary of the Hartford Courant is a notable occasion in journalism.

As part of its anniversary edition the Courant published a 108-page rotogravure section containing many interesting articles—both photographs and word pictures—such as the development of transportation in the past 175 years, the development of moving pictures, the development of radio, while other pictures portray the political development over that long period. A great deal of space is devoted to the industries of Hartford, Conn., and, as you would expect, the special edition contains interesting information about the numerous insurance companies which have their home offices in Hartford.

Knowing there are several Members of the House whose ancestors came from Connecticut, I have secured a sufficient number of copies of this anniversary edition so that I can furnish them a copy, if they wish it, as well as send each New England Member of the House a copy. If any other Members of the House are interested in having a copy of this historical edition, I will be glad to send one to his office upon request.

The Hartford Courant has, as any good newspaper would, wielded a good deal of influence in the lives of the community which it serves. We of Connecticut are proud of The Hartford Courant.

[Here the gavel fell.]

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAYBURN. I do this just to make a statement, Mr. Speaker. Several Members had time to speak today, but on account of the death of one of our Members they have each agreed that they will not speak. We are going to have resolutions with reference to this matter shortly. Therefore I must serve notice that I shall be compelled to object to any further requests to proceed for 1 minute.

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a telegram from the department commander of the American Legion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I also ask unanimous consent to extend my remarks to include a statement on What War Really Means to Animals, by the American Humane Association, of Albany, N. Y.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NEUTRALITY

Mr. SHANNON. Mr. Speaker, I was one of those who had time to address this body today. I therefore ask unanimous consent that I may insert what I had to say at this point in the RECORD and to include excerpts from remarks by George Washington and Thomas Jefferson.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANNON. Mr. Speaker, I think it most appropriate to open a speech to the House of Representatives with quotations from two of America's greatest men—George Washington and Thomas Jefferson.

For more than a century the people of the United States followed the leadership as outlined in the Farewell Address of George Washington and the Inaugural Address of Thomas Jefferson. We had no European involvement except of the most minor kind for over a century. Unfortunately European politics mixed its slimy hand into American affairs. We departed from the sound teachings of Jefferson and Washington and we have been in trouble ever since.

Washington said:

HONEST FRIENDSHIP WITH ALL NATIONS

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns.

Jefferson's immortal words have become a household saying. I am honored to repeat them here:

Peace, commerce, and honest friendship with all nations; entangling alliances with none.

Washington and Jefferson, of the Founding Fathers of the American Republic, knew their Europe. Had the statesmen of the United States some 20 years ago understood their Europe as did Washington and Jefferson, America would not have become embroiled in the World War, and this Nation would have saved itself billions of dollars. But of far greater importance, eclipsing altogether the money involved, it would have saved the thousands of precious American lives destroyed in that conflict. And it would have avoided pain and anguished suffering of tens of thousands of the flower of American youth who even today lie wracked and broken men in our veterans' hospitals dotting the country.

It is my conviction that today we are nearer war than we were in the first years of the World War. Only the most careful and meticulous conduct of those entrusted with American government can guide our footsteps away from European battlefields. Hence, I am going to base this speech of mine on the wisdom of Washington and Jefferson, and with the forbearance of this House, shall make it largely a speech of quotations from their mouths and writings. All quoted here, it seems to me, bear profoundly on the stirring tragedy today being enacted in Europe and on the danger of our own country becoming linked with that tragedy.

EQUAL JUSTICE TO ALL MEN

In his Farewell Address of September 17, 1796, George Washington said:

Europe has a set of primary interests, which to us have none, or a very remote, relation; hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise for us to implicate ourselves by artificial ties, in the ordinary combinations and collisions of her friendships or enmities?

The great rule of conduct for us, in regard to foreign nations, is in extending our commercial relations, to have with them as little political connection as possible.

* * * * * * *

Why quit our own to stand on foreign ground? Why, by interweaving our destiny with that of any part of Europe entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure. * * *

Jefferson stressed his warning to the infant American Republic against the dangers of improper alliance with foreign nations. In his inaugural address of March 4, 1801, delivered in the opening hour of his administration, he said, in part:

It is proper that you should understand what I deem the essential principles of our Government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principles, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, honest friendship with all nations—entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against anti-republican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad.

LET US HASTEN TO RETRACE OUR STEPS

There were other ringing sentences in Jefferson's First Principles of American Political Conduct which come down to us through the years:

The supremacy of the civil over the military authority; freedom of religion; freedom of the press; freedom of person under the protection of the habeas corpus—

And of these Jefferson said:

These principles form the bright constellation which has gone before us and guided our steps through an age of revolution and reformation. The wisdom of our great sages and the blood of our heroes have been devoted to their attainment. They should be the creed of our political faith—the text of civil instruction—the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety.

Let us search our hearts in this solemn hour when the fate of a nation of 130,000,000 persons hangs on the action we shall take here. Let us, each to himself, ask the question: Are we keeping faith with the political creed of America, fashioned nearly 140 years ago by the author of America's Declaration of Independence? Are we to remain true to the faith—written by Jefferson—that has brought this Nation to its present stature? Is our creed to be Jefferson's creed—"Peace, commerce, and honest friendship with all nations, entangling alliances with none"?

Or are we to embrace an alien precept and depart from this straight and narrow path we trod until that fateful April day of 1917, when we entered into the very alliance Jefferson foresaw as a prime contributing factor to national suffering and regret?

What prompted Jefferson to stress the danger inherent to improper European or foreign alliances? I have often wondered. It is only within the past fortnight, however, that I, to my own satisfaction, have found what I believe to be the answer. He saw the danger first-hand. Let me quote from some of his letters in support of this belief.

DOES NOT JEFFERSON'S STATEMENT FIT?

To John Adams, in 1794, he wrote:

I have seen enough of one war never to wish to see another.

Again in 1822, to Adams, he wrote:

The cannibals of Europe are going to eating one another again.

Russia and Turkey were at it then. How do they stand today? Does not Jefferson's statement fit well in the present relations as between Russia and Turkey?

Even a year earlier than his first letter to John Adams, from which I have just quoted, Jefferson addressed this language to Gouveneur Morris (in April 1793):

No country perhaps was ever so thoroughly against war as ours. These dispositions pervade every description of its citizens whether in or out of office.

Was not Jefferson's appraisal of American sentiment in 1793 accurate even for American sentiment in 1939?

And to Robert Livingston, Jefferson wrote in 1801:

I do not believe war the most certain means of enforcing principles. Those peaceable coercions which are in the power of nations, if undertaken in concert and in time of peace, are more likely to produce the desired effect.

Let me read you something next from a letter written by Jefferson in 1811 to William Wirt. What Jefferson said then, to my mind, applies with peculiar emphasis to conditions facing this Nation today as we meet here to decide our attitude and conduct toward a Europe again at war.

I quote:

War against bedlam would be just as rational as against Europe. * * * For us to attempt to reform all Europe and then bring them back to principles of morality, and a respect for the equal rights of nations, would show us to be only maniacs of another character.

EUROPEAN INTRIGUE SAME AS 150 YEARS AGO

How well Jefferson understood the hidden motives and deepening intrigues that swayed the masters of the Europe of his time is revealed in interesting detail in one of his letters to Mr. Cutting. Before I quote it, permit me to assert my conviction that there is no whit less of intrigue and of double-dealing in that war-torn continent in 1939 than there was when Jefferson wrote 151 years earlier.

I now quote from his letter:

I think it now pretty certain that an alliance is entered into between England, Prussia, and Sweden, to which Holland is to accede, so as to make it quadruple. The Prussian Army is on its march toward Holstein, under the command of Prince Frederick of Brunswick; a poor head. There is also said to be an army of 60,000 Prussians in Silesia, ready to be used to overawe Poland, should it take side with Russia. Of this last fact, however, I am not sure. It would seem, then, as if Prussia meant to enter into the war, or is it only to induce Denmark to withdraw to leave Russia and Sweden to fight their own battles? If it does not produce this effect, will England lie by, and only engage in case France should move? These are points uncertain as yet; one thing is certain; that this country will make no move which may entangle her in war, 'till after her etats generaux. The Notables meet on Thursday next to decide on the form of composing and calling the etats generaux. What will be their form, cannot yet be foreseen; much less what they will do.

Mr. Speaker, the immediate cause of the present European war was Poland. If we will look back over our shoulders to the dimming day of Jefferson's letter to Mr. Cutting, we find that same Poland involved in the general European conflict then. Let me read briefly, in support, from a letter written by Thomas Jefferson, November 29, 1788, to John Jay.

Jefferson wrote:

The Turks have retired across the Danube; this * * * they count here among their coldest winters. * * * All enterprise must be suspended between the three great belligerent powers. Poland is likely to be thrown into great convulsions. The Empress of Russia has peremptorily demanded such aids from Poland as might engage in the war. The King of Prussia, on the other hand, threatens to march an army on their borders. The vote of the Polish Confederacy for 100,000 men, was a coalition of the two parties, in that single act only.

The party opposed to the King, have obtained a majority, and have voted that this army shall be independent of him. The are supported by Prussia, while the King depends on Russia. Authen-

tic information from England leaves not a doubt that the King is lunatic; and that, instead of the effect, is the cause of the illness, under which he has been so so near dying. I mention this, because the English newspapers, speaking by guess on that as they do on all other subjects, might mislead you as to his true situation; or, rather, might mislead others, who know less than they do, that a thing is not rendered the more probable by being mentioned in those papers.

LET US BE RATIONAL IN DELIBERATIONS

Mr. Speaker, the King of England, Jefferson wrote in 1788, was a lunatic. Let us, in our deliberations on the measure before us, try to be rational.

Again demonstrating his intimate knowledge of European intrigue, Jefferson, in a letter to Dr. Currie dated Paris, December 20, 1788, said:

The war in the north appeared at one time likely to be quieted, but new dissensions in Poland threaten to embroil Russia and Prussia. In this case Prussia will previously make her peace with the Turks by ceding the Crimea to them. * * *

Intrigue. Intrigue. Intrigue. It was rampant—as now—when George Washington was General of the American Army and before he became President of the United States, as witnessed by the following quotation from a letter addressed to Washington by Jefferson, December 4, 1788:

The campaign between the Turks and the two Empires has been clearly in favor of the former. The Emperor is secretly trying to bring about a peace. The alliance between England, Prussia, and Holland (and some suspect Sweden, also) renders their mediation decisive wherever it is proposed. They seemed to interpose it so magisterially between Denmark and Sweden that the former submitted to its dictates, and there was all reason to believe that the war in the northwestern parts of Europe would be quieted. All of a sudden a new flame bursts out in Poland. The King and his party are devoted to Russia. The opposition rely on the protection of Prussia. They have lately become the majority in the confederated diet and have passed a vote for subjecting their army to a commission independent of the King, and propose a perpetual diet, in which case he will be a perpetual cipher. Russia declares against such a change in their constitution, and Prussia has put an army into readiness for marching at a moment's warning on the frontiers of Poland. These events are too recent to see, as yet, what turn they will take or what effect they will have on the peace of Europe. * * * In this event it will much favor the present wishes of this country (France), which are so decidedly for peace, that they refused to enter into the mediation between Sweden and Russia, lest it should commit them.

Such expressions penned by Jefferson could be extended here to the point of tedium, but the foregoing are illustrative of scores—perhaps hundreds—of passages in his contemporaneous writings. I shall not attempt, Mr. Speaker, to consume the time of this House in further similar citations.

A LITTLE RELATIVE OF MUNITIONS MAKERS

But this I do desire to emphasize: From these letters of Jefferson it is patent that the Europe of his time was precisely the Europe of the present day insofar as the intrigue and double-crossing are concerned. One who reads Jefferson's letters will find that the countries involved were the same as the countries involved today, and the things they were doing were exactly the things they are doing today. They had been the same for centuries; they are the same now; they will be the same, Mr. Speaker, when the last man within range of my voice shall have long since been gathered to his fathers.

Read the letters of Jefferson. They explain with crystal clarity why both Jefferson and Washington arrived at the common thought that it was essential to America to write in its primary creed a resolution to have no alliances with European nations. That was the cornerstone of the firm foundation laid by these outstanding Americans upon which our present national greatness rests. No American can read these letters written to Jefferson and come to any other rational conclusion.

Remember that every sordid interest that can make a dollar out of war will be busy—every dealer in things that are to be sold for war purposes will be busy. I have here a case in point. This is a letter from a man who writes me on the letterhead of the American Uniform Cap Co.—"Military caps our specialty":

DEAR CONGRESSMAN SHANNON: I am writing you as our Representative from Missouri to vote to repeal the Arms Embargo Act so that we may sell to foreign countries so as to protect our democracy and keep us out of war. Thank you very kindly.

Very truly,

Thus you see he is a little relative of the munitions makers—by the profit route. He wants his bit, but, like the bomb makers, he assures you he is against war; but, like them, he is not opposed to getting a profit out of war—a little blood money, if you please.

FRIENDS OF TODAY ARE FOES OF TOMORROW

Let me repeat, Mr. Speaker, nothing is binding in Europe—the friends of today are the enemies of tomorrow. What they celebrate today they hide tomorrow, and what they are today planning to celebrate they cancel tomorrow—if it is expedient to do so.

Hitler had arranged to have an immense celebration—to celebrate the battle of Tannenberg. There was to be a great outpouring, and just 2 days before it was to take place the trade between Stalin and Hitler was made. It would have been unbecoming for Hitler to stage a celebration that would have been offensive to his new friend Stalin. He had done enough to that friend in the previous 4 years—he had abused him worse than any pickpocket ever was abused on this earth. So you see, whatever they do, whatever they say, counts for nothing. It would have been unwise to have offended Stalin by a celebration at this critical moment of a battle generaled by Von Hindenburg which squelched the Russian Army in the late World War.

Mr. Speaker, it seems unthinkable that 2,000 years after the birth of the Prince of Peace we are meeting in the Capitol of the United States of America for a purpose which may eventually lead to that article of savagery we call conscription. Without conscription, no country under the sun could raise mammoth armies. Human beings who inhabit the world would not organize otherwise among themselves to go out to kill each other. Government must organize them. And government makes orders conscripting the young men of one nation to go forth to kill young men of other nations.

TRAINED DESPERADOES FOR WAR

The mere training of these young men, I contend and have always contended, is destructive of everything in them that is good and fine. I really believe every man who received that training and was sent forth in the World War was scarred, at least mentally, and such scars never heal.

I visualize that which any man can visualize—for it can be seen in every section of the United States. Here is a father who would not even shoot the bird that flies in the air, a mother who would not even kill the fowl to be served for dinner. Their boy is so gently reared that he would not even go to the moving-picture show a few blocks away without first telling his parents. Yet, when he reaches the age of 18 or 19 something suddenly happens. The barbarous act of conscription is made to apply to that gently born and gently reared boy. He is seized, taken away, and given training.

He is given a bayonet; he is placed before a bag—a sandbag or something similar—painted red—he is made to stand before it and stab it again and again, so that he becomes familiar with the color of blood. Day after day he receives this training. Then he is given other training so that he may be prepared to meet his fellow man in mortal combat without arms.

What sort of training, Mr. Speaker? He is taught to take his two hands and is shown how to grip with them the throat of another man—to choke him to death—some other man whom his government calls his enemy. When everything else fails, he is taught how, with his index finger, to gouge out the eyes of his fellow man. Having thus trained him, his government, cruel and brutal, sends him out, a thoroughly trained desperado, for the purposes of war.

Should he escape death he is honorably discharged from the service after a time and his government sends him back home. But the government never sends back the same man it sent away. Havoc has been wrought. That gently reared boy, as he walks the streets, may look like a man, but he is never the same man he was before he was conscripted.

CROP OF HELL AND HAVOC IN EUROPE

Practically all of us who live in the United States spring from European ancestry. The original founder of the American family almost invariably was one who ran away from a

European home or was aided in every possible way by his parents to get to this country so that he might avoid militarism and its crop of hell and havoc in Europe. Within a quarter of a century we have seen grown up a group in America who have given aid and comfort under cover to the taking of this ancestor's descendants back to the hell of Europe. It is a most damnable thing to send his progeny back into that inferno from which he escaped.

Should I, knowing Europe and its centuries of war history, cast a vote that would in any way contribute to sending an American boy to his death in Europe's present blood holocaust, then I myself would put the brand of "murderer" on my own brow.

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a radio address.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a speech on neutrality by William J. Gross, editorial writer of the Fort Wayne News Sentinel.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have learned that the Army is putting its soldiers back into wartime khaki. I ask unanimous consent to revise and extend my remarks and include an editorial from the Boston Post of yesterday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include three observations of international jurists on the proposed embargo repeal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. LEWIS of Colorado obtained permission to extend his remarks by including a comparative print of the present neutrality law with the act as passed by the House and as passed by the Senate.

PERMISSION TO ADDRESS THE HOUSE

Mr. SIROVICH. Mr. Speaker, in view of the untimely death of our distinguished colleague, the gentleman from Ohio [Mr. BOLTON], who is now making his eternal pilgrimage to that bourne from which no traveler ever returns, I ask unanimous consent that in lieu of the hour which was granted me to address the House this afternoon I be permitted to address the House for one hour on tomorrow, after the reading of the Journal, and the disposition of all the business before the House.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, does the gentleman ask that he be permitted to speak for an hour tomorrow?

Mr. SIROVICH. After the disposition of all the business before the House.

The SPEAKER. The Chair calls to the attention of the gentleman from New York that there is already one special order for tomorrow.

Mr. SIROVICH. Following the special order, Mr. Speaker.

Mr. FISH. Reserving the right to object, Mr. Speaker, I should like to know whether if a rule is brought in the address of the gentleman from New York will precede or follow the consideration of the rule.

Mr. SPEAKER. Under the request it would come after all legislative business for the day has been completed and after the special order already entered. It would not interfere in any way with the legislative program or the special order heretofore made.

Mr. MARTIN of Massachusetts. Further reserving the right to object, Mr. Speaker, that would depend a good deal on how late we are going to run tomorrow night on the regular legislative program.

Mr. SIROVICH. That is right.

Mr. RAYBURN. I believe we will have a reasonably long session tomorrow. If the gentleman desires permission to speak after that, I certainly have no objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein a radio address I delivered last night in Washington.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT

Mr. JENKINS of Ohio. Mr. Speaker, before making the real announcement which I am going to make, I wish to take this opportunity to make a short statement which I deem should be made at this time in order to get it into the RECORD.

Tomorrow it is presumed we will have a very important vote with reference to the proposed Neutrality Act. Several of the Members from Ohio will have another very important duty to perform, and we will not be here to vote. Personally, I want the RECORD to show at this time that if I were present I would vote against the proposed rule, as I understand it to be. Although I confidently expect to be here when the vote is called on the real merits of the Neutrality Act, but for fear I may not be here, and in order that my position may be known with reference to that section of the neutrality law which deals with the embargo, I wish to announce that if I were here to vote when it is presented, I would vote to retain the embargo, as I did before.

THE LATE CHESTER C. BOLTON

Mr. JENKINS of Ohio. Mr. Speaker, it is my sad duty today to bring to you and to the Members of the House of Representatives the news of the passing of one of our most distinguished and most beloved Members. Hon. CHESTER C. BOLTON passed away early yesterday morning at his home in Cleveland, Ohio, where he had been ill for some little time. It was thought that he was making fair progress in his recovery when the sudden turn for the worse carried him away.

Mr. BOLTON was born in Cleveland on the 5th of September 1882. He had lived in Cleveland all of his life. He was identified with that great city and its activities in many ways.

Mr. BOLTON was a man of great capacity. After graduating from Harvard University he proceeded immediately into the business field, and was identified with the financial and commercial activities of Cleveland. Early in his career he showed a great interest in public affairs. He identified himself actively with Republican politics and was elected to the State Senate of Ohio in 1922. He served three terms in this capacity, and was president pro tempore of the State senate and also Republican floor leader. In 1928 he was elected as a Representative to Congress, succeeding Senator Theodore E. Burton, where he served until January 1937. He was elected again to Congress in 1938. His service in Congress was conspicuous. His opinions on intricate legislative questions that involved the welfare of the country were highly respected by the membership of the committees on which he served and by the membership of the House. Mr. BOLTON's first service in Congress was as a member of the Rivers and Harbors Committee. He was later advanced to membership on the Appropriations Committee, where he served with distinction until his death.

Mr. BOLTON also rendered very valuable service to the Republican Party. Early in his career as a Congressman his organization genius was recognized and he was honored with a place on the Republican Congressional Committee. He served as chairman of this committee during the campaigns of 1934 and 1936.

Mr. BOLTON was a captain in the United States Army during the World War and served with honorable distinction and was advanced to the rank of lieutenant colonel.

He brought to his public service preparation of a thorough education and an honesty of purpose that was recognized by all that knew him. Of him it can truthfully be said that he was a man of good judgment. He was respected for his fine ability; he was honored for his strict integrity; he was loved for his fair and courteous attitudes toward his fellow men.

He leaves a wife, Mrs. Frances Payne Bolton and three sons, Charles, Kenyon, and Oliver. Funeral services will be held at Trinity Cathedral on Tuesday afternoon, October 31, at 2 p. m.

Mr. Speaker, with the permission of the Chair I recognize the gentleman from Massachusetts [Mr. MARTIN], minority floor leader.

The SPEAKER. The gentleman from Massachusetts [Mr. MARTIN] is recognized.

Mr. MARTIN of Massachusetts. Mr. Speaker, it is with sadness I rise to join in this tribute to a warm personal friend and a beloved colleague. No one serving in this House was held in higher esteem than was our late colleague, CHESTER BOLTON. We revered him because of his high character, his broad tolerance, and his fine patriotism.

CHESTER BOLTON entered the public service solely because of a desire to serve his day and generation. He wanted to make our land a better country and gave liberally of his money and his time toward this end. Two incidents which I recall in particular indicated the unselfish character of CHESTER BOLTON'S services. In 1936 I was the eastern director of the Republican campaign. CHESTER BOLTON was the chairman of the Republican congressional committee. He had a hard fight on his hands in his own home district. Because of his prominence in the counsels of the Republican Party, the local fight was waged a little more bitterly than ordinarily. Notwithstanding his personal danger, he neglected his home territory and traveled all over the country performing what he believed was his duty. As a result of his sacrifice, a brilliant career came to a temporary end. He worked beyond human endurance and long illness followed the arduous work he performed.

He was later reelected to the House in 1938, and his return was welcomed by all, regardless of party affiliation. I recall well his last day here with great vividness. It was one of those August days when we had a bitter contest on the floor. CHESTER was in poor health. His physician had ordered him to remain at home, but he felt his duty to his country and his district demanded his presence. He insisted upon remaining until the vote was taken, shortly before midnight. I counseled him to go home, realizing that was the best place so far as his health was concerned, but he had a duty to perform and he insisted on performing it. He remained to the end of the fight, and that unquestionably contributed to his breakdown. It can truthfully be said he was just as truly a martyr to his country as any man who ever fell on the field of battle. We all loved CHESTER. We might differ with him but we never could question his sincerity, his rugged patriotism, and his unshakable belief in the principles for which he stood. Men of his courage and high purpose are missed in these days of world confusion and chaos.

In this hour of sorrow consolation comes to us in the thought a well-spent life never dies. CHESTER BOLTON will linger in our memories as one who was a real American, one who was devoted to his country, and one who left the world a bit richer for his stay.

Mr. JENKINS of Ohio. Mr. Speaker, I yield to the gentleman from Ohio [Mr. SWEENEY].

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Speaker, I trust the House will pardon me if I make an announcement similar to that made by my colleague from Ohio [Mr. JENKINS], because of the fact I am to accompany the funeral party to Cleveland. I will not be here tomorrow, and I want to make the statement now that I am opposed to the rule which will be brought forth from the Rules Committee unless the rule gives to the House ample time to debate this very important subject, Neutrality. Unless it permits at least 2 weeks to debate this issue, I cannot be for the rule, and I want the RECORD to so show in my absence.

Mr. Speaker, joining my colleagues here today is a sorrowful task, in paying tribute to the memory of a friend who has passed to his eternal reward. To those who knew CHESTER BOLTON he was one of the outstanding citizens of Ohio; yes, one of the outstanding citizens of the country. My personal acquaintance with him goes back many years ago when I was a young lawyer in Cleveland. At that early date he exhibited a degree of kindness and friendship rare in many individuals today. I watched his public career as a member of the General Assembly of Ohio, where he covered himself with glory in the field of important legislation. I watched him when he came to Congress. I served with him during the major portion of five terms. He gave and received cooperation in many important battles in this House.

He was not a bitter partisan. Men on both sides of the aisle loved CHESTER BOLTON. He will be best remembered because of his simplicity of character, his honesty, and his faithfulness to public service.

He was a man endowed with a portion of the world's goods, but a man who gave freely to charity without ostentation. We know of his charities in our community. The State of Ohio—yes, the Nation—well knew of his charities. The crippled children of the Nation, the tubercular victims, and shut-ins will miss CHESTER BOLTON more than we will miss him. Certainly his constituency in the Twenty-second District of Ohio will miss his constant attention to even the small details that he gave to his office.

Mr. Speaker, I hope at some future time I may be privileged to extend my remarks further on the life and career of this great man. An outstanding American has fallen. I take this opportunity to publicly express my sympathy to his fine wife and his three splendid sons in the passing of a good husband and father.

Mr. JENKINS of Ohio. Mr. Speaker, I yield to the gentleman from Ohio [Mr. VORYS].

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Speaker, in the death of CHESTER BOLTON Ohio and Washington have lost a statesman and a patriotic public servant, but I have lost a friend.

When I came to the Ohio Senate as a new member CHESTER BOLTON was an old member and he befriended me. He was thoughtful, helpful, and considerate. When I came to Congress as a new Member CHESTER BOLTON was an old Member. He befriended me. He was thoughtful, helpful, and considerate. So while we are mourning the loss today of a statesman, I am mourning the loss of a friend. No man ever faced danger in battle more courageously than he did in his service here during the past session. His example of service at a time of danger is one we can all emulate. His loss to me and to others as a friend is one that cannot be replaced.

Mr. JENKINS of Ohio. Mr. Speaker, I yield to the gentleman from Ohio [Mr. ROUTZOHN].

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. ROUTZOHN].

Mr. ROUTZOHN. Mr. Speaker, as I learned this morning of the passing on of our colleague, CHESTER BOLTON, there came to me, and would not be denied, the verse of John Boyle O'Reilly entitled:

THE REAL GOOD

"What is the real good?"
I asked in musing mood.

"Order," said the law court;
"Knowledge," said the school;
"Truth," said the wise man;
"Pleasure," said the fool;
"Love," said a maiden;
"Beauty," said the page;
"Freedom," said the dreamer;
"Home," said the sage;
"Fame," said the soldier;
"Equity," the seer.

Spake my heart full sadly,
"The answer is not here."

Then within my bosom
Softly this I heard:
"Each heart holds the secret.
Kindness is the word."

Another poet has admonished us that only the art of being kind is all this old world needs.

I have known CHESTER BOLTON for a number of years, not intimately, perhaps, but I know I knew him well. CHESTER BOLTON knew and lived the art of being kind. I shall cherish in my memory the many kindnesses he and his good wife have bestowed, and the love he bore his fellow man.

Mr. JENKINS of Ohio. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BENDER].

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, yesterday morning the House of Representatives and the people of America lost a great leader. The Honorable CHESTER C. BOLTON, for 9 years one of the most distinguished Members of the House, was called from our midst yesterday in his native city of Cleveland. I cannot tell you how untimely was his passing. Here, surrounded by the many complex problems of our day, we need men of CHESTER BOLTON'S caliber. From the time of his election to Congress in 1928 he was recognized as one of the best-informed and one of the most painstaking Members of this House. I feel a sense of the deepest personal loss, for I was one of his many good friends.

Congressman BOLTON was a truly great statesman. He was not concerned with his private political advancement. Public office was not a goal in itself for him. Rather was he interested in the service he might render through his election to positions of importance in the State. He looked at public affairs with a vision of their effect upon the entire Nation.

It was only 6 weeks ago that he passed his fifty-seventh birthday. From the time of his birth in Cleveland, on September 5, 1882, he was clearly predestined for great achievements. The quickness of his mind and his capacity for careful study were evident in his undergraduate years at Harvard College. But unlike so many university graduates of his day, CHESTER BOLTON came out into the world determined to take his place in the hue and cry of a political career.

By 1923 he was universally respected throughout his community and won election to the State Senate of Ohio. For 5 years I knew him intimately in the deliberations of the senate. I watched him winning the admiration of his colleagues and the enthusiastic following of his people. In 1928 he was elected to the Seventy-first Congress. He returned continuously until 1936, and in 1938 his constituents sent him back to us again. The applause which greeted his reelection in 1938 echoed throughout Ohio. Everywhere his reputation for absolute integrity and unceasing devotion to the public welfare had earned him the praise of the entire Nation.

Mr. Speaker, the work of Congressman BOLTON in this House, on its important Rivers and Harbors Committee, will remain in the memory of his people for years to come. It was work typical of CHESTER BOLTON, far above sectionalism, far above partisanship.

Congressman BOLTON was more than a Representative of the Twenty-second Congressional District of Ohio in this great House of Representatives. He looked beyond the boundaries of his own district in considering the problems of his country. His breadth of vision compelled even his opponents to respect his views.

I knew CHESTER BOLTON well, as fellow worker in the Republican Party, as State senator, as Congressman. No man in American public life has ever brought a keener mind to bear upon our Nation's problems. No man in American public life has ever brought a more rational, intelligent, or analytical approach to our many difficulties. It is to the glory of our people that they recognized the sterling worth of our friend throughout his lifetime. He was a fine citizen, a fine man. For more than 20 of his 57 years he devoted himself to the interests of the people of Ohio. In Congress he was singled out as an outstanding Republican on the floor of the House. When leadership was needed, he furnished it. When he felt the need for a decisive course of action, he did everything possible to chart that course.

Yet despite his concern for the important matters pending before the Nation, he always had time to give to his family and his friends. He was a fine husband, a devoted father. So long as his health permitted, he gave of himself to every worthy cause. No one was turned away from his door without assistance. He was generous. He was foresighted. He was kind.

All of us, wherever we may live, must join in mourning his departure. We extend to his family our deepest sympathy, knowing that our own sense of loss must be infinitely magnified in those who knew him best. CHESTER BOLTON is no longer with us, but the people of Ohio, the citizens of America, will remember for long years to come the work he did in our behalf.

Mr. JENKINS of Ohio. Mr. Speaker, fifteen to twenty other Members have asked that they be permitted to add to these eulogies. I ask unanimous consent that all the other Members from Ohio, both Democrats and Republicans, who wish to extend their remarks on this subject, may be permitted to do so in the RECORD immediately following the remarks of the gentleman from New York [Mr. TABER], to whom I shall next yield.

Mr. RANKIN. Will the gentleman modify his request to include all Members of the House?

Mr. JENKINS of Ohio. Mr. Speaker, at the suggestion of the distinguished gentleman from Mississippi, I modify my request and ask that it apply to any Member of the House who wishes to extend his remarks on this subject. I also ask that Members who have already spoken on this subject today may be permitted to revise and extend their own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I now yield to the gentleman from New York [Mr. TABER], of the Committee on Appropriations.

Mr. TABER. Mr. Speaker, it was my privilege to serve in the House for 10 years with CHESTER BOLTON. He served on the Deficiency Committee in the trying days from 1933 to 1937. No man ever showed greater patriotism, greater courage, or higher character. His work was intelligent, it was serious, it was devoted, and it was loyal. I wish to add my small tribute to the type of man Ohio sent here and to the service he rendered to the people of the United States. It was of the highest type.

Mr. BROWN of Ohio. Mr. Speaker, I arise to pay tribute to the memory of one of Ohio's illustrious sons, CHESTER C. BOLTON, whose untimely passing has brought grief to us all.

It has been my privilege to know CHESTER BOLTON more than 25 years. I have watched his career develop. As a young man he took an active interest in the welfare of his city and county. His ability, his honesty of purpose, his high sense of duty, and his exceptional intelligence were soon recognized by his neighbors and he was elected to represent a great district in the Senate of Ohio. There his qualities of leadership were again quickly recognized and he was chosen as majority floor leader of that important legislative body. Serving with distinction and honor to himself, and with great benefit to the people of Ohio, he made a place for himself that shall endure as long as the State government of Ohio lives.

Again the office sought the man, and he was elected to the Congress of the United States to represent one of the largest districts in the entire country—the Twenty-second of Ohio—with more than 600,000 population.

I need not speak to you who have served in the Congress with CHESTER C. BOLTON of the great contribution that he has made to his country as a Member of this body. By the sorrow you have shown here today, and by the honors you have conferred upon him in the past, you have demonstrated the great respect and affection in which our departed colleague has always been held by the individual Members of this body.

CHESTER BOLTON was truly a man. Gentle and gentlemanly always, he still had the courage of his convictions and maintained courageously the ideals in which he believed and for which he fought. Ohio gave him to the Nation. Ohio now takes him back to her bosom. Another illustrious son

has given his all to his country. Ohio and America are better for his having lived.

Mr. HARTER of Ohio. Mr. Speaker, those of us who were privileged to know CHESTER BOLTON held for him the highest regard as a man and as a public official. He always had the courage of his convictions and no one could ever doubt his sincerity. His devotion to his duties doubtless had much to do with the undermining of his health. Many years of his life were devoted to the public service. Those of us from Ohio are familiar with his record while serving in the Senate of the Ohio General Assembly. His years of service in this body endeared him to all with whom he came in contact. He had the reputation among us of being an industrious, hard-working member of the great Committee on Appropriations, the duties of which are, perhaps, as arduous as those of any committee in this House of Representatives.

Mr. BOLTON was always tolerant of the opinion of others, ever ready to defend principles in which he believed without being opinionated, and with a wholesome respect for the views of those who differed from him. No words that could be uttered would properly portray the nobleness of his character. In my many years of association with him, never did I hear him speak ill or unkindly of another.

The House of Representatives has lost in his passing a man who always fulfilled the best traditions of this Chamber. Ohio mourns the loss of another native son who gave freely of his time and efforts to the interests of her people and the Nation loses the service and devotion of one of its most patriotic sons.

Mr. JONES of Ohio. Mr. Speaker, I join with my colleagues to express my deep sorrow for the loss of our friend and statesman, CHESTER BOLTON. Although I had known Mr. BOLTON as a public official for several years, I had not met him until a little over a year ago. He was a man busy with the duties of public life, but he was never too busy to burden himself with the interest and devotion to the welfare of his fellow men. Many have pointed out that he was very interested in charities and gave freely to local, State, and National charitable organizations. CHESTER BOLTON will be remembered long by his community, State, and Nation for these benevolences. But there are many men who will remember CHESTER BOLTON because of the benevolent and helpful spirit that assisted his fellow men on the road up the ladder. He was always interested in the problems of his colleagues and his friends and he was effective in solving their problems and in lifting their burdens. His devotion to his country was genuine and his activity in and out of the Halls of Congress was effective. We have, indeed, lost a great American, but in our hearts he shall live on.

Mr. SECCOMBE. Mr. Speaker, perhaps the greatest compensation that comes to a Member of this House is the delightful friendships and fellowships he forms during the period he is permitted to serve as a Member of Congress. It was, however, my privilege to know CHESTER BOLTON before coming to Congress—and to know him was to love him.

In CHESTER BOLTON the State of Ohio and the Nation has lost one of her most loyal and able public servants; and the district which he serves, as well as the House of Representatives, has lost one of its most loved and distinguished leaders.

Mr. BOLTON has served his country in peace and in war, and he gave himself freely to the service of his community, State, and Nation.

As a new Member of Congress, I can truthfully say that he was most considerate, patient, and sympathetic in helping us to become accustomed to our legislative duties.

It is therefore the high example and the faithful devotion both to this family and to his country which will set a standard for years to come for others to follow.

Mr. Speaker, I ask permission to extend my remarks and to include an editorial from the Cleveland Plain Dealer in memory of my colleague CHESTER CASTLE BOLTON.

[From the Cleveland Plain Dealer of October 30, 1939]

CHESTER CASTLE BOLTON

The career of CHESTER CASTLE BOLTON, cut short by his untimely death yesterday, was an impressive refutation of the idea that when a wealthy man goes into politics he is just playing around.

Mr. BOLTON entered public life under the handicap of that tradition. He speedily proved by his energy and ability that the rule did not apply in his case. Here was no dilettante, but a conscientious and serious-minded public servant ready and willing to work hard and to give his best to the task at hand.

Fifteen of his relatively short span of 57 years were spent in legislative service at Columbus and Washington. Previously he had been councilman of his suburban home town of Lyndhurst and had answered his country's call in wartime and won merited promotion as a soldier.

It was the political fortune of CHESTER BOLTON to enter national politics at a time when his party was about to go into eclipse. While this was an obvious hindrance to advancement it increased his immediate opportunity to become an able and useful party leader. In the little group of Republican Congressmen who survived the Democratic landslides of 1930 and 1932 he stood out in zeal and ability. By the 1934 campaign he was chairman of the Republican congressional campaign committee.

While always a faithful party man Congressman BOLTON never permitted partisan interests to intrude where they did not belong. He construed the title of "Representative" to mean exactly that. Faithfully he represented all the citizens of his district, the Twenty-second Ohio, one of the most populous in the Nation.

But this did not imply that he looked upon the Congressman's function as that of Washington errand boy. He took his job too seriously to permit so parochial an attitude. It was a point of pride that he had succeeded Theodore E. Burton in the twenty-second. He measured statesmanship by the Burton pattern.

Typical of this conscientiousness was an independence which rose above expediency. Convinced that prohibition was a failure, BOLTON ran on a wet platform in 1930, though his district was considered overwhelmingly dry. He attacked New Deal measures at a time when most of his fellow Republicans were afraid to speak out.

Several years ago when BOLTON was a political freshman in the Ohio Legislature he was described as "the kind of politician who shakes hands even when he does not have to." Which is another way of saying that this man of aristocratic birth and breeding had not lost the human touch. It is that characteristic which will long be remembered by those political faiths who called him friend. To a name long honored in Cleveland he brought new distinction through a career of useful public service.

Mr. MARSHALL. Mr. Speaker, again the grim reaper has struck and has taken from this House one of its most beloved and respected Members.

The Honorable CHESTER C. BOLTON was a man of high purpose, unquestioned integrity, and fierce loyalty to the country which he loved so well. During his life his activities covered many fields and he obtained prominence in all those endeavors to which his sympathies and enthusiasm impelled him. As an energetic and civic-minded citizen of the city of Cleveland he was in the forefront in all movements which tended to the improvement of conditions in his home town. He was a leader alike in financial, philanthropic, and political affairs. Although a man of considerable wealth, his outstanding virtues were those of simplicity, kindness, and humility.

It was my privilege to serve with him during the entire time he represented the county of Cuyahoga in the Ohio Senate as well as during the current term of Congress. His passing is to me a great personal loss.

He will long be remembered by those who knew him as a sincere, forthright, and forceful public servant to whom service to his city, his State, and his country was the guiding principle of his life.

Mr. ELSTON. Mr. Speaker, it was not my privilege to become acquainted with CHESTER BOLTON until after our election to the Seventy-sixth Congress. Although our friendship has been of short duration, I can readily appreciate and understand the reasons which have prompted so many Members to pay tribute to his memory today. It does not require years of acquaintance to discover sterling qualities such as he possessed. He has been a true friend, particularly to the new Members of Congress, who always found him willing to counsel with them upon matters in which his years of experience might be helpful. In his passing Ohio has lost one of her most distinguished citizens. The Nation has lost one of her most valued servants. His devotion to the duties of his office no doubt hastened his end, but he was not one to shun responsibility for personal reasons. He has earned the affection and esteem of his colleagues and the gratitude of the Nation. I join with other Members of the House in expressing our sorrow, and desire to express my heartfelt sympathy to his devoted family in their bereavement.

Mr. HANCOCK. Mr. Speaker, my affection for CHESTER BOLTON was deep and abiding, and it is most difficult for me to express my sadness at his passing. He was my warm personal friend from the day of his entrance into Congress until his death. His many kindnesses to me will always be held in grateful memory.

He was always generous in thought and deed. I never heard him say an unkind thing about anybody. Meanness and bitterness were not in him. It is tragic that he had to go in the prime of his life and at the height of an honorable and useful career, but he died as he wished to, in the service of the country he loved.

I shall miss his friendship and companionship and remember him always as the highest type of the American gentleman.

My heart goes out to the splendid woman who was his wife and his three fine sons in their great loss.

Mr. KERR. Mr. Speaker, a sense of great sorrow overcomes me on being apprised of the death of Hon. CHESTER C. BOLTON, a Member of the House of Representatives from the great State of Ohio. I am convinced that the opportunity to know our fellow Members in this House comes only through our contact in committee service. When we approach the work of Congress in the committee room and we appraise the value and characteristics of our coworkers, this appraisement, like the schoolboy's estimate of his companion, is rarely ever wrong.

I served with Mr. BOLTON for one session on the Appropriations Committee, and my acquaintance with him was slight until this time, although we had both been a Member of this body for a number of years. Just a few days' work with him unfolded to me his fine character, his splendid intellect, his profound knowledge of the problems of this Government and his love of its fundamental principles. It was said by a great English statesman, in reference to one of his coworkers, that "he would not do an unjust thing for an earthly prize or motive," and I hazard nothing when I pay this same tribute to our departed fellow Member, Mr. BOLTON. What I most admired in the service and life of our distinguished Member, Mr. BOLTON, was the great character which stood out and adorned his personality. There was no deceit in this gentleman, and he was fearless and approached every official problem with a sense of responsibility to those whom he represented, and with a deep love for his country and its destiny. It was this great and lovable character, "the diamond which scratches every other stone," which made him a power in the council of his fellow men and fitted him so well for that final judgment: "Well done, thou good and faithful servant; thou hast been faithful over a few things; I will make thee ruler over many things; enter thou into the joy of thy Lord."

Mr. CLEVENGER. Mr. Speaker, words do not come easily when we speak of the passing of CHESTER BOLTON. Our hearts are heavy with the loss of an understanding friend, a courteous colleague, a modest, unassuming gentleman, a good citizen, an able legislator, and a good soldier.

There was no touch of the demagogue in CHESTER BOLTON. He rendered great public service without ostentation, never losing the common touch. He served State and Nation with distinction and zeal, and his native Ohio and the United States have suffered an irreparable loss in his passing.

Mr. POLK. Mr. Speaker, it is with a profound feeling of sorrow that I have learned of the passing of Hon. CHESTER C. BOLTON, who so ably represented the Twenty-second District of Ohio in the House of Representatives.

When I came to Washington for the beginning of the Seventy-second Congress, Mr. BOLTON was one of the first Members with whom I became acquainted, and, as a new Member, I was deeply impressed with his courtesy and kindness.

While we were on opposite sides of many political questions, I always found him unusually tolerant of the views of others, and I have never on any occasion doubted the integrity of his motives or the sincerity of his efforts as a representative of the American people.

In his position as a member of the Committee on Appropriations it was my privilege to consult with him at various times, and I always found him to be most diligent in the performance of his many difficult tasks.

By the death of Hon. CHESTER C. BOLTON, Ohio and the Nation have lost an outstanding public servant and a great citizen, whose passing will be mourned by all who knew him.

Mr. WHITE of Ohio. Mr. Speaker, 20 years of friendship lead me to join in the expressions of regret and tribute voiced here concerning the untimely death of the Honorable CHESTER C. BOLTON. I subscribe to every word and thought expressed by the dean of our State delegation, Mr. JENKINS, and others who have spoken. This sad news falls as a heavy blow to all of us who have had the rare privilege of his friendship, both in and out of Congress. Our thoughts of condolence and sympathy reach out to Cleveland today in the hope that they may help comfort and sustain his family in this hour of distress and sorrow.

CHESTER C. BOLTON attended the public schools, prepared for college at University School, Cleveland, and was graduated at Harvard University with an A. B. degree in 1905. Was later awarded the honorary degree of master of civil laws at Kenyon College, 1930. Upon leaving Harvard he entered the employ of the Bourne Fuller Co., Cleveland, later a part of the Republic Steel Corporation, with which company he was associated until 1917, advancing from a clerkship to the position of assistant treasurer. He served as a private, Ohio National Guard during 1905–15 and attended the Plattsburg, N. Y., military training camp in 1916, receiving a commission as captain in the Reserve Corps.

Commissioned captain in the Ordnance Department of the United States Army in the spring of 1917. In March 1917 he was assigned as secretary to the Munitions Standards Board and later was assistant to chairman Frank Scott—of Cleveland—of the General Munitions Board and chairman of the clearance committee of the War Industries Board which was formed to coordinate the purchase of war supplies by various departments and boards and to adjust questions of priority. Ordered to active duty as captain of ordnance in May 1917, he was transferred to the General Staff and appointed aide to Benedict Crowell—quod vide—Assistant Secretary of War, and detailed to the Requirements Section of the Purchase, Storage, and Traffic Division of the General Staff, for a time in charge of that section, under Gen. Hugh S. Johnson—quod vide.

In January 1918 he was promoted to rank of lieutenant colonel and was sent to the Army War College, where he took a course of general field instruction and upon graduation was assigned to duty as assistant chief of staff of the One Hundred and First Division at Hattiesburg, Miss. Following the signing of the armistice he was sent to Washington, where he remained a member of the General Staff of the Army until receiving his honorable discharge in December 1918.

Mr. BOLTON'S political career dated from 1918, when he was elected to the Lyndhurst village council. In 1922 he was elected to the Ohio State Senate, in which he served until 1928, being majority leader and president pro tempore in 1926 to 1928. He was chairman of the senate taxation committee in 1924–26 and of the joint taxation committee in 1925–26, the latter committee making an extensive study of taxation laws in a large number of important States of the Union. This study served as a basis for tax legislation in later years. He sponsored legislation for reforestation work in Ohio which was enacted, and introduced in the senate the resolution creating a battle monuments commission which also become law and which resulted in the erection of a bridge commemorating the Thirty-seventh Division at Eyne, Belgium. He also served as chairman of the committee on banks and trust companies, as chairman of the utilities committee, and as a member of the committee on military affairs, the committee on manufacture, and the committee on commerce, fish, and game, and the committee on soldiers and sailors home.

Mr. BOLTON was a delegate to the Republican National Convention in 1928, and later in the same year was elected to the Seventy-first Congress from the Twenty-second Ohio District, defeating his Democratic opponent by a vote of 151,565 to 65,742. He was reelected to the Seventy-second Congress by a vote of 91,222 to 55,868 for his nearest opponent; to the Seventy-third Congress by a vote of 141,296 to 98,427 over his nearest opponent; and to the Seventy-fourth Congress, receiving 97,535 votes to 88,551 for his nearest opponent. Upon entering Congress he became a member of the Rivers and Harbors Committee of the House in 1929, and was in addition assigned to the Appropriations Committee in 1932, serving on both committees until the end of the Seventy-fourth Congress. For several years he was considered the representative of the Great Lakes States on the Rivers and Harbors Committee. During his entire service on the Appropriations Committee he was ranking minority member of the Subcommittee for the War Department, and in addition served 2 years on the Deficiency Subcommittee and 2 years on the Independent Offices Subcommittee. He also served as a member of the Select Committee on Conservation of Wildlife Resources from 1930 to 1936; as a member of the Migratory Bird Commission for the House of Representatives from 1932 to 1936; as a member of the George Rogers Clark Sesquicentenntal Commission, 1935–36. He was defeated by a narrow margin in the landslide of 1933, but was reelected to the Seventy-sixth Congress in November 1938 by a vote of 109,494 to 87,635 for his opponent. He was reassigned to the Committee on Appropriations and to the Subcommittee for the War Department.

In March 1933 he was selected as chairman of the National Republican Congressional Committee, in which capacity he inaugurated an active policy of making the public conscious of need for best qualified men in Congress, and established a field force for that purpose. During his congressional service he constantly supported welfare and relief measures as such; ardently advocated maintaining American standard of living through a tariff policy adequate enough to make up the differential between wages at home and abroad; a believer in States' rights and responsibilities, civil service, balancing expenditures with Federal income, conservation of natural resources and of wildlife, and efficient military and naval preparedness to guarantee peace; but at the same time opposed to Government competition with private business and favored reasonable Government regulation of business, resisted the delegation of legislative powers to the Executive, and vigorously opposed extension of bureaucracy and regimentation. He was always concerned with unemployment problems and is credited with securing veterans' welfare, particularly the disabled; arranged for additional beds for veterans at United States Marine Hospital, Cleveland, and in the award of new building for hospitalizing veterans in Cleveland area, which award was never carried out. He was foremost in obtaining change of Federal Government's policy under which development and maintenance of inner harbors on the Great Lakes became Federal responsibility, as had been the practice in cases of seaboard ports; secured cooperation of public schools in his district toward helping prospective candidates qualifying; sponsored legislation, and with cooperation of Congressman CROSSER, of Cleveland, secured Federal participation in the Great Lakes Exposition, 1936.

Served as a member of, and personal guarantor for the Cleveland committee, which successfully brought the Republican National Convention to that city in June 1936; was chairman of the local arrangements committee, having complete charge of the convention activities, including provisions for seating, radio, press, and wire accommodations, housing of delegates and visitors, as well as financing the city's responsibilities.

Mr. BOLTON was prominently identified with philanthropic activities and civic movements in Cleveland. Following his discharge from the Army, and upon his return to Cleveland he was among those urging the adoption of the suggestion made by Mr. Samuel Mather that the War Chest organization be used for community-fund purposes. He served on the community-fund council as a member of its original organization. He has also been a trustee of the Associated Charities in Cleveland, of the Welfare Federation, chairman of the committee for Ohio, national antisyphilis campaign of the American Social Hygiene Association, and other civic enterprises. He was a trustee of Lakeside Hospital, Western Reserve University, Lakeview Cemetery, Western Reserve Historical Society, Cleveland Museum of Art, and a member of the Case School of Applied Science Corporation, as well as a member of the vestry of Trinity Protestant Episcopal Cathedral and its executive committee. He was a director of the Standard Tool Co., the Perry-Payne Co., the Payne-Bingham Co., which he has also served as president, Lakeside and Marblehead Railroad Co., Cleveland Cliffs Iron Co., and the Lamson and Sessions Co. Previously he had also served on the board of directors of the Lake Erie Bolt & Nut Co., the Cleveland Trust Co., and other business concerns in and about Cleveland.

He was active in the work of the American Legion, having served as chairman during its fund-raising campaign, as a result of which effort he was made a permanent life member of the Cuyahoga County Council; was a member of the reception committee of the American Legion in 1919, which met Marshal Foch, and traveled with him over the country. He was delegate to American Legion conventions on numerous occasions. At the time of his death he was a member of the Society of Colonial Wars, Sons of the American Revolution, and of various clubs in Cleveland, New York, Washington, Boston, and Palm Beach. He served as president of the Union and Mayfield Country Clubs, Cleveland; also as director of the City Club of Cleveland, a trustee of the Euclid Avenue Association, and a member of the Cleveland Committee, Council on Foreign Relations.

His diversions were hunting, golf, and the raising of purebred Guernsey cattle, and 10 years—1922–32—he was president and a director of the Ohio Guernsey Breeders Association; also a director of the American Guernsey Cattle Club.

Representative BOLTON was married September 14, 1907, to Frances Payne, daughter of Charles William Bingham—quod vide—industrialist and banker, of Cleveland. Three children blessed this union: Charles Bingham, Kenyon Castle, and Oliver Payne Bolton.

CHESTER BOLTON'S record in Congress began in 1928. He was sent back successively for three more terms. After an absence of 2 years he was returned in 1938 as the Representative of the Twenty-second Ohio District. His was a record of outstanding achievement, as we all know, marked by discernment, fairness, and patriotic ideals. Useful works like those which stand to his credit are bound to endure. Countless individuals have shared in the benefits. He was a part and parcel of the civic progress of the great city which proudly claims him.

Cleveland has lost one of its leading citizens. Ohio has lost one of the most able representatives the State has ever had. The Nation suffers the loss of CHESTER BOLTON'S fine qualities of statesmanship, unfortunately, at a time when they are most needed. Those of us who served with him have lost a friend.

His public service as a private citizen, in the Ohio Legislature, and in the Halls of Congress stands as an enduring monument to the cause of good government.

Mr. WIGGLESWORTH. Mr. Speaker, it is difficult to speak of one whom I have known so intimately over so long a period of years as I have known CHESTER BOLTON.

I have known and loved his family since school days. I have known and loved him for over a quarter of a century. I have shared with him the associations of college, the associations of the World War, the association of the great Committee on Appropriations, the associations of Congress as a whole. There are few Members of Congress to whom I have been personally closer.

In a position which might well have led to a life of ease, CHESTER BOLTON, true to his own creed and to the traditions of his family, devoted his life to the service of the community, State, and Nation.

A lieutenant colonel during the World War, majority leader and president pro tempore of the Ohio Senate, elected five times a Member of Congress, delegate to the National Republican Convention, chairman of the National Republican Congressional Campaign Committee, he was destined to play an ever-increasing role in the national life of his party and to serve for 8 years in the National House in one of the most trying periods in the history of the Nation.

He gave of himself without limitation in the service of his country. In his endeavor to create for the people of America a better nation as he saw it, he refused to spare himself even when confronted by serious ill health, and by the threat of death itself. If ever a man laid down his life in the service of America, it was the honored and beloved colleague whose untimely loss we mourn at this time.

CHESTER BOLTON was a rare individual and an outstanding public servant. Charitable institutions throughout the country will long remember his helping hand. Those of us who have known him here will not forget him. We shall always recall his marked ability, his high character, the warmth and generosity of his friendship.

To associate with him was to admire him; to know him well was to love him. His death deprives many of us of a friend who cannot be replaced. It deprives America of a devoted public servant whose ability and experience it can ill afford to lose in these difficult times.

Mr. LEWIS of Ohio. Mr. Speaker, when I received word this morning of the passing last night of Hon. CHESTER C. BOLTON, of Cleveland, I was profoundly shocked. I knew of his illness, but did not realize that the end of earthly things for him was so near.

I knew Mr. BOLTON first as a member of the Senate of the State of Ohio. In my first term in that body Mr. BOLTON was the Republican floor leader and president pro tempore. I supported him for that high post, and during that term of 1927 and 1928 he made a most honorable and distinguished record as a great floor leader of that body. We were very closely associated in the work in that session of the Ohio Senate, and I learned to know and appreciate Mr. BOLTON for what he was—a sincere, honest, and most able public servant, who set and maintained for himself a high standard of integrity and morality in private life and in public service. The friendship that grew out of that association, I am pleased to say, has lasted through the intervening years, and when I came to Congress the first of this year it was a rare pleasure to associate again in legislative work with Mr. BOLTON.

In his passing Congress and the people of the United States have lost a high-minded and most able legislator—earnest, conscientious, and sincere, and we, his friends, will forever treasure in our memories recollections of a man great in heart and mind and a true friend.

Mr. TREADWAY. Mr. Speaker, it seems that only after they are gone do we come to appreciate the true worth of our fellows.

In the untimely death of CHESTER C. BOLTON, I have lost a very dear friend, and the Nation has lost a useful, able, and devoted public servant.

It is said that death loves a shining mark. Our late colleague was an outstanding Member of this body. His innate ability and brilliant mind caused his counsel to be eagerly sought and highly valued.

While an ardent Republican who served his party well, he was not a bitter partisan. His friends were legion. The pleasing character of his personality endeared him to all with whom he came in contact. Of him it can truly be said that none knew him but to love him.

> To live in hearts we leave behind,
> Is not to die.

His circumstances were such that he might have chosen a life of ease, but instead he dedicated himself and applied his boundless energies to the service of his fellow men. There is no doubt but that his end was hastened by his unselfish devotion to duty in the face of failing health.

The philanthropies of our colleague were many, but in keeping with his nobility they were performed without ostentation.

Though CHESTER BOLTON has been called from amongst us in the prime of his life, he has left indelible footprints in the sands of time.

The measure of a man's life is the well-spending of it, and not the length.

Mr. PLUMLEY. Mr. Speaker, the news of the death of CHESTER C. BOLTON shocked the membership of the House into a realizing sense of the personal loss each one of us has sustained.

The death of such a man constrains us to ask once more—

> What inexorable cause
> Makes Time so vicious in his reaping?

So long as I live, Mr. Speaker, I shall cherish the memory of my associations with many Members of this body who have gone—

> For some we loved, the loveliest and the best
> That from his Vintage rolling Time hath prest,
> Have drunk their cup a round or two before,
> And one by one crept silently to rest.

Not least precious will be the remembrance of the hours and days spent in the companionship of CHESTER C. BOLTON. As I knew him, he would be the first to resent and the last to wish that any tribute I might pay him should be fulsome or panegyric.

He was a man's man, suaviter in modo, fortiter in re; one of the kindest, most generous and considerate, yet most resolute men I have ever known. I could say a great deal more but I feel that I have said about all that he would care to have me say. I should and I will say that he set his mark high in the honor roll of his day and generation and, going, left a record of good deeds and worth-while accomplishment of which his family, his friends, his State, and his country may well be proud.

He has passed that dread, dismal barrier we call death and entered into that "undiscovered country" we call "beyond." What is there "beyond"?

> Hear what the wise and good have said. Beyond
> That belt of darkness, still the years roll on
> More gently, but with not less mighty sweep.
> They gather up again and softly bear
> All the sweet lives that late were overwhelmed
> And lost to sight, * * * all are raised and borne
> By that great current in its onward sweep,
> Wandering and rippling with caressing waves
> Around green islands with the breath
> Of flowers that never wither. So they pass
> From stage to stage along the shining course
> Of that bright river, broadening like a sea
> As its smooth eddies curl along their way.
> They bring old friends together; * * * old sorrows are forgotten now,
> Or but remembered to make sweet the hour
> That overpays them; wounded hearts that bled
> Or broke are healed forever. In the room
> Of this grief-shadowed present, there shall be
> A Present in whose reign no grief shall gnaw
> The heart, and never shall a tender tie
> Be broken; in whose reign the eternal change
> That waits on growth and action shall proceed
> With everlasting Concord hand in hand.

Mr. RANKIN. Mr. Speaker, on yesterday, while out driving, I was discussing with a friend of mine the outstanding leaders in the House of Representatives. I remarked to him that I regarded the Honorable CHESTER C. BOLTON, of Ohio, as being not only one of the ablest Members of the House, but one of the fairest and most considerate. About that time we approached the Capitol and observed the flag at half mast. I stopped and asked a policeman, "Who is dead?" And he replied, "Mr. CHESTER BOLTON, of Ohio."

This news came as a painful shock to me, not only because of the high esteem with which I regarded him as a conscientious legislator, but because of our friendship that began when we first met, and which increased during his years of service in the House.

Someone has referred to these friendships that grow up between Members on the different sides of the aisle here as the flowers that overhang the walls of party politics. If the friendships which CHESTER BOLTON's life and service inspired in this body were to burst into bloom, this Hall would be buried beneath an avalanche of flowers.

There is no place in the world where a man has his measure taken more critically or where he more quickly finds his level than in this branch of the Congress of the United States. It is undoubtedly the most critical body, in sizing up its own membership, to be found in all the world, and justly so. For Members know that when sizing up one of their colleagues they must determine whether or not they can rely upon his judgment, his honesty, his integrity, and his ability in deciding whether or not to follow him on questions of great national interest, especially on those questions that rise above the scramble for party vantage or the noisy clamor of men for place and power.

CHESTER BOLTON and I did not agree on those fundamental issues that separate the two great political parties, he being a Republican and I a Democrat. But when it came to questions that transcended party lines and party policies there was no man in this House on whose judgment and integrity one could more safely rely.

From the standpoint of personality and deportment he was one of the most ideal legislators I have ever known. He never carried over from one day to another the bitterness of a conflict but came to the House every morning as fresh and as affable as if it were his first day.

He reminded me of the words of Walter Malone, the great Tennessee poet, in his verse on Opportunity, in which he said:

> Weep not for precious chances passed away,
> Wail not for golden ages on the wane;
> Each night I burn the records of the day,
> At sunrise every soul is born again.

Abler Members of the House and abler men throughout the country will pay their tributes to our departed friend in more eloquent and more appropriate terms. I merely wished to come in all humility and place a wild flower upon his bier.

If I were called upon to state my estimate of him in one sentence, my expression would be, "CHESTER BOLTON, a friend, a gentleman, a patriot, and an honest man—'the noblest work of God.'"

Mr. JENKINS of Ohio. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 319

Resolved, That the House has heard with profound sorrow of the death of Hon. CHESTER C. BOLTON, a Representative from the State of Ohio.

Resolved, That a committee of six Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee Messrs. CROSSER, JENKINS of Ohio, SWEENEY, WADSWORTH, BENDER, and MARSHALL.

The Clerk will report the further resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 54 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 31, 1939, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1110. Under clause 2 of rule XXIV a letter from the secretary, Reconstruction Finance Corporation, transmitting a report of the activities and expenditures of the Reconstruction Finance Corporation for the month of September (H. Doc. No. 494), was taken from the Speaker's table, referred to the Committee on Banking and Currency, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SABATH: Committee on Rules. House Resolution 320. Resolution requesting a conference on the disagreeing votes of the two Houses on House Joint Resolution 306; without amendment (Rept. No. 1473). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. COLLINS introduced a bill (H. R. 7609) to authorize the foregoing of the accumulated expense account on loan cotton still in the ownership of the original borrower; which was referred to the Committee on Agriculture.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5839. By Mr. JARRETT: Petition of Helmer E. Danielson and M. L. Boardman and other residents of Warren County, Pa., urging retention of present Neutrality Act; to the Committee on Foreign Affairs.

5840. By Mr. LEAVY: Resolution of the Washington Good Roads Association, adopted at the forty-first annual convention at Walla Walla, Wash., opposing the withdrawal of any lands in the State of Washington along the range of the Cascade Mountains for national-park purposes, and pointing out that such a withdrawal would be disruptive of the present State unity and would result in a great loss to the State of Washington and to the Nation in the orderly development of the natural resources of the State of Washington; to the Committee on the Public Lands.

5841. By Mr. SCHIFFLER: Petition of Virginia L. Remke, conference secretary, first district of the American Legion Auxiliary, Wheeling, W. Va., urging that the United States remain neutral in the present world crisis; to the Committee on Foreign Affairs.

5842. Also, petition of Joseph F. Becke, adjutant, Wheeling Post No. 1, the American Legion, Wheeling, W. Va., urging the continuation of the Dies Committee on Un-American Activities; to the Committee on Appropriations.

5843. By the SPEAKER: Petition of Ralph Williams, of Brooklyn, N. Y., petitioning consideration of their resolution with reference to neutrality laws; to the Committee on Foreign Affairs.

5844. Also, petition of J. Staiger, New York City, petitioning consideration of their resolution with reference to the Neutrality Act; to the Committee on Foreign Affairs.

5845. Also, petition of Rev. Joseph L. Gingrich, Second Brethren Church of Long Beach, Calif., petitioning consideration of their resolution with reference to the neutrality law; to the Committee on Foreign Affairs.

5846. Also, petition of the Church of Christ, Gulfport, Fla., petitioning consideration of their resolution with reference to the protection of conscientious objectors; to the Committee on Military Affairs.

5847. Also, petition of Lorenzo Muccio, of Bronx, N. Y., petitioning consideration of their resolution with reference to neutrality laws; to the Committee on Foreign Affairs.

SENATE

TUESDAY, OCTOBER 31, 1939

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, who art ever present in that hidden life which we all live, in our unspoken thoughts, in the feelings that come and go yet leave no trace, in the great conflicts of the soul in which we are sometimes conquerors and are sometimes worsted, to our secret shame: Help us to realize that each moment of life is momentous because Thou art in it, for, interfused with Thee, are we not led even when we seem to drift; taught, when we think not of learning; and crowned, when we strive worthily, whether we win or no? We pray,

then, for grace to follow Thy word in us with ready and willing minds; make us thankful for whatever loveliness the days reveal and for the swiftly flying hours of leisure in which we are renewed and fitted for the slow, long hours of work. Do Thou bless the Members of the Congress in these days of honest striving to fulfill the highest aims and aspirations of true men, and grant that, by their endeavors, peace and happiness, truth and justice, religion and piety may be established among us for all generations. We ask it in the name of Jesus Christ, our most blessed Lord and Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, October 27, 1939, was dispensed with, and the Journal was approved.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until Thursday next.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. Chester C. Bolton, late a Representative from the State of Ohio, and transmitted the resolutions of the House thereon.

The message announced that, pursuant to the above-mentioned resolutions, the Speaker had appointed Mr. CROSSER, Mr. JENKINS of Ohio, Mr. SWEENEY, Mr. WADSWORTH, Mr. BENDER, and Mr. MARSHALL members of the committee on the part of the House of Representatives to attend the funeral of the deceased Representative.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by a recent executive meeting of the American War Mothers at Nashville, Tenn., relative to the neutrality and peace of the United States, endorsing the investigations made by the so-called Dies Committee to Investigate Un-American Activities, favoring the immediate increase of the armed forces of the United States to war strength for national defense, and urging that prompt steps be taken to provide and conserve sufficient raw and manufactured materials to supply arms, ammunition, and sustenance adequate for a million men for at least a year, which was ordered to lie on the table.

Mr. HOLT presented a resolution of the Junior Board of Trade of Berkeley County, W. Va., endorsing a telegram of September 20, 1939, from Perry Pipkin, president of the United States Junior Chamber of Commerce, to the President of the United States relative to the neutrality and peace of the United States and keeping the Nation out of the war in Europe, which was ordered to lie on the table.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORRIS:

S. 2996. A bill granting a pension to Affie W. McCandless; to the Committee on Pensions.

By Mr. HAYDEN:

S. 2997. A bill for the relief of the Greenlee County Board of Supervisors; to the Committee on Claims.

(Mr. MEAD introduced Senate bill 2998, which was referred to the Committee on Banking and Currency and appears under a separate heading.)

By Mr. ELLENDER:

S. 2999. A bill to legalize a bridge across Bayou Lafourche at Galiano, La.; to the Committee on Commerce.

LOANS TO SMALL INDUSTRY

Mr. MEAD. Mr. President, I introduce a bill for proper reference.

The VICE PRESIDENT. The bill of the Senator from New York will be received and appropriately referred.

The bill (S. 2998) to establish a permanent industrial loan corporation to assist financing institutions in making credit available to commercial and industrial enterprises, was read twice by its title and referred to the Committee on Banking and Currency.

Mr. MEAD. Mr. President, in connection with the bill just introduced by me, proposing to set up an agency within the Federal Reserve System and to clothe it with power and authority to make loans to small industry, I wish to say that in the last fortnight the Chairman of the Securities Exchange Commission and one of the members of the Federal Reserve Board in public statements explained the great need of an agency of this character. Day by day small industry all over the United States is being strangled because of the lack of credit facilities. Small industry is now the victim of a system that makes it compulsory for it to pay exorbitant interest rates. It has been ascertained, I believe, so far in the testimony adduced by the so-called Monopoly Committee that the need for credit facilities for small enterprise is becoming widespread. For that reason I am introducing the bill, and I trust it will have the attention of the Senate and of the Banking and Currency Committee at a later date.

ELA H. ATKINSON

Mr. MCNARY (for Mr. AUSTIN) submitted the following resolution (S. Res. 193), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Ela H. Atkinson, widow of John P. Atkinson, late an assistant clerk in the office of Senator AUSTIN, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PEACE ASSURED THROUGH SENATE NEUTRALITY RESOLUTION—ADDRESS BY SENATOR PITTMAN

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on pending neutrality legislation delivered by Senator PITTMAN on October 30, 1939, which appears in the Appendix.]

STATEMENT BY SENATOR GLASS ON NEUTRALITY JOINT RESOLUTION

[Mr. KING asked and obtained leave to have printed in the RECORD a statement by Senator GLASS on the neutrality joint resolution passed by the Senate on October 27, which appears in the Appendix.]

MORAL REARMAMENT BROADCAST

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the proceedings of a world-wide broadcast in behalf of moral rearmament, which appear in the Appendix.]

ADDRESS BY SECRETARY OF WAR TO NATIONAL GUARD ASSOCIATION AND COMMENTS THEREON BY ERNEST K. LINDLEY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Harry H. Woodring, Secretary of War, on the occasion of the annual dinner of the National Guard Association of the United States at Baltimore, Md., on October 27, 1939, and also comments on the address of the Secretary of War by Ernest K. Lindley, which appear in the Appendix.]

LETTER BY FORMER SENATOR WATSON ON REPEAL OF ARMS EMBARGO

[Mr. MINTON asked and obtained leave to have printed in the RECORD a letter on the repeal of the arms embargo, written by Hon. James E. Watson, former Senator from Indiana, and published in the Washington Evening Star of October 30, 1939, which appears in the Appendix.]

THE LATE CARDINAL MUNDELEIN

[Mr. MEAD asked and obtained leave to have printed in the RECORD a statement prepared by him and other tributes to the memory of the late Cardinal Mundelein, which appear in the Appendix.]

PLEA FOR CHRISTIANITY AND AMERICANISM—ADDRESS BY MOST REV. F. J. BECKMAN

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD a radio address entitled "A Plea for Christianity and Americanism," delivered by Most Rev. F. J. Beckman, archbishop of Dubuque, on October 29, 1939, which appears in the Appendix.]

PLEA TO UPHOLD THE PRESIDENT—LETTER BY REV. MARK A. MATTHEWS

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD a letter addressd by Rev. Mark A. Matthews, pastor, First Presbyterian Church, of Seattle, Wash., to the editor of the Spokesman-Review, of Spokane, Wash., which appears in the Appendix.]

ATTITUDE OF FLINT GLASS WORKERS ON RECIPROCAL-TRADE AGREEMENTS

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter relative to reciprocal-trade agreements, filed on September 26, 1939, by M. J. Gillooly, president of the Flint Glass Workers' Union, with the Committee for Reciprocity Information of the United States Tariff Commission, which appears in the Appendix.]

ARTICLE ON PROPAGANDA FOR WAR

[Mr. HOLT asked and obtained leave to have printed in the RECORD an article prepared by him on propaganda for war, which appears in the Appendix.]

SAVING DEMOCRACY

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter written by him on saving democracy, which appears in the Appendix.]

PEACE PROPOSALS OF POPE PIUS XII AND PRESIDENT ROOSEVELT

[Mr. MEAD asked and obtained leave to have printed in the RECORD a news release commenting on an editorial in L'Osservatore Romano as to the similarity between the peace proposals of Pope Pius XII and those of President Roosevelt, which appears in the Appendix.]

ADDRESS BY MARTIN CARABALLO BEFORE FOREIGN TRADE COMMITTEE, TAMPA CHAMBER OF COMMERCE

[Mr. ANDREWS asked and obtained leave to have printed in the RECORD an address delivered by Martin Caraballo before the Foreign Trade Committee of the Tampa Chamber of Commerce, the Pan American League, and the League for Inter-American Relations, on September 12, 1939, which appears in the Appendix.]

NATIONAL NONPARTISAN COMMITTEE FOR PEACE THROUGH REVISION OF THE NEUTRALITY LAW

[Mr. BYRNES asked and obtained leave to have printed in the RECORD a telegram signed by William Allen White, inviting participation in the National Nonpartisan Committee for Peace Through Revision of the Neutrality Law, and a list of members of that organization, which appear in the Appendix.]

ADDRESS BY M. W. THATCHER TO FARMERS' UNION CONVENTION, GLASGOW, MONT.

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an address delivered by M. W. Thatcher, general manager of the Farmers' Union Grain Terminal Association and president of the National Federation of Grain Cooperatives, at the convention of the Farmers' Union of Montana, held at Glasgow, Mont., on October 20, 1939, which appears in the Appendix.]

MR. BROUN AND COMMUNISM

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article by Mr. Heywood Broun relative to charges of communism against him, which appears in the Appendix.]

EXCISE TAXES AND RECIPROCAL-TRADE AGREEMENTS

Mr. VANDENBERG. Mr. President, I ask the indulgence of the Senate to permit me to make a brief statement for just 2 or 3 minutes regarding a matter of some contemporary importance to several sections of the country.

The State Department has given notice of its intention to negotiate a reciprocal-trade agreement with Chile, and included in the list of commodities which may be involved in import concessions is copper. Copper is protected at the present time by an excise tax of 4 cents a pound. I raise the question this morning—and respectfully draw it to the attention of the State Department—that there is nothing in the reciprocal trade treaty law, as interpreted by its own sponsors at the time of its passage, which permits the President and the State Department to reach into the excise taxes of the country and reduce them by Executive order through a trade agreement. I respectfully suggest to the State Department that it has no authority in law to touch the existing excise taxes on copper, coal, oil, and lumber; and that, therefore, it has no legal right to consider concessions on copper in connection with the pending Chilean trade agreement. I do not now argue the merits of this existing protection for domestic copper, although every possible consideration argues for more, rather than less, protection, if we are to pay the slightest attention to the difference in cost of production at home and abroad. But that is another matter. I respectfully submit this morning as a fundamental proposition that the State Department will exceed its lawful authority and repudiate the express purpose of Congress if it attempts jurisdiction over the copper excise tax by way of any reduction in the tax on copper imports.

When the trade-agreements program was originally presented in May 1934 and the distinguished chairman of the Senate Finance Committee [Mr. HARRISON] was making his original presentation of the bill, at page 8983 of the CONGRESSIONAL RECORD for May 17, 1934, the only authority then claimed over excise taxes was an authority to agree that they should not be increased. Specifically referring to the excise taxes upon oil, coal, copper, and lumber, the chairman of the Senate Finance Committee said:

> Unless it were possible to provide in such trade agreements against the increase of excise taxes, the advantages derived through a lowering of customs duties * * * might be entirely lost through the imposition of excise duties, * * * so these agreements will provide for inhibitions upon such a policy.

The Senate was not satisfied with that statement. It did not want and it did not propose to have these excise taxes touched by the trade-agreements law. So the matter was pursued on the floor of the Senate until the chairman of the Finance Committee on June 4, 1934—page 10391 of the CONGRESSIONAL RECORD—himself offered an amendment specifically exempting excise taxes from the jurisdiction of the law. The able senior Senator from Arizona [Mr. ASHURST] immediately demanded that the amendment be withdrawn because he did not want anything in the law which might seem to prevent a subsequent increase in the excise tax upon imported copper. In other words, he did not want copper touched by the law at all. The chairman of the committee withdrew his amendment. It was immediately reoffered by the late Senator Long, of Louisiana, and was voted down entirely on the theory enunciated by the senior Senator from Arizona. The best proof of the reason for this vote is the fact that the junior Senator from Arizona [Mr. HAYDEN], who is one of the most tenacious friends of adequate protection for domestic copper, voted with his colleague.

But the intention of the Senate was made doubly clear by the statements in debate that day—June 4, 1934—by the distinguished Senator from Mississippi [Mr. HARRISON], the chairman of the Senate Finance Committee. I quote:

> With reference to excise duties, * * * it was the intention of those who framed the legislation and of the House in passing the bill that they [excise taxes] would be frozen; in other words, they might not be modified.

Again:

> The four items concerned were lumber, coal, oil, and copper. So to remove any doubt as to what the intention was, I have an amendment to offer which will clarify the matter; and if the amendment shall be adopted, it will freeze those four items. In other words, the duties cannot be increased and the duties cannot be lowered.

Again, the Senator from Mississippi [Mr. HARRISON] speaking:

All excise taxes are frozen in this bill.

That is, regardless of any clarifying amendment.

All excise taxes are frozen in this bill. We do not propose to disturb excise taxes at all.

Therefore, I submit for the RECORD—and I respectfully draw these considerations to the attention of the State Department—that the only authority over excise taxes which was ever even claimed for the reciprocal trade treaty law is an authority to agree that excise taxes shall not be increased. Personally, I deny that even this much authority over excise taxes was granted—or constitutionally could be granted—to the State Department. But I submit that nowhere in the RECORD is there any suggestion that Congress intended to permit the State Department to reduce excise taxes, and no such authority exists, in spite of the fact that they did get away with it in connection with the lumber excise taxes.

I do not know that the State Department intends to attempt to reduce the excise tax on imported copper. All I know—all that anybody can know about any of these trade-treaty negotiations—is that copper has been marked for possible concessions in the prospective Chilean agreement—concessions which, of course, would thereafter have to be generalized to the entire world. I am simply asking the State Department to consult the obvious congressional purpose, which would prohibit it from considering any reduction in the excise tax upon imported copper by way of concession.

Mr. HAYDEN. Mr. President, I have listened with interest to what the Senator from Michigan [Mr. VANDENBERG] has had to say with respect to the proposed Chilean trade agreement. I entirely concur in his view that at the time the reciprocal trade agreement law was passed it was not contemplated that there would be changes in anything other than the established tariffs—that is, tariffs enacted by Congress, in 1930, to run for an indefinite period of time. The excise tax on copper was first imposed for a year, then for 2 years, and then for 3 years; and it is now in operation for a 2-year period, which will expire a year from next June.

It seems to me obvious that to enter into a trade agreement with any country with respect to a duty that is not firmly fixed conflicts with the basic idea of the Reciprocal Trade Agreement Act.

As to the adverse effect upon the industry, there cannot be any question. Looking at it as a practical matter, the British have pegged the price of copper at what is equivalent to 9 cents per pound in our money. The present price of copper in the United States is 12 cents per pound. The excise tax is 4 cents per pound. To cut the excise tax in half would therefore mean 11-cent copper in the United States.

What is the effect upon the laboring man? For more than 30 years in Arizona the scale of wages in the copper camps has depended upon the price of copper. The price of copper for the previous period fixes the wage scale for the following period. The average price of copper was 12 cents per pound during the month of September, which resulted in a 5-percent increase in wages for over 10,000 miners in Arizona. The basic wage scale for copper miners in Arizona beginning in October is $5.78 for an 8-hour day. To cut the price from 12 to 11 cents, I am told, would effect a reduction of 50 cents per day in the wages of each miner. But, much worse than that, there would be fewer miners receiving any wages at all. That is a very serious matter to be considered at a time when the copper industry is just beginning to recover from a long depression.

Five years ago less than 2,000 men were employed in the copper mines in my State, and it was in the copper camps that the relief problem was greatest. Today the mines are beginning to come back and we are concerned only with the American market for copper. As business increases and as prosperity returns to this country new uses for copper are being developed and a more stable domestic market is being created.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Let me say to the Senator from Arizona that the conditions in Arizona, of which he speaks, are exactly the conditions which exist in southwestern New Mexico, where a large copper mining industry is centered. For a while, because of the low price of copper, the industry was in such a depressed condition that we had ghost camps, and the miners had no work. Now they have commenced work again. I agree with everything the Senator has said.

Mr. HAYDEN. The same condition exists in Nevada, in Utah, in Montana, in Michigan, and in every other copper-producing area in the United States. The effect of the present import duty on copper has not been to create a monopoly in this country; it has not been unduly to burden the American consumer, because the American price has been governed almost entirely by the world price.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Michigan.

Mr. VANDENBERG. I should like to be sure the Senator concurs in the fundamental proposition I laid down, and I desire to ask him a categorical question. Is it not a fact that at the time the reciprocal trade treaty law was passed every effort was made on the floor of the Senate to make it clear and plain that the excise taxes on copper, coal, lumber, and oil were beyond the jurisdiction of the trade-treaty negotiators?

Mr. HAYDEN. That effort was very definitely made at the time the Reciprocal Trade Agreement Act was under consideration. As a practical matter, it does not make sense to me to say that Congress would intentionally pass an act permitting tariff duties to be raised and lowered and have in mind anything other than an established tariff. If Congress does not act, the excise tax automatically expires, and then what have we? We have nothing to negotiate about. If, by the enactment of the reciprocal trade agreement law, the State Department had power to freeze the excise tax on copper at 2 cents without further action by Congress, I should say then there would be some logic to the proposed negotiations; but when the fact is that if nothing is done the tax automatically expires, it clearly indicates to me not only that Congress never contemplated that the Reciprocal Trade Agreement Act should apply to excise taxes of this character, but in addition it would seem that any negotiations with Chile must rest on an unsound and insubstantial basis.

Mr. McNARY. Mr. President, I desire to comment briefly on the observations made by the able Senator from Michigan [Mr. VANDENBERG]. I am wholly in accord with his views, and I am happy he has made this statement today with the concurrence of the Senator from Arizona [Mr. HAYDEN].

I very definitely and graphically recall what occurred in the Senate at the time of the enactment of the Trade Agreement Act in 1934, and particularly with reference to the excise taxes imposed on the four commodities mentioned by the Senator from Michigan, because I was greatly interested in the excise tax or duty on lumber, and we had to work desperately to get that measure through. Subsequently the State Department, under the reciprocal-trade agreement, took a dollar per thousand off the excise tax on lumber. I vehemently protested. I thought it was an outrage, and I still think it was ruthless conduct upon the part of the State Department. It was the intention of Congress, as stated by the able Senator from Michigan and by those participating in the debate, that they should not be touched by treaty agreement but that they could be modified only by increases or decreases in the rates by the Congress, which alone had jurisdiction. But, in the face of that situation and despite my complaint, the State Department lowered the excise duty on lumber in the trade agreement with Canada. It was not fair. It was not conformable with the understanding we had on the floor of the Senate. I particularly recall speaking on the subject to the able Senator from Mississippi [Mr. HARRISON], then and now chairman of the Finance Committee, who stated that under no agreements with foreign nations would there be any attempt to touch or modify in any way these duties.

I hope what was done in the case of lumber will not be done with regard to copper. If it is done, I will join my

friends in further protest, though my original protest seems to have been exceedingly ineffective and I accomplished nothing; but I am willing to go forward in any effort to maintain the integrity of the excise duties. It is my opinion, from the experience we have had, that when the Trade Agreement Act expires on the 12th day of June 1940 there will not be a majority of this body further to continue its operation.

Mr. KING. Mr. President, for many years the tariff was one of the important political issues which divided the two great political parties. There were few if any persons who advocated free trade, and in both political parties there were advocates of duties upon many imports. The question of import duties was rather one of degree. One political party supported policies which called for higher import duties than did the other party, but more and more the importance of the tariff issue diminished until it was not and is not, in my opinion, an issue between the political parties.

There has been a general feeling for years that domestic industries should receive consideration and have adequate protection. Under the policies which have been pursued the United States has become one of the greatest manufacturing nations of the world. In every branch of industry it has made great progress and achieved a reasonable degree of success. However, the American people have not lost sight of the fact that they are a part of the world, and that trade and commerce among nations contributes to economic development and to material as well as moral and spiritual progress.

Efforts to build complete tariff walls have not met with success, and, as I have indicated, more and more there has been a feeling that the welfare of the American people as well as the people in other lands would be promoted if opportunities for intercourse among them were facilitated. It is obvious, however, that standards prevailing in some countries—standards relating to the cost of production, wages, and so forth, not only warranted but required that the United States adopt policies that would afford a reasonable protection to American producers in all fields of trade and industry. In other words, while the American people desired to have trade relations with other countries, they believed it not only proper but necessary to adopt such measures as would afford adequate protection to American industry. I might add that as a member of the Senate Committee on Finance, I have opposed excessive tariff duties or policies that would make for monopolistic control in the various fields of industry.

In 1932 the mining industry in the United States was in a deplorable condition. The prices of metals were so low that many mining properties were unable to operate and mills and smelters were forced into inactivity. This resulted in thousands, and indeed hundreds of thousands of persons being thrown out of employment. And let it be known that when mines and mills and smelters shut down there are far-reaching repercussions affecting many industries and thousands and indeed millions of individuals.

In 1932, as I recall, an import duty was imposed upon copper of 4 cents a pound. At that time the copper industry was prostrate, and this deplorable condition affected injuriously many industries. Senators are aware of the fact that in many mines there are various minerals, and a fall in the price of one mineral or metal may and often will seriously affect the production of a mine. A decline in the price of copper in a mine which produces one or more other metals may result in the suspension of the operations of the mine.

Nature has bestowed in a lavish manner many gifts upon many parts of the United States. The intermountain region has been denied many of the benefits and advantages enjoyed by other parts of the United States, and it must depend largely upon its mineral deposits. It is no easy task to uncover and mine these deposits hidden in giant mountains and to reduce the ores and obtain the refined metals. The cost of mining is very great. Railroads must be constructed to haul the ores, and mills and smelters must be built to reduce the ores. Millions of dollars are often expended in the development of a single mining property before ores have been obtained or any returns made available. As a matter of fact, the mining industry records the loss of millions, if not hundreds of millions, of dollars in fruitless efforts to find minerals and to successfully treat the same. In a sense, mining is a precarious business, and yet it has proven an important factor in the development of our country. It has furnished millions of tons of freight for our railroads, and employment for hundreds of thousands of individuals. The mining industry has built scores, if not hundreds, of towns and communities and furnished employment not only to those directly employed in mines and mills and smelters and railroads, but hundreds of thousands, if not millions, engaged in agriculture, manufacturing, and other important industries. In many of the mining States a very large part of the population is dependent directly and indirectly upon the operation of the mines, mills, and smelters. In my own State the mining industry directly and indirectly furnishes employment to a considerable part of the population of the State. If the mining industry were destroyed in the West, the results would not only be serious but indeed catastrophic. Therefore the people in the mining States are profoundly interested in the development and expansion of the mining industry, knowing as they do, that such development inures not only to their benefit but to the benefit of the entire country.

Because of the serious condition of the mining industry in 1932, Congress enacted the so-called import tax or tariff of 4 cents per pound upon copper. I was a member of the Committee on Finance and voted for the measure, believing that it was important not only for the industry of my State and other States but for the people generally. I think that the wisdom of the enactment of this act has been demonstrated, and I am not in favor of any policy which would reduce this duty or strike at the mining industry. I am repeating when I say that the mining industry is indispensable to the life and prosperity of the West, if not to many other parts of our country. Any policy that would injure the mining industry or strike it down would have serious repercussions in all parts of the United States.

While I have indicated that we are a part of the world and that our development is influenced by trade and commerce with other nations, I would not favor measures that would militate against domestic industries and prove disadvantageous to the American people.

On the 2d of March 1934, the President submitted a message to Congress requesting authority for the Executive to enter into commercial agreements with foreign nations, "within carefully guarded limits, to modify existing duties and import restrictions in such a way as will benefit American agriculture and industry."

Undoubtedly, the President believed that the policy recommended by him would increase the markets for our surplus commodities and benefit American agriculture and industry.

Following the message of the President, Congress passed a law, approved June 12, 1934, which amended the Tariff Act of 1930. It was entitled "An act for the promotion of foreign trade." It further declared that it was for the purpose of expanding foreign markets for the products of the United States. It authorized agreements to be entered into with foreign governments or instrumentalities in order to carry out the letter and spirit of the act.

It authorized modifications of existing duties and of existing customs or excise treatment of any article covered by foreign trade agreements and also authorized the President under certain conditions to proclaim such modifications or such additional import restrictions as were required or appropriate to carry out any foreign trade agreement that the President might enter into.

However, no proclamation was authorized to be made increasing or decreasing by more than 50 percent any existing rate of duty or transferring any article between the dutiable and free list.

I shall not further examine the provisions of the act referred to. My recollection is that the act will expire in June 1940.

Under this act reciprocal-trade agreements have been negotiated between the United States and other governments.

I shall not attempt to appraise the results of these agreements. It is believed by many that they have been of advantage to the American people. There are some who are critical of these agreements and deny that they have been of any advantage.

May I say that I voted reluctantly for the so-called reciprocal trade agreement measure. I was not entirely satisfied that it would or could escape the charge of being unconstitutional. Those who believed it to be constitutional contended that the Federal Government had the right to enter into reciprocal-trade agreements under its general authority and under the interstate commerce provision of the Constitution. Others insisted that these agreements were to be placed in the same category as treaties, and therefore were subject to approval by the Senate.

However, largely because of the distressed and tragic condition of our economic life at that time and the belief by the President that the proposed plan would aid agriculture and industry generally and of my confidence in Secretary of State Cordell Hull, and of his broad statesmanship and patriotic devotion to our country, I voted for the measure.

I have desired to support the administration in its dealings with foreign nations. The President stated one of the objects of the reciprocal-trade agreement was to increase our trade and commerce and to find wider markets for agricultural commodities, particularly cotton, tobacco, hog products, rice, cereals, fruit, and so forth.

The President indicated that a resumption of international trade would improve the general situation of other countries and increase the purchasing power which would prove of benefit to Americans who had commodities for export. Undoubtedly the views of the President were entitled to serious weight and consideration. Obviously any measure that would widen American markets would have a tendency to improve our domestic economy. I fear, however, that by reason of a combination of circumstances and conditions which could not have been foreseen, some of the benefits anticipated from these reciprocal-trade agreements have not been realized.

I think undoubtedly there have been some benefits resulting from the policies embodied in the agreements; but as I have indicated there is some question as to whether the advantages have been commensurate with the disadvantages which followed.

Undoubtedly trade and commerce among nations are not only important but vital. National isolation is not to be desired and the United States with its enormous resources is in a position to supply many countries with many of the commodities of which we have a surplus.

Other countries produce commodities which are required in our economy. However, wisdom must be exercised in the interchange of commodities and no agreement should be entered into which will result in injury to American industry. It would be unfortunate if there were grounds for belief that the American people suffered by reason of reciprocal agreements, and it would certainly be more than unfortunate if there were ground for such belief.

I hope that Dr. Grady, a man of great ability and of wide knowledge of economics, will so interpret and administer the act that it will work no evil, but rather promote the welfare of the American people. I hope that in the negotiations with the Chilean Government, particularly as they relate to copper, no agreement will be entered into which will modify or change the import duty upon copper. In negotiating reciprocal agreements many factors must be considered and there must be caution and prudence, and, if I may say so, a high degree of statesmanship, to the end that the interests of the American people shall not only not be injured but, indeed, shall be benefited. Reciprocal-trade agreements should be reciprocal—that is to say, benefits must not be entirely beneficial to the countries with which we deal; they must also be in the interest of the American people. The American producers—the American manufacturers and the American miners—must be fully protected. Personally I desire to see the most cordial relations between the United States and other countries, and those policies and measures adopted that will promote not only the material welfare of the people in this and other countries but result in strengthening the bonds of amity and goodwill.

However, if the act in question is harmful to the American people, it should be repealed. It is true that it will expire in the near future, but it should not be employed to the disadvantage of our country.

I have stated upon a number of occasions to officials, as well as to others, that it had been injurious to the mining industry in a number of particulars. There has been a large increase in the importation of zinc and lead and this has proven disadvantageous to this great industry. I have indicated to officials that if in negotiating a reciprocal-trade agreement with Chile the import duty upon copper is reduced, there will be increased demands for the repeal of the act of 1934.

Mr. BORAH. Mr. President, in connection with the question of reciprocal-trade agreements I observe in the newspapers that a plan is proposed by which the constitutionality of the reciprocal-trade agreements is to be tested in the courts. I read in the newspapers that the State Department is agreeable to having the constitutionality of the act tested.

I think it is exceedingly important, and it is the method by which we should approach this entire subject. If the State Department is friendly to a contest, and the contest may be had, then we have secured all we can ask of the State Department in that respect.

I wish to say that in framing the issue which is to be determined by the Court there will be found some difficulty, in my judgment, lest it be so framed that it will present a political question and not a legal question. Those who are interested in the reciprocal-trade agreements should be interested in having a part, if practicable, and I think it would be, in framing the issues which are to be determined by the Court. I understand this question is to come up from Rhode Island, and I have no doubt that the State Department and those representing the other side will frame the matter in entire good faith, and I am not intimating otherwise. I suggest, however, that there will be some difficulty in bringing the Court to a place where it will pass upon the question as a legal proposition instead of having the decision turn on a political question.

Mr. CONNALLY. Mr. President, will the Senator from Idaho yield?

With regard to the suggestion of the Senator that the Court might hold it a political question and not decide it, I call his attention to the fact that there have been a number of decisions under the flexible Tariff Act, which is very much like the Reciprocal Trade Agreements Act, in which the Court did entertain the cases, and did pass on them.

Mr. BORAH. Those issues were properly presented, but I can well imagine, as I know the Senator can, a presentation of this matter which would not raise the clear issue.

Mr. CONNALLY. That is true.

Mr. BORAH. That is what I have in mind. I think it is exceedingly important that the proper issue should be raised.

Mr. O'MAHONEY. Mr. President, will the Senator from Idaho yield?

Mr. BORAH. I yield.

Mr. O'MAHONEY. Does the Senator know whether or not, in the proposed test in the Court of the constitutionality of the reciprocal-trade agreements, it will be at all possible to bring among the issues the present program of the integration of the nations of the Western Hemisphere by reason of trade agreements, or would that issue have to depend solely on what has transpired in the past?

Mr. BORAH. I suppose it would have to depend upon what has transpired in the past.

Mr. CONNALLY. Mr. President, if the Senator will yield there, the difficulty is that we have treaties with nations containing the most-favored-nation clause, so that we cannot give preferential treatment to South American countries without giving it to other countries which have treaties containing that clause.

Mr. O'MAHONEY. I understand; but that could be taken care of by means of quotas. It was done in connection with the Canadian reciprocity trade agreement, when protest was made on the part of the cattle industry against the admission

of cattle from all over the world by reason of the most-favored-nation clause, so that a quota was necessary. But once a quota is imposed, it applies to all nations with which we have treaties containing the most-favored-nation clause.

Mr. CONNALLY. A trade agreement was made with Canada, but it was held to apply to Mexico, for instance, because of the most-favored-nation clause, and we encounter that situation whenever reciprocal-trade agreements are made.

Mr. BORAH. Mr. President, it has seemed to me from the beginning that these agreements were treaties in every sense, and that question should be presented in any case that goes up to the Court for consideration.

Mr. O'MAHONEY. Is the Senator of the opinion that that can be effectively presented in any forum except the Senate of the United States?

Mr. BORAH. It would not seem so to me, but trade agreements were not regarded as treaties by the Senate of the United States. It certainly would not have passed such an act as the Reciprocal Trade Agreement Act if it had regarded them as treaties.

Mr. O'MAHONEY. There is pending before the Committee on Finance a resolution, which I had the honor to present at the last regular session, which declares it to be the sense of the Senate that reciprocal-trade agreements are in fact treaties and cannot be made effective without ratification by the Senate. It seems to me that this argument becomes almost obvious when one considers the fact that the reciprocal-trade negotiations which are now proceeding with certain nations in South America are primarily political in their aspect, and not commercial at all. It is proposed, for example, to reduce the tariffs on a great many agricultural products from Argentina and from Uruguay in order to bring about a closer political alliance with those nations. It seems to me altogether clear that in such circumstances there can be no validity to those agreements until they are acted upon by the Senate in the guise of a ratification of treaties.

I should like to have printed in the RECORD at this point the Senate Resolution 69, which is pending before the Foreign Relations Committee and to which I have referred.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Senate Resolution 69

Resolved, That it is the sense of the Senate that foreign-trade agreements entered into under the act entitled "An act to amend the Tariff Act of 1930," approved June 12, 1934, are treaties which under the Constitution can be made only by and with the advice and consent of the Senate; and, there being nothing in such act which provides that such agreements should not be ratified by the Senate as other treaties are ratified, it is the sense of the Senate that such agreements should be made effective only if the Senate has advised and consented to their ratification.

Mr. BORAH. Mr. President, it seems to me that the reciprocal-trade agreement with Great Britain, for instance, in every sense is a treaty, and that question is the one which ought to be presented when the matter goes to the court. Senators rise here and say that they have protested against this and that going into the reciprocal-trade agreements. The question is not whether we protested, but whether we approved or disapproved of them. That is what the Constitution expects of us—either to approve or disapprove of the agreements. That is the question which ought to be presented so that there will be no mistake when it comes before the Court to be settled.

For myself I believe the proper way to handle this question is to present it to the Court, and if the Secretary of State is willing to have it presented, I certainly congratulate him, and thank him for the opportunity to have our rights presented to the Court, for without his cooperation it will be difficult to get the matter properly before the Court.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. VANDENBERG. If there is any doubt about the constitutionality of the delegation of our tariff-making powers—and certainly there is a doubt—is there not infinitely more doubt surrounding the question which I have submitted today, namely, the delegation of our internal taxing power to the State Department? In other words, when the State Department now seeks to extend its authority under the Reciprocal Trade Agreements Act, and reach even into the excise-tax structure of the country, is not the question of the constitutional validity of the action even more challenging?

Mr. BORAH. Mr. President, as I see the constitutionality of the procedure, the same question is presented in all these agreements that is presented by the matter referred to by the Senator from Michigan, for the reason that it all goes back to the question of where revenue agreements or revenue legislation must originate. They do not originate in the Senate of the United States. They originate in the House of Representatives. Not only is there a question involved as to the right of the Senate to ratify treaties, but there is the larger question, in my judgment, of where revenue legislation shall originate, whether it is with respect to one article or another. In my mind those two propositions are the controlling ones which should be passed upon by the Court.

I am aware that the Court passed upon this matter in some respects in what is called the flexible-tariff law, that is they passed upon some phases of it, but the question of where the legislation must originate, and the question whether a trade agreement is a treaty, and whether the Senate shall ratify it as a treaty, are the two propositions which are fundamental. One of them is peculiarly applicable in the argument which was presented by the able Senator from Michigan. But back of it all lies the question of where this legislation must originate.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. BORAH. I yield the floor.

Mr. BARKLEY. I do not wish to discuss the copper situation, but I wish to make an observation with regard to the certain legal aspects surrounding these treaties. There are three elements, it seems to me, that have to be considered in connection with the legality of the whole program. One is the constitutional provision that measures raising revenue shall originate in the House. Another is that Congress has the power under the Constitution to regulate commerce among the States and with foreign nations. It has always been my belief that the same authority, the same extent of authority, exists with respect to regulating commerce with foreign nations that exists with respect to regulating commerce among the States, because the same language is used in both instances, the scope is alike, and the character of regulation is the same. For that reason I believe that we have as much right under the Constiution to create an agency or designate an agency to carry out the will of Congress with respect to our commerce with other nations, as we have to set up an agency to carry out the will of Congress with respect to the regulation of our internal commerce among the States. We undoubtedly have that authority, as it has been construed and upheld by the Supreme Court. We set up the Interstate Commerce Commission as an agent of Congress to regulate interstate commerce. We set up the Federal Trade Commission. We set up the Tariff Commission. The mere reduction of a tariff under a congressional mandate, in my judgment, is not a raising of revenue, which requires that action shall originate in the House of Representatives.

Of course, I would not be facetious with respect to the difference between raising revenues and lowering them. The power to raise taxes to raise revenues was placed in the House of Representatives, because the Members of that body were most frequently compelled to go before the people on their records. From the constitutional standpoint, I believe, there is grave doubt whether this sort of a program is a raising of revenue such as is contemplated in the Constitution.

Mr. BORAH. Mr. President, of course, it is a debatable question, but does not the Senator think it is a question which ought to be settled under the jurisdiction of the Court?

Mr. BARKLEY. Yes; I think it probably is, and will be debatable until some authoritative settlement is made. On the other hand, I think we have as much right to designate the Secretary of State, or the President, or any other existing agency of the Government to carry out a program of regulating commerce, as we have to create a new agency to do that thing. Had Congress wanted to do so, it could have created a new commission of some kind to negotiate agreements with foreign countries with respect to reciprocal arrangements and trade policies; but it did not see fit to do so. It said that the President should do it, of course, through the Secretary of State. The mere fact that there may be political repercussions by reason of some concession made in an agreement between the United States and some South American country does not constitute it as a political treaty, which, in the sense which has been used here, would require ratification by the Senate.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. PITTMAN. Of course, undoubtedly, as has been suggested, there are two questions involved. One of them is the question of revenue and the other is the question of the treaty. Our flexible-tariff law deals solely with our own people. It is a domestic law entirely. Under the agreement mentioned, the question not only arises as to whether we have delegated authority to raise revenue, but I think a more serious question involved is whether our agreement with a foreign government imposes such an obligation on our Government as to constitute a treaty under the treaty provisions of the Constitution. I voted against the extension of the Reciprocity Act because I believe it to be unconstitutional. I am of the opinion that such agreements are treaties and must be ratified by the Senate.

Mr. BARKLEY. While it is true that a tariff law deals with domestic legislation and deals with our own people, it indirectly deals with everybody who trades with us. It limits the right of any foreign producer to import into the United States.

Mr. PITTMAN. But we are under no obligation.

Mr. BARKLEY. I agree that we are under no obligation to do that. Yet there is nothing new in this matter. It has been done for nearly 150 years. One of the first acts of Congress back in the 1790's was to authorize a regulation of this sort, not on the ground that it was a tariff but that it was in conformance with the constitutional provision that Congress could regulate commerce with foreign nations, and knowing that it could not otherwise do so except by enacting a tariff law, which it took us 18 months to write the last time we tried to pass one. Congress could create agencies of its own, or designate agencies to carry out a program set up with sufficient clarity and definiteness so that the agency might know what its duties would be.

Mr. BORAH. Mr. President, undoubtedly the Congress can create agencies which will perform administrative acts, but when the point is reached when an agreement must be concluded between two nations, which agreement creates obligations, makes contracts, and so forth, I know of no instance in which the Supreme Court has ever maintained such an act as not violating the treaty clause of the Constitution, although Congress had set up an agency to perform certain administrative functions in connection with it.

Mr. BARKLEY. Is the reduction by the President of a tariff under the flexible-tariff law, which is limited to 50 percent reduction, merely administrative, or is that legislative?

Mr. BORAH. It is my view that it is legislative, and I took that position when the act was being considered. It was the view of a very large portion of the Senate that it was legislative. It was not quite a majority, because the Republicans very largely supported the administration. But nevertheless a very large portion of the Senate—I have forgotten what proportion—felt that it was legislative.

Mr. BARKLEY. The power to do that has been sustained by the courts.

Mr. BORAH. Yes; and I shall have something to say about that, too.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. VANDENBERG. Before the Senator from Kentucky takes his seat, may I ask him a question? Leaving the constitutional arguments for the moment and coming back to the question which I raised when I opened the discussion today and the imminent action that is pending in the State Department, I ask the Senator, does he not agree with the Senator from Arizona [Mr. HAYDEN], the Senator from Mississippi [Mr. HARRISON], the Senator from Oregon [Mr. MCNARY], and myself that when we delegated the tariff-changing power under the Reciprocal Trade Treaty Act we did not contemplate that we were delegating any authority to reduce excise taxes?

Mr. BARKLEY. I do not know that we did. I should like to read the whole record on the subject before giving a categorical answer, but if what has been read constitutes the whole record, I should say very likely Congress did not have that in mind. It may not have expressed its wish, except in the opinion of those who engaged in the discussion.

Of course, that brings up also the question of whether or not the excise taxes are really a subterfuge for tariff taxation. At the time many persons felt that the excise tax was not, strictly speaking, a tariff, but, in effect, it is a tariff, because it is levied only in contemplation of imports, and it is levied for the purpose of keeping out imports. While it was levied and is levied under the guise of an excise tax, it, in fact, is a tariff, as the Senator himself knows. So there are technicalities on both sides of the problem.

Mr. VANDENBERG. Regardless of those metaphysics——

Mr. BARKLEY. I thank the Senator for his dignified appellation with respect to my animadversions.

Mr. VANDENBERG. I hope the word is more understandable than the Senator's observations at that particular point. I submit, as a matter of elementary good faith, that when the chairman of the Senate Finance Committee, in charge of the bill, undertaking authoritatively to speak in respect to it, asserted categorically, "We do not propose to disturb excise taxes at all," the Senate had a right to assume—and the assumption is sustained by the remainder of the debate—that we were not passing a law which permitted the State Department to interfere with excise taxes.

Mr. BARKLEY. Of course, I concede that if a legal question were being passed upon by the Court a statement of that sort from the chairman of the committee would have great weight with the Court in determining the intention of Congress at the time.

Mr. MCCARRAN. Mr. President, before the Senate adjourns I desire to express my views with reference to the remarks of the able Senator from Michigan [Mr. VANDENBERG] with respect to the movement now on foot to interfere with the excise tax on copper.

In my judgment, there can be no question as to what was the intendment of Congress when it enacted, and then reenacted or reaffirmed, the reciprocal-trade law. I believe the record answers the whole problem so emphatically that it should not be questioned even for a moment. We did not intend that the reciprocal-trade law should affect or have to do with excise taxes.

However, aside from that, Mr. President, it is most interesting to note the effect of the mere giving of notice that copper would be one of the commodities to be considered by the reciprocal trade committee. Such announcement, if I may express it mildly, has created consternation throughout all the Intermountain States where copper is produced. The reason is that some 3 or 4 years ago in my own State a high percentage of our mining labor was on the relief rolls. Today such labor is practically all off the relief rolls, because copper-producing properties throughout the State are employing up to their full capacity and producing up to their full capacity. The wages paid to those employed in that industry naturally allure, entice, and hold those who are capable of working in an industry of that kind.

The able Senator from Arizona [Mr. HAYDEN] mentioned the standard of wages in his State. Perhaps our standard of wages runs a trifle higher, running from $5.50 to $6.50 for

8 hours of work. The wages are fixed on a sliding scale, depending upon the price of copper in the open market for the previous month.

The interesting thing is that every time those in charge of the reciprocal-trade program have dealt with metals such as zinc, lead, copper, or manganese they have in each instance created throughout the Intermountain States a feeling of depression, for the toilers—and we are principally interested in the toilers because, after all, they are the taxpayers—have been advised that if this agreement, that agreement, or the other agreement goes forward the mine in which they are employed may be shut down.

So heartache and depression exist in these communities. Every child who goes to school from a miner's home goes with a heartache, because his father or his mother has told him that if the reciprocal-trade agreement should be effectuated the mine may be shut down; and when it shuts down there is less bread and butter and less sustenance of life for the miner and his family. Throughout the entire community of the intermountain region consternation prevails, and it is only natural that the thoughts of such treaties should sadden the hearts of those employed in the mining industry. They realize that the enormous resources of high-grade copper ore, together with Government subsidies and concessions and cheap peon and black labor, give the mines of foreign countries a very distinct cost-of-production advantage over the mines of America. Why cause the American laborer in the copper industry to compete with the slave laborer in the same industry abroad?

In America we try to maintain a wage structure. The toilers in this line of endeavor have through three-quarters of a century struggled to establish, and are now interested in maintaining, a wage structure in keeping with American standards of living and in keeping with the idea that the American mine worker with his family and dependents constitute a virile part of American industrial life and American national existence.

Not only is the mine worker himself, and his dependents, affected by any reduction in the wage scale, but this reduction, this depression, if you please, when it comes about affects the immediately surrounding community, and likewise communities and workers far remote. It affects employees in the oil fields of California and Texas, in the Oregonian forests, in the Colorado coal mines, in the national tool industry of far-flung Eastern States, in transportation lines throughout the country, and even into the factories where clothing and shoes are manufactured. In all these fields the workers feel the effects of a depression or reduction in the income of the toilers in the mines. Municipalities and States are directly affected by that which takes from the earnings of the miner and the income of the producer because, in copper-producing States those dependent to a large extent on the copper industry look to this industry for taxes. Thus mining communities and municipalities are sustained.

A reduction in the present ad valorem tax or a reduction in the tariff, if such action were to be brought about in the case of copper, would not only create consternation and anxiety in the hearts of the workers in the copper-producing industries, but likewise tend to destroy confidence in those who would make an honest investment in the development of copper mines. Why discourage the investor of America who seeks to develop the resources of this country? Mines that may be working on a close margin, but nevertheless sustaining the community by employing large numbers of workers, may find themselves closed down because the bankers are unwilling to put up additional capital for development purposes when they are threatened with a reduction in the price of copper due to an inflow of slave-produced copper from abroad. The mines of Rhodesia and far-off Africa worked by slave labor—and when I say slave labor I mean labor paid only slave wages if any at all—would receive the full benefit under the most-favored-nation clause of any reciprocal-trade agreement into which we would enter under the proposed negotiations with Chile. The same thing is true of every other copper-producing country of the world that has a standing recognized under the most favored nation treaty clause.

This is not only true of copper but of other commodities. When the tariff on manganese, which was briefly mentioned today, was reduced in favor of Brazil, the reduction was not altogether in favor of Brazil. Under the most-favored-nations clause Russia came in with her quota.

The worst feature of it is that we get nothing reciprocally therefor except depression in the hearts and minds of the toilers who are engaged in the particular line of business.

Mr. President, protection must be afforded and maintained for the copper industry if that industry is to be prepared to meet the demands placed upon it for a normal national development, and certainly much more so if that industry is to be prepared to meet the demands placed upon it in case of war, and, Mr. President, it is not necessary for me to say in this the first meeting of the Senate following the passage of the bill which raised the embargo on arms, ammunition, and implements of war that the United States is listening to the rumblings of war on every hand.

With this threat dangerously present, it can seem scarcely possible that any authority in this country would, for a moment, consider tearing down the protection that is nurturing and sustaining an industry so indispensable to our national life, and yet, as recognized by those who have addressed themselves to the subject this morning here in the Senate of the United States, we are confronted with not only the possibility but, based upon past experiences, the probability of a disastrous effect to a mother industry, if you please, a paramount industry, which effect will flow from a reduction of the tariff or excise tax on copper.

I am happy to say that I voted against the reenactment of the reciprocal-trade law, as it was reenacted by a vote of this body. I will certainly repeat that vote if, in carrying out the law, the reciprocal-trade committee continues to reduce, as it has reduced, the tariff on every one of the raw materials of America, as a result of which the raw-material-producing States, of which the Western States are in the forefront in the case of metals, are in each instance made to suffer.

I have striven by my expressions made here and by published statements to arouse the attention of the copper-mining States to the dangers that lurk in these reciprocal-trade agreements. They threaten the economic life of America.

I am glad to see that the Senate is becoming alert to the situation. I hope that some expression made here this morning may cause the country to awaken to the threat that hangs, like the sword of Damocles, over a great industry. The very idea that a reciprocal-trade agreement was to be considered wherein protection for copper might be modified has already caused uncertainty of sufficient import to cause men and business to pause.

Why should further steps be taken?

Mr. McCARRAN subsequently said: Mr. President, during the last regular session of Congress I introduced a bill providing that before the reciprocal-trade agreements become effective they shall be passed upon and approved by the Senate of the United States. I ask that a copy of that bill be inserted in the RECORD immediately following my brief remarks of this morning.

There being no objection, the bill (S. 91) was ordered to be printed in the RECORD, as follows:

A bill (S. 91) to provide for Senate ratification of foreign trade agreements

Be it enacted, etc., That section 2 of the act entitled "An act to amend the Tariff Act of 1930," approved June 12, 1934, is amended by adding at the end thereof the following:

"(d) No foreign trade agreement hereafter entered into under section 1 of this act shall take effect until the Senate of the United States shall have advised and consented to its ratification, two-thirds of the Senators present concurring."

Mr. HOLT. Mr. President, I desire to make only a few remarks with reference to reciprocal-trade agreements. I shall be very brief.

I have always been opposed to the present reciprocal trade agreement policy. I am glad to welcome our new converts.

As the reciprocal-trade agreements operate today they affect adversely and in some instances destroy industries of America. The trade-agreement policy has injured industry in West Virginia. As time progresses I am sure we will have more and more converts to the cause of abolishing or changing the present reciprocal trade agreements law.

Before this argument started today I placed in the RECORD a letter from my friend, Mr. M. J. Gillooly, president of the American Flint Glass Workers Union, in which he showed how reciprocal-trade agreements injure the glass workers. I know the idleness such agreements have caused in West Virginia. I myself do not know their effect on copper, but I do know how they have affected and hurt workers in industries in West Virginia. I feel it is time that we should do something to stop the activities of the committee which is meeting secretly in the State Department, putting forth agreements not passed on by the Senate—agreements that wreck American industry and are the enemy to American agriculture. I feel the time has come for the Senate to reassert itself in behalf of American industry, American agriculture, in behalf of the American laboring man and American farmer. One of the best ways to do it is through the repeal of the Reciprocal Trade Agreements Act.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. ADAMS. Mr. President, the Senator is speaking of the undesirability of the Committee meeting in secrecy. I went down to an open meeting the other day. Fifty other Senators and Members of the other House attended the meeting of that Committee, all of whose authority came from the Congress of the United States. Fifty Senators and Members of the other House go down, hat in hand, asking this Committee, "Please do not do this to my State." So we have the spectacle of representatives of sovereign States in the open begging the creatures of Congress to be good to those whom the Congress represents.

Mr. HOLT. I agree with the Senator. I think that shows how Congress has abdicated its powers, and I believe that trade agreements should be submitted to the United States Senate, where the power lies for their ratification or rejection.

RELIEF OF THE STATE OF OHIO—RECOMMITTAL OF BILL

Mr. HATCH. Mr. President, for some time I have been interested in House bill 5118, which appears on our calendar as No. 1186. It is a bill for the relief of the State of Ohio. The bill contains many serious, grave, and important questions which may have far-reaching future consequences.

I have found that the bill was reported by the Senate Committee on the Judiciary without the committee holding any hearings. I have been of the opinion that the Senate committee should further consider the bill. This morning, in conference with the Senator from Nebraska [Mr. BURKE], who reported the bill from the committee, I was advised that he concurs with that thought and is willing to make a motion that the bill be recommitted to the Committee on the Judiciary.

Mr. BURKE. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. McNARY. Mr. President, I did not clearly hear the request made by the able Senator from New Mexico.

The PRESIDING OFFICER. The Chair understands that a motion is to be made to recommit Calendar No. 1186, House bill 5118, to the Committee on the Judiciary.

Mr. HATCH. The bill is on the calendar and was reported from the Committee on the Judiciary by the Senator from Nebraska [Mr. BURKE].

Mr. BURKE. Mr. President, I desire to make a brief statement in reference to the matter before submitting the motion.

At the very end of the session the House unanimously passed the bill to refund one-million-three-hundred-and-thirty-thousand-odd dollars to the State of Ohio, which was the amount due to the State for the month of October 1938, but which amount was withheld by the Social Security Board. The bill then came to the Senate Judiciary Committee; and I believe on the day before the session adjourned, on the 4th of August, the bill was referred to a subcommittee. There appeared to be no objection to the measure, and the subcommittee recommended its passage, and the bill was reported from the full committee.

It seemed to me then, and it seems to me now, that the bill should be passed. The State of Ohio had an old-age pension system prior to the passage of the Federal legislation; and as soon as the Social Security Act was passed the State Legislature of Ohio enacted the necessary legislation. All went well until some time in 1938, when some administrative complication developed. The legislature had done its full duty. The law of Ohio is in proper form. The people in Ohio who are entitled to old-age pensions had done nothing wrong. They were entitled to the payments; but there were some difficulties in administration. Finally, on the last day of October 1938 the Social Security Board—I assume acting not only entirely within the law, but acting properly—said that no payment would be made for the month of October; and the $1,338,000 was withheld and has never been paid. All but a minor part of the payment that should have been made to old people in Ohio, with the exception of a small amount for administrative expenses, has been withheld.

My opinion when the matter came to the Judiciary Committee was, and now is, that it is proper under the law for the Social Security Board to withhold payments to a State until certain administrative matters are corrected and to use that procedure as the necessary means of securing compliance from the State. However, to withhold permanently such a payment and take it out of the pockets of the elderly people who are entitled to it seems to me to be altogether wrong. All the bill seeks to do is to direct the Board, now that the administrative matters have long since been corrected and the payments fully made for November and all subsequent months, to make the payment for October to which the people of Ohio are entitled.

At the same time, since the point has been raised, and since the Social Security Administrator yesterday expressed grave concern about it, I have no objection to having the bill recommitted so as to enable the committee to hold hearings on it and let the whole matter be explored.

I now move that House bill 5118, Calendar No. 1186, be recommitted to the Committee on the Judiciary.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BURKE. I yield.

Mr. BARKLEY. How much money is involved?

Mr. BURKE. The sum involved is $1,338,160.92.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nebraska.

The motion was agreed to.

Mr. HATCH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, the statement made by the Administrator of Social Security appearing in today's newspapers.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

M'NUTT OPPOSES LETTING CONGRESS RULE ON SECURITY

A move in Congress to pay Ohio more than a million dollars of public-assistance money withheld a year ago for "lack of conformity" to Federal standards met opposition yesterday from Paul V. McNutt, Federal Security Administrator.

He said a bill offered by Representative JENKINS (Republican) of Ohio would make Congress "a court of appeal" from the decisions of the Social Security Board.

Instead, McNutt suggested a broadening of the Board's power to grant money to the States, so that States which gave assurances they were correcting administrative defects could continue to receive some Federal help.

The Board had withheld Ohio's $1,338,160 grant for October 1938 on the ground that the State security set-up had been used for political purposes.

JENKINS assailed McNutt's position as "typical of bureaucratic arrogance."

DEATH OF REPRESENTATIVE BOLTON, OF OHIO

The PRESIDING OFFICER laid before the Senate a resolution from the House of Representatives (H. Res. 319), which was read as follows:

House Resolution 319

IN THE HOUSE OF REPRESENTATIVES.

Resolved, That the House has heard with profound sorrow of the death of Hon. CHESTER C. BOLTON, a Representative from the State of Ohio.

Resolved, That a committee of six Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. McNARY. Mr. President, on behalf of the junior Senator from Ohio [Mr. TAFT], who is necessarily absent from the Chamber, I offer the resolution which I send to the desk and ask for its immediate consideration.

The resolution (S. Res. 194) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 194

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHESTER C. BOLTON, late a Representative from the State of Ohio.

Resolved, That a committee of two Senators be appointed by the President of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER. Under the second resolving clause of the resolution the Chair appoints the senior Senator from Ohio [Mr. DONAHEY] and the junior Senator from Ohio [Mr. TAFT] the committee on the part of the Senate.

Mr. McNARY. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock and 12 minutes p. m.) the Senate adjourned, the adjournment, being under the order previously entered, until Thursday, November 2, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 31, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O breath of God, we pray that these moments may be heightened by the solemn spirit of reverence. Oh, let the spectacle of the glorious cross be to us like a whisper from the face of the Almighty. We seek Thy guidance into truth; Thy help in counsel; and the blessing of Thy grace. Do Thou inspire us with unselfish and heroic purpose that we may be examples for our people, into whose service we have entered. We thank Thee for the heart-winning words of the Christ; grant us His shadow that prepares for toil; His faith and His vision of a new day. O Thou who hast reigned amid the tempests of the spirit, withhold not Thyself from us. Brood over us, give us more than human wisdom, and gird us with a strength greater than our own. We pray Thee to lift our minds to a high estate where reason is not suffocated nor patriotism smothered. Oh, come to our waking souls, that we may walk in the paths of dignity and honor and where no seeds of discord are allowed to flower, fruit, or foliage. In the dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech on neutrality by Monsignor O'Grady.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address of the Honorable Harry H. Woodring, Secretary of War, and an editorial from the Washington Times-Herald in connection with the matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by the Honorable MARTIN DIES over the Columbia Broadcasting System on Saturday evening of the past week.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

THE LATE EATON J. BOWERS

Mr. COLMER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, I arise this morning to make a sad announcement to the House of Representatives. On the night of October 27, last, the Honorable Eaton Jackson Bowers, a former Member of this distinguished body, died at his home in the city of New Orleans, La.

Mr. Bowers represented the Sixth Congressional District of Mississippi, which I now have the honor to represent. He took up his duties in this body on March 4, 1903, and served until March 3, 1911, through the Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first Congresses, voluntarily retiring in 1911 to resume the practice of law at Gulfport, Miss.

Mr. Bowers, during the comparatively short time that he was a Member of this body, rose rapidly, both in the assignment to important positions and in the esteem of his colleagues. It can truthfully be said, without the necessity of drawing the charitable cloak of death about him, that few men who served in the Congress with him were possessed of a keener intellect or a more brilliant tongue. He possessed to a marked degree the rare combination of the two virtues of having the intellect to arrive at a correct conclusion and the mastery of the English language which enabled him to convince all who heard him of the correctness of that position.

At some future date, Mr. Speaker, I hope to have the opportunity to dwell more fully upon the virtues of this truly great statesman. But for the present I am sure that I voice the sentiment of all who knew him when I say that the country has sustained in his death the loss of an outstanding member of the American bar, a great intellect, and a statesman in the truest sense.

Mr. Speaker, a lifelong, warm, personal friend of Mr. Bowers, the Honorable George P. Money, editor of the Gulfport-Biloxi Daily Herald, and himself the distinguished son of the late and lamented Senator H. D. Money, who so ably represented Mississippi in the United States Senate two decades ago, had this to say editorially of his late distinguished friend, Mr. Bowers:

It is with distress and profound sense of loss that we have to announce for south Mississippi, the Gulf coast, and particularly Harrison County, and personally, the death of Hon. Eaton J. Bowers, one of the most dynamic speakers, foremost lawyers and practitioners, one of the most astute political scientists, one of the most influential Congressmen, and one of the best informed and scholarly gentlemen we have known.

His death in New Orleans Thursday midnight came at a ripe age, after he had been admitted to the bar before being of age; after his great success in law and statesmanship; after he had

reared a family who reciprocated his devotion and loyalty, whose members never wanted for anything that he was able to procure; after he had made thousands of loyal friends, had thousands of admirers, and impressed himself upon the bar and made himself heard with attention in the Halls of Congress.

Mr. Bowers had an exceedingly active mind and lively interest in life. His memory was marvelously accurate and vivid, which gave him command of his vast reading on all subjects and therefore made him an exceptional extemporaneous speaker. His thorough knowledge of law and the aptness of his mind, with his excellent memory, enabled him to answer any question of law instantly, and this faculty was undiminished to the day of his death. He was of great wit which, with his memory, his readiness, and his great love of communion and fellowship, made him unexcelled as a postprandial speaker. Surely we shall not look upon his like again.

His life was filled with activity and brilliant and notable achievements.

Throughout his married life he had a most noble companion—a help indeed most meet for man. The soul of unselfish affection, devoted to her first love and their family, loyal and faithful to the end. Mrs. Bowers, herself the daughter of a prominent lawyer of Bay St. Louis, was his beloved, his comfort, and his stay.

With the bereaved family we bow our heads; and to them we tender our loving sympathy.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject Pertinent Facts on the Neutrality Question.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial appearing in a New Jersey newspaper.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short quotation from the Miami Republican.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial appearing in the Block newspapers.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address delivered by me on September 18, 1939.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, for today and during the consideration of the neutrality bill, I shall object to anyone proceeding before a session of the House for any length of time, and I shall object at this time to the gentleman from Montana proceeding for 1 minute.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

Mr. RAYBURN. I object, Mr. Speaker.

EXTENSION OF REMARKS

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article taken from the American Good Government Review.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. HOFFMAN asked and was given permission to rives and extend his own remarks in the RECORD.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short memorandum.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no cbjection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter from the Honorable W. B. Swaney, of Chattanooga, Tenn.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject before the House today.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include a letter from the Department of Commerce in reference to the shipment of horses and mules into the war zone—to foreign countries.

The SPEAKER. Is there objection?

There was no objection.

NEUTRALITY

Mr. SABATH. Mr. Speaker, I call up House Resolution 320, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 320

Resolved, That immediately upon the adoption of this resolution, the joint resolution (H. J. Res. 306), the Neutrality Act of 1939, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that the amendments of the Senate be, and the same are hereby, disagreed to and a conference is requested with the Senate on the disagreeing votes of the two Houses.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Illinois yield for a parliamentary inquiry?

Mr. SABATH. Yes.

Mr. RANKIN. To ask whether or not the resolution will shut off the right to offer a motion to instruct the conferees?

The SPEAKER. It will not. The resolution now pending makes it in order to consider such matters as that propounded by the gentleman from Mississippi. If the resolution is adopted, it will in no way prohibit subsequent proceedings, or offering a motion to instruct the conferees, or amendments thereto.

Mr. CASE of South Dakota. Mr. Speaker, I rise to a further parliamentary inquiry.

The SPEAKER. Does the gentleman from Illinois yield.

Mr. SABATH. I yield.

Mr. CASE of South Dakota. If this resolution is adopted, what will be the effect with respect to the offering of amendments? As I understand it, the bill now is in the form of a Senate amendment to the House bill, which will be one amendment. A motion may be offered to instruct the conferees, I presume, but when will we reach the stage of amending in the third degree?

The SPEAKER. The Chair cannot anticipate that that stage will ever be reached, but the Chair will, of course, be glad to answer that parliamentary inquiry at the appropriate time.

Mr. SABATH. Mr. Speaker, may I have the attention of the gentleman from Michigan [Mr. MAPES]? Does the gentleman desire time?

Mr. MAPES. I have requests for time; yes.

Mr. SABATH. Does the gentleman desire time for or against the resolution?

Mr. MAPES. I have not asked all of the Members how they are going to vote.

Mr. SABATH. I yield 30 minutes to the gentleman from Michigan.

Mr. MAPES. Does the chairman intend to yield to anyone opposed to the rule?

Mr. SABATH. I might, though I do not think it will do any good; I do not think it will help any one way or the other.

The SPEAKER. How much time does the gentleman from Illinois yield to himself?

Mr. SABATH. Six minutes.

The SPEAKER. The Chair recognizes the gentleman from Illinois for 6 minutes.

Mr. SABATH. Mr. Speaker, more than 650 speeches have been made on this issue to date. I do not believe more speeches here will change opinions or the vote of any Member. Certainly I am not vain enough to imagine that words of mine might do so, and so I will confine myself to an explanation of the rule itself.

Contrary to the statements of my colleague the gentleman from New York [Mr. FISH], this is undoubtedly one of the most liberal rules that has ever been presented to Congress. It allows more time and gives more latitude for discussion of individual sections of this bill than is usual, and permits voting on each amendment. We do not abridge the rules or deny the right of anyone to present amendments. A motion to instruct the conferees will be offered. An amendment to that motion, and a second amendment, is in order. It permits a substitute and an amendment to the substitute, and on each there is allowed 1 hour's debate for and against. No gag prevents the offering of any amendment, and any implication to the contrary can be only a deliberate misinterpretation of the rule.

The Senate bill before us today represents a comprehensive and thorough study of the entire issue in question, and I am obliged to confess that I believe it to be a better bill than the one we passed in the House. I hope that all the Members will read the comparative report prepared by the Committee on Foreign Affairs. It should give them undeniable reason for supporting the resolution. Let me here quote from the Senate report:

> The committee further reports the purpose of the substitute is to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests. In attempting to accomplish this purpose the committee has written into the proposed substitute definite and mandatory legislation wherever discretion could be eliminated. From a consideration of the text it will be noted that the cash-and-carry provisions of the law which expired by their terms on May 1, 1939, and which have not been reenacted, have been strengthened as to the provisions dealing with the divesting of title of citizens in goods to be conveyed and transferred and exported to belligerent countries. The addition of this language to the paragraph in the old law with regard to the divesting of title, namely that "No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States," covers any loophole that might have existed in the old provisions as an excuse for demanding of the Government that the Government undertake to collect debts due a citizen. This, however, is not the most important change in the old cash-and-carry law. The provisions of the old law with regard to carry did not prohibit the transfer of contraband, that is, articles and materials designated by warring powers as war materials, to belligerents except the few manufactured articles defined as arms, ammunition, and implements of war, but delegated to the President the discretion to prohibit American vessels from carrying certain articles to belligerents which he could name. The proposed substitute in definite language and in a mandatory manner prohibits American vessels to carry any passengers or any articles or materials to any foreign state named by the President as being in a state of war. The section of the proposed substitute which is intended to accomplish this purpose is found in section 2 (a), which reads as follows:
>
> "SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation."

Because this is an issue above partisan politics, the resolution has enlisted the support of all outstanding Republicans, such as a former President of the United States, a former Republican candidate for President, and a candidate for the Vice Presidency. They all favor this legislation. Only a small or mean man could consider his political interests above his country's welfare.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SABATH. The gentleman knows that I will not yield to him. I have numerous resolutions from Republican clubs all over the Nation going on record as being in favor of the Senate bill. Mr. Green, of the American Federation of Labor, has also written me that he supports the bill. In fact, so many resolutions have reached me, and so many letters from individuals and organizations that I am sure the sentiment of the Nation has been clearly shown, not only to me but to all Members who must certainly have been the recipients of as many communications as I have had. I am confident, in all the circumstances, that we should have no difficulty in securing early action upon this important measure.

Here before me now I have a letter from William Allen White, a gentleman known to most Republicans. He advises the Republicans to support this legislation. I also have with me letters from religious leaders and outstanding citizens. There can be no doubt that a great majority of thinking Americans is with us, and that they depend upon us to pass this resolution for the good of our country. A joint statement of the clergy, signed by outstanding representatives of all religious faiths, concise and to the point, very aptly expresses public opinion. I want to read it to you:

> We who sign this statement are firmly for repeal of the embargo law, because we cannot be ethically or spiritually indifferent in the face of the present universal menace to man's religious liberties. We support revision, because we believe its safeguards are not only best calculated to keep us out of war but will throw the vast moral and material weight of this country on the side of liberty in which alone religious institutions can flourish.
>
> We, therefore, urge our Congress to stand fast and express the will of the people by revising the present law which puts this country in the false position of supporting wrong, encouraging its spread, and condoning the destruction of all the religious and other liberties that mankind holds precious.

Let me not overlook the fact that I also have resolutions against this proposed measure. One is from Father Coughlin; one from the Socialist Party of America. Many have come from Nazi and Fascist sources. Another is from the German-American National Alliance, whose representatives a few days ago appeared before the Dies committee. I wish you would read the threatening letter they had the audacity to send out against those who dared to vote to repeal the present neutrality law. When will they realize that this Congress will not be intimidated or influenced by threats from alien or other sources? [Applause.]

I will take up no more time. I do not think it is necessary. Those who follow me will more fully explain the bill, and I now yield 30 minutes to the gentleman from Michigan. [Applause.]

Mr. MAPES. Mr. Speaker, I yield 8 minutes to the gentleman from Tennessee [Mr. TAYLOR].

Mr. TAYLOR of Tennessee. Mr. Speaker, it is with a sense of deep humility and with no little trepidation that I approach this subject today, at perhaps the most critical period in our country's history. With three of the great nations of Europe now in the grip of a ghastly war, I think it behooves this membership to approach this subject cautiously and with the greatest possible deliberation.

It is not my intention to discuss the merits of the bill, because on the 28th of last month I took occasion to discuss it at length. I want to say frankly at the outset that I am in sympathy with the principles and objectives of this resolution. However, I am opposed to the rule that has been reported by the Rules Committee and which is under consideration at this moment. As a member of the Rules Committee I opposed this rule because I regard it as arbitrary and more or less a subterfuge. I took the position before the committee, and I take the position here today, that, due to the tremendous importance of this legislation, it ought to be considered under an open rule, with the right to the Members of this body to offer such amendments as to them may seem fit and proper. [Applause.]

I would not characterize or stigmatize this rule as a gag rule, but it partakes of so many of the features of a gag rule that to me it is a distinction without a difference. To me this rule is an infringement upon the authority of this House. It is an abridgement of the rights of the membership of this House to have this measure considered under an open rule and with the right to offer amendments.

Mr. Speaker, I am very jealous of the prerogatives of the House of Representatives. I want to see its prestige, its dignity, and its integrity preserved; but most assuredly these attributes cannot be maintained if we allow this body to be subservient to the other body. Under the Constitution we are of equal importance and authority; and, in the name of God, let us insist on the parity.

I know it will be argued, and has been argued by the distinguished gentleman from Illinois this afternoon, that this is the normal and customary procedure in matters of this kind; but I would remind him also, Mr. Speaker, that these are not normal, ordinary times, and for that reason a most liberal rule should be adopted here which will permit of the registration of the views and sentiments of every Member of this House by the medium of amendments to so perfect the bill as to accomplish the object of the legislation, which is to keep our country out of war.

Mr. Speaker, as I stated at the outset, this is momentous legislation. It certainly is the most momentous that I have been called upon to consider during my 21 years in the House. I think it is the most vital and important piece of legislation that has been considered by the Congress since the declaration of war in 1917. No one can forecast the potentialities of our action on this proposal. It will have its reverberations not only throughout this country but it will have its repercussions throughout the nations of the world; and for that reason we should proceed here today with every possible caution and deliberation, and with an eye single to the welfare of our beloved country. Passion nor partisanship has no place in this debate.

This legislation involves the welfare of this Nation of ours. It affects the hearts and homes and hearthstones of the people of the United States. Their hopes, their aspirations, their security are wrapped up in this legislation, because, Mr. Speaker, 99 percent of the people of this country are opposed to this country becoming involved in that conflagration across the seas. For that reason the people of this country look to this Congress to devise means and ways whereby we will not repeat the terrible tragedy that we committed a little more than 20 years ago, and I have sufficient faith in the wisdom of the Congress to believe we can do it.

I realize that I am not the only Member in this body who is concerned about this legislation and its implications. All of you are deeply concerned about the legislation and you are all just as anxious as I am to pass legislation which will safeguard our Nation against entry into the conflict across the seas. The Rules Committee should have adopted a rule which would have permitted this bill to be discussed at length, a rule which would have permitted this bill to be read paragraph by paragraph and subject to amendment. That is why I oppose the rule which is now before us. I realize, as they say, that we have our methods, as provided in this rule, to, in effect, amend this legislation by way of instructions to the conferees. Let me remind you, however, that that is a very complicated, a very confusing, and a very cumbersome method of treating this legislation.

Another thing, Mr. Speaker, why all this unseemly haste in the House on this important issue? We are the servants of the people. We are hired by the people and paid by the people to come here and transact their business. We are not operating under the Wage and Hour Act. There is no reason why we cannot continue here until Congress meets in January, if necessary; and I think it would be a fine thing, because it would afford a sense of security to the American people that they will not have after this Congress adjourns. [Applause.]

Mr. Speaker, the House passed this so-called neutrality bill on June 30 this year and it went to the Senate. Congress adjourned before the Senate acted on the bill. When we passed the bill in the House, there was, of course, comparative peace in Europe. Now, when we are considering the bill today as it comes back to us from the Senate, a war is being waged in Europe. This, to my mind, very materially changes the situation. The House passed this bill on June 30 last and it went to the Senate. The Congress adjourned before the Senate acted on the bill as it passed the House, and since that time a most devastating war has broken out in Europe. With the expressed hope that Congress might pass a neutrality bill which would secure us against participation in another European holocaust, the President called Congress into extraordinary session to convene on September 21 last. The Senate immediately took up for consideration the House resolution, and, after debating it for more than 4 weeks under the most liberal conditions, struck out all of the House bill, with the exception of the enacting clause, and wrote an entirely new and different measure. It is that measure which is before us today, under this restricted rule, which we are expected to pass after 48 hours' consideration. I dare say that 10 percent of the Members of this body have not even had a chance to read the bill, much less give it careful and serious deliberation. To me, Mr. Speaker, this is an anomalous situation which, if adopted, will be a disappointment to the public generally.

While, Mr. Speaker, as stated at the outset, it is my intention to vote for the bill, nevertheless, I would like very much to see it amended in some particulars. I would like to see section 3 deleted from the bill. This section gives the President the power to define combat areas. I think this is a power which should be exercised by the Congress. I have been observing the exercise of discretionary powers by public officials for several years. It has been my observation that most public officials abuse this privilege. They are too often prone to construe discretion as authority, and hence I am rather skeptical when it comes to vesting discretion. While I cannot conceive of any President willfully performing any act which might embroil our country in war, I can see no good reason or justification for the Congress to strip itself of powers which belong to it under the Constitution.

I would like to see an amendment to this bill which would prohibit the R. F. C., Export-Import Bank, and Federal Reserve bank to directly or indirectly assist in supplying credit for the export of goods to belligerent countries. I would also like to see this bill amended so that the $2,000,000,000 stabilization fund could not be manipulated in a manner to peg foreign credits in the United States.

By voting down this rule we will be afforded an opportunity to materially improve this measure, and I therefore appeal to my colleagues on both sides of the Chamber to vote against the adoption of a rule which to a certain degree hamstrings and strait jackets the deliberations of this body. [Applause.]

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Georgia [Mr. COX].

The SPEAKER. How much time does the gentleman yield?

Mr. SABATH. I am informed that the gentleman will not require a great deal of time, so I place no limit on it.

Mr. COX. Mr. Speaker, the leadership of this House does not wish to stifle debate and is unwilling to give cause for the charge that Members will be deprived of the opportunity to impress their influence upon the proposed legislation. There is, however, the desire that final consideration shall be expedited as much as possible, and to accomplish this there can be no senseless waste of time.

The Rules Committee, cooperating with the leadership, offers the pending rule, which affords the best opportunity for free and full debate. It is normal procedure. Assurance is given the House that in the event this rule is adopted a motion to instruct conferees will be in order. This motion is subject to amendment under the rules of the House and will afford those wishing to express their views upon the proposed legislation opportunity to do so.

We are all sensible of the great responsibility that rests upon us. We want this matter handled as if it were the

business of all the people, and we want all the people to feel that they are having a hand in it. We know that this is something which involves not only the peace and security of the citizens of the Nation but something which involves the life of the Nation as well.

The American people want peace—peace with honor. It is, as Mr. Jefferson said, "the most important of all things for us except the preserving of an erect and independent attitude." The neutrality bill asks for nothing more than the restoration of the sovereign right to transact our own affairs as a free people. So, Mr. Speaker, let us proceed to undo that which should never have been done, for to fail will invite the scorn of the world. [Applause.]

The SPEAKER. The gentleman from Georgia has consumed 3 minutes.

Mr. MAPES. Mr. Speaker, I yield 3 minutes to the gentleman from Wyoming [Mr. HORTON].

Mr. HORTON. Mr. Speaker, I do not know the plan of procedure on this bill except from what I read in the papers. I read this morning that it is the plan to speed the so-called neutrality bill to conference with the Senate by Thursday; that this was agreed to by the House Democratic leadership yesterday and given the endorsement of the House Rules Committee. Under the procedure outlined, the motion to instruct would come to a vote tomorrow and the bill would reach the conferees the following day and conceivably Congress would be in a position to adjourn the latter part of this week. In no event, leaders forecast, will Congress be in session later than Monday or Tuesday of next week.

So that is what the House is going to have to say on a proposition the right answer to which must be found else this country will be plunged into war.

So that is the answer the leadership of this House gives to the hundreds of thousands of letters and telegrams that have poured in from mothers from all parts of this country requesting that we keep America out of war by remaining in session continuously during this crisis. This was also the charge given us by the American Legion—and those boys know what war means.

The theme song of the American people is "Keep us out of this war. Remain in session and meet problems as they come up." This is the mandate of the American people to us. They trust us and they do not trust anyone else. Are we going to be worthy of this trust? Or are we going to throw them down? This is the only question before the Congress today.

In a few minutes we are going to have the question of the adoption of this rule in our laps for answer. The adoption of this rule means but one thing, and that is that by the end of this week this body, the direct and close representatives of the people, will have placed its stamp of approval on a piece of legislation, the effect of which is to deceive and mislead.

That is the raw, brutal truth, but it is good for us to have. There is not a man in this House who honestly knows where this resolution will lead us and there are no two men who can or will agree as to its interpretation. The adoption of this rule which will be followed by the early passage of this resolution spells war. [Applause.]

My people and your people are not interested in this rule or any other rule that sends us home and lines us up on either side of this war that is trying to get started over there.

There is just one way to keep out of this war, and that is to prevent the real start of the war. The war has not started over there, and it has not started largely because we have not taken sides. Well, if we have delayed war for 2 months by not taking sides, let us continue not to take sides and perhaps we can delay the war another 2 months or 2 years or even prevent it entirely, and if we do that, we have not only saved millions of lives but Christian civilization as well. If we go through with another World War, Christian civilization will have slipped back a thousand years.

What is the hurry? The important thing is not to pass this resolution. The important thing is to keep out of war. Let us kill this rule and stay here and do our job as it becomes necessary to do it. If this war goes on, which I very much doubt if we have enough sense to stay on the side lines, but if it does really start in earnest, then incidents are bound to come up which are going to require our eternal vigilance—incidents and situations which no one can foresee. They have got to be met as they present themselves. There is no such thing as a neutrality code. It is a changeable, variable thing that must be altered to meet conditions, and we must stay on the job to meet them and fulfill the obligation of our position and the trust of our people. The law that we are trying to change now was perfect 2 years ago, but, as General Johnson would say, "Look at the ——— thing now." If proof for the statement I have just made is needed, you have it in the above.

There is still another reason why this war is to date not a war. What about Russia? Without even getting her feet wet she has 60 percent of Poland, without getting her feet wet she has solidified her positions in the Baltic and is even now trying to gain a foothold in Finland, much to the terror of the entire Scandinavian Peninsula. Do you think that she would be permitted to do this if England, France, and Germany were not otherwise engaged? She would not, and you know it. Russia is the hyena, lurking on the outskirts of the pack, to pick the bones of the kill. Do you think she is going to get drawn into this war? No. All she wants is for the powers of Europe to exhaust themselves so that she can overrun civilization, with the ungodly hordes of communism. Strange bed fellows this Hitler and Stalin, each hoping that the other will drop off to sleep first so that the fatal dagger can be driven home. Russia would like to see us in this war; therefore, if this resolution is passed, as it will be if we pass this rule, you may expect sabotage and atrocities in this country made to appear as having been done by Germany. But in reality they will be done by Russia. Russia wants to tear down and destroy; that is her full purpose. For communism thrives best during such disorders. Are we to become a party of such power grabs?

This question before us today is the most serious problem that any Congress has had before it in 150 years, because on our answer depends whether or no we are to be drawn into a conflict that will certainly end up with dictatorship and an economic collapse that will engulf us all.

If it is so important, and it is, what is the hurry? Let us stay on the job so that if and when new legislation needs enacting we will be here to enact it in an intelligent and deliberate way.

Let us vote this rule down. Let us stay on the job. Let us keep out of this war. Let us prevent this war.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, on June 30, 1939, I voted against the lifting of the embargo. Today, as the result of intensive and careful study, I am in favor of the passage of the Neutrality Act as amended by the Senate, which provides for the lifting of the embargo. [Applause.]

My decision in this matter was reached after the most painstaking and exhaustive search of the merits of both sides in the light of the permanent welfare of our citizens and the future security of our nation.

The President, in a radio address on October 26, stated:

> In and out of Congress we have heard orators and commentators and others beating their breasts and proclaiming against sending the boys of American mothers to fight on the battlefields of Europe. That I do not hesitate to label as one of the worst fakes in current history. It is a deliberate setting up of an imaginary bogey man. The simple truth is that no person in any responsible place in the national administration in Washington, or in any State government, or in any city government, or in any county government, has ever suggested in any shape, manner, or form the remotest possibility of sending the boys of American mothers to fight on the battlefields of Europe. That is why I label that argument a shameless and dishonest fake.
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> The fact of the international situation—the simple fact, without any bogey in it, without any appeals to prejudice—is that the

United States, as I have said before, is neutral and does not intend to get involved in war. That we can be neutral in thought as well as in act is, as I have said before, impossible of fulfillment, because, again, the people of this country, thinking things through calmly and without prejudice, have been and are making up their minds about relative merits of current events on other continents.

In my opinion, the words of the President are a complete answer to any argument for retaining the embargo on the ground of the possible involvement of this country in the European war. I was further reassured in my position after reading the recent encyclical of the holy father, Pope Pius XII, which I heartily recommend to the consideration of the membership of this House.

Since the beginning of the year many of my public utterances, as well as my official acts in the Congress, have been directed toward the means of securing lasting peace—peace, the objective of us all. All true Americans love peace and hate war. The CONGRESSIONAL RECORD will show that I frequently suggested official action against war and for peace.

There is another vital matter which must be considered in connection with this issue, and that is the menace of international communism. The alliance of Russia and Germany has put an entirely new face on the European war. No longer is it a war for empire, but it is clash of philosophies—the one "red," revolutionary, irreligious, and degenerating; the other, sane, age-old, encouraging, and our own.

Those who voted for the embargo during the regular session had no suspicion that Russia would side with Hitler. Hitler is a passing phenomenon; Russia is irreligious, anti-christ, and represents the materialism that has ever threatened mankind. The Prince of Peace, in the interest of peace and faith and hope, has called to all Christians against the materialistic dictatorships. Peace is not in their hearts. I am for peace when I vote to lift the embargo, conscious now that the Allies are for a peace entwined in a philosophy that recognizes an Almighty.

Our President has heard from the whole country. He is too clear a judge of American public opinion not to understand it on this great issue. I will accept the leadership of the President in this fight.

Mr. Speaker and Members of the House, the issue before us transcends in importance any other issue affecting our country. The President realized its significance by calling the Congress into special session. Mindful of the position that we occupy in the eyes of the world, as well as the grave responsibility which is ours as Members of the Congress, let our vote on this question be decided solely upon the basis of what we sincerely believe to be best for our beloved country. I shall so vote.

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the chairman of the Rules Committee made the statement that 647 speeches have been made on this proposition and everything possible to be said has been said. I do not believe that is true, and that is why I believe we should have full and free debate in the House.

Mr. Speaker, we have heard many arguments that the repeal of the arms embargo will help France and England, because those two countries control the seas and they can come here and get the things they need, primarily airplanes. Certainly there are very, very few in this country who would want to help Hitler by furnishing him implements of war. I read in the papers that France and England are going to start mass flights of war planes to England to be used by the Allies as soon as the embargo is repealed.

If we repeal the arms embargo and adopt this bill, then we must of necessity sell war planes to Germany if they want them, can pay for them, and can take them away. If France and England can send civilian pilots to the United States to take war planes over to be used by those countries, then why cannot Germany do exactly the same thing? Germany may use the property, security holdings, notes, and other investments of her nationals in this country to get the money. They could buy American bombers and their pilots could take them direct to Germany, or to the Azores, then to Portugal, and thence to Germany.

We might then read in the press a few weeks later that American-made bombers and war planes, than which there are no better anywhere, had blasted and devastated Paris and London. I say to you that that situation can well develop. It is not enough to say that we will not sell to them, because we say we are going to treat everybody alike. If they come and get them, they can take them away. They can use them for their own purposes. How long would the people of this country stand for repeal of the arms embargo as provided in this bill in the face of such a situation as that?

I remember at the time of the Chicago World's Fair seeing that great Italian armada land in Lake Michigan there at Chicago. Do not tell me that mass flights of that sort are not permissible under this law and would not be technically possible.

You may wonder how they are going to get the pilots over here. Well, I do not know of any reason why they could not be flown directly here, or flown down to Portugal, Italy, or to any other neutral country and then come over here on neutral vessels. As a matter of fact, even though there might be something in the way of their landing on our shores, why could they not take delivery of the planes in Brazil and then fly them over the routes that are now being flown by the Germans in conducting a mail service from Brazil to Africa, thence to Germany? Or might they not be flown from our west coast through Alaska and Russia to Germany?

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I think it is very important at the inception of this debate to take cognizance of the fact that we are trying to save this country from becoming involved in a European war rather than trying to elect somebody to office in 1940. [Applause.]

Mr. Speaker, we have heard it charged already in this brief debate, and no doubt it will continue to be charged by those who oppose this legislation and this administration, entrusted by the American people with the solemn duty to keep this country out of the present European war, that this rule under which we are considering this legislation is a gag rule. My chief purpose in asking your indulgence at this time is, as a member of the Rules Committee, to deny that charge. This rule is a fair one. It is an open one. If the rule were not both fair and did not provide for an opportunity for amendment to the legislation, I would not have supported it.

Mr. Speaker, I have never in my time in this House approached the consideration of any proposed legislation with a more open mind and completely free of all partisan and other improper influences. I firmly believe that most of the Members of this body entertain the same position and take the same high patriotic ground. However, I thought I detected the impression of partisan politics being injected in this matter when the application for this rule was being considered. I joined hands with my Republican colleagues on the committee in insisting upon full and adequate debate and ample opportunity for amendment. And when I satisfied myself that this rule would provide that, and that after I had obtained my information from the most trustworthy authority in the House, I refused to go further with my colleagues on the left and supported this rule.

This is not a Republican or a Democratic country. This is a country of Americans for Americans. [Applause.]

Permit me to say to my colleagues that I have great faith in the membership of this body. I sincerely believe that, on a question involving the significance that this legislation does, the membership of the House can and will lay aside all partisan politics and extraneous matters and consider the best way to do the job that the American people expect us to do, namely, to keep this country neutral and thereby prevent its being drawn into the vortex of what promises to be the greatest holocaust of bloody warfare and hell on earth that the world has yet witnessed. America expects the best that we have, and I entertain no doubt but that this Congress will meet that high standard of patriotic consideration of

this measure which it so justly merits. So far as I am concerned, I am trying to place my responsibility on that high plane and to keep it there. If I were to do less, I do not think that I should further enjoy your confidence by remaining a Member of this great representative body.

Mr. Speaker, I would not transgress upon the time of the House at length, even though the brief time which is allowed me to speak on the rule would permit. However, I should like to say in passing that in my opinion the bill which the other body has sent us is a substantial improvement over the bill which we in the House passed and which the Senate has so generously amended. I have never been one of those who believe that legislation could be enacted that would prevent war. This for the obvious reason that such legislation is unilateral in its scope. When we realize that even treaties between nations have been disregarded entirely in recent years, how could the most optimistic person anticipate that this or any other country could, by a simple declaration of law on its own part, control the movements of a possible enemy. It is therefore obvious that the only thing that we can do and the only thing that the American people expect us to do is to write the best possible piece of legislation which in our combined judgment will honorably prevent this country from becoming involved in this unholy maelstrom of mass suicide. Moreover, that legislation or declaration of policy should be the accumulation of the wisdom of the minds of the President, his Secretary of State, and the Congress of the United States, after conferring and debating with the sole objective of attaining such a document. [Applause.]

And in that connection, Mr. Speaker, we have heard many strong statements made about one of the controversial provisions of this legislation, namely, the embargo. It has been repeatedly stated by men in high places that the retention of the embargo, on one hand, would keep us out of war and its repeal, on the other hand, would carry us into war. There are those who take the opposite position that the removal of the embargo would keep us out of war and the retention would carry us into war. I am afraid that those who make these bold statements do so out of the warmth of their advocacy of their particular pet, the retention or the repeal of the embargo. I am in most hearty accord with the President of the United States when he said, in effect, that such argument was false. And I hope that no one will repeat that statement in the progress of this debate during the next few days.

As a matter of fact, if there is a Member of this House who has the superhuman and uncanny power to look into the future and point out with reasonable accuracy and convincing argument that either the retention or the lifting of the embargo on arms and ammunition will preserve the neutrality of this country during the current war, I shall not only follow him but future generations, as well as the present one, shall ever honor him. As a matter of fact, the retention or the lifting of the embargo on arms and ammunition, while it has been and is now being sought to be made the controversial part of this legislation, is in my opinion of secondary importance. Let me point out to you that the restrictions upon the operation of our vessels and the travel of our citizens upon the high seas is the important part of this legislation. If this country becomes involved in this war it will be because of the sinking of American vessels and the destruction of American lives on the high seas. What difference does it make whether an American vessel carrying American citizens has arms and ammunition aboard if it also has such harmless commodities as wheat? Is it not true that under the declared policy and the actual practice of the German Government today that neutral vessels are almost daily being sunk even though they are not carrying such arms and ammunition as it is proposed that we should ban? Therefore, if our ships are to be sunk because they carry foodstuffs, or other articles of as harmless nature as food, it would be immaterial whether they had arms and ammunition or not. The main thought to be considered is that England and France are endeavoring with their fleets to blockade Germany and starve her into submission. The Allies on the one hand seize our vessels and convert the cargo because of the superiority of their Navy. While Germany, lacking such naval power, is unable to seize and carry off the ships and supplies and resorts to sinking them through the submarine and mine. Is it not patent, therefore, to him who reasons most casually that if we keep our ships out of these combat areas—and I would like to go further and keep them out of any probable combat areas—and at the same time keep our American citizens off of the high seas that the paramount and approximate cause of our becoming involved in the war is removed?

Mr. Speaker, this legislation has several important provisions which, in my opinion, would contribute substantially to the goal of keeping this great country of ours neutral. It provides the very things that I have discussed—namely, that our ships and citizens shall be kept out of combat areas, regardless of whether the ships are carrying arms and ammunition or not. It provides penalties for our citizens traveling the high seas in certain instances. It provides for the retention of the declared policy of this country against financing European wars. And these three things—the sinking of vessels, the destruction of the lives of American citizens on the high seas, and the lending of American money to finance European wars—are, as history reflects, the chief cause of American wars. With these provisions written into the legislation, the American people, I believe, can rest assured that the Congress has done all that was humanly possible in a practical manner to grant their prayers by declaring a policy that will continue the coveted neutrality of this country; thereby preventing the loss of untold millions of our mothers' sons and the future aggravation of our economic condition. I shall therefore support the rule and the bill.

Mr. Speaker, I still contend that neutrality is a state of mind between two or more parties and that it cannot be legislated by one of them. I believe that the best neutrality legislation that I have supported has been the millions of dollars of appropriations that have gone into the preparedness of this country so that the war lords of Europe will respect our neutrality.

In March of 1936 in this body, when the House was considering another neutrality bill, I gave my views on the situation as I saw it then. I reiterate those views today in the face of the actualities of war which was then foreseen. That speech, in part, follows:

AMERICAN NEUTRALITY—AN ANSWER TO THE WAR LORDS

Mr. Chairman, there is an old adage to the effect that in times of peace we should prepare for war. I should like to paraphrase this for the purpose of this discussion and say, "In times of peace prepare for peace." With Europe a veritable volcano of war at present, with the war clouds of another gigantic war, the like of which possibly the world has never heretofore witnessed, hanging the lowest on the world's horizon, with the diplomatic endeavors of the Old World statesmen daily changing into kaleidoscopic patterns, with the whole of Europe jockeying for position, it must be manifest, even to him who reasons as he runs, that the enemy of civilization and Christianity, the all-powerful god of war, is busy about his task. War is imminent. Just how far distant it is no man can successfully predict. It may be 6 months; it may be 2 years. At the most it cannot be more than 5 years unless something not now apparent develops. In my opinion, conditions in the world today from the standpoint of imminence of another world war are more pronounced than they were 6 months before an all-powerful German war machine rode roughshod over Belgium in 1914. If you question the wisdom of this statement, I would point out to you the fact that today a powerful, militaristic Italy, under the domination of the war lord, Mussolini, bent upon expansion and conquest, is running at liberty over a weaker and almost defenseless black people in Ethiopia. The yellow race of Japan, for the past decade, under the domination of the war lords of that nation, has been continually building up a powerful military machine, likewise bent upon a conquest of expansion. Russia looks with uneasy expression and apprehensive eyes upon this program of Japan. The Chinese, powerful in potentiality but defenseless in reality, resent keenly and with a smoldering fire of national pride this aggression on the part of her more powerful yellow neighbor. To the west, the mighty British lion paces uneasily but, withal, cunningly and wisely as he watches over his spreading dominions and counts the effect of these aggressive and hostile acts on his own proud kingdom. The ingenious and resourceful Germany, under the leadership of the new war lord of that country, has boldly discounted the Locarno Pact and proclaimed the last vestige of the Treaty of Versailles as but another scrap of paper. France is diligent in her efforts to form new alliances and is emotionally appealing to her neighbors and the other civilized countries to rally to her support in defending the Locarno Pact

and the Treaty of Versailles. America, the New World giant, once far removed from Europe, but now, as a result of scientific advancements in communication and transportation, not so far removed from the Old World; America, a peace-loving Nation, in spite of its suffering from a world-wide depression, with no necessity for expansion—no desire for conquest, rich, and happy in its own ideals of government—is wont to remain aloof from the turmoil and maelstrom of Old World diplomacy and warfare.

The all-important now is, What is America going to do about it? What course shall we pursue? * * *

Somewhere, there must be a sane, sound policy for this country to pursue. To my conception, there is but one answer—armed neutrality. We can be neutral, but we must be strong enough to demand the respect of those warlike nations who profess a desire for peace and at the same time are, with wanton abandonment, bent upon a policy of economic expansion and aggression.

Is it necessary for me to point out to my colleagues here that treaties, pacts, and agreements are worthless in a world of nations who are arming to the limit of their economic ability; when aggression and expansion are the ultimate desires of so many nations of the world? Is it necessary to call your attention to the fact that a peaceful overture of one powerful nation to another today is withdrawn almost before an opportunity for its acceptance has been given? The order of procedure among the nations of the world today is so selfish and so self-centered that one is reminded of a public auction where the highest bidder is the purchaser of the thing sought. A powerful nation through its diplomatic circles issues a strong denunciation today of the encroachment upon the national rights of a weaker nation. A few months later the same powerful nation, when it is either to the economic or strategic interest of that nation to do so, barters or negotiates with the same nation that it has so recently denounced. We have seen treaties, pacts, and agreements thrown overboard, apparently without rhyme or reason other than that might makes right. Apparently, therefore, we are driven to the conclusion that, however desirable and beautiful are world courts, leagues of nations, and international agreements for disarmament in their theory, we are confronted, as peace loving as we are, with the realization that we are dealing with nations, who, like men, have as their controlling factor a selfish desire to prosper at the other fellow's expense.

In this situation are we not driven, driven reluctantly, but nevertheless driven, to a little selfish consideration of our own national preservation? Because of this unfortunate situation our Navy and our Army, and more especially our Navy, must be built up to the point where it will be excelled by none, not even that of Great Britain. Our vast shore lines and outlying possessions must be protected. American integrity and American nationality must be conserved. The heritage purchased by our glorious ancestry, with its institutions and its ideals, must be maintained. When Europe and the rest of the world have awakened to the truth that peace is precious and that the race in armaments and warfare must end, then—and not until then—can America afford to cease its vigilance.

I am confident that no one who is familiar with my record and utterances can rightfully challenge my fervent desire for peace—my hatred of war. National peace and an opportunity to pleasantly travel the road of peaceful pursuits is as zealously coveted by me as any pacifist in this country. I am in no sense a militarist—I abhor war. The memory of 1917 and 1918 is too fresh in my mind, as in yours, for me to be swept off my feet by either the siren song of the pacifist or the jingoism of false prophets of patriotism. Like the four-hundred-and-odd-thousand patriotic American citizens in Mississippi whom I have the honor to represent, I am seeking a means and a policy to maintain that coveted but elusive peace.

The critics of this policy of armed neutrality point with alarm to the tremendous financial cost of maintaining a strong army and navy and attempt to argue the benefits that would flow from the expenditure of the same money in peaceful pursuits. With this argument we have no fault. This argument is academic. If it were humanly possible to convince the European war lords of the logic of the premises of this argument, this, indeed, would be a happy and warless world. But again we must remind ourselves that we are confronted with a present serious reality and condition not of our own choice, rather than a theoretical condition, however desirable and cherished. One might as well argue that a peace officer should not be armed when he attempts to combat a desperate criminal.

We are not unmindful of the fact that an adequate armed force for this country is an expensive necessity, costing as it does millions of dollars to maintain. Neither can we forget that our recent venture into the arena of the World War cost the taxpayers of this country in excess of $50,000,000,000 in money alone, and we have not seen the end yet. But of more moment still, where is the American home that did not feel more keenly the loss or injury of some loved one who was called upon to offer his blood upon the fields of horror in the hellishness of modern warfare?

For America the cost of that war is not yet paid, either in money or in blood. The veterans of that war, many of whom are maimed in body and mind, as well as the taxpayers, are still paying—and will pay for years to come. For them that war is not yet over.

Mr. Chairman, when I first came to Washington I felt it my patriotic duty to make a pilgrimage to historic Arlington Cemetery, just across the beautiful Potomac, and there at the shrine of the Unknown Soldier to make my obeisance and pay my silent tribute to him whom a grateful America has honored as a symbol of the countless thousands of his comrades who, like himself, had made the supreme sacrifice on the altar of the god of war. There in the grim presence of this nameless hero my thoughts were of the necessity of peace. I verily hated war. A few days later I visited the tomb of one of America's greatest statesmen, a man who, by his early training, received in a Christian home, loved and craved peace above every other thing. There in a crypt in Bethlehem Chapel I stood awed in the presence of the tomb of the wartime President, the peerless Woodrow Wilson. My thoughts traveled back to the days of 1916, to those hectic days when Europe was afire with war and intrigue. I remembered then, as you recall now, his vain efforts to keep America neutral and the heroic efforts he made to keep us out of war. There before me in this beautiful cathedral lay the mortal remains of a great apostle of peace. Here lay all that was mortal of the man who, having failed in his noble efforts to keep this country out of war, had gone to Europe at the conclusion of the carnage to force his ideals of peace upon a belligerent world, with the commendable purpose of preventing the horrible spectacle of another great war, such as apparently is in the making today. But, alas, the greed for power and the lust for expansion and conquest of the world diplomats thwarted his plans, and Woodrow Wilson came home sick and disillusioned; another casualty of the war; an idealist crushed by his own ideals.

Not long since, Mr. Chairman, I visited Mount Vernon, the home of him who gave life to the Republic, the greatest patriot, possibly, of them all. I followed the winding brick walk down the slope of the hill until I stood in the majestic presence of the tomb of George Washington, nestling at the foot of the hill, surrounded and shaded by a beautiful copse of woods. I remembered with increasing pride and respect his patriotism, his valor, and his wisdom. There comes back to my mind, as it should be indelibly impressed upon the mind of every American patriot, the wisdom of his farewell message, delivered to the American people when he surrendered the portfolio of office and gracefully retired to private life. From his wisdom, experience, and zeal for the welfare of the country he loved, he enjoined:

"Observe good faith and justice toward all nations; cultivate peace and harmony with all.

"Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies."

Mr. Chairman, let us in the present status of world affairs follow the advice of that great patriot and seer who sleeps at Mount Vernon. Let us maintain a policy of strict neutrality; live up to the letter and spirit of the neutrality law so recently enacted, and thereby serve notice upon a warring world that America desires peace; that she maintains a strict neutrality so long as she is allowed to pursue that course; but that by the means and methods of her perfected armed forces she here and now warns those who would break that peace with her that there will inevitably and surely be but one result, the annihilation of that aggressor. Then, and then alone, will we be able to maintain neutrality and enjoy coveted peace. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, I should like to say in reply to the gentleman from Mississippi, who has just concluded, that we definitely share his hope that there will be no partisan politics in this particular debate. However, we must not believe for a moment that the minority can be suppressed into silence by the charge that all objections to a given proposal regarding foreign policy are partisan statements. It seems that some would create a protective veil to shut out criticism of the President's foreign policy. I submit to you that the good democracy across the sea definitely recognizes a man whose duty it is to oppose the foreign policies of the Government. We shall, perhaps, have more to say on this issue when we have additional time. I am anxious today to confine myself to consideration of the rule.

Frankly, I believe that the members of the Committee on Rules gave us a fairly liberal rule, and they treated us very fairly when we appeared before the committee yesterday. However, there are two features we ought to consider carefully. First, I would say that there are dozens of men in this Congress at this moment who are not clear on just how this rule will operate. When we add to that the fact that there are millions of people who have written to Members of this Congress expressing an interest in this proposed legislation, I say that in the interest of clarity, in order that they may understand and recognize what is going on, the issues ought to be set up just as clearly and distinctly as is humanly possible. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, I join the gentleman from Mississippi [Mr. COLMER], who has just preceded me, in his statement that we should not inject partisan politics into

the discussion of this question. I agree wholeheartedly with the President's statement that the question of neutrality transcends all party lines, and that partisan politics should not be injected into its discussion or consideration. The President was right in that statement. I do regret, however, that the distinguished leader from Illinois [Mr. SABATH], the chairman of the great and powerful Rules Committee, saw fit to suggest that because some of us belong to a different political party, that such affiliation might affect our position in regard to this measure. I respect the views of all men, regardless of political affiliation or position, on this problem, in and out of Congress, just the same as you do, and I reserve the right, as I believe every Member on the floor should, to vote on this question according to my best judgment and according to the dictates of my own conscience. Let us not inject party politics into this momentous problem. Although we may differ widely in the manner in which we attempt to solve the problem, we are all trying to reach the same objective, and that is to enact legislation that will be for the best interests of the people of the United States of America, preserve our neutrality, and keep us out of war. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 3 minutes to a member of the Committee on Rules, the gentleman from North Carolina [Mr. CLARK].

Mr. CLARK. Mr. Speaker, I am gratified at the sense of fairness expressed by the gentleman who has just preceded me in regard to this rule. The Committee on Rules believes that this rule will give the House ample opportunity to pass upon every really essential controversial question involved in this proposed legislation.

If the rule is adopted it will immediately be in order for the gentleman from New York, the ranking minority member of the Committee on Foreign Affairs, to move to instruct the conferees. He can put in that motion what he pleases, as long as it is germane to the legislation. Any other Member of this House can move to amend the motion of the gentleman from New York, and any other Member can move to amend the amendment, so there can be three amendments pending. Thereupon a substitute may be offered to the motion of the gentleman from New York, and that substitute is open to one amendment. Therefore, you can have five distinct propositions, if you wish, pending at one time involving changes in this bill.

The debate can go on until the previous question is ordered by the House itself upon the motion to instruct the conferees. It is true that when the Speaker recognizes the chairman of the Committee on Foreign Affairs to move the previous question he may do so if it is at the end of 2 hours, or 2 days, or months; but the question rests with the House as to whether it and when it is ready to order the previous question, and thus terminate the debate. So the House can debate this proposition, if it sees fit to do so, for a month.

It is absolutely without foundation, in fact or in parliamentary law, to stand up here and say that this is anything in the nature of a gag rule. If you will take the trouble to turn to page 246 of your manual you will find there the rulings and the citations to the precedents, which certainly sustain this proposition.

Furthermore, suppose we sit here and change every single line of this bill, or put into it 10 amendments, or one amendment, or 20 amendments? Then what? Then, of course, the bill at last has to go to conference, if we are ever to have legislation. The bill must still go to conference, or the House must agree in toto with the Senate amendments in order to get legislation. So why not do the sensible and the wise thing by taking this question up and instructing the conferees on the changes we want, if any, send the bill to conference, and get through with a subject the American public is getting pretty well tired of hearing about. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. YOUNGDAHL].

Mr. YOUNGDAHL. Mr. Speaker, may I first address myself to the rule which we are now considering. During the last 5 weeks I have received communications from some 10,000 persons in my district. It is true that some of this expression of opinion has been brought about by the so-called pressure groups. A majority of it, however, is an expression straight from the hearts of mothers and fathers, from professional men and businessmen, from laborers, and from young men and women of draft age. These expressions, I honestly believe, present a true cross section of the opinions of the people in my district.

There are certain things they insist upon; first, that America shall not enter another foreign war; second, that in order to stay out of foreign wars we must insist upon the maintenance of the present arms embargo as contained in our present neutrality law.

As I understand the rule that is being debated here today, we are limited to amendments contained in the bill as passed by this House at the regular session. As I understand this rule, we are not permitted to seek to place in this new bill the same language regarding an embargo as is now contained in our law.

If this is true, I urge the voting down of this rule and the adoption of some procedure under which we may adopt an arms embargo which will guarantee America's neutrality. [Applause.]

And now, Mr. Speaker, may I address myself to that portion of the bill under discussion which provides for, or rather fails to provide for, an embargo on arms and munitions to belligerent nations.

Mr. Speaker, I believe this is the one section of the bill over which there is the greatest controversy. I believe we are all agreed that American ships and American citizens should be kept out of danger zones. There may be some division of thought as to what constitutes a danger zone or who should designate those danger zones.

I believe we are pretty well agreed that American goods should not be sold to belligerent nations on credit and that warring nations should not be allowed to float loans in this country. There may be some division of opinion regarding just what constitutes credit.

The main issue, however, before us now is, simply, Shall we continue to refuse to sell arms and ammunition to all warring nations, or shall we let down the bars and say to all warring nations, "Go ahead, we will give you all the guns, gunpowder, and bombs you want"?

The issue before us is simple: Shall we remain neutral or shall we take sides in Europe's war for supremacy and power?

Last Friday when the Senate passed this bill with its repeal of the arms embargo, newspapers in England hailed that action as a great victory for England and France.

"The United States to sell arms to the Allies," was the headline in the London Express.

"U. S. votes arms for Allies," headlined the London Express.

The London Daily Mirror openly boasted with large headlines, "Allied victory in United States."

The London Observer said editorially, "America's policy is directed by America's interests."

The London Star, a liberal newspaper, printed the story of the Senate's action under this headline, "Better than a battle."

In a special article copyrighted by the New York Times, their correspondent had this to say of the French attitude:

> French satisfaction at the progress toward repeal of the arms embargo by the United States has been greatly increased by the Senate vote.
>
> It was felt here [in Paris] that that vote is of as great importance as what was voted because it was seen as expressing the approval of the American people in the action of the Allies in taking up arms for the defense of the principle of national and individual liberty.
>
> It has shown that the people of the United States are not neutral in their thoughts and that their judgment more than inclines against Nazi rulers of Germany and their methods of war.

Is that neutrality?

Do those headlines sound like America is trying to keep from taking sides in Europe's war?

Repeal of the arms embargo is not neutrality. Repeal of the arms embargo is piecemeal participation in Europe's war.

You will pardon the personal reference, but I am reminded of an incident during my early schooldays. Two boys, one of them my chum and playmate, had a little altercation on the school playground. Both knew the consequences of fighting on the school ground. But the one boy challenged my chum to meet him after school. I urged him to take up the challenge and to fight.

They met at the agreed time and place and started to settle their differences in the centuries-old method of men. I did not attend the fight. I learned the next day a policeman had appeared on the scene, stopped the fight and led the two participants back to the schoolhouse and into the principal's office. There it developed that I had urged my chum to fight.

The next day we were called to the principal's office. The two fighters each received four lashes. I did not fight. I was not even there but I got three lashes because I urged them to fight. I gave moral encouragement.

I was not punished for fighting. I was punished because I was not neutral. I was punished because I took sides in a fight that was none of my business.

And so it is with America today. America will be punished if we take sides in Europe's fight which is none of our business.

Out in my State with its heavy proportion of Americans of Scandinavian extraction we hear much about the ability of Sweden, Norway, and Denmark to keep themselves out of Europe's squabbles and to maintain their own peace and neutrality.

Sweden has an embargo on arms and munitions now. She had one in the last war and in wars before that.

Norway has an embargo on munitions of war. She had one in the last war and kept her neutrality.

Denmark has an embargo on implements of war to belligerents.

Those countries know they cannot traffic in arms and munitions of war without becoming involved in the war. They know there is no safety in being half in and half out of war. They know enough to mind their own business.

Last week there was in my office a man from my own district who had just returned from Europe. He spent 3 weeks in Germany after war was declared. He spent some time in England, in France, and in the Scandinavian peninsula. His most indellible impression of all those countries was that in none of them did the people want war.

Everyone has seen pictures in the press of signs on the French and German lines, "We won't shoot if you don't." Even the official bulletins of the warring governments have admitted this situation.

Everyone knows that up to date the war on the western front has been but a skirmish. There has been no real fighting on either side. Britain announces that she knows enemy troops and supplies are being concentrated on the western front. British planes continue to fly over Germany dropping their loads of leaflets and propaganda, but no attempt has been made to bomb or destroy their concentrations.

German planes have flown over England but outside of dropping a few bombs on British battleships, no efforts have been made to bomb or destroy munitions plants or military centers.

France has done a little skirmishing and night raiding but her airplanes have refrained from doing any great damage to enemy industrial centers.

In comparison with war on the same front as many of us knew it 20 years ago, this war has been but a skirmish.

With the people of these warring nations asking for peace, with the warring governments refusing to launch any intensive warfare, should America take the role of agitator?

Should America stand back and say, in effect, "Go on, boys, start fighting; we'll supply you with all the guns you want"?

Should America say, in effect, "Go on, England and France, blow them off the map; we are with you; we'll furnish the powder"?

Is that the way America wants to keep out of war?

Is that the answer of Christian America?

Is that what we teach our children in churches and schools all over the land?

We have heard much the last 5 weeks about our duty to supply arms and munitions of war to the democracies of Europe.

The democracies of Europe do not primarily want or need our arms or munitions. Their interest in our supplies was graphically illustrated in the 8 months before the present arms embargo went into effect. In that time England, France, and Poland together purchased and exported from this country just $1,000 worth of arms. They did not purchase nor export a single dollar's worth of ammunition, bombs, tanks, grenades, or explosives of any kind. To be sure, England did export some $5,000,000 worth of airplanes and airplane parts. But in the year before, 1938, when war was not imminent, England purchased and exported five times that amount of airplanes and airplane parts from us. England and France are not so interested in our supplies. They are interested in our commitment. They are interested in our changing from a policy of neutrality to one of participation. They would like to have us declare war now. If they cannot get that, they want us so involved that sooner or later we will be forced to declare war.

We have heard it said and often repeated these last 5 weeks that this is a war between Christian democracy and pagan totalitarianism. Such a statement, in my humble opinion, is unfounded.

If this is a war of Christianity versus paganism, of democracy versus totalitarianism, then why have the Christian democracies of Britain and France made an ally of Fascist and Mohammedan Turkey? Why? Because Turkey is the key to the Dardanelles, and the Dardanelles are power.

If this is a war of Christianity and democracy against paganism and totalitarianism, then why did Britain spend months trying to make an ally of the pagan and communistic tyranny of Russia, and why was Britain so disappointed when Russia signed an agreement with Germany? Why? Because pagan Russia was necessary for the encirclement and absolute blockade of Germany and the final crushing of Germany into submission.

Let us be honest about this thing. This is not any war of Christianity versus paganism. It is not a war of democracy versus totalitarianism. It is the same old war for the supremacy of Europe.

Twenty-one years ago it was fought under the banner of a war to end all wars. This time it is trying to get under the banner of antitotalitarianism. But it is still the same old war under any banner.

Repeal of the embargo on arms and munitions to belligerent nations, I firmly believe, not only is the first step toward war but is the first step toward the loss of freedom and liberty and the democratic form of government on this continent.

Four years ago we told the world what our neutrality position was to be. It was a policy adopted practically unanimously in calm and considered deliberation, free from the hatreds and prejudices of war, free from the pressure of other interests and free from the influence of party elections.

It was a policy of strict neutrality with the implements of destruction for no one.

Today I am for that same strict neutrality—not for piecemeal participation in anyone's war.

If America today refuses to abandon her arms embargo, refuses to swerve from her path of strict neutrality, we may, with a clear conscience, again turn our attention to the solution of our own problems here at home—and I might say that we still have plenty of them.

But if America is to manufacture and sell for a few paltry dollars the means and materials for the destruction of millions of human beings; if America is to start taking part in Europe's wars while attempting to hide behind the cloak of neutrality, then I say to you that we have indeed adopted a "sordid procedure."

Mr. MAPES. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I sincerely hope and pray that the House of Representatives, this body composed of Democrats and Republicans from every State in the Nation, who were all elected by the people less than 1 year ago to be their

mouthpiece in Congress, will be allowed ample time in which to amend and debate this Joint Resolution 306 on neutrality; because, Mr. Speaker and Members of the House, I am sure you will agree, as will the great majority of the American people, that this question now before us is by far the most vital and when enacted will have more bearing on the lives of those who live in America today, as well as those yet unborn, than any law which this Congress has passed since war was declared in 1917. Yes; this question now before us might easily be more vital than any law ever passed in American history. True, the Senate has debated this bill at some length, but you must remember ours is a two-house government—let us keep it ever thus. Let us guard the rights of our people.

Now, Mr. Speaker, any attempt to shut off reasonable time for debate and amendments on this all-important question will, you may be sure, meet with the most emphatic disapproval of the American people. I trust, Mr. Speaker, we will have at least 10 legislative days in which to consider this bill. It might even be best for the American people, as well as the people in the rest of the world, if this House would be given months to consider this bill, as from all indications the conflicting forces in Europe are now marking time, the war lords are apparently waiting to see what this body does before they pull the trigger on the starting gun. In view of this fact, why not keep them marking time.

Let us be cautious now. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Speaker, whether or not partisan politics is to play any part in the consideration of this bill, it is probably useless to debate, and whether or not they do will be shown by the vote that is finally taken on the bill proper.

I have heard today and have been reading in the newspapers ever since the body at the other end of the Capitol has had this matter under consideration, time and time again, statements that the lifting of this embargo was going to throw this country into war. Mr. Speaker, I challenge any man to show me where any legislation passed by this Congress, outside of the vote for the war resolution itself, ever affected for 1 minute the time of the entry of this country into war. It seems to me a bit ridiculous to say that the passage of a law by this Congress would affect our getting into war. It is not legislation that sends nations to war; it is the war hysteria that catches the people. It is the effect of propaganda, it is the effect of heated speeches by statesmen and others that get people into war.

Now, I am in hearty sympathy with the motives that inspire differences of opinion on this bill. I am sure that everyone has an honest opinion as to whether or not this embargo should or should not be lifted, but I am not in sympathy at all with screaming that the mothers and fathers of this country are demanding that this not be done because it will keep us out of war.

Neither am I in sympathy with anyone who, in attempting to justify his position either for or against this legislation, proclaims to the world that he is taking that position because of his great love for the mothers of the United States. I yield to no man in my affection for and my deep abiding interest in those people who are the parents of the present generation.

If partisan politics could be kept entirely out of the consideration of this measure there is not a man in this body but that would be given credit for being motivated only by the sincerest desire to do that thing which would best guarantee our staying out of the present conflict.

It will be interesting when the vote is taken on this rule to notice how solidly our Republican brothers stand in opposition to the rule. The fact that they are not in any way guided in their action by partisan politics but only by a desire to protect the mothers of this country and keep us out of war is nothing short of a remarkable coincidence when you discover that for the most part the division of thought as to whether or not the rule should be adopted conforms in such a major proportion to the center aisle of this Chamber, which divides the Democrats and the Republicans.

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Speaker, this is a "phoney" rule on a "phoney" bill [laughter], the neutrality bill that now comes before us. The new part is not neutral and the good part is not new. Thirteen of the eighteen sections are from our present law.

The new bill does not provide cash and carry as the American people understand it. The President has power now to invoke cash and carry if he wants to.

We are to repeal the embargo to help in a holy war. In the name of the Prince of Peace we are to help kill men, women, and children over there. In the name of neutrality we are to enact a law that helps the Allies in six different ways. In the name of open debate, we are to adopt a rule that gives us five chances to say anything to our conferees. In the name of unlimited debate we are to adopt a rule under which an agreement has already been reached by the leaders who are controlling this as to the length of time. Last spring we heard in some way or other that our frontier was on the Rhine. Under this rule, while it does not appear in writing, it appears that the frontier of this debate is tomorrow evening. It seems to me that what we should do is to vote down this rule and let the House take control of its own action, and not have "phoney" consideration of this "phoney" neutrality bill. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker, through the courtesies of various speakers I have presided over the bill debated here in the House affecting our course when we might be engaged in war and when other nations were at war. For days several years back we discussed a high-sounding measure which was alleged to take the profits out of war. In an emotional spirit the House passed it, and we never heard of it again in the other body. Then came the neutrality act of 1935, which was debated at length, and again in 1937 I sat in the Chair for over 15 hours and heard the present law discussed from every angle. Therefore, I believe that I have a reasonable knowledge of the historic background of these measures.

One afternoon in March 1937, while the present law was in the amendment stage, there arose on the minority side of the House a great statesman, a clear and profound thinker, and above all, a great American, the able and disinguished gentleman from New York [Mr. WADSWORTH]. [Applause.] In 5 minutes he packed more into a speech than could ordinarily have been said in an hour, and although I was not 1 of the 13 who voted against that bill, the soundness of the argument of the gentleman from New York in his opposition to it was unanswerable. I voted for the present law, as did a large number, because, to say the least, it had the appearance of being a beautiful gesture, because I thought at the time it might serve notice to the world of the American desire for peace. I believed then that it was impossible to legislate on such a thing as a future war with all of its far-reaching implications. I did not wait until last June to frankly say, on many public occasions, that I had made a mistake. For over a year I have regretted ever casting that vote. I voted in the Committee of the Whole in June to return to the sane principles of international law. I am in favor of the Senate amendment because I believe, from the bottom of my heart and with all of the sincerity I possess, we are much more liable to keep out of the present conflict in Europe with that proposed law than we are under the present law. Under the Senate amendment we have surrendered cherished American traditions, fought for in the days of John Paul Jones and preserved on down through the decades, but we do that and many other things in our desire and determination to give the Nation a real neutrality program and to wipe from the books our present unneutral statute.

Mr. Speaker, I wish I had time today to discuss both the present law and the proposed changes with all of their well-conceived safeguards.

What about this rule? We have already heard it charged that it is a gag rule. When someone is opposed to anything

and has no other speech to make he comes in and says that the accredited organization of the House has brought in a rule to stifle debate. That is nothing but mere twaddle and tommyrot. We are proceeding here today under the regular rules of the House that have stood the test for years and years. It would be an unheard-of thing, Mr. Speaker, if we did not send this bill to conference. We would then have legislative chaos. A gentleman arose on the minority side a few moments ago and said that this matter ought to be discussed for 30 days or even 6 months. I wonder if that gentleman realizes that during that period when he desires this measure to be discussed our merchant vessels could travel to belligerent ports and belligerent waters carrying contraband of war, with all of its dangers. The American people are looking to us for action and immediate action. [Applause.]

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. MAPES. Mr. Speaker, I yield the remainder of my time to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I have the highest regard for the members of the Rules Committee. I like them all personally. I am proud to be a member of that committee, and I dislike to say what I am about to say, because it differs with the views of those on the majority side. We have been waiting here in this House for 5 or 6 weeks to debate the neutrality bill as acted upon by the Senate. They struck out everything after the name of the bill and the enacting clause that we sent over there last June and rewrote an entirely new bill. They struck out 14 pages and inserted 18 new pages in the bill. There is no criticism of the Senate on my part, they had a right to legislate and did. We have now before us practically an entirely new bill to discuss. I say without fear of contradiction, and I use the word advisedly, and I intend to prove it, that this rule which we are now discussing—and I am going to confine my entire time to the rule and not to the bill—shuts off adequate debate. After 5 weeks there are literally hundreds of Members in this House, 50 or more on both sides, who want to be heard, who are literally burning up because they want to speak and explain their votes, or give their reasons why they are for the bill or against it, and an opportunity to discuss the merits or demerits of the proposal.

This rule, as I said yesterday, and repeat again today, is one of the most vicious gag rules ever written in the history of this House. I do not say it is not the regular order. I admit it is the regular order, but I say that it gags the House. It means that there will be no general debate whatsoever; not one word of general debate. Under this particular rule a Member rises, he is recognized by the Speaker, and he then presents his amendment or motion to instruct conferees, and he is recognized for 1 hour. It may be, if we sit here for several days, there will not be more than 15 or 20 Members who will even get a chance to speak in the House of Representatives. If that is not a gag rule, then I do not know the meaning of a gag rule. That is what the rule calls for. I hope the procedure will be changed later on by unanimous consent. What I am pleading for is simply this: The proposal we are about to consider is probably the most important that has been before the House in 20 years. We have to vote on the consideration of a neutrality bill that may involve us in war. We are gambling with the lives of our people and the security of our Nation. Yet we are told that this bill, as written in the Senate, when it comes back here, cannot be considered by us even in general debate. What I want is to have this rule voted down and then send the bill as amended in the Senate in an orderly way to the Committee on Foreign Affairs. Let them go over the amendments in 2 days' time, bring it back to the House, open it up for 12 hours of general debate, and then 12 hours more under the 5-minute rule. This would be a fair and equitable method. There is no disposition whatever on our side or on any side that I know of to delay the consideration of the bill or to filibuster. We want orderly processes. We want an opportunity not only to discuss the bill but to amend the bill under the 5-minute rule.

Let me read what the Constitution of the United States has to say:

> All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and a House of Representatives.

If we delegate away our power to the Senate to write this neutrality legislation, then we cease to exist as an independent legislative body. We will be merely a name and a shadow, and a "rubber stamp" and puppet for the Senate or the administration. We have no power whatever under this rule to enter into general debate or a general discussion of the merits or demerits of the Senate amendments, and very limited power, only to offer five different amendments, as I understand it, to the bill. Now, if that is not a real gag rule on the Members of the House, then I would like to know what a gag rule is.

The House too often suffers by comparison with the Senate. I am not willing to concede that the Senate is superior to the House in any respect. It is all right for the older Members of the House, like the gentleman from Georgia [Mr. COX], or the gentleman from Texas [Mr. RAYBURN], or any of the older Members, to vote for this gag rule or vote any way they want to in the House of Representatives. They come from sure districts, but those on both sides who vote for a gag rule on this important piece of legislation, in my humble opinion, are committing political suicide. This is the kiss of political death for those from close districts, if they vote to cut off debate upon the arms embargo and neutrality bill under a gag rule, and turn over our legislative powers to the Senate and the President.

I have served in this House for 20 years. I believe in the House of Representatives. I believe it is a representative and deliberative body. I want, above all, to maintain the power, prestige, dignity, and reputation of the House of Representatives as a representative body, and a separate legislative body that will defend its rights to legislate.

I submit without fear of contradiction that if you vote for this rule we will not be able to properly legislate, that we will have no chance for general debate, and that we cut off from proper consideration of amendments. We are allowed 5 amendments to amend a Senate bill of 18 pages on the most important bill with which this House has ever been confronted. You Democrats have it in your hands. This rule is not a political question. Any Republican or Democrat ought to be able to vote any way he wants to on a rule, but it seems to me that any Democrat could vote for a rule that gives ample time for debate and which sends the bill to the Committee on Foreign Affairs, their own committee, to consider, amend, and report back to the House so that we will have an opportunity to debate and amend the bill further in the proper and orderly way. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the balance of my time to the majority leader, the gentleman from Texas [Mr. RAYBURN].

The SPEAKER. The gentleman from Texas [Mr. RAYBURN] is recognized for 6 minutes.

Mr. RAYBURN. Mr. Speaker, I hope I may be able to make a statement and not later in the debate be accused of lecturing this House.

Throughout the long debate in the Senate on this very important measure the papers were filled with praise of the high plane upon which the debate was pitched, free of personalities, according to every man who spoke honesty of conviction. There were no "boos" in the Senate, there were not accusations of phoney bills. I trust that when this debate is closed the House of Representatives that I so much love, and membership in which I so much cherish, can have the same thing said about it. [Applause.]

Mr. Speaker, not since I have occupied the position in the House organization I now occupy have I asked the Rules Committee to report a closed rule or a so-called gag rule. Let me say in reply to the gentleman from New York [Mr. FISH] that this is the most liberal rule that could be brought in by the Committee on Rules under the circumstances. [Applause.] No man in this House can vote against the

adoption of this rule providing orderly procedure of the bill in the House on the theory that it is anything but a wide-open rule.

The minority leader knows that nobody on this side of the House intends to try to gag this House. I have said from the beginning that I stood for liberal debate upon this measure when it was returned from the Senate, and that is what this rule allows. If my memory serves me correctly I so stated to the minority leader and further stated that if a motion were made to order the previous question within a shorter period than 2 days that I myself would resist the adoption of the motion. [Applause.]

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield at that point?

Mr. RAYBURN. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I wonder if we cannot clarify the situation in order to have orderly debate when the bill is brought before the House.

Under the ordinary rules, if the pending rule be adopted, any Member can be recognized for an hour. The gentleman knows that under such situations there would be more or less chaos and confusion. How can it be arranged so that time for the debate can be divided equally between both sides of the question? Furthermore, I believe the Members should know when a vote is to be had on any of these instructions that may be offered. As I understand the pending rule, under its operation we could vote on an instruction within an hour, or not until the next day. I believe that the membership before they voted on any one of these amendments would like to have some time to discuss it. What are the views of the majority leader on this subject?

Mr. RAYBURN. I may say to the distinguished minority leader that it is my purpose, as he knows—and he and I should always take the House into our confidence—after the adoption of this rule it is my purpose to ask for the remainder of the day, at least, that the time for debate be controlled equally by the gentleman from New York [Mr. BLOOM] and the gentleman from New York [Mr. FISH]. This I believe to be the orderly way in which to conduct this debate.

When the motion to instruct the conferees is made and an amendment to that motion is offered, the amendment is not voted on until the previous question on the amendment is ordered. Debate could run along on any of the amendments until the previous question was ordered on the motion to instruct and all amendments thereto and substitutes therefor. This would allow the Members to know that in all probability votes would not be taken until Thursday afternoon. This is my answer to the gentleman from Massachusetts with reference to procedure. I believe this would be the orderly way in which to do the job. But, back to this rule.

This is an open rule. It gives, and we intend that it should give, liberal debate. No effort was made by anybody in the majority to fix the time and say that we should vote at a specific day and hour, because the matter of ordering the previous question which determines when the vote will come, is entirely in the hands of the House after the rule is adopted and after debate is had. [Applause.] The proper way to proceed, therefore, is to adopt this rule and go into an orderly consideration of this measure. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired; all time has expired.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

Mr. FISH. Mr. Speaker, I ask for the yeas and nays on the previous question.

Yeas and nays were ordered.

The question was taken; and there were—yeas 237, nays 177, answered "present" 2, not voting 12, as follows:

[Roll No. 2]

YEAS—237

Allen, La.	Barden	Beckworth	Boehne
Allen, Pa.	Barnes	Bell	Boland
Arnold	Bates, Ky.	Bland	Boren
Ball	Beam	Bloom	Boykin
Bradley, Pa.	Faddis	Lanham	Rayburn
Brooks	Fay	Larrabee	Richards
Brown, Ga.	Ferguson	Lea	Robertson
Bryson	Fernandez	Leavy	Robinson, Utah
Buck	Fitzpatrick	Lesinski	Rogers, Okla.
Buckler, Minn.	Flaherty	Lewis, Colo.	Romjue
Bulwinkle	Flannagan	McAndrews	Ryan
Burch	Flannery	McArdle	Sabath
Burgin	Folger	McCormack	Sacks
Byrne, N. Y.	Ford, Leland M.	McGehee	Sasscer
Byrns, Tenn.	Ford, Miss.	McGranery	Satterfield
Byron	Ford, Thomas F.	McKeough	Schaefer, Ill.
Caldwell	Fulmer	McLaughlin	Schuetz
Camp	Garrett	McMillan	Schulte
Cannon, Fla.	Gathings	Maciejewski	Schwert
Cannon, Mo.	Gavagan	Magnuson	Scrugham
Cartwright	Geyer, Calif.	Mahon	Secrest
Casey, Mass.	Gibbs	Maloney	Sheppard
Celler	Gore	Mansfield	Sirovich
Chandler	Gossett	Marcantonio	Smith, Ill.
Chapman	Grant, Ala.	Martin, Colo.	Smith, Wash.
Clark	Green	Martin, Ill.	Smith, W. Va.
Claypool	Gregory	Massingale	Snyder
Cochran	Griffith	May	Somers, N. Y.
Coffee, Wash.	Hare	Merritt	South
Cole, Md.	Harter, Ohio	Mills, Ark.	Sparkman
Collins	Havenner	Mills, La.	Spence
Colmer	Hendricks	Mitchell	Starnes, Ala.
Cooley	Hennings	Monroney	Steagall
Cooper	Hill	Mouton	Stearns, N. H.
Courtney	Hobbs	Murdock, Ariz.	Sullivan
Cox	Hook	Murdock, Utah	Sumners, Tex.
Cravens	Houston	Myers	Sutphin
Creal	Hunter	Nelson	Tarver
Crowe	Izac	Nichols	Tenerowicz
Cullen	Jacobsen	Norrell	Terry
Cummings	Jarman	Norton	Thomas, Tex.
D'Alesandro	Johnson, Luther A.	O'Connor	Thomason
Darden	Johnson, Lyndon	O'Day	Vinson, Ga.
Delaney	Johnson, Okla.	O'Neal	Voorhis, Calif.
Dempsey	Johnson, W. Va.	O'Toole	Wallgren
DeRouen	Jones, Tex.	Pace	Walter
Dickstein	Kee	Parsons	Ward
Dies	Kefauver	Patman	Warren
Dingell	Keller	Patrick	Weaver
Disney	Kelly	Patton	West
Doughton	Kennedy, Martin	Pearson	Whelchel
Doxey	Kennedy, Md.	Peterson, Fla.	White, Idaho
Drewry	Kennedy, Michael	Peterson, Ga.	Whittington
Duncan	Keogh	Pierce, Oreg.	Williams, Mo.
Dunn	Kerr	Plumley	Wood
Durham	Kirwan	Poage	Woodrum, Va.
Eberharter	Kitchens	Polk	Zimmerman
Edmiston	Kleberg	Ramspeck	
Elliott	Kocialkowski	Randolph	
Ellis	Kramer	Rankin	

NAYS—177

Alexander	Engel	Kean	Rogers, Mass.
Allen, Ill.	Englebright	Keefe	Routzohn
Andersen, H. Carl	Evans	Kinzer	Rutherford
Anderson, Calif.	Fenton	Knutson	Sandager
Anderson, Mo.	Fish	Kunkel	Schafer, Wis.
Andresen, A. H.	Fries	Lambertson	Schiffler
Andrews	Gamble	Landis	Seccombe
Angell	Gartner	LeCompte	Seger
Arends	Gearhart	Lemke	Shafer, Mich.
Ashbrook	Gehrmann	Lewis, Ohio	Shanley
Austin	Gerlach	Luce	Shannon
Barry	Gifford	Ludlow	Short
Barton	Gilchrist	McDowell	Simpson
Bates, Mass.	Gillie	McLean	Smith, Conn.
Blackney	Graham	McLeod	Smith, Maine
Bolles	Grant, Ind.	Maas	Smith, Ohio
Bradley, Mich.	Gross	Mapes	Springer
Brewster	Guyer, Kans.	Martin, Iowa	Stefan
Brown, Ohio	Gwynne	Martin, Mass.	Sumner, Ill.
Burdick	Hall	Mason	Talle
Carlson	Halleck	Michener	Taylor, Tenn.
Carter	Hancock	Miller	Thill
Case, S. Dak.	Harness	Monkiewicz	Thomas, N. J.
Chiperfield	Harrington	Moser	Thorkelson
Church	Hart	Mott	Tibbott
Clason	Harter, N. Y.	Mundt	Tinkham
Clevenger	Hartley	Murray	Tolan
Cluett	Hawks	O'Brien	Treadway
Coffee, Nebr.	Healey	O'Leary	Van Zandt
Cole, N. Y.	Heinke	Oliver	Vorys, Ohio
Connery	Hess	Osmers	Vreeland
Corbett	Hinshaw	Pfeifer	Welch
Costello	Hoffman	Pierce, N. Y.	Wheat
Crawford	Holmes	Pittenger	White, Ohio
Crowther	Hope	Powers	Wigglesworth
Culkin	Horton	Rabaut	Williams, Del.
Curtis	Hull	Reece, Tenn.	Winter
Dirksen	Jarrett	Reed, Ill.	Wolcott
Ditter	Jeffries	Reed, N. Y.	Wolfenden, Pa.
Dondero	Jenks, N. H.	Rees, Kans.	Wolverton, N. J.
Douglas	Jensen	Rich	Woodruff, Mich.
Dowell	Johns	Risk	Youngdahl
Dworshak	Johnson, Ill.	Robsion, Ky.	
Eaton	Johnson, Ind.	Rockefeller	
Elston	Jones, Ohio	Rodgers, Pa.	

ANSWERED "PRESENT"—2

Kilday	Taber

NOT VOTING—12

Bender	Curley	Marshall	Taylor, Colo.
Buckley, N. Y.	Darrow	Smith, Va.	Vincent, Ky.
Crosser	Jenkins, Ohio	Sweeney	Wadsworth

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Taylor of Colorado (for) with Mr. Taber (against).
Mr. Kilday (for) with Mr. Marshall (against).
Mr. Wadsworth (for) with Mr. Bender (against).
Mr. Crosser (for) with Mr. Jenkins of Ohio (against).
Mr. Smith of Virginia (for) with Mr. Darrow (against).
Mr. Buckley of New York (for) with Mr. Sweeney (against).

General pairs:

Mr. Vincent of Kentucky with Mr. Curley.

Mr. TABER. Mr. Speaker, is the gentleman from Colorado, Mr. TAYLOR, recorded?

The SPEAKER. He is not recorded.

Mr. TABER. Mr. Speaker, I had a pair with the gentleman from Colorado, Mr. TAYLOR. I voted "nay." He would have voted "yea." I now withdraw my vote and change it to "present."

Mr. BLAND. Mr. Speaker, I desire to announce that my colleague the gentleman from Virginia, Mr. SMITH, is seriously ill. He has a pair. If present, he would have voted "yea."

Mr. KILDAY. Mr. Speaker, on this roll call I voted "yea." I have a pair with the gentleman from Ohio, Mr. MARSHALL, so I withdraw my vote of "yea" and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

Mr. FISH. Mr. Speaker, I ask for the yeas and nays on agreeing to the resolution.

The yeas and nays were refused.

The resolution was agreed to.

The SPEAKER. The Chair is prepared to appoint conferees.

Mr. RAYBURN. Mr. Speaker, if this is the proper time, I desire to prefer the unanimous-consent request to which I referred a moment ago.

The SPEAKER. The Chair is of the opinion that if any motion is to be offered on this question it should be presented at this time.

Mr. SHANLEY and Mr. FISH rose.

Mr. SHANLEY. Mr. Speaker, I send to the Clerk's desk a motion to instruct the conferees.

The SPEAKER. The gentleman from New York [Mr. FISH] is entitled to be recognized if he so desires.

Mr. FISH. Mr. Speaker, I gladly yield to the gentleman from Connecticut [Mr. SHANLEY] because he has a similar motion. I yield to him to offer the motion to instruct the conferees.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. SHANLEY moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on House Joint Resolution 306 be instructed to insist upon the following as section 2:

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"(c) The President shall, from time to time, by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include bombs, torpedoes, poison gas, flame throwers, and the other articles enumerated in the President's proclamation No. 2337 of May 1, 1937, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

"(d) Whoever, in violation of any of the provisions of this act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than $10,000, or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245).

"(e) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"(f) Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed or forfeitures incurred prior to such revocation."

Mr. MAPES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Connecticut yield to the gentleman from Michigan for a parliamentary inquiry?

Mr. SHANLEY. I yield, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MAPES. Mr. Speaker, the question has been frequently asked whether subsequent motions to instruct the conferees shall take the form of amendments to the pending motion or whether, if this motion should be either voted up or voted down, separate motions may be made to instruct the conferees on other provisions of the legislation.

The SPEAKER. In answer to the parliamentary inquiry of the gentleman from Michigan, the Chair will state that under the rules of the House only one motion to instruct the conferees is permissible, but that motion is subject to amendment.

Mr. MAPES. So the answer of the Speaker is that other Members who desire to have the conferees instructed in other respects must present their motions in the form of amendments to the pending motion?

The SPEAKER. Or in the form of a substitute to the original amendment.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Connecticut yield to the gentleman from Mississippi for a parliamentary inquiry?

Mr. SHANLEY. I yield, Mr. Speaker.

Mr. RANKIN. How much time for debate do we have on this motion, and how is the time to be controlled?

The SPEAKER. Under the present situation in the House, the gentleman from Connecticut is entitled to 1 hour.

Mr. MAPES. Mr. Speaker, may I submit a further parliamentary inquiry?

The SPEAKER. Does the gentleman from Connecticut yield for that purpose?

Mr. SHANLEY. I yield, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MAPES. There seems to be an idea in the minds of some that the amendments that can be offered to this motion are limited to four in number. I do not know where that idea comes from. My own thought is that, of course, the number that can be pending at any one time is limited, but as one amendment is disposed of, further amendments can be presented indefinitely.

The SPEAKER. The Chair is confident that the gentleman from Michigan can answer his own parliamentary inquiry, because he is a very capable parliamentarian.

Mr. MAPES. My answer would not be official, and I wanted to have it official.

The SPEAKER. The Chair will read into the RECORD, in answer to the inquiry, Rule XIX of the Rules of the House, "Of Amendments":

When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is per-

fected, but either may be withdrawn before amendment or decision is had thereon. Amendments to the title of a bill or resolution shall not be in order until after its passage and shall be decided without debate.

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Connecticut yield to the gentleman from Massachusetts?

Mr. SHANLEY. I yield to the gentleman from Massachusetts, Mr. Speaker.

Mr. MARTIN of Massachusetts. For the information of the House, is it correct that an amendment to the motion to instruct conferees offered by the gentleman from Connecticut is in order at any time until the previous question is ordered?

The SPEAKER. If a Member gets recognition to offer an amendment and it is germane to the subject matter of either the House or Senate bill.

The Chair thinks it important in construing the rules, for the information of all Members of the House, to state that it must always be remembered that an amendment must be germane to the subject matter under consideration. In this instance it means the amendment must be germane to some provision in the Senate amendment to the House joint resolution or in the House joint resolution itself.

The Chair may state, in order fully to clarify this matter so there may be no misunderstanding or confusion about the rights of Members—and there is no legitimate ground for confusion on this question—that now that a motion has been offered by the gentleman from Connecticut to instruct the conferees, an amendment to that motion will be in order if germane, and to that amendment an amendment may be offered if germane. To the original amendment to the motion a substitute may be offered and an amendment to the substitute may be offered, as declared by the rule which the Chair has just read, and all five of those propositions may be pending at the same time. The rule provides, however, the method in which they shall be called for disposition.

Mr. HEALEY, Mr. RAYBURN, and Mr. MAPES rose.

The SPEAKER. Does the gentleman from Connecticut yield, and if so, to whom?

Mr. SHANLEY. I would prefer to yield to the majority leader, because he has been on his feet during the last five colloquies.

The SPEAKER. The Chair did not know that the gentleman from Texas was seeking recognition.

Mr. RAYBURN. I was not seeking recognition, Mr. Speaker, because other Members were submitting parliamentary inquiries. I am somewhat confused now about what the situation will be with regard to my proposed unanimous-consent request dealing with a division of the time. The gentleman from Connecticut now has an hour in his own right. I intended to ask unanimous consent that debate for today on the motion to instruct be equally divided.

The SPEAKER. If the unanimous-consent request which the gentleman from Texas has in mind is agreed to, it will change the rule and the right of the gentleman from Connecticut to use 1 hour.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that debate on the motion to instruct the conferees and amendments thereto may be equally divided and controlled by the gentleman from New York [Mr. BLOOM] and the gentleman from New York [Mr. FISH]. I make that request for today, Mr. Speaker.

Mr. SABATH. Reserving the right to object, Mr. Speaker, the gentleman from Connecticut has offered a motion to instruct conferees and has the floor.

The SPEAKER. The Chair is of the opinion that the unanimous-consent request would govern the gentleman from Connecticut.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The gentleman from New York under the unanimous-consent agreement just made may now yield to the gentleman from Connecticut such time not exceeding an hour as he desires to yield.

Mr. MAPES rose.

The SPEAKER. The gentleman from New York is entitled to recognition at this juncture.

Mr. FISH. Mr. Speaker, if I have the time, I would like to yield first to the gentleman from Michigan [Mr. MAPES] for a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan is recognized.

Mr. MAPES. Mr. Speaker, I will put it in the form of a suggestion. It would seem to me that to clarify the situation the Speaker should supplement his statement by adding a further statement to the effect that after any substitute and pending amendments are disposed of, if the substitute is not adopted, other amendments may be suggested.

The SPEAKER. They may, of course, be offered, if germane, unless the previous question has been ordered.

Mr. HEALEY. Mr. Speaker, a parliamentary inquiry.

Mr. FISH. Mr. Speaker, I have not yielded to anyone as yet. I yield to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Speaker, will the Chair now inform us of the parliamentary status? In other words, how much time has the gentleman from Connecticut [Mr. SHANLEY] allotted to him on his amendment, and how much total time will the House have to debate the amendment offered by the gentleman from Connecticut?

The SPEAKER. In answer to the inquiry, a motion is now before the House offered by the gentleman from Connecticut to instruct the conferees. The gentleman from New York, under the unanimous-consent agreement, controls one-half of the time for debate today on that motion. How much time does the gentleman from New York yield the gentleman from Connecticut?

Mr. FISH. Mr. Speaker, I yield the gentleman from Connecticut one-half hour.

Mr. SHANLEY. Mr. Speaker, the amendment which the Clerk has just read places the so-called arms, ammunition, and implements of war embargo in the Pittman bill with the additions of poisonous gases, flame throwers, and so forth, the entire gamut of which all pass the acid-test question of acceptability, Do they strengthen our neutrality?

I am for any change which will augment and buttress our neutrality. I am for the Wolcott amendment, for example, because it will add a further bulwark to the Johnson-McReynolds embargo on loans to debtor nations. I venture to say that added prohibition against financial transactions with any foreign government in default on its obligations to us is necessary for any study of Public Resolution No. 151 in the Seventy-third Congress will disclose the opening in the legislation which does not cover such agencies as the Export-Import Bank. I am obviously opposed to the contemplated Vorys amendment as that must be judged as a weakening of this instant amendment, especially when the purpose is to permit the sale of aeronautical implements and peacetime airplanes, with full knowledge that they may be converted for war purposes when dismantled abroad.

It is ridiculous to say that we cannot change our rules once war starts. To believe in that would amount to a virtual foreclosure of the use of our diplomatic weapons. We who champion what we consider the historic principles and precepts of our contributions to international law know that it is in wartime especially that rules must be changed when our neutrality is threatened.

We wish to be sincerely neutral because we also realize that the best post for our America is that of a possible peacemaker—a prospect that will be jeopardized by a manifest course of unneutrality such as the Pittman bill entails.

The utterance that has had the most tragic aftermath in all spoken language was that of the noblest-intentioned leader in American history, Woodrow Wilson. He had said in 1914:

> Once lead this people into war, and they will forget there ever was such a thing as tolerance. To fight you must be brutal and ruthless, and the spirit of ruthless brutality will enter into the every fiber of our national life, infecting the Congress, the courts,

the policeman on the beat, the man on the street. * * * Yes; it means that we will lose our heads along with the rest and stop weighing right and wrong. * * * It means an attempt to reconstruct a peacetime civilization with war standards, and at the end of the war there will be no bystanders with sufficient power to influence the terms. There won't be any peace standards left to work with. There will only be war standards.

Unforgettably, too, he had with that rare oratory and equally rare felicity of expression stated that:

My fondest dream for America is to so conduct herself that when the time comes for peace we may be ready to assist in a way that will permit the utmost use of our immense reservoir of natural advantages, prestige, and influence.

Mr. Speaker, in my humble judgment we forswear that ideal if we defeat this amendment.

Two profound international authorities have characterized the Pittman bill thusly:

The manipulation of American governmental control already established through a statutory embargo with the deliberate design of aiding a particular group of warring powers by an effort that takes cognizance of their relative supremacy at sea is a deliberate taking of sides, which marks an intervention in the conflict. Such intervention is not impartial in spirit and is not abstention from participation in the war. It is, on the contrary, a specious form of interposition sought to be disguised under a cloak of professed equality of treatment of the opposing contenders. Yet the real character of such conduct shines out like a lighthouse in the fog.

Mr. Speaker, when the President signed his proclamation that meant being neutral to me in all its ramifications, implications, and fullest sincerity. Whatever efforts I had sanctioned and furthered in the sincere, militant efforts of the administration to prevent the outbreak of war were a thing of the past. My duty as I saw it was to fulfill all the historic implications of the Neutrality Act.

In the second paragraph of his proclamation the President said:

Whereas the United States is on terms of friendship and amity with the contending powers, and with persons inhabiting their several dominions * * * and whereas the laws and treaties of the United States * * * impose the duty of impartial neutrality during the existence of the contest, and

Whereas it is the duty of a neutral government not to permit or suffer the making of its territory or territorial waters subservient to the purposes of war * * *

The President then set out the laws of neutrality and he enjoined upon us this personal duty that—

No person within the territory and jurisdiction of the United States shall take part, directly or indirectly, in the said war, but shall remain at peace with all of the said belligerents, and shall maintain a strict and impartial neutrality.

I would ask you to think over this Executive injunction, remembering that we have done everything possible—with obvious exception—for the promotion of international cooperation since the World War but I think we ought to remember the admonition of George Washington and contrast it with the advice of President Wilson 118 years later and ask yourself how much more would the former have stood for his doctrine under the conditions of the latter. Here are the two quotations:

In his Farewell Address to the American people, President Washington said:

With slight shades of difference, you have the same religion, manners, habits, and political principles.

That was on the 19th of September 1796.

On August 18, 1914, President Wilson said:

The people of the United States are drawn from many nations, and chiefly from the nations now at war. It is natural and inevitable that there should be the utmost variety of sympathy and desire among them with regard to the issues and circumstances of the conflict. Some will wish one nation, others another, to succeed in the momentous struggle. It will be easy to excite passion and difficult to allay it.

Such divisions among us would be fatal to our peace of mind and might seriously stand in the way of the proper performance of our duty as the one great Nation at peace, the one people holding itself ready to play a part of impartial mediation and speak the counsels of peace and accommodation, not as a partisan, but as a friend.

He said further:

I venture, therefore, my fellow countrymen, to speak a solemn word of warning to you against that deepest, most subtle, most essential breach of neutrality which may spring out of partisanship, out of passionately taking sides. * * * I feel sure, that this Nation neither sits in judgment upon others nor is disturbed in her own counsels and * * * keeps herself fit and free to do what is honest and distinterested and truly serviceable for the peace of the world.

Woodrow Wilson went further than all others—far beyond the national into the international sense. What had happened since the war?

In his book, American Problems of Today, Prof. Lewis M. Hacker, in speaking of the election of Warren Gamaliel Harding, said:

On the issue of joining the League of Nations, it was difficult to understand where the Republican candidate stood. In one breath he denounced the treaty and all its works; in another he spoke of amending the Covenant of the League "so that we may still have a remnant of the world aspirations of 1918 builded into the world's highest conception of useful cooperation"; in still another he spoke of our participation in some vague "association of nations."

Observers agreed that it was not so much a victory for the platitudes and ambiguities of the Republican candidate as a vote in rejection of everything Wilson had stood for.

I know as well as you that the ultimate ideal of a League of Nations has so quickened the imagination of all that even the Republican standard bearer, Warren Harding, straddled the issue. I voted against Warren Harding in 1920. I was hopeful that Wilson's noble precepts might capture the unselfish imaginations of continental and far eastern sovereigns. I have been as disillusioned as many of you. With some interest I watched the heroic attempt of Kellogg and Briand in 1928 in the multilateral pact, of Stimson and Hoover in the Manchurian crisis to attempt the resurrection. Yes, I even watched with you as our own leader unfortunately attempted to help it in 1935 in Abysinnia.

Too poignantly I saw its utter hopelessness in a world of intrigue and deceit. I fought it when I came back in 1936; fought it because the nations who would benefit most were recusant to their chances. They had foresworn the inviting blue of a diplomatic sky. Then I realized as never before as Bemis has said in his study "A Diplomatic History of the United States":

There is no possibility for the United States ever being in that brotherhood of men until it becomes certain that the other great powers are surely willing to make unselfish sacrifices to keep the peace of the group. I am afraid that time will never come until there has been much more suffering by the human race. It must come at length or European civilization as we know it will perish from the earth.

There had been a victory and there had been a peace conference but the two decades since that victory have been years of increasing chaos, selfishness, engendered hatred, revanche, and bitterness. Does a victory with an enforced peace pay?

The most recent statement on this same concept of peace is in the encyclical of Pope Pius XII, the first of his pontificate where he says:

The hour of victory is an hour of external triumph for the party to whom victory falls but, it is, in equal measure, the hour of temptation. In this hour the angel of justice strives with the demons of violence; the heart of the victor all too easily is hardened; moderation and far-seeing wisdom appear to him weakness; the excited passions of the people, often inflamed by the sacrifices and sufferings they have borne, obscure the vision even of responsible persons and make them inattentive to the warning voice of humanity and equity which is overwhelmed or drowned in the inhuman cry, "Vae victis—woe to the conquered." There is danger lest settlements and decisions born in such conditions be nothing else than injustice under the cloak of justice.

No, venerable brethern; safety does not come to peoples from external means, from the sword, which can impose conditions of peace but does not create peace. Forces that are to renew the face of the earth, should proceed from within, from the spirit.

In the same encyclical the supreme Roman Catholic pontiff plead for—

A new order of the world, of national and international life, * * * resting no longer on the quicksands of changeable and ephemeral standards that depend on the selfish interests of groups and individuals. * * *

He hoped—

that they must rest on the unshakable foundation, on the solid rock of natural law and Divine revelation.

"The nobler a soul is the more objects of compassion it has," said Novalis; and to my mind the noblest political panorama of loftiest grandeur is that of the role of redresser of wrongs. It has only one superior parallel, the pluperfect precepts and practices of the Prince of Galilee. To a nation situated as we are on a pleasant promontory, relatively safe in our view of the horrendous sufferings of millions removed from us only in physical distance, this vista of a civilized role of political Samaritan challenges the imagination. "To govern men, you must appeal to their imagination," observed Napoleon. "Appeal to their souls, and you electrify their enthusiasm." The lure of a knight errant flows from every princely heart. Poland prostrate, Austria subverted, and Czechoslovakia betrayed, burden every man's allotment of civilized compassion.

I would hate to yield to any man in such feelings. Some corpuscles there may be, I hope, in me of a nation that invented romance to supplant lust that rose from an Iliad of woes to realize that it had given from its own threatening Celtic twilight the Arthurian legend—one of the world's rhapsodies in political brotherly love.

From time immemorial the speculations of men of intellectual attainments have been preoccupied in their search for the elusive elixir of international peace and cooperation. Plato tried—so did Plotinus, More, and Campanella, in a national sense—and in our age and generation Woodrow Wilson tried. But I leave those noble efforts now and I seek to impress upon you our duties under the neutrality proclamation—to my mind, a solemn promise to the world that we will adhere to the sincerest principles of strict and impartial neutrality.

Now, I do not ask in the words of that Victorian political liberal, William E. Gladstone:

> Is America so uplifted in strength above every other nation, that she can with prudence, advertise herself as ready to undertake the general redress of wrongs? * * * Is any power at this time of day warranted in assuming this comprehensive obligation * * * that she not encourage the weak by giving expectations of aid to resist the strong, but should rather seek to deter the strong by firm but moderate language from aggression on the weak?

Whether she is or not is not the question as I see it now after that September 5 proclamation. The question is, What is strict and impartial neutrality?

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from Connecticut states that this restores the present law to the bill. Does it interfere with those provisions adopted by the Senate to keep American ships and American citizens out of the war zone?

Mr. SHANLEY. Absolutely not.

Mr. RANKIN. It merely adds to those provisions?

Mr. SHANLEY. That is all.

Mr. BARTON. Will the gentleman yield?

Mr. SHANLEY. I yield to the gentleman from New York.

Mr. BARTON. I am very gratified at the remarks of the gentleman from Connecticut. He will recall that he and I voted last spring and made precisely the same argument which he is making today. He has quoted some very eminent authorities in support of our position and I think I should quote also the eminent authorities in this House, including the ranking member of the Committee on Foreign Affairs, the gentleman from Texas, who made the statement that if we took this action before the war started we would be committing an unneutral act. The gentleman from Pennsylvania [Mr. ALLEN] said, "The minute we change the existing provisions of any act after warfare has started we have changed the rules in the middle of the game, and we have then committed an unneutral act."

Mr. LUTHER A. JOHNSON. Will the gentleman yield, since my name has been mentioned as an authority?

Mr. SHANLEY. I yield to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. In an effort to keep war from breaking out in Europe, which we thought would not happen and which the speaker now addressing said in his judgment would not happen, I tried to have the House pass an adequate neutrality law at the last session of the Congress. In using the various arguments that we thought might be effective, I did say it might be charged that if we waited until after war broke out it would be unneutral and just what I predicted then has happened. I did not say at anytime that it would be unneutral. War has broken out and it is now being charged that we are unneutral. I do not agree, however, it is unneutral. [Laughter.]

Mr. FISH. Will the gentleman from Connecticut yield?

Mr. SHANLEY. Yes; certainly.

Mr. FISH. I just want to finish the statement read by my colleague the gentleman from New York [Mr. BARTON], as made by the gentleman from Pennsylvania [Mr. ALLEN]. He stopped his reading with the words:

> We have committed an unneutral act.

The statement, however, goes on:

> An unfriendly act towards one of the belligerents. That is a very dangerous possibility and would probably result in war for us.

Mr. SIROVICH and Mr. ALLEN of Pennsylvania rose.

Mr. SHANLEY. I yield to the gentleman from New York, the elder statesman.

Mr. SIROVICH. I believe the gentleman from Connecticut will agree with me that honest neutrality must be true neutrality in principle and in application. If it is not true in principle and if it is not true in application it is unneutral. If we adopt the principles the gentleman has suggested, it would simply mean a military and naval blockade by the Government of the United States against England and France for the benefit of Germany.

Mr. SHANLEY. That is right.

Mr. BARRY. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield to the gentleman from New York.

Mr. BARRY. With reference to the question of the gentleman from Massachusetts [Mr. MCCORMACK], as to which side is benefiting under present law, is it not true that England and France, and not Germany, are the nations that are now receiving everything except the actual finished weapons? We are not sending Germany anything by any affirmative act of ours. In 1937, when we passed this law, we told the whole world that in order to keep out of it we would not send the finished product to either side, so that actually under the present law help is going to Britain and France, whether we change the law or not.

Mr. HEALEY. Mr. Speaker, will the gentleman yield for a brief question?

Mr. SHANLEY. I yield to the gentleman from Massachusetts.

Mr. HEALEY. In the judgment of the gentleman, if we repeal the embargo now would it adversely affect one set of belligerents?

Mr. SHANLEY. Unquestionably.

Mr. HEALEY. Is not that the test of neutrality or unneutrality?

Mr. SHANLEY. The test of neutrality, as I see it, is the intent with which you change the law. If you sincerely try to change your law so that you will implement, improve, and strengthen rather than weaken your neutrality, that is all right.

No better definition of strict neutrality has ever been given than that of Borchard and Lage, in Neutrality for the United States, in these words:

> Neutrality is an old institution, which finds its source in candor, in the obligation to hold the scales even, to remain a friend of both belligerents, to lend support to neither, to avoid passing judgment on the merits of their war. It assures both belligerents that they are dealing with a friend, not a disguised enemy. The belligerents must know who is in the war and who is not. In return for obligations assumed by a neutral, the belligerents undertake to respect his rights as a neutral, including the right to remain out of other people's wars.

It was my intent last June, if we succeeded in returning to international law, to place this preamble as a declaration of policy by Congress:

> To rededicate our foreign policy to the principles and precedents of international law as enunciated in the historic practices of America;

to solemnize the realization that America should be the most militant guardian of neutral rights; to foster all efforts to restate international law; to modernize international law so as to obtain certainty in its rules and administration; to thus avoid fluctuations domestically and suspicions abroad from belligerents; to preserve this Nation from Old World antipathies and jealousies; to encourage the use of diplomatic measures to protect our interests under international law; to reiterate our opposition to entangling alliances or advance commitments; to pledge our aid for any and every effort to reduce or limit armaments by call of a world conference hereby requested of the President to reemphasize our confidence in the peaceful effects of world trade and of political independence and our unwillingness to shackle our foreign policy so as to render it impotent or dependent upon the acts of other nations, yet at the same time hereby to give notice of our implicit faith in the heritage of international law and our traditional policy of neutrality.

But let us review our historical principles. That was where real neutrality was born.

Historically after 1776 the United States enjoyed to a considerable extent separation from European influence. Yet despite that separation and that immunity it played a far more important part in the development of international law than perhaps at any other period. As a matter of fact, the regulations in regard to neutrality issued in 1793 enunciated the principles which subsequently became recognized and accepted. One of the outstanding authorities on international law has this to say:

The policy of the United States in 1793 constitutes an epoch in the development of the usages of neutrality. There can be no doubt that it was intended and believed to give effect to the obligations then incumbent upon neutrals. But it represented by far the most advanced existing opinions as to what those obligations were; and in some points it even went further than authoritative international custom has up to the present time advanced. In the main, however, it is identical with the standard of conduct which is now adopted by the community of nations.

From the very beginning our battle has been for freedom of commerce and navigation. Our contribution toward the development of exclusive rights on rivers, harbors, and gulfs, and other bodies of water had been epochal. We have believed consistently in the freedom of trade groups, the open door, and the development of every possible inlet and outlet of trade and commerce. In another field we have protected our citizens in their legitimate rights of trade and travel against oppression. In our liberalization of the rules of the sea and the land our efforts have been a distinct asset to international good will. In the last of these contributions outstanding has been our insistence and persuasion in the matter of international disputes and arbitration.

Foreign relations, especially interferences with the internal affairs of other nations, were at a low stage in our colonial days. Stimulating revolts and international disorders were part and parcel of the interfering propaganda of the day. Here is what an authority has to say:

Except for loss of a needed ally no state has ever been known to grieve at the political break-up of another. Thus England and France had assisted the Dutch and the Portuguese revolts against Spain; thus Great Britain furnished secret aid to the Corsican insurrectionists; thus France intrigued with the Irish; thus Prussia, Austria, and Russia meddled in the domestic politics of unhappy Poland, and partitioned that independent kingdom among themselves—to cite only a few obvious illustrations.

At the expense of their neighbors they sought as best they could—by alliances and by wars, by inimical and subterraneous intrigues and espionage in times of peace—to advance their vital interests: Great Britain, sea power, expanding colonial dominions, and spreading maritime commerce.

Spies were the order of the day, and in our pre-Constitutional days, yes, right during the Revolution, too, the British had sent over their secret No. 1 man, Paul Wentworth, to Paris, to ferret out information from Franklin and Deane. As a matter of fact, Dr. Edward Bancroft, the secretary to Deane, from the time of his arrival in France, was a secret-service operative of the British Empire. Deane did not know it, nor did Benjamin Franklin, when later Bancroft became a secretary to Franklin himself. None knew it but the British until a century later. Even after the treaty of peace, paid agents were retained in this country, the most famous of which was Maj. George Beckwith. He cultivated Alexander Hamilton.

Hamilton, the leader of this party, in effect had told Beckwith that in case the British had any trouble with Jefferson they could get around the Secretary of State to the President through him, the Secretary of the Treasury. Hamilton was pro-British in sentiment, because he realized the success of the United States Government, under the Constitution of 1787, depended more than anything else on financial credit.

Even at the time of the Genet affair we know that the British Minister was well informed by Hamilton of the situation here, while Thomas Jefferson began by giving some friendly advice to the French Minister, but the latter's excesses embittered Jefferson. Later Jefferson resigned in anger because of Hamilton's intermeddling in his Department. Hamilton saw a break with England as harmful, and Hamilton's conduct was a sore trial to all at that time, especially during the Jay treaty negotiations.

You will recall, as Bemis says:

Jay felt that he had obtained the best terms possible; but scholars who have since been able to review the documents, for a long time not open to perusal, now see that Hamilton's intimacy with the British Minister in Philadelphia, Hammond, enabled Lord Grenville to press Jay to the utmost line of concession. The new Secretary of State, Edmund Randolph, had instructed Jay to consult with the Swedish and Danish Ministers at London as to possible common action to be taken diplomatically against British maritime policy. Sweden and Denmark, in fact, did sign in April 1784 a new armed neutrality and invited the United States to come in. This invitation arrived after Jay's departure. Washington's Cabinet decided not to accept on the ground that it might be an entangling alliance. Hamilton told this to Hammond, who immediately relayed it to Grenville, who was very nervous about such a possibility. Thus reassured, he made no great concessions to Jay on the score of maritime rights. In addition to Hammond's sources of information from Hamilton, Grenville had a copy of the secret cypher of the Department of State.

Later, too, we know that the French Minister Adet, angered at the possible ratification of the Jay treaty, recommended that the French Directory should give some sign of disapproval of a reelection of President Washington.

They did it in the most flagrant attempt in history to influence an electorate—a vicious interference in the internal affairs of another nation. But the Directory had made one mistake. Washington did "not choose to run." Even Monroe made disloyal utterances advocating Washington's defeat which Washington later suspected. It ought to be said that the French had the same doubts about Jefferson. Their estimate of him is to my mind one of his epochal sentences of praise as well as of all patriotic Americans—

Jefferson is an American and as such cannot sincerely be our friend. An American is an enemy of all the people of Europe.

Thus the background of the Farewell Address is not one of isolation only, for Washington's experiences with foreign affairs, with the tie-ups with the French, and every contact abroad taught him to steer clear of foreign entanglements.

Washington excoriated foreign alliances, attachments, intrigues, overgrown military establishments, the open door to foreign influence and corruption through party passions, and permanent inveterate antipathies against particular nations or passionate attachments or habitual favors for others. He warned against ruining ourselves by artificial ties in the ordinary vicissitudes of her purity or the ordinary combinations and collisions of her friendships or enmities.

Steer clear of permanent alliances though we may safely trust to temporary "alliances for extraordinary emergencies" but only taking care to keep ourselves by suitable establishments on a "respectable defensive posture." His hope was a grown nation with a neutrality, scrupulously respected, so that belligerent nations would not lightly hazard provoking us.

It is evident how realistic Washington was about the possibility for "temporary alliances for extraordinary emergencies." He knew the price we were compelled to pay for the support of the French in 1778 for he realized the extraordinary emergency that had arisen. Even here he warns that such alliances should be but "temporary."

Again the realism of our first President is recognized when we read of his powerful plea for adequate defense. In his fifth annual address he says:

I cannot recommend to your notice measures for the fulfillment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defense and of exacting from them the fulfillment of their duties

toward us. The United States ought not to indulge a persuasion that contrary to the order of human events, they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. There is a rank due to the United States among nations which will be withheld if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

But the Congress was aware of these thoughts, too.

Thus, on June 12, 1783, it passed a resolution which reads in part:

The true interest of the States requires that they should be as little as possible entangled in the politics and controversies of European nations.

In 1780, John Adams had expressed a common sentiment when he wrote from Paris to the President of Congress:

Let us remember what is due to ourselves and to our posterity, as well as to them (European nations). Our business with them, and theirs with us, is commerce, not politics, much less war: America has been the sport of European wars and politics long enough.

The true concept of neutrality was expressed by one of our Federal courts in a famous case, often quoted:

The idea of a neutral nation implies two nations at war, and a third in friendship with both.

Or as John Quincy Adams expressed it, when Secretary of State, in a set of formal instructions to the United States ministers:

By the usual principles of international law, the state of neutrality recognizes the cause of both parties to the contest as just—that is, it avoids all consideration of the merits of the contest.

This may be abhorrent doctrine to the pure moralist or the agitated sentimentalist, but anything short of it points toward intervention—a course of conduct which is tantamount to belligerency and also certain involvement in war.

There is an ecclesiastical parallel for this in these words:

We might have much peace, if we would not busy ourselves with the sayings and doings of other people, and with things which concern us not. How can he long abide in peace who entangleth himself with other people's concerns; who seeketh occasions abroad; who little or seldom recollecteth himself interiorly? Blessed are the single-hearted, for they shall enjoy much peace.

No higher tribute to the statesmanship of Washington and his advisers could be paid than that rendered by Mr. Canning in 1823 in a speech before the House of Commons against the repeal of the British Foreign Enlistment Act of 1819. "If I wished," he said, "for a guide in a system of neutrality, I should take that laid down by America in the days of the presidency of Washington and the secretaryship of Jefferson." In later years an eminent writer on international law, Mr. W. E. Hall, gave the following estimate of the high standard of neutral duty adopted by the United States:

The policy of the United States in 1793 constitutes an epoch in the development of the usages of neutrality. There can be no doubt that it was intended and believed to give effect to the obligations then incumbent upon neutrals. But it represented by far the most advanced existing opinions as to what those obligations were; and in some points it even went further than authoritative international custom has up to the present time advanced. In the main, however, it is identical with the standard of conduct which is now adopted by the community of nations.

In 1803 war again broke out between France and England. The Republicans had come into power, but there was no clamor for an alliance with France. In his message to Congress on October 17, 1803, Jefferson expressed his "gratitude to that kind Providence which, inspiring with wisdom and moderation our late legislative councils while placed under the urgency of the greatest wrongs, guarded us from hastily entering into the sanguinary contest." He then proceeded to outline the attitude of neutrality which the Government intended to pursue.

In the course of this conflict let it be our endeavor, as it is our interest and desire, to cultivate the friendship of the belligerent nations by every act of justice and of innocent kindness; to receive their armed vessels with hospitality from the distresses of the sea, but to administer the means of annoyance to none; to establish in our harbors such a police as may maintain law and order; to restrain our citizens from embarking individually in a war in which their country takes no part; to punish severely those persons, citizens or aliens, who shall usurp the cover of our flag for vessels not entitled to it, infecting thereby with suspicion those of real Americans and committing us into controversies for the redress of wrongs not our own; to exact from every nation the observance toward our vessels and citizens of those principles and practices which all civilized people acknowledge; to merit the character of a just nation, and maintain that of an independent one, preferring every consequence to insult and habitual wrong. Congress will consider whether the existing laws enable us efficaciously to maintain this course with our citizens in all places and with others while within the limits of our jurisdiction, and will give them the new modifications necessary for these objects.

Prof. Charles G. Fenwick, who has labored long, sincerely, and strongly before our committee for legislation penalizing the aggressor, has this to say in his excellent book, The Neutrality Laws of the United States, about neutrality. He quotes from the April 22, 1797, proclamation by George Washington on neutrality and we find that the Father of his Country enjoined upon every American citizen "that they should with sincerity and good faith adopt and pursue a continued friendly and impartial attitude to the belligerent powers."

It is interesting also to know that on page 23 of Professor Fenwick's book, in speaking of the legislation that was necessary in 1793, he said, "It was evident, however, that legislation on the part of Congress was necessary to complete and strengthen the measures taken by the administration." It is pertinent that "strengthening neutrality" is one of the two prime requisites during a period of war.

Jefferson's great thoughts are:

I have ever deemed it fundamental for the United States never to take an active part in the quarrels of Europe. Their political interests are entirely distinct from ours. Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government, are all foreign to us * * *. On our part, never had a people so favorable a chance of trying the opposite system of peace and fraternity with mankind, and the direction of all our means and faculties to the purpose of improvement instead of destruction * * * Jefferson, 1823.

President Jefferson to the appointed Minister to France (R. Livingston):

MONTICELLO, *September 9, 1801.*

Shall two nations turning tigers break up in one instant the peaceable relations of the whole world? Reason and nature clearly pronounce that the neutral is to go on in the enjoyment of all its rights, that its commerce remains free, not subject to the jurisdiction of another, nor consequently its vessels to search, or to inquiries whether their contents are the property of an enemy, or are of those which have been called contraband of war.

On December 26, 1816, President Madison communicated the following message to Congress:

It is found that the existing laws have not the efficacy necessary to prevent violations of the obligations of the United States as a Nation at peace toward belligerent parties, and other unlawful acts on the high seas, by armed vessels equipped within the waters of the United States.

With a view to maintaining more effectually the respect due to the laws, to the character, and to the neutral and pacific relations of the United States, I recommend to the consideration of Congress the expediency of such further legislative provisions as may be requisite for detaining vessels actually equipped, or in a course of equipment, with a warlike force, within the jurisdiction of the United States; or, as the case may be, for obtaining from the owners or commanders of such vessels adequate securities against the abuse of their armaments, with the exceptions in such provisions proper for the cases of merchant vessels furnished with the defensive armaments usual on distant and dangerous expeditions, and of a private commerce in military stores permitted by our laws, and which the law of nations does not require the United States to prohibit.

The Secretary of State (J. Q. Adams) to the British Minister (Canning):

WASHINGTON, *June 24, 1823.*

SIR: By the Law of Nations, when two nations conflict together in war, a third remaining neutral, retains all its rights of peace and friendly intercourse with both. Each belligerent acquires, indeed, by war the right of preventing the third party from administering to his enemy the direct and immediate materials of war, and, as incidental to this right, that of searching the merchant vessels of the neutral on the high seas to find them.

The Secretary of State (Clay) to the Appointed Delegates to the Congress at Panama (Anderson, Sargeat):

WASHINGTON, *May 8, 1826.*

GENTLEMEN: In almost every age, some one has had the complete mastery on the ocean, and this superiority has been, occasionally, so great, as to more than counterbalance the combined maritime force of all other nations, if such a combination were practicable. But

when a single nation finds itself possessed of a power everywhere which no one, nor all other nations, can successfully check or countervail, the consequences are too sadly unfolded in the pages of history. Such a nation grows presumptuous, impatient of contradiction or opposition, and finds the solution of national problems easier and more grateful to its pride, by the sword, than by the slow and less brilliant process of patient investigation. If the superiority be on the ocean, the excesses in the abuses of that power become intolerable.

The Jay treaty and neutrality must be considered together if the temper of the times is to be understood. "If our neutrality be still preserved, it will be due to the President alone," writes the younger Adams from Europe. "Nothing but his weight of character and reputation, combined with his firmness and political intrepidity, could have stood against the torrent that is still tumbling with a fury that resounds even across the Atlantic * * * If this system of administration now prevails 10 years more will place the United States among the most powerful and opulent nations on earth * * * Now, when a powerful party at home and a mighty influence from abroad are joining all their forces to assail his reputation and his character I think it my duty as an American to avow my sentiments." (J. Q. Adams to Bourne, Dec. 24, 1795; writings, J. Q. A., Ford, 1, 467.)

"The great nations of Europe," he writes, "either impelled by ambition or by existing or supposed political interests, peculiar to themselves, have consumed more than a third of the present century of wars." The causes that produced this state of things "cannot be supposed to have been entirely extinguished, and humanity can scarcely indulge the hope that the temper or condition of man is so altered as to exempt the next century from the ills of the past. Strong fortifications, powerful navies, immense armies, the accumulated wealth of ages, and a full population enable the nations of Europe to support those wars."

Problems of this character, Marshall explains, must be solved by European countries, not by the United States. For, "encircled by no dangerous powers, they [the Americans] neither fear, nor are jealous of their neighbors," says Marshall, "and are not, on that account, obliged to arm for their own safety." He declares that America, separated from Europe "by a vast and friendly ocean," has "no motive for a voluntary war," but "the most powerful reasons to avoid it."

Marshall declares that he is for American neutrality in foreign wars, and cites his memorial to Talleyrand as stating his views on this subject:

"The whole of my politics respecting foreign nations are reducible to this single position: * * * commercial intercourse with all, but political ties with none * * * buy as cheap and sell as dear as possible * * * never connect ourselves politically with any nation whatever."

While our foresighted militant fathers were ready to fulfill our duties as neutrals in all the subtle, comprehensive, nondiscriminate phases of strict neutrality they were just as anxious to fight for the rights of all neutrals—the often neglected features of sovereign nations—in peacetime as well as in wartime.

The first definite American statement on these questions appears in the so-called treaty plan of 1776. On June 12 of that year the Continental Congress named a committee composed of John Dickinson, Benjamin Franklin, John Adams, Benjamin Harrison, and Robert Morris, to prepare a plan of treaties to be proposed to foreign powers. The committee's report, drafted by John Adams, was adopted by Congress on September 17 in a form to be proposed to the King of France.

In this treaty plan the American Congress made a definite statement on four important questions in regard to neutral commerce: (1) It was provided in article 26 that when one of the nations was at war and the other was neutral, the nationals of the neutral could trade with enemies of the belligerent, not only from enemy ports to neutral ports, but also from port to port of the enemy; (2) article 26 also provided that, in the same case, free ships should "give a freedom to goods," with the exception of contraband; (3) contraband was strictly limited by article 27 to arms, munitions of war, and horses; and it was specifically stated that food and naval stores should not be classed as such; and (4) neutral goods in enemy ships were liable to confiscation, according to article 17.

That is the starting point of the historical heritage from the founders of our country. In the Napoleonic wars Jefferson both in theory and practice fought for the same rights and Madison later carried on, both seeking to place in treaties the high prerogatives of peace. Chief Justice Marshall did his part in the Nereide and Atlanta cases. In every projected treaty with our Latin-American friends we attempted to incorporate these neutral principles, and we even went so far in Adams' time to propose immunity for all private property. The immunity of private property, however, was not a successful venture, and we were compelled to go back to the principles of the plan of 1776 in relation to neutral commerce.

Secretary of State Van Buren pushed these principles to the utmost, though later, in the War with Mexico, there were few precedents except in the matter of blockades. The generality of the language of our blockade did excite alarm among neutrals. Subsequent explanations served to remove the annoyance to neutrals.

On the whole, our neutral rights were well protected in the Crimean War, and until the invitation to America to join the declaration of Paris of April 16, 1856, there was little of moment in the international field. The four principles of that great declaration were—

1. Privateering is, and remains, abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

We were most enthusiastic about the second and third and, of course, approved the fourth, though we claimed it was such elementary law it was unnecessary to state it, but we refused to abolish privateering because that would have given the supremacy of the seas to the nations with large navies. We were too realistic about the advantages of a privateer to surrender its benefits. Secretary Marcy said that the right to employ privateers was as clear as the right to use "public armed ships" and as "incontestable as any other belligerent right."

Right at this point it is interesting to include an article by Prof. Philip C. Jessup on American Neutrality and International Police:

With the outbreak of the Civil War, the United States suddenly found itself in the position of a belligerent with much the stronger navy. It therefore could not look with sympathy upon the British plea for abolishing privateering. Secretary Seward instructed Mr. Adams, the American Minister in London, to press for the acceptance of the American plan for total immunity of private property, but if this could not be obtained, to arrange for the acceptance of the Declaration of Paris as it stood. The same instructions were sent to Paris. The French and British Governments were quite willing to have the United States adhere to the declaration, but pointed out that they could not, consistently with their declarations of neutrality, agree to consider Confederate privateers as pirates during the course of the war. On the other hand, the United States was willing to reverse its position only if it could obtain advantages in the current struggle. The negotiation accordingly came to naught.

I think it is very apposite because it shows what happens when the shoe is on the other foot.

While it is true that we were a belligerent in that instance attempting to change a rule it is helpful to show how alert and how militant the other neutrals were. From then on until the Hague conferences our efforts were to place into treaties clauses providing that in case of war between the parties, private property, not contraband, should be exempt from seizure, but that this exemption should not extend to vessels and their cargoes which might attempt to enter a port blockaded by the naval forces of any of the said powers.

The best diplomatic treaty in this respect was that with Italy signed on February 26, 1871.

We attempted to apply principles of the Italian treaty which had also been incorporated in the Prussian and Bolivian pacts and intended to be placed in the permanent law of the First Hague Conference but no action was taken on the subject although a resolution was incorporated in the conference expressing the wish that the proposal for inviolability of private property in naval warfare might be referred to a subsequent conference for consideration. On June 27, 1900, the United States Naval War Code was proclaimed and its contribution has been of inestimable benefit to the world at large. It became a guide stick for use in the Russo-Japanese War.

The Congress of the United States in a resolution on April 28, 1904, expressed the opinion that it was desirable for the President to endeavor to bring about an understanding among the principal maritime powers with a view of incorporating into the permanent law of civilized nations "the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents."

We attempted to get the resolution across at the Second Hague Conference but again failed. In the London Naval Conference of 1909—the Declaration of London—we failed in our major object once more, but the conference as a whole was so successful that it may be said to have reached the high-water mark in our attempts to fight for neutrals.

We had therefore come into the World War with high hopes for that Declaration of London. Certainly we had much to expect in this latest development from the high purposes of the Hague Conventions and Declarations of 1899 and 1907. That Declaration of London had been the result of great compromises, but so anxious were the participants to effect a workable set of rules that they were willing to undergo these surrenders. In 1914, after a long patient attempt, however, we finally abandoned the attempt to have England win Germany and Austria in the acceptance of the declaration.

In the opening phases of the World War perhaps nobody has stated the real problem better than Charles Callan Tansill in his book, America Goes to War:

Within a few weeks after the outbreak of the World War it became apparent to competent military observers that victory for either side would largely depend upon the possession of adequate supplies of munitions of war. The nation that labored under the greatest handicap in this regard was Great Britain, whose assistance to France in the early months of the war was sharply limited because of a glaring deficiency in effective artillery and in high explosive shells. Although the production of British factories could be rapidly increased, there would remain an alarming shortage of supplies necessary for the conduct of successful warfare. The only means of meeting this situation was through the importation of munitions of war from neutral nations. European neutrals, however, soon placed embargoes upon the shipment of war materials, so the British Government was forced to look to America as the only important neutral that could supply her needs.

Shortly after the war Maj. Gen. Sir S. B. Donop, the chief of ordnance of the British Army, cautiously inquired of Col. G. O. Squier whether the American Government would care to sell a large number of rifles and some 5,000,000 rounds of ammunition. The issue was being formed.

Once again it was indicated that "a citizen of the United States can sell to a belligerent government or its agent any article of commerce which he pleases." He is not prohibited from doing this by "any rule of international law, by any treaty provision, or by any statute of the United States." For the Government of the United States in its official capacity to sell to a belligerent nation would be an unneutral act, but—

For a private individual to sell to a belligerent any product of the United States is neither unlawful nor unneutral, nor within the power of the Executive to prevent or control. (Foreign Relations, 1914 supplement, pp. 573–574.)

Before I enter into the real problem of munitions embargo I would place in the record what seems to me as fine a statement of neutrality as one can find not made by an American or a Frenchman but by a British scholar, J. M. Spaight. It is a study of "War Rights on Land." In it is a preface by one of England's most trusted men, Francis D. Acland. He warns—

That there are also certain particular reasons which make a strict observance of these rules for the future a matter of great importance. Great Britain undertook at The Hague, in 1907, to issue instructions to her troops on the subject of war law, and to pay an indemnity for any breaches of war law committed by them.

He continues—

Thus, if in the future our troops do not know and observe the laws of war (and on some occasions, as Mr. Spaight shows, we did not know and observe them during the war in South Africa), their fault will appear in War Office Estimates, and will be felt in the taxpayer's pockets. This country also bound herself at Geneva in 1906 to bring the rules of the Geneva Convention to the notice of the population at large.

Dr. Spaight observes in his introduction "any nation can at any time throw war laws to the winds. But no nation does." This was written in 1911. The logical supplement to the Golden Rule which warns us that "as we do, so shall we be done by, is the chief motive for the compliance of civilized states with the usages of war." This was also written in 1911.

In a remarkable defense of the moth-eaten charge that there is no international law, Dr. Spaight not only refutes that charge but takes the offensive himself and shows the complete dependability of mankind on it. He admits that belligerent states may violate it but they never challenge its existence and authority, rather "they try to justify their actions by a reference to the principles of the particular law. * * *" Ministers are ultimately answerable in constitutional states for the actions of the national troops, and if the "big endians" are in power, the "little endians" will not be slow to make political capital out of any lapse from correct international usage committed by the country's forces. Would that the nonconstitutional states had the same checks and balances.

It is chapter XV dealing with the neutrality convention that Dr. Spaight comes nearest to our problem. He defines neutrality in this manner:

It must stand aside; the fight is not its concern * * * the neutral state, as such, must stand rigorously, aloof, from the conflict. In other words when two nations settle their differences by trail of battle, third parties—other nations—must not break the ring. A neutral power must extend no aid or assistance, in any way whatever, to either belligerent. It must not lend either party money or hire out its troops to him, or sell him munitions, or suffer him to cross its frontiers, for a strategical purpose. * * * It must take reasonable steps to insure that a belligerent suffers no prejudice from its acts or omissions * * * neutral governments have a heavy responsibility laid upon them to abstain from interfering, in any way whatever, in an international struggle, to which they have no desire to become active parties. There is no halfway house between belligerency and neutrality. Benevolent neutrality, as Lord Granville pointed out to Count Bernstorff, the North German Ambassador in England, in 1870, is a conception incompatible with the nature and idea of neutrality; in fact it is not neutrality at all. If the neutral fails in its obligations the aggrieved belligerent can call it to account.

As a matter of fact on October 4, 1915, the Department of State announced that citizens of the United States were not prohibited by statute, by treaty, or law from selling any article of commerce to a belligerent government. It, of course, set out the right of belligerents to seize contraband. On January 20, 1915, Secretary of State held that the duty of a neutral to restrict trade in munitions had never been opposed by municipal law or statute. To keep the record straight, on April 21, 1915, Secretary Bryan told Ambassador von Bernstorff that the placing of an embargo on the trade in arms would be a direct violation of the neutrality of the United States, as it would unequally affect the relations of the United States with belligerents.

The Austro-Hungarian Government came back on June 29, 1915, and insisted that it was the duty of the United States to maintain an attitude of strict parity with respect to both belligerent parties, in regard to the exportation of munitions.

Secretary Lansing at this time saw an opportunity to educate the public. In his reply Secretary Lansing stated that—

Although the principle urged by the Austro-Hungarian Government related only to arms and ammunitions, if this principle were sound, it should apply to all articles of contraband. A belligerent controlling the high seas might possess an ample supply of arms and ammunition but be in want of food and clothing. On the "novel principle" that equalization was a neutral duty, neutral nations would be obligated to place an embargo on these articles because one of the belligerents could not obtain them through commercial intercourse.

Do not let anybody think that we were altogether altruistic and have been prompted by only idealistic methods throughout the decades by our fights for neutral rights. Our leaders have known as they know today that we are going to be a neutral far more often than we are going to be a belligerent. Hence our fight for neutral rights is a fight for the normal post of America. There is a certain amount of selfishness dominated by national interest but when we know the overweening arrogance and avariciousness of belligerents we must realize that our selfishness is as nothing at all compared to belligerents' cupidity.

I do not think there is anything more evident in the documents of the World War than that of the all-powerful interest of the Allies to prevent us as a neutral from lifting the embargo on munitions. It is easy to say now that the instigation of this request came from the Teutonic powers, but that begs the question. The Allies were just as insistent that we retain the embargo, and I have already pointed out that today the insistence that we repeal the present embargo comes from our Government per se. As a matter of fact, 20 years from now we may well discover that the British and French also have indicated their desires in documentary form.

I have just pointed out that the Secretary of State opposed the German contention that we place an embargo on munitions on the ground that it would be unneutral. On September 16, 1915, Secretary Lansing had made a brief report on the practice of other nations with regard to the sale of munitions. He stated that during the existing war Brazil, China, Denmark, the Netherlands, Norway, Spain, and Sweden had prohibited the exportation of munitions. It is significant that he said "he had been unable to ascertain whether the real ground for the embargoes was to conserve supplies, to avoid enmity of belligerents, to retaliate against some 'vexacious measure' of belligerents, or to maintain strict neutrality."

At about the same time Secretary Lansing was also worried about the change in policy in regard to loans to belligerents. He must have felt it so impinged on his arguments on neutrality that he emphatically pointed out that the war loans in this country had been disapproved at first because inconsistent with the spirit of neutrality, but there was a clear, defined difference between the war loan and the purchase of arms and ammunition. He went on to elaborate at length to justify the distinction. That logomachy is, however, important only because of the motive and not for the attempt at the subtle distinction.

I add here the prior paragraph of Secretary W. J. Bryan to Ambassador Bernstorff, which certainly must have had the approval of Counselor Lansing:

This Government holds, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war, would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions.

Later Secretary Lansing, in writing to Ambassador James W. Gerard, repeated the famous statement of the President of the United States:

But in any event our duty is clear. No nation, no group of nations, has the right while war is in progress to alter or disregard the principles which all nations have agreed upon in mitigation of the horrors and sufferings of war; and if the clear rights of American citizens should ever unhappily be abridged or denied by any such action, we should, it seems to me, have in honor no choice as to what our own course should be.

From another angle it ought to be said that when Senator Gilbert M. Hitchcock's bill to prohibit the export of munitions of war was presented that the British Government was deeply alarmed. Sir Edward Grey protested to Ambassador Page that any legislation of that type would be "unneutral" and would constitute a departure from a long-established American custom. The British Ambassador in Washington wrote to an intimate friend that he believed there was small chance that the American Government "would reverse her previous policy in regard to the sale of contraband in the middle of a war to please one party."

Professor Tansill has pointed out that the financial circles of this country were absolutely against the placement of the embargo, all asserting how unfair it was to change the rules during war.

C. Hartley Grattan, in Why We Fought, has a very interesting extract on the attempt of Senator Hitchcock to provide for an embargo on munitions sales. Obviously the Allies were opposed to this resolution and Ambassador Page telegraphed on the 11th of December 1914 to this effect:

Sir Edward Grey unofficially expressed the hope to me that the bill introduced by Mr. Hitchcock in the Senate will not pass, aimed to prohibit the exportation by private firms of munitions of war to any belligerent. He calls attention to the fact that this would be special legislation passed while war is in progress making a radical departure from a long-established custom, and that for this reason it would appear an unneutral act toward the belligerents that can profit by it.

In his book Woodrow Wilson and the World War, Prof. Charles Seymour, now president of Yale University, in speaking of the mistakes of the embargo, at page 44 said this:

It was easy to allege that the export of arms, since they went to the allied camp alone, was on its face unneutral. Several Senators approved the embargo, among them the chairman of the Senate Foreign Relations Committee, William J. Stone, of Missouri. Against the proposed embargo Wilson set his face steadfastly. He perceived the fallacy of the German argument and insisted that to prevent the export of arms would be itself unneutral. The inability of the Central Powers to import arms from the United States resulted from their inferiority on the high seas; the Government would be departing from its position of impartiality if it failed to keep American markets open to every nation of the world, belligerent or neutral. The United States could not change the rules in the middle of the game for the advantage of one side. The perfect legality of Wilson's decision has been frankly recognized since the war by the German Ambassador.

When the McLemore resolution was being considered in the House, President Wilson wrote to Senator Stone, chairman of the Foreign Relations Committee on the subject of change to this effect:

But in any event our duty is clear. No nation, no group of nations, has the right, while war is in progress, to alter or disregard the principles which all nations have agreed upon in mitigation of the horrors and sufferings of war; and if the clear rights of American citizens should very unhappily be abridged or denied by any such action we should, it seems to me, have in honor no choice as to what our own course should be.

In a monumental work, International Law Chiefly as Interpreted and Applied by the United States, Prof. Charles Cheney Hyde, in volume 2, at page 751, says in discussing the same situation as Von Bernstorff does with Secretary Bryan:

It declined, moreover, to accede to the suggestion that there was any obligation to change or modify "the rules of international usage" on account of special conditions confronting a particular belligerent. It declared that a neutral state was not burdened with the duty of applying a theory of equalization to the utilization of the resources of its territory. According to the Department of State, the only ground justifying a change of the rules, as set forth in the Hague Convention, was the necessity compelling a neutral power to do so in order to protect its own rights. The right and duty to determine when such a necessity existed rested, it was said, with the neutral and not with a belligerent. It was maintained that if, therefore, the neutral power did not avail itself of that right, the belligerent was not privileged to complain, "for in doing so it would be in the position of declaring to the neutral power what is necessary to protect that power's own rights."

Professor Hyde quotes also the preamble of the Hague Convention to this effect:

Seeing that it is, for neutral powers, an admitted duty to apply these rules impartially to the several belligerents; seeing that, in this category of ideas, these rules should not, in principle, be altered, in the course of the war, by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power.

In a more telling statement and certainly more germane to the present discussion, Professor Hyde ends his later section on "Qualified neutrality" by this conclusion:

It remains, however, to observe that the law of nations does not contemplate that a state not at war shall fix or alter its obligations as a neutral according to its interest in the success of one belligerent rather than another. When a nonparticipant undertakes to do so, it must be normally deemed to accept responsibility for the harm which its action inflicts upon the state subjected to discrimination. The United States has vigorously advocated respect for this principle.

He quotes also the rules of the Treaty of Washington, which require due diligence on the part of a neutral to prevent violations of neutrality.

In the very authoritative, formal, and official Policy of the United States Toward Maritime Commerce in War, Carlton Savage, Division of Research and Publication of the State Department, has these extracts on this subject.

In the documentary appendixes to this work he says:

From no quarter, then, can there come any question of the right of the American Government to prohibit through the issuance of an embargo that enormous exportation of war implements that is openly carried on, and besides is commonly known to be availed

of by only one of the parties to the war. If the Federal Government would exercise that power it possesses it could not lay itself open to blame if, in order to keep within the requirements of the law of the land, it adopted the course of enacting a law. For while the principle obtains that a neutral state may not alter the rules in force within its province concerning its attitude toward belligerents while war is being waged, yet this principle, as clearly appears from the preamble to the Thirteenth Hague Convention, suffers an exception in the case "ou l'experience acquise en demontrerait la necessite pour la sauvegarde de ses droits" (where experience has shown the necessity thereof for the protection of its rights).

At page 365 we find this statement from a letter from the Secretary of State, Robert Lansing, to President Wilson, August 6, 1915, concerning the Austrian desire to impose an embargo:

The argument might, and I have no doubt would, by pro-German sympathizers be construed as you suggest by your question. But, if we do not mean it, do we not run the risk of resting our whole case on the principle that to change our laws in time of war would be unneutral, and also on the past usage of nations, and especially the practices of Germany and Austria?

In the same letter it might be interesting to note that there is a statement about aggressors:

Would it be advisable, if this portion of the argument remains, to insert a paragraph disavowing any purpose of insinuating that Austria and Germany were aggressors? I enclose such a paragraph for consideration.

Officially Secretary Lansing replied to the famous Austrian proposal by a letter to Ambassador Frederick Courtland Penfield asking him to present a note to the Royal Foreign Office in the following answer:

The Government of the United States notes with satisfaction the recognition by the Imperial and Royal Government of the undoubted fact that its attitude with regard to the exportation of arms and ammunition from the United States is prompted by its intention to "maintain the strictest neutrality and to conform to the letter of the provisions of international treaties," but is surprised to find the Imperial and Royal Government implying that the observance of the strict principles of the law under the conditions which have developed in the present war is insufficient, and asserting that this Government should go beyond the long recognized rules governing such traffic by neutrals and adopt measures to "maintain an attitude of strict parity with respect to both belligerent parties."

To this assertion of an obligation to change or modify the rules of international usage on account of special conditions the Government of the United States cannot accede. The recognition of an obligation of this sort, unknown to the international practice of the past, would impose upon every neutral nation a duty to sit in judgment on the progress of a war and to restrict its commercial intercourse with a belligerent whose naval successes prevented the neutral from trade with the enemy. The contention of the Imperial and Royal Government appears to be that the advantages gained to a belligerent by its superiority on the sea should be equalized by the neutral powers by the establishment of a system of nonintercourse with the victor.

* * * * * * *

The Government of the United States in the foregoing discussion of the practical reason why it has advocated and practiced trade in munitions of war, wishes to be understood as speaking with no thought of expressing or implying any judgment with regard to the circumstances of the present war, but as merely putting very frankly the argument in this matter which has been conclusive in determining the policy of the United States.

* * * * * * *

Manifestly the only ground to change the rules laid down by the convention, one of which, it should be noted, explicitly declares that a neutral is not bound to prohibit the exportation of contraband of war, is the necessity of a neutral power to do so in order to protect its own rights. The right and duty to determine when this necessity exists rests with the neutral, not with a belligerent. It is discretionary, not mandatory.

The Government of the United States, in the foregoing discussion of the practical reason why it has advocated and practiced trade in munitions of war, distinctly disavows any purpose to suggest that Austria-Hungary and Germany are aggressive powers inspired with purposes of conquest. It makes this disavowal in order that no misconstruction may be placed upon its statements and that it may not be credited with imputations which it had no intention of making.

Even the Austro-Hungarian Minister of Foreign Affairs, Baron von Ragecz Stephen Burian, admitted the principle that a neutral state may not alter the rules during war unless necessity demands it for the protection of its own rights. This statement will be found in official document No. 99 in Carlton Savage's Policy Toward Maritime Commerce in Wartime.

President Wilson, in a letter to the Secretary of State, had said that we were "absolutely unanswerable in our position that these things cannot be done while a war is in progress as against the parties to it."

In addition the President had also written to the members of the Foreign Affairs Committee in the House that "any action moving to interference with the right of belligerents to buy arms here would be construed as an unneutral act."

At that time in August 1915 Lansing had succeeded William J. Bryan as Secretary of State, and he had added his emphasis to this principle in his reply to the President. Secretary Lansing made that even stronger in his letter to our Ambassador in Austria-Hungary, Frederick C. Penfield.

Later when the question of armed merchantmen arose Lansing was so aware of this principle that even though he felt that his great compromise principle of January 18, 1916, was necessary, it will be recalled that he advanced it as a modus vivendi, conscious that our Government could not change the rules during the war unless both sides of belligerents accepted the change. I quote the pertinent parts of his letter to the diplomatic officials in European countries:

I said to the press men yesterday that the Government admitted that merchant vessels have legal right to arm for the sole purpose of defense; that, as the Government is impressed with the reasonableness of the argument that a merchant vessel is presumptively armed for offensive purposes if it carries in these days an armament which makes it superior offensively to the submarine, which is now a recognized naval weapon, it feels that the present rule of international law permitting belligerent merchant vessels to arm ought to be changed; that, nevertheless, the Government does not feel that during the war it can change or disregard the established rule without the assent of the contending belligerents.

It is significant that the Naval War College, in its International Law Situations for 1936, brings out the unneutrality threat in 1916:

Attitude on munitions sale, 1916: Numerous complaints were made to the Department of State in regard to the failure of the Government to restrict or forbid exports of munitions. It was pointed out to the Department of State that the geographical relations of the belligerents in Europe tended to make the transit of arms from the United States more easy to the Allied than to the Central Powers. It was intimated that to permit freedom of trade in munitions, etc., would under these conditions be unneutral. The Counselor of the Department of State, Mr. Polk, on August 18, 1916, said of this matter:

"If any American citizens, partisans of Germany and Austria-Hungary, feel that this administration is acting in a way injurious to the cause of those countries, this feeling results from the fact that on the high seas the German and Austro-Hungarian naval power has from the commencement of the present war been inferior to the British. It is the business of a belligerent operating on the high seas, not the duty of a neutral, to prevent all trade in contraband from reaching an enemy. Those in this country who sympathize with Germany and Austria-Hungary appear to assume that some obligation rests upon this Government in the performance of its neutral duty to prevent all trade in contraband, and thus to equalize the difference due to the relative naval strength of the belligerents. No such obligation exists. It would be an unneutral act on the part of this Government to adopt such a policy if the Executive had the power to do so. If Germany and Austria-Hungary cannot import contraband from this country, it is not, because of that fact, the duty of the United States to close its markets to the Allies. The markets of this country are open upon equal terms to all the world, to every nation, belligerent or neutral.

"There is no power in the Executive to prevent the sales of munitions of war to the belligerents. The duty of a neutral to restrict trade in munitions of war has never been imposed by international law or municipal statute. It has never been the policy of this Government to prevent the shipment of arms or ammunition into belligerent territory, except in the case of neighboring American republics, and then only when civil strife prevailed. Even to this extent the belligerents in the present conflict, when they were neutrals, have never, so far as the records disclose, limited the sale of munitions of war. It is only necessary to point to the enormous quantities of arms and ammunitions furnished by manufacturers in Germany to the belligerents in the Russo-Japanese War and the recent Balkan wars to establish the general recognition of the propriety of the trade by a neutral nation.

"It may be added that on the 15th of December 1914 the German Ambassador, by direction of his Government, presented a copy of a memorandum of the Imperial German Government which, among other things, set forth the attitude of that Government toward traffic in contraband of war by citizens of neutral countries. The Imperial Government stated that 'under the general principles of international law no exception can be taken to neutral states letting war material go to Germany's enemies from or through neutral territory.'" (Foreign Relations, United States, 1916, supplement, p. 9.)

To emphasize the stated intent of our leaders during the World War I add these extracts. How much we left these high principles of neutrality may be gaged from our own

subsequent history, but none can deny that in this particular phase of munitions embargo we drew upon every argument in our diplomatic and international arsenal to beat down the attempts of those who would change. Were we sincere?

In an official State Department document, No. 131, written by the Secretary of State, Robert Lansing, to Ambassador Page in Great Britain, we find this statement:

This task of championing the integrity of neutral rights, which have received the sanction of the civilized world against the lawless conduct of belligerents arising out of the bitterness of the great conflict which is now wasting the countries of Europe, the United States unhesitatingly assumes and to the accomplishment of that task it will devote its energies, exercising always that impartiality which from the outbreak of the war it has sought to exercise in its relations with the warring nation.

That was written in 1915, October 21 to be exact, and is the last in a series of 35 paragraphs detailing the interference of Great Britain with the neutral commerce of America.

In a letter to Ambassador Gerard in Germany Secretary Lansing quoted President Wilson's thought on surrender of neutral rights:

For my own part I cannot consent to any abridgement of the rights of American citizens in any respect. The honor and self-respect of the Nation is involved. We covet peace and shall preserve it at any cost but the loss of honor. To forbid our people to exercise their rights for fear they might be called upon to vindicate them would be a deep humiliation indeed. * * * Once accept a single abatement of right, and many other humiliations would certainly follow, and the whole fine fabric of international law might crumble under our hands piece by piece.

I am speaking, my dear Senator, in deep solemnity, without heat, with a clear conscientiousness of the high responsibilities of my office as your sincere and devoted friend. If we should unhappily differ, we shall differ as friends; but where issues so momentarily momentous as these are involved we must, just because we are friends, speak our minds without reservation.

Another State Department draft instructions to chargé in England September 22, 1916, excoriating British delays, "If the British Government is expecting an attitude of benevolent neutrality" on our part—a position which is not neutral and which is not governed by the principles of neutrality—they should know that nothing is further from our intention. (Not sent on orders by President Wilson.)

In the American Journal of International Law we find these principles stated:

If it were not true that a neutral state may add to or modify its rules during the course of a war, it would be necessary for states to enact in time of peace elaborate and practically omniscient legislation covering every conceivable contingency. In regard to newly developed instruments of warfare this would be impossible. States could scarcely have enacted, say, in 1910, adequate neutrality laws to cover all questions raised during the World War in regard to submarines, aircraft, and radio.

The neutral state which takes action under this article may be required to bear the burden of showing that the change in its rules was induced by its own neutral necessities and not by the desire to aid one or the other belligerent. The practice of states does not indicate the existence of a belief in any general legal principle which would require a neutral state to adopt all its neutrality regulations before war breaks out and to maintain them without modification during the course of the war.

When the preamble of the Thirteenth Hague Convention was under discussion at the conference, it appeared that many of the delegations held the view that a neutral state might tighten up its rules, but might not relax them. In the first draft of the convention the preambulatory statement appears as follows:

"They (i. e., the high contracting parties) recognize that the impartial application of this law to all the belligerent parties is the very principle of neutrality and that from this principle falls the reciprocal inhibition of changing or modifying their legislation on this subject while a war exists between two or more of them, except in the case where experience might demonstrate the necessity of adopting measures more rigorous in order to safeguard the rights of neutrals." (3 Proceedings of the Hague Peace Conferences: The Conference of 1907, p. 719.)

From the evidence available it seems to be true that some of the European neutrals did change their rules because of belligerent pressure. In doing so, however, some of them at least appear to have been animated not by a desire to aid the belligerent's cause but by a desire to avoid the retaliatory belligerent pressure upon their economic life which they believed would have resulted from a refusal to yield.

It is remarkable how few citations there are in this debate from the most recent example of this whole question, the proposed oil embargo in the Italo-Abyssinian war. I will include a column by Walter Lippmann so that the background of this affair may be recognizable in its germaneness to present-day discussions:

TODAY AND TOMORROW

(By Walter Lippmann)

BAD LAW FROM A HARD CASE

When, on November 15, 1935, Secretary Hull declared that "certain commodities, such as oil, copper, trucks, tractors, scrap iron, and scrap steel * * * are essential war materials," and that "this class of trade is directly contrary to the policy of this Government," he took a position which is of such importance that it must be challenged even by those who in the end may find themselves disposed to agree with it.

The first thing to note about Secretary Hull's declaration is that it radically changed the rules of neutrality after Italy had gone to war, and that it changed them radically to the disadvantage of Italy. For in August Congress had specifically declined to put an embargo on raw materials. We have to ask ourselves, therefore, whether we believe that it is wise to establish the precedent that in future wars, especially great wars, the United States may, at the discretion of the President, change the rules at any time so radically that the decision may give the victory to one side rather than to another.

It seems to me clear that such a procedure is wholly inconsistent with the ideal and the practice of neutrality. For if it is known that in a war we may or may not be willing to sell necessary supplies, is it not obvious that by exercising that right to discriminate we make ourselves the arbiter of the balance of power? The United States is by all odds the largest reservoir of war supplies on the face of the earth. To open or close access to that reservoir after war has begun, or to have different rules for some wars than for others, means simply that, at the discretion of the President, the immense weight of the United States would be used to help one side or the other. Such a policy would be regarded as a virtual alliance by the beneficiary and almost as bad as outright belligerency by the victim. It would mean that, since the United States reserved the right to discriminate and thus perhaps to decide the outcome of the war, the United States would be entangled at all times in one way or another in the shifting alinements of the European world. It would mean that the Government would be subjected to every kind of diplomatic pressure from abroad, that American opinion would be subject to every kind of propagandist pressure, that the American electorate would be divided in accordance with its European sympathies.

These considerations are sufficient, it seems to me, to exclude as unwise and impracticable a policy which would change the rules of neutrality after war has begun or just before it breaks out. Whatever the rules are to be they must be rules that are known in advance and are sincerely applied.

It may be assumed that this will be the decision of Congress and that this decision will accurately reflect the sentiment of the American people. If we take this for granted—that Congress will give the President administrative discretion but no substantial power to discriminate in important matters of neutral policy—then we may ask whether the President and Secretary Hull really desire to establish as the fixed rule of the United States that the export for war purpose of "essential war materials" is "directly contrary to the policy of this Government." Essential war materials, in any realistic sense, include not merely oil, copper, iron, and steel, but cotton and food as well. An army cannot fight without weapons. It cannot shoot without cotton. It cannot move without fuel. It cannot exist without food and clothing.

Now suppose we refuse these supplies to Italy. Suppose Congress puts the policy into the law, prohibiting the export not only of weapons but of "war materials." Then suppose Italy goes to war with the British Empire and with France. Or suppose Germany goes to war with France and Britain. Is the United States to close its markets to virtually the whole of Europe and to Canada as well? Is it not evident that if we apply to all belligerents the policy we are now applying to Italy, that we shall ruin ourselves and them; that if, on the other hand, we do not apply it to them, then we are flagrantly unneutral in spirit and in practice, and liable to almost any kind of reprisal?

The present maneuvers to deny oil to Italy may look like "cooperation" with the League against an aggressor: the same policy applied in a great war would endanger if it did not destroy the powers who are the backbone of the League. We should be cutting our own throats by stopping practically all our exports and the British and French throats as well.

As a matter of fact, it is an impossible policy. The American people have a very small stake in the Italian war trade: The October oil exports amounted to less than $1,000,000. But the export trade with the British Empire is a wholly different thing, and a policy which stopped that trade would produce a devastating depression in the United States. It is not likely that Congress would actually, when the copper and cotton and oil piled up at home, permit the embargo to be enforced. But if it did not, the United States would have ceased to be neutral, having changed the rules for the benefit of Britain.

Surely it is not wise to make a rule of neutrality that cannot be lived up to except at an intolerable cost and cannot be changed without ceasing to be neutral.

It seems to me that having applied the congressional embargo against weapons, having announced on October 4 that war trade would not have diplomatic protection, the administration, then, on

October 10, took a path which it cannot follow through to the end. It made the mistake, I venture to believe, of letting the broad policy of the United States be determined by the very peculiar, the very exceptional, and the very temporary circumstances of the Ethiopian war and the League's half-hearted sanctions. It set out to stop the export of oil to Italy partly because it did not wish to be accused of breaking down the League's sanctions, partly because it did not wish to find itself responsible for a League blockade to stop American oil from reaching Italy.

But it overlooked the fundamental fact, I think, that the United States cannot have one neutral policy for Italy in the Ethiopian war and a different policy if there is a war between Italy and Great Britain, or between Germany and the League. It has proceeded to develop a policy which, though it may seem suitable while the League is dealing mildly and reluctantly with Italy, would be absolutely disastrous to ourselves, and to the League as well, in the event of a great European war.

There is an old adage among lawyers that hard cases make bad law. The League's experiment with Mussolini is a hard case, a very peculiar case, and we are in considerable danger of making out of it some very bad American law.

The noted scholar, L. H. Woolsey, has this to say:

Another important factor is that of sentiment. There is always sympathy for the underdog, particularly if he has been inoffensive. It is manifest in the current conflict. There is also sympathy for the difficulties of peoples of the same race, customs and ideals, other things being equal. Undoubtedly, this feeling actuated a large proportion of the population of the United States during the World War. The economic injury of embargoes or the ruthless killing of Americans, although traveling at their own risk, are likely to cause a revulsion of feeling. Such feelings cannot be allayed by legislation or by the admonitions of the Government. Injury and deprivation and perhaps insult would not tend to make the American people maintain neutrality and like it. Could our Government successfully deprive the people of such essential articles as rubber, nickel, tin, etc., from a belligerent in reprisal for our own embargo?

The extra legal effort of the administration to hold down the exportation of petroleum and other articles to Italy to normal peacetime shipments was clearly an attempt to change the rules during the game. Congress had declined to take or confirm such a step. To be a neutral means to take no sides. The alternative is to pay damages. In harmony with this doctrine, the last joint resolution eliminated the optional "may" in respect of embargoes on subsequent belligerents and discarded neutrality under certain conditions in respect of Latin-American countries. During the World War certain Latin-American countries assumeda benevolent neutrality toward the United States as a belligerent before they became belligerents themselves. It was deemed necessary, therefore, to insert article 439 in the Versailles Treaty exempting them from damages for their unneutral acts. When, in the World War, the control of the seas made the sale of munitions by American concerns fall unequally upon the belligerents, the United States denied that it could then offset the inequality by prohibiting the sale to both. This illustrates the international law on the subject which cannot properly be modified by unilateral legislation. It is no answer to say that the laws of neutrality have been violated so often that they cease to exist. In the past, damages have many times been collected for such breaches. It is, therefore, quite impossible to obtain an impartial application of the rules of neutrality in the beginning of a war, and illegal as well to try to achieve it by subsequent changes in those rules. Moreover, the last joint resolution recognizes the inequalities of neutrality when it comes in conflict with our special interests, as, for example, the interests served by the Monroe Doctrine.

A third fallacy in regard to neutrality is that a country may be neutral and at the same time exercise discretion in determining the moral issues of a war; that is, in determining the aggressor, applying sanctions, or discriminating in the application of neutrality laws. Such discretion is the antithesis of neutrality. The two ideas are as immiscible as oil and water. This view was quite properly upheld by Congress in the joint resolutions. The subsequent threat of "sanctions" against Italy through suasion and direct intimidation of American citizens and concerns was a misconception of the rules of neutrality as well as its spirit. It may, of course, be a fair question as to whether the policy of the United States should be based upon neutrality or partiality, but it cannot be based upon both. To apply the moral criterion to war and to take measures against the aggressor is an unfriendly act leading to participation in the war. It is purely a taking of sides. The sanctionists believe that everyone should stand for what is conceived to be the right and that therefore neutrality is immoral since it fails to distinguish between the right and the wrong. On the other hand, a practical consideration is that the moral concept will lead countries to strive for self-sufficiency, to become armed camps, to prime the gun for another conflict.

In the American Journal of International Law, Phillip Marshall Brown makes the same reference in an article entitled "Malevolent Neutrality," anent the attempted changes by the State Department in the Italian-Abyssinian dispute:

In spite of official disclaimers, it should be abundantly clear that instead of sedulously adopting a policy of strict impartiality and of nonparticipation in the war between Italy and Ethiopia, the United States is actually taking sides against Italy and thus exposing this country to the accusation of being not merely unneutral but also of being an enemy. Italy might well object that this is war, even though it may have to abide its time in demanding a reckoning, as did the United States in the case of the *Alabama*.

Senators CLARK and NYE were quite sound in formally warning Senator PITTMAN, chairman of the Senate Committee on Foreign Relations, that—

It will be impossible for Congress to form a policy later without incurring representations that such a new policy involved the taking of sides against one particular belligerent. * * * As your committee is aware, every embargo after a war is declared affects belligerents unequally.

And Congressman Maverick, of Texas, was also right when he said:

If the President is delegated optional power to declare embargoes, * * * he is, in effect, given the power to declare war.

If the policy advocated and applied by the present administration toward Italy be qualified as neutrality, it is necessary obviously to revise all previous notions of neutrality. It would rather appear to be an idealistic form of international opportunism which might better be qualified as malevolent neutrality. Italy certainly could not regard it as benevolent in character.

It is interesting at this time to recall the statement of President Wilson as given by Professor Seymour:

We are champions of peace and of concord, and we should be very jealous of this distinction which we have sought to earn.

Professor Seymour comments by saying:

Wilson's determination was strengthened by his obvious failure to distinguish between the war aims of the two sides. He did not at first see the moral issue involved. He was anxious to "reserve judgment until the end of the war, when all its events and circumstances can be seen in their entirety and in their true relations." When appeals and protests were sent to him from Germany, Belgium, and France dealing with infractions of the law and practices of nations, he was willing to return a response to Germany, which had confessedly committed an international wrong, identical with that sent to Belgium, which had suffered from that wrong. Wilson has himself confessed that "America did not at first see the full meaning of the war."

Mr. RANKIN. Will the gentleman yield?

Mr. SHANLEY. Yes.

Mr. RANKIN. As a matter of fact, Woodrow Wilson's principles were laid down in the 14 points.

Mr. SHANLEY. That is correct.

Mr. RANKIN. In his message to Congress in 1917. The Versailles Conference overruled Mr. Wilson on those 14 points, and if those 14 points had been reenacted into the Versailles Treaty, Europe would probably have been at peace all of these years, and this war would not be going on.

Mr. SHANLEY. As a matter of fact the same selfish impulses prevented the experimental changes that Mr. Wilson wanted in that pact, but that pact was never as he wanted it. Wilson wanted what Jefferson and Franklin wanted. In my estimation the three men in all American history—Franklin, Jefferson, and Franklin D. Roosevelt—know more about foreign affairs than any three men in our history.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. ALLEN of Pennsylvania. In the Hague Conference of 1907, regarding a change of rules during the conduct of war, these sentiments were declared:

These rules should not in principle be altered in the course of a war by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power.

A neutral nation has the right to decide whether or not a change inheres to its own benefit?

Mr. SHANLEY. Positively, but there is a history behind that Hague statement which does not help your cause.

Mr. ALLEN of Pennsylvania. And not the belligerent?

Mr. SHANLEY. Positively.

Mr. ALLEN of Pennsylvania. We have a right at any time, in our own defense or for our own welfare, to change the rules in the middle of the game?

Mr. SHANLEY. We have a right, provided we are sincerely attempting to strengthen our neutrality.

Mr. HAWKS. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. HAWKS. Was it not the leadership of those very same nations to which we are supposed to be sentimentally attached, that destroyed any opportunity for permanent peace in this world after the last World War?

Mr. SHANLEY. I believe that is true.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. HINSHAW. May I reply to the gentleman who propounded the question a moment ago, by reading from an approved convention of a research on international law——

Mr. SHANLEY. Well, I do not want to go into that.

Mr. HINSHAW. It is just one sentence.

Mr. SHANLEY. Very well.

Mr. HINSHAW (reading):

> A neutral state which takes action under this article may be required to bear the burden of showing that a change in its rules was induced by its own neutral necessities and not by the desire to aid one or the other belligerent.

[Applause.]

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. RANKIN. At least 99 percent of the House and Senate say that they want to keep America out of this war. For that reason many of them prefer the Senate bill to the House bill, because the Senate bill provided for keeping American ships and American citizens out of the war zone. If the present law is simply added to the provisions of the Senate bill, will that not put us in a stronger position to keep us out of this war?

Mr. SHANLEY. I agree.

I do not know of a single military expert who says that this war can end in anything but a stalemate. I want this country to be in a position to act as peacemaker, because as Pope Pius XII yesterday said, and I have already pointed out—

> War never decides anything. War produces revenge. War gives to the victor failure to exercise those views which one has.

Martin Luther in his Table Talks remarked—

> War is one of the greatest plagues that can afflict humanity; it destroys the state; it destroys families; it destroys religion. Any scourge is preferable to it. If Adam had seen in a vision the horrible instruments his children were to invent, he would have died of grief.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield to the distinguished gentleman from Texas.

Mr. LUTHER A. JOHNSON. Did I understand the gentleman correctly to say that if we had repealed the arms embargo before the war started in September there would have been no war in Europe at this time?

Mr. SHANLEY. I said that was my humble opinion, and I believe the gentleman agrees with me.

Mr. LUTHER A. JOHNSON. The gentleman denominates his opinion as humble, but I believe the gentleman in that statement is correct.

Mr. SHANLEY. I know the gentleman agrees with me, and I know that he is sincere. I know that many Members in this House, including the distinguished gentleman now in the chair, marveled at the grasp our President had of the situation. Let me tell you that when the time for peace comes our President is going to be able to use his influence, and I do not want to see him do it in this way, by way of the Pittman bill.

Mr. Speaker, I was honored last May, along with our distinguished Speaker, William Bankhead; our able majority leader, Sam Rayburn; the great Secretary of State, Cordell Hull; our Foreign Affairs Committee chairman, Sol Bloom; my colleague, James Richards; and the State Department technician, Carlton Savage, in being invited to the White House. I was convinced then in the conference with these men and the President that a repeal of the embargo might well contribute to universal peace. As a matter of fact, I announced that I was against embargoes, anyway, as my 5 years' experience in the committee had convinced me of the futility of attempting to anticipate reality by advanced guesses as to what the next war would need in the way of embargoes. Hence I was eager to go along with the administration's desire to sweep out the arms embargo. I wish, however, to go on record in supporting the announced convictions of my colleagues that we might well stop the World War by such conduct. I think that my colleagues on the committee will endorse my statement that then was the time to wipe out the embargo, else it would be too late when war broke out. Perhaps I should say "if" instead of "when," for none of us probably anticipated that eventuality.

Yet to say that since we started to eliminate the embargo before the war commenced that desire might carry over after the war is to forget that what we intended to do was to deter one set of belligerents, if not to bulwark our neutrality. Once war did break out, our action was limited by that war, the historic principles of neutrality, and our proclamation of neutrality. When the motive only existed to deter, we could not accept another to discriminate and still honor the principles of strict and impartial neutrality.

I know one authority so anxious to preserve a semblance of neutrality that he is willing to go so far as to say that even if the motive in a contemplated change were unprovable, it would be unneutral if the obvious effect is to help one side particularly. Of course, in the instant case, the overwhelming weight of popular support would answer that the motive was to help one set of belligerents. I challenge any man to say that this is not the expressed and implied motive. I know that none will accept it because hypocrisy is too heinous a crime in international relations to endorse it.

Along with Professors Hyde and Jessup, Prof. E. M. Borchard, of Yale, has said:

> It is the relaxation plus the discrimination knowingly intended to be discriminatory which condemns the lifting of the arms embargo as illegal. * * * No one can have a clear conscience about lifting of the arms embargo as a neutral act. It is avowed by practically everyone concerned as designed to aid one particular group of belligerents. Those who do not avow it simply add disingenuousness to illegality.

Nothing is more dogmatically admitted in the realm of international law than the prohibition against a government per se sending out contraband. Since the United States Government in its official capacity cannot sell arms and munitions it certainly seems to follow that it cannot take pains to have its law changed so as to permit that sale after war has broken out. Remember it is the Government which is so zealously seeking this change in the law to repeal the embargo at this time.

The same distinguished Yale professor of international law in another place pointed out how neutrality had obtained the benefits from four centuries of experience in a precarious and harassed world:

> That experience had taught that if war breaks out in this world of motley nations it is better to limit the area of combat, to regulate and humanize its conduct, to keep out of war as many nations and peoples as possible, to cultivate philosophic detachment and impartiality toward the struggle, to aid neither side, to permit nonparticipants to continue the processes of life and thus enable the warring nations the sooner to recover from their orgy and restore normal relations. Every addition to the number of belligerents makes more destructive the course of a war and more difficult the conclusion of a sane peace.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. Yes; I yield to my distinguished chairman.

Mr. BLOOM. I believe the gentleman stated that it was a horrible thing to send all these planes and munitions to Europe. Is that right?

Mr. SHANLEY. I did not say that.

Mr. BLOOM. What did the gentleman say, then, about the shipping of these things to Europe?

Mr. SHANLEY. I said that under international law we had that right.

Mr. BLOOM. Mr. Speaker, will the gentleman yield further?

Mr. SHANLEY. Certainly.

Mr. BLOOM. Under international law this country would have the right to ship all of these things to Europe just as the legislation now pending before us calls for, would it not?

Mr. SHANLEY. Under the Pittman bill?

Mr. BLOOM. Yes. The legislation this House has under consideration right now. Under international law this country could send and do everything that is called for in this legislation, could it not?

Mr. SHANLEY. Absolutely, provided it was done before the war starts.

Mr. BLOOM. There is no proviso in my question. I just say that under international law we could do it.

Mr. SHANLEY. Before the war started.

Mr. BLOOM. Mr. Speaker, will the gentleman yield further?

Mr. SHANLEY. Gladly.

Mr. BLOOM. The gentleman knows the question. I am not assuming a time before or after war starts, I am just asking a plain question and I know the answer that the gentleman should give. Under international law this country would have the right to send to any part of the world the things specified in the pending bill, and do everything that is called for in this legislation we have under consideration.

Mr. SHANLEY. Why that is elementary. I did not think you were leading up to that. I submit that the gentleman forgets the essential fact that it is international law however which prevents the change during war by a neutral to deliberately help one side. Obviously international law does not care whether you impose embargoes or not. Shipments of munitions are the privilege and prerogative of the national involved. But when you do place an embargo or do not, as the case may be, international law will watch the motive by which you change either way. I think that is a primary tenet. You, yourself, asked a witness who was distinctly favorable to all administration efforts to penalize aggressors and he said that it would be unneutral to change the rules after hostilities commenced.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. ALLEN of Pennsylvania. The point which I believe has not been clarified yet is that a neutral nation for its own defense has the right to change the rules in the middle of a game. If this Government feels that it will react to our own benefit, increase our own security, it has the right under international law at any time to change the rules, even though it does affect a belligerent. The gentleman's own amendment changes the rules, for it contains provisos not in existing law.

Mr. SHANLEY. That question is just what I welcome at this time. We have a right to change during war, for it is during war that the necessity for change is apt to be most pressing.

I dislike to repeat this thought because it ought to be most obvious that our changing must be with the sincere intent to strengthen or perfect our neutrality; never to weaken. Motive must be helpful though motive is often obscure. The old legal maxim that even the devil knoweth not the heart of man is most pertinent. However, the motive behind the present bill is so clear, so notorious, and so emphasized that one need not worry about subjective intent. Even if motive is not ascertainable, there are those who believe that when the purpose is so evident motive ought to be implied. One might well speculate what would happen if a cleverly concealed plan was perfected to change a law, but the motive was so cushioned that you could not put your finger on it from official sources. It is submitted that it would be difficult to conceal it, for the people in the street would know the answer and that would be too notorious for official hypocrisy.

Mr. ALLEN of Pennsylvania. In the gentleman's opinion it strengthens our neutrality.

Mr. SHANLEY. Yes.

Mr. ALLEN of Pennsylvania. But that is not capable of proof. In the opinion of the majority of the Senators of the United States it does not strengthen our neutrality. It is this Government which has the right to decide that.

Mr. SHANLEY. John Bassett Moore, the dean of international law, the foremost international authority, wrote me a letter in response to an inquiry. You know who John Bassett Moore is. You have profound respect for him. John Bassett Moore for over a half century has been the leading international jurist of the world. He said in this letter, which I will put in the RECORD, that this is absolutely unneutral.

Mr. ALLEN of Pennsylvania. I agree it would have been far more preferable to have changed this law last summer when we had it before the House, but there is no danger in doing it now and we are within our neutral rights in so doing. If we delay again it may be impossible at some future date for us to make a change.

Mr. SHANLEY. I cannot go along with that thought. The gentleman cannot quote a single man under those specifications who will agree with him. Look at Jessup, look at Hyde, Borchard, Moore, to cite a few. My heart bleeds for Czechoslovakia, Poland, and those other countries. My people for 300 years have been able to send men all over this world to fight for liberty, but today in this land of ours I want neutrality because our country is the only citadel that can preserve neutrality. [Applause.]

Mr. Speaker, I do not want to get emotional, but I am stirred just as much as anybody here about the ravages of the dictators in Europe.

I wish to say that no statement has done so much to complete the argument of those who oppose repeal as did that made jointly by Professors Jessup and Hyde in their scholarly letter to the New York Times, September 20, 1939, in that paper's great forum:

> To put it differently, the Congress must first consider and decide whether any legal duty rests upon the United States as a neutral not to remove the embargo.

That summary of the first point in all this discussion heads their thought. They add:

> While peace reigned no international obstacle hindered Congress from legislating as it might see fit. With the outbreak of war, however, the situation changed overnight. The United States found itself, and still finds itself, as a neutral burdened with a number of well-recognized duties toward all of the warring states.

That is what I would stress more than anything else—the fact that we have well-recognized duties toward belligerents, the violation of which might and will subject us to damages and repercussions. We cannot shift, alter, or change these duties at will so long as we pretend to mantle our policy under the aegis of international law. Let me quote again:

> The fact that these duties are owed to a belligerent with whose policies it has no sympathy does not change the duties; it merely makes it extremely hard for the nation to keep its balance and to be guided by its head rather than its heart.
>
> Its government must remain strictly impartial, whatever be the feelings of the people; it must not itself furnish aid to any belligerent; it must not take sides in the war; it must not directly or indirectly assist a favored belligerent at the expense of its foe.
>
> It is true that international law does not normally oblige a neutral state to prevent its citizens from exporting munitions of war from its territory. Yet the freedom from such an obligation vanishes when once the government of the neutral has itself undertaken, as by its statutory law enacted in time of peace, to forbid exportations to belligerents and has made the matter of exportation one of government control. Thereafter, when war ensues, it requires affirmative governmental action to permit exportations of previously forbidden articles from neutral territory.
>
> Hence, relaxation of embargoes after the outbreak of war may, in fact and in law, amount to governmental participation in the conflict.

Here again we must not allow the heart to dictate.

The next passage is important because it stresses the difference between subjective and objective neutrality.

> This is obvious if or when the reason for removing a particular embargo is to aid the cause of one or more of the fighting states which will vastly profit from such action because of their command of the seas. In such a situation the neutral purveyor becomes the special support or prop of the favored belligerent, and the government as well as the people of the neutral becomes in reality a participant in the conflict. Such conduct is under such circumstances unneutral and is contemptuous of the legal duty which the law of nations imposes upon every neutral sovereign.

These two scholars, Professor Hyde and Professor Jessup, continue in this timely article or letter.

Because of the announced intent to change in favor of help to England and France—we are virtually an ally of

them—we will not give them the men to handle the guns but we will give them the guns.

Hyde and Jessup say this is illegal and unneutral and if done will prove most embarrassing and hypocritical.

On purely technical grounds the reason is given by them as:

The precise ground of objection would be that our Government, having in time of peace asserted control over and forbidden the exportation of munitions in wars which might ensue, cannot relax its grip without affirmative congressional action; and that such relaxation, being the direct expression of a notorious desire to help a particular cause, constitutes a governmental taking of sides which is unneutral and illegal.

Thus these two factors—the governmental control already achieved by an act of Congress and a governmental desire to relax and control so as to help France and England—would combine to produce a result that the opposing belligerent Germany would pounce upon to establish the unneutral aspect of embargo-removing legislation.

I wish to conclude with statements from what I consider one of the best codifications of international law ever made or proposed. It is a draft convention with comment of the Rights and Duties of Neutral States in Naval and Aerial War, prepared by the research branch in international law of the Harvard Law School.

The work was done under the auspices of the faculty of the Harvard Law School under the direction of Manley O. Hudson. The reporter was the distinguished authority, Philip Jessup, and his executive and advisory committee are a galaxy of the most brilliant stars in the field of international law. I suppose that there were many compromises in this preparation and many disagreements, but to find a draft prepared before the present war came with all its problems, prejudices, and personalities is to come close to discovering international law in a vacuum bereft of individual ideological influences and kindred drawbacks.

Here are salient extracts:

[The American Journal of International Law, sec. 2, vol. 33, No. 3, July 1939]

NEUTRALITY IN NAVAL AND AERIAL WAR

Article 4

A neutral state, in the exercise of its neutral rights and in the performance of its neutral duties, shall be impartial and shall refrain from discrimination between belligerents.

Article 5

A neutral state shall abstain from supplying to a belligerent assistance for the prosecution of the war.

Article 6

A neutral state shall use the means at its disposal to prevent within its territory the commission of any act the toleration of which would constitute a nonfulfillment of its neutral duty; the use of force for this purpose shall not be regarded as an unfriendly act.

Article 11

Subject to the provisions of article 4, a neutral state may, for the purpose of conserving its own supplies or of safeguarding its neutrality:

(a) Place prohibitions upon the shipment or departure from or transit through its territory of arms, ammunition, and implements of war.

(b) Place prohibitions upon the shipment or departure from or transit through its territory of articles or materials other than arms, ammunition, or implements of war.

(c) Place prohibitions upon the granting of loans or credits by persons subject to its jurisdiction.

Article 13

A neutral state, for the purpose of better safeguarding its rights and interests as a neutral or of better fulfilling its duties as a neutral may, during the course of a war, adopt new measures or alter the measures which it has previously adopted; provided, however, that the new measures adopted do not violate any provision of this convention.

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COMMENT ON ARTICLE 4

It is believed that the most essential element in neutrality is impartiality, and it is this principle which is therefore selected to receive the emphasis given it by this position. * * * The principle itself is inherent in the nature of neutrality. * * * The United States in 1793 committed itself to the doctrine of impartiality, thus strengthening the precedents set by the Italian states a few years before (3 Martens, Recueil (2d edition), pp. 24, 47, 53, 65, 75), and by the members of the Armed Neutrality of 1780.

(Jefferson to Pinckney, September 7, 1793, 1 American State Papers, Foreign Relations, p. 239)

So long as a neutral nation shall confine itself to strict measures of impartiality, allowing no benefit to one belligerent, not stipulated by treaty, which it shall refuse to another, no cause whatever is afforded for exception or complaint. (Special committee of the United States Senate, 3 ibid., p. 297.)

The impartiality required of a neutral is a technical rather than a factual lack of discrimination; it is subjective rather than objective. During the World War, for example, the United States declared to Austria-Hungary that it was not lacking in impartiality "in continuing its legitimate trade in all kinds of supplies used to render the armed forces of a belligerent efficient, even though the circumstances of the present war prevent Austria-Hungary from obtaining such supplies from the markets of the United States * * *." (United States Foreign Relations, 1915, Supplement, p. 795.)

In 1870 Lord Granville informed the Prussian Minister, Count von Bernstorff:

"That such a doctrine (as benevolent neutrality) is untenable will not be universally admitted; while it must be as generally admitted that it would be a real departure from neutrality for a neutral to change, without general consent, its practice * * * because such practice might incidentally be more or less favorable to one of two belligerents." (61 British and Foreign State Papers, p. 876.)

Whether changes in neutral practices may be made during war for other reasons is considered infra in the comment under article 13.

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COMMENT UNDER ARTICLE 13

As already indicated in the comment under article 4, the impartiality required of a neutral state is a technical rather than a factual impartiality; the neutral state is under no duty to attempt to equalize conditions thrown out of balance by geographical factors or by the relative power of the contesting parties on the sea, in the air, on land, in supplies of raw materials, or in industrial equipment. The task confronting the neutral state which takes action under this article is to make certain to itself and clear to other states that the motive inducing the adoption of a new rule or regulation, during the course of a war, is the product of its concern to act strictly in accordance with the laws of neutrality and not the result of a desire to aid one or the other belligerent.

If it were not true that a neutral state may add to or modify its rules during the course of a war, it would be necessary for states to enact in times of peace elaborate and practically omniscient legislation covering every conceivable contingency. In regard to newly developed instruments of warfare, this would be impossible. States could scarcely have enacted, say in 1910, adequate neutrality laws to cover all questions raised during the World War in regard to submarines, aircraft, and radio.

The neutral state which takes action under this article may be required to bear the burden of showing that the change in its rules was induced by its own neutral necessities and not by the desire to aid one or the other belligerent. The practice of states does not indicate the existence of a belief in any general legal principle which would require a neutral state to adopt all its neutrality regulations before war breaks out and to maintain them without modification during the course of the war.

When the preamble of the Thirteenth Hague Convention was under discussion at the conference, it appeared that many of the delegations held the view that a neutral state might tighten up its rules but might not relax them. In the first draft of the convention the preambulatory statement appears as follows:

"They (i. e., the high contracting parties) recognize that the impartial application of this law to all the belligerent parties is the very principle of neutrality and that from this principle falls the reciprocal inhibition of changing or modifying their legislation on this subject while a war exists between two or more of them, except in the case where experience might demonstrate the necessity of adopting measures more rigorous in order to safeguard the rights of neutrals." (3 Proceedings of the Hague Peace Conferences: The Conference of 1907, p. 719.)

From the evidence available it seems to be true that some of the European neutrals did change their rules because of belligerent pressure. In doing so, however, some of them at least appear to have been animated not by a desire to aid the belligerents' cause but by a desire to avoid the retaliatory belligerent pressure upon their economic life which they believed would have resulted from a refusal to yield.

Mr. Speaker, I have quoted too often the Curtiss-Wright case on this floor to repeat it at this time. I approve a singular statement that was made by the President himself in his Chautauqua speech of August 14, 1936, where he said:

The effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of the President and Secretary of State.

But I believe that our historic policy of neutrality has been accepted as a restriction on the President's action in foreign affairs.

I believe that our people are anxious to have a strict and impartial neutrality and because I believe that I oppose the repeal of this embargo. I am not one of those who believe that we will be brought into war because of this repeal, but I am one of those who believe that if subsequent steps are taken beyond this repeal that we will be stepping on dangerous ground.

I am confident that the President of the United States has the greatest opinion of any leaders in the world to so channel our actions that when the time for peace comes we can offer an impartial but firm and wise assistance, but I am aware also that such a course is not without its dangers and it behooves the American people to study all its implications.

Mr. RANKIN. The gentleman does not contend, as I understand, that the adoption of the Senate amendment to keep American ships and American citizens out of the war zone would be an unneutral act?

Mr. SHANLEY. No. That strengthens our neutrality; that is absolutely right, though I have been against cash and carry. I said that when a war breaks out you have two sets of belligerents. Both sets of belligerents are just jungle cats. They want to fight and they are going to spread their fight all over the world. It is the duty of a neutral, and it is our duty particularly, to prevent them from doing that and to quarantine them, you might say, within their own area, to prevent them from encroaching on our rights. If we do that we will be neutral. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLOOM. Is the time to be allotted alternately between the sides?

The SPEAKER. The Chair will recognize the gentleman from New York [Mr. BLOOM] is he desires recognition.

The gentleman from New York is recognized for 1 hour.

Mr. FISH. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. BLOOM. I yield.

Mr. FISH. Mr. Speaker, I have not lost any of my rights as to distribution of time?

The SPEAKER. The gentleman controls all the time on his side during the entire day, unless that order is changed.

Mr. BLOOM. Mr. Speaker, I shall first try to explain to you something about the bill, and then I should like to answer my good friend the gentleman from Connecticut [Mr. SHANLEY], after I have made my statement with reference to the bill.

Mr. Speaker, the House once more faces the duty of taking measures which, in the best judgment of Congress, will keep the United States out of war.

The aim of all neutrality legislation has been to keep the country out of war.

No matter how many points are covered, no matter what is put in or left out, no law is good if it falls short of what law can do to keep us out of war. The best that any country can do is to deal with realities and shape its course accordingly, for the purpose of maintaining its peace.

Regardless of differences of opinion as to details, Congress reflects the determination of the people to avoid war. It is fortunate that differences of opinion as to details have not divided Congress or the people on this fundamental question.

We can now take up the changes made by the Senate to House Joint Resolution 306, with the certain knowledge that both Houses of Congress are agreed upon the single purpose of avoiding war. By conceding that good faith has been observed by all, we can more easily adjust the disagreement between the two Houses and accomplish what all of us and the people themselves desire.

When House Joint Resolution 306 was passed by this body last June there was peace in Europe. It was an uneasy peace, I admit, but at least it was not war. There was great hope in all countries that war would be avoided. Many men in both Houses of Congress believed that war would not break out. They were advised by some of their leaders, who claimed to have special information, that war would not occur this year.

Members of the House dealt with the joint resolution in view of the world conditions that then prevailed. The resolution was framed to insure the neutrality of the United States by revising the act of 1937 so as to include new provisions made necessary by changing conditions. These provisions restricted the travel of American citizens, curtailed the usual practices of commerce and the financing of commerce, and otherwise limited the exercise of unquestioned American neutral rights for the sake of avoiding war.

It was contended at that time that repeal of the embargo upon arms, ammunition, and implements of war would have a tendency to encourage foreign war into which the United States might be drawn. Members of the House were urged to take no action upon what was described as a controversial question. They heard such arguments as this: "There is no war. We are assured that there will be no war if all countries exercise caution and patience. Let us not stir up anything. Let well enough alone. Do not disturb foreign countries by changing our policy just now. Let the embargo stand, and there will be no war."

Undoubtedly many Members of the House voted to retain the embargo in the belief that they were helping to maintain peace in Europe. Some of them did not approve of the embargo. They knew that it was contrary to American policy as established by George Washington and continued for nearly 150 years. They wanted to return to the true neutrality that had kept us out of many foreign wars. But they reasoned that perhaps it was better to let the embargo stand so long as there was still peace in Europe rather than take the risk of stirring up bad feeling in countries that seemed to be trying to keep the peace.

Unfortunately for these Members, and unfortunately for the world, war did break out. The retention of the embargo did not stop it. The United States cannot be accused of starting the war, nor can it be claimed that retention of the embargo delayed the war by a single day. The theory that Europe would be dissuaded from war if the United States would keep an embargo upon arms was thoroughly exploded.

The work done by this House in the direction of more certain neutrality was not effective. The outbreak of war abroad made the situation dangerous for us. The President accordingly called Congress into extraordinary session to complete the work of buttressing American neutrality.

When we met, the Senate was confronted with a situation entirely different from the situation that faced the House last June. Instead of peace, there was war. Instead of having helped to postpone war by keeping an embargo on arms, it was evident that the embargo had had nothing to do with discouraging foreign war. The danger of disaster to American ships, crews, and passengers was immediate—and that danger faces us now and will face us until this neutrality resolution is a law.

The Senate took up House Joint Resolution 306 and discussed our problem more than a month. We all know that the discussion was very thorough. The outcome was the passage of amendments to the joint resolution, in which the concurrence of the House is requested.

Although the Senate proposes many changes in the resolution, these changes are in fact of secondary importance, with the exception of the repeal of the embargo upon arms.

The aim of these amendments is substantially the aim of the joint resolution as passed by the House; that is, to keep the United States out of war.

The heart of this legislation is the desire of both Houses, acting in obedience to the will of the people, to hold in abeyance the exercise of some legally established neutral right of the United States to carry on commerce on the high seas, regardless of war.

In this legislation the United States does not abandon its rights, but for the sake of its own security and peace it requires its citizens and ships to refrain from entering areas

where there is danger. This is a voluntary concession to peace. It is a costly concession, but peace is worth the cost. American commerce will suffer, and American citizens will be subjected to inconvenience, but the danger of becoming involved in war will be reduced—and that is what we all desire.

The United States, in adopting this policy, is acting in its own interest, without asking the advice or consent of any other nation. Its rights remain inviolate. It is not discriminating against any other nation when it limits the movements of American ships and travelers. It is not taking sides in the foreign war. Foreign nations may fight or remain neutral, as they please. All of those nations are acting according to their own interests, without regard to the United States. It is our duty to legislate strictly in our own interest. When we guard American territorial waters against the intrusion of belligerents we keep war at a distance. When we keep our ships and citizens out of war areas we keep them at a distance from war.

To those who contend that the United States is going too far by holding in abeyance the exercise of its right-of-way on the high seas I submit this question: Do not all of us, every day, hold in abeyance the exercise of our rights for the sake of safety and peace? At every street corner and at every country crossroad we are careful not to insist too rigidly upon our lawful right-of-way. To do otherwise is to invite collision and death. In certain circumstances it is wrong to exercise a right. Perhaps you are familiar with what happened to a certain individual who was overzealous in defending his rights. The story and the moral are told in this epitaph upon his gravestone:

> Here lies the body of Richard Ray,
> Who died defending his right-of-way;
> He was right, dead right, as he sped along,
> But he's just as dead as if he'd been wrong.

Where a part of the world has gone mad, where laws and rights are trampled upon, it is folly for the United States to expect its ships and citizens to be safe in exercising their rights. They will not be safe. They will be slaughtered. The United States would go to war as a consequence, and in that war thousands of other lives would be sacrificed.

If the pending legislation provided for nothing else than prohibition of American shipping and travel in areas where laws do not exist, where death awaits the peaceful traveler, I would support it as the most effective means of keeping us out of war.

There are remote belligerent territories and ports which seem to be unlikely to be the scene of warfare. The Senate proposes that American vessels should be permitted to carry on commerce in those regions, except in arms, ammunition, and implements of war as listed in the President's proclamation.

It is also proposed that ordinary commerce with Canada shall be permitted. These provisions seek to prevent undue and unnecessary limitations upon peaceful American commerce. They will receive careful consideration by the House conferees.

Other Senate amendments intended to make more effectual the safeguards of House Joint Resolution 306 will be examined.

One of the Senate amendments provides for repeal of the Neutrality Acts of 1935 and 1937, including the embargo upon arms, ammunition, and implements of war.

I hope the House will not instruct its conferees to insist upon the retention of section 2 of House Joint Resolution 306, as passed the House, which places an embargo upon export to belligerents of arms and ammunition.

If there was any reason to hope that the embargo would tend to prevent the outbreak of war in Europe, that hope no longer exists. We are now dealing with actual war conditions abroad. We are trying to avoid being drawn in. We are keeping all American ships and citizens from the areas of warfare.

I conclude my remarks by repeating that the aim of all neutrality legislation has been and is now to keep the United States out of war.

Let us now examine the amendment to House Joint Resolution 306 as proposed by the Senate.

Section 1, pertaining to the conditions under which this act shall become operative, is the same as the first section of the joint resolution which passed the House on June 30, 1939.

Section 2 contains provisions relating to American shipping and to transfer of title to goods exported to belligerents. With respect to shipping, it shall be unlawful for an American vessel to carry passengers or articles or materials to a belligerent state. Exceptions are provided for in respect to belligerent territory far removed from the area of active hostilities. For instance, American vessels are permitted to carry any articles or materials—except arms, ammunition, and implements of war—to South Africa, New Zealand, and India. The transfer-of-title provisions of section 2 provide that it shall be unlawful to export or transport from the United States to belligerent territory any articles or materials—except copyrighted articles or materials—until all right, title, and interest therein shall have been transferred to a foreign purchaser. However, whenever exported articles or materials are shipped in American vessels to belligerent territory far removed from the area of active hostilities, transfer of title is not required. For instance, American vessels could carry raw materials from the United States to South Africa without transfer of title.

Section 3 provides that whenever this act shall become operative and the President shall thereafter find that the protection of citizens of the United States so requires, he shall by proclamation define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area.

Section 4 provides that under certain conditions transportation to belligerent territory by vessels under the direction of the American Red Cross shall be permitted.

Section 5 provides that it shall be unlawful for American citizens to travel on vessels of belligerent states, except in accordance with such rules and regulations as may be prescribed. This is essentially the provision of the existing law.

Section 6 provides that it shall be unlawful for any American vessel engaged in commerce with a foreign state to be armed.

Section 7 provides that it shall be unlawful for any person within the United States to make any loan or extend any credit for a belligerent government.

Section 8 carries the provision of the existing law that persons within the United States shall not solicit or receive any contribution for or on behalf of the government of any belligerent state.

Section 9 embodies the provision of the existing law relating to the American republics.

Section 10 embodies the provision of the existing law on restrictions on the use of American ports, and carries an additional provision relating to alien seamen.

Section 11 contains the provision of the existing law with regard to submarines and armed merchant vessels.

Section 12, relating to the National Munitions Control Board, is essentially the same as in the existing law.

Section 13, with regard to regulations, contains the provisions of the existing law.

Section 14 contains a new provision that it shall be unlawful for any foreign vessel to use the flag of the United States for deceptive purposes.

Sections 15, 16, 17, and 18 are essentially the same as in the existing law.

Section 19 provides for the repeal of the existing neutrality law. However, this repeal shall not affect the validity of the proclamation of May 1, 1937, defining the term "arms, ammunition, and implements of war," which proclamation, until it is revoked, shall have full force and effect.

Section 20 provides that this joint resolution may be cited as the "Neutrality Act of 1939."

This joint resolution constitutes permanent legislation except for subsections (f), (g), (h), and (i) of section 2, which subsections expire at the end of the existing European war. These subsections contain exceptions to the provisions of section 2 pertaining to the carriage of goods by American vessels to belligerents and to the transfer of title to goods exported to belligerents.

CHANGE OF NEUTRALITY POLICIES IN TIME OF WAR

Mr. Speaker, I would now like to call attention to certain statements made with reference to what the gentleman from Connecticut referred to a few moments ago with respect to neutrality policies in time of war.

The preamble to the Thirteenth Hague Convention of 1907, concerning the rights and duties of neutral powers in naval war, contains the following statement:

These rules should not, in principle, be altered, in the course of a war, by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power.

This statement relates to the rules of neutrality covered by the convention. It recognizes that the parties may change these rules for the protection of their rights.

In a memorandum of April 4, 1915, the German Government suggested that to follow the "spirit of true neutrality" the United States place an embargo on the trade in arms. This, in effect, was a suggestion that the United States, during the course of the war, alter its policy at the behest of a belligerent. In his reply of April 21 Secretary Bryan stated:

This Government holds, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions, and I respectfully submit that none of the circumstances urged in Your Excellency's memorandum alters the principle involved. The placing of an embargo on the trade in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States. (Foreign Relations, 1915 Supp., 162.)

The position of the United States was clarified in a note on the subject, sent to Austria-Hungary on August 12, 1915. After referring to the preamble to the Thirteenth Hague Convention of 1907, Secretary Lansing stated:

Manifestly the only ground to change the rules laid down by the convention, one of which, it should be noted, explicitly declares that a neutral is not bound to prohibit the exportation of contraband of war, is the necessity of a neutral power to do so in order to protect its own rights. The right and duty to determine when this necessity exists rests with the neutral, not with the belligerent. It is discretionary, not mandatory. If a neutral power does not avail itself of the right, a belligerent is not privileged to complain for in doing so it would be in the position of declaring to the neutral power what is necessary to protect that power's own rights. (Foreign Relations, 1915 Supp., 797.)

In assessing the position of the United States during the World War on this subject it is important to consider this statement of August 12, 1915, which indicates that the Government stood by the principle set out in the preamble to the Thirteenth Hague Convention. In this statement it was made clear that a neutral may change policies during wartime to protect its own rights, and that the neutral, not the belligerent, is to judge when a change is necessary for this purpose.

Secretary Hull in 1936 made a statement clearly in line with the principle set out in the Hague Convention cited above. He stated before the Senate Committee on Foreign Relations:

Another viewpoint maintained is that a neutral nation under all rules and laws of neutrality applicable to modern war conditions has a perfect right at any stage of a war to modify its policies of neutrality, provided they are based solely on considerations of domestic safety or the right of the neutral and not upon any external or international considerations, and provided that the neutral in question applies such modified policies with impartiality toward each belligerent alike. (Neutrality hearings before the Senate Committee on Foreign Relations, 74th Cong., 2d sess., 146.)

A few days ago Secretary Hull made another statement on the subject. In a press statement on September 21, 1939, he said:

I think that you will find from a careful analysis of the underlying principles of the law of neutrality that this Nation, or any neutral nation, has a right during a war to change its national policies whenever experience shows the necessity for such change for the protection of its interests and safety. I do not mean to be understood as saying that such action may be taken at the behest or in the interest of one of the contending belligerents, it being understood, of course, that any measures taken shall apply impartially to all belligerents.

In this statement Secretary Hull referred to an additional point to be kept in mind. He made clear that the proposed repeal of the arms embargo had been notified to the world, had been discussed in Congress, and that legislation on the subject was pending in Congress. His statement was as follows:

There has never in our time been more widespread publicity and notice in advance of the outbreak of war of a change in our policy than there has in this instance. This Government has given notice for well-nigh a year—at least since the first of the present year—that such a change of policy was in contemplation. Numerous bills were introduced in Congress, long hearings were held in both Houses, and it was generally understood when Congress adjourned that this subject would be on the agenda when it again convened. The President gave notice through a public statement, which would hardly be supposed to have escaped the attention of all governments and people, that if war should occur he would reconvene the Congress for the purpose of renewing consideration by it of the neutrality legislation that was pending as unfinished business when Congress adjourned.

Mr. Speaker, I believe when we are looking for information and advice we should take it from someone who is responsible to us for such advice. We have here statements from the Secretary of State which define very clearly the situation on the change of neutrality policies in time of war. This advice, coming from the Secretary of State, is the advice that should govern us in acting upon this legislation. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Speaker, thus far I have not opened my mouth on this most important question of so-called neutrality. My views, I am sure, are not the views of the average Member of the House. I do not mean, by this, to say that I excel in ability to draw a finer distinction, but I do mean to say that I have studied this bill, and I have studied it conscientiously, in an effort to do what I conceive to be the right thing toward my God and my country.

Now, you take a fellow who is getting to be as old as I am, and he had better look out just a little when it comes to voting on a matter of such importance as this bill is to the people of the United States.

In my judgment, this proposed bill, which is known as the Senate amendments, is just as unneutral as the law of 1937 was unneutral, and I believe both of them are wholly unneutral. I do not know just what my vote is going to be on this matter yet, and I am not going to make up my mind on it until I see the very last letter and word that is put into this Pittman bill.

Being a Democrat, naturally, I want to go along with my party if I can, but as a citizen of the United States, and in an effort to discharge the duties of the office that I hold, as I see it, I do not care anything about party politics. It would be a pleasure to me if I could go along with the bill, but I am going to vote as I feel I must vote as an American citizen, and as a Member of Congress, trying to represent the will of the people of this country. [Applause.] If I were to ask you what is paramount in the minds of the common men and women of the United States on this question, every one of you would say that the paramount thing is to so vote as to keep America out of this war, would you not? That is the only thing that they have been writing to me about. They are fond of the President of the United States and so am I, but I want to tell you what they want to do now, if you do not know it. The only thing that concerns

them deeply is that they want to keep this Government of theirs out of this war in Europe.

Mr. FADDIS. Mr. Speaker, will the gentleman yield?

Mr. MASSINGALE. I have not the time. That is a thing that concerns them, and the only thing that concerns them, and I want to tell you this also: I cannot vote for my own idea of what this Congress ought to do, but I am going to give you what I think the Congress ought to do. I think this Congress ought to have the guts to declare an American policy that is a real policy, and that we ought to keep our ships on the high seas and take care of our commerce and not slink away simply because we fear that somebody might sink one of them and get us into trouble. I believe I have learned something from those totalitarian fellows in Europe. Their idea is this: Show me a gun, and I will pull my hat off to you, I will respect you. I believe that the policy of the Government of the United States ought to be to forget Hitler, to forget Stalin, to forget Mussolini, and think only of the United States of America and what the people of this country want. [Applause.] I do not care whether it suits England or whether it suits France or whether it suits Germany or any other country. The thing for me to determine before I cast my vote is what is in my honest and considered judgment best for the common men and women of the United States of America. I tell you, we have many ills and we perhaps have done many wrong things in a legislative way, but there is no use of making an error here. Why can we not put that arms embargo into the Senate amendment and go along and make the best assurance that we can give the American people that we will not involve this country in the holocaust that is now consuming Europe. The consequences are too grave to take any chances on it. I do not believe that I am a coward. We should look out for this Government of ours, and when I get ready to cast my vote on this measure I shall vote to restore to the Senate amendment the provision putting an embargo upon the shipment of arms and ammunition to the warring factions of Europe. You do that, and in my judgment you will have taken a step that is best calculated to keep the Government of the United States out of that controversy in Europe. [Applause.]

Oh, yes; I would like to go along with my President on that. Frankly, if I cannot get that done, then I shall do the next best thing, and I believe the next best thing is to vote for the Pittman bill. I do not want it that way. I want it as I believe the American people want it. They want an embargo against the shipment of arms and ammunition to warring countries. I do not care very much about what England wants or very much about what France wants or any other country. So far as I am concerned, I am going personally to the only source of correct information that I know anything about in this world. I am going there for my guidance as best I can if He will listen to me, and I believe He will listen to all of us. I am going there for information and my guidance, and if I am correct in my estimate of the importance of the question for consideration here, I am going to stay by it. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BLOOM. Mr. Speaker, I now yield 15 minutes to the gentleman from Pennsylvania [Mr. ALLEN].

Mr. ALLEN of Pennsylvania. Mr. Speaker, for a few moments I would like to discuss the problem which was propounded earlier in the afternoon relative to changing our rules of neutrality after war has commenced. Charges of inconsistency have been made against me on my present stand. I would like to clarify this particular point. It is true that after war has started in any part of the world it is more difficult for a neutral nation to change its neutrality laws than if there had been no restrictive or pending legislation previously enacted. It would have been far more consistent if we had changed this legislation last summer than now. There are circumstances under which it would be dangerous to change rules of neutrality. There are laws which we might formulate which would be dangerous to enact after war has started but no such situation as that obtains now. We have, under international law, every right to change our neutrality legislation as long as that change strengthens our own defense and increases our own security and so long as it applies to both belligerents equally.

I was surprised a little while ago to see those who have said that there is no such thing as international law, that it is a mere figment of the imagination, that there is no international code, applauding the gentleman from Connecticut [Mr. SHANLEY] during his speech. Of course, there is international law. Of course, many of the things which the gentleman from Connecticut [Mr. SHANLEY] said are absolutely true, but the gentleman today, along with many who are opposed to this bill, want the cash-and-carry provisions enacted in this new bill. I want to remind Members of this House that the cash-and-carry provision of the old law expired last May, and to enact cash and carry today is just as much a change of the rules in the middle of the game as repealing the arms embargo.

Furthermore, anyone familiar with international law knows that a belligerent has the right, during the course of a war, to change the rules and to change the list of contraband in particular. Therefore any legislation enacted by a neutral nation must be flexible enough to meet the change of rules by a belligerent.

It may be emotionally effective to charge inconsistency today, but inconsistency or flexibility is absolutely necessary when dealing with international problems and international situations. Circumstances over which a neutral nation has no control may force her, in defense of her own nation and her own people, to change the rules after war has started, to conform to the change enacted by the belligerent nations.

Those who are so solicitous of what Germany, for example, may think of any change in our neutrality law, might bear in mind this fact, that the German Government itself changed the rules three times during the Italio-Ethiopian War. They asked England to change in the Franco-Prussian War, and they asked us to change the rules during the course of the World War, while we were still neutral.

The gentleman from New York [Mr. FISH], the minority leader of my committee, charged me with inconsistency a few minutes ago. This charge I have answered. Certainly the last person in the world to accuse anybody of inconsistency is the gentleman from New York [Mr. FISH]. I remember very well 2 years ago when the bill, which he now defends and has been fighting for so vociferously, was before this House for final vote. The gentleman from New York [Mr. FISH] offered a motion to recommit the bill which he now defends, and that motion failed to carry. On final passage, the gentleman from New York [Mr. FISH], rather than vote for the bill to which he is now wedded, walked out of this Chamber, unsung, unheralded, and unrecorded. He opposed the present law 2 years ago, why is he so enamoured of it now? Inconsistency. The gentleman from New York epitomizes that word.

Actually, Congress is not changing the neutrality rules of this Government after war has commenced. You will recall that this body passed a neutrality bill last summer. That bill went to the Senate for its consideration, but the Senate refused to take action at that time and subsequently adjourned. By this procedure the Senate merely suspended its consideration of the Bloom bill; it did not kill it. Therefore, the Bloom bill had been pending on the Senate agenda for several months and was finally disposed of last week. From a parliamentary viewpoint, therefore, we are not changing our neutrality laws in an unneutral manner. We are merely finishing unfinished business held over from the last session of Congress. Furthermore, the President and the Secretary of State have on frequent occasions announced that it is the policy of their administration to repeal the unneutral arms embargo as soon as possible. This intent was broadcast to the world last summer before war broke out in Europe. It is an extravagant

statement and without foundation in international law to say that under all these circumstances the United States cannot enact with impunity a new law which will strengthen our neutral status and enhance our security. To argue otherwise is to suggest that this greatest of all nations has become so impotent that we cannot act as wisdom and justice dictate in time of emergency. That is an untenable condition which no American can endure.

The arms embargo, of course, is the crux of this whole debate. It is absolutely indefensible and hypocritical as it now stands. Much has been said and written on this subject, but it might be well to recapitulate for just a few moments the situation as it exists today. Those who champion the arms embargo are in an untenable position. They are deceiving themselves and the American people, because in the final analysis there is no difference between a completely processed munition, an assembled armament, and the materials which go into the manufacture of that armament.

Mr. BARRY. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Pennsylvania. Not now. I will be glad to yield in a moment.

The theory of the arms embargo is just this: We say to the nations of the world, "In times of peace come to us for anything that you need—machine guns, bombs, flares, flame throwers, and cannon; come to us and arm yourselves to the teeth in times of peace, even though you may be secretly preparing for war. Come to us and get all the devilish instruments of destruction which you can buy. We will sell them to you. We will prepare you for the aggression and destruction which you are planning. We will arm you so that you can demolish the peace of the world whenever you wish." Then, when the moment comes for the aggressor to strike, our isolationist friends, with the false smile of benign neutrality on their faces, say to the defenseless nations who have been trying to pursue a policy of peace, who have been shaving down their armaments rather than building them up, "No; you cannot buy from us the implements with which to defend yourselves." Oh, the aggressor nation. Those nations which have been arming to the teeth for the past 2 years can, in time of peace, buy anything they want under this arms-embargo policy; but the defenseless victims of those nations cannot buy one instrument with which to defend themselves. Is that morality? It is moral isolation; that is what it is. The American Nation has for 150 years of constitutional history insisted on the right to purchase arms for its own defense; and, to be consistent, they have equally insisted upon the right to sell arms during time of war.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Pennsylvania. Not yet. I shall be pleased to yield a little later when I have finished my statement.

So when the aggressor decides to strike he immediately decides our foreign policy. Not our State Department, not this Congress, but some foreign power declares by its own ruthless act what our future course must be. We have done something that no other nation in the world has ever done; we have surrendered to an aggressor nation who provokes war the right to decide our foreign policy, because the moment he strikes under the present arms embargo we must prohibit the sale of arms, munitions, and implements of war to the aggressor and his victim alike. I believe that the American people do not under any circumstances intend to surrender such power over their own foreign affairs.

Under the arms embargo we cannot sell a finished armament but we will give engineering advice, we will show a belligerent nation how to make these engines of destruction. This all smacks of the hypocrisy of the old prohibition days when the sale of beer was prohibited, but down the main street and side streets of every town and city in America one could buy hops and malt, and if nobody happened to be listening one could have whispered instructions thrown in. Such prohibition was hypocritical and self-deceptive. Equally defenseless is the arms embargo in which so many innocents have been seduced to place their faith.

Any student of this situation well knows that the belligerents today are not so interested in arms, munitions, and instruments of war as they are in raw materials. There is hardly a nation at war today which does not have lower labor costs than we. They can buy raw materials and make their own armaments in their own countries far cheaper than they can buy them here; yet those who try to bring out this distinction between armaments as such and raw materials are deluding the American people into a sense of false security by saying that there is no danger in selling raw materials, that it is only the sale of finished armaments which involves danger.

On the subject of the immorality of selling arms, munitions, and implements of war, I wish to call attention to a radio speech delivered Sunday night by the gentleman from New York [Mr. FISH]:

> The sale of arms to belligerent nations for sake of blood money—

Oh, how often we have heard that phrase—

> The sale of arms and ammunition to belligerent nations for sake of blood money and war profits is an utterly immoral, un-Christian, and vicious system, turning the United States into a slaughterhouse to kill people with whom we are at peace, and dragging us into wars all over the world.

Mr. Speaker, if it is immoral to sell arms to a defenseless people to enable them to defend themselves, but is moral to sell arms in time of peace to aggressors so that they can kill, slaughter, and destroy these very victims, then I say the time has come for us to make new definitions for the words "morality" and "immorality." Perhaps our isolationist friends can do it.

Furthermore, if it be immoral to traffic in arms then the greatest characters in the history of this Nation have been immoral men, and I include in this category George Washington, Thomas Jefferson, Theodore Roosevelt, Henry Clay, Pickering, Secretary of State under Washington. Every one of these men, if the premise of the gentleman from New York [Mr. FISH] be true, have been immoral men, because they have all insisted on the right of this Nation to sell arms, munitions, and implements of war to belligerents or to nations at peace.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Pennsylvania. I am sorry, I must decline to yield.

Theodore Roosevelt said that those who opposed the sale of munitions of war were committing the greatest possible offense against the cause of international right and the interests of humanity.

Thomas Jefferson said:

> Our citizens have always been free to make, vend, and export arms. It is the constant occupation and livelihood of some of them.

Alexander Hamilton said:

> The purchasing within, and exporting from, the United States, by way of merchandise, articles commonly called contraband, being generally warlike instruments and military stores, is free to all the parties at war, and is not to be interfered with.

And I could go on and on quoting authority after authority on this subject. For a hundred and fifty years our greatest statesmen have maintained this right. They have done so because they have realized that it was in our own national interest and that if we refused at any time to sell arms to warring nations we would be turning this world, transforming it, into an armed camp. Obviously if those nations cannot buy implements of war from the great industrial countries of the world it is only natural they will, in time of peace, build their own armament factories, will develop their own manufacturing concerns for their own defense. The world will be an armed camp if the theory of the arms embargo prevails.

I would like for a moment to quote another part of the speech made by the gentleman from New York [Mr. FISH], Sunday night. I quote:

> We are the biggest saps and pushovers for foreign propaganda when the bands begin to play and our emotions run away with our reason.

Mr. Speaker, if the American people are saps and pushovers, then we had better enact even more binding and restrictive legislation than we have now before us; but I for one do not agree that the American people are such morons as the gentleman from New York [Mr. FISH] seems to think. I firmly believe that in their determination to keep America out of war, to increase our security, to preserve peace, our people will strengthen their characters and their determinations as we chart our course through troubled waters, and as crises occur, these people will conduct themselves as patriots and not as saps.

I can well understand why the gentleman from New York, on the premise that the American people are saps and pushovers, is anxious to enact binding, restrictive, and handshackling legislation of the arms embargo variety.

Referring now to those who claim that the sale of arms plunged us into the last war, let me state to the Members these few facts: In the first place, only 10 percent of our sales to belligerent nations during the World War were arms, ammunition, and implements of war. We had no ammunition plants in this country in 1914 to speak of.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. ALLEN of Pennsylvania. Mr. Speaker, we were so lacking in manufacturing facilities when we entered the World War that we had to trade raw materials with England for arms and guns with which to defend ourselves and equip our own soldiers. It can be proved by the record that our sale of arms during the World War had nothing whatsoever to do with our final involvement. It is false to believe that American boats carrying arms or the sinking of American boats carrying arms finally involved us in that war. Let me read a few excerpts from the papers of that day. I quote from the New York Times of March 23, 1917. Please listen to these few excerpts:

> The American steamer *Healdton*, bound from Philadelphia for Rotterdam with petroleum, was torpedoed without warning at 8 o'clock last night.

That ship carried petroleum, not arms, ammunition, and implements of war. On March 14 of the same year the steamer *Algonquin*, bound from New York for London with a cargo of foodstuffs, not cannon, not bombs, but foodstuffs, was sunk.

On March 19—

> Reports of the sinking of three American ships by German submarines will be read by the people of the United States this morning, the *Vigilancia*, the *City of Memphis*, and the *Illinois*.

These were west-bound in ballast, carrying absolutely nothing in their holds but ballast. They were returning home with no cargo whatsoever. Therefore it was not armament, it was not munitions, it was not implements of war that involved us in that last conflict. It was the ruthless sinking of our boats on innocent missions. It was the violation of our neutral rights which involved us in the last war.

Today, instead of preparing to defend our neutral rights, we are doing what this Nation has never done in all its history. We are prepared to make a supreme sacrifice by suspending our neutral rights in advance of trouble. We are suspending those rights instead of running the risk of having to protect them in the months to come.

I say to the membership of the House that this bill may not be perfect, but it is an attempt to protect the interests of the American people and the welfare of this Nation without at the same time imposing too great economic hardships, the impact of which we could not stand or our people themselves would not tolerate. Those who insist on retaining the arms embargo to be consistent must be complete isolationists. They must consider as contraband all items on our export lists, because we agree, I believe, that there is no difference, from a belligerent's viewpoint, between arms and the stuff with which arms are made; and this Nation, dependent as she is for essential raw materials, such as rubber, tin, nickel, and manganese, cannot afford to isolate herself in any sense of the word, because we, ourselves, are dependent on other parts of the world for essentials to our own welfare and our own economies.

Mr. CHIPERFIELD. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Illinois.

Mr. CHIPERFIELD. If I understood the gentleman correctly, he stated that the cash-and-carry provision expired on May 1, 1939. Is it not true that the cash provision of the 1937 act did not expire but was contained in section 3 of that act and is still in existence today? The only thing that did expire was some carry provision in section 2.

Mr. ALLEN of Pennsylvania. I think that is substantially right.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Last summer the gentleman said:

> The minute we change the existing provisions of an act after warfare has started we have changed the rules in the middle of the game.

Then the gentleman further said:

> This is a very dangerous possibility and would probably result in war for us.

Now the gentleman apparently backs off that sweeping statement, which is upheld by every expert in international law.

Mr. ALLEN of Pennsylvania. That is not right.

Mr. VORYS of Ohio. And makes distinctions between the types of changes. Now, would the gentleman say that for us to start to sell arms when only one side can get them, and would the gentleman say that to repeal our arms embargo is not a change in the existing provisions of any act?

Mr. ALLEN of Pennsylvania. Why, certainly it is a change in the provisions of the existing law, but we are doing so in defense of our own Nation and because we believe that our neutral rights will be more secure than they are now. May I remind the gentleman it is a neutral nation which has the right at any time to pass a neutrality law in its own defense, and by that same right it can change a neutrality law if its own interests are at stake. It is not the belligerents, it is the neutral nation which has the right to decide its own foreign policy.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. RAYBURN. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Texas.

Mr. RAYBURN. Is it not also true, and should this not be taken notice of by all people: We knew and the world knew that this Congress had in the process of revision the so-called neutrality law. The House of Representatives had passed a bill which went to the Senate and that body simply adjourned consideration of it until January. Everybody in the world knew that that measure was going to be taken up in the Senate committee for consideration not later than January, even had this special session of the Congress not been called.

Mr. ALLEN of Pennsylvania. I thank the gentleman. No nation could have given wider notice to other nations in the world of a contemplated change than we gave in regard to the arms embargo.

Mr. JARMAN. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Alabama.

Mr. JARMAN. I am sure the gentleman heard our distinguished colleague from Connecticut with very clean hands

say that if we had passed this legislation last June there would have been no war, or there probably would have been no war. Does the gentleman agree with that statement?

Mr. ALLEN of Pennsylvania. I believe it might have had a deterring effect on the aggressive policies of the totalitarian powers.

If we were to carry out the principles inferentially agreed to by the gentleman from Ohio [Mr. VORYS] we would be giving the belligerent nation the right to decide our foreign policy at any time. That is the point I want to emphasize at this time. If we are to be intimidated by what Mr. Hitler thinks, or what Mr. Chamberlain or any other representative of a foreign power thinks, we are automatically giving them the right to decide our foreign policy. [Applause.]

There has never been a time in our history or the history of any other nation when a neutral during wartime has not reserved the right to change its laws to meet emergencies and crises as they arise. Of course, it is our neutral right to do that as long as the applications of the change apply equally to both belligerents, as they do in this case.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Alabama.

Mr. PATRICK. Following that logic, is there any reason for us to know that a war would not be declared and last a hundred years, and freeze us in our tracks, helpless, if we were to follow such logic and policy?

Mr. ALLEN of Pennsylvania. That is absolutely right. There has never been a time when a nation has attempted to legislate against unpredictable and unforseen circumstances with impunity, and we cannot do it now. [Applause.]

The bill which the Senate passed last week is as neutral as any legislation of this nature can be neutral. Neutrality, however, is only one step toward a greater goal and that goal is the security of this Nation. This bill is a great improvement over existing legislation, and for that reason I am heartily in favor of it. I still believe, however, that a return to international law would be the wisest course to follow and in the long run would give us the greatest security.

[Here the gavel fell.]

Mr. CHIPERFIELD. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Speaker, as a lawyer it has been my experience that whenever I was confronted with an issue I could always find a precedent to sustain my point of view. I do not question the precedents of the gentleman from New York [Mr. BLOOM], and I do not question the precedents of the gentleman from Connecticut [Mr. SHANLEY], but I know that if I happened to be fighting an opponent and someone came along in the middle of the fight and handed my opponent a club with which to hit me, I certainly would not regard that fellow as a neutral. [Applause.]

If this measure is solely in the interest of American peace, solely in the interest of our welfare, why all this talk about aggressor nations and victim nations? I do not believe the American public subscribes to the theory that it is our responsibility to police the world. I do not believe the American public subscribes to the theory that it is our policy to preserve religion all over the world. I do not feel that the American public believes it is our obligation to preserve democracy all over the world. My sole interest in approaching this question is how is it going to keep this country at peace. If we have any precedent for the situation of our country at this time, certainly the last war should be a case in point for us.

At the beginning of the last European war Woodrow Wilson told us to be neutral in thought. William Jennings Bryan, our Secretary of State, was a pacifist. At the time of the outbreak of the war opinion in this country was divided. The majority were in sympathy with the Allies, but there was a substantial number of people who were in sympathy with the other side, and also a substantial number of people who were indifferent to the outcome of the war; yet, in spite of this feeling, we got into the war at the end of 2 years and 8 months.

Contrast that situation with the situation existing today. President Roosevelt is unneutral in thought. He has so expressed himself time and time again. Have you forgotten that he wanted at Chicago to quarantine aggressor nations? Have you forgotten that he wanted to help out the victims as against the aggressors, short of war? Our Secretary of State, judging by everything he has said, concurs in his viewpoint. In addition, the American people today are not neutral in thought. Every poll taken shows that the overwhelming majority of the American people, anywhere from 85 to 95 percent, are in sympathy with the Allies. In view of this situation, we are in far graver danger today than we were twenty-odd years ago.

Let us now look at this arms embargo. How will repealing it keep us away from this war? By lifting it we know as an actuality it will work out with one side receiving arms and ammunition and the other side not receiving them. What happened when that occurred during the last war, where we did not change any law but where, as a matter of fact, by virtue of the Allied blockade only one side got the arms and ammunition from us? Only this morning the newspapers carried the story of the Black Tom explosion and the reparations Germany owes us. Have you forgotten that an ex-German Army officer tried to blow up a bridge between the United States and Canada? Do you think the Germans are going to sit supinely by and take this? I know that as an American that if we were fighting Mexico, for example, and if Mexico had a fleet and we had no fleet, and in the middle of the war England or Germany, which had an embargo, lifted it so that Mexico could get guns and ammunition to fight us, we would not stand by and take it and regard it as neutrality. Certainly I would not, and no red-blooded American would.

I want to place in the RECORD the voice not of a partisan in the heat of debate but of an American historian who looked back on what occurred and wrote these paragraphs before the present situation arose. He wrote this in his study, analyzing the situation as a scientific mind would and looking back at the sequence of events that led us into the last war. This is from W. E. Woodward's A New American History. Woodward is an American historian, born in the South. This was written years before the present crisis and years after the last war. He states:

> The World War began in August 1914, and the American Nation was a participant in the war on the side of the Allies within a week. To contend that the United States did not enter the fight until April 6, 1917—2 years and 8 months after the war started—is merely to juggle with realities. America's neutrality was nothing but a sham from the beginning. In the first month of the war Charles M. Schwab, president of the Bethlehem Steel Co., returned from Europe with the largest order for shells and other war material that had ever been given up to that time to any munitions-making concern in the world's history. The buyer was the British Government. In a few weeks the Du Ponts, of Delaware, got an order, also British, for 100,000,000 pounds of gunpowder at a dollar a pound. The peacetime price was 55 cents a pound.
>
> All that was just a beginning. As the months rolled by the purchases of the Allies—Great Britain, France, Russia, and the smaller nations—increased enormously. Millions of people were employed, one way or another, in furnishing munitions, foodstuffs, clothing, motorcars, mules, and horses to Germany's enemies.
>
> Notwithstanding this obvious fact, the attitude of the United States as a so-called neutral was formally correct. The State Department defined the American position in January 1915 in these terms:
>
> "Those in this country who sympathize with Germany and Austria-Hungary appear to assume that some obligation rests upon this Government, in the performance of its neutral duty, to prevent all trade in contraband, and thus to equalize the difference due to the relative naval strength of the belligerents. No such obligation exists; it would be an unneutral act, an act of partiality on the part of the [United States] Government, to adopt such a policy if the Executive had the power to do so. If Germany and Austria-Hungary cannot import contraband from this country, it is not, because of that fact, the duty of the United States to close its markets to the Allies.
>
> "The markets of this country are open upon equal terms to all the world, to every nation, belligerent or neutral."
>
> This statement expresses a truth, but, like so many diplomatic announcements, it does not give the whole truth. The "markets of this country" were, indeed, "open upon equal terms to all the world," but for every practical purpose Germany was completely

excluded from them. The wholesale cooperation of American citizens in the furnishing of vast quantities of munitions and supplies to Great Britain and her Allies certainly made the United States, for all essential purposes, an enemy from the beginning.

My readers will understand, I am sure, that in setting forth this continuity of circumstances I am not taking sides, but am trying to show how, by gradual and successive developments, we were drawn into a war which was purely European in character, and which had no point of contact with American affairs, except insofar as American interests were represented by profiteers in war supplies and the lenders of money to Germany's enemies.

There is not to be found in the whole panorama of modern history a more perfect example of a great and powerful nation being used as a cat's-paw. When we finally went into the war in a military sense, after having been in it all along in an economic sense, the Allied chestnuts were burnt to a crisp, and, of course, everyone knows that the American paw was badly singed in pulling them out of the fire. After it was all over there was not even thanks, to say nothing of the paying of debts. As the homely philosopher, Abe Martin, says, "All we got out of the war was out."

Mr. Speaker, this European war is a war over real estate and power and not any idealistic war. Do not let us follow the same road today that we followed twenty-odd years ago. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, regardless of individual viewpoints, we all approach this very serious problem with the same desire in our hearts, and that desire is to keep our country neutral, to have it remain out of armed participation in this European war, and to prevent the sending of our boys across the seas to such a foreign conflict.

We are engaged in the consideration of a proposal of national policy which was recommended by the administration before this war began. Personally, I have been inclined to deplore, somewhat, the extended discussion with reference to it, in the fear that it might likely lead some foreign nations to suppose we are divided. There are, of course, differences of opinion among us as to the terms of the law which should be enacted, but in the sentiment of remaining neutral and preventing our boys from donning again martial regalia for a European contest, we are not divided.

We have heard extended discussion, pro and con, with reference to the two proposals before us. Some have said that the repeal of the arms embargo will get us into the war, and others have been equally insistent that its retention will have a similar effect. Let us not be deceived, Mr. Speaker. There are nations across the seas that do not wish us to become engaged in this war but, if they should decide to make the attempt to provoke our participation, they would not, for one instant, stop to peruse our laws or consider the statutes on our books. They do not operate that way. [Applause.]

What law could Poland have had that would have prevented its invasion? What law could Czechoslovakia have had that would have prevented its invasion? We argue much here about tweedledum and tweedledee. If certain of the belligerents decide to take steps which may so arouse our animosity as to bring about propaganda for our entering this war, they will do it regardless of the nature of our laws.

All any neutral nation can do is to have a law of neutrality, or to operate under the neutrality of international law. There is, and there can be, no such thing as neutrality in spirit and in thought when one is familiar with the details of a contest. We are engaged, at present, in an effort to get a law of neutrality, but every man knows that the overwhelming sentiment of the people of the United States is favorable to one class of the belligerents. And is there anyone who supposes for one moment that there is a neutral nation anywhere under the sun whose people do not have in their hearts, however strict the national law of neutrality may be, the desire that one belligerent or the other should be the victor?

It has been contended by some in this debate that the adoption at this time of the policy of repealing the arms embargo would be a reversal of policy since we were recently assembled in a regular session of this Congress. I repeat that we are dealing with a national policy for our own country which was proposed before this war began. In the communications of the President and the Secretary of State, and the introduction of the measure suggested, due and ample notice—actual notice, if you please—was given to the nations of the world as to what was contemplated by the United States of America in a neutrality statute. And who would be so bold as to declare that nations did not take notice of that proposal? Let me remind you that we are operating in the same Congress, and that we are proceeding with reference to the same legislation. The measure is now in the natural and orderly process of enactment, and there has been no change in the policy and attitude of the administration from the time this law was proposed before the war until this good day and, in my judgment, it is your duty and mine to enact it.

I call attention to the fact that in matters pertaining to our own citizens in our domestic affairs we often go to the extent of passing laws with retroactive features. In this regard I quote a statement from the opinion delivered by Mr. Justice Vandevanter of the Supreme Court, on the 11th day of January 1937, in passing on the Silver Act, in the case of *The United States* v. *Hudson* (299 U. S. 498). See if you cannot detect an analogy here:

> As respects income-tax statutes it has long been the practice of Congress to make them retroactive for relatively short periods so as to include profits from transactions consummated while the statute was in process of enactment, or within so much of the calendar year as preceded the enactment; and repeated decisions of this Court have recognized this practice and sustained it as consistent with the due-process-of-law clause of the Constitution.

And I recommend, also, for your perusal concerning such retroactive provisions the opinion of Mr. Justice Stone in the case of *Welsh* v. *Henry* (305 U. S. 134).

In other words, in dealing with our own citizens, we have passed retroactive laws dating back to the time when the message proposing them was submitted to the Congress of the United States, and even antedating the submission of such message, as stated by Justice Vandevanter, to the beginning of the calendar year in which the proposals were made. The justification for this is found in the fact that the laws were known to the people of the United States as being in prospective enactment and that during that process no advantage should be taken by contravention of their terms and stipulations.

Let me reiterate that we now have before us a proposal that was made by this administration in the regular session of the present Congress, in this same year, and before the beginning of hostilities among nations abroad. In the same Congress we are in the process of enactment of that same measure and that same policy. Shall we give to foreign nations upon the basis of such captious arguments as have been advanced to all Representatives in this House, through channels of propaganda, advantages and privileges which we do not even accord to the citizens of our own country?

I favor the lifting of the embargo and the adoption of the cash-and-carry plan for several reasons. In the first place, no nation under the sun, insofar as I have been able to inform myself, has had a permanent law imposing an embargo on arms. You have all heard the discussions on the floor with reference to the rights and privileges of such shipments under international law. Some nations have adopted such an embargo as a temporary policy, and of course there are some small countries whose very limited resources for the manufacture of arms have led them to ban export in the interest of national conservation.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. LANHAM. I am sorry, but my time is quite limited. I certainly have no desire to be discourteous, but there has been a great deal of talk for a month or more on this subject by many Members of the Congress, and this is the first time I have essayed to speak on the floor. I prefer to use the time alloted me in discussing in logical sequence the thoughts I have in mind. Interruptions would make such a course impossible.

Why should we embark upon a policy in opposition to international law and the practice of neutral nations through

the history of the world and of our own traditional practice since the days of George Washington to put a permanent law of an arms embargo upon our statute books?

I am in favor of the adoption of the administration's proposed plan, because I think it is also the best possible present assurance of keeping this country out of war and preventing the sending of American soldiers abroad. [Applause.] What leads me to such a conclusion? For 6 years and more one of these belligerents has been devoting all of its energies and economic strength to preparation for this war, and everyone here realizes that. Not only is this true, but I think it is a very fair assumption that through our exports we have sent to that belligerent from this country many of the materials that have gone into the manufacture and production of those arms and munitions now being used in the European conflict. How long have the other belligerents been engaged in such preparation? Looking forward to no such catastrophe as that into which Europe has been plunged, they have had a little over 1 year, just since Munich. Here is this great disparity in sinews of war to which we have so contributed through 6 years of preparation on the one hand and 1 year of preparation on the other, and it is an incontrovertible fact that the overwhelming sympathies of the people of the United States are favorable to the belligerents that have had the 1 year to prepare. Do you not know, and do I not know that if these belligerents thus handicapped in equipment of matériel begin to suffer defeat in this conflict by reason of that disparity in munitions and arms, propaganda is going to follow in this country, not necessarily started and stimulated from abroad but from within the hearts and minds of sincere and patriotic American citizens, to the effect that we must heed the Macedonian cry and go over and help them and send our boys to the carnage? I do not want that to happen. So I say let us, under the neutrality of the pending measure, protect ourselves and obviate this disparity and allow these belligerents to fight on an equal basis of opportunity and thereby diminish, if not entirely prevent, the likelihood of propaganda arising over here among our citizens to get us embroiled in this war. And so, I repeat, to my way of thinking, the adoption of the plan proposed by the administration is the best present assurance we can have under neutrality of keeping out of this war and keeping our boys at home.

Are we not all aware that, if we continue to follow in the wake of this arms embargo law which has been on our statute books for such a short time, we are going to have the incident of the *City of Flint* many times multiplied and greatly intensified and aggravated? Would not the disasters of such a course prove a far greater stimulus toward provoking this country to enter the war than to have purchaser nations come over here in their own bottoms, pay the money, and take the goods home in their own ships? From that angle, also, the proposal of the administration is the best assurance we can have.

It cannot be successfully denied that our present law is distinctly partial to one belligerent, and it is distinctly partial to that belligerent with which the great majority of the American people are not in sympathy.

I read in the newspapers a day or two ago, as did you, that in this conquered land of Poland—not eventually conquered, I trust—there is such difficulty——

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. BLOOM. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. LANHAM. I thank the gentleman. I do not wish to intrude upon the time of others who wish to speak.

In that country of Poland, which, as you know, is very largely a country of the Catholic faith, there arose after its dismemberment such difficulty and danger in the right of the freedom of personal worship, and such indignities heaped upon those who had charge of the conduct of public worship, that the Pope from his high office was pleading to some of those belligerents that those people might have the right, which should be inalienable, to worship their God according to the dictates of their own consciences. And this condition of deprivation of religious worship applied to those of various faiths. We in this country love and cherish the religious principle. It has been a cardinal doctrine of our liberty. We love religious freedom, the personal right to worship as we choose. We love liberty and all its manifold blessings. We love the right of freedom of speech. We love fraternity. Shall we go on through the arms embargo being partial to belligerents that are evidently seeking to wipe from the face of the earth forever those things that we cherish and that are so dear to the American heart? Let us, since we can do it under neutrality, since it will diminish the likelihood of our entrance into this war, cease this partiality, lift the arms embargo, and sell goods for cash, to be taken away in foreign bottoms, that this conflict in Europe may be waged upon an even basis of matériel. I say it is a plain matter of self-defense for us.

Our problem is an economic problem as well as a martial or military one. We cannot forever be isolated from the trade of the world. We cannot be expected to abandon all trade relationships and be isolated, too, from the world's commerce when normal conditions are restored and this war is over. Let me propound this question: As a matter of fact, has not a narrow view of economic nationalism been a potent factor in bringing about this very war that is today raging across the sea? We of the Western Hemisphere have a right to trade with the world. The world needs that trade, and will need it when hostilities cease. It is impossible to isolate ourselves completely in commerce, either in time of war or in time of peace. For our own security in this time of conflict we are making the sacrifice of placing certain restrictions in the pending measure on our rights of trade. Surely that is as great a sacrifice as we can now justly be called upon to make. But we are willing to make it to prevent the disasters that may happen to our shipping under the existing law and the involvement such disasters might bring in the war abroad.

Let us see to it also that in this liberty-loving land of ours we prepare ourselves adequately for our national defense. It may be that through the genial influence of example we may not successfully teach the world the blessings of freedom that are ours, but we can have a force in this country that will protect them for America against invasion and aggression from those abroad who would seek to undermine or overthrow them. [Applause.]

I am very anxious today, above all things, to keep America for Americans. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I asked the gentleman from Texas [Mr. LANHAM] if he would yield to me, but due to the lack of time he was unable to do so. I do not hold that against him in any way, but I wanted to correct some statements he made.

There is not a single nation in Europe or America that sells arms and ammunition to any of the belligerents. I want that clearly understood by this House. No matter how you vote, you have a right to know the facts. There is not a single nation in all of this world that sells any arms or ammunition to any of the belligerent nations in Europe and there are other nations that have written into law virtual arms embargoes or restrictions on selling arms and ammunition.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. FISH. No. I only have 3 minutes. I cannot yield.

Furthermore there are nations that have written that into permanent law and many nations that have written into their executive law by regulations and prohibitions against the shipments of arms and munitions of war.

Mr. Speaker, we are asked here to repeal the arms embargo that we wrote in time of peace to keep us out of war, to act as a barrier, an obstacle, to keep us from getting into war, and to maintain our neutrality. Now we are asked to repeal it and to say that we will be unneutral and take sides, for that

is exactly what you are trying to do. You are asking us to do something that no other nation in the world does—to sell arms and ammunition to the belligerent nations in Europe.

I do not intend to speak at any length now, but merely propose to answer the gentleman from Texas, who just yielded the floor. He made an able speech and is a particular friend of mine, but the answer is: No nation is selling any arms or ammunition to England, France, or Germany, and why should we? [Applause.]

Mr. Speaker, I now yield such time as he may desire to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, my interest in the Arms Embargo Act dates from its consideration by the House Committee on Foreign Affairs in 1935 and 1936. I was a member of that committee when the hearings were held, when the arguments were presented for and against the arms-embargo provision. Every argument that has been presented to this extraordinary session of the Congress was presented back in those days when the committee was holding hearings, and the arguments were rejected both by the committee and the House of Representatives; and in time of peace, free from emotionalism and the prejudice of the present moment, the Foreign Affairs Committee recommended and the House of Representatives passed the Embargo Act by a vote of 373 to 13.

Mr. Speaker, here was an overwhelming decision on the part of this body in favor of the very act we are now asked to repeal.

What argument is presented by the proponents for repeal of this Embargo Act?

Why, Mr. Speaker, they say we must repeal this Embargo Act in order to remain neutral. I say to you, sir, that a more unneutral act could not be conceived them to repeal this legislation, now that a war has begun among three or more countries of Europe.

What is the real purpose in repealing this embargo on the sale of arms and munitions of war to belligerents? Is it in order to maintain an attitude of absolute impartiality between the belligerents? It is not, and every Member of this House within the sound of my voice at this moment knows that. To the contrary, the purpose concealed under the proposed repeal of this Embargo Act is to benefit and to give added advantage to some belligerent countries as against their adversaries.

Why, Mr. Speaker, this whole question has been befogged, the efforts to confuse the public mind have been so intense and deliberate, that actually there seems to be some question of what really comprises true neutrality. Let me go back to an unemotional, unprejudiced, and actual definition of neutrality as given in the Law Dictionary and Encyclopedia by John Bouvier.

Here is what neutrality is:

> Neutrality. The state of a nation which takes no part between two or more other nations at war with each other.
>
> The relation of neutrality will be found to consist in two principal circumstances: Entire abstinence from any participation in the war, and impartiality of conduct toward both belligerents.
>
> * * * They remain the common friends of the belligerents, favoring the arms of neither to the detriment of the other.
>
> * * * Duties. Passive duties. In all matters relating to the war a neutral must abstain in its official capacity from giving any help to either belligerent; it must not furnish troops or give or sell arms or munitions to either belligerent, nor make presents or loans of money, nor purchase belligerent ships, nor decide in its courts upon the validity of belligerent captures, nor give expression to its sympathy for either party.

Mr. Speaker, I ask any Member of this House to rise in his place who believes that this proposal to repeal the Arms Embargo Act fits this definition of neutrality.

Now, what is war?

War, Mr. Speaker, is a renunciation of civilization. It is the complete abandonment of faith in the supremacy of spirit for a faith in the forces of evil. Its operations are always ruthless and unjust, its results are always destructive.

There is a parallel to be found in the course of the present administration in its foreign relations and the course of the Wilson administration in its foreign relations, so accurate and complete that a book has been written about it called The Deadly Parallel. But there is one feature in which there is no parallel between the Wilson administration and the present administration. President Wilson urged upon the people of this Nation time and again that they be neutral in their thinking and in their personal attitudes.

Who is there, who can say that the leaders in the present administration themselves have been neutral in their thinking, in their attitudes, or in their public assertions?

There is not a single circumstance existing today that was not foreseen in its essence back in 1935 when we were considering this original legislation, and again was that the case in 1937.

This legislation was decided upon and passed by the House of Representatives to fit exactly such a situation as the present one. It is never necessary to pass a law to constrain or prevent an action in cases where there is no incentive to impartiality or unneutrality. Why, we passed this act in this House in 1935 because we realized that the time would come in the future when it would be difficult to be neutral in our thinking. Back in those days of coolness and sanity we said in advance, "Let us lay down this rule of action by which to govern ourselves if a time should come when our sympathies will tend to impel us to an unneutral act or attitude."

Now, Mr. Speaker, would we be sitting here in an extraordinary session considering the repeal of this Arms Embargo Act if its repeal would give added advantage to the German, or the Russian side of this armed conflict in Europe?

Would we be sitting here in extraordinary session considering the repeal of the arms embargo if Russia and Turkey were at war, or if Russia and Japan were at war, or, if you please, if Japan and China were at war—as they now are and have been for 2 years or more?

Would we be here in extraordinary session considering the repeal of this Arms Embargo Act if civil war prevailed in Spain? That question answers itself. Past history holds the negative to that.

Not only were we not called into special session to repeal the Arms Embargo Act under some of these conditions, but we were called upon to amend and strengthen the arms embargo so that its terms would apply to civil war in Spain.

Mr. Speaker, one of two positions only can be consistent with honesty, decency, and fairness with the American people, and with morality in natural thinking. Either we should face the fact frankly, and say so, that we are contemplating the repeal of this arms embargo in order to give advantage to the parties on one side of an armed conflict over the parties of the other, or else we ought to say that we have abandoned every definition of neutrality that stands today in any dictionary or any lawbook.

Let us go back to 1936 and see what my warm and able friend the gentleman from Texas, the Honorable LUTHER A. JOHNSON, had to say of the arms embargo then:

> The proposed legislation on neutrality is another evidence of our desire to prevent war, and is designed to eliminate or minimize the hazard of our country becoming involved in a war between other countries.
>
> * * * It discourages war between other countries by our Government refusing to furnish arms, ammunition, or implements of war and also credit. No war can be successfully carried on without these, and a bill that prohibits our country or its citizens from contributing these essentials of war is a substantial discouragement to the conduct of war by other countries.

Mr. Speaker, what circumstances exist today differing from those foreseen in 1935 and 1937 that could possibly justify the repeal of this Embargo Act? When the act was being discussed at a time when our late lamented colleague, the Honorable Sam D. McReynolds, was presiding as chairman of the Foreign Affairs Committee, we had another gentleman appear before the committee who for a number of years was an able and distinguished Member of this House, the Honorable R. Walton Moore, of Virginia, who during the consideration of this legislation, in January 1936, was Assistant Secretary of State and remains so today. At that time the exact situation that prevails today was foreseen,

and it was to maintain strict neutrality by an embargo upon the arms, implements, and munitions of war under such circumstances as prevail today that the act was passed.

Let me go back for a moment to the hearings before the Committee on Foreign Affairs, and let me quote another gentleman who was a member of the Foreign Affairs Committee, the gentleman from Massachusetts, the Honorable GEORGE TINKHAM.

The gentleman from Massachusetts [Mr. TINKHAM] said at one point:

I should like to make a statement, now that Mr. Moore is here, that I have already made to the committee. Mr. Moore, if the President is given discretion to wait until after a war has started to declare an embargo, he might wait 6 months. That presents a danger. Let us take, as an example, the present situation, in relation to the contest in the Mediterranean between England and Italy. England being in command of the seas, could come here and get what she wanted or what she thought she might want. Italy would be prevented from doing so because of England's command of the seas.

In that observation, Mr. Speaker, we have exactly the situation which exists today, except that in the place of Italy stands Germany. And for the exact reason that we passed the Embargo Act in 1935, we are now asked to repeal the Embargo Act.

Although he has since expressed regret for this action, it still remains a fact that the President not only approved the neutrality legislation on August 31, 1935, but he went further and saw fit to issue a public statement, in which he said in part:

I have given my approval to Senate Joint Resolution 173—the neutrality legislation which passed the Congress last week.

I have approved this joint resolution because it was intended as an expression of the fixed desire of the Government and the people of the United States to avoid any action which might involve us in war. The purpose is wholly excellent, and this joint resolution will, to a considerable degree, serve that end.

Mr. Speaker, we have a singular contradiction of view and expression which, regrettable as it is, must, in fairness, be called to the attention of the American people, because in this issue of the repeal of the arms embargo may be bound up the issue of life and death for millions of our citizens.

On October 30, 1935, the President of the United States, in a statement on neutrality in the conflict between Ethiopia and Italy, said:

This Government is determined not to become involved in the controversy and is anxious for the restoration and the maintenance of peace.

However, in the course of war, tempting trade opportunities may be offered to our people to supply materials which would prolong the war. I do not believe that the American people will wish for abnormally increased profits that temporarily might be secured by greatly extending our trade in such materials; nor would they wish the struggle on the battlefield to be prolonged because of profits accruing to a relatively small number of American citizens.

The President went even further than this. At Chautauqua, N. Y., in an address on August 14, 1936, he said in part:

It is the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship betwen debtor and creditor was destroyed.

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and other articles to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

Now, Mr. Speaker, I want to quote from the President's address of September 21, 1939, to the joint session of the Congress in which he said:

These embargo provisions, as they exist today, prevent the sale to a belligerent by an American factory of any completed implements of war, but they allow the sale of many types of uncompleted implements of war, as well as all kinds of general material and supplies. * * *

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there, when we could give employment to thousands by doing it here? Incidentally, and again from the material point of view, by such employment we automatically aid our own national defense. And if abnormal profits appear in our midst, even in time of peace, as a result of this increase of industry, I feel certain that the subject will be adequately dealt with at the coming regular session of the Congress.

Mr. Speaker, the answer to that statement was given at Chautauqua, N. Y., in 1936. The answer to that statement is fool's gold.

Now, my colleagues, let us face this situation for exactly what it is. We are asked to repeal the arms embargo for two reasons. One, because it will—unneutral as it is—give England and France added advantages over Germany in the war now in progress; and, especially, as I have just quoted, it will tend to relieve a serious economic problem in this country and will bring profits—abnormal profits, if you please—which the Government later through this Congress can take away from the private citizens and put in the coffers of the Treasury to be spent as the public moneys have been spent for the past 6 years.

Mr. Speaker, as one who had a part in the making of the law of this embargo law, as a former member of the Committee on Foreign Affairs, I am in position to know with what force and eloquence, with what fervor and arguments, and with what patriotic appeal the passage of that law was demanded. It was to be permanent legislation. Both Houses of Congress adopted it almost unanimously and the President signed it. It gave notice to every nation on earth, in advance, what our position would be if they went to war. We were definite that we would not furnish the instruments and the tools of death. I believe the American people as a whole applauded our action. It had my whole-hearted support including an address on the floor of this House.

Let me repeat that now we are asked to repeal the step we took then. As yet not one single fact has presented itself that was not known and foreseen at the time the bill was enacted. We are now asked to take a step that we refused to take in 1914, that is, to change our position as a nation after war was begun. That in itself, Mr. Speaker, is not only an utterly unneutral act, but it is an unfriendly act to that side—no matter which one—which may be adversely affected by our action. The present proposal is not to maintain America in a neutral position, but, as frankly admitted on the floor of another body, it is to take sides, to furnish the sinews of war to France and England because they control the seas.

If this is America's war, then the position of those who want to repeal this act, would be sound. This is not America's war, so why take the step that may involve us in it?

It is not possible that we are so blind that we cannot see the purpose of this proposal to repeal the arms embargo. It is not possible that we are so blind that we cannot see the inevitable effects which must follow a repeal of this arms embargo.

If two men are fighting in the street and you are standing nearby and give one of them a knife, are you neutral?

The Nation unquestionably stands in the position of a referee in a football game who wants to change the rules of the game after the game has begun in order to give one side an advantage over another.

If the ships of Germany were able to come to our ports to buy arms and ammunition, would we hear this cry, "Repeal the embargo and be neutral"? Ah, no.

Mr. Speaker, I wish I had it in my power—I wish I had the gift of words to impress upon this House the gravity of this action which it is proposed that we take.

We are here today considering an action that may again send the flower of our young manhood across the seas to give up their lives, to have their bodies blasted into the mud of the battlefields, to go through the hell of sleeplessness and fatigue, to endure the horrors of the rat-infested trenches. We are here contemplating an act that may result in human

agony that cannot be expressed in all the volumes in yonder Congressional Library.

We are here contemplating, Mr. Speaker, an action that may plunge this Nation into a bloody carnage, into a madness from which we may not and probably could not emerge as a free constitutional republic.

If we do this, and if we become involved, on our hands here today will be the blood of a civilization that may not survive. The Embargo Act is a bright and shining page in our history. I will help neither to erase it nor to tear it out, nor shall it be by any act of mine blurred or blotted, dimmed or tarnished.

Mr. BLOOM. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON] to answer the gentleman from New York.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. CRAWFORD] such time as he may desire.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I suggest to the Members of the House that they study very carefully the State Department releases showing the dollar value of the exports of materials to Germany, England, France, Italy, Russia, and Japan during the past several years, that they get the comparative figures and not depend entirely upon what was said a few moments ago.

Mr. Speaker, I shall be delighted to support the amendment to maintain the embargo which is now before the House.

TO BE NEUTRAL OR NOT TO BE, THAT IS THE QUESTION

Mr. Speaker, for some 3 or 4 weeks I have listened to the people of this country express their horrors of war and their intent and desire to keep out of the present European conflict. These expessions have come through letters, articles in the press, over the radio, from the pulpit and the lecture platforms. The Representatives of the people in the Congress have spoken—in both Senate and House. Almost to the last citizen these expressions have said, "We must avoid war;" "we must be neutral." And I at this moment accept these expressions as a statement of fact.

Three hundred and twenty years almost have passed, Mr. Speaker, since the pilgrims of the Mayflower fled Europe in disgust and left behind them the quarrels and brawls of that war-torn area. At the time, they must have had very good reasons for their exit. But what was that reason? Does it hold today?

Twenty-two and one-half years have passed, Mr. Speaker, since we entered that other great conflict—the World War. Mr. Wilson was then our President. Today Mr. Roosevelt is our President. More than a score of years—two Presidents—and the spirit, the tone, the methods I ask, have they changed? Can international conflicts be settled by diplomatic questionnaires? Can they be settled by sermons?

Can it be said today that "We are of more value to humanity as neutrals than as belligerents?" Was not that question asked in 1914–1917? Does not neutrality more nearly conform to Holy Scriptures? Did not our people realize and believe this in the latter months of 1916 and early months of 1917 "before" the Congress declared war on Germany?

It is in substance now said, "We are of more value to humanity as neutrals than as belligerents." This was said in the period of 1914–17, but the fact remains that under the messages of Mr. Wilson we were led into the devastating World War. We are reminded that "man proposes and God disposes." So, 22 years ago it came to America to make war. It came to us under Mr. Wilson largely by his terrible misstatements of fact and his multiplied public declarations on the English blockade, German torpedoings, conditions of the armistice. These arguments of Mr. Wilson, which were witnessed by the whole world, obtained results exactly contrary to those proposed. We threatened to declare war on England but later entered into the blockade with more vigor than the English themselves. We did not wish to go to war with Germany, but everyone knows the appalling results. The Presidential campaign of 1916 was an outbidding of neutrality, but on the 5th of April 1917 the declaration was made by this body. With regard to our wanting an armistice in 1918, Col. E. M. House has been quoted as having said:

> Let the military say what it will. It is their affair and not ours.

We might with advantage refer to the rigorous conditions exacted by General Bliss and compare them with General Foch. But oh, those telegrams of Mr. Wilson! They set loose the mechanism. Intercurrent dialogs, Mr. Speaker, cause men and nations to diverge from their intended course. It may be well for us to watch with great interest how the argument which the President presents on one occasion will become the obligation of the next. We have some interesting history to which we can go for reference. There are precedents of record, plenty of them.

Let us go back to the debates of Senators Stone, Hitchcock, Smith, and others. Did they indicate any love for England? Did they propose that our nationals be kept off the armed commercial ships of England? Indeed they did. Let us review the promises of neutrality made by Mr. Wilson in his 1916 campaign for the Presidency. What was the cry of the Democrats about "He kept us out of war"? Would any of those who voted in the general election of 1916 have voted, at that time, for war? I do not think so. Strange—but how does it happen that America always goes to war under the leadership of pacifist Presidents?

We should bear in mind that Mr. Wilson was good at keeping his ears to the ground. He had that rare quality of being able to know "what the people are thinking about." He knew the pulse of the public. That made him stronger than his party. And now, how about President Roosevelt? He was trained, you know, by Mr. Wilson.

At this time America, without question, wishes for peace throughout the world. Let us refer to Mr. Roosevelt's message to Chancelor Adolf Hitler of last April 14, when the President said:

> I am sure that throughout the world hundred of millions of human beings are living today in constant fear of a new war, or even a series of wars. The existence of this fear—and the possibility of such a conflict—is of definite concern to the people of the United States for which I speak, as it must also be to the people of the other nations of the entire Western Hemisphere. All of them know that any major war, even if it were to be confined to other continents, must bear heavily on them during its continuance and also for gencrations to come.

So, as in the time of Mr. Wilson, Mr. Speaker, we begin to scent possible dangers. The President went on to say that—

> On a previous occasion I have addressed you in behalf of the settlement of political, economic, and social problems by peaceful methods and without resort to arms.

The President, seeking a statement of policy, then submitted a straightforward request in the following language:

> I am convinced that the cause of world peace would be greatly advanced if the nations of the world were to obtain a frank statement relating to the present and future policy of governments. Because the United States, as one of the nations of the Western Hemisphere, is not involved in the immediate controversy which has arisen in Europe, I trust that you may be willing to make such a statement of policy to me as the head of a nation far removed from Europe in order that I, acting only with the responsibility and obligation of a friendly intermediary, may communicate such declaration to the other nations now apprehensive as to the course which the policy of your Government may take.

The President went so far as to ask the Chancelor:

> Are you willing to give assurance that your armed forces will not attack or invade the territory or possessions of the following independent nations: Finland, Estonia, Latvia, Lithuania, Sweden, Norway, Denmark, The Netherlands, Belgium, Great Britain, Ireland, France, Portugal, Spain, Switzerland, Liechtenstein, Luxembourg, Poland, Hungary, Rumania, Yugoslavia, Russia, Bulgaria, Greece, Turkey, Iraq, the Arabias, Syria, Palestine, Egypt, and Iran?

The procedure of Wilson to have moral principles cover political debate has been revived by Mr. Roosevelt. There was charm in the formulas of Mr. Wilson. In considering

the crime of war, Mr. Roosevelt has approached the subject from a moral viewpoint. He has touched upon the economic and social considerations of the ruins which war inflicts, even on neutrals in the Western Hemisphere. And may I say the political considerations of the noninevitability of war have not been overlooked.

May I at this moment ask, Mr. Speaker, if the disinterestedness of the United States and its independence was or now is as pure as that which the President's message would indicate? Did we then have clean hands for serving a tattered Europe either as mediators or as intermediaries? The President has said "the most dangerous enemies of American peace are those who, without well-rounded information on the whole broad subject of the past, the present, and the future, undertake to speak with authority, to talk in terms of glittering generalities, to give to the Nation assurances or prophecies which are of little present or future value." The President says that he has of necessity a complete picture of what is going on in every part of the world and "it is, of course, impossible to predict the future. I have my constant stream of information from American representatives and other sources throughout the world." Referring to the people of this country the President said, "you are subjected to no censorship of news, and I want to add that your Government has no information which it has any thought of withholding from you." All of this, Mr. Speaker, I accept as fact, although the President declined to give me any of the information I requested in a formal letter addressed to him under date of October 11, 1939: But may I ask this question, Mr. Speaker, with the President supplied on the thirteenth day of last April with "well-rounded information on the whole broad subject of the past, the present, and the future" why did he send the message of April 14 asking the chancelor for assurance of no further attack or invasion? Did the President expect to impale the Chancelor through forcing him to answer "yes" or "no"? Did the information then before the President dealing with all that had gone before in the last 22 years in Europe lead the President to believe the chancelor would give him a "yes" or "no" answer? I do not believe it did.

We should also bear in mind, Mr. Speaker, that on April 14 last, Germany did not have arrayed against her the overwhelming proportion of Europe which she did have in 1917 when Mr. Wilson was releasing his messages. We should also bear in mind that in the messages of Mr. Wilson he did not magnify our concern over South American countries and our interests in the Far East as does Mr. Roosevelt. Mr. Roosevelt talks of South American countries and the progress made there by certain aggressive European nationals. He concentrates the fleet in Pacific waters, but Europe would pay more attention if Mr. Roosevelt talked of European interests and directed our fleet to Atlantic waters. So the messages of Mr. Roosevelt may produce less effect than did those of Mr. Wilson, and this due to the difference in approach and the forces that now control.

Now and then the American press develops loose talk about the Huns; about how the pressure of the Rome-Berlin axis will not decline until it comes to the point where it encounters a serious resistance. What is meant by this? Is the way being prepared for our entrance into the war? Mr. Wilson was a pacifist, and so is Mr. Roosevelt. Are the American people more ready for war now than they were in 1917? I do not think so. I do believe at this moment they are determined not to make war.

Let us go back to our history of neutrality and mediation. Germany talks of war today. A few months ago so did Italy. Did the English and the French want war? They talked peace. They requested negotiations. They tried to conciliate. Does America now want to get into the war? At the moment I do not think so. Is Russia threatening war? Does Russia say she wants to go to war? No. But if Russia can assist all of the other European powers, including England, into war and have them fight until they are exhausted economically, materially, and physically, then what of Russia? Would she not also be glad to have us again become involved in a war along with Germany, England, and France? I think she would.

I am mindful of the fact, Mr. Speaker, that the President keeps our minds securely anchored to the problems of Europe. September 3 last the President said:

> This Nation will remain a neutral Nation, but I cannot ask that every American remain neutral in thought as well.

Again, on October 26, in the President's broadcast, he said:

> The United States, as I have said before, is neutral and does not intend to get involved in war. That we can be neutral in thought as well as in act is, as I have said before, impossible of fulfillment because, again, the people of this country, thinking things through calmly and without prejudice, have been and are making up their minds about relative merits of current events on other continents.

But why did we make war in 1917–18? Was it to save democracy or to defend ourselves? For what purpose in our own minds will we go to war again but to defend ourselves? When Mr. Roosevelt adjures our citizens to defend democracy just what does he mean? Last January he said:

> An ordering of society which relegates religion, democracy, and good faith among nations to the background can find no place within it for the ideals of the Prince of Peace. The United States rejects such an ordering and retains its ancient faith.

Just what did the President mean by that word "rejects"? The President further observed:

> We know what might happen to us of the United States if the new philosophies of force were to encompass the other continents and invade our own. We, no more than other nations, can afford to be surrounded by the enemies of our faith and our humanity. Fortunate it is, therefore, that in this Western Hemisphere we have, under a common ideal of democratic government, a rich diversity of resources and of peoples functioning together in mutual respect and peace.

In the same message the President said:

> Our neutrality laws may operate unevenly and unfairly—may actually give aid to an aggressor and deny it to the victim. The instinct of self-preservation should warn us that we ought not to let that happen any more.

And then, on September 21 last, with his January message having previously been delivered, and with his message to the Chancelor of the German Government having been made as late as April 14, the President said:

> The essentials for American peace in the world have not changed since January.

Well, Mr. Speaker, I am sure we are safe in saying that at the moment there are millions of American people who would not voluntarily walk up and say, "I want now to die for the immortal principle of democracy." At the same time, Mr. Speaker, when the President, when any President of this country, comes before the Congress and makes a statement such as President Wilson made, and which I now quote:

> It is a distressing and oppressive duty, gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other—

And then simply says to the American people: "Will you defend yourselves? Will you defend your country? Will you defend your homes?" We know what the millions of Americans will say to that sequence of questions. And so does the President. And so do the British and French know what the American people will say. When the American people are convinced that the Reich is bringing England and France to their knees, that world power is shifting

rapidly to Germany, that the end to American security is coming up over the horizon, that the penetration is to begin in Latin American; and when the American people feel that the encirclement of the Yankees is to follow, Mr. Roosevelt knows exactly what the American people will say and do. At that time it will be opportune for another message. And who at this moment knows just how much the ground will be prepared for just that kind of a message to be delivered, say in January 1941?

Now, Mr. Speaker, if with the information that has been before the President all these months, that is before him now, and that flows to his desk in a constant and increasing stream there is proof that this country is in serious danger, that we shall have to fight for our existence, for the preservation of our rights as a world power, why does the President hesitate to put that information on the table before the Congress and let public opinion in this country "now" say what it wants the Congress to do? On the basis of the meager information the President has made available, the people have said in person, in letters, in telegrams, and through their Senate and now through this House, "we want to stay out of this war; we want to remain neutral; this is not our war." With the full facts before them, their attitude might be different and this Congress would not be straddling, as it must, at the moment.

Does the President understand that this country is in danger? Must he deliver himself to contortions in order to have the measures of national safety enacted by the Congress? Is the President supplied with the facts which indicate that if we actually declared war today against Germany, peace would be in the offing, and a devastating war for the whole world avoided? If the President had the information last January to the effect that our flirting with neutrality would eventually lead to the prosecution of war by Germany against England and France, eventually involving us in actual fighting, did he withhold that information from the country and the Congress for political reasons? If he at that time felt that our country was in danger why did he not so state? If the President had information to the effect that an authorization by Congress to him to say to England and France "I am with you," would prevent the declaration of war in Europe, why did he not give it to the people and the Congress? Can it be that Germany would have committed suicide? Has the President put himself in prison where he cannot talk, where he cannot state actual conditions, where he cannot speak with frankness because it is politic to be neutral? The people of this country can "take it," whatever "it" may be. Has the President committed verbal violence? Has the President irritated the dictators? Has he led us into the ways of terrible tragedies? Has he increased international tension which he so clearly outlined to the Chancelor? Have the democracies been incited to illusions that may prove fatal? Is the President and his administration now camouflaging the help he hopes to give to England and France through the enactment of this bill now before this House? Can the President only serve his country by violating the Constitution, and are those violations to occur after this session has adjourned and we have gone on our way home? The people of this country have never required their President to resort to initiatives leading to a bewildering timidity; and they do not do so now.

THE ALLIANCES OF EUROPE

Europe resuscitates the period of alliances which existed prior to the World War. Everywhere and in all directions alliances are signed, and this in spite of the fact that it was conceded in 1919 that alliances contributed to wars. The tranquil years of Europe, however, were accompanied by alliances. Some claim that had we not attempted to be neutral, that had we gone along with some kind of an alliance with the other great democracies—England and France, that the totalitarian or dictator countries would not have precipitated or forced the war now raging. We have in mind the League of Nations was formed. But observe the departures therefrom, and remember the United States never entered the League. We witnessed the departure of Brazil, Japan and Germany, Italy, and Switzerland. Spain, Ethiopia, Austria, and Czechoslovakia have in other ways ceased to figure in the management. It is of interest for us to look at the falling away of the few alliances concluded after the Treaty of Versailles, and I refer to the Franco-Belgian, the Franco-Polish, the Franco-Czechoslovakian, and the Little Entente.

In 1933 the signing of pacts and alliances began in earnest. In 1934 we witness the signing of the 10-year nonaggression pact between Germany and Poland, which no doubt weakened the ties between Poland and France. There followed the consummation of the Balkan Entente, consisting of Rumania, Yugoslavia, Greece, and Turkey, and later there came into operation the little Baltic Entente arranged between Estonia, Latvia, and Lithuania. Germany proceeded to repudiate the Locarno Pact, and along with Japan executed an anti-Communist pact, and this was later broadened to include Italy and Hungary. Although Great Britain and France had gone to war in the interest of Belgium in 1914, the latter fearing growing Nazi strength demanded release from the Locarno Pact, and today it is necessary for us to await the passing of time to accurately appraise the relations existing between Belgium and England and France.

While England may have moved rather slowly she did finally begin to make alliances, although she had frowned upon them in the past. We witness the British-French alliance, and those made by Britain with Turkey and Poland. There came the struggle of Britain to form an alliance with Russia. And, too, the French awoke to what was going on, but the anemic alliances with Poland, Russia, and the Turkish accord failed to fully blossom and ripen.

We observe that primarily there were two groups of alliances, as of old. England and France in one group and Germany, Italy, and Russia in another. With interest one can compare Imperial Germany with Hitlerian Germany. Hitler lost Alsace, Lorraine, Schleswig, Danzig, the old Prussian Poland. But then what happened? He regained German Austria, Bohemia, Moravia, Slovakia, Poland, and Danzig. Italy—she has picked up Albania and Ethiopia; while Austria-Hungary has primarily increased the size of Hitlerian Germany and Italy. Japan has gone a long, long distance to form a working arrangement with Germany.

We are reminded of those aliances of years gone by between Japan and England.

We saw what happened as between these two countries in 1921. If it proves to be true that England and France have not in actuality lost Italy as an ally, that will, of course, alter the situation as against that which existed some months ago. From 1915 to 1935 these last three named countries were allied and the tie was broken through sanctions. Japan was in need of an European ally and having lost London, when the world situation began to tighten she sought another at Berlin. This constituted a great loss to England and France.

Why did the proposed British-Russian alliance fail? To what extent could either England or France reliably depend upon Russian bolshevism, and the economic and military disorganization assumed to exist in Russia? Would treason have developed in due course? What about the pact with France which was signed by Maxim Litvinoff? Why did his star decline and was there ever a firm proposition submitted for the acceptance of Mr. Chamberlain? We need only refer to the statements of Mr. Chamberlain before the House of Commons to obtain light on the question. While Maxim Litvinoff was given his dismissal by one Josef Dzhugashvili, called Stalin, the significance of the change is not clear. We can only ask if it is to be profitable to Germany. To what extent will his dismissal and the change of both personnel and methods benefit the great democracies? Everywhere we read of Russian personalities, but the important question is, What is to be the policy of the Soviets?

We could believe that on the one hand Russia is intent on unchaining the revolution in those countries which are non-Fascist. We can believe that the Soviets might go so far as

to provoke war for that purpose. At the same time we can assure ourselves Russia will not participate in the war so provoked. Ah! the Soviets would not be so dumb as to follow such a course. But, if the Soviets can precipitate the capitalistic states into a war of exhaustion it will then be so much easier to promote revolution. Since the Russian Revolution took place let us go and review the liquidations, the deportations, the assassinations that have occurred in Russia. What has happened to the original leaders? Must not the revolution propagate itself abroad? Is not that what is being promoted here in the United States?

Dealing with central and western Europe alone, let us for a moment gaze upon the field of action. Russian communism was suppressed in Germany, Austria, Czechoslovakia, and Spain. In Yugoslavia, Bulgaria, Greece, Turkey, and Poland it has not succeeded. It is now nonexistent in England, Belgium, Holland, and the Scandinavian countries. In France there may be found a semblance of practice and experimentation. If we can run the Federal debt to seventy-five or one hundred billion dollars; if we can indefinitely maintain from five to ten million heads of families on relief; if we can go into another devastating war and let follow its close the washing out of the capitalistic system and have substituted therefor a dictatorial form of planned economy, what a feast we will set for the revolutionist.

Soviets know their weakness. They have some conception of the weakness of others also. Following the recognition of Russia by President Roosevelt and the trade arrangements arranged by the latter with one Maxim Litvinoff and the sale of good American airplanes, we are not informed about the number of qualified Russian aviators. What is the capacity of Russia's heavy industries? What is Russia's organization, political and military? Do the Soviets dare let the Russian Army leave the interior? What would the civilian population do if the army went to the front? If the Soviets want to make war, why have they been so passive with regard to Japan's encroachment in China? Did not Russia act in Poland after Germany advanced? Was Russia operating in Spain, in Bohemia, in Slovakia, at Memel? Russia, being wise, she lets other countries do the actual fighting. We have also observed that Russia has not opened her gates to the refugees from Spain or from Germany. It would be enlightening if we could obtain more information with reference to the depopulation program Russia now has under way in certain areas. We do observe with interest her willingness to sign alliances, pacts, arrangements, and agreements with all the countries; in doing so, she does not have to execute with anyone. Mr. Speaker, as best I can measure the war aims of Russia, she is not interested in the present imperialistic war except that "it may touch all the world except Russia."

Observing at a distance the alliance-making that has been going on, the revolutionary tactics that have been promoted in the United States by agents of Moscow, the insults the Russian press has heaped on England and France, the accusations of Stalin against the self-styled great democracies for having conspired to throw Germany to the east, I wonder why the democracies thought Russia could be depended upon to help save Poland or Rumania. Who is so credulous as to depend upon a companion in battle when they know that companion is assiduously preparing civil war against them, on their own soil? Are we to fear Russia only because she promotes civil war in our own territory? Let those who will go look at the record and bear in mind that Russian bolshevism has made that country, for the time being, a power of limited interest. And as for China, and our long nurtured Philippine Islands, let us not forget. The day may come when Russia will have business there.

WHAT IS OUR POSITION IN THE PRESENT WAR?

What role shall America play in the present war? For the moment our people want peace, noninvolvement, neutrality: There is no doubt about that. But as so clearly pointed out in debate in the Senate and the House, we proceed to take sides; to make this our war, to boldly state that we must now go to the aid of France and England and all so that democracy may be saved and our encirclement prevented. With repeal of the embargo and the steps that will naturally follow, how long will we remain neutral in action? The same question, mind you, could be appropriately submitted with the embargo in effect. We hear those voices claiming that Germany and Russia are stronger than France and England.

Let us try to look upon the scene now as compared with the situation in 1914. We do know that the Anglo-French position is much stronger than in 1914. From the standpoint of colonial advancement and general strengthening with more manpower, more industrial development, and more ability to produce foodstuffs, we know great progress has been made by both England and France. The shipping position of the two countries as compared to that of Germany is far better than in 1914. Furthermore, their internal organizations are prepared for war as months of planning peceded the recent declaration of war. Immediately, the financial resources were mobilized, foodstuffs were rationed, taxes were increased, and altogether there was not the hesitancy which governed in 1914. The financial strength of England and France at this time as compared with Hitlerian Germany is, of course, very much in the former's favor. Germany's distress has long ago been announced by her augmentation of debt and the issuance of bonds. The ability of France and England, through control of the seas, the increased production of foodstuffs on their home soils, the strengthening of their empires industrially and agriculturally places them in position to revictual their forces, but Germany must depend so much upon Russian uncertainty.

There is a political unity of defensive interest between England and France just now which did not exist in 1914. The alliance between the two countries this time preceded the declaration of war—it did not have to come after war was on. Can we appraise the moral and intellectual relationship between Germany and Russian uncertainty? We cannot. But look at the situation as between England and France. Do we find ill feeling there? We do not. We find a unity of action, a singleness of purpose that far transcends that which existed in 1914. We hear of no conflicts whatsoever as between England and France; their visits are friendly; there is no encroachment. But we cannot say that about Germany and Russia or Germany and Italy or Russia and Japan. We should also be mindful of the fact there are no religious or political forces operating against the singleness of purpose of England and France; but, on the other hand the church takes official cognizance of the great moral forces the Allies support.

Upon what soundness of theory can we assert the Monroe Doctrine, and forever be going to Europe to make war? Until 1917 we had kept faith with the principles of the Monroe Doctrine. At that time we broke faith. Upon what grounds can we now justify a second breaking of faith? Shall the United States content itself with being an international policeman for all of Europe? Not if we are to have any peace.

Why did the Pilgrim Fathers flee Europe? Was it for the purpose of having the power to judge Europe? Are we the born arbiters of our European ancestors? If not, why do we, when we apply ourselves to international affairs always begin to judge, take sides, and want to act as the great policeman? Our interference invariably brings about results exactly contrary to that which we advocate.

We are cognizant of the new force which has implanted itself in Europe, and I refer to the changed Russia. Prior to the coming of her present regime the very bulk, area, and population of Russia was a stabilizing influence throughout Europe. If one of the factions became too great and powerful the other could always go to Russia, form an alliance, and prevent the first from attaining supreme command. But now, with Russia under the command of a leadership which is in conflict with that of all the other leading powers of the world, we can rest assured that the absence of her old status is keenly impressive. Perhaps the

time has come when England, France, Italy, the Netherlands (and may I also say the United States) all must count on themselves—and no longer rely on the balancing influence of Russia. Even if Russia should agree to furnish military assistance to Germany, what would it be worth? Russia might defend herself, like China, by retreating; but to aggressively offend, I do not think so. Stalin has liquidated too much of the intelligence of Russia.

So, Mr. Speaker, we must now act on the bill before us. As I have stated, I am convinced that at this moment our people want to stay out of the war. But those who advocate the repeal of the embargo grow more bold in their contention that repeal must be effected in order to assist Britain and France. They have now drifted away from the thought of neutrality—their new doctrine is we must not let England and France be defeated; therefore, let us repeal embargo and proceed to ship goods as fast as they can be fabricated. Is this the first real step toward our actual participation? Accepting the arguments as they have been and are being presented, I must come to the conclusion that is exactly the new proposal. In the drafting of this bill now before us, some master mind has calculated that the provisions of this bill will reconcile the desires of our people; that is, that we keep out of the war and that a German victory be prevented. To repeal the embargo will, in the words of those who advocate repeal, strengthen the hands of England and France. The repeal step is to be taken deliberately, for this specific purpose of aiding the latter-named countries—not in order that we shall be neutral. If this be true, there will be spread over this land propaganda and arguments to convince the people of this country that we should ally ourselves with England and France, first, in the manner here proposed, secondly and later by extending credit in order to promote our economy, thirdly that when the crucial hour arrives we must furnish manpower to the extent necessary. That, Mr. Speaker, is the logic of this whole proposal. So, Mr. Speaker, if at some future time the disposition of our people is to the effect that we should make this our war, that we should furnish materials, then money and credit, and, last, manpower and the full strength of the Nation—and no longer even claim our neutrality—at that time the Congress will act in response to the will of the people. But at the moment, Mr. Speaker, our people are demanding neutrality, the proponents of repeal are claiming neutrality, and, therefore, I shall vote to maintain the embargo and remain as neutral as possible and without choosing sides as to who shall win or who shall lose, leaving that choice to the American people to be expressed at some future time and in accordance with developments now unpredictable. The relative merits of current events on other continents may be the controlling factor after our people have had the time to think things through.

Mr. FISH. Mr. Speaker, I yield 15 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, first let me compliment the leadership of the House, particularly our able Speaker and our majority leader, for giving us a chance to express our views upon the many questions presented in this bill. May I not say at the outset that I do not pride myself on believing or feeling that I can shed any new light upon the matters that have been discussed in the other end of the Capitol and over the radio for nearly 6 weeks and, indeed, in this body itself for the last 3 weeks.

The resolution before us contains many provisions that are worthy, meritorious, and no doubt will lead toward peace. Regardless of whether or not the embargo on arms is retained or lifted, the President of the United States was more than justified in calling the Congress in extraordinary session to strengthen and improve our position.

Looking back, I am convinced that we became involved in the World War some 22 years ago because our people and our banking institutions had theretofore extended almost an unlimited credit to some of the belligerent nations. Also there were two other strong contributing factors. A number of our people suffered the loss of their lives by being passengers on American ships which found their way into danger zones and were sunk. The third reason was the sinking of our merchant ships. Those, in my opinion, were the happenings which caused us to enter the other war.

This resolution is a fairly good guaranty against a situation which might lead to a recurrence of that disastrous step which we took when we sent our boys to be slaughtered on foreign soil in World War No. 1.

I use the phrase "fairly good guaranty" advisedly for two reasons: First, under the provisions of section 7 I see nothing to prevent a person or citizen, as those two terms are defined in the bill, from going into Canada, or Mexico, and trading in any way they see fit in belligerents' securities, or the extension of credit to belligerent nations, as long as the transaction takes place outside of the United States. They may also buy all the securities they wish if they are dated prior to date of proclamation.

In my opinion, the conferees should be instructed by the Members of the House to substitute such language as will prevent citizens from going anywhere to buy, sell, or exchange bonds, securities, or other obligations of a belligerent nation named in the proclamation, and also prevent citizens and persons from trading in such securities within the United States, regardless of when issued.

I want the Members to read section 7, page 23, dealing with financial transactions. You will observe we can buy foreign securities under the provisions of this bill, provided they antedate the signing by the President of the proclamation of war. In other words, if I had money, which, of course, I have not, I could buy all of the securities of the belligerent nations in Europe which bear date prior to the time of the issuance of the war proclamation by the President of the United States. Moreover, under that same section you could go over to Canada and buy and sell any securities offered by any foreign nation to anyone. A citizen of the United States may do that. In my opinion, Mr. Speaker, the American people believe that we are legislating to prevent the issuance of credit and buying foreign securities and thereby tying ourselves into these foreign belligerent nations in financial transactions which would lead us into the insane war going on now in Europe.

I sincerely hope that when the time comes we will be able to instruct our conferees to take a position to tighten and strengthen this section 7 so that American citizens cannot go over into Canada or into Mexico or any other foreign country and buy foreign securities, and that we will take the position that our citizens cannot buy foreign securities regardless of the date they are issued.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. I suggest the provision the gentleman is discussing was inserted in the Senate bill. It was not in the original bill. The Senate became convinced that ought to go into the bill.

Mr. O'CONNOR. I do not care how it got into the bill. We do not want to extend any credit to the European belligerent nations, not one dime of credit, because that is the principal thing that got us into the other war. You cannot deny the fact that it was through investments made by the international bankers of the city of New York that caused, ultimately, the American boys to die on foreign soil.

Mr. CURTIS. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Nebraska.

Mr. CURTIS. Referring to section 7, subsection (b) says:

The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

At the present time the law forbids the exportation of arms and munitions, but it does not forbid or prohibit the purchase upon credit by any foreign government of arms and munitions at this time. If this arms embargo is repealed, what is there to prevent a foreign government buying arms and munitions,

leaving them in this country at this time, and then after the proclamation renewing the indebtedness?

Mr. O'CONNOR. Not a thing.

If this proposed legislation is amended in this regard, in my opinion it will go a long ways in keeping this Nation out of this European war. I do not believe the retention or lifting of the embargo on arms, munitions, and implements of war means either war or peace. Neither do I believe that anything which we may write into the laws of this country means either war or peace. I agree with the distinguished gentleman from Texas to that extent. It might be well said that you cannot control the taking of lives, the sinking of ships, the explosion of bombs, and the shooting of bullets by words, however well intended.

All we can do by legislation is to inhibit such activities of our citizens as have heretofore placed this country in such a position that it had to act in order to preserve its rights. A repetition of such acts on the part of our citizens might again cause our people to be whipped into such a state of fury that we would again be provoked into making the terrible sacrifice.

It may also be said, parenthetically speaking, that this proposed measure has to do only with internal affairs in this country and in nowise affects, as a nation, this Nation's rights under the law of nations. There is no question in my mind but what the rights of our Nation will be many times transgressed by all of the belligerent nations. War is war. The only thing we can do is to build the most effective barrier of words against bombs, sinking of ships, bullets, and so forth, as is possible, but, my colleagues, this so-called word barrier embargo, in or out, will not of itself keep us out of war.

The people of the United States may go a long way in keeping this Nation at peace if they will remain neutral in spirit as well as in fact, hold their heads, and "keep their shirts on."

I also want to call to your attention, as I did last June, when I was privileged to address you here on the so-called Bloom bill, to the powers of the President of the United States.

In my opinion, in the hands of the Chief Executive, outside of the people themselves, rests the greatest power to preserve peace. In that connection I want to call your attention to article II, section 2, of the Constitution of the United States. I also desire to call your attention to a decision rendered by the Supreme Court of the United States known as the *Chaco* case, found in the American Journal of International Law, volume 31, 1937, beginning at page 334.

I ask your indulgence to repeat now some of the pertinent parts of this Supreme Court decision.

I quote again in review:

> Not only, as we have shown, is the Federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate, and manifold problems the President alone has the power to speak or listen as a representative of the Nation. He makes treaties with the advice and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude, and Congress itself is powerless to invade it. As Marshal said in his great argument of March 7, 1800, in the House of Representatives, "The President is the sole organ of the Nation in its external relations and its sole representative with foreign nations." (Annals, 6th Cong., column 613.)
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> The Senate Committee on Foreign Relations, at a very early day in our history (February 15, 1816), reported to the Senate, among other things, as follows:
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> "The President is the constitutional representative of the United States with regard to foreign nations. He manages our concerns with foreign nations and must necessarily be most competent to determine when, how, and upon what subjects negotiations may be urged with the greatest prospect of success. For his conduct he is responsible to the Constitution. The committee considers this responsibility the surest pledge for the faithful discharge of his duty. They think the interference of the Senate in the direction of foreign negotiations calculated to diminish that responsibility and thereby to impair the best security for the national safety. The nature of transactions with foreign nations, moreover, requires caution and unity of design, and their success frequently depends on secrecy and dispatch." (U. S. Senate Reports, Committee on Foreign Relations, p. 24.)

Mr. Speaker, I will ask the Members to read the *Chaco case* decided by the Supreme Court of the United States, cited herein.

You will observe that the President is the sole organ of the Nation in its external relations and its sole representative with foreign nations. Mr. Speaker, with this almost unlimited and plenary power in dealing with this foreign tragedy, the President of the United States can preserve peace or lead us into war. At this point I desire to say to you that if it is possible and if it can be done with some little degree of national pride left and without surrendering all of our international rights under the laws of nations, that our President will preserve peace.

Really, Mr. Speaker and my colleagues, the only real hold Congress has on the entire situation is that it alone has the power to declare war. Again speaking parenthetically, as long as I am a Member of Congress I shall not vote to send our boys to fight in foreign lands unless we, as a Nation, are about to suffer complete destruction of our rights and unless I receive a clear mandate from the people to do otherwise.

Let us not mistake the situation today. The people of this country are almost unanimous against taking any hand in this madman's war in Europe and want no part of it.

Mr. Speaker, as to the embargo feature of this resolution, in my opinion it does not ascend to the height of importance which caused, without abatement, unparalleled furious debate for 4 weeks in the other end of the Capitol. I have heard it said in the Senate that its retention or repeal will mean war or, conversely, peace. With either statement I cannot agree. Its repeal would be restoring a right our people have, subject to certain restrictions and regulations, a matter that is purely internal with which no nation has the legal right or the justification of attempted interference. The writing of this bill, in its entirety, is purely an internal matter. The mere fact that England and France appear at the moment to be the beneficiaries of this contemplated repeal of the embargo is simply incidental to the spirit and presumable purpose of this resolution.

I want to say a word contrary to what the distinguished gentleman from Texas said when he stated this law was unfair and impartial because Germany was the beneficiary under its terms. If that is the fact, it should not be controlling for its repeal, because if it favors Germany, that is simply incidental to the purpose and the spirit of the law, namely, to preserve the peace of this country. On the other hand, if repeal favors England and France, that is simply incidental to the purpose and spirit of the law.

Positions of nations on what constitute neutrality, many times depends upon whose ox is being gored. Great Britain in late 1914 and early 1915, took the position that during the progress of a war an embargo should not be placed on the exportation of arms, declaring such action to be unneutral. Germany, believing that it would be advantageous for such an embargo to be placed, advocated that such legislation should be adopted, and took the position that it would not be an unneutral act to write such legislation when a war was going on. Now each nation is contending, as I understand it, the opposite view. So, after all, are not we to judge for ourselves? What right has either nation, under international law, to say that we cannot, without becoming unneutral, write any statute we see fit, regulating or restricting the rights of our own people, and concerning our own internal affairs?

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman 4 additional minutes.

Mr. O'CONNOR. Mr. Speaker, the statement has been made that there is little, if any, difference between the materials out of which guns and bullets may be made, and the finished article. That argument is not persuasive. For instance, steel and copper may be used to make implements of war and they may also be used for legitimate and lawful purposes. Under the common law I think the rule is that there is a presumption, where an article may be used for

an unlawful and a lawful purpose, that it will be used for a lawful purpose.

However, Mr. Speaker, I think it is well to recall that this Nation outlawed war as an instrument of national policy by the provisions of the Briand-Kellogg Pact, and it may properly be said that in view of such action on the part of this Nation, and in view of our traditional peace-loving policy, that this country should not directly or indirectly aid in the continuance of the terrible war in Europe by furnishing munitions of war to either or both belligerents to be used in the destruction of innocent men, women, and children whom we do not know and against whom we hold no grudge, but, on the contrary, for whom we entertain the kindliest of feeling. Let us not forget that all belligerents may buy our implements of war in case the embargo is repealed.

I wish to also state that Congress will be in regular session within approximately 60 days. If a mistake is made here, it can then be corrected.

Mr. Speaker, my only desire is, as God is my judge, to keep this country at peace. That is the mandate we have received from the four corners of these United States. Remember, our people want no part of this European war.

Mr. Speaker, to my way of thinking, the real enemies confronting America today are, first, a staggering national debt of $45,000,000,000, and, second, the haunting specter of millions of men out of work. These two conditions are more frightening to me than a war going on in Europe, 3,000 miles removed from our shores. I cannot help but recall the words uttered by the distinguished gentleman from Texas, the chairman of the Judiciary Committee of the House, Judge HATTON SUMNERS, when he was speaking of matters of this kind, he stated that "We are at the crossroads," and that it was going to require the complete cooperation of all Members of Congress, the executive and the judicial branches of the Government to save this country. Perhaps he had in mind not only these conditions, but likewise the boring from within by many enemies of our form of government. Now, supposing we entered into this war. We can safely add at least from fifty to seventy-five billion more of national indebtedness, and, besides, millions more of dead and unfortunate human wrecks would follow this war. We would emerge from World War No. 2 a nation of broken, weary, despairing people, easy prey for the heel of the lurking dictator. We must take no chance in this matter.

Mr. Speaker, I would remind the House of the words spoken recently by the newly elected national commander of the American Legion, Mr. R. J. Kelly, when he accepted office. He said at that time:

> Now, as never before, we must save our youth from being dumped into the bubbling cauldron brewed of Old World poisons.

He has been there. He knows whereof he speaks. He knows the poisons in the minds and hearts of those nations. He knows that for centuries they have fought over boundary lines, over trade, money, and power. He knows they will continue to fight. He knows the youth of America have no place in their recurring wars. Let me quote briefly again from Mr. Kelly:

> As your national commander I pledge myself to go from this convention and make known to our fellow citizens your mandate to keep our Nation out of any armed conflict overseas. Here we have conscientiously advised our fellow countrymen of the vital necessity of their maintaining a realistic neutrality policy. Attempting to cloak our neutrality with a biased belligerency must inevitably lead us straight into war.

Many of these American Legion boys tasted the horror, the bitterness, the tragedy, the futility of our last efforts to save democracy in Europe and to end war. Ask any ex-service man if he wants to drink again from that same cup of sorrow.

We have, Mr. Speaker, a fight ahead of us—a fight against our own immediate enemies of debt and unemployment, and we have a fight to stay out of Europe's war. I am confident that America is big enough and great enough to win both of these fights. I know Congress will do its level best for victory.

Mr. MURDOCK of Arizona. Will the gentleman yield at this point?

Mr. O'CONNOR. I yield.

Mr. MURDOCK of Arizona. Did I understand the gentleman to say that, in his opinion, no matter how we pass this law, this country will not be drawn by this legislation into the present European war?

Mr. O'CONNOR. That is correct. That is my feeling and view.

Mr. MURDOCK of Arizona. The gentleman and I have similar views on so many matters I wonder if we are not agreed on many phases of this problem. On June 30, last session, before war started in Europe, and at a time when we thought there would probably be no war immediately, we both voted not to lift the embargo on arms and ammunitions. My vote at that time was largely a protest vote. Now to me the whole matter is changed. I may be willing to lift the embargo on guns and ammunitions, but I do not want to lift it on poison gases. I wonder if the gentleman has the same feeling in the matter.

Mr. O'CONNOR. The gentleman from Arizona has expressed my view and indicated my intent as to poison gas.

Mr. MURDOCK of Arizona. When the gentleman from Montana stated his convictions so positively about our keeping out of war he indicated exactly my feeling and intent. I assume from the gentleman's remarks that he feels that the enactment of this legislation will not only not get us into war but will tend better to keep us out of war. Does the gentleman from Montana wish to give notice, as I do, that no matter how he votes on this bill his vote is not to be considered as a pledge of further legislation to help any of the belligerents, even though his vote on this measure may indirectly have that effect at the moment? As for myself, I hope to have the opportunity to vote directly on the issue of lifting the embargo on poison gas, in which case I shall vote "no."

Mr. O'CONNOR. Whatever we do, Mr. Speaker, let us do it in the spirit of Commodore Decatur, who uttered this famous toast:

Whatever we do, Mr. Speaker, let us do it in the spirit of Commodore Decatur, who uttered this famous toast:

> Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong!

[Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mr. BALL].

Mr. BALL. Mr. Speaker, it is with an humble spirit that I approach the problem which confronts the Congress and the country at this critical time in our Nation's history.

Deliberately, dispassionately, I have done my best in my own simple way to think this thing through. I have listened to many speeches, some of them stirring, some of them dull, but all of them sincere. I have read the many letters that have come to me from high and low, from rich and poor, from the learned and the unlettered, all of them crammed with the insistence that this country hates war and desires to do everything humanly possible to avoid war. I have read everything that I could find that had any bearing on the subject, and I have written to those whom I believe to be wise, and sane, and sensible so that I might have the benefit of their better brains, and now—after due and deliberate consideration, and deeply sensitive of the seriousness of the situation—I have made my decision. I will support the bill, as amended in the Senate, firmly believing that it charts the best course for our country to follow.

During the last several weeks much has been said in debate, over the radio, on the platform, and in the press that is misleading and confusing. The opponents of the repeal of the arms embargo have made, not once but many times, the statement that a vote for repeal is a vote for war. That statement is not only untrue, it is ridiculous. They have said that those who would vote for repeal are influenced by the makers of munitions of war. Anyone who knows the men

who make up the membership of this body knows this is preposterous. They have done much to inflame the people of this country against her friends and former Allies. They have done almost everything to defeat the pending measure, but most of them have failed to face the issue squarely and consider the legislation on its merits.

It is somewhat unfortunate that the proposition before us should have become known as the neutrality bill. True neutrality is a state of mind—a thing of the spirit—that can never be achieved by man-made law. It would seem to me better to call this measure the American safety and security law, for it is an attempt to keep the United States out of war—not to get them in. It is a straightforward and honest attempt, and as such should receive the acclaim of the country. It is nonpartisan in spirit, or should be, and has the approval of the distinguished Secretary of State, Mr. Hull, and his eminent predecessor, Mr. Stimson. If enacted into law it will enable us to look the world in the face, firm in the support of what we know to be right and confident that the ideals of our forefathers will be cherished and preserved for all time. [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. ALEXANDER] such time as he may desire.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include therein a letter from a constituent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I have received over 5,000 messages from citizens in Minnesota regarding the problem now under discussion—neutrality. Among the various groups and individuals who have interested themselves in this great subject none has been more devoted to the cause of preserving peace and to the pursuit of patriotic ideals as they see them than the group of American citizens in Minneapolis and vicinity who call themselves The American Scrutineers.

I do not know anything about this group, except as I have come to know them through their efforts in the interest of peace, in which we are all interested. In that connection they have asked that I place their views on record, and I gladly insert same herewith in the form of a letter from Mrs. Agnes Rosa, their secretary:

THE AMERICAN SCRUTINEERS, INC.,
Minneapolis, Minn., October 28, 1939.

Hon. J. G. ALEXANDER AND ALL MEMBERS OF CONGRESS:

In dealing with the issue which is now before the House—namely, doing away with the arms-embargo provision of our present neutrality laws—kindly bear in mind that you are the representatives of the American people because of the esteem your constituents had for you at the time of your election.

To betray their confidence at this crucial time would be un-American.

To endeavor to discuss this issue, pro or con, by mail would be useless, but we feel it our duty, after careful deliberation, to express in a few brief words our decision.

Lifting the arms embargo would be our first step proving that we do not intend to stay neutral. and we cannot hope to gain either financially or morally by so doing.

By lifting the arms embargo we will eventually become embroiled in another world war with nothing to gain and everything to lose, even to the extent of forfeiting all our cherished rights as guaranteed by the Constitution, for which many of our forefathers died and for which there are many loyal American citizens willing to fight to defend.

We are convinced that our President is not motivated by any idealism in conniving for this repeal, but is proving beyond any question of a doubt that to him place and power are his ambition.

The Members of the House of Representatives have no reason to be misled and deluded. We are aware of the fact you do not have access to all records and secret treaties to date, but the records you have of the war of 1917 should be a safeguard for the people. Do not wait another 20 years before you acknowledge the facts. This is no war to safeguard Christian principles. England and France are no more concerned about that than Germany. There is no more dependence upon the honor of England or France than Germany. This is a war to retain an iniquitous financial system which has proven to be the greatest hazard to the well-being of man. George Bernard Shaw said, "If our own military success were at stake we would violate the neutrality of heaven itself."

Were you not an enlightened body of men you could not be blamed, but with the knowledge you have of secret and underhanded methods employed, the insidious act of voting to lift the arms embargo would be a betrayal of the confidence reposed in you and make you traitors to yourselves, your families, your fellowmen, and to your God.

To any loyal American a vote to lift the arms embargo is little short of treason, yet there were 63 Senators willing to let their names go down in history as favoring such action. It is a pity that everyone who votes for war or causes which lead to war does not sign his own draft.

On the action in the House depends whether we will be merchandisers of war materials, whether or not we will again sacrifice our youth on foreign fields, whether we will be strangulated by the "industrial mobilization plan" and lose every vestige of our liberty. The American people are not willing to give to any one man such dangerous power however much he may desire it. Let Congress keep and exercise the powers vested in them by our Constitution. Relinquishing these powers is a forerunner of a revolution and if that time comes antisemitism which today is a mere myth in the United States will become a reality. We are still willing to do and dare all for the cause of truth and humanity.

We beseech you to be prudent and cautious. One-third of our Nation is still ill-housed, ill-fed, and ill-clad.

Stop looking to Europe. Give democracy a chance to work here.

Remember your duty is to safeguard our country and your country, our Constitution and your Constitution, and all the people in our country worthy of being classed as American citizens. Remember men will sacrifice their lives for a country which protects them and their families, but not for a racket.

Hoping that some miracle will save us from the horrors of another war and eventually eliminate want in the midst of plenty and ensuring permanent security for all our citizens and thus set an example for all foreign nations to follow.

We never want to pay another foreign country for graves where our American boys rest. Keep the arms embargo on tight.

Respectfully yours,

AMERICAN SCRUTINEERS,
AGNES ROSA,
Corresponding Secretary.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Indiana [Mr. LUDLOW] such time as he may desire.

Mr. LUDLOW. Mr. Speaker, 163 years ago the Liberty Bell rang out, proclaiming liberty, independence, and freedom to all of our land and all of the inhabitants thereof.

Today we have need of another liberty bell to ring out a clarion warning to the people of America that the liberty, independence, and freedom for which our forefathers so nobly fought on the battlefields of the Revolution, are jeopardized by the well-meant but dangerous bill now pending as the special order in the House.

In historical sequence and implications the House of Representatives in Washington is linked with Independence Hall in Philadelphia and will be so linked in the receding vista of the centuries. It seems a far cry from Independence Hall in 1776 to the Hall of the House of Representatives in 1939, but they are but scenes of different episodes in the age-old struggle for human freedom. Our ancestors fought and died to separate America from alien influences that trampled on all of the rights of man and enslaved the human spirit. It was their holy aim to establish in the New World, completely detached from the Old World, a citadel of freedom that would endure and bless mankind forever. The opponents of the pending neutrality bill are fighting today to sustain and perpetuate the policy of the founding fathers; to keep America forever free from the corroding and enslaving Old World influences and conditions which our forefathers fought so valiantly to escape.

We are fighting to keep America forever out of Europe and Europe forever out of the Western Hemisphere. It is an epochal, history-making fight that is now being waged in the House of Representatives.

It is a fight that should excite our highest patriotic emotions, because of its tremendous significance for the future of our country, and in it there should be no criminations and recriminations, no trace of bitterness. Let every Member of this body freely concede, as I certainly do, to every other Member the same sincerity and good faith he claims for himself. With that fundamental feeling of confidence, one for another, we shall start with the right premise for the serious consideration of the gravest question that has ever confronted the House in your day or mine. Let us sit down and reason together, and let us pray to God that we will not make an awful mistake.

TWO QUESTIONS POSED

Let us consider, in a purely objective way, the issues involved in this so-called neutrality measure, which is not neutrality at all, but a plain effort to help one set of combatants in a foreign war. Let us pose two questions:

(1) What will happen if we stay out of the European mess, by defeating this effort to repeal the arms embargo?

(2) What will happen if we repeal the embargo and thus let down the floodgates to furnish the lethal instruments of death and destruction to one set of European fighting powers?

The answer to the first question is that if we stay out we, of course, will stay out. If we maintain the existing neutrality law, and do not repeal the munitions embargo, there are ninety-nine chances to one that we will keep out of the European war, and America may then proceed to the immense undertaking of economic rehabilitation at home, to the end of finding employment under happier surroundings to the 10,000,000 or 12,000,000 now unemployed, ill clothed, ill fed, and too often on the verge of starvation. No one will contend that the existing neutrality law is getting us into the war. On the contrary, it is keeping us out, and will continue to keep us out.

OPPORTUNITY TO REAFFIRM MONROE DOCTRINE

But in further answer to the first question, let me say that in my opinion by far the most important effect of our action if we stay out of Europe's war and refuse to repeal the embargo, will be a twentieth century reaffirmation of the Monroe Doctrine. That is what is needed now more than anything else—a twentieth century reaffirmation of the Monroe Doctrine—and the House of Representatives has now the ideal and perfect opportunity to reaffirm that doctrine in a clean-cut way that will stand out as an object lesson to the world for all time to come. You will remember that under the Monroe Doctrine we closed the Western Hemisphere against the aggression of European powers, but you will also recall if you study the philosophy back of the Doctrine and the debates on the subject that this carried with it the reciprocal obligation on the part of America to stay out of Europe's affairs. "America to stay out of Europe and Europe to stay out of the Western Hemisphere" was the keynote of the doctrine which is so closely and basically intertwined with the history and traditions of America. If we ourselves violate the spirit of that tradition by becoming the munitions arsenal and provisioner for one set of fighting powers in a war between European belligerents, will that not put us in a most difficult position, at least as far as logic is concerned, when it comes to defending the Monroe Doctrine against future aggression by European powers? I wish the advocates of embargo repeal would think that matter over very carefully, for I believe it is an important point.

WHOLE WORLD IS WAITING

The whole world is waiting for the verdict of the Congress of the United States on this neutrality bill. What we do here on the roll call on this bill will fix the future status of America in world relationships. By our action we will either stand on the Monroe Doctrine and plant America squarely on that doctrine, reaffirming our pledge to keep America out of Europe and our determination to keep Europe out of the Western Hemisphere for all time to come, or by letting down the bars and becoming a partner in the strife in Europe we will undermine our national peace and security and invite reprisals against the Monroe Doctrine which are bound to come. Is not the policy of Washington and Jefferson, as fixed in the history and ideology of our country by Monroe, by far the safer policy? The House of Representatives will make a historic decision on this bill, the soundness and justice of which no one can deny, if it will just envision America standing unshakable on the Monroe Doctrine in its pure and undiluted form, armed so completely that no foreign nation dare even to think of attacking the Western Hemisphere.

REPEAL WILL PUT US IN THE WAR

Some brief comment now on the second question I posed at the beginning of this discussion and I am done. What will happen if we repeal the embargo and thus let down the floodgates to furnish the lethal instruments of death and destruction to one set of European fighting powers? It does not require a seer or a soothsayer with a crystal sphere to answer that question. On the day this bill is passed and signed we will be in the European war. We will be the arsenal and provisioner and credit supplier for one set of fighting powers; and if that does not put us definitely in the war, I do not know what would. I loathe the dictators, but I am for America first, last, and all the time, and I think we should keep out of foreign entanglements. I do not think that we should try to wipe out the sins of the dictators with the blood of our precious American boys. Already the British newspapers are using glowing phrases in hailing us as their supporter. We will go in as a noncombatant ally of one set of powers and our status will be likely to change at any time to that of a combatant as pressures are applied and the exigencies of the war situation develop. We will go half way in at the start, and if we do not go all the way later on it will be by the grace of God, and despite a law masquerading under the name of neutrality that exposes us in a hundred different ways to entanglement and involvement. Soon American-made instruments of mass destruction will be pouring across the ocean and our manufacturers will feel the jingle of the profits of blood money in their pockets; and when the Allies' cash gives out, there probably will be an effort to liberalize the credit provisions of the law, and the Reconstruction Finance Corporation very likely will be called upon to furnish the money of the American taxpayers to enable the foreign nations to carry on their war. I am opposed to American financing of any European war campaign.

WE SHOULD THINK OF OUR OWN UNFORTUNATES

My office is swamped these days with heart-rending appeals from W. P. A. workers who were dismissed under the 18 months' rotation provision, and who are now in desperate straits of hunger and deprivation. These people are our own citizens. They are our own flesh and blood, and as far as I am concerned I intend to see that they are adequately taken care of before I vote the taxpayers' money to carry on foreign wars. Instead of using money to buy instruments of destruction for nations that have been fighting over boundary disputes for a thousand years and that will be fighting for a thousand years to come, and that never will cease fighting, I think it should be used at home to put food in hungry stomachs, clothing on naked backs; to provide milk for poor, anemic children.

WHERE IS OUR CHRISTIAN FAITH?

It makes me heartsick to think that we have so far forgotten our Christian faith that we are willing to become the world's greatest arsenal to furnish the instruments of mass slaying. I have always been immensely proud of America as the premier nation of the world, but I never dreamed that she would strive for primacy in furnishing the means of mass killing. Dispatches from a foreign capital say that in anticipation of the passage of this bill a deal already is under way to purchase 5,570 American planes, at a cost of $360,000,000.

It is a horrible thought that soon these planes may be raining death from the skies in a foreign land and that among their victims it is certain there will be some innocent women and children.

ONE OF MANY BATTLE SCENES

During the debate on the neutrality bill in the Senate Senator BORAH read the following gruesome description of a scene of battle after the modern instrumentalities of death had done their work:

> Chunks of human flesh were quivering on the branches of the trees. * * * A half dozen houses were burning. * * * Mules and horses were pawing in their own entrails. * * * The whitewashed church was bespattered with blood and brains. * * * Men were running about howling with insanity, their eyes protruding from their sockets. * * * One woman was sitting against a wall trying to push her bleeding intestines back into her abdomen. * * * A man lay nearby, digging his teeth and his fingers into the ground. * * * A child sat on a doorstep whimperingly holding up the bleeding stumps of its arms to a dead woman whose face was missing.

Scenes like this are multiplied over and over again in every modern war, and if we are to scatter over Europe death-dealing instruments inscribed, "Made in America," who is there to contend that it will not be an awful indictment against us at the throne of Him who said, "Blessed are the peacemakers."

Think how thrilled we will be when we read in the dispatches about the devastating work done by a squadron of bombing planes "over there," with an estimate of the number of women and children killed and maimed and the vast destruction to property, concluding with the information that "these planes came from America." Or when we read a heart-rending account of the strangulation of boys by poison gas, with the concluding information that "this gas was made in Pittsburgh." Oh, what has become of our Christianity?

LET US THINK BEFORE WE ACT

I know that there is not a single Member of this House who wants to do anything wrong, so let us think before we act. I concede to every proponent of the bill honesty and good faith, but I personally believe that it is wrong in principle and that it probably will deprive our country of the opportunity to be the great factor for righteousness in the reconstruction of the world out of the ashes of carnage. I am so profoundly convinced that it is dangerous to the future peace and security of America and so destructive of the precept and example that America should set in a world of strife that I will vote against it if I stand alone. [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. BLACKNEY] such time as he may desire.

Mr. BLACKNEY. Mr. Speaker, the basic neutrality policy of the United States was laid down by Washington, Thomas Jefferson, then Secretary of State in President Washington's Cabinet, Monroe, Adams, and other great leaders of the early history of our country.

Washington advised the United States to avoid "entangling alliances" with European powers and to avoid "interweaving our destinies with those of any part of Europe" and thus "entangle our peace and prosperity in the toils of European ambition, rivalship, interests, humor, or caprice."

Adams enunciated this doctrine:

> We ought to lay it down as a first principle and a maxim never to be forgotten, to maintain entire neutrality in all future European wars.

Jefferson insisted that it was the solemn duty of one neutral nation "to prohibit such acts as would injure one of the warring powers"; continuing, he said:

> No succor or assistance should be given to either party in a foreign war (unless stipulated by treaty) in men, arms, or anything else directly serving for war.

Jefferson also said:

> Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe and, second, never to suffer Europe to intermeddle with cis-American affairs.

For centuries the idea of a neutral nation, as implied by its very name, has been: Two nations at war and a third in friendship with both. In all the understandings of recognized law for many decades, the neutral has undertaken to recognize that he has obligations to mind his own business and to acknowledge the cause of both belligerents as legally just. In history, in philosophy, and in law the establishment of genuine neutrality and acceptance of its privileges and responsibilities has, until the last quarter century, been considered a victory for civilization over brute force and for law over anarchy.

In 1911, 3 years before the outbreak of war in Europe, Sir Thomas Barclay, eminent British international lawyer, said:

> Neutrality is the most progressive branch of international law, in which the practice of self-restraint takes the place of the direct sanctions of domestic law most effectively. * * * While the right of war was simply the right of the stronger, there was no room for neutral rights. * * * It is the growth of neutrality through the modern possibility of concerted action by neutral states which is bringing about improvement.

Professor Borchard, of Yale, in his work on neutrality, says:

> A strong neutral is the trustee for civilization in a shell-shocked world.

Our American neutrality policy, as set forth by the distinguished men above quoted, has been the actuating motive of the United States from the inception of our Government to the outbreak of the World War. It has been the policy that could be summed up as follows: We will keep out of Europe; Europe keeps out of America.

Our traditional policy toward Europe has been isolation from their politics, quarrels, and wars, but maintaining relations on the issues of commerce, peace, and friendship. Our American system of government, which is so deeply cherished by liverty-loving Americans, is the result of our neutrality policy. The history of Europe for centuries has been a history of continuing wars and conflicts in which the great nations of Europe, playing power politics, have endeavored to add to their domain. America should have nothing to do with this principle.

We are interested in our republican form of government, created by our forefathers in 1787, through the American Constitution, the greatest political document ever penned by man. The so-called democracies of Europe are democracies in name only. The United States has all that she can do to solve her own domestic problems without becoming involved in European entanglements.

On April 20, 1915, Woodrow Wilson, as President of the still neutral United States, declared that he was vitally interested in preserving neutrality, "Because there is something so much greater to do than fight; there is a distinction of absolute self-control and self-mastery." One of the greatest tragedies that ever befell the world occurred when Wilson changed his mind to pursue the will-o'-the-wisp—world Utopia.

The present neutrality law was passed in 1935, amended in 1936, and reenacted in 1937. It was passed at a time when the world was at peace. Congress gave to the passage of the neutrality law its best philosophical judgment, which was approved by the President, and ratified by the American people. This neutrality law served notice to the nations of Europe and the nations of the world that it was our definite American policy.

Now, after another European war has begun, we are asked to change this law by removing the embargo therein imposed, and substituting therefor a cash and carry. It has been one of the vital principles of international law that to change an existing neutrality law in time of war, in such a way as to affect belligerents unequally, would be an unneutral act.

Roscoe Pound, former dean of the Harvard Law School, is quoted as:

> Warning, that America, if it changes its Neutrality Act so as to assist one belligerent, will in effect be in the war.

In 1914, Senator Hitchcock, of Nebraska, proposed in the Senate of the United States, that we should establish an arms embargo after the World War was already under way. British experts immediately told us that such an act would be unneutral, and Sir Edward Grey so informed Ambassador Page at London. The American Government agreed with Sir Edward Grey. It resisted all efforts to change the rules in the middle of the game in a fashion unequally affecting belligerents.

Now, however, we are asked to remove an embargo which was imposed in time of peace and which, it is conceded, would not equally affect the belligerents in the present war. Such an act, then, would be unneutral under international law and under the ruling of our American Government in 1914.

The proponents of the administration's neutrality bill have used the magic words, "cash and carry," as a soporific that will lull the American people into a feeling of security. Where are the European nations to get the money to pay cash for the war supplies which the President would permit them to obtain in the United States? They have not been able, so they have stated, to pay their old war debts for years, and

have financed gigantic armament programs, largely with borrowed money.

It is true some of these European nations have certain large amounts of American securities which they can convert into cash. They can get some war loans from international bankers, but when all these resources have been exhausted—as they would be in a comparatively short time—when the belligerents are in the very midst of war, what then? Will the World War history repeat itself? Will the administration at Washington, dreading collapse of such a bubble of apparent prosperity, follow in Woodrow Wilson's footsteps and arrange, either openly or privately, extension of first, private, then public, credits to those nations which it makes no secret about favoring in the current European war?

The vital interests of the United States must not be jeopardized by any feeling of sympathy for any nation or group of nations or by any personal feeling of dislike or hatred for other nations or their policies.

If the cash-and-carry principle is adopted, this country will become, almost overnight, the greatest munitions-manufacturing country in the world. The death-dealing products of our munitions and accessories plants will be in demand by every nation on earth, and we—a peace-loving people—will become the greatest factor in the prolongation of the senseless European conflict.

Wars are not launched by the people. They are started by leaders—leaders looking for power and fame; but first they must fan the fires of prejudice and hate in order that the people will follow. Americans are determined this time not to be swayed, either by the propaganda of the warring nations or by the excitements of those at home, who cannot keep their heads.

We are an emotional people and deep and quick in our sympathies. All too frequently in recent years we have been beguiled in our domestic affairs by appeals to our hopes and to our fears. In our international outlook, we have been in constant danger that frantic appeals to our prejudices and equally frantic appeals to our sympathies would breed a tension or intolerance or an unreasoning devotion to causes abroad that would bring into our country all the hates and the cleavages of sympathies which underlie the appalling situation in Europe.

In a world in which many sins are being committed in the name of democracy, we must distinguish between real democracy and the sham and pretense which seeks to masquerade under democracy's cloak.

We must not forget that for centuries Europe has been torn by the wars engendered by power politics; that the touchstone of the foreign policy of every European nation always has been national self-interest.

We must not forget that the history of Europe is a sordid story of broken pacts, reversed policies, secret treaties, and hidden treacheries.

We must not forget that the United States entered the World War without Congress or the people having any knowledge of the secret treaties which existed among the Allies.

We must not forget that fighting Europe's battles is not the best way to preserve our civilization, and we must no longer delude ourselves with the vain hope of making the world safe for democracy, but realize that we are facing the grim necessity of keeping democracy safe in the United States.

Charles A. Beard, one of America's leading historians, says:

President Roosevelt's foreign policy is as clear as daylight. He proposes to collaborate actively with Great Britain and France in their everlasting wrangle with Germany, Italy, and Japan. He wants to wring from Congress the power to throw the whole weight of the United States on the side of Great Britain and France in negotiations, and in war if they manage to bungle the game. That using measures short of war would, it is highly probable, lead the United States into full war must be evident to all who take thought about such tactics.

From the point of view of the interest of the United States as a continental nation in this hemisphere, the Roosevelt policy, in my opinion, is quixotic and dangerous. It is quixotic for the reason that it is not based upon a realistic comprehension of the long-time history of Europe and Asia and of the limited power which the United States has over the underlying economies and interests of those two continents. It assumes that the United States can in fact bring those continents into a kind of stable equilibrium, assure them the materials of a peaceful economic life, and close their history in a grand conference of the powers—perhaps as successfully as Locarno. It assumes that somebody in the White House or State Department can calculate the consequences likely to come out of the explosive forces which are hidden in the civilizations of those immense areas.

Does anyone in this country really know what is going on in Europe behind the headlines, underneath the diplomatic documents?

The historian further adds:

The destiny of Europe and Asia has not been committed, under God, to the keeping of the United States; and only conceit, dreams of grandeur, vain imaginings, lust for power, or a desire to escape from our domestic perils and obligations could possibly make us suppose that Providence has appointed us His chosen people for the pacification of the earth.

Based upon my reading of history and the philosophical ideologies that prevail throughout the world, I am convinced that the United States owes her first primal duty to the people of our country; that in order to "insure domestic tranquillity, provide for the common defense, and secure the general welfare of the United States" our country should avoid all entangling alliances with European powers; that we should be neutral in the best sense of the word; that our present neutrality laws should be continued or, if changed, strengthened and not weakened; that we should rid this country of subversive interests hostile to our American form of government and disloyal to American institutions; that not one American boy or one American dollar should be sent across the ocean to participate in a quarrel that is not ours; that our first thought and our last thought should be to improve our own country in order that the republican form of government created by our forefathers in 1787 may continue and spread the blessings and benefits of our Government not only throughout our country but, by example, throughout the civilized world.

In that fateful August of 1914 Sir Edward Grey said:

The lamps are going out all over Europe; we shall not see them lit again in our lifetime.

And now, 25 years later, his words come back to us with added significance as we confront another world tragedy. Every sensitive American is heartsick as he watches the lamps of the Old World—the lamps of peace, of liberty, of security, of justice—flicker and go out one by one.

It is America's problem to see that the lamps of our own country shall not go out, and that peace, liberty, security, and justice shall continue in the United States. [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Montana [Mr. THORKELSON] such time as he may desire.

Mr. THORKELSON. Mr. Speaker, I challenge the constitutional right of this House to bring any rule for debate on the Neutrality Act of 1939 similar to the rule that was employed in the first session of the Seventy-sixth Congress, when the reorganization bill was under debate.

The gentleman from North Carolina [Mr. WARREN] said, in speaking of that rule, that it was "pig tight, bull strong, and horse high." I concede that the gentleman was right, but in considering the Neutrality Act of 1939 let us forget the lower animal kingdom, for we are now considering the lives of human beings.

The Neutrality Act of 1939 differs only from the Neutrality Act of 1935 and the Bloom Neutrality Act in that it gives more power to the President of the United States and to his appointees to plunge this country into an unnecessary and unwarrantable war. The people have a perfect right to rebel against this legislation. The Members of Congress have a perfect right to insist that the same or a proportionate time be set aside for the discussion of the Neutrality Act of 1939, as compared to the time utilized on the other side of the Capitol.

Those who favor Great Britain should know that shipload on shipload of war materials are leaving the eastern seaboard today for Great Britain and France, so there is

no reason for hurrying this legislation on that score. I also call your attention to the fact that 26 American ships have been seized by Great Britain, and many of them unloaded and their cargoes confiscated. Nothing has been said about that in our daily papers. No condemnation has been visited upon Great Britain for this unwarrantable imposition on the rights of our merchant marine to trade with neutral nations. Is it possible that our own Government connives with Great Britain in clearing our ships to neutral nations so they may be seized by Great Britain and cargo used for her own purposes?

The reason certain interests want this legislation hurried is due to the fact that responsibility for loss in shipping and lives must now be assumed by the administration. If this Neutrality Act of 1939 is enacted, Congress alone will be responsible for the loss of ships and cargo, and destruction of lives. In other words, as the law now stands, when ships are captured or sunk, the Federal Government has violated the neutrality law. When this act is passed, the administration will be absolved of blame, and Congress alone will be responsible, not alone for the loss of shipping, but also for the deaths of crew and passengers.

It is for this reason that I demand that the Neutrality Act of 1939 be discussed fully before the membership of this House, so that the Members and the people throughout the country will have an opportunity to express themselves on this very important legislation now before us.

The title "Neutrality Act of 1939" is a misnomer, for the act is the antipode of such desirable object. The only thing neutral of this act is the word "neutrality," the remainder being nothing else than an alliance with Great Britain and declaration of war against such nations as may be involved on the other side. I have already discussed this, and ask the Members to read two articles I inserted in the RECORD, October 30, 1939, page 1067 and in the Appendix of the RECORD, page 578.

Mr. Speaker, this House has the right to "determine the rules of its proceedings, punish its Members for disorderly behavior, and, with concurrence of two-thirds, expel a Member."

The right to formulate such rules is not questioned, but I do challenge the right of this House to formulate rules that restrict debate and free expression by every Member of this House on a subject that may mean the life and death of thousands of our citizens between the ages of 18 and 30, and even the destruction of the Republic itself. There is no provision in the Constitution that gives either House the right to enact the kind of legislation that has been enacted for the past 35 years, and I refer those who challenge this statement to conditions that exist today, which are incontrovertible evidence to sustain my statement. It is time that the Members of both Houses begin to act like statesmen, for, whether you believe it or not, it is statesmen that we are supposed to be, although there has been no evidence of that for several years.

The people in the United States are tired and disgusted with congressional leadership that allows legislation to be enacted which deprives the people of their rights, inhibits operation of private industry, setting the Federal Government in direct competition with industries owned by the citizens of the United States, for the people have reserved the right to operate business to themselves. To refresh your memory, I again quote:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

In case there is any question as to the limitation of power granted to Congress, I refer you to article IX. I quote:

> The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

If my colleagues will bear this in mind, you must realize that Congress has no right to grant anyone the power given in the Neutrality Act of 1939. In the first place, we cannot enforce it, and, in the second place, it is not within our constitutional right to grant such power to the President and his appointees. If the President should attempt to enforce this legislation either by arming our merchant ships, by sending them forth under the protection of the Navy, or by clearing such ships with contraband cargo to nations at war, such action on his part will bring about destruction of shipping and loss of life. That is liable to bring the United States into war, and responsibility for that will rest squarely upon the membership in this House that votes for the Neutrality Act of 1939 as it is now drawn.

It is not a question of protecting the American flag. We will protect that; but it is, instead, a question of using common sense instead of prejudice.

I want to remind the Members of the House that Great Britain consistently and deliberately imposed on international understanding by using the flag of the United States on her ships during the World War.

There is no power in the world that has been so high-handed in regard to neutral nations as Great Britain. Is it now unreasonable to expect that nations opposed to Great Britain and France in this war will not resort to the same tactics as Great Britain is now employing in her blockade? Certainly not. The opposing powers are going to employ exactly the same unmerciful blockade, which means nothing else but the sinking of all merchant ships that carry contraband cargo to nations at war, their allies, or territories.

Let us not forget, however, that if we arm our merchant ships, as is now contemplated, with "peaceful" 5- and 6-inch rifles, the striking distance of which is from 8 to 10 miles, all our merchant ships, even those bound to neutral nations, will be treated as armed vessels and subject to be sunk without warning. I fear this, because it may be employed to sway public opinion or the opinion of those who do not understand that we alone are to blame for such losses to shipping, property, and lives. It is the law of war and the same law we would enforce were we at war with any other power.

I repeat again that the danger in the Neutrality Act of 1939 is in the unconstitutional power given to the President and his appointees. There is no provision in the Constitution that gives Congress the right to pass this legislation, and certainly no law, national or international, that gives Congress the right to enact legislation and enforce such laws outside of the 3-mile limit.

Why not adopt a real neutrality act, which is concise and easily understood? The present Neutrality Act is drawn purposely to confuse and befuddle the public, as well as Members of Congress. This legislation is not evidence of practical legal ability. It is instead an obscure shifting of sections and subsections in such manner that, after reading it, one is apt to overlook the real intent of the legislation. This act is no different from other legislation that has been introduced in the past, for it all springs from the same legal talent. The act is not drafted by any Member of Congress. It is a repetition and rehatching of the Neutrality Act of 1935, and that act was drafted to help the invisible government to conduct the "red" revolution in Spain. This act was drafted by attorneys favorable to or in the employ of the same invisible government, only at this time our neutrality legislation is drafted so that we may help the invisible government of Great Britain to restore its domination in such countries as have ejected the money changers. To me it is strange that Members of Congress cannot understand that in passing this kind of legislation, "we are cutting our own nose off to spite our face."

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. PFEIFER], a member of the Committee on Foreign Affairs.

Mr. PFEIFER. Mr. Speaker and Members of the House, I have read the debate that took place in the Senate and have sat here patiently today listening to the pros and cons concerning this neutrality legislation. I wish to state that I am in full accord with the sentiments of the Senate insofar as the amendments are concerned, but I sincerely regret the absence of the embargo provision and for that reason I shall vote against the bill.

Mr. Speaker, the gentleman from Texas [Mr. LANHAM] has used the phrase "Keep America for America." I agree with the gentleman as to that statement and I therefore wish to call to the attention of the House that our sole purpose here is to legislate for the security of America and not for the security of any foreign nation. [Applause.] Therefore, let us do our duty. We certainly are not if we repeal the embargo provision.

The other gentleman, the gentleman from Pennsylvania [Mr. ALLEN] stated that he sees no difference in the shipment of raw material and that of the finished product. Does he not know that raw materials are essentially used as constructive measures and the finished products, as guns, cannons, bombs, poisonous gases, and so forth, are destructive measures. Certainly there is a great difference, as every child knows.

The sole purpose, from the debate so far, seems to me to be inclined toward giving aid to England—aid in a sense just short of war. This is not the first time that she has asked for help. Such incidents go back to the early days of Washington's administration, when he was appealed to to send aid to England to settle her differences with France. The famous Washington proclamation is well known to us, as at that time the Continental Congress issued and circulated a coin—1787—a 1-cent piece, a specimen of which I hold in my hand. It is known as the "Fugio" cent. It is a copper piece the size of our present 50-cent piece. On one side there is a chain of 13 links, in the center of which reads: "We are one"; and on the other side a sun dial and below it the common phrase "Mind your business." This is a very apt reminder for us in these eventful times. I hope and pray that we will legislate for the security of our people and not for the security of any foreign nation.

When war broke out 22 years ago my family then did not hesitate to send its sons to war, for three brothers volunteered immediately and fought for the safety of America, because then we thought liberty itself was at stake. That is not so today. Mr. Speaker, I wish to again inform this House that I shall vote against the bill if the embargo provision is eliminated. [Applause.]

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their own remarks in the RECORD on House Joint Resolution 306.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, I yield 10 minutes to the gentleman from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Speaker, the situation of this legislation reminds me of the story about the Arkansas traveler, when a wayfarer rushed into his house for shelter during a heavy rainstorm. When he got in he found the roof was leaking like a sieve and it was just about as wet inside as it was outside. So he said to the Arkansan, "Why don't you fix this roof?" "Well," he said, "I can't fix it when it is raining like this." "Well, then," he said, "Why don't you fix it when it isn't raining?" "Well," he said, "when it's not raining it don't need it." [Laughter.] That is a good deal the way it is with our international roof. When we were in session last summer there was no emergency and it did not need fixing, and now, when it needs fixing very badly, it happens to be raining.

Mr. Speaker, a few days ago I crossed over on the ferry in my car from the Army base in Brooklyn to Staten Island. The car was parked at the front end of the boat, and I noticed a man sitting on a box at the open bow. He had on a thin coat and no vest or tie, and his shirt was open at the throat, and there was a heavy cold wind blowing. I thought that he must be acclimated to that sort of thing. After a bit he apparently noticed the congressional tag on my car license, and he came back to the window and asked if I were in Congress. When I said yes, he asked how I stood on the neutrality bill. I told him that I had already voted to repeal the Neutrality Act and would do so again. He said if it was repealed thousands of the fellows around there would get jobs. I asked him if he was a sailor, and he said, "Yes; I am on a ship over here and I have got some paint and I am going to paint the flag on her." I asked him what kind of ship it was, and he said it had a cargo of oil bound for a European port.

As he went back and sat down on his box I could not help thinking of the difference between his lot and mine with respect to the embargo. I was coming back here to a seat in the House to cast a vote on it, but he was going into the submarine- and mine-infested waters of Europe in the bowels of an oil tanker, of all vessels that sail the seas. I have thought of him a good many times since. I have thought of him as the type of man who put the flag on the seven seas, as the type of spirit that put the United States on the map of the world. There was no yellow in him or his paint. [Applause.]

One such thought leads to another, the thought of what John Paul Jones would think if he were sitting up there in the gallery listening to a lot of things said down here in the Well of the House; John Paul Jones, with his defiant, "We have just begun to fight," with his decks awash. And if alongside him were the dying Lawrence, "Don't give up the ship!"; Stephen Decatur, fighting France and the Barbary pirates in European waters, even in the Mediterranean. Commodore Perry on Lake Erie defeating the British with his little picked-up fleet; Farragut in Mobile Bay, "Damn the torpedoes, go ahead!"; Captain Semmes, who anticipated by half a century the exploits of the *Emden* in the World War; Dewey in Manila Bay, "You may fire when ready, Gridley"; Commodore Schley and "Fighting Bob" Evans at Santiago. I wonder what would be the feelings of these heroic shades listening to this haul-down-the-flag stuff on the floor of the American Congress. It is enough to make them turn over in their graves.

I wonder what the American Navy thinks of it. No; I do not. And I know what the American merchant marine think. They think they are going on relief. Already the papers are talking about W. P. A. projects for the merchant marine during the period of the war; and, they might add, after the period of the war. W. P. A., here we come.

Every little maritime nation in Europe: Belgium, Denmark, Holland, Norway, Sweden, Finland, all the tramp steamers of the world, will come to our ports and take this abandoned traffic and haul it to whoever pays for it. When they come I hope the merchant marine will not be on exhibition. I hope it will be bottled up where they cannot see it. It might be a good idea to take it out and sink it like we did the Navy in another noble experiment in 1922. It would be good target practice.

I shall support the Senate bill as is. It is at least an improvement over the original Senate substitute for the House bill. In the original Senate bill we were going to get off all the waters of the earth, but in course of passage the bill was improved somewhat, it was Americanized in some degree. We are only going to get off part of the waters of the earth. We are going to divide up with Germany. The Sunday New York Times carried the blackout of the North Atlantic. It looked like an eclipse of the sun reaching from Maine to Africa. Imagine Atlantic seaboard Congressmen voting against the bill because it is not black enough. It may be black enough for them before it gets lighter. It may blackout some of their jobs.

Believe it or not, we owe this enlargement of American rights—or shall we say privileges—on the high seas to isolationist leaders in the other body. They lifted out the whole Pacific, which could contain all the land of the earth, with some ocean left over—lifted it out, just like that. The operation performed on the Atlantic was more difficult, requiring the establishment of tangents and corners on the trackless sea; and may the Lord help the luckless skipper who skids over the line or fails to make an inside turn at the corner. "The gobble-uns 'll get him ef he don't watch out." I am a little troubled by the reflection that all this new sea geography will create an open season in these exempted areas for whatever raiders and submarines Mr. Hitler can spare for the sport.

While this bill is well supplied with new geography it appears to be lacking in vital definitions. Should it not carry definitions of arms, of munitions, of implements of war, of absolute contraband, of conditional contraband, of noncontraband? Around these categories the whole question of sea traffic will revolve. Impracticable, you say. Agreed. And out of this impracticability will grow causes for war. They would not agree with Hitler's definitions anyhow, and his definitions will govern. He will announce them after the fact accomplished.

The war in Europe is said to be phony. It could be no phonier than the war over neutrality in America. It is and has been from the start only the first skirmish in the campaign of 1940, and when it is over it will have no more effect on the next election than the fighting so far on the western front will have on the next peace treaty.

Maybe after all this bill will not make Germany as mad as some Members fear. I can imagine the German war lords putting a map of the world up on the wall and checkerboarding it off with a copy of the bill before them, showing where America can go and where it cannot go, what it can do and what it cannot do, and then just standing back and laughing.

I fear, however, that even such an act of appeasement as placing an arms embargo in the bill would fail to buy us pardon in the face of the decision rendered Monday by Justice Roberts, of the Supreme Court, awarding $50,000,000 damages against Germany on findings that the Imperial German Government was responsible for blowing up the Kingsland and Black Tom munition plants when the two countries were at peace. The dastardly impudence of it.

The present occupant of the Embassy, where these and other outrages were plotted, is reported to have asked the State Department to quash the judgment on the ground that it was the action of a "rump commission" and that the acts of the Justice as commissioner were "illegal." We ought to get a laugh ourselves over the representative of the present German Government talking about illegality or insincerity. It is a wonder he does not claim we blew them up ourselves.

If, as pleaded by leaders for the embargo in both Houses, the stage is set for the repetition of such outrages against American industry in the event we arouse the dictator, the sooner we find it out the better. This country cannot exist on the sufferance of a madman or a mad nation. If we are to be governed in the management of our own affairs by such considerations, we deserve and will receive the contempt of the dictators and can expect nothing else. Personally I am not convinced of the efficacy of appeasement. The umbrella man tried that. Now, after feeding the beast raw meat, he has his back to the wall.

What can we do to be saved? Read Mr. CARTER GLASS' clarion blast in the Monday papers. He said the things I would like to say. It was the voice of America.

Government organs in Berlin, Moscow, and Rome register opposition to the lifting of the arms embargo. The totalitarians know what they want. Only the Americans are divided. Whose country is this? [Applause.]

Mr. FISH. Mr. Speaker, I yield such time as he may desire to use to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, since the significant question of determining what America's attitude shall be toward the question of either economic or military involvement in the present European war is now before this House, I believe that every American should read the clear-cut analysis of this problem which appears in the Appendix of the RECORD, beginning on page 592. This analysis is made by one of the most thoughtful and profound Members of this body, the gentleman from New York, the Honorable BRUCE BARTON, for whom I am sure every Member of Congress has the greatest respect, both for his good judgment and his sincere patriotism.

Inasmuch as I addressed this House on October 5, pleading that the importance of this decision demanded that this House be given the right of unlimited amendments and unstifled debate on the Senate bill, I am naturally gratified that the gentleman from New York, Mr. BRUCE BARTON, has expressed the same desire. But more important than that is the fact that the gentleman from New York [Mr. BARTON], who is excelled by no Member in this House in his knowledge of international law and international attitudes, has announced that while he voted for repeal of the embargo last summer he will this time vote to keep the embargo, because to do otherwise jeopardizes the peace of America. His remarks so nearly represent my own point of view and so clearly and cogently state the case for peace that I want to take this opportunity to recommend their careful study to every peace-loving citizen in this country. I am sure that every American can find food for thought at this time in Mr. BARTON'S stirring and soul-searching address, entitled "For Cash and Carry and the Embargo." [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. SHAFER] such time as he may desire to use.

Mr. SHAFER of Michigan. Mr. Speaker, I am against the repeal of the embargo on the arms and munitions of war because I am against selling to any people to use against another people poison gas that will eat out the lungs of men, women, and children, or flame throwers that will sear the flesh of writhing soldiers. I am against selling bombs to one nation to use against the helpless men, women, and children of another nation; to blast churches, hospitals, orphanages, if you please; to blow up water systems, sanitary systems; to cover the whole of the European Continent with the plagues of disease and epidemic and death.

Mr. Speaker, if ever the United States of America is to demonstrate the civilizing influences and the enlightenment brought by that sacred Bill of Rights which was written into the Constitution of this Nation by the blood of our fathers, now is the time to demonstrate such enlightenment. Now is the time, Mr. Speaker, for us to take our stand and say that we will not sell our precious heritage of good will and enlightenment and civilization for a mess of profits.

What are the circumstances that exist today that did not exist in 1935, when the Congress overwhelmingly passed this Embargo Act?

What condition of affairs, Mr. Speaker, exists today that was not foreseen then in every phase? The answer is, "None." The distinguished gentleman from Massachusetts [Mr. TINKHAM] and others pointed out during the hearings before the Foreign Affairs Committee of this House back in 1935 and 1936 that the only reason then for not passing the embargo, the only reason then why there was some opposition to it, was because to have free munitions trade, if you please, with England and her Allies meant that, with her superior naval strength and her superior credit facilities, she could come to us to get arms and munitions when her adversaries could not. It was to prevent exactly that sort of thing—it was to prevent this Nation being made the arsenal of poison gas and flame throwers and bombs and shells and airplanes for England and her Allies that this Congress overwhelmingly passed this Embargo Act in the first instance.

Again in 1937, as we studied the causes which lured us into the last World War, we strengthened this Embargo Act. For what purpose? To meet exactly that situation which we knew would arise. To meet exactly the situation that obtains today. We knew back in 1935, Mr. Speaker—I say we knew, I should say you knew, because I was not then a Member of this honorable body—you knew back in 1935 that because this very situation would arise when emotionalism, prejudice, and propaganda would all be played upon and used again to lure us in on one side or the other of an armed conflict, to meet that situation the Congress said in those cool moments of sanity and calm deliberation, let us now prescribe a rule of action which we know is safe and sane, which we know will keep this Nation out of wars, in order that we may follow that rule of action when emotionalism and prejudice and propaganda and pressure all are conspiring to blind us, to confuse us, to lure us away from the path of safety and of rectitude and of international morality and to start us down the road to war.

Why, now, I ask, Mr. Speaker, are we being pressed to repeal this Embargo Act? Is it because we cannot maintain an impartial attitude toward all belligerents by refusing to sell to any of them the munitions of war by which to destroy the lives and the bodies and the minds and the works of men? No. Is it because any nation has attacked us? No. Is it because any nation has attempted to invade any territory which lies within our sphere of influence? No. Then, Mr. Speaker, why is it, I say, that we are being pressed to repeal this Embargo Act? It is purely and simply and wholly for the purpose of giving England and France an advantage by reason of their superior naval strength over their adversaries in this present armed conflict. This is unneutral, Mr. Speaker. Any ordinarily bright school boy or school girl knows that is the antithesis of neutrality.

Not only will the repeal of this Embargo Act be an unneutral action, not only will it be an unfriendly action, but, in my opinion, Mr. Speaker, it will operate, in all probability, to loose upon England and France a campaign of frightfulness—the bombing from the air of men, women, and children—which otherwise might never take place.

Let me analyze that statement. The supremacy of England and France on the seas is undisputed and admitted even by the Germans. Germany has, however, acquired access to new supplies of vital raw materials which will enable her to hold out much longer in a world war than otherwise would have been the case. But, Mr. Speaker, Germany is faced with this situation: If this Embargo Act is repealed, and England and France can utilize the billions of dollars their nationals have invested in this country for the purchase of airplanes until they have supremacy of the air, as they now have supremacy of the seas, time runs against the Germans. In other words, common sense tells us that if the Germans sit still behind the Siegfried line while England and France are being armed in the air by us, the military experts of both sides can calculate almost to the week, if not the day, when Germany will have to surrender or be blasted out by the roots.

Now, Mr. Speaker, if you were in control as the commander in chief of the armed forces of Germany, what would you do under those circumstances? Knowing that time was inexorably running against you, knowing that every day that passed meant that your adversaries—England and France—were growing stronger in the air, what would you do? The chances are that you would do what I believe the Germans will do if we repeal this act. You would conclude that since time alone would defeat you, the sooner you moved against your enemies while you were still stronger than they in the air, the sooner you made your superior air strength count, the sooner you blasted England and France loose by the roots, if you could, and won peace on your terms, the better.

Now, Mr. Speaker, I do not want to be misunderstood in this matter. What I say is in no sense to be taken as approval of anything that one or the other of the belligerents has done. I am not addressing myself to the merits of the controversy between England and France on the one side and Germany on the other. But I will say this, that I hate dictatorship and oppression, I hate the oppression and violation of the rights of minorities, whether that dictatorship or oppression be in Germany or Russia or Italy or the United States.

But, Mr. Speaker, this is not our war. No fair-minded person can read the intimate history of the last war and not realize that to repeal the arms embargo in order to create special advantages for England and France against Germany is just the first step down the road to war for us. Just as certainly as we are in this Chamber discussing it, sooner or later the repeal of the embargo will be followed by a demand that we extend credit to England and France, and then, if and when they are weary with fighting, there will come the demand and the propaganda for us to send our men and our money across, just as it did in the last war.

I hate war, and I do not here today want to go into the horrible details of what war means, but on April 24 of this year I called the attention of this House and the Nation to the realities of war. Not only do I hate war, Mr. Speaker, not only do I want to keep this Nation out of war for the sake of those whose blood must be poured out and whose bodies must be mangled, and of those both at home and on the battlefield whose minds must be wrecked by the horrors of war, but I have a further purpose in opposing the repeal of this embargo, because, in my opinion, it does constitute the first step down the road to war. If we repeal the embargo, I can foresee, Mr. Speaker, that time not far distant when the Chief Executive will be coming before a joint session of the Congress urging us to pass, without debate and without delay, the validating legislation putting in force that secret plan called the Industrial Mobilization Plan. I have studied the Industrial Mobilization Plan, Mr. Speaker, and I say to you and the Members of the House and the citizens of this Nation that the moment there is an emergency declared due to the imminence of war, democracy becomes extinguished in this Nation, the Bill of Rights becomes but a memory, the operations of constitutional law are supplanted by the operations of military regulation. Why, Mr. Speaker, talk about repealing this embargo in the interests of democracy? The minute we even think of going to war for democracy the first thing we will do will be to bury democracy so deep under a military despotism that I doubt if we or our children or our children's children would be able ever to resurrect liberty in this Nation again. Now, Mr. Speaker, if there is any Member who doubts what I say I will be glad to show him, by paragraph and line, proof that the plans now are laid in detail in the 1936 mobilization plan, to place this country under an absolute military despotism the moment the President declares an emergency to exist by reason of the imminence of war, and I will prove by the 1939 revision of the mobilization plan that the plans are now laid for continuing that military despotism for so long a time after the war may end as the military despot—the Chief Executive, whoever he may be at that time—may decide is necessary.

Mr. Speaker, every philosopher since the world began has recognized that most men love power so much that once they have it within their grasp they will struggle to the last ditch against giving it up.

Therefore, I am unwilling, if it possibly can be avoided, to set up a military despotism in the United States of America. To avoid setting up such a military despotism we must keep this Nation out of war. In order to keep this Nation out of war we must maintain an attitude of absolute impartiality and neutrality, and in order to do that we must not, since the war has begun, since the purpose of repeal is so plain, we must not, Mr. Speaker, repeal this arms embargo legislation.

Let us keep this Nation a constitutional republic. Let us stay free and clear of war. Let us give the youth of this country their chance for life and happiness and not lay them, a bloody, mangled sacrifice, upon the altar of Europe's intrigues and jealousies. Let us turn to solving our own domestic problems; let us make democracy work here; and, unexhausted by war, untouched by the great madness, let us keep ourselves strong and ready to bind up the wounds of the world when the war has ended, and, by precept and persuasion, lead men back into the ways of peace and the blessings of genuine democracy under a real sisterhood of nations. [Applause.]

Mr. FISH. Mr. Speaker, I yield myself 30 seconds to call attention to the fact that the gentleman from Colorado [Mr. MARTIN], who has just recently spoken, had this to say on June 30 in the CONGRESSIONAL RECORD:

> When you pass a neutrality act you fix and publish to the world the rules under which you will play the game and which must remain fixed after the game starts. To change the rules then would be an unneutral act.

[Laughter and applause.]

Mr. Speaker, I now yield 10 minutes to the gentleman from Ohio [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, now that the Senate has completed its debate on the Pittman bill, and the issue has been

turned back to the House, everything should be clear. There has been a month of debate in the Senate, in addition to that which had already been heard in the House. Surely that should be enough to bring out every argument and to clear up every disputed point.

But if we depended upon this debate, the issue would be utterly and hopelessly confused. From the debate alone any Member of this House would be justified in wondering at times whether he was a member of the House of Commons, representing a constituency in Great Britain, or a member of the Chamber of Deputies, charged with serving a district in France.

I came back to Washington for this extraordinary session of Congress, at the call of the President, to pass upon neutrality legislation for the United States. I assumed that neutrality legislation would be legislation to keep the United States out of the war.

Yet the honorable Senators who are proponents of the bill which we are asked to pass have used millions of words, backed up by columns of newspaper material and innumerable radio speeches, to convince us that it is our duty, first of all, to do something to save Great Britain and France, and, secondly, to do something to help defeat Hitlerism.

If I have not become completely addled by all this oratory, I recall that I was elected by the voters of the Ninth Congressional District in Ohio to represent them, and to look after the interests of the people of the United States.

I swore allegiance to the United States when I assumed office. There was nothing in that oath about protecting Great Britain or France.

Now, there is only one condition under which it would be right and proper for this Congress to seriously consider doing something to help England and France defeat Hitler.

That would be, if this were our war, and England and France were fighting our battle. But if such were the case, would there be all this talk of cash and carry? Should there be all this talk of not sending American soldiers to Europe? If it were our war, it would be our duty to consider every possible means to victory. If it were our war, we could not demand payment for the arms we handed our Allies to defend our interests, and the United States would be ashamed if its own men did not bear these arms themselves.

However, if this is not our war, and I believe there has been little argument on that score, if no set of belligerents is fighting our battles, then it is our duty to maintain strict neutrality.

A neutral country cannot change its laws or make new ones for the expressed purpose of aiding one group of belligerents, and maintain its neutrality. Because by so doing, it intervenes in the war. It creates a cause for war, and gives to the offended belligerent justification for whatever reprisals that offended belligerent may consider proper or possible.

A neutral country considering action which would cause it to surrender its neutrality should not be blind to the risk it incurs.

If there is one thing which stands out in all this confusion of claims and counterclaims, charges and countercharges, it is this: The people of the United States, the people of my own district back there in Ohio, the people of all the districts in this broad land which we represent, are very serious about not wanting to get into this war. First, last, and always, they want representation in Congress which will see to it that they do not become enangled in the present conflict.

Since this is the case, I think it is about time that we, as Members of Congress, really begin to think about what the people of our districts want.

Let us forget for a little while what England wants; let us forget what France wants; let us forget all the thousands of high-sounding words that have been used to try to point out an obligation we are supposed to have to see that England wins another war.

Let us devote a little time to the interest of the people of the United States.

These people, who elected us to represent them, do not want war. Therefore it is our job to see that they are not drawn into a war, either by direct action or by indirect action.

In my opinion, there is no such thing as going a little way into a war. We cannot hand one of the combatants a blackjack and say, "Go ahead and hit the other fellow; we would like to, but we are neutral."

Unless we are willing to admit that we are in the fight, we should keep our blackjack in our own pocket. The fellow who gets hit might easily misunderstand and take a swing at us. Then we would either have to run or be in the middle of the fight.

If the time ever comes—and I sincerely pray that it does not—when we decide conditions are such that we must interfere in Europe; that it is up to us to throw the weight of our resources and manpower on one side, then will be the time to debate how we may help the side to whose aid we have decided to go; then will be the time to decide how much of our manufacturing resources we are willing to donate to the cause of war—whether we will risk sending our young men to Europe. Until that time comes I say it is the utmost folly to talk about giving help to either side in the present war.

We may rant all we please about neutrality. But if we deliberately, by legislation or otherwise, make the resources of this country available to the armed forces of one group of belligerents, we are entering their war. We may seek to fool ourselves. We may even fool a portion of the people who elect us. We will not fool the diplomats of Europe or the warring nations of Europe.

I am not an isolationist. I believe that this country will, and should, continue to carry on a normal trade with all other countries. That trade may logically increase due to war conditions.

But I am opposed to any dealing in war munitions. Those who anticipate prosperity through the making and selling of implements of war to the belligerent nations are doomed to a terrible disappointment. Any such unhealthy boom by its very nature must collapse and leave this country in a depression worse than any we have had to date. We want none of it. Manufacturers and industrialists in my district are alive to this danger, and many of them have written me that they do not want to turn their factories into munition plants.

Since the Senate has given the House so little choice in the matter, I urge that this House instruct the conference committee against agreeing to that section of the Pittman bill which would repeal the embargo on arms. I favor barring American ships from danger zones and I favor cash and carry on all normal commodities sold to belligerents. [Applause.]

Mr. BLOOM. Mr. Speaker, I yield 20 minutes to the gentleman from New York [Mr. SIROVICH].

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen, every great nation on earth is ruled from the grave by one political philosopher or another, whose theories of government have secured the intellectual foundations and shaped the political destinies of the various states. Japan, alone among the great powers, remains to the present day the sole exception to this order of things, for the Japanese Mikado, as the direct descendant of the sun-god, is entitled to rule by virtue of his exalted pedigree alone, and hence requires no philosopher to guide him. In the religious sphere Japan is under the dominion of Shintoism, a national offshoot of Buddhism, but in the political sphere it is literally a nation without a philosopher.

The states of the Western World, however, governed as they are by men of earthbound pedigree must draw upon the political philosopher for ideological inspiration. Thus the present Nazi German state represents an extraordinary synthesis of the political thought of a philosophical triumvirate, Friedrich Hegel, Friederich Nietzsche, and Oswald Spengler. The main political ingredient has been furnished the Nazi state by Friedrich Hegel, who taught that the state is the highest good, the beginning and end of all things. It represents the noblest development of human creativeness, a superglorious end in itself, which men must serve with blind

devotion and invariably obey without doubt or question. Its second ingredient was supplied it by Friedrich Nietzsche with his dogma of the superman, a notion which the Nazis have exploited in justifying the figure of the ruthless fuehrer—the superman—who is to mold the human herd to his omnipotent will as he might model so many lumps of clay. Its third ingredient was provided it by the right Hegelian, Oswald Spengler. "Man is a beast. I say it again and again," he roared cynically in his penultimate work, Years of Decision, published shortly before his recent death. Barbarism is an ideal, he preached, and despotism, or as he styles it, Caesarism, is the only fitting and logical order of things. This unholy three of force idolators, Hegel with his all-powerful state, Nietzsche with his all-powerful superman, and Spengler with his all-powerful barbarian has become the philosophical cornerstone of the Nazi state.

The Italian Fascist state draws its primary inspiration from another source; its first founding father being the renowned Niccolo Machiavelli. "Any means whatsoever justifies the end," he sloganized. Ethics, he proclaimed, must be completely divorced from politics, and has no share in it. "All is fair in politics," was his ruling motto, and hence every form of deception, treachery, theft, rapine, and murder are available and permissible for the use of him who is lustful after power. Although the Fascist state also draws upon Hegel and Nietzsche for political guidance, there is forever lurking in its background the sinister figure of Niccolo Machiavelli.

The Russian Communist state too, is one of the political legatees of Friedrich Hegel, though his influence is exercised through his disciple, the left Hegelian, Karl Marx, who preached the doctrine of the dictatorship of the poletariat and the necessity of the classless state. Hegel and Marx, however, are not the only political progenitors the Communist state ever had. It should not be forgotten for an instant that its current ruler, Stalin, has proven himself to be one of the incomparably gifted and accomplished pupils of old Niccolo Machiavelli.

It is significant to point out that the Nazi, Fascist, and Communist states not only rest on political foundations but have also assumed a variety of religious trappings and trimmings. Each state cherishes its own Bible and each worships its own god. The Bible of the Nazi state is Mein Kampf, and its god Adolf Hitler. The children of Germany in every school every morning recite the Lord's Prayer: "Our lord, Adolf Hitler, give us this day our daily bread." The Bible of the Communist state is Das Kapital, and its god Karl Marx. The Bible of the Fascist state is Machiavelli's The Prince, reconditioned, brought up to the minute, by the doctoral dissertation written on it by the Fascist god, Benito Mussolini. These three states stand alone in the modern era for having devised their own Bibles and manufactured their own gods.

When we come to the French and English states, we discover that their political inspiration pours from a different fountainhead altogether than do Germany's, Italy's, and Russia's. To the present day the intellectual cornerstone of the French state remains Jean Jacques Rousseau, with his doctrine that political sovereignty resides with the people. Although several men before him, notably Hubert Languet, Jean Bodin, and Thomas Hooker, gave first expression to this notion, it was Rousseau who extended it to its ultimate and logical political conclusions. As sovereignty abides with the people, Rousseau argued, the government is a mere trustee, and the ruler an agent ever subject to the people's will. This popular will, which affords the only legitimate ground for political action, thereby establishes the rule of the people, or democracy, as the backbone of every political institution. It is relevant to recall in this connection that when the Thirteen Colonies rose up against Great Britain and proclaimed their independence they rested its intellectual foundations upon the notion of the inalienable rights of the people, which no human being can give away and no king or despot take away. This doctrine, which remains to the present day as the first principle of our democratic Government, is the political legacy of Jean Jacques Rousseau.

The British state intellectually is animated by a different set of political philosophers altogether than the continental European states. Twentieth-century Great Britain represents a synthesis of the philosophies of two illustrious seventeenth-century personalities, Thomas Hobbes, the conceptual fountainhead of political despotism, and John Locke, the intellectual powerhouse of modern democracy.

Hobbes expressed his political speculations in his celebrated opus, Leviathan, a work published in 1651 for the purpose of lending legal color to the Roundhead regime of Oliver Cromwell. "Homo homini lupus" is the first principle of Hobbes' Leviathan: "Man is a wolf to his fellow man," and hence needs the authority of the state to curb him. By nature man is "solitary, poor, nasty, brutish, and short," and in his original state, which Hobbes calls the state of nature, he is a bellicose being whose hand is lifted against every man's and every man's against his. The state of nature is a cockpit in which every man is a plundering and devouring beast to his fellow; a state governed by the law of the sword, with force and fraud proclaimed as its superlative virtues. Driven to desperation at last by this brutish existence, these tortured and tormented creatures called men cast about them for some thoroughfare of escape from this nightmare of terror and wretchedness. Whereupon these warring yet suffering creatures came together and sealed a covenant with "some one man" by which they transferred to him, his heirs and legal successors, forever, all of their individual rights and powers, in consideration that they be checked evermore from relapsing into their natural state of beastliness and wolfhood. The "Leviathan," or state created by this contract, must have absolute power or sovereignty over the actions of the governed, while the latter, by virtue of the unilateral social contract to which they have subscribed, have purged themselves everlastingly of the power and even the very right to question or resist the authority of the ruler.

This ever-ravenous and rapacious Leviathan, having first wolfed down the individual man, then proceeds to devour the individual state. Man being a wolf to his fellowman, his state becomes a wolf to its fellow state.

Thomas Hobbes, by affirming the international realm to be one of perpetual conflict and everlasting warfare, has been the first intellectual figure of modern times to supply a philosophical backbone for power politics, a theoretical authority for the usage of force and fraud in the affairs of the nations. Hobbes' Leviathan is a conceptual reservoir which the dynamic states of the modern world have freely drawn upon in support of their imperialistic policies.

John Locke, the second philosophical underprop of modern Britain, composed his illustrious Treatise of Government with a view to justifying the revolution of 1688, in which James II had to abdicate the British throne and William and Mary being crowned in his stead. Man is not a wolf to his fellowman, Locke taught, and the state of nature is not a war of all against all, as Hobbes maintained. It is a state of "good will, mutual assistance and preservation"; in short, a state of peace in which justice and the spirit of brotherhood are the noblest virtues. To assure themselves that right would prevail over might, these peace-loving men executed a contract, a social contract, with one of their number by which they transferred to him the right to rule in return for his promise to preserve and protect their life, liberty, and property. This bilateral contract, by which mankind passed from the state of nature to the civil state, is not an indenture of bondage, but a charter of freedom; not an indenture of bondage for the individual. It is not the unilateral contract executed by Hobbes' man who has irrevocably transferred away all of his rights to the sovereign, who, in turn, assumes no affirmative obligation toward him. Locke's social contract is bilateral in character, obliging the sovereign to protect life, liberty, and property, and to govern for the benefit of the community from whom alone his authority is derived. Should he breach his covenant the community reserves unto itself the right to cancel the contract by whatsoever means it may deem most fitting, even by force of arms and revolution, if necessary.

Thomas Hobbes has grown to be the spoiled darling of the power-politics practitioners, while John Locke has proven a running river of inspiration to the devotees of democracy and self-government who rank the rights of man above the rights of the state. Yet, strange though it may seem, the British Empire has waxed fat and grown great by pursuing at one and the same time the conflicting and utterly polaric philosophies of both Thomas Hobbes and John Locke. The ruthless imperialistic policy which Great Britain pursued until the opening of the twentieth century, a policy which had served to make its name the very embodiment of strong-arm tactics and political perfidy—force and fraud—was consummated under the impulse of Hobbes' Leviathan and his notion that man is a wolf to his fellowman. The democratic design that it has carried out in its internal affairs during the last century, which has made Great Britain's social and economic legislation a source of inspiration and a very model to its sister democracies, was accomplished under the influence of John Locke and his notion that man is essentially good by nature.

British internal policy since the commencement of the nineteenth century has regularly swung like a pendulum, from right to left and from liberal to conservative, being systematically swayed by the particular right or left tendency then prevailing upon the continent. It is as singular as can be that the final impetus for the bulky catalog of liberal legislation, political, social, and economic, which the British Parliament has enacted within the past 100 years, most often has come to it from foreign lands.

Since the days of Napoleon's downfall the successive British ministries have tended to shape their domestic policies according to the state of the political weather prevailing in the countries of continental Europe. When the forces of blind reaction ruled the roost on the continent, England, in turn, became a buzzing beehive of political fundamentalism; and when liberal forces were on the march and regime-shattering revolutions overswept the face of Europe, the particular British party in power promptly became the true-blue champion of liberal legislation, the sponsor of political and social reforms. In these latter instances it did not appear to matter much if the liberal or the conservative party was in power; if legislation of a liberal character was indicated, liberal and conservative ministries alike hastened to enact it. A brief survey of the domestic history of England during the nineteenth and twentieth centuries will quickly establish the extraordinary extent to which the dynamic political forces of continental Europe have shaped and influenced its internal democratic policies.

With the final downfall of Napoleon in 1815 the spirit of liberalism was driven underground, with the forces of absolutism and reaction having their way in every country of continental Europe. During the following 15 years, and longer, the potentates of France, Spain, Portugal, Austria, Prussia, and Russia granted no quarter in their brutal life-and-death struggle with the forces of liberalism and democracy. In every single one of these lands personal liberties were suppressed and the rights of freedom of speech, press, and assembly were ruthlessly strangled. These hard-shell sovereigns strived desperately to rule over their unhappy subjects by the pre-French Revolution plan, having apparently learned nothing and forgotten nothing out of their bitter experiences of the Revolutionary era.

This spirit of black reaction was also imported into England. The Tory ministers, who governed it under the direction of Lord Castlereagh and the Duke of Wellington during the years 1815–30, assumed a sinister view of any proposed reforms of politics or society. Vigorously they battled to conserve every existing institution and to preserve the status quo ante unchanged and intact. If sometimes it appeared that they were checkmating the efforts of continental reactionaries, as their positive refusal to fly to Spain's aid in recovering her lost American colonies might indicate, they were rather motivated by commercial considerations of trade with these lands, than stirred by any inborn love for democracy or devotion to the rights of man. At home the die-hard Tory politicians who dominated Great Britain throughout this decade and a half were as inflexibly determined to maintain the eighteenth century conditions as was the cynical Prince Metternich in Austria or the counter-revolutionary Charles X in France.

This period of blind reaction on the European Continent extended until the year 1830, when the political pendulum made an altogether unlooked-for swing from right to left. In that year the July revolution broke out in France, the reactionary, divine-right ruler Charles X being deposed and put to flight, with the self-styled liberal, Louis Philippe, Duke of Orleans, mounting the throne by popular acclaim. The abruptness and success of this political earthquake dispatched a sympathetic tremor throughout the whole of Europe. Reactionaries grew alarmed, liberals took heart. Belgium, Italy, Poland, Switzerland, and Germany felt the shock of upheaval, with even that certified model T reactionary, Prince Metternich feeling himself compelled to call off his political witch hunting for a time.

No sooner did the news of the successful revolt of the French middle classes arrive in London than it brought to a head then and there all the political discontents which had been brewing beneath the surface against the reactionary regime of the Duke of Wellington. The Iron Duke's Government fell almost forthwith to be succeeded by a Whig ministry pledged to reform and headed by Earl Grey. After a bitter battle extending over a period of 2 years during which the Whig ministry resigned and then again returned to power, the British Parliament enacted the reform bill of 1832, the first measure of political reform in modern English history, which among other innovations doubled the size of the qualified electorate.

This political reform movement extended itself by and by into the social sphere. In 1833, after a parliamentary inquiry had been conducted into factory conditions, a Tory reformer, Lord Ashley, persuaded the Parliament to enact the Factory Act of 1833, a measure for which the reformer, Robert Owen, had propagandized in vain during the preceding period of reaction. We may appreciate in full the appalling and inhuman working conditions which faced the British laborer a century ago when we learn of the circumstances which prevailed even after the reform was effected. Even then children under the age of 9 who were employed in the spinning and weaving factories had a 9-hour working day, and "young persons" between the ages of 9 and 18, one of 12 hours. The Factory Act of 1833, pathetically inadequate though it sounds to the twentieth century ear, nevertheless was the first measure of social reform enacted in England and was to become the cornerstone of the structure of social legislation to follow.

The revolutions of 1830 miscarried in most of the continental countries in which they had raged, whereupon the forces of reaction entrenched themselves once more. Nevertheless, by the last years of the thirties and the early years of the forties, popular discontent had grown so widespread in France, Germany, Austria, and Italy that new and even more potent revolutionary gases were being generated in these lands. This state of affairs impelled the party in power in England, this time, oddly enough, the Conservative Party, under the leadership of Sir Robert Peel, to enact additional legislation of a liberal character. The self-same Sir Robert Peel who once had so bitterly fought the passage of the reform bill of 1832 now found it expedient to turn champion of social legislation. Under his sponsorship Parliament enacted the Mines Act of 1842 which prohibited underground labor for children below the age of 10 as well as for women, and the Factory Act of 1844 limiting the working day of the adult woman employed in textile factories to 12 hours and that of children to 6. Three years later the working day of the adult woman employed in textile factories was bobbed to 10 hours. At last, in 1846, by virtue of Sir Robert Peel's sponsorship, Parliament repealed the corn laws which by imposing a heavy duty upon imported wheat had inflated the cost of bread and had brought untold misery to the poor.

Meanwhile in France, the nineteenth century incubator of revolutions, a fresh one broke out—the Revolution of 1848. In double quick time it had extended itself to Italy, Germany, Austria, and Hungary, where within a few brief months one rebellion after another was crushed with an iron fist. The severe blow administered to the cause of liberalism on the continent was all the signal that the ruling British Conservative Party required for its guidance. During the following 19 years, not a single significant reform of a social or political character was enacted.

The outcome of the American Civil War furnished the impetus for the passage of the next great reform measure in England, the electoral reform bill of 1867. During the Civil War the English ruling classes had sympathized with the landowning and slaveholding aristocracy of the South, while the working classes, in spite of the unemployment and suffering provoked by the loss of the American cotton supply had openly expressed their sympathies with the democratic North. The final victory of the northern armies encouraged the British laboring classes to stage gigantic demonstrations and mass meetings in all their important industrial centers, calling for universal manhood suffrage. In this crisis, the Conservative Party, under the leadership of Benjamin Disraeli, enacted the Reform Act of 1867, which again doubled the British electorate for the second time. In so doing, they accounted a liberal political program to be a deed of political discretion.

The next wave of political reform prompted from abroad came in with the rise of the Independent Labor Party in 1906. The Russian Revolution of the preceding year had sharply spurred the activities of the socialist movements in every country on the continent, and even commenced to stir the British workingman's class consciousness. The outcome was that in the 1906 election, the Labor Party for the first time in its history polled upward of 300,000 votes and elected 29 members to the House of Commons. By this extraordinary achievement, it transformed itself into a brand new and potent force in British politics. The Liberal Party which had been swept into office by the same election, sniffing the new quarter out of which the political winds were blowing, wisely renounced the laissez faire policy it had ardently espoused for several decades preceding, to become the latter day champion of social legislation in Great Britain.

During the following 6 years it enacted a comprehensive program of social legislation which included:

First. Trade Disputes Act of 1906, which protected trade unions against damage suits, and expressly permitted trade-union pickets to employ methods of peaceful persuasion in strikes.

Second. Education Act of 1906, which enabled local boards of education to furnish free meals to undernourished school children.

Third. Workmen's Compensation Act of 1906, which required of every employer that he insure his workmen against accidents and certain industrial diseases.

Fourth. Old Age Pensions Act of 1908, which required of the state that it pay every needy and aged person a subsidy.

Fifth. Children's Act of 1908, which provided for free medical attendance at child birth, and free medical examinations to those families too poor to pay for such facilities.

Sixth. Labor Exchange Act of 1909, which set up a system of free public employment bureaus.

Seventh. Housing and Town Planning Act of 1909, which authorized the public authorities to condemn and tear down unsanitary dwellings, to be replaced with parks and model homes.

Eighth. Trade Boards Act of 1909 which established special boards, composed of representatives of employers and employees in equal numbers, empowered to fix a minimum wage in sweated industries.

Ninth. National Insurance Act of 1912 which compelled the employer and the employee to contribute to a fund to which the State also made a special contribution, thereby providing health insurance for virtually every industrial worker, as well as of certain specified categories of workmen against unemployment.

This program of economic, social, and political legislation, relating to unemployment insurance, old-age pensions, slum clearance, recognition of the rights of labor unions, and free public employment bureaus is a blue print of Great Britain's "new deal" and remains in effect to the present day, although it is the Conservative Party which is in power. A whole generation was to pass before a comparable program of enlightened social and economic legislation on behalf of our submerged and underprivileged fellow citizens was to be enacted as the law of the land by the Congress of the United States under the humanitarian leadership of Franklin Delano Roosevelt and the New Deal. The American New Deal is Great Britain's "old deal." [Applause.]

The next social-political shock sweeping in upon Great Britain from abroad again was seasoned with Russian dressing, springing as it did from the Russian Revolution of 1917 in which Czar Nicholas II was overthrown with the democratic but short-lived regime of Alexander Kerensky coming into office. In an effort to escape a possible uprising of comparable character in Great Britain, the Parliament enacted the electoral law of 1918, granting a parliamentary vote to every male above 21, and to every female above 30. This bill has enlarged the British electorate by upward of 8,000,000 additional voters.

The final defeat in November 1918 of the autocratic Central Powers—Germany, Austria-Hungary, Bulgaria, and Turkey—by the democratic Allies—Britain, France, Italy, and the United States—provoked wholesale transformations and transmutations in the Old World. A Europe thoroughly remodeled from cornerstone to coping stone emerged into the new post-war era. Monarchies had turned to republics, and every despotic European potentate of the ante bellum days had been booted from his throne and sent to his exile or death. Newborn states had come to life as the very first fruits of the principle of self-determination of peoples. A League of Nations had been hatched out in order to land support to the peace and security of Europe. All in all, those were uncommonly stirring days, in which the right to democracy, liberty, collective security, self-determination of peoples, and home rule were vigorously affirmed and proclaimed on every hand.

This spirit of liberalism and enlightenment speedily ran across the Channel into Great Britain where it produced a flock of fresh political, social, and economic reforms, enacted by eager Conservative and Labor governments alike. These liberal forces, however, did not come to rest in England but penetrated into the British Empire's every unit. Voices demanding political reforms were raised in Ireland, Egypt, India, and Australia, and cries that the old order be swept away resounded in the highest places. The British Government, at this juncture, arrived at a historic decision, and for the first time in her long history prepared to deal with her subjects in the Empire in the spirit of John Locke, and not of Thomas Hobbes. The history of the post-war relations of the mother country with her overseas territories is filled to the brim with the concesions and free-will offerings granted to them. The independence of the Irish Free State was accepted between 1921–38; Egypt's between 1922–36, and Iraq's between 1922–32. Canada, Newfoundland, Australia, New Zealand, Union of South Africa, and the Irish Free State, by the Statute of Westminster in 1931, were granted full equality with the mother country within the British Commonwealth of nations. Even India has been granted a democratic constitution, and the principle of representative government is being extended there on every hand.

These democratically motivated reformations represent a latter-day extension of the liberal and public-spirited tendencies introduced into English political life with the First Reform Act of 1832. Although during the course of the last century the political pendulum has fluctuated erratically between conservative and liberal and labor ministries, it is noteworthy that a generous crop of liberal reforms and concessions have been enacted into law under the auspices of conservative governments. This deeply rooted spirit of hu-

manitarianism, this persistent striving after democracy within its country and afterward within its empire which have served to make her a source of inspiration to the liberal world is her intellectual and spiritual legacy of John Locke.

Although in its domestic policies Great Britain has displayed an ever-growing disposition toward political democracy, it has managed its foreign affairs in a different spirit altogether—in a spirit of machtpolitik—power politics as glorified by Hobbes' "Leviathan." Acting on the assumption that a state of nature still exists as between commonwealths she has made bountiful use of the methods of force and fraud in adding to her overseas territories. A few representative instances will reveal in interesting detail the means by which she has transformed herself from a small, storm-swept island into the mightiest empire on earth.

The keystone of the British Empire is India, and the methods that were employed in conquering and exploiting that ancient and unhappy land confer no kind of luster to Albion's reputation as an honorable nation. Virtually the entire conquest of India was consummated by the judicious distribution of bribes and an elaborate network of intrigues, with a dash of military action in the field. In this spirit Sir Charles Napier, one of the British heroes of India, wrote characteristically with respect to his annexation of the Province of Sindh: "We have no right to seize Sindh, yet we shall do so, and a very advantageous, useful humane piece of rascality it will be." The Oxford History of India finds it superfluous to describe the conquest in lurid detail, but contents itself with hinting darkly: "The chiefs were fleeced and treated unfairly but it is needless to pursue further the unhappy subject." The conquest of India with its fabulous wealth furnished the cornerstone for English industrial capitalism, making possible and necessary the subsequent expansion of the British Empire.

The century-long struggle for South Africa, culminating in the Boer War, proved to be an equally shady enterprise, marked by broken promises, questionable legal claims, dubious practices, and flimsy pretexts, all designed to extend and extenuate its military conquests. Nor was her acquisition of Hong Kong, as an outcome of the opium wars with China in 1842, attended by any considerations other than the force and fraud so glibly commended by Thomas Hobbes. And as for her behavior in Egypt, which the opening of the Suez Canal had transformed into an indispensable link in her vital life line to India, it has not been out of keeping with the venal practices which had proved their worth in India and South Africa.

Having built up, in the spirit of the Leviathan a mighty and colossal world empire on whose flag the sun never sets, Great Britain, since the inception of the eighteenth century, has conducted its foreign policy with the great powers in an effort to preserve her own territorial integrity. Any rival state in Europe which grew formidable enough to menace her security or jeopardize her control of the seas did so at its own peril.

In the name of security Great Britain has labored systematically to keep the great powers of Europe divided into two fairly matched rival camps, so as to preserve a balance of power on the Continent. As long as this balance was maintained, England withdrew herself from all active participation in European affairs. But when any single state grew so powerful as to make itself a potential master of Europe and a sinister menace to the Empire, it was certain to draw down upon itself the armed wrath of Britain. In these emergencies she discovered it to be a tactful deed to form a military league with several other powers against the menace. Between the Revolution of 1688 and the Battle of Waterloo alone, Britain fought seven major wars, the shortest enduring for 7 years, the longest for 12. Out of a period of 126 years, 64 years, or more than one-half, were dedicated to wars, the greater part of which were directed at preserving the balance of power; that is, defending the security of the British Empire. The major conflicts that Great Britain has engaged in during the past two centuries in an effort to preserve the balance of power to make the world safe for the British Empire, are:

First. Wars of the Spanish Succession: Upon the demise of Charles II, of Spain, without issue, in 1700, a bitter rivalry for the prerogative of selecting his successor broke out between King Louis XIV, of France, and the Emperor of Austria, Leopold I, each of whom had an unemployed kinsman in mind for the office. If the Bourbon candidate mounted the Spanish throne, it would provoke forthwith the union of France and Spain and make Louis XIV the overlord of all Europe, while the success of the Hapsburg candidate would spell security for the British Empire. Hence, when the French monarch proclaimed his grandson as King of Spain, thereby upsetting the European balance of power, Great Britain felt herself impelled to form the grand alliance against France, with Holland, Austria, and eventually Savoy, a combination of states which waged war with Louis XIV between 1702 and 1713. The grand monarch was ultimately defeated, and the menace of a French hegemony over the Continent was dissipated.

Second. Napoleonic Wars: Almost a century later Napoleon threatened to set himself up as Europe's undisputed Caesar. He organized in 1798 a formidable expedition against Egypt with a view to cutting Great Britain's communications with India. In this emergency, Great Britain, again "to preserve the balance of power," brought together a second "grand alliance," this one composed of England, Austria, Prussia, and eventually Russia and Spain. This quorum of powers ultimately snuffed out Napoleon's hopes at Waterloo and restored the balance of power to the Continent.

Third. Crimean War: In 1853 Russia declared war upon Turkey with a view to dismembering the "sick old man" of Europe and securing a free and undisturbed outlet to the Mediterranean. A bellicose Russia squatted down snugly at Constantinople would be a misfortune for British trade in the eastern Mediterranean and a menace to her communications with India. Accordingly, Great Britain, abetted by France and presently by Sardinia, joined up with Turkey and fought until their allied arms were blessed with victory. This happy consummation to the war guaranteed Britain's commercial supremacy in the eastern Mediterranean for a whole generation to come.

Fourth. Congress of Berlin. In the second Russo-Turkish War, fought in 1877, the Russian arms were blessed with glistering success. By the treaty of San Stefano, signed by the belligerents in the following year, Turkey was deprived of the greater part of her European territories. The execution of this treaty would serve to turn the balance of power in southeastern Europe downside up and transform Russia, once more, into an eastern Mediterranean menace to Great Britain. Accordingly the latter swung into action without delay. Bolstered by the support of Germany and Austria-Hungary, she threatened Russia with a general European war unless the latter submitted the framing of a new peace treaty to a European congress of the major powers. The consequent Congress of Berlin—1878—despoiled Russia of the choicer tidbits of her military victory, and served to restore the balance of power in southeastern Europe.

Fifth. World War. The rise of the formidable Triple Alliance, composed of Germany, Austria-Hungary, and Italy, threatened to dominate the European Continent at the commencement of the twentieth century. Once again Great Britain felt herself impelled to seal a treaty of alliance with France and Russia, a Triple Entente, which after 4 hard years of war, and with a little outside assistance, forced Germany at last to lay down her arms in the field and sue for an armistice.

Yet as the outcome of the first Russo-Turkish War in the last century failed to satisfy the principal belligerents and only ripened into a second passage-at-arms between them a generation later, so has the first World War, after a troubled interval of a score of years of so-called peace matured into another conflict between the rival antagonists.

Adolf Hitler's rise to power and the resurgence of the Third Reich's military might had failed to strike the British

with dismay, at first, for they confidently trusted that the new political fever raging in Germany would simmer down, by and by, and burn itself out. When these great expectations failed to come off, and Adolf Hitler's will to conquest and appetite for expansion was augmented, day by day, and not abated, the British ventured to buy off the new menace, to make him feel satisfied, to appease him. To this end they concluded a naval agreement with the Nazi Fuehrer, on terms particularly gratifying to him, and at Munich, last year, they suffered him to annex outright a quarter of Czechoslovakia and reduce all the rest of that unhappy country to a position of political, economic, and cultural vassalage to the Third Reich. The British, in addition, permitted Hitler to exercise a free hand in the economic and cultural affairs of central and eastern Europe.

Yet all this appeasement failed to appease; the Nazi appetite only grew with the eating and their will to more was but provoked the more they were offered appeasement. At last in March of this year, when the Nazi legions invaded defenseless Czechoslovakia, it was brought home to His Majesty's ministers with crystal clarity that as a menace to the peace and security of Europe, Adolf Hitler has been exceeded by none within the last hundred years. The British, at last, have grown sensible of the fact that it is Hitler's ambition to perpetrate what even the knowing Napoleon and the aspiring Kaiser had failed to carry off—to crown himself as the all-highest, the all-powerful Caesar over all Europe.

Thenceforward the British Government turned its back upon its now bankrupt appeasement policy and focused all its energies to resist with every means at its command any further military aggressions on the part of the Nazis, even by force of arms if necessary. It was in pursuance of this policy that Great Britain declared war upon Nazi Germany when Adolf Hitler dispatched his troops upon their ruthless invasion of Polish soil 2 months since. Today Britain and France are found standing side by side in this second World War. Each in desperation is fighting for its very life as a great power in the western world. Each is determined that the Nazi menace must be destroyed for all time if freedom and democracy are to survive on this earth.

In view of this world-shaking, historic occurrence, it becomes necessary that we, the people of the United States, take stock of this altered course of events and thoughtfully appraise the consequences it may hold for us in the difficult days that lie ahead.

We have been called into special session by the President of the United States to give new consideration to the current Neutrality Act in the light of the great conflict that has broken out on the other side of the Atlantic. In the present position, three possible courses of action affecting our commercial relations with the belligerents unfold themselves for our studied consideration. It is possible for us to—

First. Repeal the arms embargo.

Second. Retain the arms embargo.

Third. Retain the arms embargo and forbid all commerce with the belligerents in addition. This position represents the ultraisolationist point of view.

The SPEAKER. The time of the gentleman from New York [Mr. SIROVICH] has expired.

Mr. BLOOM. Mr. Speaker, I yield the gentleman from New York 5 additional minutes.

The SPEAKER. The gentleman from New York [Mr. SIROVICH] is recognized for 5 additional minutes.

Mr. SIROVICH. Mr. Speaker, although in principle every one of these individual courses appears to be a neutral one, in application all are unneutral, favoring as they each do the one belligerent over the other. Neutrality spells impartiality, not favoring one over another, not taking up sides with either of the rival belligerents.

If the arms embargo be permitted to stand unreformed, the very failure to take action will operate as a quasi military and naval blockade against England and France to the undisputed advantage of Nazi Germany. It will deny to the democratic belligerent powers every possible opportunity to purchase the arms and munitions and vital airplanes they are in such desperate need of. At the selfsame time, the arms embargo will cost the Third Reich no military hardship whatsoever. From the Krupp and Skoda Works of Czechoslovakia, as well as the Austrian and Polish armament plants which she has now taken over, Germany has armed her fighting forces to the teeth in preparation for the current war, a war for which Nazi Germany, and Nazi Germany alone, is held accountable in every neutral land on earth. Keeping the arms embargo, in practice, is a supporting crutch to Nazi Germany and a binding strait jacket to democratic Britain and France.

On the other hand, the repeal of the arms embargo, in freeing our nationals to sell arms and munitions to any belligerent who presented himself, will be as unneutral as the contrary policy has been in application. By so doing we will extend our favor to Britain and France and deny it to Nazi Germany, for the British blockade has swept the high seas bare of every German merchantman and has latched every German port to neutral vessels. And if all American commerce with the belligerents is embargoed, it will again favor Nazi Germany, who is now dealing with Soviet Russia to supply her with arms, implements, ammunition, bombers, and raw material necessary to continue the war, at the expense of Britain and France, and court economic disaster to ourselves in the bargain, for Great Britain and Canada are our very best customers.

Hence, whichever decision we shall form, whether to keep the embargo, repeal it, or extend it, its effects will favor one rival belligerent over the other or else serve to bring ultimate ruin unto ourselves. Accordingly it cannot realistically be said that consideration of so-called neutrality must guide us here this week. We must form our policies upon the basis of other calculations altogether. I like to believe that I am voicing the sentiments animating every Member of this great body by asserting that in the current emergency we must be ruled by two main considerations since absolute neutrality exists only in theory, but is unneutral in application in every way to every one of the belligerent nations:

First. Which policy will best serve American interests? and

Second. Which policy appears the more likely to keep us out of war?

Which of the three above-described alternatives would best serve American interests? It is readily apparent that the policy of total embargo, of extreme isolation against the belligerents, would spell disaster to the American economic system. The Embargo Acts enacted into law during Jefferson's administration brought down a major economic depression upon this country. There is scarcely any rational reason to believe that a total embargo in our day would have any different outcome.

We are called upon today to decide whether our national interests are identified in fact with the one belligerent or the other, or if we can view the outcome of the war, whatever it be, with perfect equanimity. A brief review of our international relations with Germany on the one hand and England and France on the other should afford some valuable clues as to what the future may hold for us.

Ever since the termination of the World War our relations with England and France have been of the friendliest nature. By American request Great Britain denounced its 20-year-old alliance with Japan and even persuaded the latter to accept the 5–5–3 naval ratio desired by our officials. The naval agreement which resulted remained in force for 15 years, until denounced by Japan in 1936. In recent years the Allies have worked hand in glove with our financial authorities in stabilizing their respective currencies, to the end that economic cooperation among the three powers be facilitated. Every difference that has arisen in Anglo-American and Franco-American relations, with the solitary exception of the war debts, has been adjusted in a spirit of friendly negotiation and mutual good will. As to the war debts, I am altogether certain in my mind that Britain and France cherish bitter regrets for having failed to keep up their payments.

German-American relations during the 14 years following the World War had also been of a very friendly character.

Uncle Sam acted the part of the "rich uncle" to the Weimar republic. We subscribed huge sums to feed the starving Germans and later extended enormous loans to the German Government and German industry upon very generous terms. Only when Adolf Hitler came into office was this international friendship disturbed and upset. During the last 6 years German-American relations have steadily moved from bad to worse because the Nazi government has devoted itself willfully to the task of damaging our interests in Germany. Where the Allies had defaulted upon their war debts to the American Government, the Nazis have defaulted even upon their commercial debts to individual American citizens, denying them at the same time all effective remedy. They have impounded American-owned funds in Germany and have forbidden its owners to draw it from the country. They have defaulted deliberately upon their public bonds so as to depress their value and make them available for repurchase at semi-bankruptcy figures.

But most sinister of all, they have undertaken an economic invasion of the Western Hemisphere, and by means of dumping and barter arrangements have tightened their grip upon South American commerce. Economic penetration was to be a prelude to political and propaganda penetration calculated to injure the standing and security of the United States. Only the sudden outbreak of the European conflict has deferred this relentless Nazi onslaught upon our vital interests in the Americas to some later day. German-American relations had fallen to such a low estate indeed, that our Ambassador to Germany was called home last November and since has failed to return to Berlin.

It is clear beyond all doubt that the triumph of the one belligerent or the other will spell destiny to America's interests. Great Britain, whatever her record of imperialism may have been during the nineteenth century, today represents peace, order, security; Nazi Germany represents war, disorder, treachery, insecurity. Britain is vitally concerned in maintaining the status quo in the Americas; Nazi Germany is dedicated to the upsetting of the status quo everywhere and remaking the world in its own image. British-American and French-American relations of the past decade have abounded with good will; German-American relations have been poisoned by the Nazi acts of hostility and animosity addressed toward us. In short, a British victory must spell American security, with Anglo-American friendship and good will enduring unchanged; a Nazi victory, with the British possessions in the Western Hemisphere at stake, must spell American insecurity, with German-American hostility swelling ever higher. Accordingly, the United States may be said to hold a vested interest in an Allied victory and a distressingly jeopardized interest in an Allied defeat.

Should the United States repeal the present arms embargo, would it be likely to lead us into war? During the World War American sentiment was stirred against the Kaiser's Government, ever so long before we became a belligerent, by the killing of American citizens sailing the high seas and the unrestricted German U-boat campaign against American vessels. The murder of American citizens and the willful and wanton sinking of American ships were directly responsible for driving us into war.

With these considerations in view, and the safeguarding of our national interests in mind, President Roosevelt, in his special message to Congress, has proposed a four-point program in the present emergency designed to keep us out of war:

First. Belligerents must take title, on a cash-and-carry basis, to all goods purchased in this country;

Second. American merchant vessels are restricted from entering the war zones;

Third. American citizens are forbidden to travel on belligerent's vessels or within the war zones; and

Fourth. War credits are denied all belligerents.

These points have all been adequately dealt with in the Senate bill under consideration here this week. The present cash-and-carry bill, if enacted into law, will serve to protect our national interests as best as ever they can be protected by act of Congress. And by removing the causes which led us into the last war, it should serve to keep us out of this one.

Mr. Speaker, greater than any material cash-and-carry concern that the United States may have in an ultimate Allied victory is a mighty spiritual stake. A little more than a century ago the final defeat of Napoleon inaugurated an era of black reaction in every land of Europe; the spirit of democracy and liberty was driven underground with the forces of autocracy and tyranny marching roughshod everywhere. A hundred years later, the victory of the democratic World War Allies over the despotic Central Powers secured the post-war world to freedom and democracy for a dozen years. To the victor of the current European war will belong the spiritual destinies of the post-war world to be. An all-conquering, all-consuming Third Reich will provoke every Fascist tendency, every sworn enemy of democracy, every lover of atheism, despotism, racism, and authoritarianism against the democratic traditions and institutions prevailing in the lands of North and South America. The broad Atlantic may preserve us, for the present, from enemy bombing planes and overseas battle fleets, but against the passage of ideas there is no frontiers of land or sea. On the other hand, a triumphant Britain and France will spell the destruction of the Nazi venom everywhere, with the affirmation of the spirit of liberty, democracy, and Christianity. A Nazi victory will be a spiritual Big Bertha pointed at our American institutions; a Nazi defeat, a monument to humanity, decency, and the rights of man.

The Nazi's bible is Hitler's Mein Kampf; the Frenchman's bible, Rousseau's Social Contract; the Englishman's political bible, Locke's Treatise on Government. A Hitler victory in the European war must spell victory for Hitler's bible Mein Kampf in virtually every civilized land on earth, and disaster to the pattern of life represented by the Social Contract and the Treatise on Government that confirm the supreme sovereignty of the people.

An outcome of that description will be a sinister menace to the American political bible—the Declaration of Independence and the Constitution of the United States. These inspiring and spirit-refreshing documents, glorifying man's inalienable rights to life, liberty, and the pursuit of happiness were framed in the spirit of Jean Jacques Rousseau's Social Contract and John Locke's Treatise on Government. Accordingly, the victory of Mein Kampf would cast a heavy shadow over that spirit and over the American ideals of liberty, democracy, and equality for which Jefferson struggled, Jackson suffered, and Lincoln perished.

Mr. Speaker, His Holiness, the brilliant, gifted, and inspired shepherd of the great Catholic Church, Pope Pius XII, only yesterday in an encyclical from the Vatican pilloried and condemned modern dictators responsible for treaty breaking and racial bigotry and intolerance.

His Holiness decried the destruction of the spiritual dignity of mankind and cried aloud to Heaven to prevent the exploitation of man and pleaded that mankind must not be used as a means to an end, but must remain an end in himself, and that the modern state must be the means to preserve that end. To preserve modern democracy throughout the world we must follow the brilliant counsel of that learned and distinguished scholar, His Holiness Pope Pius XII. [Applause.]

Mr. Speaker, the United States must keep out of European war. The flower of our American young manhood shall not be sacrificed again to the bloodthirsty Moloch of war. But in compensation the arms embargo must be lifted to strengthen the democracies of Great Britain and France—our first line of defense. Such aid, by providing the European democracies with the means to attain a final victory in their unwanted conflict, will help to preserve man's spiritual dignity and protect his integrity upon this earth.

Mr. Speaker, from this catastropic holocaust of war in Europe, there must come forth a better democracy for mankind to live in, and make true the shibboleth of our former great President Woodrow Wilson—that the world must be

made safe for democracy to live in, and that the lives of our patriotic American youths, whose lifeblood hallows the sacred ground in which their mortal remains are buried, shall not have been sacrificed in vain. [Applause.]

Mr. FISH. Mr. Speaker, I yield myself 2 minutes in order to call the attention of my colleague from New York to the fact that 20 or more years ago we went to war to make the world safe for democracy. We sent 2,000,000 American soldiers to the other side, and we helped win the war; yet, today there are those who still ask us to help make the world safe for democracy, in spite of the fact that the nations of the Old World have gone to the left and to the right into autocracies, dictatorships, communism, fascism, nazism and pseudo-democracies.

I am convinced that if we go forth again trying to make the world safe for democracy we will only make the world safe for communism. Twenty-two years ago we went across to oust "Kaiser Bill," and we helped throw him out. Now we are supposed to go over and throw out Hitler, who is a direct result of the Versailles Treaty and its harsh exactions against the only democratic government Germany ever had under the Weimar convention. There are internationalists and interventionists who want to sacrifice American lives to oust Hitler. I do not like dictators here or abroad, but if we throw him out I make the prediction that we would only pave the way for communism in Germany. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 20 minutes to the gentleman from Connecticut [Mr. MILLER], a distinguished World War veteran.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain letters from several neutral legations.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MILLER. Mr. Speaker, the gentleman from New York has given us all the background of ancient history and brought us up to the present date. In the limited time at my disposal I shall confine myself to the period 1914 to 1940.

I listened with usual interest to the gentleman from Texas [Mr. LANHAM], one of the many Members of this House whom I admire, but it seemed to me this afternoon that he was not up to his usual soundness. The gentleman from Texas said there were two things on which this country was united—neutrality and keeping out of war. I maintain that this country is absolutely united on the question of keeping out of war, but we are far from united on the question of neutrality either as a legal doctrine or a factual matter.

Statements made by Members of Congress on both sides indicate beyond peradventure of doubt that those making the statements, whether right or wrong, are not neutral. When a Member advises us to forget impartiality and take sides and fight, that is not neutrality.

I have all the hatred, all the deep feeling any Member of this House has against Hitlerism and the things it has done.

My ancestors came from Scotland. I served 18 months in France. My own flesh and blood lies buried in France, a sacrifice to the effort to save democracy.

I have the same emotional attachment to the Allies that many Members of the House have indicated. I maintain as a private citizen I can have those likes and dislikes, those hates and affections. But when I come to the floor of this House to legislate for the United States, I must bear in mind we are at peace with all the world, that every nation in the world is legally a friendly nation to the United States.

I believe the President was absolutely correct when he said the crux of this controversy was repeal of the arms embargo and going back to international law. The gentleman from Oklahoma [Mr. NICHOLS] resented the fact that Members of the House had stated in the past month that they felt repeal of the arms embargo was a step toward participation of the United States in the war now going on in Europe. In spite of the fact that that statement has been termed by many in high places as ridiculous, in the few minutes available to me I hope to be able to prove it is a reasonable statement and that in all probability repeal of the arms embargo might very well start us off on a series of events that, based upon our recollection, our own remembrance of what happened in 1914 to 1917 might lead us into war. Mark well, I did not say that repeal of the arms embargo in itself would involve us in the war. I said repeal of the arms embargo might start a chain of events that would make it impossible for this Government, either by the President or its Congress, to prevent honorably our entry into the war. I base that statement on our experience of 1914, 1915, and 1916.

The history of that period shows just what happened, how the war tied the hands of Woodrow Wilson, how we finally found ourselves in a position where war alone could prevent a panic. We reached the point where private bankers could not finance the needs of the Allies, and the United States Government had to float loans to buy munitions for France and England.

I now quote from the memoirs of Lloyd George:

> If we were interfering with America's potential trade with our enemies, at least we were providing her with a magnificent market in Britain, France, and Russia, which stimulated her industries to an unprecedented level of activity and profitableness. This fact had its influence in holding back the hand of the American Government whenever, excited to intense irritation by some new incident of the blockade, it contemplated retaliatory measures.

Further I read:

> Thus by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our case was lost. While British diplomacy maneuvered with skill to involve American industry and finance in the munitions traffic, it is certain that American business needed no compulsion to take war orders.

That is a quotation from the Life of Woodrow Wilson, by Ray Stannard Baker. Then further on we read of a cablegram sent by Ambassador Page to the Secretary of State, in which he makes this dire prediction:

> Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and panic averted. I think that the pressure of this approaching crisis has gone beyond the ability of the Morgan financial agency for the British and French Governments. Thus by the end of 1914 traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of war had reached the vanishing point.

That from Ray Stannard Baker in his Life of Woodrow Wilson.

Is it not reasonable and probable to believe that if we take the same steps now that we took in 1914–16 and permit a war boom to spring up, based on war orders for arms, ammunition, and implements of war, that we will achieve the same results, namely, entry into the war? Remember, not only are we considering dealing in the same commodities but we will be dealing with the same nations, the same people. Like circumstances, like people, like events should give us like results.

It has been stated during this debate that we are the only country that tries to maintain an arms embargo. Soon after the convening of this special session, I sent letters to some of the embassies representing in Washington the so-called neutral powers of the world. I have those letters here. The embassies of several of those countries have written me that their country has embargo laws or regulation prohibiting the exportation of arms, ammunition, and implements of war. In two of those great neutral countries the shipment of arms, ammunition, and implements of war is controlled by the government and the government, according to their statement, does not issue a license for the exportation of arms, ammunition, or implements of war. I have been granted unanimous consent to include in my

extension of remarks the letters from various embassies. I quote in part:

BRAZILIAN EMBASSY.

My country has followed the practice of supplying no means of warfare to any of the belligerents in a conflict, and especially no arms, ammunition, or war materials. This restriction, I may add, is well in the spirit of article 17, chapter III, of the Fifth Convention of The Hague, 1907.

At the outbreak of the 1914–18 war, Brazil did, for instance, place such an embargo on exports of war materials to belligerent countries, in article 4 of the above-mentioned General Rules of Neutrality:

"It is absolutely forbidden to export, from Brazilian ports to those of any belligerent power, arms, ammunition, or war materials, whether under the Brazilian flag or under any other."

[Reply by phone, October 3, from Legation of Sweden]

No embargo law because government controls manufacture of munitions, and during World War refused permit for sale to all belligerents. Will probably do same in this conflict.

LEGATION OF SWITZERLAND,
Washington, D. C.

The act of June 21, 1935, in regard to the protection of the security of the Confederation remains in force.

ART. 3. The following is forbidden and to be stopped:

a. The export of weapons, munitions, powder, and other war materials or their parts to warring states, as well as the assembly of such objects in boundary territories or for transport over the frontier.

ROYAL DANISH LEGATION,
Washington, D. C.

The exportation from Denmark of arms and ammunition has been subject to governmental license for many years, the same rule also applying to the importation into Denmark of arms and ammunition.

LEGATION OF FINLAND,
WASHINGTON, D. C., *October 5, 1939.*

Mr. WILLIAM J. MILLER,
Congress of the United States,
House of Representatives, Washington, D. C.

DEAR SIR: With reference to your letter of October 2, regarding the use of the embargo as a means to the maintenance of neutrality, I have the honor to inform you that under a law enacted on October 14, 1938, all exports of arms, munitions, and all kinds of implements of war from Finland is allowed only with the special permission of the Government in each particular case. This law is completed through a decree given the same day, which, however, only specifies the different kinds of implements of war. No later law or decree has, according to the latest information this Legation has received from Finland, been enacted, nor does this Legation know whether the Government has taken any further decision in the matter.

May I, however, in this connection, draw your attention to the fact that Finland, although our country has a certain production of war materials, on the whole is importing, not exporting such.

Yours very truly,

HJ. J. PROCOPÉ,
Minister of Finland.

ROYAL NORWEGIAN LEGATION,
Washington, D. C., October 3, 1939.

Hon. WILLIAM J. MILLER,
House of Representatives, Congress of the United States,
Washington, D. C.

DEAR SIR: I have the honor to acknowledge the receipt of your letter of October 2, 1939. In reply to your inquiry I have the honor to inform you that export from Norway of arms and ammunition, etc., is subject to license, in accordance with law of June 28, 1927.

It should further be stated that a general export embargo has recently been established in Norway with exception for some few articles only. Arms, ammunition, etc., are included under the general embargo provisions. The Norwegian Government, however, is authorized to grant license for export of articles comprised by the embargo.

Very truly yours,

W. MORGENSTIERNE.

Mr. Speaker, I believe the arms embargo provision of this neutrality law is the symbol of the neutrality of the United States as has been stated. It is not surprising that our people are disturbed. They accepted the arms embargo as a symbol and this Congress of the United States and previous Congresses of the United States, as well as the President of the United States are responsible for the existence of that feeling in the United States because of the enactment of this law in 1935, which was amended in 1936 and reenacted in 1937. May I remind you that on three roll calls on three different occasions a majority of the Members of this present House voted for arms embargoes. They knew at that time which nations were sea powers and which nations were landlocked. At that time, however, they were thinking only of one thing, honest neutrality and keeping this country out of war. The Members who voted for that legislation returned to their districts and told their constituents they had aided in writing this legislation, that it contained an arms embargo, that never again would we in time of war ship arms, ammunition, and implements of war to belligerents. I will take the time this afternoon to repeat the words of the President of the United States at Chautauqua, N. Y., in his now famous "fool's gold" speech.

I believe I am quoting him correctly, but from memory:

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other thing to belligerent nations, the unemployed of America would all find work.

They would tell you that if they could extend credit to warring nations, that credit would be used in the United States to build homes and factories and pay our debts.

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond, to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

Mr. Speaker, because of those statements and because of the statements of hundreds of Members of Congress, our people have accepted this arms-embargo provision as the symbol of honest neutrality. With that thought in our minds, can we wonder that many of them are worrying today?

I do not like to bring emotionalism into this discussion, but I think I should tell of a little experience that occurred last week end as being typical of the attitude of the American people. It is the attitude of many people of my district, and from talking to Members representing other parts of the country it seems to be the general attitude that repeal of the arms embargo is dangerous.

While I was at my home last week end a gold-star mother called me on the phone. She had a son who is now buried over in France. She told me that since the outbreak of war in Europe she had lost 18 pounds. She says: "I cannot sleep nights. I hear this repeal talk on the radio, and I read the newspapers, and I know the President is trying to repeal the arms embargo." She says, "I know why they are trying to do it. In fact, I read in the CONGRESSIONAL RECORD that they wanted to repeal the arms embargo to aid the Allies, to aid democracy. Of course, my sympathies are with the Allies, but I am thinking that I heard those very words in 1916." She says, "I remember the words of my son Russell"—a big 6-footer, 20 years old, every inch a man, as he proved himself to be. He was awarded the Distinguished Service Cross for bravery before his death.

She said, "I remember his words the last time I saw him in Camp Mills, Long Island, N. Y. He put his arm around my shoulders and said, 'Mother, do not worry. I am going to be all right; but if anything should happen to me, you will always have this one comforting thought, that this war is being fought to end all wars and that never again will the young men of this country be called on or expected to go to war. If we can accomplish that, then any sacrifice I may make will be well worth while.'" Thousands of mothers are losing weight and sleep because of this proposed repeal. They fear what may happen if we follow the path of 1917. To them the arms embargo means neutrality and this Government led them to believe that to be true.

There are two other contentions made by proponents of repeal to which I believe we should give some thought. It has been stated that the repeal of the arms embargo would be an aid to our own national-defense plans.

I remind you that in 1916 the War Department of the United States Government tried to place orders for thousands of rifles in my home State of Connecticut. They had specifications for the Springfield rifle. Our War Department felt that this was the greatest rifle in the world. However, when the War Department went to the factories that were making rifles for the Allies, they found those factories tooled up for the British Enfield rifle. Knowing that the Enfield was an inferior rifle, they felt they had to take Enfields because they could not afford the delay that would be caused by tooling up for the Springfield. If we put our ammunition industries and our aircraft factories at work turning out rifles and ammunition for foreign countries, and some national emergency arises whereby we must have those things in a hurry, we are going to find our factories tooled again as they were in 1916. The Nye committee exposed that situation. I believe an amendment was offered in the other body that would prevent the shipping out of this country of airplane motors or aircraft, at least until we had filled our own minimum requirements.

This seems reasonable to me. It seems the duty of every Member of Congress to make sure that what we need for our own national defense is available in the United States before any part of it is allowed to go out of this country. [Applause.]

Committees of this House were told in the last session of the Congress that it would take the aircraft industry in the United States 14 months, with existing factories and existing equipment, to meet the requirements of our own Army and Navy Air Corps and to produce the aircraft for which this Congress has provided money.

In the moment remaining, I should like, although not in the form of a challenge, to call on some Member who is advocating the repeal of the arms embargo to tell the House or insert in the RECORD something to show that there ever was a serious controversy between the Government of the United States and any government in Europe that involved the sinking of ships carrying wheat, gasoline, oil, or any commodity other than arms, ammunition, and implements of war. I had sent to me, in answer to my request, a complete file of the exchange of correspondence between our State Department and the governments of Europe in 1915 to 1917. In that whole group of correspondence there is not a single case, a single incident, that involved anything other than arms, ammunition, and implements of war.

I want to see some of the provisions that have been proposed in House Joint Resolution 306 enacted into law. I recall the words of the distinguished gentleman from Virginia [Mr. WOODRUM] during the W. P. A. debate. He said it is always possible under the rules of this House for the House to work its will on any legislation. I believe this to be true, and if it be true, then certainly it is possible under the rules of the House to permit us to vote on the arms-embargo provision and to retain the arms embargo, this symbol of honest neutrality, and also to write into our law the other provisions and restrictions that will strengthen our neutrality and will, I believe, go a long way toward keeping us out of war and preventing a repetition of the disaster that occurred in 1917 from occurring again. [Applause.]

I hope the House will adopt the motion made by my colleague [Mr. SHANLEY] to insist on an embargo provision in House Joint Resolution 306. We cannot ignore the authorities he quoted to us today. Every one of them flatly stated that repeal of the embargo was an unneutral act. This is not a case of upholding or defeating the President. We are all free to vote as we see fit, answering only to our constituents, our conscience, and our God.

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. SPRINGER].

PEACE AND NEUTRALITY FOR AMERICA

Mr. SPRINGER. Mr. Speaker, at the conclusion of this calm and solemn debate a very momentous question must be finally determined by this honorable body. The eyes of the Nation are upon us and the listening ears of the Eastern Hemisphere are gathering together the various statements which have been made here respecting the very vital and highly important question of our foreign policy in this critical period. We do not forget, I am certain, that as this debate proceeds the warring nations in Europe, with millions of men under arms and all of them invested with the necessary implements of war, are fighting. Other European nations who are the near neighbors of those engaged in the bitter controversy are seeking in every available way to avoid any involvement in that war. They are assuming a position of neutral nations, and they have so announced their intention. They do not want any part in the war, although it is waged on their own continent and at their own back door. They are seeking to avoid any participation in the war by remaining neutral.

In the very midst of this war we are asked to depart entirely from our policy of neutrality which is now in force and which has been our announced role of conduct since 1935, which pronouncement was made by an act of the Congress of the United States. By the provisions of the pending bill we are particularly asked to adopt a policy by which we depart from our announced and laudable rule of conduct and action by repealing that provision of our existing neutrality law which established an embargo on arms, ammunition, and implements of war.

As we approach this very vital subject, I am constrained to say that I feel the very great weight of the responsibility which is involved in this proposed action because it is transferred to each and every Member of the Congress; not long hence I will be required to speak the words which may, or which may not, hazard the lives of more than 40,000 of the young men who live in my Congressional district, all of whom are between the ages of 18 and 35 years—of military age—those who would be required to enter the war in case of our involvement; more than that, in this vote which we are about to take we must speak those words which may, or which may not, hazard the well-being, the happiness, the security, the property rights, and the contentment of all of the people in our various Congressional districts throughout the Nation. We are required by our action to determine our policy, at the very time a war is in progress in Europe, what we shall now do, or what we shall do in the future, respecting the sale of munitions of war to belligerents.

Mr. Speaker, our policy respecting the rule of conduct and action we will assume toward all belligerents in time of war has already been defined. This definition was given by an act of Congress in the year 1935; that same rule was reaffirmed in the year 1937. All of the nations of the world were given notice, which was unmistakable in its phraseology, as to what our position would be respecting the sale of arms, ammunition, and implements of war to all belligerent countries. They fully understood that notice, and they no doubt assumed they had a right to rely upon our announced rule of conduct. It was a clear and understandable pronouncement of neutrality.

This enactment of our policy of neutrality, in case of war, was applauded by the people of our Nation. They believed in it. Widespread interest was manifested in that law and in its laudable provisions. Our people were contented because they believed, in event of war in Europe, the embargo provisions of our law would prevent the sale of arms, ammunition, and implements of war—the very things which are ready for immediate use by armies with which to kill and destroy people—to any and all belligerent nations. The feeling of security which followed that laudable enactment was evidenced by public expression and public approval everywhere.

Permit me to point out that the President of the United States not only urged the passage of our neutrality law of 1935 and of 1937, which is now in force, but he publicly applauded it after its passage; he was perfectly satisfied with our position of neutrality then, and in his speech, made at Chautauqua a few years ago, and while speaking of war and of war profits, which he classified as "fool's gold," he said:

It is clear * * * the measures passed by Congress would, in the event of war on some other continent, reduce war profits which

would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men, but for the Nation as a whole it produces disaster.

Can there be any doubt respecting the attitude of the President on our position of neutrality at the time he delivered that speech by which he fully endorsed and approved our neutrality law? When we make a comparison of the statement of full approval of our neutral position made by the President in his Chautauqua speech with the statement made by the President in his message to the Congress on the 21st day of September 1939, in which he urged the repeal of the arms-embargo provisions in our existing law, we are constrained to say that he has executed an "about-face" without reason or excuse, because he said in his message, and I quote him:

> From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?

Therefore it is apparent that the President has completely changed in his policy respecting "war profits." The President firmly believed in our position as a neutral, in case of a European war, in 1935, and in 1937, and no mention of any dissatisfaction was evident upon his part until in May or June in the year 1939. We will quite well remember the King and the Queen of England visited this country in the month of May 1939, and they were lavishly entertained by the President. No American citizen will know what transpired between the King and the President in their secret conferences. However, we do know—and all America now knows—that after the visit of the Royalty in this country, and quite soon thereafter, our neutrality laws became quite obnoxious to the President. He had made his "about-face" and the law which he eulogized had become quite repugnant to him; at the same time all America was entirely satisfied with our neutrality laws and with our asserted position of neutrality. They believed in that law.

Mr. Speaker, the President further stated in his speech at Chautauqua, to which speech I have hereinbefore referred, that he was in full accord with our position as a neutral nation in case of war between other countries, because he said—and I quote:

> Nevertheless, if war should break out again in another continent let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.
>
> They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.
>
> It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond, to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.
>
> If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

There can be no doubt of the position taken by the President at the time he made that speech, because he urged the people to fully support our position of neutrality; he scorned the policy of selling munitions of war to belligerents and he denounced the policy of war profits, which, he declared, would bring national disaster. The words of the President were undoubtedly true then, because they were uttered in the calmness of peace—no war was in progress and no war was in contemplation. The words of the President are equally applicable today, the day when the acid test has come, as they were at the time they were spoken on the 14th day of August 1936, when he was praising our neutrality law which was passed in the year 1935. We will remember that we have before us evidences of the World War because the vision of the shattered and destroyed lives of men lingers near us, the result of untold suffering and misery is apparent to us, the want and despair of the people which followed in the wake of it is indelibly impressed upon us, and we are not without precedent in this instant case. We should profit by our sad and quite serious experience which followed our disastrous involvement in that world conflict. It is true that our neutrality law, which is now in force and which contains the embargo provisions respecting the sale of arms, ammunition, and implements of war, is the outgrowth of the World War, and it is the very protective policy which we adopted in order to avoid our involvement in any other such crisis.

Mr. Speaker, we may rewrite this very vital question which is now before us in a simplified form, so all may understand, and the primary point in issue is simply this: Whether or not we shall substitute cash and carry for the embargo in respect to the sale of arms, ammunition, and implements of war to belligerent nations? That is the paramount question we are called upon to decide. The single question of cash and carry respecting all other commodities—which would include agricultural products, manufactured articles, and all necessities of life, but which would exclude only the arms, ammunition, and implements of war to belligerents—I favor that limited policy of cash and carry as a part and portion of our law. There may be serious implications involved in this limited extension, but, there is a very great difference between the methods of sale and the articles sold; on the one hand we would sell only the necessities of life—those things which a people require for their own sustenance and livelihood. Sales of this character are not calculated to engender hate and ill-will; such a plan would not create a feeling of great hostility against our Nation.

But, on the other hand, if we engaged in the unlimited program of selling under a cash-and-carry policy—selling anything and everything to every nation who came for it, which would include the unlimited and unrestrained sale of guns of all kinds and types, ammunition of every type and character, poisonous gases of the most destructive force—all being death-dealing instrumentalities ready for immediate use in the destruction of human beings, such an engagement would, in my opinion, create the deepest feeling of hatred and ill will toward our country on the part of those belligerents who are unable to obtain those supplies. When we analyze the result of such an open-market policy in our country, under which we pursue an unlimited cash-and-carry program, selling all kinds of weapons, ammunition, poisonous gases, and implements of war to belligerents in time of war, pray tell me who would benefit under such a policy? England would be the chief beneficiary, and France might be able to secure some of those war supplies from us. I may say, without any reluctance whatever, that my sympathies are with England and France and against Hitlerism. However, my whole and my entire sympathy—all of the love of a human heart—is first, last, and all of the time with my own beloved country, the United States of America. That shall continue as long as I live. I think of my country first. We cannot hazard the lives of our boys and the prosperity of all of our people by taking a chance to acquire some of the "fool's gold" which the President talked about. We cannot take the step and commit the act which would inevitably bring the hatred of nations upon us.

May I suggest another indictment against the pending bill? Under the unlimited cash-and-carry provision which is proposed in the act now considered the same is an unqualified invitation to all belligerents to come to our shores and get their arms, ammunition, poisonous gases, and implements of war; to pay for the same; and to carry all such supplies in their own ships across the ocean to use in the war and for the express purpose of exterminating their adversary. I wonder what the adversary will be doing in the meanwhile? Will they remain supine and inactive and await the fatal day when the cargo of war supplies arrive at the port of the antagonist? I am confirmed in my belief that no such dormant state will be found on the part of any adversary, but we will witness a repetition of 1917–18, when the enemy was

found sinking the ships and destroying the cargo of war supplies thus obtained at our shore.

The lurking submarine, with its destination unknown, will find a fruitful spot either outside or inside our territorial waters for the destruction of its prey. The war would thereby be transferred to our side of the Atlantic and just off our shores. We have been schooled throughout the years that our territorial waters extend to the point 3 miles offshore. Then, if that be true, we would, by the adoption of that policy contained in this bill, invite at least a portion of this war into our own front yard. If the President, by dictum or order, or in any other manner, has sought to extend the boundary of our territorial waters to some point more remote than 3 miles, then in either case, or whatever that distance may be, it is quite too close to us to have any war engagements on this side of the Atlantic in which we have no concern. That would be too hazardous to contemplate. We must not extend any such invitation to belligerents to come here for war supplies, and we will thereby avoid any war on this side of the ocean. Our people do not want any war between European nations fought on this side under our own invitation to come. Let us not take the step in the House which will extend that hazardous invitation to belligerents; it might be the step into this war. God forbid that we take it.

For many months last past those in high authority have talked about war. The people of this country have desired peace and they have talked peace, not war. The people do not want our country to become involved in this European war in any manner whatsoever, and they want every precaution taken to avoid any such involvement. The Senators and the Members of the House have discussed the various issues involved in the present bill, and many people have openly expressed their honest and conscientious opinion, including people of all walks of life, that they feared the "full and unlimited cash-and-carry provision which is now contained in the bill under consideration" would be a highly dangerous policy for our Nation, and especially so when the same is sought to be adopted after the European war has been in progress for many weeks. In other words, the people fear that any change which is made now will be construed as an unneutral act by us. I was startled when the President, in a recent interview, was reported to have stated that those who argued that the "unlimited sales under the cash-and-carry plan, including all kinds of war munitions," might involve us in the end in this war was "all a hoax and a shameless and dishonest fake." I am happy that this is yet the land in which men and women may express their own opinion, and I am thankful that no person in this country has any right to limit or abridge that right of every American citizen.

Therefore, I say that all those who have spoken on the vital subject of our foreign policy, in this crisis, have the same right to so speak as has the President, and I am certain each and every person who has expressed his or her views respecting this important question has been entirely honest and thoroughly conscientious in so doing; the expression of their own views is their inherent right so to do, and the fact that their view does not coincide with the view of the President is no ground, whatsoever, for the challenge that such an expression is "a hoax," and that the same is "a shameless and a dishonest fake." Such a statement is no argument, it is not the presentation of any fact, but it is quite beneath the dignity of the highest office within the gift of the people of this Nation.

It is not the view of any one man which should be followed in this crisis, but it is the question of the safer course for us to pursue to keep out of this European war which should chart the course of our pathway. The men and the boys of our country would be forced to fight this war if we should become involved in it, not the President, and not those who would enjoy huge "war profits" under the President's recently acquired cash-and-carry plan; the war—in case we should become involved in it—would call for the boys and men from every walk of life to bare their breasts and shed their blood.

Mr. Speaker, let us revert to the naked question of the safer plan for our country to pursue in this crisis, we must think of our country, America, first, the arms and war munitions embargo or a full cash-and-carry plan for all war munitions. In my opinion the strict embargo on all war munitions, guns, gasses, ammunition, and implements of war is the safer course for us to pursue. I make that statement, first, because we thereby avoid the dangerous influence of a hatred which might be engendered in the mind of some belligerent under the cash-and-carry plan; and, second, we will entirely escape the extending of that invitation to belligerents to transfer any part or portion of their war to our own shores; and, third, we will not excite or encourage any abnormal war boom, one which will create the desire to acquire "fool's gold," as the President has so aptly stated it, which is one of the very worst and most devastating influences that can come to us as a curse to our economic life and progress. When the gluttonous appetite for war profits, and for more war profits, is upon those who desire to take advantage of such an abnormal condition, then the madness for profits engages in a general warfare with peace itself. This is a highly dangerous condition; we must never reach that point where profits stand on a parity with peace. That unstable condition must not obtain in this country. While it is true that reduced profits may not be conducive to fat bank balances and bulging safety-deposit boxes filled with bonds and securities; yet, with such reduction, it will be much easier to establish and maintain the stability of our Nation and it will certainly be a Godsend to the men and boys of the United States of America who would be required to go to the front in case of war.

When we meditate alone, Mr. Speaker, concerning this very vital question we will unanimously conclude, I am certain, that we must "keep out of this European war." Our experience in the World War appears before us as a prophet and the vision of those maimed and disabled comrades of mine are the danger sign, which reads: "Keep our country out of this war." Let us not take the first step, nor any step, in the possible direction of war; let us not attempt to write a law which is unneutral by its very terms and which is unneutral in fact, and which law will be construed by the nations of the world as an "unneutral act." I firmly believe this law, if passed, will be construed by some nations as an unneutral act on the part of the United States. I make that statement because at the outset of this European war we had stated to the world that we were neutral between belligerents—that we would not sell arms, ammunition, and implements of war to any nation engaged in war, and, after the war has progressed for a period of several weeks, we suddenly change our policy—we change the rules of the game—and establish another, and a vastly different policy, by which we proclaim we "will sell arms, ammunition, and implements of war to all belligerent nations," and at the same time we well know that only a favored few of the belligerents will be able to avail themselves of this opportunity; this sudden and very abrupt change is a highly dangerous policy and is a very serious mistake. I shudder when I think of the possible result. I want to protect the boys—I want to protect the people—in my congressional district, and in our Nation, from the anguish and suffering of war. We want no war—we want peace.

Mr. Speaker, I will vote against the "full and unlimited cash-and-carry policy for the sale of arms, ammunition, and implements of war," contained in this bill because I will not voluntarily submit to that course which may leave the blood of men upon my hands and the recollection of wrecked and destroyed homes upon my conscience; I will not cast my vote to take the step which may tend to lead us into this war, or any war, in which we have no concern. I cannot lend my aid in the passage of any act, after a foreign war has begun, which, upon its face, expresses a policy which is unneutral from cover to cover as this proposed bill indicates, and I cannot voice my approval of an act which is wholly unneutral but which is presented under the false guise and pre-

tense that it is a "neutrality law." The people should know—they must know—that this proposed legislation is an "unneutrality law," because we abandon the position of a neutral nation and we take sides with the belligerent nations. I cannot subscribe to the provisions of this bill for the sale of munitions of war of all kinds to belligerents indiscriminately, but which law was written, and it is now proposed for passage, with the sole and undeniable purpose and intent of helping one side of this controversy and of injuring and harming the other side and long after that war was begun, and to that extent we enter this terrible war when this law is passed—if, in fact, this proposed legislation does pass.

Mr. Speaker, I shudder when I hear the argument presented on behalf of profits—that makes the issue, Profits versus Peace. We have not reached the level in this great Nation, I hope, when dollars rule even when the lives of millions of our people are at stake. God forbid that such a rule will ever obtain here.

We are free today from the darkness and the horrors of this war. Our boys and our men are engaged in the arts and trades of civil life—they have the vision of peace and progress before them; they have that God-given right to live, and to make their own pathway which leads to destiny. We have no right to take away that right of their opportunity. Let us remain free and untrammelled from the inevitable results of that horrible carnage.

We do not boast of our happy and peaceful hours as a people, but we are content to continue our daily struggle. We do not mark time, but we march forward with the ambition of men to attain and to accomplish. We do have the fullest and the deepest sympathy and we view with grave concern and pity the deplorable condition of those nations and the people who are engaged in this war. May it come to a speedy conclusion, is our prayer. Let us, however, think of America first.

Mr. Speaker, we may disagree among ourselves concerning the wisest course for our Nation to pursue in this critical period in order to attain that sanctified benediction and that happy pronouncement that we have no war. Yet in the face of this joyful objective, which appears with the sacredness of the Sermon on the Mount, we must revere the unmistakable and unalterable fact that we are just one people walking uprightly before God—with the cherished memories of our heroic dead before us—through the undimmed light into the future. [Applause.]

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, if I am afforded an opportunity tomorrow, I expect to offer an amendment to the motion to instruct the conferees. I ask unanimous consent that I may insert this amendment at this point in the RECORD for the information of the Members.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The matter referred to follows:

SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for the Federal Reserve banks, the Reconstruction Finance Corporation, the Commodity Credit Corporation, the Export-Import Bank of Washington, or any other agency of the Federal Government, or for any person, association, partnership, or corporation within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person, partnership, association, or corporation acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, person, partnership, association, or corporation. The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation issued under the authority of section 12 (i).

(b) Whoever shall violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(c) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

(d) This section shall not apply to loans, discounts, advances of credit, and other evidences of indebtedness incident to shipments between the United States and states bordering on the United States as described and provided in subsection (f) of section 2 of this act.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SMITH of Virginia (at the request of Mr. BLAND) indefinitely on account of illness.

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to include in the remarks I have already been given permission to extend in the RECORD some brief quotations from the messages of President Wilson and President Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a. m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the time consumed in debate tomorrow be equally divided between and controlled by the gentleman from New York [Mr. BLOOM] and the gentleman from New York [Mr. FISH].

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters received from the chairman of the Social Welfare Commission of the State of Michigan on the subject of the reciprocal-trade agreement with Chile.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WHITE of Idaho and Mr. HOFFMAN asked and were given permission to extend their own remarks in the RECORD.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington Post of this morning.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 1, 1939, at 11 o'clock a. m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H. R. 7610. A bill to provide for adjusting the compensation of persons employed as guards and guard officers at navy yards, and for other purposes; to the Committee on Naval Affairs.

By Mr. SNYDER:

H. R. 7611. A bill to provide for the rank and title of lieutenant general of the Regular Army; to the Committee on Military Affairs.

By Mr. DIMOND:

H. R. 7612. A bill for the transfer of funds to the town of Wrangell, Alaska; to the Committee on the Territories.

By Mr. BATES of Massachusetts:

H. J. Res. 396. Joint resolution requiring the Secretary of the Navy to appoint a board to investigate naval defenses and to report to the House; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. SIMPSON introduced a bill (H. R. 7613) for the relief of Patrick Collins, which was referred to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5848. By Mr. BROOKS: Resolution of the Bossier Parish Petroleum Industries Committee, Bossier City, La., urging immediate repeal of gasoline, lubricating oil, and other motorist taxes; to the Committee on Ways and Means.

5849. By Mr. HARTER of New York: Petition of the Edward M. Daly Post, No. 1130, American Legion, on September 5, 1939, favoring the enactment of a Federal law compelling each and every citizen of the United States upon reaching the age of 18 years to be fingerprinted and carry identification card; to the Committee on the Judiciary.

5850. By Mr. VREELAND: Report of the National Affairs Committee, adopted by the National Republican Club of New York on September 26, 1939, favoring repeal of the arms embargo; to the Committee on Foreign Affairs.